

ETHIOPIA AND ERITREA: THE CHALLENGE OF RECONCILIATION AND PEACE-BUILDING

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I would like to thank the Turkish Ministry of Foreign Affairs for this opportunity to share my views on peacekeeping and peace-building in the context of the Ethio-Eritrean conflict and on how to restore Ethiopian-Eritrean relations to a peaceful avenue. I am flattered by the invitation because I have no claim to a special expertise on the subject except that I am a citizen of one of the two countries who has followed closely developments in Ethiopian-Eritrean relations with great hope and recently with disappointment and concern. My views are therefore personal and they should be taken as such. They are also expressed here on a non-attributable basis.

This consultation organized by the Turkish Ministry of Foreign Affairs is an important expression of Turkey's commitment to assisting parties to the conflict to find solutions to their problems.

Fifty years ago, when the United Nations accepted responsibility for determining Eritrea's future status along with other ex-Italian colonies, the UN Commission, on the strength of the view of the majority of the population, recommended the reunification of Eritrea with Ethiopia.

I. Lessons Learned

My comments today will focus on what should be done to initiate and nurture a process of reconciliation and peaceful cooperation between Ethiopia and Eritrea in the wake of their still unresolved conflict. To that end, I propose to address what the parties and the international community should do urgently and in the long run. My specific recommendations in this regard stem from what I believe to be instructive lessons the parties and the international community ought to draw from the conflict as well as what a restoration of a peaceful, cooperative co-existence would require.

I will begin my comments on the lessons that both parties to the conflict should draw and then proceed to what each should specifically learn.

Joint lessons. On both sides, until the outbreak of hostilities, the ruling political parties handled Ethiopian-Eritrean relations. Government-to-government contacts were limited, and when they occurred occasionally, they were mostly to confirm or to operationalize agreements reached at the party level. The way such relations was conducted lacked transparency and did not allow the participation of non-party and non-governmental actors, such as private businessmen, religious leaders and civil society organizations.

Both sides postponed addressing the issue of citizenship of their nationals living in the other's territory—the right to work in their administration and participate in their political process, to own property and conduct businesses, and to use their passport and local identity cards and residence permits. The failure to determine urgently these and other related issues gave rise to speculation and devious practices.

Another issue that was not adequately discussed was the consequences of Eritrea's adoption of a new currency. Before Eritrea adopted its currency, both sides should have anticipated and resolved through discussion how the exchange rate between the two currencies should be fixed, what currencies should be used for what amount of their border trade, as well as whether or not their bilateral trade should be transacted in hard currency. As it turned out, discussion on such issues was delayed until after Eritrea had introduced its currency. By that time however, the discussion that followed could not avoid mutual suspicion of undue advantage,

On both sides, there was also a lack of appreciation of each other's decision-making process. On the Ethiopian side, decision-making was a slow collective process, which allowed little room for any prompt decision on a pressing issue. On the Eritrean side, there was no parallel deliberative process, and one person, who according to people who know him well has a tendency to react impulsively, made all the important decisions. This was the president of the country.

Lessons for Ethiopia. On the Ethiopian leadership's side, there was a strong inclination to accommodate Eritrean interests and views without asking for reciprocity. This tendency was predicated on a belief—which turned out to be wishful in light of subsequent events—that if the Eritrean side began to see their interests in terms of mutually beneficial economic relations with Ethiopia, it would pave the way for close political interdependence that would gradually necessitate joint political institutions.

Shortly after coming to power the Ethiopian People's Democratic Revolutionary Front (EPDRF) government demobilized more than half of its troops and cut down military expenditure by 60 percent. Eritrea, on the other hand, increased both its troop level and military expenditure on the ground that it felt threatened by Sudanese fundamentalism and Yemeni irredentism. The Ethiopian leadership acquiesced in this judgment without suspecting that this military build up could be turned against their country.

Lessons for Eritrea. On the Eritrean leadership's side, there was an unrealistic ambition to become another "Singapore" or "Hong Kong" and to regard their economic link with Ethiopia as a prop for the achievement of this larger ambition. In some measure Eritrean expatriate professionals fueled and rationalized this ambition. It was also born out of a mistaken common belief that if the Derg's massive war machine could be defeated, no challenge could be so formidable as to be insurmountable. The Eritrean leadership's overestimation of their capacity often led them to making arrogant

statements and to seeking a military solution to problems that could be better solved through patient discussion and negotiation.

Lessons for the international community. The international community cannot be blamed for not foreseeing the conflict and not taking preventive measures. No one, even the leaderships of both sides, could have suspected that the two countries would engage in such a devastating war six months before its outbreak. The war caught every one by surprise.

One is justified however in questioning the actions the international community took or failed to take once the seriousness of the conflict became apparent. Were they sufficiently resolute and unambiguous in their objective to prevent the latter large-scale fighting, in which several thousand lives were lost and the livelihoods of several thousand more were destroyed? After all, after the initial armed clashes on the border, there was time for diplomacy to prevent the latter escalation. Why did diplomacy then fail?

Rwanda and the United States offered their good offices to help the parties to resolve their dispute peacefully. They presented a plan that had four elements: (1) The withdrawal of Eritrean forces to the positions they held before 6 May 1998, i.e., to positions they were at before the outbreak of hostilities; (2) the restoration of Ethiopian civil administration to Badme; (3) the demarcation of the border on the basis of existing international treaties; (4) until that occurs, the demilitarization of the border supervised by third-party observers.

Ethiopia readily accepted the Rwandan-US peace plan. However, Eritrea rejected it out of hand. The OAU then took up the peace-making challenge. Its Summit Conference in Ouagadougou, Burkina Faso, called on both parties to cease hostilities and to solve their dispute peacefully. It also mandated three heads of state and the organization's Secretary-General, to find a peaceful solution. All four leaders discharged this responsibility conscientiously with tact and patience. They visited the capitals of the parties and talked to their leaders. Over six months, through their ambassadors and foreign ministers, they continued discussions with the parties and sought to ascertain independently both sides' claims and counter-claims. Undeterred by the Eritrean rejection of the plan it jointly sponsored with Rwanda, the United States continued its peace facilitation effort.

In the meantime, the OAU high-level initiative reached a conclusion. In November 1998, the mandated heads of state called the leaders of the two parties to a meeting in Ouagadougou and presented to them what they called a Framework Proposal. The proposal was predicated first on two factual determinations: (a) their claim notwithstanding, Eritrean forces had occupied since 6 May, 1998, the previously Ethiopian-administered territory of Badme; (b) pending a legal settlement of both parties' territorial claims and, in particular, without prejudice to Eritrea's legal right, its forces should withdraw from the territories administered by Ethiopia prior to 6 May, 1998. The other elements of the Framework Proposal were restatements of the previous

Rwanda/US proposals already on the table. Ethiopia immediately accepted the Proposal. Again, Eritrea was in no mood to accept, delaying its response with repeated frivolous requests for further clarification. In the meantime, however, the Framework Proposal enjoyed wide endorsement. The OAU Central Organ and Summit, the EU, the UN Security Council and several governments endorsed it as a balanced solution.

While continuing its non-acceptance stance, in the hope of deflecting attention from the Framework Proposal, the Eritrean government resumed hostile actions, intermittently firing artillery at Ethiopian troops across the border. Ethiopia's incremental self-defence response to those actions led to the first large-scale fighting and the eviction of Eritrean forces from Badme and the surrounding area. Faced with a military defeat and the recapture of Badme, the Eritrean leader announced that he had now accepted the OAU Framework proposal.

It was obvious that what changed the Eritrean leader's mind was the military defeat and not because he saw the Framework Proposal as offering a balanced and just basis for a peaceful solution of the conflict. The continuing diplomatic process did not however draw the correct lesson from the situation. Instead of pressing the Eritrean leader to withdraw his forces from other areas that had been administered by Ethiopia prior to 6 May, it allowed him to resume his intransigence.

The Eritrean leader began to insist that his acceptance of the OAU Framework Proposal, which by that time had become an Agreement, did not, apart from Badme, oblige him to withdraw from other formerly Ethiopian administered territories that his troops had occupied—a stand that obviously amounted to rejecting it. It took six months of negotiation with the Eritrean leader before the OAU, through its then current Chairman, made it clear in no uncertain terms that the Framework Agreement had indeed imposed on Eritrea an obligation to withdraw from all the Ethiopian administered territories that its forces had occupied since 6 May, 1998.

The OAU's firm and unambiguous injunction forced the Eritrean leader to change his tactic. While preparing for another round of fighting aimed at retaking Badme, the Eritrean leader began going through the motions of appearing open to entertaining further OAU suggestions aimed at implementing the Framework Agreement. Two weeks before the Algiers Summit, he launched a large-scale offensive. However, the offensive was crushed with a great loss of lives and military equipment. At the Algiers Summit, the Eritrean leader had no choice but to accept the OAU proposals for implementing the Framework Agreement, the so-called Modalities. This and the long time it took to complete negotiations on the Technical Arrangements aimed at operationalizing the Modalities gave the Eritrean leader breathing space after which he once again began stonewalling the diplomatic process. He refused to instruct his foreign minister to sign the proposed Ceasefire and Peace Agreement. It took another round of fighting, this time initiated by Ethiopia, which administered a devastating defeat on Eritrean forces and which, in turn, permitted Ethiopian troops to advance deep into Eritrean territory, to persuade the Eritrean leader to accept the Peace and Ceasefire Agreement.

This account of the twists and turns of the diplomatic process is instructive. With the exception of the OAU, the larger international community failed to correctly read and draw the necessary conclusion from the diplomatic process. It regarded the conflict as one of territorial dispute and repeatedly stated that it was unacceptable and immoral for two impoverished nations to fight for a small and poor swath of territory. They totally ignored the fact that an important principle of legality and regional order was involved. While insisting at the same time that this principle should be upheld in Balkans, the Security Council, the custodian of peace and security, refused to affirm the same principle in the context of the Ethiopian-Eritrean conflict. A clear case of a double standard was visible. The party that violated the sovereignty of a neighbour and initiated the conflict interpreted the reluctance of the Security Council, and of the major powers, as countenancing its behaviour. This encouraged it to persist in the belief that no sanction would be imposed against it and that it would perhaps be permitted to reap the fruits of its aggression.

The diplomatic process also misread the unfolding outcome of the conflict. It read the Eritrean leader's often delayed qualified acceptances of agreements as an outcome of its persistence rather than as the result of the victory of Ethiopian arms.

The Ethiopian-Eritrean conflict provides a case study of how a small local conflict can develop into a large-scale conflict, with tragic consequences, if the major powers in the Security Council fail to attend to it with a sense of commitment to the principles of the UN Charter.

II. What needs to be done?

The parties to the conflict and the international community have the responsibility of restoring normal, peaceful relations. They have to take to heart the lessons of this tragic conflict. They should in particular use those lessons to avoid repeating the mistakes they have made as well to inform their future course of action. By themselves the parties may not be able to start a process of reconciliation. They need the international community's assistance and cooperation. On the other hand, the international community cannot help the parties if they do not see a common interest in a peaceful, cooperative co-existence and take the necessary steps toward that end. The parties and the international community should therefore work in tandem and in a mutually supportive way.

What steps should the parties take to initiate a process of reconciliation?

There are a number of things they can and should do—immediately and incrementally.

--The Boundary Arbitration Commission's decision was bound to please or displease one of the parties. It was therefore of the utmost importance that it should be fair and impartial and seen to be so. Although both parties committed themselves *a priori* to accepting the arbitral decision, it is a different proposition for either party to

accept an unfavourable decision, particularly where it believes that there has been some deviation from the expected criteria. Moreover, both sides strongly believe in the righteousness of their case, and know that an unfavourable decision might not be well received by the majority of their publics.

--The first stage of the arbitral decision was on the delimitation of the boundary. It was then to be followed by a demarcation exercise of the delimited boundary, i.e., to put up physical markers on the ground. In view of the time gap between the two processes there was a need for the two parties to exercise the utmost prudence, so as not to allow an unfavourable arbitral award to negatively affect the cease-fire and the peacekeeping arrangement.

--With regard to both aspects, the international community could have been more helpful. It needed to closely follow developments and the Security Council, in particular, should have held early consultations with a view to preparing itself to cope with any untoward consequences.

In this respect the international community should have been guided by the lesson it should have learned from its failure to act resolutely at the early stage of the conflict, when it showed a tendency to indulge the violator of international legality. Even after the OAU had determined that the conflict began as a result of Eritrean military occupation of previously Ethiopian administered territory, the UN Security Council failed to take note of that and call on the violator to withdraw its troops pending a legal determination of both parties' territorial claims. As I have observed, this failure to lay down the law encouraged the violator to believe that if he persisted he could manage to keep the fruits of his aggression.

Even today the Security Council does not seem to have fully appreciated the consequence of its earlier failure. It still continues the tendency of indulging the violator of international legality. The Eritrean government has clearly failed to live up to all the obligations it has entered into under the Peace and Ceasefire Agreement that provided for the deployment of a UN peacekeeping force. It has restricted the movement of UN peacekeepers within the Temporary Security Zone. It has also reintroduced armed military personnel into the Zone under the guise of civilian militia and has refused to give information to the UN on their numbers as well as on the types of weapons they are carrying or on the general military activities they may be engaged in. Even more serious, instead of demobilizing, Eritrea is increasing its force level. There is also credible evidence that Eritrea has acquired high performance military aircraft, while Ethiopia has been demobilizing. The Security Council seems to ignore the implications of all such evidence. Its regular reports exhibit a tendency to equate Ethiopian and Eritrean behaviour with respect to fulfilling their obligations under the ceasefire agreement. At no time has it underscored the seriousness of Eritrea's violations of its obligations, which suggests that either the UN peacekeeping force (UNMEE) is not reporting all that it knows or that the Security Council is not prepared to act resolutely on the basis of the information it receives from its field observation. This must be a matter of great concern as it has implications for to the continuation of the ceasefire and the peace-building process.

What has been said so far concerns potential difficulties that may arise. Beyond this however, there is a need for positive steps to initiate reconciliation and a restoration of peaceful and mutually beneficial relations. To that end, the parties to the conflict should take the following immediate and successive steps:

- The two parties need to discuss perceived anomalies in the Boundary Commission's decision and modalities for its implementation.

- They should commit themselves to cease hostile propaganda directed against each other.

- They should likewise commit themselves to cease encouraging, arming, and infiltrating political dissidents to destabilize the constitutional order of the other country.

- They should immediately demobilize and reduce the level of their armed forces and military expenditure to a level that can be justified by their legitimate defence needs.

The international community should encourage the parties to take all the above steps. The international community should recognize such steps as they are taken and encourage further steps by providing assistance especially to the parties' demobilization programmes. Those steps are envisaged to create a climate that would pave the way for agreements on the following steps:

- The parties should hold discussions to agree on legal principles that could help determine the citizenship status of their nationals residing in each other's country.

- They should agree on guidelines regarding family reunion.

- They should ensure respect of human rights of citizens residing in each other's country.

- They should commit themselves to implement the decisions of the Claims Commission.

- They should ease and eventually remove travel restrictions between them.

- They should ease and also eventually remove trade restrictions between them.

All the above need the international community's support, and financial and technical assistance where and when required.

In order to bring about a durable and lasting peace, all the above measures need to be consolidated in a final peace settlement. One cannot put a timeline on the achievement of this goal. But once most of those measures are agreed on and implemented, the need for such a settlement that is linked with a regional security order will become obvious. The security needs of the regional countries are so interdependent that they are likely to agree on a regional security order that is based on shared security interests. The InterGovernmental Authority for Development (IGAD) can provide a forum for discussion on issues related to such an enterprise. Through the Friends of IGAD group, the international community is well positioned to follow, encourage, and assist in the evolution of a regional security order. Among others, the following measures should be included in any framework of a regional security order:

- Developing a common understanding of regional security needs.

- Developing a larger concept and vision of regional security in which economic development, poverty reduction, joint efforts to combat the HIV/AIDS pandemic, regulating refugee flows, and environmental protection will be vital parts.

--The utilization of transboundary rivers for multi-purpose regional development—irrigation, energy, and for other regional developmental needs.

--Cooperation in developing standards of good governance and ensuring the protection of human rights.

--Agreeing on the force levels of the regional countries as well as on their composition, their equipment, and disposition.

--Agreeing on guidelines and measures to prevent surprise attacks.

--Cooperation on regional control of the proliferation of small arms.

--Agreement on regional utilization of seaports, and providing to landlocked countries internationally guaranteed access to an outlet to the sea.

Consolidating agreements on all the above measures should be envisaged as a long-term undertaking. They should be studied, and their implementation should be carefully sequenced.

In conclusion I would like to underscore what the Ethiopian-Eritrean conflict has dramatically demonstrated. That is, Africa needs no more wars. In the last three decades, brutal and protracted wars have destroyed millions of lives and livelihoods or physically and mentally maimed several more millions. But Africa also needs an end to lawlessness because it is lawlessness that fuels the cycle of violence.

I regret to have taxed your patience by burdening you with details, but you will agree with me that without those details my remarks would have become too abstract and unfocused to stimulate discussion.

Thank you for your attention.