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The Ethiopia-Eritrea Conflict:

Domestic and Regional Ramifications and the Role of
the International Community

Dima Noggo Sarbo



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Dima Noggo Sarbo*

Abstract

Eritrea and Ethiopia have been locked in bitter conflict since 1998; a conflict that has exacerbated internal political crises in both states, split the two ruling parties, threatened regional peace and security, and cost tens of thousands of lives. Although border and territorial disputes have not been uncommon in Africa as elsewhere (Widstrand, 1969; Nugent and Asiwaju, 1996), never have these conflicts led to such a ferocious war as between Ethiopia and Eritrea. This paper argues that the reasons for the conflict are far more complex than many have assumed, and are intrinsically embedded in the convoluted history of the two ruling parties. It asserts that relations between Eritrea and Ethiopia have been fraught with more serious, underlying tensions than are known publicly, and uses the author's insider view¹ to shed some light on the socio-political background of the conflict, and the obstacles to its resolution.

Whereas many writers on the subject have attributed the conflict to the *differences* between the states – such as contrasting economic and fiscal policies, an open economy in the case of Eritrea, and more government control in the case of Ethiopia – the author suggests that the conflict has largely persisted due to their *similarities*; notably in terms of identity, conceptions of power, governance structures, economic policies, and political orientation. Such a close relationship between the two ruling parties and the societies from which they draw their support, linked by the web of common factors listed above, have caused the two parties to build their relationship on assumptions. This failure to formalize assumptions into legally-binding treaties has contributed, among other reasons, to the prolongation of hostilities. In addition, the international community (academics, diplomats and politicians) has been inclined to focus on border/territorial issues as the primary trigger for the Eritrea-Ethiopia dispute, a diagnosis that is not necessarily in line with the fundamental causes of the conflict. This paper thus contends that the Eritrea-Ethiopia conflict cannot be resolved without tackling the internal political dynamics of both states. The international community can best address this by looking beyond border disputes to political reform, dialogue, and national reconciliation within and between both states.

*Dima Noggo Sarbo joined the Oxford-Princeton Global Leaders Fellowship program from 2009-11. He is currently working as a policy analyst and consultant in Frankfurt, Germany.

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¹ A large part of what is presented in this paper comes from the author's own experience as a participant in the struggle against the Ethiopian military government from the late 1970s until 1991, and later a member of the government that replaced it. The author now maintains a role of an informal participatory researcher.

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Acronyms

ANDM	Amhara National Democratic Movement
AU	African Union
COEDF	Coalition of Ethiopian Democratic Forces
CUD	Coalition for Unity and Democracy
EC	Ethiopian Calendar
EDU	Ethiopian Democratic Union
EEBC	Ethiopia Eritrea Boundary Commission
EECC	Ethiopia Eritrea Claims Commission
ELF	Eritrean Liberation Front
EPLF	Eritrean People's Liberation Front
EP RDF	Ethiopian Peoples' Revolutionary Democratic Front
EPRP	Ethiopian People's Revolutionary Party
GDP	Gross Domestic Product
HRW	Human Rights Watch
ICU	Islamic Courts Union (Somalia)
OAU	Organization of African Unity
OLF	Oromo Liberation Front
ONLF	Ogaden National Liberation Front
OPDO	Oromo People's Democratic Organization
PF DJ	Popular Front for Democracy and Justice
PGE	Provisional Government of Eritrea
SEP DF	Southern Ethiopian Peoples' Democratic Front
SIPRI	Stockholm International Peace Research Institute
TFG	Transitional Federal Government (Somalia)
TGE	Transitional Government of Ethiopia
TLF	Tigrean Liberation Front
TPLF	Tigrean People's Liberation Front
TSZ	Temporary Security Zone
UNMEE	United Nations Mission in Eritrea and Ethiopia
UNSC	United Nations Security Council

Introduction

In December 2009, the United Nations Security Council imposed arms and travel sanctions on the State of Eritrea, further isolating it from the international community. The sanctions were imposed principally for its alleged arming of Islamic insurgents in Somalia in violation of a UN arms embargo on that country (UNSC, 2009). Eritrea denies these allegations, but its support for the Islamic insurgents in Somalia is well known in the region. The support however has very little to do with ideological or political commitment and more to do with its rivalry with Ethiopia, with whom it has been locked in a bitter conflict since 1998. On the other hand, Ethiopia, along with the African Union and the rest of the international community, has been supporting the Transitional Federal Government (TFG) in Somalia, which has been battling the insurgents with the support of African Union troops. The decision by the world body follows a series of events emanating from the long running dispute between Eritrea and Ethiopia. Already in July 2008, the United Nations Security Council decided to disband the United Nations Mission in Ethiopia and Eritrea (UNMEE), a peacekeeping force deployed along the border between the two states following the peace agreement of 2000. That decision emanated from the frustrations of the international community with the intransigence of the parties to the conflict from implementing the rulings of the Ethiopian Eritrean Boundary Commission (EEBC), a body initially established by mutual agreement. That decision also came at a time when relations between the two states had reached an all time low. The commission and the peace keeping force were an outcome of the peace agreement signed by the two states in December 2000 in Algiers to end a bitter three years old war that started in 1998. The international community, including the UN, the African Union, the European Union, the United States and others backed the agreement as guarantors and committed significant personnel and resources to maintain a large United Nations peace-keeping force between the two states. After a decade, the initial hopes and enthusiasm have given way to despair and disillusionment. Disagreements over details of the document itself have stalled implementation, and relations between the two states are tense with fear of further deterioration.

Over the past half a century, severe fluctuations have been witnessed in the relations between Ethiopia and Eritrea. The two have gone from federation to unity, from war to peace, and from amicable divorce, cooperation and integration, back to war, all within less than half a century. The Eritrean war for independence not only lasted three decades, one of the longest in modern African history, but also destabilized the Ethiopian state, contributing to the overthrow of two successive regimes, the monarchy in 1974, and its successor in 1991. The latest conflict is once again destabilizing not only Ethiopia, but the region as a whole. The war is distinguished by many factors, among which is its ferociousness. Besides battle casualties, the military clashes between 1998 and 2000 resulted in severe human suffering, vitriolic exchanges in the war of words, serious violations of human rights and the deportation of tens of thousands of people from both states. The conflict has also exacerbated the internal political crisis in both states, splitting the two ruling parties. It is also threatening regional peace and security.

Judging from their many similarities and close cooperation in critical areas in the past, relations between the ruling parties in Ethiopia and Eritrea were considered as the closest relations any two parties could have. There were several indicators that pointed to this at least for outside observers. The TPLF (Tigrean People's Liberation Front), now ruling Ethiopia, owes its origins and growth as well as eventual conquest of state power to the support it received from the Eritrean insurgent groups at critical stages of its development. At the same time, the Tigrean insurgency against the government in Addis Ababa and its direct military support to the EPLF (Eritrean People's

Liberation Front) especially during the crucial “Red Star Campaign” of the Ethiopian government in 1982, as well as in the defeat of the rival ELF (Eritrean Liberation Front) was crucial for the survival of the EPLF. Most importantly, the independence of Eritrea (*de facto* in 1991, *de jure* in 1993), and its recognition by the international community would not have been accomplished without the backing of the TPLF, acting as the government of Ethiopia.² It was a very controversial move domestically, creating suspicion among the Ethiopian elite, and further eroding of the regime’s shaky legitimacy. But, the international community considered the move positively, and the close political, military as well as ethnic ties between the two movements³ gave the impression of a new era of cooperation between the two states, with the added potential of becoming an engine for regional integration. However, in less than five years of Eritrea’s independence, the two states engaged in ferocious war that claimed more lives in less than three years than in the thirty years of the Eritrean independence struggle.⁴ The outbreak of hostilities in May 1998 thus came as a surprise, as until then both supporters and critics of the ruling parties in Ethiopia and Eritrea believed that the leaders of the TPLF and the PFDJ (Popular front for Democracy and Justice)⁵ shared a strategic vision.⁶ However, a closer look at relations between the leaderships of the two fronts reveals that relations were governed more by short term tactical considerations than long term strategic partnership. When the TPLF regime requested the United Nations to hold a referendum in Eritrea and secure Eritrea’s recognition as an independent state, it was a historic decision as it was the first state to do so. It was also the first to recognize the new state in 1993. Before then the TPLF had openly championed Eritrea’s independence, but while this could have been necessitated by the demands of the struggle against the Ethiopian government, it was puzzling why the TPLF facilitated the independence of Eritrea after it took over state power in Ethiopia, making Ethiopia a landlocked state. The reasons lie in the TPLF’s desire for absolute political power in the rest of Ethiopia, avoiding the EPLF having a share in power, if it remained within Ethiopia.

The Algiers peace agreement engendered considerable hope that relations between the two states would be normalized. But, after initial acceptance, the failure of the parties to implement the rulings of the mutually agreed upon commission demonstrates that relations between the two states were far more complex than many assumed. There are several factors that were responsible for escalating the conflict and hampering resolution, and this paper attempts to shed some light on some of the underlying problems of the conflict and the obstacles to its resolution. The first and principal factor is the nature of the two regimes, most importantly the ruling parties, their view of political power, the conceptions by which they interpret their relations, and their relationship to the respective populations under their rule. This leads us to the second factor, which is the failure of the leaderships of both states to come to terms with the new reality after the independence of Eritrea. The outcome of this failure is the manner in which they managed their relations, and their inability to search for comprehensive and lasting solutions to long standing political and economic contradictions. The third factor is the relationship of these regimes and their leaders with global powers. Related to this is the attitude of the global powers and the international community in general towards these regimes, and the manner in which they treated the conflict. Moreover, the failure of the parties to implement the rulings of the commission raises two important questions. The first is the problem of compliance of international rules by states. The second is the limitation of legal mechanisms to resolve essentially political disputes. We will briefly look at these two issues in the conclusion of this paper.

² Many African states had profound misgivings about Eritrea's independence as a result of long standing African policy not to tamper with existing state boundaries. In 1964, only a year after its formation, the Organization of African Unity, in a summit meeting in Cairo, Egypt, affirmed this principle in a resolution.

³ Tigray and the inhabitants of highland Eritrea share the same linguistic, ethnic, cultural and religious background, and before Italian colonization of Eritrea in 1890, belonged to the Ethiopian polity (See Abbay, 1998:1-2). The EPLF draws most of its membership and support from this sector of the Eritrean population. The other half of Eritrea, the Moslem lowlanders are ethnically diverse and traditionally supported the original Eritrean liberation movement, the ELF, which was defeated and ejected from Eritrea by a joint military action of the EPLF and TPLF in 1982.

⁴ Casualties were very high on both sides, and according to sources, in the two years between 1998 and 2000, not less than 100,000 people were killed and over one million displaced (See The Guardian, December 23, 2000, See also Gilkes and Plaut, 2000)

⁵ The Eritrean People’s Liberation Front changed its name to the Popular Front for Democracy and Justice (PFDJ) at its Third Congress in Nakfa in 1994.

⁶ When the Eritrean rebellion began in the 1960s there were many in both Eritrea and Tigray who were advocating for united Tigrinya speaking polity.

Though most African boundaries were outcomes of European colonial designs, without regard to historical and ethnic constituencies, post independence African leaders decided not to tamper with those boundaries. When the Organization of African Unity (OAU) was established in 1963, the principle of noninterference in each other's internal affairs and respect for the boundaries inherited at the time of independence became part of the cardinal principles of African interstate relations (Cervenka, 1969). This was reaffirmed in a resolution in 1964 at the second summit meeting of the organization in Cairo (OAU, 1964). Since independence, there were very few serious, but unsuccessful attempts at setting up independent states, most notably Katanga in Congo, and Biafra in Nigeria in the 1960s. Nevertheless, there were a number of boundary disputes, though many of them never escalated to major military conflicts. In the Horn of Africa region however, the principles of territorial integrity and noninterference were violated more often. Somalia opposed the principle from the outset as it laid claims to eastern Ethiopia, Northern Kenya and Djibouti. Somalia went to war with Ethiopia in 1963/64 and 1977/78. Eritrea's claim to independence from Ethiopia was based on being an Italian colonial territory between 1890 and 1941. Yet it became the first successful attempt to break away from an African state since the OAU was established in 1963. Somaliland, a former British protectorate, declared independence in 1991. Though its claims are based on the same principles of being a colonial territory, to date no state has recognized its independence. Eritrea's successes to gain recognition, therefore rests on having a friendly force in power in Ethiopia.

This is a case study of a conflict between Africa's oldest state and the youngest. Although this paper relies upon meta-analysis of published academic work, supported by political documents from the Ethiopian and Eritrean governments, the United Nations, and the African Union, a large part of what is presented here comes from my own experience as a participant in the struggle against the Ethiopian military government from the late 1970s until 1991, and later a member of the government that replaced it. Even after leaving the government I maintained contacts and follow developments closely. Consequently, I have had and continue to have the privilege of observing the dynamics of the political developments in the Horn of Africa at close range, and I have maintained interaction with the key leaders. This has provided me with the role of an informal participatory researcher.

Historical Background

The 1998-2000 war began on May 6, 1998, when Eritrea occupied the disputed, but until then Ethiopian administered, border village of *Badme*. Initially the Eritreans made gains in the battle field, and as long as they had the military advantage, refused to heed to the mediation proposals from several international bodies and governments. In February 1999, Ethiopia launched an offensive and recaptured *Badme*, followed by repeated attempts by Eritrea to reverse its loss. In May 2000, Ethiopia launched another offensive breaking through Eritrean defenses and captured not only the disputed territory, but also advanced to take control of large tracts of Eritrean territory not under dispute. Only then did the Eritreans heed mediation efforts, and on June 18, 2000 the two states signed a cease fire, followed by a peace agreement in Algiers on December 12, 2000. The agreement established three bodies to implement the agreement: (a) an investigative body to examine the origins of the conflict, (b) a boundary commission with a mandate to delimit and demarcate the border, and (c) a claims commission to arbitrate loss, damage or injury by one party against the other (Algiers Agreement, 2000). Ethiopia agreed to withdraw from the undisputed Eritrean territory it captured in May 2000, and the United Nations Security Council [Resolution 1320 (2000)] authorized the setting up of the United Nations Mission in Ethiopia and Eritrea (UNMEE), created with a force of 4500 soldiers and civilian personnel stationed in a temporary security zone (TSZ), which run 25 kilometers from the

Ethiopian border inside Eritrea, to separate the armies of both states.⁷ The border commission handed down its ruling in April 2002 (EEBC, 2002), and at first it seemed the solution was on track when on the same day Ethiopia accepted the ruling. Then Ethiopia reneged on its initial acceptance, and began asking for clarifications, complicating the demarcation process, and eventually rejected the boundary determination, though the Ethiopian prime minister still claims he accepts the ruling in principle, but wants to negotiate the implementation (Zenawi, 2007). In December 2005, the Claims Commission ruled that Eritrea was in violation of international law for triggering the war in May 1998, and thus liable to compensate Ethiopia for the damages caused (EECC, 2005).

Border and territorial disputes have not been uncommon in Africa as elsewhere (Widstrand, 1969; Nugent and Asiwaju, 1996), but never has these conflicts led to such a ferocious war as between Ethiopia and Eritrea.⁸ In a way, relations between the states are unique, and the latest episode in Ethiopian-Eritrean relations has a long and checkered history. Beginning in the 16th century the Ottoman Turks and later Europeans attempted to invade and colonize the Ethiopian hinterland using the Eritrean coast as a staging ground. When towards the end of the 19th century Egypt, which was acting on behalf of the Ottoman Empire, withdrew from the Red Sea coast, Italy established itself first on the coast and then moved into the hinterland, with the support of Britain.⁹ After several battles with Ethiopian forces between the coast and the highland, Italy eventually established the Eritrean colony in 1890. In March 1896, Italy launched a massive military assault to capture the rest of Ethiopia using Eritrea as a base. However, it was decisively defeated by the then newly constituted Ethiopian Empire.¹⁰ Italy assembled a large force, including seventeen Italian infantry brigades, supported by 57 artillery units and thousands of Eritrean auxiliary forces, and led by five Italian generals (Mockler, 1984:89-90). Yet, within six hours of the battle, 262 Italian officers, including a general, and 4000 Italian soldiers were killed, and 1900 Italian soldiers and officers, including a general, as well as thousands of Eritrean auxiliaries were taken prisoners. The Italian defeat in the hands of an African state was considered as “the greatest single disaster in European colonial history,” causing the fall of the Italian government, and sending shock waves and apprehension among European powers (Mockler, 1984: 91).

Nevertheless, within six months, Ethiopia and Italy exchanged prisoners and concluded a peace treaty, in which Italy recognized Ethiopian sovereignty, but Ethiopia also had to accept Italian colonization of Eritrea.¹¹ Forty years later, in 1936, the Italians again launched an invasion of Ethiopia from Eritrea in the north and Somalia in the south, this time successfully incorporating Ethiopia into a short lived Italian East African Empire, stretching from the Indian Ocean to the Red Sea. Ethiopia regained its independence five years later (in 1941) as a result of intense internal resistance and guerilla campaigns and the intervention on the Ethiopian side of Commonwealth troops, after Italy joined the Axis powers and entered the Second World War. Italy lost all of its colonies after the war and the fate of the former Italian colonies was left to the United Nations, which decided in 1950 to federate Eritrea with Ethiopia. The federation was abrogated in 1962, leading to an independence struggle lasting nearly thirty years.

This brief overview is important because it forms the background to relations between Ethiopia and Eritrea, and most importantly the relations between their ruling parties. Italy considered Eritrea

⁷ The force was reduced to about 2000, as a result of restrictions placed on its activities by the Eritrean government as well as budgetary issues, and in July 2008, the Security Council decided to end the mission.

⁸ There have been several conflicts between African states since independence, but these did not lead to major wars involving more than 1000 battle deaths. According to the Stockholm International Peace Research Institute (SIPRI) wars with more than 1000 battle casualties are considered to be major wars (www.SIPRI.org).

⁹ Britain urged Italy to move into that part of Africa in order deny its main rival France further expansion, as France had already established a post in Tajoura, in the north of today's Djibouti. Britain also earlier arranged for Italy to purchase the Benadir Coast (in Southern Somalia) from the Sultan of Zanzibar.

¹⁰ Between 1870 and 1900 the Ethiopian polity expanded and incorporated large territories to its south and east more than quadrupling its size and population.

¹¹ Tigrean nationalists as well as others allege that the Amhara King Menelik II deliberately ceded Eritrea to the Italians in exchange for weapons for his conquest of the south, and to weaken his Tigrean rivals to the Ethiopian throne (personal communication, August 2007). There are other indications as well from a letter Menelik wrote to the Italians (Letter of 1889, in Dilebo, 1974) supporting these allegations.

suitable for the settlement of Italians, and built a relatively better infrastructure and also began some industrial development. In the 1920s and 1930s, especially after the Fascist Party came to power in Rome, Italy made significant investment in Eritrea in preparation for the invasion of Ethiopia. Consequently, by the time Eritrea was federated with Ethiopia, it was relatively better off than the rest of Ethiopia. Moreover, the relatively better economy also attracted a large number of migrant laborers from neighboring Tigray (the northernmost Ethiopian province), and, as in all similar situations, while their labor was used and exploited migrants were also despised and held responsible for all sorts of social ills in the host society. In the course of the debate about independence, federation and unity within Eritrean society in the 1940s, these Tigrean migrants were often accused of being Ethiopian agents by Eritrean nationalists who favored independence.

Thus, these experiences of Italian occupation, federation, its abrogation, the bitter civil war, and then independence form the background to relations between Ethiopia and Eritrea. The federation itself was fraught with many problems from the outset, not least of which was mutual attitudes. Integration was complicated, not just by the way the imperial regime managed the federation, but also by the attitude of the Eritrean elite, who tended to make a virtue and took pride from Italian colonial rule as contributing to their advancement, and considered the rest of Ethiopia as uncivilized and backward (Wrong, 2005; Inqui, 1998). Therefore, as they were migrant laborers in Eritrea, Tigreans were seen in their host communities through these lenses. Besides, it is important to note that there are also other differences in the composition of the Eritrean and Tigrean political movements. The Eritrean movement has been dominated by urban Eritreans, while the Tigrean movement has more of a rural character. These factors and the sentiments are important as they inform attitudes between the two communities, who on the other hand are indistinguishable to outsiders.

Understanding the Causes of the Conflict

Though the border or territorial issue is the apparent trigger for the flare up of fighting, decoding the real and underlying causes of the Ethiopian-Eritrean conflict has become a subject of much debate and writing among academics, politicians, and diplomats (e. g., Henze, 2000; Gilkes and Plaut, 2000; Iyob, 2000; Mengisteab and Yohannes; 2005). Because, what unites and what divides the two fronts has never been discussed openly, close observers of the situation have given various, and sometimes conflicting factors as the main causes of the conflict (Abbay, 1998; Henze, 2000; Iyob, 2000; Mengisteab and Yohannes, 2005). Some have suggested that the conflict is a result of the incompatibility of the regimes ruling in Ethiopia and Eritrea, the former being democratic and the latter being authoritarian (Henze, 2000). Although the democratic character of the regime in Ethiopia leaves much to be desired, such differences do not necessarily and should not lead states to war. According to Eritrean scholar Ruth Iyob (2000) the war can be attributed to the contrasting nature of the two states, and that it is an inevitable consequence of a conflict between an expansionist hegemonic state (Ethiopia) and a defensive diasporic state (Eritrea). These characterizations may be helpful in understanding the character of the two states, but when we look at the practical implications, the behavior of both hegemonic and diasporic states is not that different.¹² Eritrea's own behavior after independence underscores this point and does not support this argument. The war with Ethiopia is not the first one Eritrea has been involved in. Soon after gaining its independence in 1993, it went to war with Yemen over the uninhabited *Hanish* Islands in the Red Sea, and has also been involved in conflict with the Sudan and Djibouti.

Other writers have attributed the conflict to differences in economic and fiscal policies, an open economy in the case of Eritrea, and more government control in the case of Ethiopia (Mengisteab and Yohannes, 2005: 249-258). In actual fact, as we will see later, it is the similar economic strategies that the two parties have crafted for Eritrea and Tigray (the home region of the ruling party in Ethiopia) that was a contributing factor to much of the friction between them. Moreover,

¹² We only have to look at the behavior of other diasporic states, for example the classic case, Israel, and more recently, Rwanda.

the ruling party has considerable control over the Eritrean economy.¹³ Mengisteab and Yohannes (2005) also blame the Amhara opposition and hardliners within the TPLF for the deterioration in relations between the two regimes. The divergent paths and perception of identity has also been raised as an underlying cause, despite the two parties originating from the same linguistic-ethnic group (Abbay, 1998; Iyob, 1999). In sum, many scholars have gone to great lengths to look for differences in order to explain the causes of the conflict.

There are obviously underlying as well as immediate causes for the flare up in conflict in 1998. The border was however only a trigger for accumulated series of issues between the two parties, going back to relations during the war against the central government in Addis Ababa (Jacquin-Berdal and Plaut, 2005; Young, 1996). A closer look at relations between the two fronts reveals that relations were never smooth and were fraught with more serious tensions than is known publicly. By the mid 1980s, serious tensions, conflicts, and tactical and ideological differences developed between the two fronts, leading to a break down in relations (Young, 1996). This became clearer as the TPLF's military capability and external support grew rapidly, and relations between the two erstwhile allies were severed in 1985. Thus, what follows is an attempt to understand the issues and factors that led to war between the two states within five years of a seemingly amicable separation.

The Character of the Ruling Parties in Ethiopia and Eritrea

Ideological persuasion, organizational style and behavior, and cultural background, among others, are important indicators of the character of political movements. Therefore, it is pertinent to look at the background of the two movements at the core of the conflict between Ethiopia and Eritrea. The generation that came to lead most political movements in Ethiopia is the product of Ethiopia's sole institution of higher education at the time, the Haile Selassie I University, which was the center of a radical student movement. Likewise, the ruling parties in both states have their origins in what became known as "the Ethiopian student movement" of the 1960s and early 1970s (Balsvik, 1985).¹⁴ The student movement began with modest demands in the early 1960s, but increasingly became radicalized under the influence of Marxism-Leninism. Almost all political leaders in Eritrea and Ethiopia began their political activities within this atmosphere, and when they started organizing, they adopted Marxism-Leninism as an ideology, as well as a method of organization.¹⁵ As both parties professed Marxism, both assumed the mantle of vanguards of their respective regions, and therefore they never tolerated any rivals or internal criticism and dissent, establishing their hegemonic positions within their respective spheres (Medhane, 1986). This attitude was bound to have far reaching consequences on the character of their relations, which were bound to transform with corresponding changes in the relative balance of forces.

At the same time, the populations from which the two parties draw their support share a great deal in common. They belong to the same linguistic, cultural, and religious group. Both territories belonged to the same political formation until the Italians carved out the Eritrean colony in 1890.¹⁶ Despite the pretensions used to justify independence that Eritrea was always separate from Ethiopia, there were close ties on both sides of the *Mereb* River (that separates the two regions) and a shared identity (Abbay, 1998). The Orthodox Church (which belonged to the same ecclesiastical and doctrinal authority for centuries) was also an important uniting element. When Eritrea was federated with Ethiopia in 1952, the majority of the highland and Christian population, but by no means confined

¹³ Author notes of discussions with the Governor of the Bank of Eritrea, Asmara, Eritrea, May 2001.

¹⁴ R. R. Balsvik provides a good background on the origins and social and ideological basis of the Ethiopian Student Movement).

¹⁵ In the 1970s and 1980s, the military government and most of its opposition, the nationalist as well as left opposition all espoused Marxism-Leninism as their ideological persuasion.

¹⁶ Some qualification is necessary here. The western and eastern lowlands of Eritrea are inhabited by non-Tigrinya speaking groups. They are mainly Moslems, and until the Italian colony was established in 1890, they were at various times under Turkish, Egyptian, and Ethiopian influence.

to them, genuinely wanted to unite with Ethiopia, and the church played a leading role in this effort (Retta, 1998 EC).¹⁷

Against this background, it can be observed that the regimes in Ethiopia and Eritrea bear a close resemblance to each other in terms of identity, conception of power, nature of governance, economic policies as well as political orientation. Whatever differences are apparent are only due to the fact that the regimes have to manage two very different states. Ethiopia is a large multinational and complex country, and the ruling party began as a provincial movement representing not more than five percent of the population it now rules. Its political legitimacy outside its provincial base is contested, and its coming to power was only accomplished by a military victory in alliance with the Eritrean front at a time of internal disintegration of the Ethiopian state, especially its military. In order to maintain domination of the state, the TPLF emphasized the diversity of Ethiopia, establishing a federal structure of government.¹⁸ Eritrea is also a multinational state, albeit on a much smaller scale, but the ruling party had established itself as a legitimate liberation movement during the years of the struggle for independence. The EPLF recognizes the cultural identity of Eritrea's ethnic groups, but it set up a highly centralized unitary state that emphasizes unity. In other words, though the two parties have many commonalities, they lead two very different states, not only in size and complexity, but also in stature. The TPLF inherited not only a larger state with relatively more resources at its disposal, but also an old established state with a functioning bureaucracy, as well as a greater stature, especially in Africa. These factors have clear implications for the way parties and leaders behave and project their power and influence. In actual fact, this may well be at the core of the conflict between the two parties, especially their leaders. Caught in a fraternal rivalry, their behavior eventually led to a destructive violent confrontation between the two states.

Hence, the consequences of the collapse of the Ethiopian state in 1991 were bound to create envy and rivalry between them. The outcome of the fall of central authority in Ethiopia resulted in the older movement (EPLF) getting a smaller share (Eritrea), while the younger (TPLF) got away with the lion's share (the rest of Ethiopia). We only need to analyze the propaganda war between the two sides to give meaning to this contention. Since 1991, the region of Tigray has been enjoying economic, infrastructural and social services development never witnessed before, and the population is more content with the ruling party (Keller, 2005). This is due to the TPLF's access to the much larger resources at the disposal of the Ethiopian state, both internally and externally. At the same time the region enjoys the maximum autonomy, and serves as a base from which the ruling party controls and rules the rest of Ethiopia. Consequently, there are bound to be differences between the two parties based on these and other factors. But, such differences cannot be causes for going to war. While it is the close ties and the similarity between the two parties that puzzled and prompted many observers to go to great lengths to look for differences to explain the sudden outbreak of hostilities, I contend that it is actually the closeness between the two parties that is the major cause for their friction; they took their relations for granted and failed to define them.

Factors Guiding Relations between the TPLF and EPLF

Such a very close relationship between the two parties and the societies from which they draw their support, linked by a web of common factors, mean that the two parties built the relationship between them on assumptions. Since they are so close, they never thought they needed clear definition of relations in the form of formal agreements. Even after 1991, both parties acted in the same manner as they did during their insurgency and failed to realize the transformation in their

¹⁷ The United Nations set up a commission made up of Burma, Pakistan, Guatemala, South Africa, and Norway to ascertain the wishes of the Eritrean population, and it is on the basis of the report of that commission that it decided to federate Eritrea with Ethiopia. See text of Resolution 390A (V) adopted by the General Assembly on December 2, 1950, United Nations, *Official Records of the General Assembly, Fifth Session*.

¹⁸ They remapped Ethiopia and set up an administrative system based on ethnicity, on paper an ethnic based (but not entirely) federal structure, but power remains centralized in the ruling party, which has remained in power since 1991 and dominates the government, military, security, and the economy at all levels.

relationship to one of an interstate relationship, normally governed by treaties and international agreements. Failing to take this into account, their relations were dictated by short term objectives. The lack of public accountability and transparency in the conduct of public affairs, and the secretive nature of the relationship between the leaderships further exacerbated the problem.

Moreover, the policies of each of the parties in general and to each other in particular evolved and changed over time, especially as the respective balance of forces started shifting between the EPLF/TPLF and the Ethiopian government on the one hand, and between the two movements on the other. Initially the TPLF depended on the Eritrean front for training, weapons and operational support against Ethiopian forces in Tigray, while the EPLF calculated that they needed the TPLF as a buffer military zone against the Ethiopian government.¹⁹ In the 1970s, the TPLF maintained good relations with rival Eritrean movements, both the ELF (Eritrean Liberation Front) and the EPLF, though they shared a great deal in common with the latter. The EPLF however was also supporting a left wing Ethiopian party, the Ethiopian People's Revolutionary Party (EPRP), while the ELF supported a conservative Ethiopian opposition, the Ethiopian Democratic Union (EDU), both bitter enemies of the military government in Addis Ababa. The EDU and the EPRP were led by Tigreans, and had their bases principally in Tigray. But, the TPLF did not tolerate any other rival political movement within Tigray. First, they eliminated another Tigrean front, the Tigray Liberation front (TLF), through deceit, followed by the defeat and expulsion of the two Ethiopian parties from Tigray. It is at this juncture that relations between the TPLF and EPLF changed and evolved into close partnership. They became especially close after the TPLF provided significant support to the EPLF in repulsing the multifaceted Ethiopian offensive in Eritrea, the Red Star Campaign, in 1982. In defeating and expelling the rival Eritrean Liberation Front from Eritrea later in the same year in a joint operation, the dependence started shifting to one of mutual interdependence.

The TPLF also grew both in numerical strength and external support especially following the disastrous famine in 1985, which hit northern Ethiopia severely, when massive Western food and other humanitarian aid opened the flood gates of recruitment. At this stage, the TPLF felt strong enough and emboldened to openly criticize the EPLF and sever ties, a move that facilitated its emergence from the EPLF's shadow. Relations were restored only when the Ethiopian government launched an offensive in Western Tigray in 1989 posing a greater and immediate threat to both parties. Later, as the Ethiopian army started disintegrating following internal turmoil and an abortive coup attempt in 1989, the two parties were again forced to coordinate their military moves to take advantage of the situation and achieve their respective objectives. Nevertheless, since the EPLF considered that they were the senior partner in the relationship between the two, this must have blurred their understanding of the changing balance of forces. It is clear from the EPLF's actions that as soon as the collapse of the *Dergue*²⁰ regime became imminent, they wanted the TPLF to be strong enough to be able to control the Ethiopian state and endorse Eritrean independence, but weak enough to require continued Eritrean support for its survival.²¹ A series of events that took place following the fall of Addis Ababa, including the transfer of massive amounts of arms and ammunition, logistical and economic resources to Eritrea and the destruction of the rest in a series of massive explosions may help to explain this dynamics (Hiltzik, 1991). The move was viewed as one calculated to deny the incoming TPLF regime the capacity to rebuild Ethiopia's military capability, a factor that might allow the new regime a good measure of independence.²² The TPLF leaders were probably not oblivious to this, but were patient enough to buy time concentrating on consolidating their hold on power in Ethiopia with the support of the EPLF and eliminating other rivals from the political scene. As they secured their hold on Ethiopia, the balance of forces also gradually shifted in their favor. But, the

¹⁹ Author's notes of conversations with a former senior member of the EPLF leadership, Asmara, 2001

²⁰ *Dergue* (meaning committee in Amharic) refers to the military committee that overthrew the Ethiopian Emperor in 1974. The *Dergue* was officially disbanded when the Workers Party of Ethiopia was formed in 1985, but the name stuck with it.

²¹ Analysis from author's conversations with leaders of both fronts, in 1991 in Addis Ababa

²² My sources confirm EPLF involvement, and that they transported as much weapons as they could to Eritrea, but could not do all within the limited time. There are also other sources attributing the explosion to the Sudanese military intelligence, involved in providing logistical support to TPLF forces during the final months to overthrow the Ethiopian government.

Eritrean leadership continued to behave as the senior partner in the relationship and failed to realize the shift and adjust its strategy and tactics to the new reality.

On the face of it, the current conflict between the two states is minor; it is a dispute over small pieces of territory along the common border. Therefore, what is needed is border demarcation and adjustments. However, the complicating factor is that when Eritrea became independent, its boundaries were not defined. The assumption was the boundary established by Italian colonialism, though the boundaries between Eritrea and Ethiopia had changed over the years with changes in the patterns of settlement along the border, and in the course of the half century since the end of Italian colonial rule and integration within Ethiopia. Between 1991 and 1993, neither the Eritrean side nor the Ethiopian side raised the issue, even though the boundary between Tigray and Eritrea was already a subject for dispute particularly between the TPLF and the Eritrean Liberation Front. As a new state, the burden was on the Eritrean side to insist on a clear commitment from the TPLF with regard the boundaries it recognized as part of the new state. However, many issues were left unstated on the basis of assumptions as both sides had their own short term interests at the time, which was consolidating their power in their respective domains, for which each needed the support of the other. The immediate interest of the Eritrean leadership at the time was consolidation of their total dominance of Eritrea by eliminating all real and potential opposition elements, and getting the TPLF to establish itself in Ethiopia well enough to allow it to facilitate the recognition of Eritrea's independence by the international community. Thus, the EPLF did everything possible to consolidate the TPLF's grip on power in Ethiopia.²³ The leaders of the TPLF were aware that they had a shaky legitimacy to rule over all of Ethiopia, and they could only impose their rule by force and manipulation. In this, the military, intelligence and political support of the EPLF were crucial. A potential threat to the TPLF's total control at the time was the Oromo Liberation Front (OLF), whom the EPLF kept on friendly terms, very often playing the role of a mediator in conflicts between the OLF and TPLF. The Eritreans also mobilized the large and wealthy Eritrean community throughout Ethiopia behind the TPLF, whose local knowledge, contacts and resources were critical for the TPLF, especially in the early stages of the conquest and consolidation of state power. Hence, for both sides, issues like borders, future relations between the two states, including economic and other issues did not warrant their immediate attention.

Transparency and Accountability

Since relations between the two sides were shrouded in secrecy, and were never handled at the level of governments²⁴ there were very few indications of simmering disputes and problems with the potential for taking the two states to war prior to the outbreak of hostilities. The crucial aspects of interstate relations were left to the inner core of the leaderships of the two fronts. The Ethiopian elite actually characterized the whole issue in terms of a conspiracy directed by anti-Ethiopian forces against Ethiopia's national interests and integrity.²⁵ When the war broke out in 1998, members of the Ethiopian government (with the possible exception of the top TPLF leaders) were as surprised as the rest of the population at the turn of events in relations between the leaderships of the EPLF and TPLF. It was only after the war broke out in May 1998 that the Ethiopian prime minister took the issue to the Council of Ministers and then to parliament, both rubber stamp bodies of the inner core of the ruling party.²⁶

²³ For example the former British colony of Somaliland (which joined with the Italian colony of Somalia at independence in 1960) declared independence after the collapse of the government in Somalia at the end of 1990, but to date (2009) no state has recognized it.

²⁴ Though the Eritrean issue was the most crucial political issue facing the transitional government, this author who served in that government during the crucial first year can confirm that there was never a moment when anything related to Eritrea was brought before the cabinet (the Council of Ministers).

²⁵ In a national radio and television address, during the last days of the previous government, the president (Mengistu) accused the parties of a Tigray-Tigriny conspiracy particularly directed against the Amhara and the Oromo peoples (the two most populous peoples of Ethiopia, though the Amhara and the Tigray are close cousins and historically formed the core of the Ethiopian polity).

²⁶ Apparently, this angered the Eritrean leader as it became clear from hand written personal letters (in Tigrinya, the mother tongue of both leaders), which he wrote to the Ethiopian prime minister, later made public by the Eritrean side.

The emergence of two states from what was one should have been treated with the seriousness and care it deserved, requiring putting in place appropriate mechanisms and instruments for the management of relations and issues between the two sides. But, when we look at relations between Ethiopia and Eritrea, what transpired during four decades of federation, unity and war was never discussed and debated publicly, and looking at the turn of events, there are serious doubts if real issues were discussed even in secret. Thus, as nothing was said about the past, the present was clouded in mystery, and when the marriage of convenience between the TPLF and EPLF leaderships collapsed, so did relations between the two states, with tremendous costs and consequences.

Whether by design or carelessness, the Eritrean question was never even raised as an important political issue, including at the London conference of May 1991, a conference organized under the auspices of the United States to facilitate an agreement by the four parties (the outgoing government, the OLF, EPLF, and TPLF) who were invited to the conference on a peaceful and democratic transition. Even that conference was aborted as at the last minute the United States abandoned convening the conference, and endorsed the simultaneous EPLF and TPLF military takeover of power in Eritrea and the rest of Ethiopia respectively.²⁷ Nevertheless, the joint statement read to the press on May 29, 1991, specifically stated that the TPLF led Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) would assume "legal responsibility" for the governance of Ethiopia (by implication including Eritrea, at least legally) until a national conference of all parties and political forces in Ethiopia, to be held within a month, where the political future of Ethiopia was to be decided.²⁸

The peace and reconciliation conference in Addis Ababa of July 1991,²⁹ charged with determining the political future of the country and the setting up an all inclusive transitional government for Ethiopia was supposed to seal a political settlement to the various conflicts, including the Eritrean conflict, and chart the post-*Dergue* political landscape. Unfortunately, even that conference closed without conclusively resolving the Eritrean issue. The agenda of the conference was prepared by the TPLF leadership in consultation with the EPLF and the OLF leaderships, and when the conference was convened on July 1, 1991, there were only two items on its agenda. The first item was the charter of the transitional period, while the second was titled "relations between Ethiopia and the Provisional Government of Eritrea (PGE)."³⁰ Though they had a stake in the outcome of the conference and *de jure* Eritrea was still part of Ethiopia, the Eritrean delegation did not fully participate in the conference and sat as observers with other invited guests from the international community throughout the conference. After the first agenda item was discussed and resolved, the second item was tabled, and at that stage the Eritrean leader was invited to take part in the debate. He made some impromptu remarks, and after disagreeing with his interpreter (on points of emphasis), he insisted that the chairman of the conference (the leader of the TPLF, and the provisional government) act as his interpreter. Though many participants were surprised, the TPLF leader agreed, and after the Eritrean leader was through with his remarks the floor was opened for discussion. Though the participants of the conference were carefully selected, and the left wing Ethiopian opposition to the military regime in particular, most notably COEDF (Coalition of Ethiopian Democratic Forces), was excluded from the beginning, several participants of the conference raised

²⁷ This author was a member of the OLF delegation to the proposed conference and took part in all the consultations. Many people in Ethiopia, especially the opposition believe that a conference actually took place in London in May 1991. However, the four parties never met in one room. The United States delegation headed by the Special Representative of President George H. Bush, former Minnesota Senator Boschwitz (but, the main interlocutor was the then Assistant Secretary of State for African Affairs, Herman Cohen) met separately with each of the four delegations. It is important to note here that Boschwitz was the lead American negotiator with Mengistu concerning Operation Solomon, in which about 15,000 so-called Ethiopian Jews, the Beta-Israel, were flown out of Ethiopia to Israel in 1991 in a massive airlift. After the TPLF and EPLF military takeover of the capital Addis Ababa on May 28, 1991, the British government staged a luncheon for the US, the OLF, EPLF and TPLF delegations, after which a press statement was read to the press outside the Admiralty Building in White Hall, by Herman Cohen, endorsing TPLF takeover of power and the promise of holding a national conference in Addis Ababa within one month.

²⁸ Press Statement, London May 28, 1991

²⁹ The author participated in the conference, and later became a member of the transitional government established by the conference.

³⁰ The Provisional Government of Eritrea was set up by the EPLF after it took control of the Eritrean capital in May 1991, announced in London by the Eritrean Leader on 29 May 1991.

important and serious issues that the organizers hardly expected.³¹ This angered the Eritrean leader and precipitated his walkout from the conference, after making a brief angry comment. The interesting thing about these comments from the floor was the fact that they came from unexpected corners.³²

The TPLF and the Eritrean leaderships probably lost a historic opportunity to have a genuine debate and dialogue, and make an acceptable case for Eritrean independence through reasoned arguments, instead of relying just on their military victory, and the ties between the two leaderships. However, they did not rise to the occasion and failed to use the platform constructively. After the Eritrean leader walked out of the conference, the issue was never taken up again, and a historic opportunity was squandered to settle the Eritrean question politically. Thus, while the decisions concerning the first agenda item was adopted as an official document of the conference and later published in the official gazette (*Negarit Gazetta*, 1991, 50th Year, No. 1) as a legal document of the Ethiopian government, nothing came out of the second agenda item, and no document exists that this issue was even deliberated upon. This fact clearly indicates the inconclusive nature of the discussion. Such a serious political issue was left to be dealt with as a private matter between the Tigrinya speaking leaderships of the EPLF and TPLF.

Moreover, the Transitional Government of Ethiopia, which was established by the conference, was charged with the legal responsibility for the governance of Ethiopia, at least as far the international community was concerned, but did not discharge its responsibilities to properly extricate Ethiopia from the Eritrean question. But, issues relating to Eritrea were never brought to the attention of either the cabinet or the transitional legislature. Thus, the Ethiopian state never resolved the Eritrean question in a proper, formal, political and legal manner. That is why lingering doubts remain within Ethiopia, including within the TPLF leadership. There were no public debates, and the peoples in both states were never allowed to freely express their opinions on the issue of their past and future relations. An amicable political settlement would have allowed the two sides to sort out the outstanding issues, some of which are at the core of the reasons that sent the two states back to war within five years of Eritrea's independence. The peoples of both states were not informed and had no idea how well or bad relations were going on or the manner in which relations were conducted, and when the two leaderships fell out from each other, the peoples were called upon to pay the costs of this gross mismanagement of interstate relations. The irony is that the Ethiopian peoples who were called upon to give up vital national interests, including the total loss of access to the sea by accepting Eritrea's independence, were now called upon to sacrifice in tens of thousands of lives and immense resources, for a small village called *Badme*,³³ on the common border of the two states to safeguard Ethiopia's "territorial integrity."³⁴

The assumption of many observers was that relations between the TPLF and EPLF were the closest that any two movements could have, given the close cultural, organizational, ideological as well as personal ties (some of the leaders on both sides are even relatives). Moreover, some even assumed that they shared common strategic objectives in dominating Ethiopia and the region as a whole for the benefit of the Tigrinya speaking elite (Negash, 1996). It is precisely as the result of rivalry over such strategic objectives, in particular as to which one of them would play the leading role, and benefit from the lion's share of Ethiopia's resources that they fell out. As a former senior member of the TPLF leadership and governor of Tigray at the time of the war between the two states reveals, there has been rivalry between the two sides over economic issues, and particularly their place within the larger region (Asrat, 2006). He says that Eritrean economic strategy was based on unbridled access to the Ethiopian market, raw materials, and labor, and that the Eritrean leaders aspired to play a much larger role internationally and in the East African region in particular (Asrat, 2006: 8). Further

³¹ Among these were a surgeon representing Addis Ababa University, two delegates from the south (all arguing for unity), and the Sultan of the Afar (who demanded self determination for the Afar people in Eritrea, and their right to remain united with their kin in Ethiopia).

³² EPLF and TPLF leaders believed that the most virulent opposition to Eritrean independence would come from the Amhara elite, traditionally the dominant group that controlled the Ethiopian state. But, unfavorable comments from participants from the southern regions were not expected.

³³ *Badme* is a small village that lies on the common border that became the subject of claims and counter claims.

³⁴ The regime mobilized the people under the pretext of defending the territorial integrity of Ethiopia against Eritrean aggression.

evidence comes from the Eritrean leader, who is quoted as saying that Ethiopian trade policy was protective of Ethiopian manufactured products to the disadvantage of Eritrean products, which he felt was unacceptable (Negash and Tronvoll, 2000). Eritrean industry could rely on and prosper on a larger internal market when it was part of Ethiopia. But, once independence was achieved, Eritrean leaders and businessmen should have realized that this market was no longer open to them without preconditions. The TPLF also designed a similar strategy for Tigray, and in their case the total control over the Ethiopian state gave them a clear advantage.

The purpose of all political organizations is to gain and/or maintain power. Power is definitely measured by the number of people, the size of territory, the amount of resources as well as prestige at one's disposal. The EPLF rightly claims that it was in the struggle for a longer period and paid the most sacrifices to get rid of the *Dergue* regime, but the TPLF got away with a much larger share of the victory. It can be argued that as both were engaged in primitive accumulation for their respective regions at the expense of the rest of Ethiopia, competition over and access to resources and economic issues are clearly at the core of the dispute. For example, the first disagreements started when the currency union between the two states collapsed. For the first few years of independence Eritrea was allowed to use the Ethiopian currency, the *Birr*. It was viewed in Ethiopia at the time that the beneficiary of this financial arrangement was actually Eritrea, to the detriment of Ethiopia, and a senior Ethiopian economist said as much when he pointed out that this arrangement benefited Eritrea in two ways (Chole, 2004: 286). The first was that it allowed Eritrean businessmen to buy Ethiopian products (like coffee and other exportable items) using the local currency and export them for hard currency. Secondly, since the dollar fetched a higher price in Eritrea, it made it attractive to make remittances for foreign exchange through Eritrean banks, rather than Ethiopian ones. He added that in the absence of clear coordination between the two states unrestrained monetary expansion in Eritrea could affect the Ethiopian economy negatively (Chole, 2004: 186). Thus, one of the first signs that things were not going well between the two sides was when Eritrea issued its own currency, the *Nakfa*, and the Ethiopian Central Bank replaced its bank notes and issued new ones. The latter move made whatever Ethiopian currency the Eritreans held worthless. Old notes were to be exchanged within two weeks, and the regional administration in Tigray made sure by sealing the border that Eritreans could not exchange their old notes for new ones.

Moreover, relations were based more on understandings and assumptions than formal agreements. Ruth Lyob (2000) is one of the few to indicate that the two regimes failed to formalize their understanding into formal treaties that have the force of international law, a factor that contributed to the outbreak of hostilities. However, the informal arrangement was deliberate, because it allowed each side to go its own way when it felt these relations did not suit its own interests. In the course of the last three decades, there had been disputes between the two parties at various stages. In the mid 1980s, disputes that led to a total break in relations were explained by ideological differences, such as whether the Soviet Union was social imperialist or not (Young, 1996). Cooperation was resumed only as the result of the practical military needs of jointly confronting the *Dergue's* forces, when they felt it posed a greater danger to the survival of both. Especially as the latter's collapse became imminent as its forces started weakening following the attempted coup of 1989 and waning Soviet support, the requirements of exploiting the situation through mutual cooperation became necessary.

Even in the immediate aftermath of the collapse of the *Dergue* regime, relations were not as cozy as many assumed. Already in the summer of 1991, a dispute erupted between the two leaderships when the UN returned a letter written by the Eritrean leader to the Secretary General requesting the UN to oversee a referendum for the independence of Eritrea. The Eritrean leader probably got a verbal advice that the UN would only consider such a request from a member state of the UN, in this case Ethiopia. When the Eritrean leader requested Meles, the TPLF leader and president of the Transitional Government of Ethiopia, to write such a letter to the UN, the Tigrean leader drag his feet, on the grounds that he needed the approval of the TPLF's political bureau. This does not in any way indicate backtracking by the TPLF on Eritrean independence, but was intended

at the time to demonstrate to the Eritreans the pivotal role of the TPLF as well as to gain further concessions from the EPLF particularly regarding their relations with the OLF, whom the TPLF considered at the time as the main threat to its consolidation of power in Ethiopia. The EPLF used all the pressure they could mount to get this letter written, including a high level meeting with the OLF leadership in Addis Ababa, in which they came up with an offer to train and arm thousands of OLF fighters and supply of other material and support, in an apparent attempt to destabilize the transitional government and undermine the TPLF's military superiority. The OLF leadership was obviously not aware of the behind the scenes developments and was surprised with the sudden change of EPLF attitudes, since they turned down similar requests from the OLF earlier. The OLF participation in the transitional government was marginal as the key government functions were held and key decisions were made by the TPLF. From the beginning, the TPLF also engaged in actions aimed at undermining the OLF. Consequently, tensions were very high between the OLF and TPLF, and the EPLF were called upon to mediate on several occasions. The TPLF leadership probably got the message that the EPLF was out to undermine it, and since Eritrean support was crucial at that stage of the TPLF consolidation of power, they caved in to EPLF demands. The TPLF leader thus took over five months after the July 1991 conference (a conference to which the UN, among others, was invited as an observer) to write a letter to the UN Secretary General explaining the outcome of the conference, including a purported decision on Eritrea (UN, 1996: 154), which the conference never adopted formally and no document exists to that effect. What is interesting about this letter is that, it requests the UN to put in place mechanisms to supervise the holding of a referendum in Eritrea, and make arrangements directly with the EPLF (UN, 1986: 154), without any Ethiopian participation. It is with that letter that the Ethiopian government walked away from its responsibilities and any say on the Eritrean issue.³⁵

Thus, the most serious deficit in the relationship between the two leaderships is not only the lack of public involvement, transparency and accountability, but also foresight. This is apparent from the sudden and unexpected resort to war, apparently to settle an internal dispute between the Tigrean and Eritrean leaderships. If there had been transparency in their relations and public accountability by these leaders, the decision to go to war would have at least been protracted. The sudden resort to fighting also emanates from the absence of established formal instruments to manage relations between the two regimes. Since relations were informal and based more on personal ties, even after the outbreak of hostilities, the Eritrean leader was apparently still confident that these informal personal ties would work as he tried to address hand written personal letters to the Ethiopian prime minister, and was angry at the latter for formally tabling the issue before the cabinet and parliament.

The Role of the International Community

The failure to understand the conflict as well as find acceptable solutions emanates from some of the inadequacies and focus of traditional international relations. One theory suggests that cultural differences make conflicts more likely, meaning that the more differences states have the more likely they would be engaged in conflict (Huntington, 2003). But, the close similarity between the two parties in the Ethiopia-Eritrea conflict, not only in cultural, religious, ethnic and linguistic terms, but also in organizational and political cultures does not support this assumption.³⁶ Some studies have demonstrated that in actual fact states and groups with close cultural ties are more likely to engage in violent conflicts than those with several differences (Garzke and Glenditsch, 2006). Another point is that international relations is principally based on interstate relations, and though it recognizes that domestic factors influence foreign policy, it does not directly address internal political processes,

³⁵ In a hypocritical move, a breakaway faction of the TPLF, formed by former top leaders of the TPLF (purged during the split in 2001) established a new party, that as one of its goals has indicated the reclaiming of Eritrea, particularly the ports (see "Former TPLF Members to Establish a New Party", *Addis Fortune*, Volume 8, No. 379, August 05, 2007). The leaders of the new party were members of TPLF's political bureau before the split in 2001.

³⁶ One example is Somalia, which is one of the most homogenous states in Africa. When we look at the conflict in that country, it is one that has been pitting the same people against each other. Somalis speak the same language and profess the same religion, but clan allegiances are strong.

which might have implications on interstate relations. Traditional international relations theory conceptually assumes as if states are undifferentiated entities, or at best considers the position of the dominant groups that control the state, when addressing inter-state disputes. Thus, the international community treated relations between Ethiopia and Eritrea purely as one between two sovereign states, and therefore the solutions it tried to push were based on the assumption that the conflict between the two states is one involving boundary (territory), and once that was demarcated, the problem would be resolved. The inability to even begin the demarcation process demonstrates that the traditional prescription is based on a flawed diagnosis of the dispute. This paper argues that the conflict between the two states cannot be resolved without addressing the internal political dynamics of both states. The political struggles in both states as well as the conflict between the two states reinforce each other, and have implications for the wider region.

One distinguishing aspect of the Ethiopian-Eritrean conflict is the rush with which the international community entered the fray with mediation efforts within days of the outbreak of war. The war was seen as an aberration, an unexpected development in an otherwise cozy relationship between the two parties that many in the international community assumed. Therefore concerned parties from the OAU to the UN and from Rwanda to the US rushed in with mediation proposals without even pausing and trying to understand the causes of the conflict. While the efforts at stopping the war and mediating in the conflict was a welcome endeavor, the international community's understanding of the situation, diagnosis of the conflict and the solutions they thought would resolve the conflict were not in tune with the underlying dynamics and complexity of the conflict. Since it was a conflict between two states, and the apparent conflict emanated from a border dispute, they concentrated on the issue of the border and how to resolve that. They took both states as undifferentiated entities, and based their approaches purely on relations between the two states, and failed to see the internal dynamics. Most importantly, the manner in which especially the United States and other western powers handled the post *Dergue* (and post cold war) political situation in the Horn of Africa was dictated by narrowly defined short term interests rather than the promotion of democracy, human rights, economic and social development, as well as long term local and regional stability. According to close observers, US policy in the Horn of Africa, following the independence of Eritrea was dictated by two major factors (Gilkes and Plaut, 2000). The first one was Israel's concerns regarding the Red Sea coast line, especially the possibility of Arab control, due to longstanding Arab support for Eritrean independence. Eritrea also made moves to join the League of Arab States, and developed close relations with Libya. The second factor was US efforts at isolating, containing or even overthrowing the Islamist regime in Sudan, for which they sought the cooperation of the neighboring countries of Ethiopia, Eritrea and Uganda in this endeavor. The leaders of these three states neighboring Sudan, along with that of Rwanda, and the Democratic Republic of Congo were thus praised as being a new generation of modernizing, progressive and democratizing African leaders (Ottaway, 1999). Given the poor human rights records as well as authoritarian tendencies of these leaders, this judgment was not a well considered one and only helped the leaders of these states to consolidate and strengthen their firm grip on power (Gilkes and Plaut, 2000). The regimes in Ethiopia and Eritrea were supplied with military, political, diplomatic, and economic support as a bulwark against the threat of Islamic fundamentalism in the region and possible links to terrorism. This support not only emboldened these regimes to harden their internal policies, but the Ethiopian regime in particular used this support to provide the means to strengthen internal repression. The vital support of the United States and other western powers and the designation of Ethiopia and Eritrea as democratic in actual fact stifled democracy and exacerbated the authoritarian tendencies, repression and human rights violations. Thus, the regimes concluded that their internal policies have the approval of the western liberal democratic states. They even tried to justify the internal repression of their political opposition as a fight against terrorism. It is the same tendencies and the structures strengthened by this western support that eventually led them to resort to fighting to settle minor disputes. The Ethiopian and Eritrean regimes received considerable support from the Islamist regime in Khartoum in their conquest of power. Nevertheless, both of them as well as Uganda had their own rationale for the containment of the Sudanese regime, and became willing allies in the US's anti-Sudan coalition. But, the design and the regional coalition against Khartoum collapsed with the

outbreak of the Ethiopia-Eritrea war, and each one of them started competing for Sudan's support in their conflict.

Furthermore, Western diplomats took the apparent close relations between the Ethiopian and Eritrean leaderships at face value while the two regimes continued to give the impression of close and cordial relations despite growing tensions. The Ethiopian regime even gave the impression, successfully for some time, that the growing tensions on the border areas were actually local matters. Thus, when the conflict erupted into open warfare, Western diplomats were not only surprised, but buying into the explanations of the Ethiopian regime, treated the conflict as a purely border conflict triggered by overzealous local officials. When the war broke out, the international community was swayed by the symptoms of the conflict and directed its entire attention and diplomatic interventions on that superficial aspect of a complex conflict. This is partly at the root of the impasse in the resolution of the conflict to date. The international community continues to insist on the resolution of the boundary issue above and before any other aspect of relations between the two states, though it is clear that the boundary is only a manifestation of other disputes.

The Domestic and Regional Linkages of the Conflict

As we can see from the above discussion, the international community in general and global powers in particular thus treated the conflict within the limits of interstate relations, and as a result failed to see both the factors internal to both states and the regional implications of the conflict. Not understanding the character of these parties, they did not see the rivalry between the two leaderships and could not envisage a fall out between them. But, we should only look at the history of their relations to grasp the dynamics of relationship. When they worked together, both parties cooperated in eliminating the other's rivals and opposition. But, the logic of such a practice inevitably leads to the desire to expand one's sphere of dominance both to protect its internal hegemony as well as to project its power further. Since the two states, particularly the ruling parties, share a great deal in common, the conflict was bound to have implications for the internal policies and stability of both states. Moreover, as part of the conflict has to do with rivalry and the role each state plays in regional politics, the regional implications of the conflict could not be underestimated.

Eritrea now holds the international community, particularly the United States, responsible for failing to force the Ethiopian government to implement the rulings of the Hague Commission. The Eritrean leader is on record saying that the main obstacle to resolving the conflict is the United States.³⁷ The Eritreans have tried to put pressure on the UN by restricting the movement of the UN Mission in Ethiopia and Eritrea (UNMEE). They have tried to step up support to both the armed opposition as well as the internal opposition in Ethiopia, in order to destabilize and weaken the government and force it to patch up with Eritrea. In Somalia, they supported the Islamic Courts Union (ICU), and since its ouster by Ethiopian intervention, they have been supporting various factions opposed to Ethiopia and the Transitional Federal Government. These actions, as well as their rapprochement with the Sudan are part of their strategy not only to destabilize Ethiopia, but also designed to pressure on the international community to force the Ethiopian side to implement the rulings of the Hague Commission.

The conflict between the two states also led to a rapprochement of each government with the opposition parties of the other. When the two regimes were at peace, they not only shunned the political opposition of each other, but opposition elements of both regimes became victims in the hands of both. For example, many Oromo nationalists hold the Eritreans partly responsible for the political ejection of the OLF from the transitional government in 1992 and its subsequent military

³⁷ In an interview with *Al Jazeera*, he claimed that he has no problems with the Ethiopian leadership, which whom he has worked for decades, and that it was the United States that instigated the border conflict in the first place and is the main obstacle to the resolution of the conflict (*Al Jazeera* TV (English), broadcast 20 February 2010).

defeat.³⁸ Likewise, there are many Eritreans who hold the TPLF responsible for the military defeat and ejection of the ELF from Eritrea in the 1980s, as well as the hunting down of those Eritreans opposed to the EPLF living in Ethiopia in the 1990s. Since the conflict between the two states erupted however, the OLF has established its main base in Eritrea, and the Eritrean regime is even entertaining the right wing Amhara opposition to TPLF rule, including those forces that have not even reconciled themselves with the reality of Eritrean independence. At the same time the Eritrean opposition, including the various factions of the ELF, have a regular presence in Ethiopia and are supported by the TPLF. Moreover, the most serious charge of treason the Ethiopian opposition has leveled against the TPLF concerns the manner in which it managed Eritrea's independence. What is interesting now is that the war is popular among the Ethiopian opposition and the conflict with Eritrea is the single issue that unites the TPLF and the opposition, with the exception of the OLF and the ONLF (Ogaden National Liberation Front), but for different reasons. Some Eritreans actually blame the Ethiopian opposition and "hardliners" within the TPLF as well as what they call "Ethiopia's ethnic rivalries" for the conflict between the two states, accusing the TPLF leadership of caving in to these forces (Mengisteab and Yohannes, 2005:240-48).

Likewise, the Moslem half of Eritrea which was wary of the close links between the EPLF and the TPLF, especially since the two cooperated to defeat the Moslem dominated ELF, looked at these relations with suspicion and considered them as inimical to their interests. They now seem to look at the conflict and severing of relations between the two as a welcome development. In the past, while the *Dergue* was still in power, when the EPLF began talks with the Ethiopian government, with the former United States President Carter as mediator in 1988, the TPLF carried out a smear campaign against the EPLF leadership that they were about to sell out the Eritrean cause.³⁹ At the time, there were indications that due to internal factors, including military, the Eritrean leadership was prepared to resolve the conflict on the basis of a return to the federation, with some international guarantees.⁴⁰ The fear of the TPLF was that in the event the EPLF reached an agreement with the Ethiopian government, Tigray would remain a marginal player in Ethiopian politics. Even in early 1991, when the collapse of the Ethiopian government was imminent, the Eritrean leader continued to harbor the possibility of remaining within Ethiopia, but this time in his own terms, and the Eritrean leader actually consulted with senior members of the EPLF leadership about this issue.⁴¹

Moreover, during tripartite talks between the EPLF, TPLF, and OLF in Massawa, Eritrea, in March 1991, a draft agreement was prepared for the three parties to form a transitional government, a project that was later abandoned due to disagreements between the EPLF and TPLF.⁴² After the collapse of the *Dergue* regime, some African leaders, wary of the consequences of setting a precedent for the continent, advised the Eritrean leader to take power in the whole of Ethiopia rather than splitting the country.⁴³ The TPLF was wary that in the event this happened they would be sidelined and marginalized within Ethiopia, and vehemently championed the Eritrean independence cause. When the Mengistu government collapsed in 1991, the TPLF leadership set out to establish a dominant position in Ethiopia and did not want any rivals. When we look at the position of the EPLF in 1991, it was the dominant liberation movement in the region and if Eritrea remained within Ethiopia, it was bound to play a dominant role in the new government, and the TPLF would have been relegated to be a junior partner. When we analyze the contents of an interview conducted with Sebhat Negga (who was chairman of the TPLF between 1979 and 1989, and still commands considerable power)

³⁸ Before the OLF left the Transitional Government of Ethiopia and returned to armed resistance, an agreement was brokered between the OLF and the TPLF on the encampment of fighters of both parties, negotiated under the auspices of the United States and the EPLF, a tripartite commission made of OLF, TPLF, and EPLF was established to monitor implementation. But, the commission ended up monitoring only the encampment of OLF fighters and as the TPLF not only refused to encamp but went further taking over the areas vacated by OLF fighters, the EPLF sided with the TPLF, a factor that contributed to the OLF's withdrawal from the 1992 district and regional elections and subsequently forced to leave the transitional government.

³⁹ This was evident from TPLF's radio broadcasts of the period.

⁴⁰ Personal communication

⁴¹ Author's interview, Frankfurt, Germany 2002; my informant was a senior commander in the EPLF and took part in the consultations (Name withheld),

⁴² The author participated in these discussions as a member of the OLF delegation and was a member of the committee that drafted the agreement. The manuscript of this draft agreement is in his possession.

⁴³ Names of a few African leaders have been mentioned in this respect (Personal communication).

with the Tigray Radio in early June 2007, we can see how the TPLF was very apprehensive about the EPLF reaching a settlement and remaining within Ethiopia (Nega, 2007). Therefore, a closer look at TPLF strategy indicates that they championed and pushed for Eritrean independence more than the Eritreans would like, not because they genuinely believed in the cause, but out of selfish desires of holding exclusive power in Ethiopia.

The conflict between the two states has also affected the internal cohesion of the ruling parties, the TPLF and the PFDJ. In Eritrea, the war created the excuse for delaying implementation of the draft Eritrean constitution, postponing internal debate, stifling internal dissent, and strengthening authoritarian rule. In 2001, a major internal crisis developed within the ruling PFDJ leadership and several leading members of the liberation struggle were purged and imprisoned. The conflict with the TPLF and the manner in which the war has been handled is said to be one of the major causes of the crisis.⁴⁴ The few independent newspapers were closed down, and several journalists and student leaders were put behind bars. In Ethiopia, the TPLF leadership suffered its worst crisis since coming to power, as several leading members of the leadership (including senior members of the armed forces), came out openly in opposition to the prime minister in an attempt to unseat him from the party leadership and the government. His Eritrea policy was apparently the main reason for their opposition.⁴⁵ The prime minister won the day, but the ruling party was seriously damaged, as it lost some of its most experienced leaders. The armed forces also lost some of the most able leaders and commanders, as the result of purges.

When we look at the regional ramifications of the conflict between the two states, the fallout has been most severe on Somalia, while the main beneficiary has been Sudan. The two sides have been supporting rival factions in Somalia. The Ethiopian government supports the so called Transitional Federal Government (TFG), which has very little support in Somalia. In December 2006, Ethiopian troops invaded Somalia (with the tacit approval of Washington), ousted the short lived order and relative peace imposed by the Union of Islamic Courts, occupied the capital, Mogadishu, and have since been struggling to install the TFG government set up by a conference in neighboring Kenya. The Eritreans have openly supported the Union of Islamic Courts, and other forces opposed to the Ethiopian occupation. Some of the ousted Islamic leaders, as well as leaders of other factions have since regrouped in Eritrea. On the other hand, Sudan has reaped the benefits from the conflict as the regional coalition against Sudan put together by Washington collapsed and both states began vying for Sudan's friendship.

Coupled with the already heavy loss of life, the conflict has diverted scarce human and material resources to the war, in two of the world's poorest states. Each one of them spends considerable resources on purchasing military hardware that their poor economies can ill afford, to prepare for another round of hostilities and to destabilize each other. Ethiopia seems to be relatively more comfortable with the current state of no war no peace, as the fallout from the conflict is heavier on Eritrea. One outcome of the conflict has been more militarization in Eritrea, with a disproportionate share of its adult population removed from production and mobilized for war. Eritrea has a population of less than four million people (World Bank, 2007), but over a quarter of a million of its adult population have been permanently mobilized for war at any given time since the outbreak of hostilities in 1998. Eritrea also spends more on defense than any other country in the world with a staggering 21 percent of its GDP going to defense expenditure in 2003 (SIPRI, 2007).⁴⁶ Eritrea's economy is also more dependent on external infusion, with 35 percent of its GDP coming from remittances from abroad, and the instability and internal tension resulting from the war has had adverse effects on this vital resource (Mengisteab and Yohannes, 2005: 252).

⁴⁴ Personal communication

⁴⁵ The Ethiopian prime minister has been accused by the Ethiopian opposition as well as Tigrean nationalists for having a soft heart for Eritrea (his mother being Eritrean), especially for signing the Algiers peace agreement, that they claim neither reflected Ethiopia's military victory, nor its national interests.

⁴⁶ There are no figures for Eritrea's defense expenditure after 2003.

In the 1990s the leaders of both states were regarded as a new generation of progressive African leaders by many in the West (Ottaway, 1999). The war has however undermined the credibility of both, especially in the West, from where they get vital economic and political support. Eritrea has been more isolated regionally and internationally, and is now considered as a pariah state. Despite its intransigence in implementing the rulings of the EEBC the Ethiopian leadership remains in a better position due to the changed global emphasis on security after 2001. Yet the costs remain high for both states. Ethiopia has a larger population, projected to reach nearly 85 million in 2009 (World Bank, 2009). But, the large number of people it has mobilized (estimated at close to half a million) and the resources it is spending on defense is also high at 4.4 percent in 2003; dropping from nearly 11 percent in 1999 and 10 percent in 2000 (SIPRI, 2007).⁴⁷ Moreover, its military adventure in Somalia⁴⁸ (partly to counter Eritrea's influence there) is bound to have not just economic, but also political consequences among the nearly four million Somali speakers in Ethiopia in particular and the Moslem third of Ethiopia in general.

The Ethiopian government's continued struggle with the Oromo Liberation Front (OLF), supported by Eritrea since late 1998, and its inability to win legitimacy among the Oromo people (who constitute nearly half of the population of Ethiopia) has created internal instability and ruined its credibility.⁴⁹ Moreover, the growing insurgency in the Somali speaking Southeastern region of the country has had adverse impact on foreign investment, besides the deteriorating humanitarian and human rights situation.⁵⁰ The dispute over the 2005 elections, which led to widespread repression carried out by the government against the opposition and civil society has not helped the government's image. The imprisonment and trial of the entire leadership of the main internal opposition also undermined the government's standing even among its supporters in the West, and has damaged its image seriously.

Conclusion

As the above discussion has shown, the politically dominant groups in Ethiopia and Eritrea, not only belong to the same cultural group, but the political leaderships in both states are very closely related. This has important ramifications on the dynamics of the relationship between them. Secondly, taking both states as undifferentiated entities misses many important aspects of the conflict. Thus, treating this conflict purely as one based on a border dispute underestimates the consequences that this conflict has had on the political dynamics in both states and the cohesion of their ruling parties, as well as regional stability. The domestic and regional implications of the conflict therefore underlines the need for going beyond the border dispute, and looking at a more comprehensive solution to the problem in both states and the regional ramifications.

As implementation of the Algiers agreement has stalled and the international community has been unable to impose a solution acceptable to both parties, the time has come to look at the conflict afresh and seek a more durable and comprehensive solution. The Algiers agreement is no longer the solution it was thought to be. It was negotiated in haste and imposed by an international community eager for success by stopping the war. One positive aspect of the agreement is the fact that there has been no direct fighting between the two states since, though both are engaged in proxy wars. There

⁴⁷ Ethiopia's defense expenditure has steadily dropped both in absolute terms and as share of its GDP since the peak in 1999, dropping to about 2.5 percent in 2005 (SIPRI, 2007).

⁴⁸ The Ethiopian invasion of Somalia in December 2006 was also designed to counter Ethiopia's armed opposition groups, most notably the OLF and the ONLF, both of whom were regrouping in Somalia at the time.

⁴⁹ Human Rights Watch has documented gross abuse of power and systematic and targeted violations of human rights in the Oromo speaking regions (HRW, 2005). After the disputed 2005 elections and the repression against the internal opposition the OLF and the Amhara dominated CUD (Coalition for Unity and Democracy) formed an alliance, raising the stakes, as the alliance has the potential of mobilizing the country's two largest nationalities (together with over two thirds of the population) against the government.

⁵⁰ In 2007, rebels in the Ogaden region attacked a Chinese oil exploration field in the region killing 74 people, including nine Chinese workers (Gettleman, NYT, 2007). The government then stepped up its military offensive against the rebels. Human Rights Watch has accused the Ethiopian government of widespread abuse of human rights, war crimes and crimes against humanity in the region (HRW, 2008).

are however two fundamental issues that the stalled peace process raises, i.e., compliance and adjudication. From the disputes on the interpretation of the agreement and the subsequent decisions based on it, it is becoming increasingly clear that they are not the appropriate instruments for solving the conflict between the two states. Even if the international community is able to impose a solution on both sides, which it has been attempting for some time,⁵¹ it will only postpone the solution and further rounds of conflict are inevitable, as long as the underlying causes of the conflict are not addressed. Under normal circumstances, states comply with international rules and agreements when there is a convergence with their interests, or when it becomes obvious that the cost outweighs the benefits of non compliance. In this case, Ethiopia in particular is not complying in effect because it believes its interests are not served by compliance.⁵² At the same time, Ethiopia is not facing any threats coming from any quarter for not complying. The United States, the European Union and other guarantors of the Algiers agreement are either unable or unwilling to put the necessary pressures on the parties to implement the rulings of the EEBC. Especially after the changes in the international environment since September 2001, security concerns have become overriding over other issues, in which Ethiopia has become a key regional ally of the United States in the global “war on terrorism.”

It was obvious that for Eritrea, arbitration was the best option available, since it lost the war. But, the question is why did Ethiopia sign the Algiers Agreement in the first place and agreed to arbitration of the disputed territory, especially given its favorable military advantage on the ground? My own observations lead me to believe that it was a combination of internal⁵³ and external factors, including considerable diplomatic pressures, especially from the United States. Nevertheless, the failure of adjudication raises the obvious shortcomings of trying to use law to settle political disputes among states. In the Western legal tradition lawyers tend to retreat to technicalities and the deconstruction of texts. First, the EEBC commissioners never visited the area under dispute and conducted their proceedings and rulings based on texts and maps. They emphasized three treaties (1900, 1902, 1908), all between Italy and Ethiopia.⁵⁴ The problem with this is that these treaties favored Eritrea as all were forced upon Ethiopia by Italy, whose desire to conquer all of Ethiopia was not a secret. Second, the commissioners also depended on the colonial era maps, and assumed that it does and should correspond to what is on the ground. These maps were all produced by Italy as Ethiopia did not have the skills to do that at the time, and therefore favored Italy, and by extension Eritrea. Moreover, a lot has changed on the ground, especially settlements, over a period of a century since those maps were produced. As this paper has argued, this conflict is less about the border. There are other more fundamental issues between the two parties. Therefore, again the recourse to legal mechanisms was only due to pressure from the international community, and not from the willingness of the parties to settle the ‘boundary’ or ‘territorial’ dispute, especially in the case of Ethiopia.

The third problem is, now that the commissioners have completed their job, who will enforce the rulings? In legal tradition, implementation is not the job of lawyers or judges, which becomes problematic in terms of international law. It is presumed that the United Nations Security Council is there to fill this vacuum, but very often the UNSC depends on the shared interests of states, and the will of the hegemonic powers. It seems that this problem was foreseen by the Algiers Agreement, as

⁵¹ The Hague commission had warned both parties that if they did not agree on the demarcation of the border pertinent to the decision of the commission (which among others, awarded the flash point of the war, the village of *Badme*, to Eritrea), the commission would carry out its own demarcation on paper and impose it on them. In November 2006, it gave the parties 12 months, and by December 2007, it carried out its promise, demarcating the border, subsequently closing down its work.

⁵² Ethiopia is not exactly saying that it is refusing to comply, but insists that it wants to normalize relations with Eritrea and negotiate on the implementation, while Eritrea insists that there is nothing to negotiate on the implementation, and therefore Ethiopia should first comply with the rulings, and then they can discuss relations after that.

⁵³ Some former leading members of the ruling party allege that there are pro Eritrean elements within the Ethiopian government, including the prime minister. Though these claims have for the most part been circulated through the rumor mills and Ethiopian websites, a former defense minister and member of the leadership of the ruling party has openly made these claims in a book (Seye Abraha, 2010, *Freedom and Justice in Ethiopia* (Amharic)).

⁵⁴ The colonial treaties and maps are advantageous to Eritrea, as all the maps were produced by Italy and the colonial treaties also favored Italy, as Ethiopia was a victim of repeated Italian aggression. Italy always tried to expand its possessions at the expense of Ethiopia. These treaties should have been considered null and void as Italy violated them and invaded Ethiopia in 1936, and established an Italian East Africa Empire until it was expelled in 1941 by Ethiopian resistance later on joined by Commonwealth troops after Italy entered World War II.

the major states of the world and international institutions became the guarantors. The changed international atmosphere however precluded the guarantors from acting in unison to force implementation.

One other problem faced by the commission was the omission of the village of *Badme*, the *casus belli* of the war, from any mention in the ruling, though it was apparently awarded to Eritrea. The commissioners did not have independent bodies to supply them with information and had to rely on the two parties. This has serious problems when we look at it against the background of tradition and political culture in both states. In the dominant cultures of Ethiopia and Eritrea there is a deep rooted culture of withholding information (Levine, 1965; Levine 1974). Moreover, the ruling parties in both states were insurgent groups, whose political culture is based on secrecy and the divulging of as little information as possible.

Thus, nearly a decade after the signing of the Algiers Peace Agreement and seven years after the ruling of the EEBC, there seems to be a deadlock in implementation. It should by now be obvious that the agreement and the decisions of the commissions are no longer adequate instruments for resolving the conflict, which has already had serious domestic and regional ramifications. Therefore, the international community needs to look for appropriate mechanisms that ensure lasting peace within and between both states as well as create a stable regional order. It is perhaps pertinent to take a longer view, and tackle the issue from the root. A starting point would be improving governance and accountability in both states. This obviously requires fundamental restructuring of the political space in both states, and the international community can best contribute to the resolution of this conflict by promoting political reform, dialogue and national reconciliation within and between both states.

Appendix: Map of the Border and Disputed Areas



References

Abbay, Alemseged. 1998. *Identity Jilted or Re-imagining Identity: The Divergent Paths of the Eritrean and Tigrean Nationalist Struggles*, Lawrenceville, NJ: The Red Sea Press.

Addis Fortune Volume 8, No. 379, August 05, 2007.

Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the State of Eritrea, Algiers, 12 December 2000.

Asrat, Gebru, 2006. "Towards Sustainable Peace between Ethiopia and Eritrea," Paper presented at the *Scholarly Conference on the Ethiopia-Eritrea Conflict*, organized by the Fafo Institute for Applied International Studies, Oslo, 6-7 July.

Balsvik, R. R., 1985. *Haile Sellassie I Students: The Intellectual and Social Origins of Revolution 1952-1977*, East Lansing: African Studies Center, Michigan State University and Norwegian Council of Science and the Humanities.

Cervenka, Z., 1969. *The Organization of African Unity and Its Charter*. New York: Praeger.

Chole, Eshetu, 2004. *Underdevelopment in Ethiopia*, Addis Ababa: Organization for Social Science Research in Eastern and Southern Africa (OSSREA).

Conference for Peace and Democratic Transition in Ethiopia, 1991. Agenda of the Conference for Peaceful and Democratic Transition in Ethiopia, Addis Ababa.

_____ 1991. Charter of the Transitional Period, *Negarit Gazeta*, 50th Year, No. 1, 22 July 1991, Addis Ababa: Birhanina Selam Printing Press.

EPLF, OLF, and EPRDF, Joint Statement to the Press, London, May 28, 1991.

Eritrean-Ethiopian Boundary Commission (EEBC), 2002. *Decision on the Delimitation of the Border between Eritrea and Ethiopia*, The Hague, April 13.

Eritrean-Ethiopian Claims Commission, 2005. *Partial Award: Jus Ad Bellum*, The Hague, 19 December.

Eritrean-Ethiopian Claims Commission (EECC), 2009. *Press Release*, The Hague, 17 August.

Eritrean People's Liberation Front, *Press Statement*, London, May 29, 1991.

Ethiopian People's Revolutionary Democratic Front (EPRDF), *Press Statement*, London, May 29, 1991.

Federal Democratic Republic of Ethiopia, Office of Population and Housing Census Commission, Central Statistical Authority (CSA), 1999. *The 1994 Population and Housing Census of Ethiopia: Results at Country Level, Volume II Analytical Report*, Addis Ababa: Central Statistical Authority.

Gartzke, Erik, and Kristen Skred Gleditsch. 2006. "Identity and Conflict: Ties that Bind and Differences that Divide," *European Journal of International Relations*, 12 (1): 53-87

Gettleman, Jeffrey, 2007. "Ethiopian Rebels Kill 70 at Chinese Run Oil Field," *New York Times*, 25 April.

Gilkes, Patrick, and Martin Plaut, 2000. "The War Between Ethiopia and Eritrea," *Foreign Policy in Focus*, Vol. 5, No. 25.

Guardian Newspaper, December 13, 2000. "Special Report, Ethiopia."

Henze, Paul. 2000. "Eritrea's War Against Ethiopia: Causes and Effects, Reflections, Prescriptions" www.waltainfo.com

Hiltzik, Michael A., 1991. "Toll in Hundreds feared in Ammo Blast in Ethiopia," *Los Angeles Times*, 05 June.

Huntington, Samuel, 2003. *The Clash of Civilizations and the Remaking of World Order*, New York: Simon and Schuster.

Human Rights Watch, 2008. *Collective Punishment: War Crimes and Crimes Against Humanity in the Ogaden area of Ethiopia's Somali Region*, New York: HRW, June 12.

Human Rights Watch, 2005. *Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia's Oromia Region*, New York: HRW, May 9.

Inquai, Solomon, 1998. "Key Determinants of the Ethio-Eritrean Crisis," Paper presented at a workshop on the Ethio-Eritrea Crisis held at the Institute of Social Studies, The Hague, The Netherlands, September 7, 1998, published in the *Chronology of the Ethio-Eritrean Conflict and Basic Documents*, Addis Ababa: Walta Information Center, 2001.

Iyob, Ruth, 2000. "The Ethiopian-Eritrean Conflict: Diasporic vs. Hegemonic States in the Horn of Africa, 1991-2000," *The Journal of Modern African Studies*, 38 (4): 659-682.

_____, 1999. *Reconfiguring Identities: A Clash of Vision(s) in the Horn of Africa 1991-1999*, Bern: Swiss Peace Foundation.

Jaquin-Berdal, Dominique, and Martin Plaut (eds.), 2000. *Unfinished Business: Eritrea and Ethiopia at War*, Lawrenceville, NJ: Red Sea Press.

Keller, Edmond J. 2005. "Making and Remaking the State and the Nation in Ethiopia," in Ricardo Rene Laremont (ed.), 2005. *Borders, Nationalism and the African State*, Boulder: Lynne Rienner.

Levine, Donald, 1974. *Greater Ethiopia: The Evolution of a Multiethnic Society*, Chicago: The University of Chicago Press.

_____, 1965. *Wax and Gold: Tradition and Innovation in Ethiopian Culture*, London: The University of Chicago Press.

Medhanie, Tesfason, 1986. *Eritrea: Dynamics of a National Question*, Amsterdam: B. R. Gruener

Mengisteab, Kidane, and Ogbazghi Yohannes, 2005. *Anatomy of an African Tragedy: Political, Economic and Foreign Policy Crisis in Post Independent Eritrea*, Trenton, NJ: The Red Sea Press.

Mockler, Anthony, 1984. *Haile Sellassie's War: the Italian-Ethiopian Campaign, 1935-1941*, New York: Random House

Negash, Asefa, 1996. *The Pillage of Ethiopia by Eritreans and their Tigrean Surrogates*, Los Angeles, CA: Adey Publishing Company.

Negash, Tekeste, and Kjetil Tronvoll, 2000. *Brothers at War: Making Sense of the Eritrean Ethiopian War*, Athens, OH: Ohio University Press.

New York Times,

Nugent, Paul and A. I. Asiwaju (eds), 1996. *African Boundaries: Barriers, Conduits and Opportunities*, London: Pinter

Oromo Liberation Front, Press Statement, London, May 30, 1991.

Ottaway, Marina, 1999. *Africa's New Leaders: Democracy or State reconstruction?* Washington, D.C.: Carnegie Endowment for International Peace.

Retta, Zewde, 1998 EC, *Ye Ertra Guday* (in Amharic), Addis Ababa: Central Printing Press.

"Sebhat Nega of TPLF rings a wake-up call for Ethiopians," www.ethiomeia.com, June 05, 2007.

Stockholm International Peace Research Institute (SIPRI), 2007. "Military Expenditure Database," www.sipri.org.

Transitional Government of Ethiopia, 1991, *Negarit Gazetta*, 50th Year, No. 1. Addis Ababa

United Nations, 1996. *The United Nations and the Independence of Eritrea*, New York: UN Department of Information.

_____, 1950, "Resolution 390 A (V), *Official Records of the General Assembly, Fifth Session*, New York: United Nations.

United Nations Security Council, 2009.

<http://www.un.org/apps/news/story.asp?NewsID=33337&Cr=somali&Cr1=>
December 23.

Widstrand, Carl (ed.), 1969. *African Boundary Problems*, Stockholm: Scandinavian Institute of African Studies

World Bank, 2007. "World Development Indicators Database," www.worldbank.org

Wrong, Michaela, 2005. *I didn't do it for You: How the World betrayed a Small African Nation*, New York: Harper Collins Publishers.

Young, John, 1996. "The Tigray and Eritrean Peoples' Liberation Fronts: A History of Tensions and Pragmatism." *The Journal of Modern African Studies*, Vol. 34, No. 1.

Zenawi, Meles, "Annual Report to the House of Peoples' Representatives, June 29, 2007", www.waltainfo.com.

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