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THE 1995-96 YEMEN-ERITREA CONFLICT  
OVER THE ISLANDS OF HANISH AND JABAL  
ZUQAR :  
A GEOPOLITICAL ANALYSIS

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*by*

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## PART I

### INTRODUCTION

On the night of 15 December 1995, Eritrean and Yemeni military forces clashed over the island groupings of Greater Hanish<sup>1</sup> and Jabal Zuqar in the southern Red Sea. By the morning of 16 December, Eritrean forces had defeated the Yemeni garrison and captured approximately 160 troops.<sup>2</sup> At first sight, the dispute seemed to be a small, localised conflict. However, the islands in this area have the potential to create and develop an international incident due to their strategic location. Greater Hanish is one of three main islands in a grouping some 160 kilometres north of Bab al-Mandab, the southern entrance to the Red Sea. They lie at one of the critical 'choke points' of world trade and western oil supply, guarding the route from the Arab Gulf to the Suez Canal. It is therefore understandable that the island of Greater Hanish has been described as '... an obscure twelve mile strip of land ... that casts a shadow over one of the world's busiest shipping lanes.'<sup>3</sup>

The islands are roughly equidistant from Yemen and Eritrea and divide the waterway into two strips little more than thirty miles wide. This positioning creates a further problem because of increased speculation concerning the possibility of hydrocarbon and mineral deposits being found in the southern Red Sea. The area had not undergone boundary delimitation, and the territories that Eritrea and Yemen were legally allowed to exploit were unknown. The ownership of an island in this median line position would, therefore, have great consequences to the division of the southern Red Sea. This location near sensitive shipping lanes and the possibility of hidden resources being

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<sup>1</sup> Also known as *Hanish al-Kabir* and *Hanish al-Kubra*.

<sup>2</sup> "Israeli Hand Detected in Yemen-Eritrea Clashes", *Mid East Mirror*, 19 December 1995, pp. 12.

<sup>3</sup> B. Whitaker, "Clash Over Islands", *Middle East International*, 5 January 1996.

discovered endowed the islands with a potential for trouble out of all proportion to their size.<sup>4</sup>

The study of the Hanish dispute has more to offer than simply being a case study of maritime boundary tension. The disagreement has allowed a new evaluation of Middle East/Horn of Africa geopolitics to take place. It has brought differing strategies and aims to attention, and has created an opportunity to analyse the highly reported aims and actions of US and Israeli geopolitics, as well as allowing a window of investigation into the geopolitics of the Arab world.

### *Methodology and Structure*

This paper will study the conflict in two parts. The aim of Part I is to evaluate and analyse the context of this dispute to provide a background as to why the once friendly states of Eritrea and Yemen became locked in a tense, volatile confrontation. An historical evaluation of the islands that addresses the questions of control and sovereignty will be undertaken. The geographical context of the southern Red Sea, the Horn of Africa and southern Arabia will be developed, and the geopolitical complexities which have enveloped this region since the demise of the Ottoman Empire will be exposed. Part II will analyse the Yemen-Eritrea dispute of 1995-96 with a detailed chronology of events with various theories regarding the causation of the conflict.

From this analysis, it will be seen that while this conflict was indeed complex, geographical and historical factors were, at least on the surface, reasonably straightforward, and while they had the potential to result in armed confrontation, it was highly unlikely that this potential would be realised without the assistance of other factors. It will be shown that armed conflict has always been a possibility because of the history of disagreement over this region between Yemen and Eritrea/Ethiopia, and the possibility of the southern Red Sea containing resources that could economically benefit either state. The successful acquisition of the Hanish-Zuqar island groupings could also promote domestic political stability, which is an important fact to recognise in the volatile world of Yemeni politics and the immature state of the Eritrean political system.

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<sup>4</sup> M. Wrong, "Allies Fall Out on Africa's Horn", *Financial Times*, 10 January 1996.

It will further be argued that tension was heightened by the inclusion of other geopolitical influences from regional and global spheres that hoped to benefit from conflict between Yemen and Eritrea in the southern Red Sea. After preliminary investigations, it is believed that these geopolitical factors may have had a significant role to play in the creation of hostilities between Yemen and Eritrea. Therefore, geopolitical manipulation ranging from the global influence of the US to the regional geopolitical influences of Israel and other Arab states will be investigated, the economic possibilities of the southern Red Sea will be analysed, and the domestic political scenarios of Yemen and Eritrea will be discussed in an attempt to construct a comprehensive analysis of the long and short term causes of the 1995/96 conflict in the southern Red Sea.

## GEOGRAPHICAL CONTEXT

The physical geography of the Red Sea may be seen as the theatre in which regional and global actors perform. However, the Red Sea is not simply a passive stage. It also possesses intrinsic physical qualities that influence the actions of nations and the conduct of international relations. This section may, therefore, be viewed as a contextual analysis. As well as summarising the geographical context of the Red Sea, analyses of the interactions between geography and political actions will also be included. The aim is to firstly provide a description of the Red Sea as a whole, then reduce in scale and detail to look at the geography of the southern Red Sea, and finally conclude with a geographical evaluation of the disputed area. Themes for the Part II analysis of the causes of the conflict will be developed by investigating how physical and human/historical geography has affected the actions of littoral states and regional powers.

### *The Red Sea*

The Red Sea is a narrow strip of water extending south-eastward from Suez (30° N) for 1932 kilometres to the strait of Bab al-Mandab (12° 30'N), effectively separating the African from the Asiatic continents.<sup>5</sup> Its average width is 280 kilometres, and shore to shore width increases from north to south. The widest point of the sea is between Massawa (16° N) and Jizan where it is approximately 306 kilometres between the Eritrean and Saudi Arabian coasts. At its southern extremity, the width of the sea narrows to around 30 kilometres in the Strait of Bab al-Mandab which links the Red Sea to the Gulf of Aden and the Indian Ocean.<sup>6</sup> The Red Sea is remarkably deep for such a narrow body of water with an average depth of 490 metres and a maximum depth of 2,920 metres. This great depth is due to the Red Sea lying

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<sup>5</sup> Literally "The gate of tears".

<sup>6</sup> Figures from S.A. Morcos, "Physical and Chemical Oceanography of the Red Sea", *Oceanographic and Marine Biology Annual Review*, vol. 8, 1970, pp. 77.

in a fault depression between the Nubian and Arabian plates of the earth's crust. Consequently, as a result of what is known as sea-floor spreading, the opposing coastlines of the Red Sea are remarkably linear and reasonably parallel. However, the Arabian massif has undergone a northward movement of approximately 150 kilometres from the Nubian massif.<sup>7</sup> This means that the trend of the fault lines run approximately south west to north east, perpendicular to the trend of the Red Sea itself. Furthermore, the tectonic process of spreading creates deep troughs, and such a feature runs down the length of the Red Sea from Sinai at an average depth of 1000 metres. The southernmost limit of the trough is at approximately 15° 02' N. This is approximately 200 kilometres north of the Hanish-Zuqar group, but within the immediate vicinity of the island of Jabal at-Tair.

### 3. Red Sea Resources

A full understanding of the importance of Red Sea geography must take into account the natural resources of the sea and sea-bed, most of which are still under-exploited. To assess conflict between littoral states, the significant factor of natural resources must be acknowledged. The full resource potential of the Red Sea is unknown, but how states perceive the possibilities of natural resources being present off their coasts is perhaps more important than what is actually there. The resources of the Red Sea may be grouped under mineral and flora/fauna categories. The mineral resources associated with the Red Sea may be grouped as follows:<sup>8</sup>

- Resources in solution in the Red Sea and the water itself.
- Resources associated with volcanic rocks, including geothermal energy.
- Resources associated with the most recent sediments.
- Base and precious metal resources associated with modern sediments being precipitated from brines in the deeps of the trough between the Nubian and Arabian plates.
- Resources of the (Miocene) sedimentary rocks, including hydrocarbons.

<sup>7</sup> M. Abdel-Gawad, "Geological Structures of the Red Sea Inferred From Satellite Pictures", in E.T. Degens, and D.A. Ross (eds.), *Hot Brines and Recent Heavy Metal Deposits in the Red Sea: A Geochemical and Geophysical Account*, (New York: Springer-Verlag, 1969), pp. 36.

<sup>8</sup> Categories from Z. Mustafa, "Red Sea Resources", in A.M. Farid (ed.), *The Red Sea*, (London: Croom Helm, 1984), pp. 8.

For the purposes of this study, the categories that are relevant to understanding the dispute between Eritrea and Yemen will be identified and discussed in more detail.

Water and resources in solution may be important for the future, but neither Yemen nor Eritrea has the financial resources to construct costly desalination plants or extract dissolved minerals from water. Resources associated with volcanic rocks include deposits of lead, zinc, manganese, and various precious stones. The Hanish islands are of volcanic origin, but there is no record of the islands being surveyed for such deposits. It is, therefore, unlikely that these resources have contributed to the dispute.

The search for mineral deposits in the Red Sea has a very recent history. The possible existence of base and precious metals in the proximity of the Nubian-Arabian fault first appeared in scientific reports in the early 1960s. The reports stated that the minerals, which were reportedly of enormous value, existed in the deeper troughs of the Red Sea containing holes of over 2000 metres in depth.<sup>9</sup> It was in the depressions between Sudan and Saudi Arabia that deposits of heavy metals in the form of metallic brines were found in 1969. The metalliferous sediments of these hollows have high concentrations of zinc, copper, silver, gold, and some other trace elements. By 1984 a total of 18 deeps were identified, all of which are in the Saudi-Sudanese shared zone. The southern part of the trough opposite the coastline of Eritrea has not been investigated, and it is possible that further 'deeps' producing metalliferous sediments in this sector have not yet been discovered. It should be noted that although the deep sea trough does not extend as far south as the Hanish-Zuqar archipelago, the island of Jabal at-Tair is in the proximity of reasonably deep hollows which have not yet been surveyed.

Resources found in Miocene sedimentary rocks underlying the Red Sea are a major potential source of common minerals, such as salt, gypsum, sulphur, and anhydrite. However, investigations led by the Red Sea Commission of 1975<sup>10</sup> and the existence of geological features, such as the exposed salt domes of south western Arabia and northern Yemen, indicate that the Miocene deposits

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<sup>9</sup> *Ibid.*, pp. 12; and G. Marston, "Potential Legal Problems in the Red Sea", in A.M. Farid (ed.), *op. cit.*, pp. 47.

<sup>10</sup> The Red Sea Commission was the result of Saudi-Sudanese co-operation aimed at developing non-living resources in their area of the Red Sea.

of the Red Sea are characterised by very large areas of geological structures which favour the accumulation of hydrocarbons.<sup>11</sup> Gas has been discovered off Sudan and Eritrea, but recent investigations of the Delta Tokar block off Sudan were not particularly successful, with only limited oil/mud mixtures being discovered.<sup>12</sup> However, major oil companies operate in the region, with Anardarko investigating Eritrean waters, and Total looking at possibilities in Yemeni waters. As we shall see, when the causes of the conflict are analysed, the possibility of oil in the southern Red Sea was a major factor of this conflict, particularly when the economies of both countries have a desperate need to benefit from this profitable source of revenue.

Resources in the flora/fauna category include fisheries and coral. The fisheries of the Red Sea are exploited by every littoral state of the waterway, including Israel, and by fleets of distant nations from India and the Far East, which are keen to exploit the exotic and abundant marine life in the area. Underestimated as a cause of conflict in previous reports, arguments over fisheries were actually a significant factor in the development of hostilities between Yemen and Eritrea, with fishermen being held by both sides. Fisheries also occupy a position of importance in the less developed world, which many western observers fail to appreciate. Eritrea, for example, has a history of a long civil war and severe food shortages, and the importance of fish stocks as a rich source of protein to such countries should not be underestimated.<sup>13</sup>

### *Coral Formations*

A further important physical feature of the Red Sea is the large amount of coral, which is particularly abundant in the southern half. The extensive coral formations in the southern Red Sea, and particularly in the shallow waters surrounding the Hanish-Zuqar grouping, represent a potentially lucrative source of foreign revenue. The demand for coral diving, particularly in such an area of outstanding coral formations and exotic marine life, is extremely high and it is highly likely that any developments which promote this form of

<sup>11</sup> Z. Mustafa, *op. cit.*, pp. 12.

<sup>12</sup> See reports posted on the internet by the International Petroleum Corporation, December 1995, (For example, <http://www.cdn-news.com/index.html>).

<sup>13</sup> Personal communication, Dr David Pool, University of Manchester.

tourism will be very rewarding. The presence of extensive coral formations is also of relevance to this study in legal and jurisdictional terms. Coral formations are mentioned in UNCLOS<sup>14</sup> and may be used to construct baselines around archipelagic formations, such as Hanish, effectively granting a larger jurisdictional area.<sup>15</sup> As coral is continuously growing, there is a possibility that these formations will pose problems in future negotiations.

Crossland identified four classifications of coral formations in the Red Sea, namely the elevated shore reefs, barrier reefs, fringing and dead reefs, and pinnacle reefs.<sup>16</sup> The following description of Red Sea coral follows that of Morcos (1970). Shore reefs fringe the coastline and vary in width from a few metres to over half a kilometre. The edge of these fringing reefs is just covered at low water. These reefs may have steep edges going down to the deep water of the open sea, but it is more common for them to slope gently into lagoons. Extensive reefs produce lagoons of considerable size and depth. Morcos goes on to note that:

*The southern half of the Red Sea is thickly beset with reefs of every description, extending far out on both sides and leaving only a relatively narrow but deep passage in the middle, clear for navigation.*<sup>17</sup>

Furthermore, the median line islands of the southern Red Sea, particularly in the shallow waters of the Hanish-Zuqar archipelago, also possess coral formations, although the extent of them is difficult to establish.

The most important point of this narrow, deep, navigable channel is the strait of Bab al-Mandab which lies 120-160 kilometres south east of the islands of Hanish and Zuqar. This name is primarily associated with the narrowest part of the navigable channel which joins the Red Sea to the Gulf of Aden. The waterway is 23 kilometres wide between *Ras Bah al-Mandab* on the Arabian shore and *Ras Siyan* in Djibouti and is one of the critical 'choke points' of

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<sup>14</sup> United Nations Convention on the Law of the Sea, (1982).

<sup>15</sup> The Law of the Sea, Articles 6, 47(1) & 47(7).

<sup>16</sup> Quoted in S.A. Morcos, *op. cit.*, pp. 80.

<sup>17</sup> *Ibid.*

world trade, transporting 423 million tonnes of shipping in 1994.<sup>18</sup> Conflict within the vicinity of the strait of Bab al-Mandab is, therefore, of great concern to maritime nations across the globe.

### *The Geography of the Disputed Area*

The southern Red Sea is an unusually complex geographical area. Peterson stated that the seas of the Arabian Peninsula are dotted with a multitude of islands, islets, rocks and shoals.<sup>19</sup> However, the southern Red Sea appears to have an abundance of such features, particularly when compared to the northern half of the sea.

The three median line islands mentioned in news reports are Jabal Zuqar with a reported area of 105 km<sup>2</sup>, Greater Hanish with an area of 62 km<sup>2</sup>, and Lesser Hanish (14 km<sup>2</sup>). Furthermore, these islands are surrounded by a host of smaller islands and islets, and possibly 40 such features may be counted as constituents of the Hanish-Zuqar archipelago.<sup>20</sup> The total land area of the Hanish-Zuqar archipelago is approximately 190 km<sup>2</sup>; and the archipelagic cluster stretches over 55 kilometres from the Abu Ali group north west of Jabal Zuqar to south west Haycock, south-south-east of Suyul Hanish. For the purposes of this paper, the Hanish-Zuqar group is defined as those features found from 14° 10' N to 13° 35' N and between 42° 35' E and 43° E. This definition excludes the Muhabakka Islands and the Haycocks which are the recognised territory of Eritrea.<sup>21</sup> If a median line is constructed, equidistant from all identified features in the Hanish-Zuqar archipelago, sovereignty over the islands could give jurisdiction over 6400 km<sup>2</sup> of continental shelf or exclusive economic zone.<sup>22</sup>

<sup>18</sup> M. Plaut, "Eritrea and Yemen: A Clash for Control in the Shipping Lanes", *The World Today*, February 1996, pp. 46.

<sup>19</sup> J.E. Peterson, "The Islands of Arabia: Their Recent History and Strategic Importance", in R.B. Serjeant, and R.L. Bidwell (eds.), *Arabian Studies VII*, (Cambridge: Cambridge University Press, 1985), pp. 23.

<sup>20</sup> For a summary table of southern Red Sea islands, see Appendix I.

<sup>21</sup> Not to be confused with Haycock Island north west of Greater Hanish.

<sup>22</sup> D.J. Dzurek, "Eritrea - Yemen Dispute Over the Hanish Islands", *Boundary and Security Bulletin*, vol. 4, no. 1, 1996, pp. 70.

There are several other islands in the central sector of the southern Red Sea, and in the opinion of the author they present certain fundamental problems, particularly when geographical material is combined with historical evidence. It is possible to identify disagreement in the literature and sources over the limits of the 'central' Red Sea islands. Lapidoth considers the disputed group of central islands as including Jabal at-Tair and the Zubair islands as well as Jabal Zuqar and the islands of Hanish.<sup>23</sup> Fielden also includes the islands of Farasan, Halib, and Fatimah.<sup>24</sup> At the time, the Yemenis and Eritreans never specifically identified which islands were disputed, and it was, therefore, possible that the dispute could have included the more northerly islands of Jabal at-Tair and Farasan, which would obviously have had far reaching consequences for the region.

This possibility was also supported by historical evidence. During the 1920s the Italian Government had persistently attempted to claim the Farasan and Kamaran islands, as well as trying to consolidate their influence on the Hanish-Zuqar archipelago.<sup>25</sup> This historical inclusion of Kamaran and Farasan (and presumably Jabal at-Tair) with the Hanish-Zuqar islands may allow us to speculate that because Eritrea has been diplomatically associated with these islands in the past, her aims may have been greater than simply obtaining the islands of Hanish and Zuqar. It is highly unlikely that the Eritreans in their present state would contest Saudi Arabian sovereignty over the Farasan islands and Yemeni sovereignty over the Kamaran islands, but it is possible that the Zubair islands and Jabal at-Tair are part of the overall Eritrean aims. This suggestion was also supported by a UK Foreign Office report, which considered the islands of Abu Ali and Jabal at-Tair as being part of the dispute between Eritrea and Yemen.<sup>26</sup>

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<sup>23</sup> R. Lapidoth-Eschelbacher, *The Red Sea and the Gulf of Aden*, International Straits of the World Vol. 5., (The Hague: Martinus Nijhoff, 1982), pp. 134.

<sup>24</sup> D.G. Fielden, *The Political Geography of the Red Sea Region*, (Durham: Occasional Publications, Department of Geography, 1978), pp. 46.

<sup>25</sup> C. Leatherdale, *Britain and Saudi Arabia 1925-1939: The Imperial Oasis*, (London: Frank Cass, 1983), pp. 141.

<sup>26</sup> Foreign Office report for the Cabinet Office, early 1996.

This possible enlargement of the disputed area presents several possibilities. Firstly, the disputed area would increase in size and the northerly waters of Jabal at-Tair would include areas of deep sea trough that have the potential to give great economic rewards. Secondly, the inclusion of Jabal at-Tair could bring other regional actors, including Saudi Arabia, into the equation of the dispute.

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## HISTORICAL BACKGROUND

The analysis of theories regarding this dispute, along with the process of developing a long term solution, requires the understanding of the historic claims of both sides and the significance of this area to the combatants, other regional powers, and the international community. With such a background, it will then be possible to analyse the recent manoeuvrings in a clearer context. An attempt will now be made to clarify the question of control by summarising the history of the disputed sovereignty of Hanish and neighbouring islands.

### *The Pre-Ottoman Period*

The islands of the southern Red Sea area had been an object of strategic interest for centuries even before they were first conquered by the Ottomans in the sixteenth century and occupied by the British in 1799 at the time of the Napoleonic invasion of Egypt. Abir notes that the Portuguese at the turn of the fifteenth century and the French in the eighteenth century were aware of the economic-strategic value of the Red Sea, and it may be seen that the present attention the Red Sea receives is also of an economic-strategic nature, rather than purely geopolitical.<sup>27</sup> The themes of economic strategic value and changing, often vague, sovereignty are important aspects to remember when studying the historical context of these disputed islands.

Before the advent of Ottoman control, the northern part of the Red Sea was controlled by the Mamluk Sultans of Egypt and Syria. The southern extremities of the sea were under the control of the Yemeni kings of the *Banu Tahir* dynasty. Between these two powers the Sharifs of Mecca maintained control over the Hejaz.<sup>28</sup>

<sup>27</sup> M. Abir, *Oil, Power & Politics*, (London: Frank Cass, 1974a), pp. 119-120.

<sup>28</sup> R.B. Serjeant, *The Portuguese Off the South Arabian Coast, (Hadrami Chronicles)*, (Oxford: Clarendon Press, 1963), pp. 4-5; Fielden, *op. cit.*, pp. 12.

### *The Ottoman Period*

The ownership of the islands of the southern Red Sea can be traced to 1517 when the Ottoman Turks conquered Yemen and the coast of Eritrea. All of the major islands in this part of the Red Sea were, therefore, under Ottoman control and this fact is frequently used as the starting point for the analysis of the historical context by commentators and the two littoral states themselves.<sup>29</sup> The Eritreans maintain that the southern Red Sea, and more specifically, the Hanish-Zuqar archipelago were administered from the *Denkalian*<sup>30</sup> port of *Mitsiwa* during Ottoman rule.<sup>31</sup>

Under Ottoman control it is indisputable that the islands in the central and southern Red Sea were internationally recognised as Turkish possessions. European influence remained minimal until the inter-war period, and was represented by a private French concern for building and maintaining lighthouses on Jabal at-Tair, Centre Peak (in the Zubair group), and Abu 'Ali under a concession from the Ottoman government.<sup>32</sup> During the First World War and after, these lighthouses became indicators of the importance of the Red Sea to Europe, with countries occupying the islands under the premise of maintaining installations vital to the safety of the shipping lanes. However, this

<sup>29</sup> For example, Dzurek, and Schofield & Pratt commence their investigations in the Ottoman period. The Statement of the Government of Eritrea on the Incident in the Hanish Archipelago, (17/12/95) and the Yemeni Declaration Made upon Signature of the 1982 Convention on the Law of the Sea, (June 1994) also commence their arguments from the Ottoman period. D.J. Dzurek, *op. cit.*; C. Schofield, and M.A. Pratt, "Eritrea and Yemen At Odds in the Red Sea", *Jane's Intelligence Review*, June 1996, pp. 264-268.

<sup>30</sup> The coastal province of Eritrea.

<sup>31</sup> Al-Salman, interview with Eritrean Internal Affairs Minister Said Abdalla Ali in *Al-Sharq Al Awsat*, (13/01/96). Translation in US Foreign Broadcast Information Service, *Daily Report: Sub-Saharan Africa*, (FBIS, Africa) 17/01/96. Dzurek, *op. cit.*, pp. 70-71.

<sup>32</sup> J.E. Peterson, "The Islands of Arabia: Their Recent History and Strategic Importance", in R.B. Serjeant, and R.L. Bidwell (eds.), *op. cit.*, (Cambridge: Cambridge University Press, 1985). All of these islands are in close proximity to the Hanish-Zuqar group.

premise camouflaged the developing rivalry in the Red Sea. The southern islands had actually become pawns in a game of domination in the region with British forces using this reason to occupy the islands with lighthouses, and also occupy Zuqar and Hanish in an attempt to forestall the claims of the Italians who had been in Eritrea since 1889. To protect their interests in the region, Britain primarily wanted to annex the islands. Failing this, it intended to pursue a policy of 'veiled annexation' which involved nominally awarding them to Arab rulers and then concluding a separate treaty with them to secure the islands. However, both aims were foiled by the subsequent Treaty of Lausanne.

### *The Post World War I Era*

After the First World War, the Ottoman Empire was stripped of its territories by the Treaty of Lausanne of 1923. Article 16 of the treaty left the future status of a number of the islands, including the Hanish group, officially undecided. Both Britain and Italy were barred from claiming them, but the British still remained the custodians of the lighthouses. The possible legacy of the Yemeni *Tahir* kings became apparent again in the 1930s as the British embarked on negotiations towards a treaty with the Imam of Yemen. In preliminary discussions, the Imam included the phrase 'the islands of Yemen'. The Aden Resident commented in a despatch to the Colonial Office that the term was probably intended to cover Kamaran, Perim, the Hanish and Jabal Zuqar group, and possibly the Farasan islands.<sup>33</sup> The treaty was concluded in 1934 without reference to the mentioned islands.<sup>34</sup> However, the Imam did make the following statement:

*We therefore hasten to inform your Excellency that the fact that there has been no discussion or reference, in the treaty now concluded, in regard to the well-known islands which were occupied in the Great War, and which have not been restored or handed over to the Yemen which is their original mother, will not invalidate or detract from our fundamental and natural proprietary rights over these islands, nor*

<sup>33</sup> Schofield & Pratt, *op. cit.*, pp. 267.

<sup>34</sup> For further details of the 1934 Treaty of Friendship and Mutual Cooperation: Britain and Yemen, see J.C. Hurewitz, *Diplomacy in the Near and Middle East: A Documentary Record*, vol. II., (NOSTRAND, 1956), pp. 196-197.

*prejudice our complete and absolute reservation and preservation of the said rights. Our clear and legal rights over them will continue firm forever.*<sup>35</sup>

This statement was extremely strong, but the Imam was referring to nothing more than the legacy of the pre-sixteenth century Yemeni kings. The indeterminate status conferred by the Treaty of Lausanne was continued in 1938 when Italy and Britain signed a treaty concerning their respective interests in the Red Sea, and which affected the Hanish-Zuqar islands. The status quo on the islands of the Red Sea was to be maintained, and Britain and Italy agreed to recognise and respect each other's sphere of influence in the region.<sup>36</sup> Article 4 of the agreement states that:

*As regards those islands in the Red Sea to which Turkey renounced her rights ... and which are not comprised in the territory of Saudi Arabia or of the Yemen, neither party will, in regard to any such island, establish its sovereignty, or erect fortifications or defences.*<sup>37</sup>

Dzurek states that mentioning this in Article 4 of the 1938 Agreement indicates that Italy and the UK viewed them as not belonging to Yemen or Saudi Arabia.<sup>38</sup> However, it is unlikely that the Treaty of Lausanne and the 1938 Agreement took into account the legitimacy of Yemeni or Eritrean rights to the islands because they were more concerned with preserving the balance of the Great Powers in the region. A potentially more useful piece of information is uncovered by the 1938 Agreement when it allowed Italian officials onto the Hanish archipelago to 'protect fishermen who resort to those islands', who were required for the maintenance of lights on 'Abu Ail [Abu Ali], Centre Peak and Jebel Teir [Jabal at-Tair]'. This does imply that the islands of Hanish grouping were regularly visited by Eritrean fishermen, Italy had no other reason in wanting to protect them. Baldry supports this argument

<sup>35</sup> Schofield & Pratt, *op. cit.*, pp. 267.

<sup>36</sup> C. Leatherdale, *Britain and Saudi Arabia 1925-1939: The Imperial Oasis*, (London: Frank Cass, 1983), pp. 297-298.

<sup>37</sup> See Hurewitz, *op. cit.*, pp. 216-218 for full details of the 1938 Agreement on Mutual Interests in the Mediterranean. Annex 3: Anglo-Italian Agreement on Certain Areas in the Middle East.

<sup>38</sup> Dzurek, *op. cit.*, pp. 71.

when, in discussing the 1938 Agreement, he states that 'Britain ... conceded the right of Italy to place Italian officials on Jabal Zuqar and the Hanash [Hanish] Islands for the protection of Eritrean fishermen'.<sup>39</sup>

Furthermore, on 20 December 1938, the Italian governor-general for East Africa issued a decree establishing the territorial borders of some districts in Eritrea which stated that '... the islands of the Hanish Zukur group continue to be part of the Commissariat of Dankalia and Aussa'.<sup>40</sup>

A strong connection can, therefore, be realised between the population of the coastal area of Eritrea (*Denakil*) and the fishing communities which frequented the Hanish archipelago and it is possible that this connection has survived to the present day, although the available literature does not confirm nor deny this. However, as historical evidence is a factor in determining the legal status of territory, this connection cannot be ignored.

### *Post World War II*

After the defeat of Italy in the World War II, her influence in the area diminished, and, under Article 23 of the 1947 peace treaty, the publicised connection with Eritrea was renounced.<sup>41</sup> Britain continued to maintain the lighthouses and was appointed as 'managing government' until 1989, when this role was assumed by Yemen.

Yemen inherited the right to preside over the Hanish islands through the need to maintain the lighthouse system. However, we must ask if this inheritance was unquestioned at the time simply because Eritrea was not in existence as an independent state in 1989. Furthermore, Yemen was the obvious choice to take over from Britain in 1989, particularly when we consider the simple fact that the two countries had developed substantial relations in the recent past.

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<sup>39</sup> J. Baldry, "The Struggle for the Red Sea: Mussolini's Policy in Yaman, 1934 - 1943", *Asian and African Studies XVI*, (Bratislava), 1980, pp. 73.

<sup>40</sup> Plaut, *op. cit.*, pp. 47. Denakil is the coastal south eastern province of Eritrea and Aussa is the Eritrean city of Assab. The Hanish-Zuqar group is directly opposite the coastline of Denakil.

<sup>41</sup> Schofield & Pratt, *op. cit.*, pp. 267.

Two further points in the history of these islands have to be discussed in order to elucidate evidence regarding the control of the Hanish - Zuqar archipelago. The first is the Egyptian -Israeli war of 1973. During this war, Egyptian forces occupied the Hanish archipelago and successfully closed the Red Sea to Israeli shipping.<sup>42</sup> The implications of this single action have created many interesting theories regarding the present dispute, but Yemen has also referred to it as proof of their recognised status in Hanish. One of the most mentioned Yemeni arguments regarding ownership is that Egypt approached Yemen, not Ethiopia, for use of the islands. Yemen suggests that, in the opinion of regional neighbours, Hanish is rightfully theirs. However, before accepting this evidence, it must be realised that Egypt had developed a strong relationship with Yemen, and the close ties between Tel Aviv and Addis Ababa, at the time, could have precluded an approach to Ethiopia.

The second similar point supports the Eritrean claim. Throughout their long struggle for independence from Ethiopia, the Eritrean rebels used the islands of Hanish as a base from which to launch attacks. It is suggested that if Yemen owned the islands then they would have questioned the Eritrean's right to operate from them. However, perhaps predictably, while Eritrea is claiming that there was no approach from Yemen at this time, Yemen is claiming that the Eritrean's actions occurred only with their pre-sought consent.

This recent disagreement between the two littoral states may be traced to 1982 when Ethiopia, the YAR<sup>43</sup>, and the PDRY<sup>44</sup> signed the UN Law of the Sea Convention (UNCLOS). Upon signing, the YAR made a declaration in which it confirmed:

*... its national sovereignty over all the islands in the Red Sea and the Indian Ocean which have been its dependencies since the period when the Yemen and the Arab countries were under Turkish administration.*<sup>45</sup>

<sup>42</sup> In effect the Red Sea was shut off to all shipping, a fact which greatly distressed the US because they realised that a regional power could restrict such an area if it wished.

<sup>43</sup> Yemen Arab Republic, (North Yemen).

<sup>44</sup> People's Democratic Republic of Yemen, (South Yemen).

<sup>45</sup> "Declarations made upon signature of the Convention", *Law of the Sea Bulletin*, 1994, pp. 38.

The Ethiopians retaliated in 1984 and stated that:

*... the declaration by the YAR cannot in any way affect Ethiopia's sovereignty over all the islands in the Red Sea forming part of its national territory.*<sup>46</sup>

These statements are ambiguous, and do not specify particular islands. However, they do indicate that both Sana'a and Addis Ababa were highly aware of the forthcoming territorial problems in the southern Red Sea.

### *Discussion*

The legal ownership of the Hanish island grouping is confusing simply because no nation has ever legally been in full possession since the fall of the Ottoman Empire. The young age of the state of Eritrea creates complications because it does not have the same history of administration in the area as neighbouring countries enjoy.<sup>47</sup> Furthermore, all international agreements covering the islands explicitly repeat that sovereignty over the islands remains undetermined. In effect, the indeterminate status granted by the British and Italians is still in operation and both sides have possibly assumed sovereignty simply through the previous lack of interested parties or eligible nations.

The historical evidence is extremely interesting, but hardly gives sharp insights into the validity of each country's claim; and, on the basis of this evidence, neither country appears to have a particularly stronger claim than the other. The strongest historical evidence for Eritrea lies with the 1938 Anglo-Italian Agreement clauses inferring the presence of Eritrean fishermen on Hanish and Jabal Zuqar, and the reported Eritrean evidence of Red Sea islands being controlled from *Mitsiwa* during the Ottoman period. The strongest Yemeni evidence is that which concerns the Yemeni kings and their control over the Red Sea, and subsequent Yemeni reference to that claim in the 1930s. The claims of each side, which use events concerned with the regional wars between 1973 and 1993, are again interesting but they contradict each other and cannot be substantiated. They are, therefore, not particularly useful pieces of evidence.

<sup>46</sup> *Ibid.*, "Ethiopia on a Declaration by the Yemen Arab Republic", *Objections to Declarations*, pp. 46.

<sup>47</sup> Eritrea gained its independence from Ethiopia in 1993.

The analysis of historical claims is interesting, but there are a few points that need to be clarified. The legal concept of 'critical date' has great implications, particularly for the Yemeni evidence. The 'critical date' is the period of time which both states acknowledge as being important to their claim, and is commonly referred to in their evidence. In the case of this dispute, both Eritrea and Yemen have made reference to the demise of the Ottoman Empire in the Red Sea as the last controlling authority of the islands of the southern Red Sea. It is, therefore, likely that when this conflict reaches international arbitration this is date which would be used as a starting point for negotiation and display of evidence. Of course, this would be unfortunate for Yemen which claims that it has maps from the *Banu Tahir* dynasty, but the Yemeni kings were not the last to have indisputably controlled the islands.

On the basis of available historical evidence, it cannot be proved that either side has a substantially stronger claim than the other to the islands of the southern Red Sea. This leads to the conclusion that the imminent process of international arbitration will be able to employ the principle of equitable distribution with a reasonably free hand due to the absence of publicly available evidence clearly showing that either Eritrea or Yemen has controlled the islands in the past. Of course, this assessment depends greatly on the as yet unpublicised documents which both sides claim to have in their possession. However, it is unlikely that such documents exist which conclusively show respective sovereignty over the islands.

## GEOPOLITICAL CONTEXT

The significance of the Red Sea region in geopolitical and economic terms is commonly approached from the global level, and in analysing the Eritrea-Yemen dispute it is a useful exercise to emphasise the main features of the regional and world maps in a geopolitical and geo-economic sense insofar as they concern the Red Sea in the 1990s.<sup>48</sup> A mere glance at a map of the Middle East gives an indication of the strategic importance of the Red Sea. It lies between the continents of Asia and Africa, between the Middle East and Far East, and between Europe and Asia; and the present global importance of the Red Sea is a product of being located at this primary strategic crossroads.<sup>49</sup>

Furthermore, the Red Sea is the connecting waterway between the open seas of the Indian and Atlantic Oceans, by way of the Mediterranean, the Suez Canal, and Bab al-Mandab, and is one of the most vital trade and navigation routes in the world, transporting over 423 million tonnes of shipping in 1994.<sup>50</sup> It constitutes the life-line through which Gulf oil is transported to Europe and through which Europe meets over 60% of its energy requirements.<sup>51</sup>

However, political tension between the states of the Middle East has produced a cornucopia of different geopolitical settings within the region itself. The various different threads of Red Sea regional geopolitics will be investigated, and it will be suggested that past and present geopolitical dynamics between the countries of the Middle East and Red Sea region have influenced the actions of Eritrea and Yemen to a significant degree.

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<sup>48</sup> After the demise of the USSR.

<sup>49</sup> R. Aliboni, *The Red Sea Region: Local Actors and the Superpowers*, (London: Croom Helm, 1985), pp. ix.

<sup>50</sup> Plaut, *op. cit.*, pp. 46.

<sup>51</sup> A.M. Farid (ed.), *op. cit.*, pp. 1.

The following appraisal of the geopolitical context will commence with a study of global geopolitics with an emphasis on the Red Sea region rather than the Middle East as a whole. Aspects of regional geopolitical interaction will then be addressed, and an attempt will be made to highlight possible regional motives for promoting a conflict between Yemen and Eritrea in the southern Red Sea.

### *Global Geopolitics*

In the aftermath of the World War II, the Middle East retained its position of significant strategic importance to the superpowers by being an extensive buffer zone between the USSR on one hand, and Europe and Africa on the other.<sup>52</sup> The Red Sea and Suez Canal were vital for the functioning of the US European allies but, above all, the significance of the Middle East to the US was amplified by the presence of oil.

### *Post World War II Competition*

As a waterway providing access to and from key Middle Eastern states, the area comprised by the Red Sea impinged directly on two vital interests of the US.<sup>53</sup> The first was to assure the security and Western orientation of Arab Gulf oil producing states, and the security of maritime routes that brought the oil to the US, Europe, and Japan. The second has been to assure the security of those Middle Eastern states that are committed to a negotiated settlement of the Arab-Israeli conflict, and to attempt to isolate those states that are committed to the downfall of Israel.

The Red Sea was also an important region in Soviet geopolitical thinking. The aims of the USSR could be divided into economic and military fields. In the economic field, the Soviets aimed to keep the Red Sea functioning as a maritime link between European and Far Eastern Russia. The military aim was to keep the Red Sea safe for Soviet shipping in peacetime and to deny the Red Sea to hostile fleets in time of war. To successfully achieve this, naval bases were required within, or in the immediate vicinity of the Red Sea.

<sup>52</sup> Fielden, *op. cit.*, pp. 18.

<sup>53</sup> M. Sterner, "The Strategic Importance of the Red Sea: A View from Washington", in A.M. Farid (ed.), *op. cit.*, pp. 118.

These aims were to be achieved by gaining the allegiance of countries within the region. Both the US and USSR were active in promoting ties with Red Sea states, and in attempting to undermine the influence of each other. These super powers, therefore, became involved in geopolitics at the regional level, and the importance of this superpower intervention will become apparent in the forthcoming section on regional geopolitics. While this geopolitical confrontation came to an abrupt end with the demise of the USSR in 1990, the Red Sea still remained an important region in the geopolitical thinking of the US and her Western allies and the patterns of global aims and influences may still be observed within the Red Sea. An attempt will now be made to identify and analyse the present day significance of the Red Sea region in global terms, and assess why the US and the West are still involved in the affairs of the Red Sea.

### *Geopolitics of Oil*

The geostrategic importance previously bestowed upon the Middle East by being a global crossroads has in recent years been overshadowed by oil reserves in, and in the vicinity of, the shores of the Arab Gulf. The region is now far more important for its intrinsic wealth than it is for its channels of communications between different continents. The Gulf is estimated to contain 65% of the globe's oil reserves with 659.5 thousand million barrels. The area supplies an estimated 45% of the world's fuel needs and can be expected to rise. At present, the oilfields of the Arab Gulf supply Europe with 60% of its oil needs, 90% of Japan's and will be supplying a growing percentage of US and Russian consumption in the future.<sup>54</sup>

The Red Sea is one of the main arteries by which oil reaches Western Europe. The closure of the Suez Canal between 1967 and 1974 forced the world to live without this route during this period. With respect to oil shipments, this period accelerated the trend of supertankers travelling around the African continent. However, analyses emphasising the importance of the Cape route obscured the significant amount which the Red Sea carried.<sup>55</sup> While most of European bound oil did go via Cape Horn and around the African continent, a sizeable proportion was still sent via the Red Sea and Suez Canal; and by the late

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<sup>54</sup> Figures from the BP Statistical Review, 1996, pp. 4-18.

<sup>55</sup> G.H. Blake, *Maritime Aspects of Arabian Geopolitics*, (Arab Research Centre, 1982), pp. 1.

1980s, the Suez Canal and Red Sea had resumed their former importance as the most economical mode of transportation between Europe on the one hand and Asia, East Africa and the Middle East on the other.<sup>56</sup> The Red Sea, therefore, still remains of supreme importance to Western Europe. This fact, added to the importance of petrodollars to the US economy, means that the Red Sea is perhaps the world's most vital strategic waterway along with the Arab Gulf itself.

As well as being a route out of the Arab Gulf, the Red Sea is also a route into the very heart of the Middle Eastern oil producing region. Furthermore, because of the connection the Red Sea makes between the Indian and Atlantic Oceans, it is a strategic centre and a vital navigation route for military forces on global operations.<sup>57</sup> T. B. Miller states that:

*strategy in an extensive oceanic environment does not involve control of the sea itself, but of specific points of importance in and around it, of access to and routes between them for purposes of trade, . . . or the movement of military force.*<sup>58</sup>

This fact was realised in 1967 when Egypt effectively shut off the Red Sea to the rest of the world. Even the US, with the Sixth Fleet in the Mediterranean and the Seventh Fleet in the Indian Ocean had no option but to wait until access was again granted.

The Red Sea remains a significant global geopolitical entity. The presence of oil in the Arab Gulf, combined with the waterway's natural global positioning at the crossroads of continents, has maintained and enhanced its position as a strategic waterway of paramount international significance. It will remain guarded, and coveted, by global actors for as long as these factors remain.

<sup>56</sup> Sterner, *op. cit.*, pp. 117.

<sup>57</sup> For example, a vessel steaming from Norfolk, Virginia, to the Arabian Gulf, will save some 6,500km, or 7-8 sailing days at the top fleet speed of 20 knots if it proceeded by the Red Sea, (*ibid.*).

<sup>58</sup> T.B. Millar, *The Indian and Pacific Oceans: Some Strategic Considerations*, (Institute of Strategic Studies Adelphi Paper 57, 1969), quoted in Fielden, *op. cit.*, pp. 10.

## *Regional Geopolitics*

When studying the geopolitics of the Red Sea, a fact that is often overlooked is that the waterway is surrounded by regional powers that have their own armed forces and mutual antagonisms. The potential for disruption caused by regional antipathy in the Red Sea is, therefore, a grim possibility, and, on numerous occasions, this possibility has been realised resulting in both regional and international conflict.<sup>59</sup> Regional conflicts that influence, or are influenced by, the Red Sea will now be addressed.

## *The Arab-Israeli Conflict*

The Red Sea and the Arab-Israeli conflict have been inextricably linked in the minds and actions of both sets of adversaries. It is often argued that Israel's southern port of Eilat and the Gulf of Aqaba are of importance to the continued existence of the state of Israel because it granted her access to the Red Sea and the oceans beyond, but a symbolic value can also be attached to the Red Sea for both Arabs and Israelis. For Arabs, the Red Sea is symbolically important because of the presence of the holy cities of Islam on its eastern shores.<sup>60</sup> For Israelis, the Red Sea is a symbol of sovereignty and of Israeli ability to rise above limitations imposed by Arab enmity in the past.<sup>61</sup>

However, the viability of this argument of access to the High Seas depends upon the freedom of navigation within the Red Sea and the ability of Israeli shipping to pass through the many choke points controlling access to and from

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<sup>59</sup> March 1949, Israel-Jordan, (Gulf of Aqaba). October 1956, UK & France-Egypt, (Suez Canal). June 1967, Arab-Israeli war. October 1973, Egypt-Israel, (Egypt took control of Bab al-Mandab. September 1980, Iran-Iraq, (Aqaba became the main outlet of Iraqi foreign trade). Between 1962 and 1967, the Red Sea was the major transport route for Egyptian forces participating in military operations in North Yemen.

<sup>60</sup> A. Hewidi, "Egyptian Policy in the Red Sea, 1952-1982", in A.M. Farid (ed.), *op. cit.*, pp. 138.

<sup>61</sup> N. Lucas, "Israeli Policy in the Red Sea", in A.M. Farid (ed.), *op. cit.*, pp. 147.

secure its vital interests.<sup>65</sup> However, the states bordering the southern Red Sea are not politically stable, and this should be a cause of concern for Israel. Nevertheless, due to the present alignment of most of the Arab world with the US and the hopeful survival of the peace process, it is unlikely that threats in the foreseeable future to shipping in Bab al-Mandab would be supported by the more powerful Arab countries.

It should not be forgotten that the history of the Arab-Israeli conflict suggests that the security of the Red Sea has been a prime Israeli *casus belli*. It is too early in the present peace process to say that the future safety of Israeli shipping in the Red Sea is guaranteed, and it is therefore a possibility that Israel would attempt to secure further influence in the Red Sea if an opportunity, such as regional conflict in vicinity of Bab al-Mandab, ever arose.

### *The Struggle over Eritrea*

Eritrea emerged as an independent political entity in 1993 after 30 years of civil war. The Eritrean dream of independence had come close to fulfilment on three occasions before it was finally realised. The first time was when Italian colonial rule ended in 1941, only to be replaced by a British administration until 1952. The second time was in 1952 when the Eritrean claim to independence was compromised and a federation was formed between Ethiopia and Eritrea largely as a result of US strategic interests. On 14 November 1962, the 30 year civil war commenced with the Ethiopian annexation of Eritrea.<sup>66</sup>

The dream of Eritrean independence was re-awoken following the Ethiopian revolution of 1974, when Emperor Haile Selassie's empire was eventually replaced in 1977 by the Marxist regime of Mengistu Haile Mariam. However, the hope that the new Ethiopian revolutionary government might recognise

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<sup>65</sup> N. Lucas, *op. cit.*, pp. 147. Israel currently operates 8 air to air refuelling tankers giving Israeli military aircraft the capability to strike anywhere in the Red Sea. International Institute of Strategic Studies, *The Military Balance 1995/96*, (Oxford: Oxford University Press, 1995), pp. 137.

<sup>66</sup> R. Iyob, *The Eritrean Struggle for Independence: Domination, Resistance, Nationalism, 1941-1993*, (Cambridge: Cambridge University Press, 1995), pp. 2.

Eritrean aspirations quickly proved to be a delusion.<sup>67</sup> After Mengistu launched the 'red terror' campaign against Asmara and the smaller provincial cities of *Keren* and *Decamhare*, thousands of new recruits joined the EPLF (Eritrean People's Liberation Front). The Eritrean rebels also benefited from Mengistu's alignment with the USSR because they became the proxies of US intervention in the area and subsequently received both US and Israeli aid, weapons, and support. From initial defeats, the EPLF was forced to retreat to northern Eritrea. However, during Ethiopia's 'Red Star' offensive (which aimed to destroy Eritrean resistance), the EPLF captured sufficient quantities of heavy artillery and supplies to transform it from a guerrilla force into a regular army.

Benefiting from a secure base, the EPLF launched a series of attacks throughout the 1980s and slowly drove back the Ethiopian forces on all fronts, and by 1987 had gained effective control of northern Eritrea and successfully cut off the port of Massawa from Ethiopia, isolating Ethiopian forces in besieged Asmara. In May 1991 the EPLF entered Asmara and established an interim EPLF administration. In the same month the Mengistu regime collapsed, subsequent negotiations in London saw the US and Ethiopian delegations accept the EPLF administration as the legitimate provisional government of Eritrea (PGE), and the EPLF agreed to hold a referendum on independence on 23-25 April 1993.

The Red Sea played an important role in the Eritrean drive for independence. From the beginning of the struggle in 1962, the main objective of the Eritrean rebel leadership was to obtain the support of the Arab world. After the emergence of the leftist regime in Ethiopia in 1974 Arab support was more forthcoming, particularly because the strategic importance of the Red Sea had been emphasised during the 1973 Yom Kippur War and the Arab states were less fearful of what was perceived to be a weakened Ethiopia.<sup>68</sup> Fearing the increased presence of the USSR in the Red Sea, Saudi Arabia, Sudan, and Egypt adopted a policy of 'Arabising' the waterway. Soviet encroachment was to be fought with Saudi money, Sudanese diplomacy, and Egyptian influence.<sup>69</sup> Arms transfers to Eritrea were arranged and a Saudi-Sudanese-

<sup>67</sup> *Ibid.*

<sup>68</sup> H. Erlich, *The Struggle Over Eritrea, 1962-1978: War and Revolution in the Horn of Africa*, (Hoover Institution Press, 1983), pp. 79-80.

<sup>69</sup> *Ibid.*

Egyptian body was established, with the aim of co-ordinating the defence of the Red Sea, and Eritrea and Djibouti were invited to join.<sup>70</sup> This link between Eritrea and the Arab world declined in the late 1970s due to internal disputes within the Eritrean leadership, and the increasingly leftist position of the EPLF.

Israeli support to Ethiopia can be traced back to 1958 as part of Prime Minister David Ben-Gurion's attempt to create an alliance of non-Arab countries peripheral to the Middle East. As Arab support for Eritrea increased, Israeli support for Ethiopia did as well. After the closure of the Red Sea to Israeli shipping in 1973, Ethiopia allowed Israeli warships to refuel at the islands of Halib, Fatima, Dahlak, Jabal Zuqar, and Greater Hanish in return for military supplies.<sup>71</sup>

The present connection between Israel and Eritrea is strong and this can be traced back to the era of Communist expansion in the region. The US primarily wished to address the rise of the pro-Soviet regime in Ethiopia under Mengistu, and to limit the expansion of similar forces in South Yemen, Somalia, Mozambique, and Angola. This situation was addressed by encouraging Israel to support Eritrean opposition forces against Mengistu under the cover of the repatriation of Falasha Jews. Once independent, it was reported in 1993 that President Afwerki turned to Israel for money and weapons prompting reports of the following nature:

*Eritrea has decided that affiliation with Arabism may be traditional but not statutory. Afwerki beat them [the other Arab leaders] to the money and support [of Israel].*<sup>72</sup>

Eritrea therefore has previously had strong diplomatic, military and economic ties with Saudi Arabia and Israel. However, the previous relationship between Eritrea and Saudi Arabia has not been mentioned in any analyses to date, and

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<sup>70</sup> *Al-Dustur*, 9 March 1977, *Ma'ariv*, 4 March 1977. Quoted in Erlich, *op. cit.*, pp. 82.

<sup>71</sup> Erlich, *op. cit.*, pp. 104.

<sup>72</sup> Stated by Abdel-bari Atwan, the editor of *al-Quds al-Arabi*. See also "Israel Is Eritrea's Shortcut to Arab Oil Money", *Mid East Mirror*, 19 February 1993.

reports originating in the Middle East have heavily emphasised the past relationship with Israel. It also seems as though Eritrea has inherited the legacy of Ethiopian-Israeli cooperation. Israel would also be more willing to re-evaluate its relationship with Eritrea because Ethiopia is now landlocked and cannot offer naval facilities in the Red Sea which have proved to be a vital aspect of Israeli security.

### *Arabian Geopolitics*

To develop a comprehensive understanding of Red Sea geopolitics it is vital to address the subject of 'internal' Arab geopolitics. The term in this paper is used to describe the relationship between Yemen and the states of the Arabian Peninsula, in particular Saudi Arabia. It will be suggested that the Eritrea-Yemen dispute has been influenced and affected by the inherent antipathy that exists on the Arabian Peninsula between Yemen and its neighbours.

An ideal starting point for understanding the geopolitics of the southern Arabian Peninsula during the 1990s is the Yemeni Civil War of 1994. During this war, Saudi Arabia appeared to support the south against the north, but the motives underlying Saudi actions in this period reflect a policy of weakening Yemeni unification, which had occurred in 1990. After unification, Yemen was no longer embroiled in internal arguments, and instead turned its attention to long-standing territorial disputes with Saudi Arabia. Instead of having two small squabbling nations on its southern border, Saudi Arabia is now confronted with a large country, which is the most populated state on the Arabian Peninsula. This, combined with significant quantities of oil discovered in the disputed area, means that a unified Yemen may be seen as a serious potential threat to the security of Saudi Arabia.<sup>73</sup> This is reflected in the following newspaper report in 1990:

*Saudi Arabia reaffirmed its public support for Yemeni unity and denied attempting to disrupt the process ... privately, however, the Saudi royal family is worried about the political and security implications of a united Yemen.*<sup>74</sup>

<sup>73</sup> M.N. Katz, "External Powers and the Yemeni Civil War", in J.S. al-Suwaidi (ed.), *The Yemeni War of 1994*, (London: Saqi Books, 1995), pp. 82-83.

<sup>74</sup> *Financial Times*, 16 May 1990, pp. 6.

The Saudis also feared the progress towards democratisation, which was becoming apparent in Yemen. Unlike in Saudi Arabia, political opposition was common and allowed in Yemen, and the first full parliamentary elections to be held on the Arabian Peninsula took place in April 1993. The oligarchic, absolutist monarchy of Saudi Arabia feared that democratisation in Yemen would fuel demands for political change in the Kingdom of Saudi Arabia itself.<sup>75</sup>

Furthermore, Yemen's actions during the 1990-91 Gulf War greatly angered both Saudi Arabia and Kuwait. The economy of Yemen was heavily dependent on trade and aid from Iraq, and there was also widespread public support for the Iraqi position. Because of these facts, Yemen refused to back US and UN measures.<sup>76</sup> The Saudis were especially bitter because they had previously provided large scale assistance to the Yemeni regime in an attempt to stabilise their domestic political situation.<sup>77</sup>

Therefore, Saudi Arabia would benefit from the downfall of the present unified Yemeni state. A return to 'two Yemens' would reduce the attention given to the numerous border disputes, and reduce the Yemeni ability to confront Saudi Arabia on sensitive border issues. Secondly, war and tension are not conducive

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<sup>75</sup> *Ibid.*

<sup>76</sup> Europa, *Middle East and North Africa*, (Europa Publications, 1996), pp. 1030.

<sup>77</sup> M.N. Katz, *op. cit.*, pp. 83.

to the development of democracy in Yemen, which in turn could promote stability in a Saudi Arabia that is presently characterised by religious extremists and political turmoil.

SOCS

## PART II

### CHRONOLOGY OF EVENTS

The chronology of events leading up to the conflict of mid-December 1995 may be taken as far back as the early 1980s when Ethiopia and the YAR both declared sovereignty over unnamed islands in the Red Sea upon signing the UN Convention on the Law of the Sea. However, to understand the more immediate causes of the present dispute it is necessary to go back only as far as mid-1995. From this date, the subject of the southern Red Sea was being raised more often between Eritrea and Yemen, and diplomatic exchanges were increasingly of a more aggressive nature. This tension which appeared in the relationship of Yemen and Eritrea was caused by events in the southern Red Sea and, with hindsight, pointed towards a future escalation towards military confrontation and an increasing willingness to use force.

The foundations of a conflict to break out in December 1995 were laid in September when it was realised that the oil production blocks agreed between Eritrea and Anadarko Petroleum overlapped with Yemeni concessions in the southern Red Sea. Furthermore, both of the concession blocks overlapped the island of Greater Hanish. During the same period, Yemen permitted a German company to start construction of a holiday resort on Greater Hanish. According to diplomatic sources this news was received with alarm in Eritrea, and it is after this event that diplomatic activity increased between Asmara and Sana'a.<sup>78</sup> On October 5, the Eritrean Interior Minister, Ali Sa'id Abdella met with his Yemeni counterpart Hussein Mohammed Arab in Yemen ostensibly to discuss security and fishing issues in the Red Sea.<sup>79</sup> However, it is known that

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<sup>78</sup> Plaut names the company as *Konzeptbau*. See Plaut, *op. cit.*, pp. 46.

<sup>79</sup> *Recent events leading to fight over Red Sea islands.* (Internet resource). Voice of the Broad Masses of Eritrea, Asmara, 10 October 1995, (SWB ME/2433 MED/14).

the Eritrean minister was also carrying a message to President Ali Abdullah Salih of Yemen from President Isaias Afwerki of Eritrea.<sup>80</sup>

The subjects covered in the meeting between the interior ministers are not known, and the contents of this letter have never been published. But, judging by the tension that had developed over the oil concession overlap and by the Yemeni construction activities on Greater Hanish the month before, it is very likely that the Hanish islands figured highly in the discussions and in the letter. Whatever was communicated at this meeting and in the letter seems to have promoted a series of more aggressive actions on the Hanish-Zuqar archipelago. Eritrea and Yemen issued conflicting reports of troops being stationed on the islands. Yemeni political sources stated that Eritrean troops landed on the islands around 11 November and declared that the islands were in Eritrean territorial waters and told the Yemeni contingent to withdraw.<sup>81</sup> Eritrea claimed that Yemen had started stationing troops on Hanish from the beginning of November and had prevented Eritrean fishermen from resting on the island.<sup>82</sup> The Yemeni response was to reinforce its forces on the archipelago, again increasing the tension.

The severity of the situation was reflected in the next round of talks held on 16 and 22 November in Sana'a. The delegations were now led by the foreign ministers of each claimant, Abdul-Karim al-Iryani of Yemen and Petros Solomos of Eritrea.<sup>83</sup> The talks ended in deadlock, but it is interesting that at this meeting the Eritreans specifically noted the presence of a foreign investor developing a tourist installation on Greater Hanish.<sup>84</sup> These talks were followed by a telephone conversation between the two presidents who agreed to increase their dialogue.<sup>85</sup> The claimants reconvened in Asmara on 7

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<sup>80</sup> *Ibid.*

<sup>81</sup> The Brightstar Bulletin, part 6, January 1996, (internet resource). Republic of Yemen Radio, Sana'a, 18 December 1995, (SWB ME/2491 MED/2).

<sup>82</sup> Fessehazion, 22 January 1996, (internet resource).

<sup>83</sup> Abdul Karim al-Iryani was also the Yemeni vice-president.

<sup>84</sup> Recent events leading to fight over Red Sea islands, (internet resource).

<sup>85</sup> Radio Monte Carlo - Middle East, Paris, 23 November 1995, (SWB ME/2465 MED/25).

December but no progress was made.<sup>86</sup> By this time, the Arab League had been expressing its support for Yemen, and Eritrea had received similar backing from the Organisation of African Unity (OAU), and this seems to have promoted further tension. For example, the Eritrean Foreign Ministry rejected what it called Arab League interference in the dispute, and said that an Arab League statement on the issue was seditious.<sup>87</sup> According to Eritrean sources, the talks failed when the Yemeni delegation insisted that the only island under consideration in the talks was Greater Hanish. In response, Eritrea claimed that 'all the islands' were subject to discussion.<sup>88</sup>

The Yemeni and Eritrean delegations agreed to meet for a third round of talks, but the dispute erupted in open conflict on 15 December before these talks could take place.<sup>89</sup> Yemen claimed that Eritrean ground and naval forces invaded Greater Hanish first,<sup>90</sup> while Eritrea stated that Yemen attacked Eritrean forces on Suyul Hanish by air, but the subsequent Yemeni naval and ground attacks were repulsed.<sup>91</sup> A ceasefire was agreed between the presidents of Eritrea and Yemen on 17 December. However, Yemen accused Eritrea of capturing Greater Hanish after the ceasefire, while Eritrea claimed that Greater Hanish had captured before the ceasefire came into effect. The size of the forces involved in the fighting is difficult to determine. The size of the Yemeni garrison on Hanish is commonly mentioned to number 500 soldiers, and the Eritrean assault force is referred to as 'sizeable'. The composition of the Eritrean invasion fleet is also confused. According to Whitaker quoting Eritrean sources, the fleet was made up of local fishing boats and commandeered ferries,<sup>92</sup> whereas Yemeni radio reports indicate that the

<sup>86</sup> Voice of the Broad Masses of Eritrea, Asmara, 11 December 1995, (SWB ME/2483 MED/3).

<sup>87</sup> *Ibid.*

<sup>88</sup> Fessehazion, 22 January 1996, (internet resource).

<sup>89</sup> Republic of Yemen Radio, Sana'a, 19 December 1995, (SWB ME/2490 MED/1).

<sup>90</sup> *Ibid.*

<sup>91</sup> Fessehazion, 22 January 1996, (internet resource).

<sup>92</sup> B. Whitaker, "Clash Over Islands", *Middle East International*, 5 January 1996, pp. 14.

Eritreans used 45 gunboats and 2000 soldiers.<sup>93</sup> It was also reported that 160 Yemeni troops were captured.

### *External Mediation*

The attempts of external parties to mediate in the dispute have not been successful. Ethiopia was the first regional state involved, and her attempt to find a peaceful solution commenced when Foreign Minister Mesfin visited Sana'a on 21 December 1995.<sup>94</sup> Ethiopian efforts culminated in a three point plan which included the return of POWs, mutual withdrawal of forces under the supervision of a third party, and submission of the dispute to the International Court of Justice (ICJ). Prisoners were returned, but Yemen did not accept the provisions for troop withdrawal. Egyptian efforts began on 23 December 1996 when the Egyptian special envoy, Umar Suleyman, visited the combatants.<sup>95</sup> After a series of meetings and shuttle diplomacy between Cairo, Asmara, and Sana'a, President Mubarak of Egypt proposed a summit to attempt to peacefully settle the dispute. However, Yemen rejected this idea and publicly moved towards the French initiative forwarded by Francis Guttman, the personal envoy of President Chirac of France.

The French mediation effort began on 6 January 1996. An attempt was made to identify an acceptable framework in which mediation could take place. After initial difficulties, the principles proposed by France were accepted by both Yemen and Eritrea, and an 'Agreement on Principles' was signed in Paris on 21 May 1996.<sup>96</sup> The agreement aimed to establish an arbitration tribunal

<sup>93</sup> *Al-Hayat*, London, 12 January 1996. Interview with Yemeni interior minister Colonel Muhammad Husayn Arab., (SWB ME/2509 MED/21-22).

<sup>94</sup> Radio Ethiopia, Addis Ababa, 20 December 1995, (SWB ME/2493 MED/13).

<sup>95</sup> Voice of the Broad Masses of Eritrea, 23 December 1995, (SWB ME/2495 MED/30).

<sup>96</sup> Radio France Internationale, Paris, 21 May 1996, Republic of Yemen Radio, Sana'a, 21 May 1996., (SWB ME/2619 MED/13-14); Arab Republic of Egypt Radio, Cairo, 13 March 1996, (SWB ME/2611 MED/15). "Ethiopia Endorses Eritrea-Yemen Pact". See Appendix II for the text of the "Agreement on Principles".

firstly to specify the area of the dispute and the position of each party, and secondly to deal with issues related to territorial sovereignty and the drawing of maritime borders. It was proposed that the tribunal would be made up of five arbiters, and each of the two sides would select two of them. The fifth would be selected by the four already chosen. It was also stated that if this attempt at arbitration did not succeed, the dispute would then be submitted to the ICJ.

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## ANALYSIS

The chronology of the dispute does at first sight appear to be quite straightforward. However, numerous hypotheses have been put forward to explain the conflict, and this suggests that the causation factors of this conflict are far from simple. Most of the hypotheses do offer elements of truth, and in order to produce as insightful analysis as possible, they will be studied in conjunction with the evidence provided by the chronology of events and the previous contextual overview. It is hoped that by analysing contemporary commentaries about this conflict and combining the findings with the original analyses, and as yet unpublished evidence of this paper, a comprehensive evaluation of the causes of the Eritrea-Yemen dispute may be produced which is validated by the evidence of the previous contextual chapters.

### *Oil Concessions and Hotel Installations*

Some believe that Eritrea invaded Hanish because Yemen was allowing an investor to build a tourist complex on the island. It was envisaged that this would directly compete with a leisure development on the Eritrean owned Dahlak islands. *The Economist* reported that, at \$210m, it is Eritrea's largest project since independence.<sup>97</sup> It was estimated that Eritrea will receive annual land rent of \$1,250 a hectare and 40% of the gross revenue of the casino.

In comparison, descriptions of the Yemeni project, which started in 1995, indicated an installation that is on a much smaller scale than the one found on Dahlak. It also appeared to be aimed at a different market, with 'scuba diving facilities' constantly being mentioned.<sup>98</sup> This indicates that it is highly unlikely that Eritrea would attack with forces of such magnitude and risk international condemnation simply over the question of hotel competition. Although the initial investment on Dahlak was large, this money was provided by an investor from the US and was not Eritrean capital.<sup>99</sup> Although profits are

<sup>97</sup> *The Economist*, 13 January 1996, pp. 55-56.

<sup>98</sup> B. Whitaker, 5 January 1996, *op. cit.*

<sup>99</sup> *Ibid.*

sizeable, the amounts involved did not warrant the use of 2000 soldiers and 45 gunboats in an operation to stop a rival scheme which was probably not in competition. This is especially true if we consider that there has been a large enough potential market in the Middle East to quite happily fill both developments many times over.

It has also been argued that the arrival of 200 Yemeni soldiers on Hanish to guard the construction site alarmed the Eritreans and they over-reacted to this perceived threat with a greater force. Whitaker believes that the Eritrean leaders are young, adventurous and inexperienced in government and that such a reaction is therefore likely.<sup>100</sup> This leads us to believe that the Eritrean leadership was composed of teenage mercenaries, which is not the case. President Isaias Afwerki has proved to be a balanced leader since independence, and interviews at the time did not give the impression of him being an inept leader.<sup>101</sup> He appeared to be leading with caution, particularly with regard to economic policy, and it is unlikely that he would have resorted to direct conflict over such a matter.

This hypothesis successfully held the attention of many western commentators, but the above analysis has highlighted substantial flaws *in this form*.<sup>102</sup> If the construction of a hotel is placed within the chronological context however, useful inferences may be deduced from it. The construction on Hanish occurred at a similar point in time as oil concessions were granted to Anadarko Petroleum in the Red Sea, and in the opinion of the author of this paper these apparent chronological similarities suggest that hypotheses concerning possible petroleum reserves and hotel installations are inextricably linked. As we have seen, the southern Red Sea is one of the less known areas of the world in terms of knowledge concerning the presence of natural resources. It also does not possess any maritime boundaries. The increasing possibility of oil and gas in this area gave the 354 hitherto neglected islands between Yemen and Eritrea a new value, and one that was possibly worth fighting over.

There have been previous indications that the seabed of the Red Sea in this area is a commercially viable entity. Offshore seismic studies were first carried

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<sup>100</sup> *Ibid.*

<sup>101</sup> See *The Financial Times Survey*, (Eritrea), 18 January 1996.

<sup>102</sup> It is interesting that this idea was not developed by Arab commentators.

out in the 1960s by Gulf Oil, Mobil and Esso; and rock formations, which indicated the possible presence of hydrocarbons, were found. The Eritrean government granted concessions worth \$28m to Anadarko, and Yemen also granted concessions and undertook preliminary work with the French company Total on what analysts reported could result in a multi-billion-dollar project to exploit gas reserves.<sup>103</sup>

The prospects of significant resources being located in southern Red Sea are deemed promising by experts; however it can be argued that it is the national governments' perceptions which are most important. There is a significant amount of wealth which could be available to the state that controls this potential oil supply. The US Ambassador to Eritrea, Mr Robert Houdek publicly stated that 'If the oil fields prove fertile, we're talking hundreds of millions of dollars coming in over the next 10 years.'<sup>104</sup>

Therefore, it can be seen that both countries have increasingly been developing an interest in exploiting natural resources in a territory which is historically undetermined, and most Arab newspapers assumed that the presence of oil in the vicinity is the reason why the dispute resurfaced.<sup>105</sup> However, speculation that oil may exist in the southern Red Sea is not a recent phenomenon, and other Red Sea resources, such as metalliferous muds, which may lie in the vicinity of Jabal at-Tair and the Zubair islands, have also been well documented. Historical evidence also indicates that the significance of the Hanish archipelago has long been acknowledged. The question that must, therefore, be addressed is why a conflict did not break out earlier than 1995.

The position of the Hanish archipelago is of paramount importance in answering this fundamental question. After both sides had granted concession blocks that subsequently overlapped, particularly in the vicinity of the Hanish-Zuqar archipelago, it became obvious to both governments that the control of these islands will ultimately have an important effect on possible oil producing areas.

<sup>103</sup> *The Financial Times*, 10 January 1995; *The Financial Times Survey of Eritrea*, 18 January 1995.

<sup>104</sup> *Ibid.*

<sup>105</sup> *Mid East Mirror*, 19 December 1995, pp. 12.

Because of its position midway between the two states, control of Hanish would grant the sovereign state a significant advantage in boundary negotiations and ultimately increase the area available for exploitation. The increased Yemeni activity on Hanish, in particular the construction of a hotel complex, would certainly strengthen Yemen's claim to sovereignty. The diplomatic manner in which Eritrea reacted does suggest that the possibility of Yemen strengthening its claim on the undetermined Hanish islands was an action that could not be ignored, and it was this building activity on Hanish that was the spark which ignited the explosive situation that had developed in the southern Red Sea.

However, even when we accept that the roots of the conflict may be traced to a combination of conflicting oil concessions, the possibility of oil in the southern Red Sea, and the importance of controlling the Hanish archipelago, there still remains numerous problems which must be addressed. Firstly, how did Eritrea capture a sizeable island so quickly when it officially only possessed a very limited naval capability? Even after a civil war, the Yemeni armed forces were larger and appeared to be better equipped than their Eritrean counterparts.<sup>106</sup> The Eritreans also had little or no experience of the marine/amphibious assaults which they appeared to have undertaken so efficiently. There is also a further question as to why Yemen accepted a peace treaty when, on paper, it had the capability to totally outnumber the Eritrean forces with reinforcements in a matter of hours. The answers to these questions allow us to understand the dynamics of this conflict to a greater extent, and to identify possible external influences.

Some of these questions may be answered if one considers the fact that for Eritrea *there would never have been a better opportunity* to seize the valuable islands of Hanish. If we compare the situations of Yemen and Eritrea in 1995, we could deduce some important facts that were overlooked in previous reports. Firstly, Eritrea had only recently come out of a protracted war of independence. Although poor, the morale of Eritrea was high because it had achieved its aim of independence from Ethiopia. Eritrean forces also had combat experience, and military units had operated from the Hanish archipelago. These troops, therefore, *knew* the geography and characteristics of the islands implicitly. This is a particularly important factor, especially when we realise that President Afwerki agreed to demobilise the army after the elections of 1993. The Eritrean military would not be in a position to

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<sup>106</sup> See Appendix IV for military statistics of Eritrea and Yemen.

successfully capture the islands again for several years. Secondly, Yemen had just emerged from a very destructive civil war and her forces were increasingly engaged on the unstable border with Saudi Arabia. It is therefore argued that the Eritreans were as powerful as they were ever going to be when compared to Yemen, and they took advantage of this fact and engaged in conflict when the opportunity arose.

However, it is at this point that the mechanics of this conflict get increasingly subtle, and attention must now be given to regional and global actors. We shall again examine hypotheses suggested in previous reports, and examine the actions of external players during this dispute. It is suggested that the Yemen-Eritrea conflict was influenced, and its escalation was promoted, by geopolitical manipulation operating at a regional and possibly global level. It should be noted that the secretive nature of contemporary international relations and diplomacy means that the evidence may be circumstantial or inferred.

### *The Israeli Connection*

The involvement of Israel in this dispute was extensively mentioned by Arab commentators. Although care is needed with reports that are vehement anti-Zionist propaganda, it has to be acknowledged that this set of hypotheses have been developed with reference to the geopolitical context of the area.

Arab commentators were highly aware of this link and developed numerous ideas in conjunction with this relationship and the events of 1967 and 1973. Most reports analysing Israeli involvement referred to the Egyptian-Israeli war of 1973 in which the Red Sea was fully controlled by Egypt and her allies. It has, therefore, been suggested that the Israelis wanted a presence in the southern Red Sea to prevent any nation from closing Bab al-Mandab strait to their shipping again.<sup>107</sup> This scenario has led to many speculative reports from Arab sources discussing Eritrean plans to give Israel a strategic base at the southern end of the waterway.<sup>108</sup>

Reports concerning the involvement of Israeli forces in the dispute were particularly prevalent in the Arab press. The direct nature of this reported

<sup>107</sup> *Al-Ra'y*, Amman, 3 January 1996, (BBC SWB ME/2501 MED/13).

<sup>108</sup> See article by H. Tahsin, *Saudi Gazette*, 5 January 1996.

involvement is quite astonishing. Initial Yemeni sources have claimed that the Eritrean landing was commanded by an Israeli officer, named as Lieutenant Colonel Michael Duma<sup>109</sup> from the Dahlak archipelago, and that the landing received support from the Eritrean islands of Greater and Lesser Hosh, where Israeli military units were located.<sup>110</sup> Yemeni units have also claimed to have intercepted radio communications in Hebrew leading to increased suspicion that Israeli personnel were involved in the execution of the invasion.<sup>111</sup>

A further possibility regarding Israeli involvement suggests that Israel had no real intention of building a base in the southern Red Sea but merely wanted to establish the threat of a potentially destabilising conflict in order to force Yemen into the Middle East peace process. Up until this conflict, Yemen had made no attempt to join the increasing number of Arab states who were making peace with Israel. Initially, this idea seems quite tenuous, however, it is supported by statements put forward by Yemeni opposition sources.<sup>112</sup> It is claimed that during the civil war in Yemen, the north received various forms of help from Eritrea, which was acting as an intermediary in supplying aircraft spares from Israel. It was claimed that the Eritreans took Hanish with Israeli support because Sana'a failed to pay for this assistance either by financial means or with diplomatic recognition. Whitaker emphasises the weakness of this scenario because it too predictably contrives to accuse the Sana'a government of perfidy while also implicating Israel in the 1994 victory in the civil war. Furthermore, while this hypothesis is feasible, it is unlikely that Israel would have got involved *to a large extent* in an Arab civil war in 1994, especially as its diplomatic energies were being spent on the development and promotion of the peace process.

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<sup>109</sup> Radio Monte Carlo - Middle East, Paris, 18 December 1995, (BBC SWB ME/2491 MED/2); *Al-Hayat*, *Asharq al-Awsat* and *al-Quds al-Arabi* also reported Israeli involvement and named the officer, (*Mid East Mirror*, 19 December 1995, pp. 12-13).

<sup>110</sup> "Israeli Hand Detected in Yemeni-Eritrean Clashes", *Mid East Mirror*, 19 December 1995, pp. 12-14. Sources include the newspapers *al-Hayat*, *al-Quds al-Arabi*, and *Asharq al-Awsat*.

<sup>111</sup> *Asharq Al-Awsat*, 18 December 1995, (SWB ME/2490 MED/13).

<sup>112</sup> See B. Whitaker, 5 January 1996, *op. cit.*

However, this idea is not consistent with the political situation in the Middle East in the mid-1990s. Firstly, the need to build a base on Greater Hanish which would provoke international criticism when Israel already had the goodwill of Eritrea, armed forces based on the Red Sea islands of Hosh, and the assistance of the recently established US Red Sea Fleet if needed, has to be questioned. The probability of Israel actually wanting to develop a full military infrastructure on Hanish is also low because of the high degree of influence in the Red Sea which Israel had already through factors discussed earlier. Furthermore, it would not fit into the pattern of Israeli foreign policy at the end of 1995, which appeared to be one of conciliatory gestures and rapprochement with the Arab world. Such a development would be viewed as being a highly antagonistic manoeuvre within the region, and would almost certainly arise fears of Zionist expansionism amongst the Arabs.

Secondly, the probability of Israel attempting to drag Yemen into the peace process was strengthened by reports which began to emerge in Israeli and Arab media outlets in January 1996. Israeli radio reported that President Salih of Yemen met with Prime Minister Shimon Peres of Israel on 10 January 1996.<sup>113</sup> At the meeting, it was stated that the Yemeni president promised that the normalisation of relations between Israel and Yemen would develop, albeit very slowly. Furthermore, two Israeli-Arab Knesset members visited Yemen towards the end of February 1996 seemingly to discuss the Yemen-Eritrea dispute.<sup>114</sup> This evidence does, therefore, strongly indicate an Israeli role in the conflict.

### *The Arab Conspiracy*

It is to be expected that reports discussing Arab involvement in non-peaceful intentions in this dispute are scarce. However, hypotheses which discuss an Arab conspiracy against Yemen in particular are very plausible and should not be ignored. The majority of reports discussing Arab involvement against Yemen focus primarily on Saudi Arabia and Kuwait. It is postulated that ever since Yemen sided with Iraq in the Second Gulf War in 1991, Kuwait, Saudi Arabia and their Gulf allies have sought revenge. It is argued that they thought

<sup>113</sup> IDF Radio, Tel Aviv, 11 January 1996, (SWB ME/2508 MED/4).

<sup>114</sup> *Al-Dustur*, Amman, Jordan, 26 February 1996, MENA News Agency, Cairo, 26 February 1996, (SWB ME/2547 MED/5-6). Republic of Yemen Radio, Sana'a, 29 February 1996., (SWB ME/2550 MED/13).

that if they supported the Eritrean war effort, the Yemeni leadership would weaken and the country would once again fall into civil war. Although this may be seen as initially rather fanciful, it is interesting to note that this dispute actually caused social unrest in the urban centres of Yemen, with the government being the focus of much of the anger.<sup>115</sup>

Saudi Arabia had further reasons to assist in the downfall of unified Yemen. Many reports concerning Arab involvement referred to the border dispute between the two states. After a brief but intense period of conflict, Yemen and Saudi Arabia commenced negotiations over the position and demarcation of their common boundary. However, the border between the two countries remained unstable with clashes being reported between regular forces as late as December 1995. A relationship may, therefore, be envisaged between Eritrea and Saudi Arabia. It is possible that the Eritrean action could have been part of an attempt to weaken Yemen in its border negotiations with Saudi Arabia by opening a 'second front'.

While this may or may not be the case, a more direct relationship may be realised between Eritrea and Saudi Arabia when evidence concerning the military situation of the Saudi-Yemen border is combined with the chronology of the Hanish conflict. As well as witnessing an increase in hostility in the southern Red Sea, December 1996 also saw tensions rise along the Yemeni-Saudi border. Western diplomats in Sana'a reported that a border clash occurred in the first week of December when Saudi forces tried to cross into Yemeni territory in a region located near the Omani border (i.e. as far as possible from the Red Sea coastline). The diplomatic sources also quoted eyewitness reports saying that the border area in this eastern region had witnessed extensive Saudi military movements, including the positioning of three infantry and armoured brigades, and combat helicopters on exercise.<sup>116</sup> On 11 December, just four days before the conflict started, Yemeni sources reported clashes near Al-Kharakhir, which is an area claimed by Yemen but

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<sup>115</sup> *Al-Quds al-Arabi* was a particularly regular exponent of Saudi involvement. Reports of public dissatisfaction in the inability of Yemeni forces to hold Hanish may be found in the Dubai national newspaper 8 January 1996. The humiliation of President Salih is discussed by B. Whitaker "French Mediation", *Middle East International*, 2 February 1996.

<sup>116</sup> *Al-Quds al-Arabi*, 12 December 1995., (SWB ME/2486 MED/22).

controlled by Saudi Arabia. Forces of both sides were killed. After these clashes, there were further reports of a build up of Saudi military forces in the region.<sup>117</sup>

It is, therefore, argued that Eritrea planned the attack on the islands when it knew that Yemeni forces and government attention were occupied by increased tension along the border with Saudi Arabia. Because the Yemeni military was focused on the border, it was not able to react to the movement of Eritrean forces in the Red Sea in time to prevent the 200 strong Yemeni garrison on Hanish being defeated. This evidence does explain why the superior Yemeni armed forces were defeated so decisively by Eritrea's ex-militia forces, and why the much expected Yemeni counter-assault failed to materialise. It was simply because the might of the Yemeni military machine was focused at a point approximately 1200 kilometres away from the Red Sea coastline, and could not react in time to a surprise Eritrean assault on Hanish.

A highly controversial question, which may be derived from this evidence, has to be addressed. This question is: was Saudi Arabia directly involved in the eruption of fighting in the Red Sea between Yemen and Eritrea? There is a possibility that Eritrean listening stations merely obtained the knowledge of border tension on 11 December, and then the invasion plans went from there. However, if this was the case, Eritrea could not have been sure of the proportion of Yemeni troops involved in the border operation. Furthermore, because the attack came extremely soon after 11 December, Eritrean forces would have had to be prepared in anticipation for months to strike at the right moment.

Even though this evidence is admittedly circumstantial, it does indicate that there has possibly been some form of Saudi-Eritrean co-operation. When the background of the relations between Yemen and its Arab neighbour are evaluated it becomes clear that Saudi Arabia had very strong motives for forcing Yemen into a costly regional conflict. There is a certain amount of hostility between the two countries, and there is open concern in the Middle East that Yemen has vast economic potential. The following was printed in *Al-Ahram*:

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<sup>117</sup> The Brightstar Bulletin, (internet resource).

[there is] a need to divert and weaken Yemen before it develops into a major player in the Arabian Peninsula, with a large population, growing economy, oil, and a commanding strategic location.<sup>118</sup>

The official Saudi policy on the dispute was to openly criticise Eritrea and support Yemen. Saudi newspapers, which are state controlled, also printed many reports concerning Israeli involvement. The *Saudi Gazette* even pointed out that Israel has the capability to base nuclear missiles on Hanish and threaten the Arabian Peninsula.<sup>119</sup> It is also interesting to note that reports concerning the possible political manoeuvring of Saudi Arabia against Yemen stemmed from the Jerusalem based newspaper *Al-Quds al-Arabi*, which is independent. The editor of this newspaper also recorded the Eritrean president's recent movements and noted the high level receptions which took place in Gulf capitals. For example, President Afwerki was received by the Defence Minister of Saudi Arabia, Prince Sultan Bin Abd al-Aziz, on July 17 1996. Yemeni political circles expressed surprise at the warm reception which the Eritrean president enjoyed.<sup>120</sup>

Again, Saudi involvement cannot be proven, but all of the above hypotheses are possible when we consider the past relationship of Yemen with its Arab neighbours. The predominantly anti-Israeli statements made by the Saudi press, and the Saudi's almost too overtly Yemen bias in this conflict may also be viewed with caution, particularly, when most Arab countries have chose to ignore the dispute.<sup>121</sup>

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<sup>118</sup> *Mid East Mirror*, 24 January 1996.

<sup>119</sup> H. Tahsin, 5 January 1996, *op. cit.*

<sup>120</sup> *Al-Quds al-Arabi*, London, 23 July 1996, (SWB ME/2673 MED/12). Kingdom of Saudi Arabia Radio, Riyadh, 17 July 1996, (SWB ME/2665 MED/21).

<sup>121</sup> The editor of *Al-Quds al-Arabi*, Abdel-bari Atwan, in discussing the limited reaction of Arab states to the Eritrean attack stated that it was 'as though it took place in Scandinavia or the South Pole'.

### *US Involvement*

A direct analysis of US actions is fruitless simply because they said little and no substantiated evidence of their involvement has been made available. However, the contextual evidence does suggest that the lack of US influence in a conflict within the vicinity of Bab al-Mandab is a significant anomaly. The events of 1967 and 1973 emphasised to the US that 'the geographical and navigational bottleneck created by the bleak Bab al-Mandab Strait is a major military and political prize'.<sup>122</sup>

The strategic interests of the US, which include the exploitation and transportation of oil, freedom of navigation, and control of global strategic points, were threatened by the actions of a regional power. After this, the US built a huge military structure in and around the Red Sea area and created a separate naval command for the Red Sea region to protect its interests.

Arab commentators, especially, fear that the US attempted to escalate the conflict and became involved as an international peace mediator. The final aim of this proposed geopolitical manipulation would see the islands of Hanish possibly being internationalised and occupied by UN, or possibly US, peace-keeping forces. This view was directly supported by the statement of a 'senior Yemeni official' who said,

*Yemen fears that the aim of such involvement is to ultimately internationalise the islands near the strategic waterway of the Bab al-Mandab.*<sup>123</sup>

It is almost impossible to consider that the US is outwardly ignoring a conflict in which world navigation in a strategic basin would be controlled by a recently formed state. It should also be realised that the lack of obvious US activity at the time did not mean that it was not doing anything. As was seen with the reaction to the Mengistu regime of Ethiopia, the US is more than capable of carrying out its Red Sea policy by proxy, and Israel and Saudi Arabia to an increasing extent may both be classified as nations influenced by US foreign policy.

<sup>122</sup> *Al-Ahram*, 20 January 1996. Also see "Who's Fuelling the Dispute between Yemen and Eritrea?", *Mid East Mirror*, 24 January 1996.

<sup>123</sup> Reported in the Jordanian newspaper *Al-Ra'y*, Amman, 3 January 1996, (BBC SWB ME/2501 MED/13).

## *Arbitration*

The development of the arbitration process indicates the geopolitical significance of the dispute, and it is interesting to note the diplomatic argument in the Middle East which developed over this question. Before the involvement of the French, Eritrea demanded a joint withdrawal from the 200 islands in the archipelago, followed by international arbitration. When President Afwerki of Eritrea stated that '... the question of legitimacy will have to be settled legally by international arbitration', other regional Arab countries saw this as a plot to allow external intervention into the area.<sup>124</sup> President Ali Abdullah Salih of Yemen stated that he preferred to keep the issue at a regional level, with international arbitration being adopted as a last resort, and this opinion was backed by most Arab countries. The member states of the Gulf Co-operation Council (GCC) offered to mediate between the two warring states, rather than leave the conflict to be handled by '... international or regional powers that have their own interests and calculations at heart'.<sup>125</sup>

After the failure of Ethiopian and Egyptian mediation efforts, the French became involved through the advice of UN secretary-general Boutros Boutros-Ghali. Following the diplomatic efforts of Ambassador Francis Guttman, both sides signed an 'Agreement on Principles' in Paris on 21 May 1996.<sup>126</sup> However, negotiations were extremely slow. Eritrean units reportedly contravened the 'Agreement on Principles' in mid-August by occupying Lesser Hanish, damaging the possibility of a peaceful resolution. Furthermore, reports indicated that the Yemeni coastal city of Hadidah witnessed intense military preparations in anticipation of French mediation efforts failing.<sup>127</sup> and

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<sup>124</sup> *The Financial Times Survey*, 18 January 1996. Also see A. Zaki-Gulaid, *The Saudi Gazette*, 6 January 1996.

<sup>125</sup> From the Bahrain newspaper, *Al-Ayyam*, (Mid East Mirror, 20 December 1995). GCC countries include Saudi Arabia, Kuwait, Bahrain, Qatar, the UAE, and Oman.

<sup>126</sup> Republic of Yemen Radio, Sana'a, 21 May 1996., (SWB ME/2619 MED/14).

<sup>127</sup> *Al-Hayat*, London, 11 April 1996, (SWB ME/2585 MED/27).

large consignments of naval equipment and arms reportedly left Jeddah port in Saudi Arabia bound for the Eritrean Defence Ministry.<sup>128</sup>

However, after intense diplomatic activity took place between the nations involved in the arbitration process, as well as Yemen and Eritrea themselves, both combatants agreed to submit their claims to the Court of Arbitration at The Hague.<sup>129</sup> The panel of five judges published its ruling on 9 October 1998, and awarded sovereignty of the Hanish-Zuqar archipelago and the Zubayr group to Yemen.<sup>130</sup> Eritrea was granted sovereignty over the smaller island groupings to the south-west, including the Mohabbakah Islands and the

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<sup>128</sup> *Al-Quds Al-Arabi*, London, 9 April 1996, (SWB ME/2583 MED/16).

<sup>129</sup> See B. Whitaker, "Favourable Ruling", *Middle East International*, 16 October 1998.

<sup>130</sup> Arbitration Ruling in Dispute Between Yemen and Eritrea, 1998, Articles 4 and 5.

Haycocks.<sup>131</sup> Interestingly, the tribunal did not rule conclusively on fishing rights. Instead, the tribunal allowed for the "perpetuation of the traditional fishing regime in the region, including free access and the enjoyment for the fishermen of both Eritrea and Yemen".<sup>132</sup>

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<sup>131</sup> *Ibid.*, Article 6.

<sup>132</sup> *Ibid.*, Articles 1 and 2.

## CONCLUSION

The conflict over the islands of Hanish provides an insight into a complex world of geopolitical and geoeconomic intrigue at a global and regional scale. According to the historical evidence, the potential for conflict in the southern Red Sea was not a new phenomenon. The British and Italians had competed for influence at the turn of the twentieth century, and this global rivalry continued during the Cold War between the US and USSR. This rivalry also manifested itself through the actions of regional proxies, such as Israel, and the potential for regional antagonism within the limits of the Red Sea was also realised with the tension of the Arab-Israeli conflicts. The importance of the Red Sea in this globally dominated theatre was its *positional* physical geography i.e., its location between the oil producing Arab Gulf and the Western markets.

With the lifting of the superpower rivalry in southern Arabia and the Horn of Africa, the littoral states of the southern Red Sea developed their indigenous interests in the region, and this increasingly focused on the *intrinsic* physical geography of the Red Sea i.e., the natural resources found in, and beneath, the depths of the waterway. The increasing possibility of the presence of hydrocarbons, metalliferous muds, and extensive fisheries has continuously raised the tension, and the perception of such riches by the poor economies of Eritrea and Yemen have magnified the tension even further.

The situation became unacceptable to both sides when it was realised that the *Danakil* Block (Eritrea) and the *Alkathib* Block (Yemen) overlapped the island of Greater Hanish. It was increasingly obvious that the question of sovereignty over the central islands of the Red Sea, which had been reawakened during the signing of the UN Convention on the Law of the Sea in 1982, had to be addressed in the immediate future because the extent of resource producing areas was now threatened by a 'brotherly nation' over the water.

The stationing of troops and the preliminary work on a tourist facility on Hanish by Yemen had been the final causation factor. The presence of an installation on Hanish would greatly strengthen the Yemeni claim, and it is no coincidence that this development was a constant feature of Eritrean

diplomacy before the conflict erupted in fighting. The question of which side attacked first is not important to the analysis. The significant fact is that war was initiated by the possible presence of economically lucrative resources in an area where sovereignty has been historically vague.

Other states were heavily involved in this dispute. Although most Arab commentaries have referred to the Arab-Israeli wars and the importance of controlling Bab al-Mandab, it has been shown that these hypotheses were not valid in the 1990s. A more convincing scenario involves Israel attempting to force Yemen into the peace process by supporting the Eritrean military effort. The meeting which also took place between President Salih and Prime Minister Peres is also highly seductive evidence promoting this theory.

The evidence and analyses of this paper indicate that Saudi Arabia and Kuwait also had a significant input into this conflict. As we have seen, Saudi Arabia had much to gain from the demise of a unified Yemen, and Kuwait was still bitter over Yemeni actions in the Gulf War. However, Arab newspapers vehemently condemned the actions of Eritrea, but again this does not make sense when we realise that President Afwerki of Eritrea received many high level receptions in the Arab Middle East, whereas President Salih had, until very recently, been a political outcast in comparison.

The correlation between the chronology of the conflict and Saudi Arabian troop movements was also striking and does suggest a well planned strategy between Eritrea and Saudi Arabia. Although Saudi Arabia denied reports of a military build up at the Omani-Saudi-Yemeni border, it is very difficult to mistake forces of such magnitude, and the concentration of Yemeni forces in this area does neatly explain why the much expected Yemeni counter attack failed to materialise, and why President Salih accepted a ceasefire at the earliest possibility.<sup>133</sup> If he had not, it is conceivable that Jabal Zuqar would have fallen to Eritrean forces as well as the islands of Greater Hanish.

The involvement of the US is difficult to substantiate simply because they has virtually said nothing, and there has been no obvious diplomatic or military manoeuvring. However, it is almost unthinkable to consider that the US has had no input into a potentially catastrophic conflict for world shipping. In the opinion of the author of this paper the US was certainly involved in the

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<sup>133</sup> SPA News Agency, Riyad, 13 December 1995, (SWB ME/2486 MED/21-22).

dispute, but with aims which are still unclear. There are numerous possibilities ranging from full control of Bab al-Mandab to simply supporting Israeli actions in the region. However, judging by the wider regional scenario, it may be possible that the US was simply attempting to secure its influence in the Horn of Africa by supporting Eritrea (through Israel or even Saudi Arabia) at the expense of Yemen. The Horn of Africa has seen past US intervention in Somalia, and the imposition of sanctions against Sudan indicates that this area is important in current US geopolitical thinking. However, US aims have been well concealed, to say the least, and such a conclusion is admittedly tenuous.

The destiny of the dispute then lay beyond the control of either Yemen or Eritrea, but was invested with the external states that secured influence in the conflict. Neither Yemen nor Eritrea were economically strong, politically stable, or militarily powerful enough to fully secure their objectives, or defend their gains, without the assistance of external powers which operated according to their own agenda. The role of Saudi Arabia within this dispute has been identified as being paramount, both in the developing of the conflict and its resolution. This is particularly interesting when it is realised that the main border concerns of Yemen are with Saudi Arabia, and these concerns also possess a maritime element.

Behind what appeared to be a skirmish between two small underdeveloped nations lay a web of intrigue which implicated powerful regional neighbours and super powers alike. Being located in such a geopolitically tense area, problems still remain, particularly with regard to the delimitation of the maritime boundary between Yemen and Saudi Arabia. It is, therefore, possible that the 1995-1996 conflict over the central islands of the southern Red Sea signified the re-emergence of the Red Sea into the volatile geopolitical conundrum of the Middle East, with future developments over the delimitation of maritime boundaries likely to occur.

## APPENDIX I

### SOUTHERN RED SEA ISLANDS

#### *Southern Red Sea Islands*

Name	Latitude (North)	Latitude (East)	Area (sq km)	Length (km)	Width (km)	Height (m)
<b>Abu Ali Islands</b>						87
Pile Island	14 <sup>0</sup> 04.8'	42 <sup>0</sup> 49.3'	-	-	-	-
Quion Island	14 04.6	42 48.9	-	-	-	
<b>Jabal Zuqar Cluster</b>						
High Island	14 05.3	42 45.6	-	-	-	-
Jabal Zuqar	14 01.0	42 39.5	105	18	12	645
Shark Island	13 57.5	42 41.8	-	1	-	-
Near Island	13 56.9	42 42.7	-	2	1	-
Tunhu	13 52.8	42 42.7	-	-	-	-

Name	Latitude (North)	Latitude (East)	Area (sq km)	Length (km)	Width (km)	Height (m)
<b>Lesser Hanish Cluster</b>						
Lesser Hanish	13 51.7	42 47.4	14	6	3	203
Low Island	13 52.4	42 49.1	-	2	-	-
<b>Great Hanish Cluster</b>						
Haycock Island	13 47.2	42 47.2	-	1	-	-
Addar Ail Islets	13 47.4	42 48.3	-	-	-	37
Mushajirah	13 46.8	42 50.1	-	-	-	7
Greater Hanish	13 43.0	42 43.7	62	19	5	415
Peaky Island	13 46.5	42 45.2	-	-	-	-
Quion Island	13 42.7	42 48.5	-	1	-	-
North Round Island	13 42.5	42 47.4	-	1	-	-
Round Island	13 39.8	42 47.9	-	-	-	-
Double Peak Island	13 39.0	42 44.8	-	2	1	-
Mid Island	13 38.3	42 44.7	-	-	-	-
Rocky Islands	13 38.2	42 46.6	-	-	-	-
Parkin Rock	13 37.6	42 48.6	-	-	-	27
Suyul Hanish	13 37.0	42 44.0	6	4	2	7
South West Rocks	13 38.3	42 36.1	-	-	-	-

Name	Latitude (North)	Latitude (East)	Area (sq km)	Length (km)	Width (km)	Height (m)
<b>The Haycocks</b>						
Northeast Haycock	13 32.4	42 37.7	-	-	-	-
Middle Haycock	13 31.9	42 37.0	-	-	-	-
Southwest Haycock	13 31.3	42 36.4	-	-	-	52
<b>Muhabbaka Islands</b>						
High Island	13 26.8	42 34.5	-	-	-	21
Flat Island	13 24.6	42 33.0	-	-	-	12
Harbi Island	13 21.2	42 49.2	-	-	-	25
Sayal Island	13 19.6	42 34.3	-	-	-	15

“-” indicates negligible (less than 1 km in length or width, or unknown height).

Source: Dzurek, 1996, pp. 77.

**APPENDIX II**  
**THE "AGREEMENT ON PRINCIPLES"**  
**MAY 21 1996**

**SUBJECT: ERITREA-YEMEN ACCORD**

*Text of the "Agreement on Principles" between Eritrea and Yemen concerning their dispute over islands in the southern Red Sea, signed in Paris on 21 May 1996 (as reported by Republic of Yemen Radio, San'a):*

The governments of the Republic of Yemen and the State of Eritrea, which in what follows shall be referred to as the two sides,

Wishing to recover their peaceful relations in the familiar spirit of friendship between their two peoples,

Aware of their responsibilities towards the international community with respect to the preservation of international peace and security and the freedom of navigation in an extremely sensitive area of the world,

Recalling the initiatives and efforts of Ethiopia and Egypt and the UN secretary-general's initiative aiming at encouraging France to help find a peaceful settlement of the Eritrea-Yemen dispute,

Noting France's positive response to the request made by Eritrea and Yemen for such a contribution and the series of French consultations with Eritrea and Yemen,

Agreed to the following:

***1. Basic Stipulations***

**Article 1.** The two sides renounce the use of force against each other and decide to arrive at a peaceful settlement of their dispute on the issues of territorial sovereignty and the drawing of maritime borders. The two sides decide to establish an arbitration tribunal, which will be referred to in what follows as the "tribunal", in accordance with the stipulations of this agreement and in accordance with the arbitration agreement on which they will agree in

accordance with the stipulations of this agreement. The two sides request the tribunal to issue a verdict in accordance with international law and in two phases. In the first phase, the area of dispute between Eritrea and Yemen shall be specified on the basis of the stands of each of the two parties. In the second phase, after the point mentioned above is settled, the verdict shall deal with issues related to territorial sovereignty and the drawing of maritime borders. The two sides avow to respect the tribunal's ruling. The two sides shall refrain from any military activity or movement against the other party. This pledge will remain in force until the final verdict of the arbitration has been implemented.

## *2. Arbitration*

**Article 2.** The arbitration tribunal is made up of five arbiters. Each of the two sides will select two arbiters. The fifth arbiter will be selected by the four arbiters selected by the two sides. If the four arbiters do not reach an agreement, the fifth arbiter will be selected by the head of the International Court of Justice.

**Article 3.** The tribunal's verdict on issues of territorial sovereignty and the drawing of maritime borders between the two sides shall be in accordance with the stipulations listed in Article 1 of this agreement. Regarding the issues of territorial sovereignty, the tribunal's verdict will be in accordance with the principles, bases and applications of international law, with particular emphasis on historical claims. Regarding the drawing of the maritime borders, the tribunal's verdict will take into consideration the view that it will develop on the issues of territorial sovereignty and the UN Maritime Law Convention and all relevant factors. The court may consult with any experts it chooses.

**Article 4.** Representatives of the two sides will meet in Paris as soon as possible in order to draft the agreement on the establishment of the arbitration tribunal. This agreement will specify the jurisdiction of the tribunal and particularly the modes of its action and the rules of its procedures. If the two sides do not arrive at an agreement before 15th October 1996, they should refer to the head of the International Court of Justice and ask him to give one of the arbiters at that tribunal the task of preparing within 30 days a binding agreement for the two sides on the establishment of the arbitration tribunal.

### *3. France's Contribution*

**Article 5a.** The two sides authorise the French government to extend its contributions to the drafting of the agreement on the establishment of the arbitration tribunal. Particularly, it will be left to the French government to propose the date of the first meeting stipulated for in Article 4, Paragraph 1.

**Article 5b.** In order to facilitate the implementation of Article 1, Paragraph 3, of this agreement, any form of military activity or movement will be monitored in accordance with the technical arrangements that France and the two sides should agree on. Such an agreement should be reached as soon as possible and under any circumstances before the agreement on the establishment of the arbitration court is prepared. The arrangements mentioned above aiming to set up a mechanism of monitoring shall be proposed by France, taking into consideration that such arrangements be given the required effectiveness to avoid any tensions. The arrangements in the field of monitoring and its methods shall particularly clarify France's exercise of the freedom of overflights and navigation and all other facilities whenever necessary.

### *4. Final Stipulations*

**Article 6.** Nothing in this agreement, especially in the stipulations provided for in Article 1 above, shall be interpreted in such a way that could be harmful to the legal stands or the rights of either of the two parties with respect to the issues presented to the tribunal, nor to the verdict that will be issued by the arbitration tribunal or the considerations and reasons justifying the said verdict.

**Article 7.** This agreement shall become effective as from the date it is signed by the governments of the Republic of Yemen and the State of Eritrea.

**Article 8.** This agreement shall be signed as witnesses by the governments of France, Ethiopia and Egypt. By doing so, the French government asserts that on the basis of the two sides' obligations mentioned in this agreement, it accepts the tasks mentioned in Article 5 of this agreement.

**Article 9.** A copy of this agreement will be lodged with the UN secretary-general, who shall acquaint the UN Security Council with it, as well as the secretary-general of the Organisation of African Unity and the Arab League secretary-general.

The agreement on the establishment of the arbitration tribunal and the arbitration verdict shall be lodged according to the same stipulations concerning this agreement as provided in Paragraph 1 of this article.

This agreement has been drafted in two original copies in English, Arabic and French. The English text shall be the authoritative source. This agreement has been signed by delegates authorised absolutely for this purpose.

*Signed in Paris on 21st May 1996 by Dr Abd al-Karim al-Iryani on behalf of the Yemeni government and Petros Solomon for the Eritrean government.*

*Witnesses: [Foreign Ministers] Herve de Charette on behalf of the French government, Seyoum Mesfin for the Ethiopian government, Amr Musa for the Egyptian government.*

**APPENDIX III**  
**UNANIMOUS FINDINGS ISSUED BY THE**  
**PERMANENT COURT OF ARBITRATION AT**  
**THE HAGUE,**  
**9 OCTOBER 1998**

1. The islands, islet, rocks and low-tide elevations forming the Mohabbakah islands, including but not limited to Sayal Islet, Harbi Islet, Flat Islet and High Islet are subject to the territorial sovereignty of Eritrea;
2. The islands, islet, rocks and low-tide elevations forming the Haycock Islands, including, but not limited to North East Haycock, Middle Haycock and South West Haycock, are subject to the territorial sovereignty of Eritrea;
3. The South West Rocks are subject to the territorial sovereignty of Eritrea;
4. The islands, islet, rocks, and low-tide elevations of the Zuqar-Hanish group, including, but not limited to, Three Foot Rock, Parkin Rock, Rocky Islets, Pin Rock, Suyul Hanish, Mid Islet, Double Peak Island, Round Island, North Round Island, Quoin Island (13 43 N, 42 48 E), Chor Rock, Greater Hanish, Peaky Islet, Mushajirah, Addar Ail Islets, Haycock Island (13 47 N, 42 47 E; not to be confused with the Haycock Islands to the southwest of Greater Hanish), Low Island (13 52 N, 42 49 E) including the unnamed islets and rocks close north, east and south, Lesser Hanish including the unnamed islets and rocks close north east, Tongue Island and the unnamed islet close south, Near Island and the unnamed islet close south east, Shark Island, Jabal Zuqar Island, High Island, and the Abu Ali Islands (including Quoin Island (14 05 N, 42 49 E) and Pile Island) are subject to the territorial sovereignty of Yemen;
5. The island of Jabal al-Tayr and the islands, islets, rocks and low-tide elevations forming the Zubayr group, including, but not limited to, Quoin Island (15 12 N, 42 03 E), Haycock Island (15 10 N, 42 07 E; not to be

confused with the Haycock Islands to the southwest of Greater Hanish), Rugged Island, Table Peak Island, Saddle Island and the unnamed islet close north west, Low Island (15 06 N, 42 06 E) and the unnamed rock close east, Middle Reef, Saba Island, Connected Island, East Rocks, Shoe Rock, Jabal Zubayr Island, and Centre Peak Island are subject to the territorial sovereignty of Yemen; and

6. The sovereignty found to lie with Yemen entails the perpetuation of the traditional fishing regime in the region, including free access and the enjoyment for the fishermen of both Eritrea and Yemen.

Further, the Tribunal directs that this Award should be executed within 90 days from the date hereunder.

Done at London this 9th day of October, 1998.

**APPENDIX IV**  
**MILITARY STATISTICS OF YEMEN AND ERITREA**

**I. Air Power**

*Yemeni Air Force Inventory*

Type	Role	Quantity
Northrop F-5E	Fighter/Ground Attack	11
Sukhoi-20/-22	Fighter/Ground Attack	16
MiG-21	Fighter	25
MiG-29	Fighter/Interceptor	5
An-12	Transport	1
An-24	Transport	6
An-26	Transport	4
Lookheed C-130H	Transport	2
Shorts Skyvan 3M	Transport	2
IL-14	Transport	4
Agusta-Bell-212	GP Helicopter	1
AB-214	GP Helicopter	3

Type	Role	Quantity
Mi-8	GP Helicopter	14
AB-47	Helicopter	1
	Ka-26	2
Mi-24	Attack Helicopter	8
Northrop F-5B	Combat Trainer	2
MiG-15	Trainer	2
MiG-21U	Combat Trainer	4
Su-22U	Combat Trainer	4

### *Eritrean Air Force Inventory*

The IISS Military Balance 1995/96 states that Eritrea holds *some* air assets, but due to close military cooperation with Ethiopia, the balance lists all air force assets as the possessions of Ethiopia. However, the maximum amount of aircraft Eritrea and Ethiopia may possess is 22 combat aircraft and 18 armed helicopters, compared to Yemen's 69 operational aircraft, 40 in storage, and 8 attack helicopters. Furthermore, it is highly likely that the bulk of the pre-1993 Ethiopian aircraft has remained under the control of Ethiopia, and Eritrea has acquired the naval capability with being situated on the coast.

Source: IISS Military Balance, 1995/96.

## II. Naval Power

### *Yemeni Naval Inventory*

Class	Role	Quantity
<i>Sana'a</i> * (US)	Fast Patrol Craft (Inshore)	3
<i>Zhuk</i> (USSR)	Fast Patrol Craft (Inshore)	5
<i>Osa II</i> (USSR)	Fast Attack Craft (Missile)	2
<i>Yevgenya</i> (USSR)	Mine/Countermeasures	3
<i>Ondatra</i> (USSR)	Landing Craft Utility	2
<i>Polnocny</i> (USSR) <sup>+</sup>	Medium Landing Ship	2

\*Former US *Broadsword* class.

<sup>+</sup>These ships have a capacity of 100 men and 5 tanks.

### *Eritrean Naval Inventory*

Class	Role	Quantity
<i>Zerai Deres</i> <sup>1</sup> (USSR)	Frigate	1
<i>Osa II</i> (USSR)	Fast Attack Craft (Missile)	1
<i>Mol</i>	Fast Attack Craft (Tor.)	1
<i>Swiftship</i> (US)	Fast Patrol Craft (Inshore)	2
<i>Zhuk</i> (USSR)	Fast Patrol Craft (Inshore)	2
<i>Super Dvora</i>	Fast Patrol Craft (Inshore)	1
<i>Natya</i>	Minesweeper (Offshore)	1
<i>Sonya</i>	Minesweeper (Coastal)	1
<i>Polnocny</i> (USSR)	Medium Landing Ship	2
EDIC (France)	Landing Craft	1
<i>Chamo</i>	Landing Craft	2
Undesignated	Landing Craft	4

#### Notes

<sup>1</sup> Soviet *Petya II* Class.

It is highly possible that many of these vessels were seriously damaged in the civil war.

Source: IISS Military Balance, 1995/96.

### III. Land Power

#### *Yemeni Army Inventory*

Equipment	Classification	Quantity
T-34 (USSR)	Main Battle Tank (MBT)	250
T-54/-55 (USSR)	MBT	675
T-62 (USSR)	MBT	150
M-60A1 (US)	MBT	50
AML-245 (Fr)	Reconnaissance (Recce)	60
AML-90 (Fr)	Recce	125
BRDM-2	Recce	125
BMP-1/-2	Armoured Fighting Vehicle	270
M-113 (US)	Armoured Carrier (APC)	60
BTR-40/-60/-152	APC	500
M-194 (76mm)	Towed Artillery (TA)	200
M-101 (105mm)	TA	35
M-1931/37 (122mm)	TA	30
M-1938 (122mm)	TA	40
D-30 (122mm)	TA	125
M-46 (130mm)	TA	70

Equipment	Classification	Quantity
D-20 (152mm)	TA	?
M-114 (155mm)	TA	12
SU-100 (100mm) (USSR)	Assault Gun	30
SM-4-1 (130mm)	Coastal Artillery	36
BM-21 (122mm)	Multiple Rocket Launcher	185
BM-14 (140mm)	MRL	?
M-43	Mortar	50
<i>Frog-7</i>	Surface-Surface Missile	?
SS-21 <i>Scud-B</i>	SSM	12
TOW	Anti Tank Guided Weapon	12
Dragon	ATGW	24
AT-3 <i>Sagger</i>	ATGW	?
M72 LAW	Rocket Launcher	?
M-20 (66mm)	Recoilless Launcher (RL)	?
B-10 (82mm)	RL	?
B-11 (107mm)	RL	?
D-44 (85mm)	Anti-Tank Gun	?
M-167 (20mm)	Anti-Aircraft Gun (AAA)	52
M-163 <i>Vulcan</i> (20mm)	AAA	20
ZU-23 (23mm)	AAA	30
ZSU-23-4 (23mm)	AAA	30
M-1939 (37mm)	AAA	150