The conflict between Ethiopia and Eritrea and the role of the Boundary Commission

Livio Carbone
Dottorato in Geostoria Geoeconomia delle Regioni di Confine
Trieste University; e-mail: papirio71@hotmail.com


Introduction - historical background

The conflict between Eritrea and Ethiopia began in May 1998 for territorial disputes. The real problem was due to the fact that was not established since the term of the first conflict Ethiopia-Eritrea a clear line of border between the two Countries. For this reason there was a deterioration of the relationships between the two countries.

In may 1998 the troops of Asmara decided to cross the border and the war began. So the reason of the conflicts between Ethiopian-Eritrean was a result of borders disputes and regarding divergences of some citizens at border.

The disputes were concerning some villages on the border: Badme a village located on the western border, Zelambese - Tserona located on the central border and Bure in the east border. The Security Council of the United Nations promulgate in January 1999 the Resolution 1226 “Security Council urges Eritrean to accept OAU agreement to settle border disputes with Ethiopia”.

After a period of truce, the conflict began again for contrasts in order to the four hundred kilometres of border towards Badme and on the possession of the Eritrean port of Assab on the Red sea.

Ethiopian wanted to conquer the harbour lost in 1993 with the independence of Eritrea. On 6 February, on the Mereb-Setit that is in the contested triangle of earth and pretext of the conflict, known with the name of "flat of badme" there was the first conflict between the Ethiopian armies and Eritrean. According to the Ethiopian government, they would have been the Ethiopian to began the first attack of this new phase of the war that was lead with great deployment of men and weapons. According to the Ethiopian government, would have been the Eritrean to take the initiative for the conquest of the area of Badme. In May 2000 with the conquest of Ethiopia of 30% of the Eritrean ground and after a number of attempts to re-establish peace between the two parties and thanks to the mediation of the United Nations there was a truce, conclude with the cessation of the hostilities on June 2000 and then with the peace accords signed on 12 December 2000 called the December

1 The Eritrean declared that were the Ethiopian to begin the hostilities.
Agreement, providing for the permanent termination of military hostilities between the two countries.
With the resolution n. 1312 of the Security Council of the UN, started the United Nations Mission in Ethiopia and Eritrean (UNMEE), initially composed by a small number of military observatories, then increases. Objective of the mission, was first of all the surveillance of the border, and then the de-mining of the territory from the mines and the activation of communications.
Three multinational battalions were placed on a demilitarized zone called temporary security zones (TSZ), wide 25 km.
The three battalions of the United Nations, were therefore dislocate:
- in the west-sector the Jordanian battalion;
- in the central-sector the Indian battalion;
- in the east-sector the Kenyan battalion.

Map of the three multinational battalions placed on the demilitarized zone called temporary security zones (TSZ). Map by UNMEE.

UNMEE has established its headquarter in Asmara (Eritrean). Inside the headquarter of Asmara there was an other office, the office of the Boundary Commission.
This office did not dependent directly from the United Nations, but it has been instituted to pronounce an international arbitrate on the demarcation of the borders.
In fact after the agreements of Algeri, signed on June 2000, "under the supervision of the OAU, (the Organization for the Unit African”), and the “December agreement” was established that the demarcation of the territories between Ethiopia and the Eritrea would have been decided from international arbitrate, with no possibility to appeal the decision taken.
On 13 April 2002 the Boundary Commission in the Hague established the future borders between Ethiopia and the Eritrean.

The dispute that had given origin to the conflicts concerned mainly four villages:

- **Badme** (western border between the two states), a village located on the western border with few houses. Eritrea claim this village because it is situated inside the territory based on the fixed colonial borders in the 1902 from the treaty signed between the Italian government and Emperor Menelik II. Ethiopia supports that the city is Ethiopian based on the geographic borders indicated in the Ethiopian maps: it has been attributed to Eritrea.

- **Zela-Ambesa and Tserona** (on the central border between the two States), on the central and administrative border has changed to many times competence in the last century. Those areas were administrated by Ethiopia even if inhabited from Eritrean populations; Zela-Ambesa has been attributed to Ethiopia and Tserona to Eritrea.

- **Bure** (in the east border between the two states). This village was always dispute because situated on the border, has been attributed to Ethiopia.

The borders defined from the appropriate commission, until the term of the period of its permanence in Ethiopia-Eritrea, had not been demarcated.

**The role and the decision taken by the Boundary Commission regarding the delimitation of the border between Ethiopia and Eritrea**

The Eritrea-Ethiopia Boundary Commission was established after the Agreement signed on 12 December 2000 (called the “December Agreement”). The dispute was concerning the precise location of the boundary between Eritrea and Ethiopia. The Ethiopian and the Eritrean agreed on the basis of Article 4 of the 12 December 2000 Agreement that a “neutral Boundary Commission composed of five members was established with a mandate to delimit and demarcate the colonial treaty border based on pertinent colonial treaties (1900, 1902 and 1908) and applicable international law”. The boundary starts from the border with the Sudan in the west till the border with Djibouti in the east.

**The three sectors of the boundary**

The boundary is divided in three sectors, to each of which is covered by a different treaty:

- the western sector by a treaty of 1902;
- the central sector by a treaty of 1900;
- the eastern sector by a treaty of 1908.

The boundaries traced in the Treaties have never been implemented by demarcation.
Central sector - the interpretation of the 1900 treaty

The interpretation of the 1900 treaty is very important and for this reason to understand and assess the treaty it is necessary to look the background of the treaty. In fact during the nineteenth century, there were few maps of the area. In 1894 was published a map made by an Italian geographer, Captain Enrico de Chaurand. This map was the most important map of the area and was a collection of information from many sources and not the product of personal exploration. The map gave in some areas detailed information, but in others areas not. The Treaty map was based on de Chaurand’s map of the Tomat-Todluc-Mareb-Belesa-Muna area. It is clear that the Treaty map was a copy of a lot of parts of the de Chaurand map. For this reason de Chaurand’s map is very important to understand the treaty map. The Treaty map “depicts the boundary by a single dotted red line across the overland stretch from Tomat to Todluc, and then by a double dotted red line along each bank of the rivers called Mareb, Belesa and Muna”. (Boundary Commission:34)
The object and aim of the Treaty is written in its short preamble that states that the two Heads of State had agreed on the Treaty “in the desire to regulate the question of the frontier between the Colony of Eritrea and Ethiopia which has remained open since the conclusion of the Treaty of Peace of Addis Ababa of the 26th October 1896”. The Ethiopian and Eritrean gave very importance on the Mareb-Belesa-Muna line, probably to have a real division between the regions of Acchele Guzai (for the Eritrean) and Agame (for the Ethiopian). After the 1896 armistice between Ethiopia and Italy there was an “inter alia” that was “a peace treaty”. In the Article IV of the 1896 peace treaty is written that the parties agreed to observe the “status quo ante”.

The de Chaurand’s map. Map by the Boundary Commission 2002
The Boundary Commission stated that “once the boundary reaches the Mareb, it is defined by the 1900 treaty, which takes the boundary eastwards along the Mareb until point 11 at which that river is joined by another, the Belesa flowing from the east, thus following the first part of a line described in the 1900 Treaty as the line Mareb-Belesa-Muna”. (Boundary Commission: 18)
are not difference of opinion between the Ethiopian and the Eritrean about the line. The disputes begin “as the line moves up to the Belesa” (ibid). In fact “the 1900 line was traced on a map annexed to the Treaty” (ibid). The Ethiopian and the Eritrean agreed “that the map annexed to the Treaty, is a visual or linear exposition of its content and has the same force as the Treaty” (ibid). The problem was that the Treaty map “was drawn on a very small scale, 1:1,000,000”, and the description on it “do not correspond exactly with the topography and toponymy” of the modern maps. (ibid)
The Belesa River

The boundary commission started to consider the Belesa river.

“First, the description of the boundary is complicated because the boundary is defined in terms that take it from west to east, while the waterways which form the boundary in the western part of this sector flow from east to west”. (Boundary Commission :34-35).

Second, the actual nature of “the Belesa river system can be seen on modern map not to be exactly the same as depicted on the Treaty map (and on de Chaurand’s map)”. (ibid)

Third, the Ethiopian and the Eritrean did not agree about some river’s names. They agreed about the description of the “Belesa-Muna” line but did not agree where is the line. The Ethiopian and the Eritrean agreed that the Mareb-Belesa-Muna line depicted in the 1900 Treaty was “to represent a de facto” line but they did not agree where that “de facto line run”. (ibid)

“At the confluence of the Mareb and the Belesa point 11, about this point there is no dispute between the Parties”. (ibid)

After there are the two rivers: “Belesa A (flowing in from the south)” as the Eritrean claim as boundary and “Belesa B (flowing in from the east)” as the Ethiopian claim as boundary. (ibid)

The Treaty map did not “show any tributary flowing into the Belesa from the north in the stretch between its confluence with the Mareb (point11) and the point at which the Belesa A and Belesa B merge (point 12). In fact, there is a large “tributary in this sector that flows into the Belesa from the northeast: shown on the de Chaurand map, is named “T. Tserona” join the Belesa at a point about one-third of the way between points 11 and 12”. (Boundary Commission :35-37)

The opinion of the Eritrean that the boundary follows the Belesa A was not accepted. In fact the name “T. Belesa” was written “as covering both the main stretch of the Belesa and its extension along Belesa B” (ibid); so written it was important to understand “what the Parties intended when using the word “Belesa” in the 1900 Treaty”. (ibid) The Boundary Commission concluded that “the omission from the Treaty map of the Tserona as shown on the de Chaurand map was deliberate, and that the depiction of the boundary as following the Belesa eastwards to Belesa B was deliberate and is so shown on the Treaty map”. (ibid)
The eastern terminal point of the 1900 Treaty boundary

The Parties disagree where the 1900 Treaty boundary line ends. Eritrea contended that: “the Muna ends at the confluence with the Endeli (located at the village of Massolae, point 27, and that therefore that must be the eastern terminal point of the 1900 Treaty line. (Boundary Commission :43-44)

Ethiopia contended that: “the river depicted as the Muna continues as far as the town of Ragali, and that it is therefore there that the terminal point lies”. (ibid)

The question is important for two reason. The first because was important to know where the boundary established by the 1900 Treaty ends, and second because Article I of the 1908 Treaty makes “the most easterly point of the frontier established by [the 1900 Treaty]” the starting point for the boundary described in that Treaty. The matter was resolved with consideration of the 1900 Treaty map and the topography of the area. (ibid)

The Treaty map identifies the river that the Ethiopian and Eritrean called the Muna “the one which continued eastwards and flowed into” the Salt Lake. “This lake still exists” close to the area “depicted on the Treaty map”. (ibid)

The Commission stated that the “the most easterly point” is “where the Muna reaches its terminus in the Salt Lake”. The boundary of the 1908 Treaty starts at that point. (ibid)
The western sector covered by the 1902 treaty

The boundary in this sector was part of the 1900 Treaty but was put in the 1902 Treaty. “This Treaty is written in three languages, all of which are official: Amharic, English and Italian. All three texts prescribe that the boundary run eastwards along the Setit to the point where it is met by a named river. In the English and Italian texts, this river is called the Maiteb, in the Amharic text, it is called the Maiten. This difference between the Amharic and the English and Italian texts created a confusion and was a reason of major contention” between the Ethiopian and the Eritrean. (Boundary Commission :17)

The 1900 Treaty was a “bilateral treaty between Ethiopia and Italy, the 1902 Treaty was a trilateral agreement between Ethiopia, Italy and Britain. This was because part of the Article II link the frontier between Sudan (then under British administration) and Eritrea”. (Boundary Commission :57)
Interpretation of the Treaty

The interpretation of the treaty depends on the text of Article I.
This means to understand “the common will” of the parties in the light of the “geographical name used in the treaty”. (Boundary Commission :61)
The Boundary Commission accepted that the Maiteb in Article I of the Treaty was the river, that “joins the Setit at point 3 “. (ibid)
“The Emperor Menelik left no record of the negotiations but from the Italian side, there are two reports of Major Ciccodicola, dated 16 May 1902 and 28 June 1902, one after the signature of the Treaty, the other five weeks later, where Ciccodicola attached a map the Mai Daro map. The Mai Daro map spelled the river as “Meeteb” but means probably that Ciccodicola equated “Maiteb” with “Meeteb.” (Boundary Commission :61-68)
“The significance and evidentiary weight of the Mai Daro map is confirmed by its similarity with the de Chaurand map of 1894. This map was the basis for the 1900 Treaty map.” (ibid)
“The only difference respect between the Mai Daro map and the de Chaurand map was the name given to the river”. (ibid)
The object and intention of the 1902 Treaty was first of all to determine a boundary.
The second was the objective of the Treaty.
It is important to look Article I of the Treaty “…to leave Mount Ala Tacura to Eritrea, and joins the Mareb at its junction with the Mai Ambessa ...”this means that the border run on the Maiteb and so leave Mount Ala Tacura to Eritrea. (ibid)
And again Article I of the Treaty “ …the line from the junction of the Setit and Maiteb to the junction of the Mareb and Mai Ambessa shall be delimited by Italian and Ethiopian delegates, so that the Cunama tribe belong to Eritrea ..” (ibid)

However if we look the instructions given by the Italian foreign Ministry to Consul General Nerazzini on 22 march 1897 probably the Italian wanted to have the control over an important “trade route”, where linked with a lot of exchange Eritrea to Ethiopia and vice versa. (ibid)
The Mai-Daro Map. Map by the Boundary Commission 2002
International Boundary between the State of Eritrea and the Federal Democratic Republic of Ethiopia

WESTERN SECTOR

Mercator Projection
Datum: WGS-84
Scale: 1:1,000,000

Map that show the decision by the Boundary Commission. Map by the Boundary Commission 2002.
At the end of the central sector defined in the 1900 Treaty the boundary continues south-east till Djibouti. This sector is covered by the 1908 Treaty, that stated at Article I that “…..the boundary continues south-east , parallel to and at a distance of sixty kilometres from the coast…..”. (Boundary Commission :85) The Ethiopian and the Eritrean disagreed form to start the point and how to draw the line of the border . The Ethiopian and Eritrean agreed that the origin of the “sixty kilometres from the coast formula was a recommendation by Emperor Menelik in 1897 to Major Nerazzini, the Italian negotiator”. (Boundary Commission :86) Eritrea stated that “from 1897 until the conclusion of the 1908 Treaty, the “60 kilometres-from-the-coast formula was used as a modus vivendi” and support this with some maps.(ibid)The decision of the Boundary Commission was determined by application of Article I. In fact Article I of the 1908 Treaty stated “the most easterly point of the frontier established between the Colony of Eritrea and the Tigre by the Treaty of the 10th July, 1900.” (ibid) The Commission determined that the “the most easterly point” was point 31 “where the Muna reaches its terminus in the Salt Lake”. (Boundary Commission :88) The boundary of the 1908 Treaty started at that point. Article I of the 1908 Treaty stated that the boundary, “….the boundary continues south-east , parallel to and at a distance of sixty kilometres from the coast until it joins the frontier of the French possessions of Somalia.” ( today the state of Djibouti). (ibid) Eritrea and Ethiopia suggested to implement Article I of the 1908 .The boundary Commission stated that the optimum to implement the Article I of the 1908 Treaty was “to take a satellite image of the coastline of Eritrea in the area covered by the 1908 boundary and to move it inland for a distance of 60 km -coast”. (Boundary Commission :90)
Map that show the decision by the Boundary Commission. Map by the Boundary Commission 2002.
Conclusion:

In April 2002 there was the decision of the Boundary Commission that established the Border between Ethiopia and Eritrea and awarded Badme to Eritrea. Initially Ethiopia rejected that decision because Badme had become the symbol for the war. As a result of this and others reasons (de-mining delays, etc.), the actual demarcation never took place.

In November 2004, Ethiopia accepted it "in principle."

On 2005 Ethiopia and Eritrea has begun remobilizing troops along the border, during that period there was a new fear that the two countries could return to war. The governments of both countries widely accused of using the conflict as a basis for suppressing internal dissent. Eritrea, had become increasingly critical of the UN for not forcing Ethiopia to accept the demarcation and subsequently banned UNMEE flights and peacekeepers of certain nationalities from its territory and restricted the mission’s patrols. Eritrea wants border fixed in the other hand Ethiopia wants talks. Eritrea, however, rejected calls for negotiations, saying implementation of the “2000 peace agreement will resolve their border dispute peacefully and legally”.

In my opinion the international community need to act quickly to save the peace process, trying to convince both country to cooperate. This means that all international and regional organizations must exert full pressure, including threats of sanctions. So this will avoid the so called "stalled" demarcation process.

---

2 Eritrea banned UNMEE flights over its territory in October 2005 and expelled the peacekeeping mission's North American and European personnel.

3 Thursday, April 27, 2006 Ethiopia's Prime Minister Meles Zenawi pressed neighboring Eritrea on Thursday to accept that negotiations are "the only sane option" for resolving the simmering tensions over the border between the two nations. Reuters.
References:

- Calchi Novati G., L’Eritrea in guerra per l’indipendenza, in Relazioni internazionali, p.12,1975/1
- Cornwall R., Corno d’Africa in fiamme, in http:// www.manitese.it
- Costadoni G., La situazione economica globale, dattiloscritto, p.1, Istituto di Cooperazione Economica Internazionale
- De Felice R., Breve storia del fascismo, Milano, Mondatori, 2000
- Del Boca A., La repressione in Libia fu brutale e feroce, in La Repubblica, 06.11.2001.
- Del Boca A., Morire in silenzio, in Storia Illustrata, 1987/2, p.84 e ss..
- Golino L., Il decalogo del «socialismo » etiopico, in Relazioni internazionali, 1975/1, p.44
- Golino P.L., Militari e riformismo in Etiopia, in Relazioni internazionali, 1974/8, p.161
- Innocenti M., Le guerre degli anni Ottanta, Milano, Rizzoli.
- Labanca N., In marcia verso Adua, Torino, Einaudi, 1993
- Labrousse, L’Etiopie et la mèr, in Revue de la Defense nationale, p. 68, 1958/1
- Legami economici e strategici dello Stato ebraico con i governi locali per tentare di arginare il fenomeno. L’integralismo tra le bianche spiagge d’Africa, in La Stampa, 29. 11.2002, p.3
- La Pira G., La deposizione di Hailé Selassié, in Relazioni internazionali, 1974/9, p.916.
- La Pira G., Militari e potere politico in Etiopia, in Relazioni internazionali, 1974/3, p.256
- La Pira G., Siccità e questione agraria in Etiopia, in Relazioni internazionali, 1974/1, p.33.
- Makonnen Deneke, La politique étrangère de l’Ethiopie, in Revue Militaire Générale, p.178 e ss., 1963/2
- Marchat P., L’Etiopie millénaire à la ville, in Revue de la Défense Nationale, p.476, 1967/1
- Petacco A., Faccetta nera, Mondatori, 2003
- Pietrosanti F., Eritrea. L’antico profumo d’Italia, in I fatti del mese, 2004/1
- Rake V., Etiopia: necessità di migliori collegamenti tra aziende agricole e mercati, in Rassegna della stampa estera, 1974/12, p. 1496.
- Scheda Storica, Biladi Biladi, Il conflitto tra Etiopia ed Eritrea, Cronologia, a cura di Federica Mereu.
- Schmitt M., la sécurité, la défense et l’éthique, in Académie Universelle des Cultures
- Che fine ha fatto l’Eritrea? In War News da www.warnews.it/index.cgi action Corno d’Africa in fiamme, in www.manitese.it
- Eritrea ed Etiopia dopo la seconda guerra mondiale, in www.arpenet.it
- www.carabinieri.it/arma/ieri/storia
- www.cia.gov
- www.difesa.it/coi/index.shtml
- www.esercito.difesa.it
- www.icrc.org
- www.reggaezio.com/Articoli/etiope-eritrea.htm
- recensione a Villari L., L’Italia e il colonialismo, in www.romacivica.net/anpiroma
- Siccità, in Eritrea va in scena il dramma dei bambini in www.vita.it/articolo
- Storia dell’Eritrea in digilander.libero.it/slvncc/STER.htm