

## **Briefing note on the Djibouti-Eritrea Border Stand-off**

1. At its 122<sup>nd</sup> meeting held on 30 April 2008, the Peace and Security Council had an exchange of views on the situation obtaining at the common border between Djibouti and Eritrea and the request made by Djibouti to the AU to dispatch a mission to evaluate the situation on the ground.
2. On that occasion, Council agreed to have further discussion on the matter today, before taking a definite position regarding the release of a Press Statement, whose main outline was agreed to earlier on. In the meantime, the Commission was requested to liaise with Djibouti and Eritrea to gather all available information in order to facilitate the deliberations of Council.
3. As requested by Council, the Commission yesterday sent note verbales to Djibouti and Eritrea. Copies of these notes will be circulated shortly to PSC members. In a nutshell, the Commission informed the two countries that, the PSC would be meeting today to review the situation, and requested them to provide it with any information that would be useful to the PSC as it examines the issue at hand.
4. Late in the afternoon of 1<sup>st</sup> May 2008, the Commission received the response of Djibouti to its note verbale. The AU Office in Asmara has delivered the note verbale to the Ministry of Foreign Affairs in Asmara. The Commission looks forward to an early response by the Eritrean authorities. The response from Djibouti will be circulated.
5. At this stage, it is worth recalling that, on 24 April 2008, the Djiboutian Foreign Minister wrote to the Chair of the PSC for the month of April, to inform him of the following:
  - (i) that since 16 April 2008, a part of the Djiboutian territory, in the area of Ras Doumeira, north of the city of Obock, is occupied by the Eritrean army;
  - (ii) that the Eritrean forces have reinforced their positions on the Doumeira hill, which belongs mostly to Djibouti; and
  - (iii) that other Eritrean forces are positioned between Raheyta and Doumeira, and that, in the night of 16 to 17 April 2008, these forces, which are heavily armed, moved on other sections of the northern part of the Djiboutian border.
6. According to news reports collated over the past days by our Situation Room, the developments of the situation can be reconstituted as follows:

- (i) Around the 16<sup>th</sup> of April, it was reported that Eritrean forces crossed the border in the Ras Doumeira area, a prominent headland on the Red Sea coast, at the terminus of the Djibouti/Eritrea land boundary. The Eritrean forces were reported to have begun digging trenches. How far the Eritreans infringed on the Djiboutian territory is controversial. Some sources put it at several hundred yards, while others mention seven kilometers.
- (ii) On 22 April 2008, it was reported that President Ismail Omar Guelleh led a joint political and military tour of the area. Subsequently, the Djiboutian Foreign Minister claimed that Eritrean positions were being constructed up to 7 kilometres within Djibouti's territory.
- (iii) Eritrea has denied accusations leveled by Djibouti. An Eritrean official was reported to have said, quote, "we are baffled by the accusation from Djibouti. We have no claims on Djibouti territory. The border is clear and does not have any ambiguity, and we have not occupied even one inch of Djibouti's territory." End of quote.
- (iv) On 24 April 2008, it was reported that military officials from both countries met to compare boundary maps and agree on border demarcation. On the same day it was reported that President Ismail Omar Guelleh of Djibouti and his Eritrean counterpart, Isaias Afewerki, held a telephone conversation during which they agreed to resolve the border issue peacefully.
- (v) The Djiboutian Foreign Minister, quoted by media reports, has indicated that, while Eritrean forces had moved back, they are still on a portion of Djiboutian territory. Other sources are stating that the two armies are silently facing each other.

7. Clearly, more information needs to be gathered to establish the facts and clearer sequence of events. However, at this juncture, it is worth highlighting the following:

- (i) The current incidents are not the first ones to occur between Djibouti and Eritrea regarding their boundary. Similar incidents occurred in the 1990s.
- (ii) The Djibouti-Eritrea boundary was delimited by the 1900 Franco-Italian treaty. The north-east section was defined from the northern most tip of Ras Doumeira, on the Red Sea coast, through the watershed along the peninsular for approximately 1.5 kms and then along a straight line towards the south-east of Bessidiro, on the

bank of Oued Weima. Some sources estimate that this section of the boundary has never been demarcated.

- (iii) According to available information, the status of Doumeira Island located just off-shore from Ras Doumeira - which has not been mentioned so far in the current dispute - also remains in question. The 1900 treaty specified that, until France and Italy could decide by agreement who held sovereignty over the island, it would remain effectively under the joint sovereignty of the two States. In January 1935, the two colonial powers signed an agreement that would have adjusted the north-east land boundary section and allocated Doumeira Island to the then-Italian ruled Eritrea. However, the agreement was never ratified by France, and it is presumed that the 1900 treaty still applies.
- (iv) The current situation highlights once more the relevance of the AU Border Programme, which was endorsed by the AU Executive Council in June 2007, in Accra. The objective of the Programme is to ensure the delimitation and demarcation of all African borders where such an exercise has not yet taken place, and to promote cross-border cooperation. Recently, the outgoing Chairperson wrote to all Foreign Ministers of the AU Member States to forward to them the questionnaire prepared by the Commission on the status of African borders. I cannot, but emphasize the importance of this questionnaire. I urge Member States to speedily respond to this questionnaire as part of the efforts to ensure the early delimitation and demarcation of African borders.

8. In conclusion, and in the absence of formal response from Eritrea to the communication sent by the Commission yesterday, Council may either decide to issue a statement now or wait for a few more days, in the hope that Eritrea would respond, before making a formal decision. In any event, through the note verbales sent by the Commission yesterday, Council has, in a way, signaled to the parties that it is seized with the matter and is monitoring the situation.

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