

# 5 The Eritrea–Ethiopia conflict and the Algiers Agreement: Eritrea’s road to isolation

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## Introduction

This chapter discusses the conflict between Eritrea and Ethiopia and Eritrea’s resultant isolation. It asks what the war was about and seeks to understand, interpret and explain the wider conflict. Complex factors lie behind it, and analysing the events only of those years would not give an adequate understanding of it. The complex embedded causalities underpinning the Ethiopian-Eritrean conflict must be looked for (Lata, 2003: 369). Therefore the chapter will focus more on substantial structural factors than on the more immediate, ‘technical’ ones.

The root causes of the conflict include contested identity, history, processes of state formation, the claims and counterclaims within various mythologies and master narratives and their construction and deconstruction (Mengisteab and Yohannes, 2005; Bereketeab, 2007; Iyob, 1995; Gebre-Medhin, 1989). Moreover, the war was played out in two broad contexts: the Eritrea–Tigray nexus and the Eritrea–Ethiopia nexus. All this suggests that the border conflict was, and is, only one aspect of a multi-dimensional phenomenon. The real point of contention is succinctly defined by Sorenson and Matsouka (2001: 22): basically, ‘Abyssinian fundamentalism rejected the validity of Eritrean identity and insisted Eritreans were “really” Ethiopians, errant family members deceived by postcolonial fantasies and separated from their true nature.’

Owing to lack of space, this chapter does not address all these multi-faceted factors but aims instead to discuss two interrelated matters that are the most important causes of the conflict. They are the nature of the relations between the Eritrean People’s Liberation Front (EPLF) and the Tigrayan People’s Liberation Front (TPLF) during the liberation struggle and the character of the relations between them as governments from 1991, when Eritrea became independent and the TPLF came to power as the

dominant party of a coalition in Ethiopia. This approach assumes that the tumultuous, fundamentally discordant relations between the two fronts during their liberation struggle can to a great extent explain the extension of their pre-liberation conflict to the post-liberation period. Indeed, these relations are characterized by a deep-rooted history and by contending identity claims and counter-claims. It is notable that relations between the two governments in the early post-liberation era were in a sense too friendly, and were carried on without seriously addressing the profound points of difference that marked their turbulent interaction in the 1970s and 1980s. The Eritrea–Tigray nexus is important at bottom because the post-Derg Ethiopian state is dominated by the TPLF and Tigrayans, at least at the executive level, and for that reason they have the ability to end the perennially lingering Ethiopian desire to control Eritrea. But this nexus alone cannot capture the complexity of the conflict. Its other component, the Eritrea–Ethiopia nexus, must be borne in mind too, because it is interwoven in the Tigray–Ethiopia nexus as well. Eritrea has a different meaning to Ethiopia as a whole than it has to Tigray in particular.

My central argument is that the conflict is centrally concerned with Eritrea's very independence. The majority of Ethiopians appear not yet to have reconciled themselves to the separation of Eritrea, and it is reasonable to contend that they would be prepared to take any opportunity to pressure the government of President Isaias Afwerki into reversing Eritrea's independence (Sorenson and Matsuoka, 2001; Lata, 2005: 44). The 1998–2000 war seemed to have provided one such opportunity. On Eritrea's side, the conflict resulted from the chronic mismanagement of the relationship between the newly independent country and its most important neighbour, Ethiopia.

Further, an inadequate understanding (or perhaps deliberate neglect) of some of the more deeply embedded causes of the conflict prevented the international community from taking proper measures to limit the war once it had begun. An unbalanced treatment of the two states was one of the main reasons why the international community was unable to stop the war and to implement the Eritrea–Ethiopia Boundary Commission verdict (see below). The 'big power syndrome' – whereby Ethiopia is seen by the international community as the superpower of the Horn of Africa, and therefore its wishes should be respected above those of its neighbours – is the basic cause of the inequitable treatment of the region, and that in turn hinders efforts to bring about a durable solution to the Eritrea–Ethiopia

conflict. Lastly, the United States' obsession with the 'war on terrorism' in the Horn has enabled Ethiopia to behave with impunity there.

### The liberation movements: conflict and collaboration

The Tigrayan liberation movements in the early 1970s were inspired by the aspirations and success of the Eritrean movements, and they also shared their organizational structures, *modus operandi* and internal problems.<sup>1</sup> EPLF–TPLF relations began with the emergence of the Tigray People's Liberation Front in 1975. At its formation, it dispatched 20 of its 41 founder-fighters to Sahel, the EPLF's rear base, for military training (Berha, 1993; Negash and Tronvoll, 2000: 13). After their training, they were given weapons and returned to Tigray to develop the TPLF. Several of them became prominent leaders of the movement, and much later took up prominent positions in the Ethiopian People's Revolutionary Democratic Front (EPRDF) government of post-Derg Ethiopia.

Barely a year after establishing relations, however, the EPLF and the TPLF encountered serious problems. The TPLF's manifesto of 1976 declared its intention to establish a greater Tigray republic and also expressed the ambition of annexing a number of Eritrean territories and ethnic groups (Lata, 2003: 373; Reid, 2003: 386; Young, 1996). This declaration had two components that concerned Eritrea: the territoriality of the proposed Greater Tigray Republic and the notion of what constituted 'Tigrayans'. The territory of Tigray was to include Eritrean areas, and the notion of 'Tigrayans' incorporated border Eritrean communities. Both notions were antithetical to colonially created Eritrea. The manifesto's additional designation of the Eritrean struggle as 'colonial' and the Tigrayan struggle as 'national' also had an important implication. A colonially created Eritrea, socially engineered to incorporate multi-ethnic, multi-religious and otherwise diverse regions, was perceived by the TPLF as artificial and thus less likely to last long as an independent state. By contrast, Tigray was defined as a nation and thus natural and cohesive; it was perceived to be more likely to survive as an independent nation-state.

<sup>1</sup> The Tigray Liberation Front (TLF), formed in 1972–3, appears not only to have imitated the name of the Eritrean Liberation Front but also to have built strong relations with the latter. The Tigray People's Liberation Front, on the other hand, imitated the name of the Eritrean People's Liberation Front and immediately commenced a close relationship with it. In a civil war the EPLF defeated the ELF, after which the latter disintegrated. Similarly, in a civil war the TPLF defeated the TLF and the latter was crushed.

The prospective Greater Tigray Republic was apparently based on the territory that was carved out under Emperor Yohannes IV (1872–89). The invocation of historical glory as the basis for this nationalist revival was indicative of the ambiguity and predicament of the TPLF. On the one hand, there was clearly a desire to perpetuate the Abyssinian tradition of mythology and symbolism of a greater history, culture and identity that emanates from the legendary glory of Axum.<sup>2</sup> On the other hand, there was a need for pragmatism, which had serious implications for relations between Eritrea and Tigray, as well as between Eritrea and Ethiopia. The highlands of Eritrea under the governorship of Ras Alula (1879–89) were part of this historically defined territory (Elrich, 1982), and thus the invocation of the reign of Yohannes IV, in terms of its territoriality at least, would theoretically incorporate the highlands of modern Eritrea too. And in addition to Eritrean Tigrinya territory, a greater Tigray republic would include the homelands of the Eritrean Kunama, Saho and Afar peoples. The Dankalia region of Eritrea would constitute an outlet to the sea for the prospective republic (Reid, 2003; Lata, 2003: 373), which would make it a viable sovereign nation-state. This expansionist attitude of the TPLF led to a rupture in relations between the two fronts, as a result of which the TPLF cultivated anew its relations with the Eritrean Liberation Front (ELF) (Lata, 2003: 373). But TPLF–ELF relations were soon under strain, because of differences of opinion on ownership of territories, including the village of Badme, and on support for rival organizations. The two sides broke off relations in 1979, making way for a rapprochement between the EPLF and the TPLF.

The revival of relations between the EPLF and the TPLF in the early 1980s was driven by pragmatic interest (Yohannes, 2005: 241; Tadesse, 1999), not by a resolution of the differences that had emerged in 1976. Cooperation between the two movements' was seen to be critical to achieving their respective near-term objectives. It was this conviction that spurred the TPLF to send a contingent of its fighters – the exact number is disputed, but it is probably between 3,000 and 4,000 – to Sahel to aid the EPLF in countering the Ethiopian Red Star campaign (sixth offensive) in 1982 (Young, 1996: 107; Tareke, 2002). If the Eritrean liberation struggle were crushed, an encircled TPLF would have no chance of surviving (Tadesse,

<sup>2</sup> The glory of the kingdom of Axum stretched from the beginning of the 1st century to the 7th century AD. Its core area was presumed to include southern Eritrea, Tigray and Lasta. The two centres of the kingdom of Axum were Axum, the seat of the king, and Adulis, the main door to the outside world. Today Axum is in Tigray and Adulis in Eritrea.

1999: 77). Realizing this, the Derg never took the TPLF threat as seriously as the Eritrean struggle. For the Tigrayan leadership, therefore, saving the Eritrean struggle was a matter of saving the Tigrayan struggle (Tareke, 2002: 96). Yet the differences between the movements were fundamental: increasingly the TPLF began to feel that it was strong enough to break out of its junior role in the relationship. According to Medhane Tadesse (1999: 88), by the early 1980s, the TPLF had grown immensely in confidence and size; and as a result it began to challenge the EPLF.

Although officially the TPLF seemed to have abandoned the Greater Tigray project, in reality it continued to define its objectives in ways that clearly had a negative impact on Eritrea. Thus the next break in the relationship came in 1984, this time also related to Eritrean integrity and sovereignty. There were several points of contention. First was the issue of military strategy: the TPLF objected to the existence of the EPLF's rear base, and told the EPLF to disperse its conventional army into small mobile units. Then there was the right of nations to self-determination, including secession, i.e. the right of Tigray to secede from Ethiopia. Although officially the TPLF tried to portray itself as having dropped the idea of secession, it nonetheless felt profoundly offended by the EPLF's refusal to recognize Tigray's right to secession; the EPLF argued that Tigray was not viable as an independent state, and that the TPLF should concentrate on leading the struggle for the democratic unity of Ethiopia. Further, the TPLF wanted the principle of self-determination also to be applied to Eritrea. For example, an ethnic group such as the Afar should be able to exercise that right within Eritrea (TPLF, 1986: 7; Young, 1996: 122–3). This last point in particular was seen by the EPLF as an assault on Eritrean territorial integrity and nationhood.

In 1985, the TPLF called a meeting of Eritreans in Khartoum and told them bluntly that their organizations (the ELF and the EPLF) were reactionary movements and that they would have to form alternative ones. The undertone of the message was ominous. The TPLF asserted that the Eritrean struggle was of direct concern to them, as they had already paid a high price in order to ensure its survival. The 'price' arguably meant Tigrayan fighters' participation against the Red Star offensive, which had earned them the right to intervene in Eritrean issues. This was how many understood the message, while others detected a hidden agenda.<sup>3</sup> Coming

3 When the second civil war between the ELF and the EPLF broke out, in August 1980, a delegation headed by a priest was touring eastern Sudan to explain the plight of

after the TPLF's recent participation in the liquidation of the ELF, this was a bitter pill to swallow for many Eritreans. Many reacted with great apprehension, arguing that the TPLF's aim was to obliterate Eritrean organizations one by one.

Apprehension about the TPLF's intentions became even more intense among many Eritreans when it soon began to give sanctuary to break-away ELF groups (Tadesse, 1999: 84). The ELF-CC (the Eritrean Liberation Front-Central Command, also known as Sagem) and the Eritrean Democratic Movement (EDM) found safe havens in the TPLF-controlled areas of Tigray, and from that time they not only were under the tutelage of the TPLF but also adopted its policy of self-determination and ethnic federation, to be introduced in Eritrea as well as in Ethiopia (Bereketeab, 2004), views which, again, were sources of rupture in the relationship with the EPLF. What it failed to achieve through its dialogue with the EPLF, the TPLF tried to introduce into Eritrean liberation politics through the back door in the form of puppet organizations.

Following the Derg's defeat at Afabet by the EPLF in early 1988, the two fronts decided to revive their cooperation. Pragmatism, again, was at the heart of their decision. The Derg forces' defeat heralded the inevitable collapse of the Mengistu regime, and belief in this inevitability drew the fronts together in order to speed up its fall. A mechanized brigade from the EPLF provided artillery support for the final push that ushered in the liberation of Tigray (Young, 1996). Subsequently EPLF mechanized units accompanied the EPRDF forces all the way to Addis Ababa, routing the Derg forces in a final push that culminated in the capture of the whole country, ended the Derg era and brought the TPLF-dominated EPRDF to power in Ethiopia.

The EPLF's significant role in the regime change in Addis Ababa has led one scholar to assert that 'The Eritreans were in a better position to take central power in Ethiopia in 1991, perhaps with Tigreans and other forces serving as their junior partners. Western powers were in fact urging them to do so, according to rumours circulating in 1990'. (Lata 2003: 379) Whether or not the Eritreans were in a better position to take power in

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Eritreans under the TPLF in the Badme region. The priest, in one of his public meetings in Kassala, where the author was present as a member of a committee, opened the meeting by uttering a famous Tigrinya proverb *eza burkuta imni allata* (literally meaning there is a stone wrapped under the bread). The proverb is invoked when something 'fishy' or untoward is taking place. Usually one sees the bread but it is impossible to detect, from a glance, what is hidden under it. Many Eritreans were suspicious of the EPLF–TPLF alliance, and particularly of the latter's intentions.

Ethiopia is a matter for debate, but what such a view illustrates is that the EPLF's role in the demise of the Derg regime and the ascent to power of the TPLF was critical. Again, however, it is important to emphasize that rationally calculated pragmatism, not altruism, lay behind the two fronts' sporadic mutual assistance.

### New governments and unresolved conflicts

The collapse of the Derg regime began a new era in Eritrea and Ethiopia. The erstwhile liberation fronts assumed power, and, as rulers of their state, their relationship was expected to take a new form. This was manifested in July 1993, when Eritrea and Ethiopia signed a friendship and cooperation agreement. It included the preservation of the free flow of goods and services, capital and people; Ethiopia's continued free access to Eritrea's sea ports, paying for port services in its currency (the birr); cooperation in monetary policy and continued use of the birr by both countries until Eritrea issued its own currency; harmonization of customs policies; and cooperation and consultation in foreign policy (Mengisteab and Yohannes 2005: 229–30).

These provisions were supposed to inform and guide the post-independence relationship. But the programme of post-liberation cooperation proceeded without careful forethought and was undermined by the two sides' irreconcilable expectations. In essence, Eritrea sought to benefit from the Ethiopian market in order to consolidate its independence while Ethiopia aimed at political union. There was no attempt to resolve the fundamental differences between the EPLF and TPLF, and this was later to prove to be a dangerous mistake.

From contemporary evidence of the TPLF's position on Eritrean independence (see below) as well as from hindsight, it is clear that Eritrea should have exercised great prudence. The EPLF government could not have been oblivious to the TPLF's ambitions and to the Ethiopian government's stance on Eritrean independence. The critical question is, why did it not exercise prudence in its dealings with the EPRDF? To the contrary, various statements by Eritrean officials, particularly President Isaias – to the effect, for example, that the border had no meaning or that the Eritrean and Ethiopian people shared the same history and culture – contributed to prominent Ethiopians' false belief that Eritrea was rejoining them. At the

same time, however, as Lata (2003: 46) notes, Isaias was forced to retreat from the view he expressed concerning federation by adding the caveat that such a project of federation could be implemented only after some 50 years. It is possible that these clumsy statements, coupled with a series of agreements signed between the two governments in 1993, fostered the illusion on the Ethiopian side that Eritrean independence was somehow ‘temporary’, vindicating Prime Minister Meles Zenawi’s expectations.

Meles’s view on Eritrean independence became clear in the course of the 1990s. Leenco Lata (2003: 377) writes that

My own discussions with Prime Minister Meles in 1992 lead me to partly concur ... that Ethiopian rulers’ preference was to see, not an independent Eritrea, but one linked to Ethiopia in a federal arrangement. The Ethiopian Prime Minister offhandedly informed me of his expectations that Eritrea will imminently rejoin Ethiopia, although the form of such a link was not put as explicitly.

He expressed the same expectation in an interview just before Eritrea became formally independent in May 1993:

We look at this from the viewpoint of the interests of Tigray, first, and then Ethiopia as a whole. We know that Tigray needs access to the sea and the only way is through Eritrea. There are many Tigrayans in Eritrea. They don’t want to be treated as foreigners there. They have the same history. We are worried about Eritrea because we are not sure that differences among the different groups can be kept under control (quoted in Fessahatzion, 1999: 229).

The TPLF leadership hoped that a divided Eritrea – divided on the basis of ethnicity, religion and region – would not last long as an independent nation-state. But it was not a matter of merely ‘hoping’: the Ethiopian government sought to actively encourage these potential divisions within Eritrea. That is why, for example, the TPLF demanded that the EPLF also introduce the principle of self-determination for nationalities in the country. The Sagem and EDM factions were broadly aligned with this objective. Following the outbreak of the war in 1998, they were complicit in the creation of ethnic organizations such as the Red Sea Afar Democratic Organization and the Democratic Movement for the Liberation of Kunama (Bereketeab, 2004: 228).



Also, 'The TPLF leadership ... hoped that the benefit of the economic privileges given to Eritrea and Eritreans would ultimately induce or even force the Eritrean leadership to re-enter into some form of political union with Ethiopia' (Trivelli in Lata, 2003: 377). It appears, then, that it was only a matter of time before the supposedly 'amicable' relationship would reach a critical junction. But when Eritrea introduced its currency, the nakfa, in 1997, anger and frustration erupted in Ethiopia. It became clear that political union was out of the question, and the cooperation friendship and cooperation agreement signed in 1993 was broken off. In this way, the introduction of the Eritrean currency triggered the conflict that eventually led to the war of 1998–2000. The armed clashes at Badme in May 1998 ignited the war (see below), but the war had really little to do with territory or a border dispute (Lata, 2003: 376). The issuance of the nakfa exposed the precarious and illusory nature of the relationship, the parties' incompatible expectations and the absence of popular support for the relationship and an institutional basis for it. It signified that Eritrean independence was indeed permanent and non-negotiable, providing the kiss of death to any ideas that the TPLF might still have harboured of ever-closer cooperation to the point at which Eritrean independence would be largely meaningless. It showed that the relationship had been overly dependent on the ties between the leaders themselves, so that when they began to deteriorate, there was nothing to sustain it.

On the border itself, regional Tigrayan officials evicted Eritreans from their villages, forced them to abandon their farms and houses and charged high fees for cattle crossing the border (in spite of the Friendship and Cooperation Agreement (FCA) of 1993 that allowed free movement of goods and people). These provocations can be understood only in the light of a deeper hostility towards Eritrean independence. In 1997, I travelled to Gash-Barka region, where the flashpoint of Badme is located. I was surprised to hear a head of security (a colonel) expressing his frustration at local Tigrayan officials' treatment of Eritreans. 'We receive complaints of grave abuses and mistreatments and when we approach the local officials they will simply tell us, "If you're not satisfied with what we do, you can pass your complaints to Addis Ababa." We report to the government in Asmara, but so far no action is taken.' The residents of the region told me many similar stories of systematic and pervasive mistreatment by local Tigrayan officials.

Numerous other incidents were well documented. For example, in July 1997, Ethiopian forces dismantled the local Eritrean administration in

Adi Murug and replaced it with an Ethiopian civilian administration. In October 1997, a new map of Tigray was issued that clearly incorporated Eritrean territories (Mengisteab, 1999: 92; Mengisteab and Yohannes, 2005: 234; Zondi and Rejouis, 2006: 72–3). Also, Eritrean villagers were being evicted from the Badme area and Tigrayans were being settled there. These were all indications of the range of tactics employed by the TPLF in challenging Eritrean integrity and sovereignty.

The immediate incident that triggered the war occurred on 6 May 1998, when local Tigrayan security forces opened fire on Eritrean security forces on patrol in the Badme area. Four of the latter were killed and several were wounded. Six days later, a larger Eritrean force overran and occupied Badme, causing the war to escalate dramatically (Sorenson and Matsuoka, 2001: 14; Mengisteab and Yohannes, 2005: 234). The Eritrean government committed another fatal mistake in occupying Badme on 12 May 1998 because it seems that this was what the ‘anti-Eritrean’ camp was waiting for. The series of prior Ethiopian provocations outlined above did not matter: the occupation of Badme was seen by the Ethiopian government as an enormous international violation, compelling Ethiopia to declare war on Eritrea on 13 May. But the conflict that followed was not concerned with merely the recapture of Badme. It would culminate in the seizure of some one-third of Eritrea’s territory.

Recent statements by former TPLF leaders and founders such Gebru Asrat and Siye Abraha raise the question of whether the Badme incident provided an excuse to try to reverse Eritrea’s independence. In an interview with the Voice of America Tigrinya programme on 22 October 2007, Siye Abraha, the Ethiopian defence minister when the war broke out, said that before the Badme conflict, the relationship between the two states had begun to move in the wrong direction. He appears to have been implicitly referring to Eritrea’s issuing of its currency. Siye Abraha is nowadays praised in various ‘anti-Eritrean’ circles for advocating during the war the occupation of Eritrea and, after the ceasefire, for demanding the discarding of the Algiers Agreement. Moreover, Gebru Asrat, formerly president of Tigray regional state, declared in connection with the formation of his own political party<sup>4</sup> that it intended to regain Assab. Another member of that party, and an ex-Central Committee member of the TPLF and a former social affairs minister in the EPRDF government, Aregash Adane, asserted in an interview with *The Reporter* newspaper that the Ethiopian

4 See [www.aarenatigray.org](http://www.aarenatigray.org).

government had committed the mistake of not making sure that Ethiopia retained an outlet to the sea when Eritrea became independent. She added that Ethiopia had a legal right to possess such outlet to the sea and that the new party would not rest until Ethiopia regained its 'legal property' (2008). These TPLF leaders also accused Prime Minister Meles of not safeguarding Ethiopia's interests, notably in failing to pursue the war up to the point of Eritrea's total defeat and the non-negotiable recapture of Assab (Tadesse and Young, 2003: 396; Mengisteab and Yohannes, 2005: 245).

These are illustrations of how Eritrean independence was in a sense hostage in the Tigray–Eritrea nexus to the twin objectives of the TPLF. Those objectives were the establishment of an independent greater Tigray and the maintenance of close connections with Eritrea within the context of a reformed Ethiopia. Clearly, if Tigray were to secede from Ethiopia, it would need Eritrea. Otherwise, landlocked and with no obvious resources, its chances of survival would be low. However, even if it remains within a reformed Ethiopia, it also needs Eritrea. And here we have the true essence of the conflict in the context of its Eritrea–Tigray relationship. The other, larger, dimension, namely the Eritrea–Ethiopia nexus, is more straightforward in its most basic factor: by any means Ethiopia must possess a seaport. But perhaps overarching all of this is the fact that 'Ethiopians experienced Eritrean independence as a threat to their historical and national identity' (Sorenson and Matsuoka, 2001: 16). Therefore the relationship was, according to this view, doomed to crumble sooner or later because of the irreconcilable interests of the parties.

There is a widespread perception among Eritreans that their government did not pursue prudent, holistic, participatory and informed policies with respect to the Ethiopian government post-independence. Eritrea, it is believed, should have understood Tigrayan as well as Ethiopian expectations and anticipated the policies directed at them. To do this, the EPLF government should have based its own policies and strategies on a wide range of tools and tapped into the available pool of expertise in terms of scholars, research institutes and key national institutions such as the National Assembly that were based on a degree of popular participation. But as the conflict unfolded, they were not involved. Many observers (as well as an array of political dissidents) contend that decisions were and are still taken by the president alone (Mengisteab and Yohannes, 2005). Indeed, it is argued that President Isaias has tended to treat the conflict almost as a personal matter. Needless to say, this has had a hugely detrimental

impact on Eritrea and its relationship with Ethiopia and the West. It is true that the one-dimensional focus of the Eritrean government – the desire to exploit the Ethiopian market – prevented it from discerning the political dangers. This was a reckless and ill-informed policy that has had terrible consequences for its citizens.

### The Algiers Agreement and the EEBC verdict

The success or failure of the Algiers Agreement must be assessed with reference to the above discussion; and the current difficulty with implementing the demarcation process can be adequately understood only when we consider the various causes of the conflict itself and review the process that led to the Algiers Agreement. Immediately after the outbreak of the war, diplomatic initiatives were taken to mediate between the two states. The first mediation effort was by a US–Rwanda diplomatic team. Its proposal, whose core term was a return to the pre-6 May 1998 status quo, was rejected by Eritrea, but Ethiopia promptly expressed its acceptance because it fulfilled one of its key demands, Eritrea's withdrawal from Badme. Eritrea's rejection was supposedly driven by three factors. First, as in its view no international boundary had been breached, it perceived withdrawal as tantamount to surrendering its territory. Second, in acquiescing to the request to withdraw, Eritrea would essentially be admitting, however implicitly, its original aggression (Lata, 2003: 381). Finally, it is believed to have rejected the proposal on technical grounds, because the facilitators announced it before seeking the Eritrean government's consent (Mengisteab and Yohannes, 2005: 237). Nevertheless, some sources contend that Eritrea was close to accepting the proposal, because it was under the assumption it would then quickly be demarcated but rejected it when the US Assistant Secretary of State for African Affairs, Susan Rice, hastily announced the proposal after receiving only Meles' consent to it. This was yet another fatal mistake by the Eritrean government. (But considering the fluidity of the situation on the ground, it is not clear whether Ethiopia would have accepted it had Eritrea done so.)

One of the problems with the US–Rwanda proposal was its failure to identify the limits of Badme and its environs, thus giving Ethiopia an opportunity to define it arbitrarily. Each time Eritrea requested clarification on the precise nature of the pre-6 May status quo as well as on the

limits of Badme and its environs, Ethiopia tended to change them. They finally came to include the whole 1000-kilometre border, which made it difficult for the mediators to come up with a workable and reasonably precise compromise. Even so, the US–Rwanda proposal was adopted by the OAU, thereby constituting the basis for all subsequent proposals and agreements.

Eritrea belatedly accepted the US–Rwanda proposal, after its defeat on the western front in February 1999. But after its recapture of Badme at that time, Ethiopia not only obstructed any return to the pre-6 May status quo but also introduced a new element into its core objectives, namely regime change. Consequently, the OAU Framework Agreement, the Modalities for the Implementation of the OAU Framework Agreement and the Technical Arrangements for the Implementation of the OAU Framework Agreements and its Modalities were rejected by Ethiopia, while Eritrea accepted of all of them. Regaining Badme, supposedly the objective behind its declaration of war on 13 May 1998, clearly no longer satisfied Ethiopia's evolving ambitions. Eritrea had to be 'taught a lesson' that its government would not easily forget, and this was the message now being conveyed by Ethiopian officials. According to some, moreover, Ethiopia appears to have been bent on regime change (Sorenson and Matsuoka, 2001: 17).

During its third offensive against Eritrea, launched on 12 May 2000, it was able to occupy one-third of Eritrea's uncontested territory in a surprisingly short time. Eritrea had, according to some, sustained a devastating defeat. But why did Ethiopia not push all the way to Asmara? Was it because, as Prime Minister Meles declared at the time, Ethiopia had achieved its objectives? More important, why did Ethiopia accept colonial conventions for the delineation of the border and, further, why did Ethiopia agree to accept the EEBC verdict as the basis for a final and binding agreement? It is not possible to answer these questions here, but we must keep in mind their importance whenever we ponder meaning of the war and its outcome more broadly.

It is clearly no coincidence that the Algiers Agreement, concluded in December 2000, came after three rounds of devastating fighting that are thought to have involved cumulatively the deaths of between 70,000 and 100,000 soldiers (Plaut, 2005: 100). In a sense, the agreement might be considered a success for Eritrea. Despite its military defeat, it successfully negotiated for the border to be delineated on the basis of colonial conventions, particularly those of 1900, 1902 and 1908, and it ensured that the

Eritrea–Ethiopia Boundary Commission’s findings were regarded as final and binding (Zondi and Rejouis, 2006: 75).

The main provisions of the Algiers Agreement included the establishment of a temporary security zone (TSZ) and the Eritrea–Ethiopia Boundary Commission (EEBC). It was mandated to delineate the border based on ‘pertinent colonial treaties and applicable international law, [but] shall not have the power to make decisions *ex aequo et bono*’, according to Article 4 (2) of the agreement. Its decision would be final and binding, as stated in Article 4 (15). The TSZ would serve as a buffer zone between the two armies and would be monitored by the UN Mission for Ethiopia and Eritrea (UNMEE). Both the TSZ and UNMEE would cease to exist upon implementation of the delimitation and demarcation verdict of the EEBC.

When the EEBC announced its verdict, whose main point was awarding Badme, which had been the flashpoint of the war, to Eritrea on 13 April 2002, the Ethiopian government hastily accepted it; but when it realized that Badme had been awarded to Eritrea, it performed a *volte face* and rejected it, demanding dialogue in order to resolve the issue of the disputed area. In September 2003, Ethiopia called the verdict illegal, irresponsible and unjust. It accused the EEBC of committing a monumental mistake in awarding Badme to Eritrea. In a letter of 19 September 2003 to the UN Secretary-General, Prime Minister Meles declared the commission’s work to be in terminal crisis and asked the Security Council to seek alternative mechanisms. Broadly speaking, the international community and many scholars and commentators seem to have agreed with Ethiopia, based on the simple but apparently compelling logic that might is right. They seemed to think that because Ethiopia had won the military confrontation, the EEBC should have ‘rewarded’ Ethiopia by awarding it Badme (Zondi and Rejouis, 2006; Healy and Plaut, 2007; Clapham, 2003; Plaut, 2005) in spite of the Algiers Agreement forbidding any consideration beyond ‘colonial agreement and pertinent international law’. (The UN and the United States have since then been trying to open up the final and binding verdict for bilateral dialogue (see below).) In December 2003, after Ethiopia’s formal rejection of the EEBC verdict, the UN Secretary-General appointed a special envoy, Lloyd Axworthy, to facilitate dialogue between the two countries. Eritrea interpreted this as conceding to Ethiopia’s demand for an alternative mechanism, and refused to meet the special envoy (Healy and Plaut, 2007: 5; Zondi and Rejouis, 2006: 76).

The efforts of the international community to force bilateral dialogue developed momentum in November 2004 after Ethiopia announced a five-point proposal. The substance of the proposal was to the effect that 'we accept it in principle, but through bilateral dialogue we have to resolve the disputed areas to demarcate the border'. With this announcement, Ethiopia was still pushing for an alternative mechanism to settle its grievances outside the Algiers Agreement. This was in contravention of the agreement itself, which placed exclusive responsibility for demarcation with the EEBC (Healy and Plaut, 2007: 5). It is striking that although the 'new' initiative contained little that was novel, it received resounding international support, and pressure mounted on Eritrea to enter into talks (Healy and Plaut, 2007: 5). Ethiopia's conditional acceptance was foiled by the persistent Eritrean rejection of bilateral dialogue, and even the international community's position became untenable. On the one hand, it was morally and legally indefensible not to implement a legally binding court verdict; but, on the other hand, the United States in particular was unwilling to put pressure on Ethiopia.

In early 2007, Ethiopia produced another initiative along the lines of 'we accept the verdict it unconditionally, but we should have a dialogue'. However, when the 'unconditional' acceptance was put to the test, in a meeting in September 2007 convened by the EEBC, it proved to lack conviction. Eritrea, on the other hand, actually demonstrated a willingness to compromise. According to the EEBC, 'The President [of the EEBC] acknowledged the letter received that day from the Co-Agent for Eritrea and from the President of Eritrea, both dated 5 September 2007, which "contain significant indications of willingness to see the process of demarcation resumed"...'<sup>5</sup> But concerning Ethiopia's willingness to implement the EEBC's demarcation verdict, 'The Commission observed that, even if all of Ethiopia's conditions were met by Eritrea, Ethiopia would not commit itself to anything more than discussion on demarcation.'<sup>6</sup>

In spite of this flexibility, Eritrea is labelled as uncooperative and difficult to deal with while Ethiopia is perceived as flexible (Zondi and Rejouis, 2006: 80). It is undeniable that Ethiopia is more adept than Eritrea in its diplomatic dealings. According to one analysis, 'skilful diplomacy has helped Ethiopia to present its case for non-compliance with a "final and

5 *UN Security Council: Report of the Secretary-General on Ethiopia and Eritrea*, 1 November 2007. [http://www.pca-cpa.org/upload/files/S\\_2007\\_645\(1\).pdf](http://www.pca-cpa.org/upload/files/S_2007_645(1).pdf).

6 *Ibid.*

biding” ruling in the best possible light’. (Healy and Plaut, 2007: 4) It is difficult to disagree. Although Eritrea has won ‘legally’ – it has been awarded the controversial village of Badme – and although it has been willing to implement the demarcation verdict, diplomatically it has failed dismally. Ethiopia has been able to reject the EEBC decision with seeming impunity, largely because of the complicity of the international community.

An illustration of this complicity is the fact that the US State Department has referred to the importance of dialogue in developing what it calls ‘a workable boundary regime’. This is a revealing phrase, because in effect the United States is declaring that the EEBC boundary regime is unworkable. The then Assistant Secretary of State for African Affairs Jendayi Frazer is believed to have embarked on a mission of demonization and isolation of the Isaias regime from the time when the Eritrean government refused her permission to visit Asmara. This took a dramatic turn, to the point where she declared that the ‘Eritrean regime is a sponsor of transnational terrorism, and the answer must be “regime change”’ (Woldemariam and Yohannes, 2007). This ‘regime change’ was to be realized through an Ethiopian invasion in the name of supporting the Eritrean opposition, in a scenario similar to the situation unfolding in Somalia. Frazer’s open call for regime change in Asmara was believed to be behind Addis Ababa’s frantic preparation to invade Eritrea; and her blunder led to uproar among Eritreans, particularly in the diaspora communities. Many Eritreans reacted by calling her behaviour undiplomatic, arrogant and vindictively ‘anti-Eritrea’, and these views and comments proliferated in Eritrean websites, both opposition and pro-government, such as *asmarino*, *dehai*, *meskerem* and *shaebia*.

After routing the Union of Islamic Courts in Mogadishu, Meles has been making concerted efforts to build a material case to have Eritrea designated a ‘terrorist state’ in order to justify invasion. Thus a series of accusations was made against the regime in Asmara. First, Ethiopia claimed that several thousand Eritrean soldiers were expelled from Mogadishu along with al-Qaeda terrorists. Next it alleged that Ethiopian security forces had foiled an Eritrean plot to bomb the eighth AU summit in Addis Ababa in early 2007. Finally, Eritrea was accused of being behind the kidnapping of eight Britons and their Ethiopian guides by the Ogaden National Liberation Front in March 2007. This concerted campaign is reported to enjoy at least implicit US support. In March 2007, the *Indian Ocean Newsletter* reported:



According to a source close to the Ethiopian Ministry of Defence, the Ethiopian army has obtained satellite photos from the American intelligence services, showing the northern border of Ethiopia and providing useful information on Eritrean troop concentration. Moreover, the leaders of the Tigray People's Liberation Front (TPLF, hard core of the EPRDF in power in Addis Ababa) are currently waging a propaganda campaign based on the slogan 'repeat in the North the victorious military operation in Somalia'.<sup>7</sup>

For its part, the EEBC demonstrated much professional integrity and moral courage in the face of massive pressure from Ethiopia, the UN and the United States. First, it followed its mandate to the letter and, second, it consistently adhered to the decision reached. Yet it endured unprecedented abuse from Ethiopia and several international protagonists, particularly the United States and the UN, and from scholars and media commentators. To take a typical example, Patrick Gilkes (2004: 230) notes, 'The Boundary Commission Decisions, in fact, will do nothing at all to improve relations within those previously single and united communities torn apart by the war, even those from the same ethnic groups.' But it is difficult to understand which solution Gilkes would have found preferable. More specifically, it seems that he conceives of the Tigrinya, Saho, Kunama and Afar peoples as 'minority border communities' whose plight the EEBC failed to consider. In fact, wherever the border line is placed, these communities would remain divided, because they are not 'minority border communities'. The Tigrinya inhabit what used to be used three Eritrean provinces (Akele Guzai, Seraye and Hamasien); the Kunama stretch up to Mogolo, which is close to Agordat, formerly the provincial capital of Barka; the Afar are divided among Djibouti, Eritrea and Ethiopia; and the Saho area stretches up to the escarpments of the Semhar. Unless Gilkes is proposing that Eritrea itself should be dismantled, these communities cannot avoid trans-border division. Thus accusing the EEBC of not representing an appropriate solution is simply unrealistic.

To take another example, the Economist Intelligence Unit asserted in December 2007 that

the EEBC's biggest miscalculation was to award the symbolic city of Badme – administered by Ethiopia for decades, and reportedly where the 1998-2000 conflict between the two sides first began – to Eritrea. It should have been apparent that taking away territory held long before the conflict would not

<sup>7</sup> *Indian Ocean Newsletter*, 17 March 2007.

be acceptable to the Ethiopian government, particularly as Ethiopia clearly had the upper hand when the cease-fire was agreed.<sup>8</sup>

What the EIU seems to forget, as do others who maintain that the EEBC should have taken into consideration Ethiopia's military victory when assessing the fate of Badme, is that (as noted above) the EEBC was given clear instructions and a specific mandate that it 'shall not have the power to make decisions *ex aequo et bono*'.

Ethiopia committed itself to respecting the colonial agreements in the delineation of the border because it was convinced that its military victory and diplomatic leverage would have an impact on the EEBC's decision. It also could not entertain the idea of losing Badme, as it had been administering it for some time (Lata, 2003: 380). Indeed, were it not for such overconfidence that it would eventually get what it wanted, Ethiopia could probably have negotiated a better deal for itself in Algiers. But this raises an important question: had it achieved a complete military success, as it wanted the world to believe? There are circumstances that indicate otherwise.

On 31 May 2000, Prime Minister Meles announced that as far as Ethiopia was concerned, the war was over and that it had achieved what it wanted to achieve. Yet between the end of May and 18 June no less than eight military campaigns were carried out in the eastern sector, with the intention of taking Assab. Some of his lieutenants were promising the Ethiopian people at least to bring Assab back under Ethiopian control, and Meles had to deliver. Also, there was a clear demand by those whom Sorenson and Matsouka have called 'Abyssinian fundamentalists' not to stop the war before destroying 'Eritreanism'. These 'fundamentalists', or 'distance-nationalists' and 'cybernauts', engaged in a remarkable campaign to demonize and belittle Eritrea. They referred to Eritreans as racists, condemning them for glorifying their colonial past, adoring their conquerors and despising themselves, and denigrated their supposedly pseudo-national identity. In addition, they called for the intensification of the fighting in order to destroy Eritrea (Sorenson and Matsouka, 2001: 19–23). Medhane Tadesse and John Young (2003: 396) also note: 'It appears that a majority in the TPLF wanted an aggressive military strategy to demolish the Eritrean war machine [and] assert Ethiopia's hegemonic role in the Horn.' This explains

<sup>8</sup> The Economist Intelligence Unit, *Borderline War*, December 2007. Available at [http://www.economist.com/agenda/PrinterFriendly.cfm?story\\_id=10241592](http://www.economist.com/agenda/PrinterFriendly.cfm?story_id=10241592).

the attempt to capture Assab even after the Ethiopian prime minister's declaration that the war was over.

It was only when these assaults failed that Ethiopia signed the Cessation of Hostility Agreement on 18 June 2000 in Algiers. Ethiopia failed in its two objectives: to capture Assab and to bring about regime change in Asmara. But despite this fact, the widespread perception is that Ethiopia won the military confrontation and that therefore it should not be asked to relinquish its victory through diplomacy (Healy and Plaut, 2007; Jacquin-Berdal, 2005: xv; Plaut, 2005: 110; Clapham, 2003). It seems reasonable to suggest that the continuation of the military campaign in order to achieve these objectives was costly to Ethiopia and forced it to sign the Cessation of Hostility Agreement.

The compelling question is why the international community, and particularly the guarantors of the Algiers Agreement, have failed to ensure the implementation of the final and binding verdict of the EEBC. One of the salient provisions of the agreement is that the United States, EU, UN and OAU shall guarantee its implementation (Mengisteab and Yohannes, 2005: 237). Article 14 expressly confers the responsibility of implementation on the OAU and the UN. But both organizations abdicated their responsibility when they kept silent following the violation of the verdict and, in the case of the UN, when it attempted to devise an alternative mechanism to appease Ethiopia, leading to Eritrea's isolation. There is a serious issue here in terms of the message this sends to protagonists in other conflicts that might be resolved through international arbitration.

The EEBC completed its work on 31 November 2007, declaring the boundary demarcated. In November 2006, it had given the parties a year 'to consider their positions and seek to reach agreement on the emplacement of pillars ... [I]f the parties did not agree to conclude the demarcation themselves or allow the Commission to do so by the end of November, the boundary would automatically stand as demarcated.'<sup>9</sup> When it became clear that the parties were unable to come to an agreement by the designated time, the EEBC demarcated the border through virtual coordinates. Although with the virtual demarcation of the border the EEBC has fulfilled its mandate and legally the border issue is 'concluded', the situation on the ground has not changed.

Eritrea expressed its acceptance of the virtual demarcation, declaring

<sup>9</sup> EEBC, *The Twenty-Fifth Report of the Eritrea-Ethiopia Boundary Commission*, 28 September 2007.

the border issue legally resolved in all aspects, and stated that Ethiopia's presence in certain contested areas from that point onwards was to be perceived as an illegal occupation of Eritrean territories. It also described the continuous presence of UNMEE after the demarcation of the border as tantamount to occupation. Ethiopia, on the other hand, rejected the virtual demarcation, calling it 'legal nonsense' and 'legal fiction'. In July 2008, the UN Security Council took a formal decision to terminate UNMEE, after Eritrea clearly demonstrated disapproval of its presence on its soil. Seven years after the signing of the Algiers Agreement and more than six years after the EEBC delivered its verdict, the two parties are still far from peaceful relations, in large part because of Ethiopia's non-compliance. The key question here is, what should the international community do to make Ethiopia abide by the final and binding demarcation verdict, which it agreed to respect unconditionally? The international community, at least at the moment, seems to have abdicated its responsibility. The UN, instead of focusing on the substance, that is the implementation of the EEBC decision, preferred to sidetrack itself by focusing on the secondary issue of UNMEE. The next section discusses the international response to the failure to implement the EEBC verdict and how it has resulted in Eritrea's isolation.

### The international response to the stalemate and Eritrea's isolation

Some may argue that Eritrea is pursuing an isolationist foreign policy, but it is the international community that has isolated Eritrea through its repeatedly unbalanced approach to the Horn of Africa. This lack of even-handedness can be traced back to the 1940s, when, instead of affording the Eritrean people the right to decolonization, the US-dominated United Nations oversaw the disastrous federation of Eritrea with Ethiopia against the will of a sizeable proportion of the population (Habte Selassie, 1989; Yohannes, 1991; Bereketeab, 2007). Ethiopia's violation of the federal arrangement, which reduced Eritrea to a mere province of the Ethiopian empire, provoked no response from the UN or any Western power, although the UN was mandated to guarantee the federation. The consequent 30-year liberation struggle was carried out without any international support, and indeed was fought against an Ethiopian army and state that enjoyed significant backing from the United States and then the Soviet Union.

These experiences have generated a peculiar psychology in Eritrean society, characterized by a sense of abandonment, neglect and indeed betrayal (Wrong, 2005; Yohannes, 1991). More recently, the international community's silence regarding the EEBC verdict has reminded Eritreans of the neglect that they have suffered over the past 50 years and more. To a very real extent, Eritrea's 'isolationist' stance is dictated historically by the perception of external injustices. The Eritrean popular mood is expressed in a lyric by the singer Yohannes Tikabo: *ab alem inkelena alem k'tsi'enena* (We live in this world, yet the world won't find [see] us.).

The international community's indifference to Ethiopia's flagrant violation of its commitment to the internationally mediated Algiers Agreement was, to say the least, extremely disappointing in the eyes of Eritreans. As mentioned above, the UN, OAU, EU and United States were witnesses and guarantors of the agreement (Mengisteab and Yohannes, 2005: 237). The OAU and the UN are explicitly mentioned in the Algiers Cessation of Hostilities Agreement of June 2000 as guarantors. This agreement notes that 'The OAU and the United Nations commit themselves to guarantee the respect for this commitment of the two Parties until the determination of the common border on the basis of pertinent colonial treaties and applicable international laws' (Article 14). It continues: 'This guarantee shall be comprised of measures to be taken by the international community should one or both of the Parties violate this commitment, including appropriate measures to be taken under Chapter VII of the United Nations Charter by the UN Security Council' (Article 14 (a)).

Immediately after the EEBC announced its verdict, Ethiopia began to violate this commitment, by creating new settlements in Badme in June 2002 and thereby defying the order of the EEBC to dismantle them.<sup>10</sup> Eritrea has repeatedly requested that the UN Security Council invoke Chapter VII of the UN Charter in order to force Ethiopia to comply. But almost as soon as Ethiopia rejected the EEBC's delineation verdict, the UN began to prevaricate. The UN Secretary-General, Kofi Annan, sought to facilitate mediation efforts that were aimed mainly at accommodating Ethiopia's concerns instead of stressing Ethiopia's obligation to abide by the court's verdict and implement it promptly. Recently, the UN has begun issuing statements to the effect that implementation of the EEBC verdict is the sole responsibility of the parties themselves. This could be seen as a breach

<sup>10</sup> IRIN, 'Ethiopia told to withdraw settlement from Eritrea', 22 July 2002, <http://www.irinnews.org/report.aspx?reportid=33066>.

of the legal and moral commitment that the UN solemnly entered into in June and December 2000. Eritrea took the oath and made a commitment to abide by the final and binding agreement under the assumption that, if violated, the UN would ensure its enforcement. When the UN began abdicating its responsibility, an old ghost returned to haunt Eritreans. Early in the 1960s, the UN had abdicated its responsibility to uphold an accord that it had authored when Emperor Haile Selassie arbitrarily aborted the UN-sponsored federal arrangement. Bitterness about this has lived long in the Eritrean popular memory.

As for the United States, it appointed Assistant Secretary of State Frazer to facilitate dialogue between the two states. Although this was favourably received by Ethiopia, Eritrea opposed the appointment, consistent with its 'no dialogue before demarcation' policy. Ms Frazer was told that she could visit Eritrea but that there was no need for her to visit Badme. In fact, she visited Badme from the Ethiopian side, an act Eritrea interpreted as tacit recognition of Ethiopia's occupation of the town. What most infuriated Eritrea, however, was her statement that a referendum should be held to determine the future of Badme (Woldemariam and Yohannes, 2007).

The EU pursued its own independent policy, but ultimately it acted in much the same way as the United States. On various occasions, it issued statements in support of the EEBC verdict and its final and binding nature, and sometimes it even tried to make clear Ethiopia's obligation to abide by the Algiers Agreement, but it never took decisive action in order to make sure that the border was demarcated. Finally, the EU followed suit when the United States, not wishing to antagonize its strategic ally Ethiopia in the 'war against terrorism' in the Horn, opted simply to ignore the border issue.

Eritrea has never had a high opinion of the OAU/AU, perhaps for good reason. During the Eritrean liberation struggle, the OAU stood firmly on the side of Ethiopia, perceiving the Eritrean struggle as a separatist movement that was seeking the destruction of a sovereign member state. When the war broke out in 1998, the OAU remained silent even on the deportation of Eritreans and Ethiopians of Eritrean descent and on the Ethiopian government's violation of the diplomatic status of the Eritrean mission to the OAU in Addis Ababa. Although the OAU is one of the witnesses and guarantors of the Algiers Agreement, it has failed to criticize Ethiopia for its blatant violation of the agreement and for refusing to implement the EEBC verdict. As a result, the OAU and its successor the AU

tend to be regarded by the Eritrean government as both impotent about and largely indifferent to issues affecting Eritrea. The reasons why the AU does not criticize Ethiopia are numerous. Some observers have commented on its high regard for Ethiopia, which is seen as in the 'top rank' of African nation-states, on the fact that the AU's headquarters is in Addis Ababa, and also on the fact that many international offices are in Addis Ababa, thus significantly raising its international standing (Zondi and Rejouis, 2006: 77).

The failings of the international community are not merely a disappointment to Eritreans. They could have far-reaching implications for international arbitration and the resolution of conflicts through international law. However, the Eritrean government too bears much responsibility for why the international community has preferred to ignore the Algiers Agreement. A second significant factor in the isolation of Eritrea is the abysmal diplomatic performance of the Eritrean government (Mengisteab and Yohannes, 2005). Two aspects of that poor performance seem to have led to the lukewarm international response to the border crisis and to the creeping neglect of Eritrea's position: internal legitimacy and external legitimacy.

The consequences of the war of 1998–2000 for Eritrea were catastrophic. The economic, humanitarian, military and political disasters that followed it plunged the nation into a deep crisis (Bereketeab, 2007a; Bereketeab 2009; Mengisteab and Yohannes, 2005: 262–4). As a result of that disaster, the national leadership lost a great deal of the legitimacy that it worked hard to build up in the war of liberation. Legitimacy is used here in Chalmers Johnson's definition: 'The source of authority in the developmental state is not one of Weber's "holy trinity" of traditional, rational-legal, and charismatic sources of authority. It is, rather, revolutionary authority: the authority of a people committed to the transformation of their social, political, or economic order. Legitimation occurs from the state's achievements, not from the way it came to power' (Johnson, 1999: 53).

The EPLF was bestowed legitimacy because of two achievements. First, it performed a military and political 'miracle' in gaining independence against all odds (Connell, 1993). Second, it promised stability, security, socio-economic development, liberty and democracy (Mengisteab and Yohannes, 2005; EPLF, 1994). But the 1998–2000 war, while seriously endangering the first achievement, certainly undermined the second. The loss of legitimacy that resulted from the politico-economic crisis led to pervasive

oppression. The regime attempted to regain lost legitimacy by reasserting its purported core values, namely national unity, socio-economic development and nation-building, and more promises. Those who questioned its *modus operandi* were incarcerated. The oppression peaked on 18 September 2001, when senior party and government officials as well as journalists were summarily jailed and the thriving private press was closed down. The maxim was ‘now is not the time for criticism or democracy, first the nation has to stand on its feet’. (Bereketeab, 2007a; Mengisteab and Yohannes, 2005) Slogans such as ‘without a nation there is no dignity’ and ‘investment today, prosperity tomorrow’ became the legitimizing catchphrases. These slogans were intended to serve as continuous reminders of the perilous plight in which the Eritrean nation-state finds itself and are designed to silence critics by pointing out that it is vital to prioritize in order to survive.

The loss of internal legitimacy has clear implications for external legitimacy as well. Following the political clampdown in September 2001, the Italian ambassador to Eritrea expressed reservations about government policy, which resulted in his being declared *persona non grata*; he was compelled to leave the country. In October, EU member states responded by recalling their ambassadors. The United States, besides disapproving of the political situation, had a further reason to be infuriated. Two local staff employed by its embassy were accused of espionage and detained, and all attempts to secure their release have so far been fruitless. Relations between Eritrea and Sweden also deteriorated sharply because one of the jailed journalists held Swedish citizenship. All these issues have severely strained Eritrea’s relations with the West and contributed to a loss of external legitimacy.

The Eritrean government perceived all these criticisms as interference in its internal affairs and as wholly unjustified. It launched a scathing attack on the West, accusing it of double standards. In particular, it focused on the fact that the international community criticized Eritrea for its poor human rights record while the West had failed in its responsibilities to the Eritrean people by not putting pressure on Ethiopia to implement the border verdict. The West was accused of complicity and of failing to implement the final and binding boundary verdict. The outcome of all this was that Eritrea became increasingly intransigent. As the Eritrean government became more intractable, the more the EU and the United States were prepared to ignore the EEBC verdict. And the more the West, particularly America, ignored the verdict, the more the Eritrean government became



convinced that it had been betrayed. Indeed, while referring to the West's history of neglecting Eritrea, the government pointed out that the international community had no business or moral credibility in criticizing it. The Eritrean people also share this sense of betrayal and frustration. The general feeling has been that this is 'business as usual', that Eritrea is ignored, marginalized and deliberately isolated, that the country is being sacrificed to US interests and that Eritreans must rely on their own unity and inner resilience.<sup>11</sup>

The international community has failed to comprehend this social psychology. Instead, there has been a tendency to regard this sentiment as the product of government manipulation as the regime attempts to shift the focus away from domestic woes. Certainly the general result has been the isolation of the Eritrean government. In 2002, in a conference on the Horn of Africa in the United States, a White House official told the author and other Eritreans: 'Who is tiny Eritrea to defy US wishes? We have certain concerns, and the Eritrean government should address them, otherwise we will isolate it. To show Isaias we mean business, we have invited President Daniel arap Moi and Prime Minister Meles Zenawi to the White House, and he [Isaias] is not included.' Some weeks later, Moi and Meles did indeed visit the White House, while Isaias' relationship with the United States deteriorated rapidly, to the point at which, as Healy and Plaut (2007: 9) put it, 'Eritrea is today hermetically sealed'. This demonstrates the nature of the international order whereby small nations are compelled to 'behave' or else risk isolation, with all its disastrous consequences.

The US threat that unless Eritrea changes its policy along the desired lines it will find itself subject to sanctions is further evidence of the predicament in which Eritrea finds itself. This threat was triggered by Eritrea's alleged arms supply to the al-Shabaab in Somalia. In spite of the inconclusive UN investigation into Eritrea's involvement in this matter, the United

11 In 2003, after I had switched off my tape recorder at the end of an interview, the chairman of a regional assembly in Eritrea told me: 'Look, I am almost 70 years old, and I do not fear anything for my life, but as long as danger is shadowing our nation and as long as our enemies are still on our necks, my conscience will not allow me to oppose and demonstrate. This is a nation built by blood and sweat of my children. We need our unity more than ever, when now, again, the international community has betrayed us. The moment the border is demarcated and our sovereignty is safeguarded, I will be the first to go out in the street and demonstrate' [translation mine]. I often encountered this view during my fieldwork in Eritrea in 2003 and 2004. The majority of the people of Eritrea attribute Ethiopia's refusal to implement the EEBC verdict to the failure of the international community, particularly the US, to exert the appropriate level of pressure on Ethiopia.

States is persisting with the threat of sanctions. Eritrea may not be wholly innocent of the charges levelled at it, but a crucial question is whether its arms supply or any other form of support to the al-Shabaab is significant enough to warrant sanctions. Any arms shipments from Eritrea to the Somali opposition must go by one of three routes. The first is overland, but since Eritrea has no borders with Somalia they would have to pass through Ethiopia. The second is by sea, and the Red Sea is heavily militarized, which makes it virtually impossible for Eritrea to ship arms to Somalia. The third route, by air, is also unlikely to be used by Eritrea because the airspace of Horn of Africa is believed to be closely monitored by the US air force. In other words, Eritrea's actual capacity both to transport arms and to significantly influence events in Somalia might be seriously called into question. No doubt Eritrea is provoking the United States because it believes that the latter has the power to force Ethiopia to implement the EEBC demarcation verdict. In other words, Eritrea is crying out for effective action to resolve its dispute with Ethiopia. The message Eritrea is trying to convey is that if it does not get help in resolving its problem with Ethiopia it will create problems for others. The response of the United States, with typical hubris, is that unless Eritrea does what it demands it will be the target of sanctions. Such sanctions probably have less to do with arms being supplied to the Somali opposition than with Eritrea's defiance of the United States. Whatever the reason, the threat has entrenched Eritrea's perception that the world, spearheaded by the United States, does not care. It is important to emphasize once again that it is not Eritrea's intention to isolate itself but rather that it is the inequitable treatment of the international community that is isolating Eritrea. As Chapter 3 by Kidane Mengisteab demonstrates, the Eritrean government pursued an enthusiastically pro-Western foreign policy until it fell out of favour with the West. It attempted to develop good relations with the United States and Israel while also seeking to create a coalition with Ethiopia and Uganda with a view to isolating the Islamic regime in Sudan (see also Cliffe and White, 2002). Although the diplomatic deficiencies of the Eritrean government are clear enough, as are Ethiopia's diplomatic skills, the fact remains that the international community has not acted particularly honourably towards Eritrea over the past half-century.

## Conclusion

At its root, the Eritrean–Ethiopian conflict is about Eritrea's sovereignty and independence. This chapter has analysed the war of 1998–2000 by focusing primarily on EPLF–TPLF relations during the liberation struggle and on the relations between the EPLF government in Eritrea and the TPLF-dominated EPRDF government in Ethiopia in the post-liberation period. The chapter has shown that the complexity of the conflict is further exacerbated by two levels of the relationship, Eritrea–Tigray and Eritrea–Ethiopia, in which each 'sub-relationship' demands separate, if linked, consideration. It has also argued that the international community, and particularly the United States, has failed to understand the complexity of the conflict and has tended (largely because of its geostrategic interests, especially the 'war on terrorism') to be partisan in its approach. The result is that it is unable to play a decisive role in bringing the conflict to a successful conclusion.

Seven years after the Eritrea–Ethiopia Boundary Commission delivered its verdict on the delimitation of the border between the two countries, the implementation of the demarcation (putting the posts in the ground) is awaiting Ethiopia's approval. The EEBC concluded its mission on 30 November 2007, stating that by demarcating the border through coordinates on the map it had fulfilled its mandate. Although it expressed disappointment at not being able to complete the physical demarcation, as stipulated in its mandate by the Algiers Agreement, it declared that legally speaking, the border is in fact demarcated.

From the point of view of conflict resolution, however, the Ethiopian–Eritrean dispute has not been settled, further demonstrating the international community's inability or unwillingness to enforce the EEBC verdict. It is difficult to avoid the conclusion that Ethiopia, with the complicity of the international community, has reneged on its solemn commitment to the Algiers Agreement. Moreover, the UN Security Council took the decision in July 2008 to formally terminate UNMEE, as a consequence of which the chances of renewed fighting have increased considerably.

Why has the conflict proved to be intractable? One reason lies in the complex factors that underpin it. The world has an oversimplified understanding of the roots of the conflict. Notably, there has been a tendency to see the war as simply related to borders. Other simplified explanations include regional economic rivalry, the personal ambition of and rivalry

between President Isaias and President Meles, and national prestige. Each of these factors may have played a role but the profound cause lies elsewhere. The internationally mediated Algiers Agreement of December 2000 focused on resolving the border dispute through the EEBC, on the basis of colonial agreements and pertinent international laws. This appeared to set the seal on Eritrea's independence struggle. The agreement was given a final and binding status, with no possibility of appeal. The EEBC, entrusted with the task of delimitation and demarcation, was given clear instructions about how to discharge its mandate. But when it delivered its verdict, Ethiopia, with impunity and with the international community's complicity, rejected it, and is currently demanding bilateral dialogue to resolve the boundary issue. Eritrea has taken the position that dialogue can come only after demarcation.

Eritrea is doggedly adhering to the strict implementation of the EEBC verdict because it is afraid that if dialogue begins, it will never end. There is a genuine fear among Eritreans that dialogue will be used as a cover to undermine their independence. It is also quite possible to interpret the international community's behaviour as a deliberate misunderstanding of the conflict, which constitutes another dimension of intractability. The international community, particularly the United States, thinks in terms of greater interests – and thus considers that it is cost-effective to sacrifice Eritrea. This would certainly seem to explain why it has preferred to take the Ethiopian leaders' words at face value. This approach may derive from the wish not to offend the leading regional power, lately also a strategic ally in the 'war on terrorism'. It is easy to ignore a small country, particularly if its leaders are a diplomatic nuisance. Without doubt the Eritrean leadership has handled post-liberation relations with the Ethiopia government extremely badly. Its diplomatic dealings during and after the war of 1998–2000 were also deeply flawed.

It has been argued here that the Eritrean–Ethiopian conflict is about the independence of Eritrea. Both the Tigray People's Liberation Front (as representative of the Tigrayan people) and Ethiopians at large perceive Eritrea's independence as hostile to their interest. The TPLF's twin objectives of either establishing of a greater Tigray republic or staying within a reformed Ethiopia are based on the notion that it would take Eritrea with them. A sovereign Greater Tigray would have no chance of survival without some form of connection with Eritrea. Remaining within Ethiopia, particularly an Ethiopia dominated by Tigray, also requires having Eritrea on

its side. Comprising less than ten per cent of the Ethiopian population, it needs Eritrea in order to exert its hegemony across the whole of Ethiopia. For the imperial state of Ethiopia and its proponents, Eritrea is historically, legally and culturally 'Ethiopian'. Thus either the territory in its entirety or at least its seaports should be ceded to Ethiopia if the conflict is to be finally resolved. Accepting the EEBC verdict without first laying provisions (by way of 'dialogue') is an acceptance that Eritrea is lost forever, which appears totally unacceptable. Meles has asserted that the resolution of the conflict requires going beyond the border issue and resolving the underlying causes such as economic relations, outlets to the sea and common history. This is highly indicative of Ethiopia's intentions and ambition and thus of the intractability of the conflict.

The EEBC verdict has been violated by Ethiopia, but also by the international community. Three international bodies – the UN, EU and AU – as well as the United States were entrusted with guaranteeing the implementation of the final and binding verdict. So far, no credible pressure has been exerted on Ethiopia to respect its commitment. On the contrary, the US and the UN have engaged in attempts to modify the EEBC verdict to suit Ethiopia. This uneven approach has driven Eritrea to perceive the international community, particularly the United States, as an accomplice of Ethiopia and fundamentally hostile to Eritrea itself. The implications of not implementing the verdict are extremely serious for both the peoples of the two countries and the Horn of Africa as a whole. The people of both countries live in constant fear that the 'no war, no peace' situation may erupt at any time into war. Also the accumulation of huge armies (particularly in Eritrea) is inhibiting development. The regional fallout is spillover and proxy war, whose primary victim is Somalia. The stakes are also high in the sense that international law and the credibility of the international community have been put to the test and found wanting.

It is important to make several brief recommendations to the international community about how to break the current impasse. First, it should exert full pressure on Ethiopia to implement the EEBC verdict promptly and unconditionally. The UN as well as the international powers should focus on substantial matters rather than on side issues. The four guarantors are equally responsible, as they have committed themselves to uphold the enforcement of the final and binding agreement. There is no justice in enforcing international laws selectively.

Second, following swift implementation of the demarcation verdict,

the parties should be helped to immediately commence the normalization of relations. Pending issues, such as the utilization of Eritrean seaports by Ethiopia and other issues of mutual interest, should be discussed. Normalization should be based on mutual recognition, respect and interest. It should follow transparent principles, procedures and mechanisms. It should also involve national institutions and the people of both countries instead of, as before, being confined to the ruling parties and leaders. Ethiopians should abandon all claims to Eritrean territory.

Third, each government should stop meddling in the internal affairs of the other. The politics of ‘my enemy’s enemy is my friend’ have given rise to a situation in which support is provided to any opposition group that is deemed capable of destabilizing the society and government of the other country. These are the politics of regional instability, and will only further encourage enmity and hatred between the peoples of the two countries. Once the demarcation verdict is enforced – and physically implemented – and the normalization process is initiated, Eritrea would not have any reason to back opposition groups aiming at weakening the Ethiopian government. Ethiopia also needs to stop sponsoring Eritrean opposition groups.

Fourth, the Horn of Africa as a whole needs to begin thinking in terms of greater integration. It would be of great benefit to establish, institutionalize and reinforce regional, popular and indigenous institutions and mechanisms, with the aim of preventing, managing and resolving intrastate and interstate conflicts. The current regional institution, IGAD (the Intergovernmental Authority on Development), must be revitalized, but it also must be radically reformed, to involve populations and their representatives instead of being a club of heads of state.

The fifth recommendation involves a long-term project. There are weak state structures in the Horn of Africa, which condition is linked to all the pathologies afflicting the region. The international community could make a profound contribution by building and strengthening these structures. Pervasive backwardness, poverty, illiteracy, climatic degradation and endemic health problems feed into the weakness and vulnerability of the states themselves. Addressing these problems as well as reinforcing institutions and structures that ensure popular participation in and ownership of the state would greatly advance societal formation. Most intrastate and interstate conflicts could be addressed more vigorously through processes of democratization, socio-economic development and the provision of

adequate education and health services. In this, the contribution of the international community is of crucial importance, and would be of much greater long-term benefit to the Horn region than the misguided diplomatic strategies outlined in this chapter.

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## Eritrea's External Relations

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