

Country/entity	Eritrea Ethiopia
Region	Africa (excl MENA)
Agreement name	OAU High Level Delegation Proposals for a Framework Agreement for a Peaceful Settlement of the Dispute between Eritrea and Ethiopia
Date	8 Nov 1998
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Interstate/intrastate conflict(s)

Eritrean Border Conflicts (1998 - 2018)

Eritrean Border Conflicts (1998 - 2019)

Eritrea - Ethiopia (1998 - 2018)

In 1991, the Eritrean People's Liberation Front (EPLF) defeated the communist military junta ('Derg') in Ethiopia and proclaimed independence for Eritrea. At the same time, Derg itself was overthrown by the Ethiopian Peoples' Revolutionary Democratic Forces (EPRDF), which established a transitional government in Ethiopia. Eritrea was granted an independence referendum, which resulted in a 99.8 per cent pro-independence vote. However, border tensions and heavy disputes, in particular on minority rights and economic issues, between EPLF and EPRDF led to new fighting between the two countries in 1998. A mediation by the US administration led to a difficult truce and in 2000 a peace agreement was signed. The agreement established two commission, Border Commission and the Claims Commission. The delimitation ruling of the Border Commission was rejected by Ethiopia. The border continued to be heavily occupied by troops on both sides and border skirmishes continue into 2016. In June 2018, after a series of summits, the state of war was declared over in a Joint Declaration of Peace and Friendship, as Ethiopia finally agreed to honour the ruling of the Border Commission. This followed by a series of steps to improve political, economic and diplomatic ties. Transport and telephone links have been re-established, and borders reopened. In July 2018, the countries have signed the 'Agreement on Peace, Friendship and Comprehensive Cooperation' reiterating their commitment to achieving long-lasting peace in the region.

Sudanese-Eritrean Relations (1994 - 1999)

Eritrea broke diplomatic contact with neighbouring Sudan after accusing the country of attempting to destabilize the Eritrean regime. At the time it was believed that Sudan trained and armed the Eritrean Islamic Jihad Group, which aimed to establish a caliphate in the Horn of Africa. After breaking diplomatic relations, Khartoum accused Eritrea of providing support for armed Sudanese opposition groups. Indeed, Eritrea help a conference for the Sudanese opposition in 1995 in an attempt to unite them. Relations were normalized in 1999. Sudan sent troops to its eastern border (region of Kassala) with Eritrea amid security concerns involving Egyptian troops deployed in Eritrea.

Close

Eritrean Border Conflicts (1998 - 2018)

Stage	Framework/substantive - partial
Conflict nature	Territory
Peace process	Eritrea-Ethiopia border dispute peace process
Parties	Organisation of African Union

Third parties	-
Description	This framework agreement by OAU recommends a resolution to the conflict within the terms of the OAU Charter.
Agreement document	ER_EH_981108_OAU HIGH LEVEL DELEGATION.pdf (opens in new tab) Download PDF
Groups	
Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	<p>Groups→Refugees/displaced persons→Substantive Page 3:</p> <p>...</p> <p>8.</p> <p>...</p> <p>b) The two Parties also commit themselves to addressing the negative socioeconomic impact of the crisis on the civilian population, particularly, those persons who had been deported;</p> <p>...</p> <p>10. The OAU and the UN working closely with the international community, particularly, the European Union, endeavor to mobilize resources for the resettlement of displaced persons and the demobilization of troops currently deployed along the common border of both countries;</p>
Social class	No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) Page 3:
...
6.
...
b) Once the entire border has been delimited and demarcated, the legitimate authority will immediately exercise full and sovereign jurisdiction over the territory which will have been recognized as belonging to them;

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation Page 1:

...

Nothing, however, that differences had emerged between the two countries relating particularly to their common border, differences which the two countries endeavored to resolve peacefully;

Page 2-3:

- respect for the borders existing at independence as stated in Resolution AHG/Res. 16(1) adopted by the OAU Summit in Cairo in 1964 and, in this regard, determine them on the basis of pertinent colonial Treaties and applicable international law, making use, to that end, of technical means to demarcate the borders and, in the case of controversy, resort to the appropriate mechanism of arbitration.

...

3. In order to create conditions conducive to a comprehensive and lasting settlement of the conflict through the delimitation and demarcation of the border, the armed forces presently in Badme Town and its environs, should be redeployed to the positions they held before 6 May 1998 as a mark of goodwill and consideration for our continental Organization, it being understood that this redeployment will not prejudice the final status of the area concerned, which will be determined at the end of the delimitation and demarcation of the border and, if need be, through an appropriate mechanism of arbitration;

...

5. a) The redeployment be subsequently extended to all other contested areas along the common border within the framework of demilitarization of the entire common border and as a measure for defusing the tension and facilitating the delimitation and demarcation process. In effect, the demilitarization which will begin with the Mereb Setit segment, will then extend to the Bada area and the border as a whole;

...

6. a) The two Parties commit themselves to make use of the services of experts of the UN Cartographic Unit, in collaboration with the OAU and other experts agreed upon by the two Parties, to carry out the delimitation and demarcation of the border between the two countries within a time-frame of 6 months which could be extended on the recommendation of the cartographic experts;

b) Once the entire border has been delimited and demarcated, the legitimate authority will immediately exercise full and sovereign jurisdiction over the territory which will have been recognized as belonging to them;

Cross-border provision

No specific mention.

Governance**Political institutions (new or reformed)**

No specific mention.

Elections

No specific mention.

Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	No specific mention.
Bill of rights/similar	No specific mention.

**Treaty
incorporation**

Page 2:

...

SUBMIT, hereunder, for the consideration of the two Parties, the elements of a Framework Agreement based on the following principles:

- resolution of the present crisis and any other dispute between them through peaceful and legal means in accordance with the principles enshrined in the Charter of the Organization of African Unity;

...

- respect for the borders existing at independence as stated in Resolution AHG/Res. 16(1) adopted by the OAU Summit in Cairo in 1964 and, in this regard, determine them on the basis of pertinent colonial Treaties and applicable international law, making use, to that end, of technical means to demarcate the borders and, in the case of controversy, resort to the appropriate mechanism of arbitration.

**Civil and political
rights**

No specific mention.

**Socio-economic
rights**

No specific mention.

Rights related issues

Citizenship	<p>Rights related issues→Citizenship→Citizen, general</p> <p>Page 1:</p> <p>...</p> <p>Saddened by this conflict which occurred at a time when the Federal Democratic Republic of Ethiopia and the State of Eritrea had launched a new era of relations built on a partnership and a common vision and ideals as regards the future of their peoples, the region and the whole continent;</p> <p>Page 3:</p> <p>...</p> <p>8. a) At the humanitarian level, the two Parties commit themselves to put an end to measures directed against the civilian population and refrain from any action which can cause further hardship and suffering to each other's nationals;</p>
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	<p>Rights institutions→Regional or international human rights institutions→Monitoring calls</p> <p>Page 3:</p> <p>8.</p> <p>...</p> <p>c) In order to contribute to the establishment of a climate of confidence, the OAU, in collaboration with the United Nations, deploy a team of Human Rights Monitors in both countries;</p>

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 1:
...
Conscious of the fact that resorting to the use of force results in loss of human lives, the destruction of property and socio-economic infrastructures as well as creating a division between the peoples, all the things which the two brotherly countries and our continent cannot afford at a time when all efforts must be channeled towards the promotion of peace and development which we greatly owe to our peoples;

National economic plan No specific mention.

Natural resources No specific mention.

International funds Page 3:
...
10. The OAU and the UN working closely with the international community, particularly, the European Union, endeavor to mobilize resources for the resettlement of displaced persons and the demobilization of troops currently deployed along the common border of both countries;

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

Security Guarantees

Page 1:

...

Paying tribute to the commendable efforts made by friendly countries aimed at finding a peaceful solution to the conflict;

Conscious of the fact that resorting to the use of force results in loss of human lives, the destruction of property and socio-economic infrastructures as well as creating a division between the peoples, all the things which the two brotherly countries and our continent cannot afford at a time when all efforts must be channeled towards the promotion of peace and development which we greatly owe to our peoples;

...

Having listened to the two Parties and made an in-depth analysis of their respective positions, taking into account their legitimate concerns and after having thought deeply about the ways and means likely to contribute to the peaceful settlement of the crisis in a fair and objective manner;

MAKE on behalf of Africa, its peoples and leaders, a solemn and brotherly appeal to the Leaders of the State of Eritrea and the Federal Democratic Republic of Ethiopia to do everything in their power to opt for a peaceful settlement of the dispute and find a just and lasting solution to the conflict;

Page 2:

...

- rejection of the use of force as a means of imposing solutions to disputes;

...

2. In order to defuse tension and build confidence, the two Parties commit themselves to put an immediate end to any action and any form of expression likely to perpetrate or exacerbate the climate of hostility and tension between them thereby jeopardizing the efforts aimed at finding a peaceful solution to the conflict;

Page 3:

...

8. a) At the humanitarian level, the two Parties commit themselves to put an end to measures directed against the civilian population and refrain from any action which can cause further hardship and suffering to each other's nationals;

Ceasefire

Security sector→Ceasefire→General commitments

Page 1:

...

Encouraged by the commitment made by the two Parties to the OAU High-Level Delegation to settle the conflict peacefully and by their positive response to its appeal to continue to observe the moratorium on air strikes and to maintain the present situation of non-hostilities;

Page 2:

...

We recommend that:

1. The two Parties commit themselves to an immediate cessation of hostilities;

...

Police	No specific mention.
Armed forces	<p>Page 2:</p> <p>...</p> <p>3. In order to create conditions conducive to a comprehensive and lasting settlement of the conflict through the delimitation and demarcation of the border, the armed forces presently in Badme Town and its environs, should be redeployed to the positions they held before 6 May 1998 as a mark of goodwill and consideration for our continental Organization, it being understood that this redeployment will not prejudice the final status of the area concerned, which will be determined at the end of the delimitation and demarcation of the border and, if need be, through an appropriate mechanism of arbitration;</p> <p>4. This redeployment be supervised by a Group of Military observers which will be deployed by the OAU with the support of the United Nations. The Group of Military Observers will also assist the reinstated Civilian Administration in the maintenance of law and order during the interim period;</p> <p>5. a) The redeployment be subsequently extended to all other contested areas along the common border within the framework of demilitarization of the entire common border and as a measure for defusing the tension and facilitating the delimitation and demarcation process. In effect, the demilitarization which will begin with the Mereb Setit segment, will then extend to the Bada area and the border as a whole;</p> <p>b) The demilitarization process be supervised by the Group of Military Observers;</p>
DDR	<p>Security sector→DDR→Demilitarisation provisions</p> <p>Page 2:</p> <p>...</p> <p>b) The demilitarization process be supervised by the Group of Military Observers;</p> <p>Page 3:</p> <p>...</p> <p>10. The OAU and the UN working closely with the international community, particularly, the European Union, endeavor to mobilize resources for the resettlement of displaced persons and the demobilization of troops currently deployed along the common border of both countries;</p>
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general Page 3,
8. parties commit to end measures taken against civilian population, to addressing the negative socio-economic impact on the civilian population,
... b) The two Parties also commit themselves to addressing the negative socioeconomic impact of the crisis on the civilian population, particularly, those persons who had been deported;

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism Page 3:
...
7. In order to determine the origins of the conflict, an investigation be carried out on the incidents of 6 May 1998 and on any other incident prior to that date which could have contributed to a misunderstanding between the two parties regarding their common border, including the incidents of July-August 1997.
8.a) At the humanitarian level, the two Parties commit themselves to put an end to measures directed against the civilian population and refrain from any action which can cause further hardship and suffering to each other's nationals;
b) The two Parties also commit themselves to addressing the negative socioeconomic impact of the crisis on the civilian population, particularly, those persons who had been deported;

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar Page 2-3:
...
4. This redeployment be supervised by a Group of Military observers which will be deployed by the OAU with the support of the United Nations. The Group of Military Observers will also assist the reinstated Civilian Administration in the maintenance of law and order during the interim period;
...
6. a) The two Parties commit themselves to make use of the services of experts of the UN Cartographic Unit, in collaboration with the OAU and other experts agreed upon by the two Parties, to carry out the delimitation and demarcation of the border between the two countries within a time-frame of 6 months which could be extended on the recommendation of the cartographic experts;
...
8.
...
c) In order to contribute to the establishment of a climate of confidence, the OAU, in collaboration with the United Nations, deploy a team of Human Rights Monitors in both countries;

9. a) In order to determine the modalities for the implementation of the Framework Agreement, a Follow-up Committee of the two Parties be established under the auspices of the OAU High-Level Delegation with the active participation and assistance of the United Nations;
b) The committee begin its work as soon as the Framework Agreement is signed;
10. The OAU and the UN working closely with the international community, particularly, the European Union, endeavor to mobilize resources for the resettlement of displaced persons and the demobilization of troops currently deployed along the common border of both countries;
11. The Organization of African Unity, in close cooperation with the United Nations, will be the guarantor for the scrupulous implementation of all the provisions of the Framework Agreement, in the shortest possible time. On the decision of the OAU Delegation of leaders that met in Ouagadougou, the above peace plan was later submitted to the OAU central body for conflict resolution.

Enforcement mechanism

Page 3:

...

9. a) In order to determine the modalities for the implementation of the Framework Agreement, a Follow-up Committee of the two Parties be established under the auspices of the OAU High-Level Delegation with the active participation and assistance of the United Nations;

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Related cases

No specific mention.

Source

<http://www.dehai.org/>
