

OAU HIGH LEVEL DELEGATION
PROPOSALS FOR A FRAMEWORK AGREEMENT FOR A
PEACEFUL SETTLEMENT OF THE DISPUTE BETWEEN
ERITREA AND ETHIOPIA

We, the Heads of State and Government, mandated by the 34th Ordinary Session of the Assembly of Heads of State and Government of the Organization of African Unity, held in Ouagadougou, Burkina Faso, from 8 to 10 June 1998, to contribute towards the search for a peaceful and lasting solution to the unfortunate conflict which erupted between the brotherly countries, the State of Eritrea and the Federal Democratic Republic of Ethiopia:

Deeply affected by the outbreak of the conflict between the two countries that are united by historic links of brotherhood and a common culture;

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;

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;

Deploring the fact that, notwithstanding those efforts, an open conflict broke out between the two brotherly countries, with which our 34th summit was seized;

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;

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;

Having considered and endorsed the Report and Recommendations of the Committee of Ambassadors, as submitted by the Ministerial Committee to the parties on 1 August 1998 in Ouagadougou, Burkina Faso;

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;

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

We recommend that:

1. The two Parties commit themselves to an immediate cessation of hostilities;
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;
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 prejudge 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;
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;
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;
 - b) The demilitarization process be supervised by the Group of Military Observers;
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;
- 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 socio-economic impact of the crisis on the civilian population, particularly, those persons who had been deported;
- 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.

November 8th 1998