

15. The situation between Eritrea and Ethiopia

Initial proceedings

Decision of 26 June 1998 (3895th meeting): resolution 1177 (1998)

At its 3895th meeting, held on 26 June 1998 in accordance with the understanding reached in its prior consultations, the Security Council included in its agenda without objection the item entitled "The situation between Eritrea and Ethiopia". Following the adoption of the agenda, the President (Portugal), with the consent of the Council, invited the representatives of Eritrea and Ethiopia, at their request, to participate in the discussion without the right to vote.

At the same meeting the President drew the attention of the Council to a draft resolution prepared in the course of the Council's prior consultations.¹ The President also drew the attention of the Council to the following documents: letters from the representatives of Eritrea and Ethiopia giving their views on the situation;² letters from the representatives of Zimbabwe and Kenya, transmitting resolutions and statements by the Organization of African Unity; a letter dated 9 June 1998 from the representative of the United Kingdom of Great Britain and Northern Ireland,³ transmitting the statement of the European Union on the Ethiopian/Eritrean border dispute; a letter dated 10 June 1998 from the representatives of Rwanda and the United States, transmitting the text of the general implementation plan and recommendations of the Rwandan-United States facilitation team;⁴ and a letter from the representative of Burkina Faso dated 22 June 1998,⁵ transmitting a press release on the mission undertaken by the Organization of African Unity to visit Ethiopia and Eritrea to assist in bringing about a peaceful resolution to the conflict.

¹ S/1998/572.

² From Eritrea: S/1998/459, S/1998/478, S/1998/482, S/1998/483, S/1998/492, S/1998/499, S/1998/505, S/1998/508, S/1998/536, S/1998/541 and S/1998/556. From Ethiopia: S/1998/467, S/1998/471, S/1998/490, S/1998/493, S/1998/521, S/1998/551, S/1998/552 and S/1998/565.

³ S/1998/495.

⁴ S/1998/496.

⁵ S/1998/555.

At the same meeting the draft resolution was put to the vote and adopted unanimously as resolution 1177 (1998), which reads:

The Security Council,

Expressing grave concern at the conflict between Ethiopia and Eritrea, its political, humanitarian and security implications for the region, and its effect on the civilian populations there,

Affirming the commitment of all Member States to the sovereignty and territorial integrity of Ethiopia and Eritrea,

Affirming also the principle of peaceful settlement of disputes, and stressing that the use of armed force is not acceptable as a means of addressing territorial disputes or changing circumstances on the ground,

Noting that the official statements by the Government of Ethiopia and the Government of Eritrea pledging to discontinue the threat of and use of air strikes in the conflict have contributed to the continuation of the efforts to achieve a peaceful resolution of the conflict, reduced the threat to the civilian populations as well as the economic and social infrastructure, and enabled the resumption of normal economic activity, including commercial transportation,

Noting the strong traditional ties between Ethiopia and Eritrea,

Welcoming the official statements by the Government of Ethiopia and the Government of Eritrea that they share the ultimate goal of delimiting and demarcating their common border on the basis of a mutually agreeable and binding arrangement, taking into account the charter of the Organization of African Unity, colonial treaties, and international law applicable to such treaties,

Taking note of the resolution adopted by the Council of Ministers of the Organization of African Unity in a special session on 5 June 1998,

Commending the efforts of the Organization of African Unity and of others, in cooperation with the that organization, to achieve a peaceful settlement of the conflict,

1. *Condemns* the use of force, and demands that both parties immediately cease hostilities and refrain from further use of force;

2. *Welcomes* the commitment of the parties to a moratorium on the threat of and use of air strikes;

3. *Urges* the parties to exhaust all means to achieve a peaceful settlement of the dispute;

4. *Expresses its strong support* for the decision of the Assembly of the Heads of State and Government of the

Organization of African Unity of 10 June 1998, as well as for the mission and efforts of the Heads of State, and urges the Organization of African Unity to follow up as quickly as possible;

5. *Calls upon* the parties to cooperate fully with the Organization of African Unity;

6. *Also calls upon* the parties to avoid any steps which would aggravate tensions, such as provocative actions or statements, and to take steps to build confidence between them, including by guaranteeing the rights and safety of each other's nationals;

7. *Requests* the Secretary-General to make available his good offices in support of a peaceful resolution of the conflict, and stands ready to consider further recommendations to this end;

8. *Also requests* the Secretary-General to provide technical support to the parties to assist in the eventual delimitation and demarcation of the common border between Ethiopia and Eritrea, and, for this purpose, establishes a trust fund, and urges all Member States to contribute to it;

9. *Decides* to remain seized of the matter.

Decision of 29 January 1999 (3973rd meeting): resolution 1226 (1999)

At the 3973rd meeting of the Security Council, held on 29 January 1999 in accordance with the understanding reached in its prior consultations, the President (Brazil), with the consent of the Council, invited the representative of Ethiopia, at his request, to participate in the discussion without the right to vote.

At the same meeting the President drew the attention of the Council to a draft resolution prepared in the course of the Council's prior consultations,⁶ as well as to the following documents: letters dated 12 and 15 January 1999, respectively, from the representative of Eritrea,⁷ concerning Ethiopia's "intentions to wage war"; a letter dated 11 January 1999 from the representative of Eritrea to the Secretary-General,⁸ transmitting a press release concerning deaths of Eritreans in Ethiopian detention camps; letters dated 13 and 25 January 1999, respectively, from the representative of Ethiopia,⁹ transmitting press releases on Eritrea's illegal occupation of Ethiopian territory; and a letter dated

18 January 1999 from the representative of Germany,¹⁰ transmitting the statement dated 16 January 1999 by the European Union on the conflict between Eritrea and Ethiopia.

At the same meeting the draft resolution was put to the vote and adopted unanimously as resolution 1226 (1999), which reads:

The Security Council,

Reaffirming its resolution 1177 (1998) of 26 June 1998,

Expressing grave concern over the risk of armed conflict between Ethiopia and Eritrea and the escalating arms build-up along the common border between the two countries,

Noting that armed conflict between Ethiopia and Eritrea would have a devastating effect on the peoples of the two countries and the region as a whole,

Recognizing that the rehabilitation and reconstruction efforts of both the Ethiopian and Eritrean Governments during the last eight years have given hope to the rest of the continent, all of which would be put at risk by armed conflict,

Commending the efforts of concerned countries and regional bodies aimed at facilitating a peaceful solution to the border dispute between Ethiopia and Eritrea,

1. *Expresses its strong support* for the mediation efforts of both the Organization of African Unity and for the Framework Agreement as approved on 17 December 1998 by the Summit of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity, and affirms that the Framework Agreement provides the best hope for peace between the two parties;

2. *Endorses* the decision by the Secretary-General to send his Special Envoy for Africa to the region in support of the efforts of the Organization of African Unity;

3. *Stresses* that it is of primary importance that the Framework Agreement be accepted, and calls for cooperation with the Organization of African Unity and full implementation of the Framework Agreement without delay;

4. *Welcomes* the acceptance by Ethiopia of the Framework Agreement;

5. *Welcomes* Eritrea's engagement in the process undertaken by the Organization of African Unity, notes the fact that the Organization of African Unity has responded to Eritrea's request for clarifications of the Framework Agreement, and in this regard strongly urges Eritrea to accept the Framework Agreement as the basis for a peaceful resolution of the border dispute between Ethiopia and Eritrea without delay;

⁶ S/1999/90.

⁷ S/1999/32 and S/1999/43.

⁸ S/1999/34.

⁹ S/1999/36 and S/1999/70.

¹⁰ S/1999/63.

6. *Calls upon* both parties to work for a reduction in tensions by adopting policies leading to the restoration of confidence between the Governments and peoples of Ethiopia and Eritrea, including urgent measures to improve the humanitarian situation and respect for human rights;

7. *Strongly urges* Ethiopia and Eritrea to maintain their commitment to a peaceful resolution of the border dispute, and calls upon them in the strongest terms to exercise maximum restraint and to refrain from taking any military action;

8. *Welcomes* the Secretary-General's continued engagement in support of the peace process undertaken by the Organization of African Unity;

9. *Decides* to remain actively seized of the matter.

Decision of 10 February 1999 (3975th meeting): resolution 1227 (1999)

At the 3975th meeting of the Security Council, held on 10 February 1999 in accordance with the understanding reached in its prior consultations, the President (Canada), with the consent of the Council, invited the representatives of Eritrea and Ethiopia, at their request, to participate in the discussion without the right to vote.

At the same meeting the President drew the attention of the Council to a draft resolution prepared in the course of the Council's prior consultations,¹¹ as well as to the following documents: letters dated 29 January, 5 and 8 February 1999, respectively, from the representative of Eritrea,¹² informing the Council of Ethiopian aggression and requesting the Council to condemn it; letters dated 2, 4, 5 and 9 February 1999 from the representative of Ethiopia,¹³ informing the Council of Eritrean aggression and calling on the international community to pressure them to accept the OAU proposal; and a letter dated 8 February 1999 from the representative of Burkina Faso,¹⁴ transmitting a statement by the Organization of African Unity (OAU) on the dispute between Eritrea and Ethiopia.

At the same meeting the representative of Ethiopia stated that it had been nine months since Eritrea had committed an act of aggression against Ethiopia and occupied Ethiopia's territory by force. Although recognizing its right as a sovereign country

to defend itself, he maintained that Ethiopia had chosen instead to seek a diplomatic solution to the crisis. He noted that the Council was aware that Ethiopia had accepted the OAU Framework Agreement, for which the Council, in resolution 1226 (1999) of 29 January 1999, had expressed its full support. He also noted that Eritrea had not only sabotaged and rejected all peace proposals but had carried out provocative military actions in order to create an atmosphere of general crisis and divert the attention of the international community from the core issue of the withdrawal of Eritrea from Ethiopian territory. He drew the attention of the Council to his letters of 4 and 5 February 1999¹⁵ and informed the Council that considering those Eritrean military actions against Ethiopia, his Government had no choice but to exercise its legitimate right of self-defence, as stipulated in Article 51 of the Charter of the United Nations. He commented on the draft resolution, welcoming the fact that the Council reaffirmed resolution 1226, in which it had strongly urged Eritrea to accept the OAU Framework Agreement and underlined that the Framework Agreement remained a viable and sound solution to the conflict. He, however, expressed his delegation's reservations, "in the strongest possible terms", regarding paragraph 7 of the draft resolution, which called for the cessation of arms sales to both countries. He maintained that Ethiopia was a victim of Eritrean aggression and that placing the aggressor and the victim on the same footing was contrary to elementary principles and the sense of justice. He recalled Ethiopia's treatment by the League of Nations in 1936 when the organization imposed an arms embargo on both Italy and Ethiopia, knowing that Italy was self-sufficient in arms while Ethiopia was not. He maintained that since Ethiopia, which was a landlocked country with no relations with rogue States, had no arms supplies, while Eritrea had a long coastline and relations with States whose "commitment to international law is highly questionable", paragraph 7 was essentially targeted against Ethiopia. He concluded by reiterating readiness of Ethiopia to cooperate with parties working for a peaceful resolution of the dispute, despite being a victim of aggression, while maintaining its resolve to defend its sovereignty.

The representative of Eritrea stated that he appreciated the concern of the Council over the

¹¹ S/1999/133.

¹² S/1999/97, S/1999/117 and S/1999/128.

¹³ S/1999/104, S/1999/115, S/1999/119 and S/1999/131.

¹⁴ S/1999/126.

¹⁵ S/1999/115 and S/1999/119.

conflict and the dangerous level to which it had been escalated by the Ethiopian Government and welcomed the Council's decision to be actively seized of the matter. He noted that Eritrea had submitted in writing a reaction to resolution 1226 (1999) and informed the Council that Ethiopia had broken the de facto truce and restarted an all-out offensive against Eritrea.¹⁶ He maintained that it was well known to the Council that Eritrea had consistently called for a renouncement of the threat and use of force, for a firm commitment to a peaceful and legal solution of the conflict and for a binding ceasefire or cessation of hostilities so an atmosphere conducive to the success of the peace process could be created. Such calls were repeated by the international community, including the Council. Despite those calls being rejected by Ethiopia and their threats and preparations for war, Eritrea had continued to engage in good faith with all peace endeavours by concerned parties. He informed the Council that Eritrea had been forced to defend itself from an all-out offensive by Ethiopia, which had been launched pursuant to a standing declaration of Ethiopia's parliament, and not in response to any Eritrean actions. This offensive had escalated the conflict from a containable border skirmish to an all-out war. He maintained that the fact that Ethiopia had initiated the current offensive and violated the United States-brokered moratorium on air attacks had been ascertained by numerous outside observers. He stated that it was "tragic" that the Security Council would not condemn the Ethiopian regime for its irresponsible resort to force to resolve a border conflict. Allowing the Government of Ethiopia to continue to wage war with impunity in violation of the sovereignty of another country would only encourage them to continue, with grave consequences. In conclusion, he reiterated Ethiopia's full responsibility for the escalation and urged the Security Council to act appropriately.¹⁷

At the same meeting the draft resolution was put to the vote and adopted unanimously as resolution 1227 (1999), which reads:

The Security Council,

Reaffirming its resolutions 1177 (1998) of 26 June 1998 and 1226 (1999) of 29 January 1999,

Expressing its grave concern regarding the border conflict between Ethiopia and Eritrea and the resumption of hostilities between the parties,

Recalling the commitment of Ethiopia and Eritrea to a moratorium on the threat of and use of air strikes,

Stressing that the situation between Ethiopia and Eritrea constitutes a threat to peace and security,

1. *Condemns* the recourse to the use of force by Ethiopia and Eritrea;
2. *Demands* an immediate halt to the hostilities, in particular the use of air strikes;
3. *Also demands* that Ethiopia and Eritrea resume diplomatic efforts to find a peaceful resolution to the conflict;
4. *Stresses* that the Framework Agreement as approved on 17 December 1998 by the Summit of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity remains a viable and sound basis for a peaceful resolution of the conflict;
5. *Expresses its full support* for the efforts of the Organization of African Unity, the Secretary-General and his Special Envoy for Africa, and concerned Member States to find a peaceful resolution of the present hostilities;
6. *Calls upon* Ethiopia and Eritrea to ensure the safety of the civilian population and respect for human rights and international humanitarian law;
7. *Strongly urges* all States to end immediately all sales of arms and munitions to Ethiopia and Eritrea;
8. *Decides* to remain actively seized of the matter.

**Decision of 27 February 1999 (3985th meeting):
statement by the President**

At the 3985th meeting of the Security Council, held on 27 February 1999 in accordance with the understanding reached in its prior consultations, the President (Canada), drew the attention of the Council to identical letters dated 27 February 1999 addressed to the Secretary-General and to the President of the Security Council, respectively, from the representative of Eritrea,¹⁸ noting its reservations concerning certain aspects of the OAU Framework and calling on the Council to condemn Ethiopian territorial ambitions and aggression, ensure the implementation of Security Council resolutions and ensure that observers were sent to verify facts on the ground and facilitate demarcation.

¹⁶ S/1999/97.

¹⁷ S/PV.3975, pp. 3-5.

¹⁸ S/1999/215.

At the same meeting, the President made the following statement on behalf of the Council:¹⁹

The Security Council reaffirms its resolutions 1177 (1998) of 26 June 1998, 1226 (1999) of 29 January 1999 and 1227 (1999) of 10 February 1999, which called upon Ethiopia and Eritrea to refrain from armed conflict and to accept and implement the Framework Agreement as approved on 17 December 1998 by the Summit of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity.

The Council demands an immediate halt to all hostilities and calls upon the parties to refrain from the further use of force.

¹⁹ S/PRST.1999/9.

The Council welcomes the acceptance by Eritrea, at the level of head of State, of the Framework Agreement and recalls the prior acceptance of the Agreement by Ethiopia. The Framework Agreement remains a viable and sound basis for a peaceful resolution of the conflict.

The Council reaffirms the sovereignty and territorial integrity of Ethiopia and Eritrea.

The Council expresses its willingness to consider all appropriate support to implement a peace agreement between the two parties.

The Council expresses its continuing support for the efforts of the Organization of African Unity, the Secretary-General and his Special Envoy, Mr. Mohammed Sahnoun and concerned Member States to find a peaceful resolution of the border dispute.

The Council remains actively seized of the matter.

16. The situation in Guinea-Bissau

Initial proceedings

Decision of 6 November 1998 (3940th meeting): statement by the President

By a letter dated 3 November 1998 addressed to the President of the Security Council,¹ the representative of Nigeria transmitted the text of the peace agreement signed by the President of Guinea-Bissau and the head of the self-proclaimed military junta at the end of the twenty-first Summit of the Authority of the Heads of State and Government of the Economic Community of West African States held at Abuja on 31 October and 1 November 1998. The parties to the conflict thereby agreed to reaffirm the ceasefire agreement signed in Praia on 26 August 1998, and agreed to the total withdrawal from Guinea-Bissau of all foreign troops and the deployment of an ECOWAS Military Observer Group (ECOMOG) interposition force that would guarantee security along the Guinea-Bissau/Senegal border and keep the warring parties apart and guarantee free access to humanitarian organizations and agencies. They would immediately put in place a government of national unity, which would include among other things, representatives of the self-proclaimed junta, and

general and presidential elections would be held not later than the end of March 1999.

At the 3940th meeting of the Security Council, held on 6 January 1998, in accordance with the understanding reached in its prior consultations, the Council included in its agenda without objection the above letter and the item entitled "The situation in Guinea-Bissau". Following the adoption of the agenda, the President (United States), with the consent of the Council, invited the representative from Guinea-Bissau, at his request, to participate in the discussion without the right to vote.

At the same meeting, the President made the following statement on behalf of the Council:²

The Security Council welcomes the agreement reached on 1 November 1998, in Abuja, between the Government of Guinea-Bissau and the Self-Proclaimed Military Junta during the Twenty-first Summit of the Authority of the Heads of State and Government of the Economic Community of West African States. In this context, the Council commends the mediation efforts of the Economic Community of West African States and of the Community of Portuguese-speaking Countries, and their respective Chairmen, and recognizes the role of other leaders, in

¹ S/1998/1028.

² S/PRST/1998/31.