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**Hearing Before the House Committee on Foreign Affairs,
Subcommittee on Africa, Global Health, Global Human Rights, and International
Organizations**

2:00 p.m., Wednesday, September 14, 2016
Room 2172, Rayburn House Office Building, Washington, DC

“Eritrea: A Neglected Regional Threat”

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I am grateful to Congressman Smith, the chair, and Congresswoman Bass, the ranking member, for allowing me to contribute to the Subcommittees’ timely review of U.S. policy towards Eritrea. My remarks will describe the current state of affairs inside Eritrea as they relate to US interests in the Horn of Africa. And I will offer some practical suggestions on how the United States might put its relations with Eritrea on a more constructive footing. I had a long meeting with Eritrea’s President Isaias Afwerki in February 2015, and we discussed Eritrea’s relations with the United States at some length. Over the past 18 months I have continued to engage regularly with the Eritrean government, traveling periodically to Asmara, and communicating regularly with American and European diplomats, human rights researchers, United Nations’ officials, and of course the Eritrean diaspora.

The ground is shifting rapidly in the Horn of Africa. Recent events next door to Eritrea, in Ethiopia, have laid bare the fundamental brutality and instability of the government that the United States has used, for years, as its indispensable ally in the region. In recent months, more than 500 peaceful protestors have been gunned down by Ethiopian security forces on the streets of the Oromo and Amhara regions. Since October of last year, more than 10,000 people have been arrested and/or interrogated and/or tortured.¹ Many of these victims have been young students. And less than two weeks ago, at least 23—and probably many more—political prisoners died violently inside the Kilinto prison on the outskirts of Addis Ababa. These events pose a significant and immediate threat to regional security, as an influx of even a million Ethiopian refugees into Somaliland, South Sudan or Eritrea would overwhelm those territories.

Eritrea, on the other hand, poses no obvious threat to US interests. International depictions of Eritrea as a “regional spoiler” have seemed overblown for years – as evidenced by the reporting of the United Nations’ Somalia and Eritrea Monitoring Group. (For the past three years, the

¹ Human Rights Watch, “Such a Brutal Crackdown: Killings and Arrests in Response to Ethiopia’s Oromo Protests,” June 16, 2016, <https://www.hrw.org/report/2016/06/16/such-brutal-crackdown/killings-and-arrests-response-ethiopias-oromo-protests>.

SEMG has found no evidence of significant violations of international law committed by Eritrea, and I understand that the SEMG's upcoming report, due in November, will be no different in this regard.)

On the contrary, a number of surprising and positive developments have recently been occurring in Eritrea, suggesting that the country is determined to throw off the isolation that has characterized most of the "no peace, no war" period. This is very good news for the region; and if the United States can encourage Eritrea along this trajectory, it should. But to do that, Washington will have to drop outdated notions about the threat that Eritrea poses. At a time when the Kenyan army has annexed parts of southern Somalia and is trafficking with al Shabaab, when the Ugandan army is taking sides in South Sudan, and the Ethiopian army is shooting and arresting thousands of innocent protestors, Eritrea truly ranks among the least of the United States' security concerns.

A disordered Ethiopia will make Eritrea more important to US security interests. By virtue of its geographic position between Ethiopia and Yemen, Eritrea is bound to serve either as a bridge or a barrier to the passage of bad actors between the Persian Gulf and the Horn of Africa. Thus far, Eritrea has proved to be a strong barrier to the spread of radical ideologies. This is a role for which it has received little credit. But Washington cannot afford to take Eritrea's implicit cooperation in its counterterrorism efforts for granted.

If Eritrea is overwhelmed with refugees, or otherwise sucked into Ethiopia's growing unrest, the United States could find itself facing instability and perhaps a terror threat on both sides of the critical Mandeb Strait, which is a chokepoint for the trillions of dollars of trade passing between the European Union and Asia. Threats to this trade route have in recent years led the United States to pour billions on billions of dollars into combating Somali piracy – an indication of the trade route's importance to US interests.

For these reasons, the US ought to be concerned about its inability to project influence inside Eritrea's territory. I hope that this hearing may offer the Congress and the incoming Administration some useful insight into how to improve the relationship with Asmara.

INTRODUCTION: The state of Eritrea today

Historical overview of US relations with Eritrea

In 1991, after thirty years of trench and mountain warfare, Eritrean rebels overthrew the Communist Derg regime and won its independence. The tenacity and bravery of the Eritrean rebels captured the hearts and imaginations of people across the globe, but their independence was accepted only grudgingly by the United States, which had been instrumental in denying Eritrea's independence and forcing it into federation with Ethiopia after the second World War. The period between 1991 and 1998 were watershed years for the country: a referendum establishing Eritrea's independence was held, a democratic constitution was written, and Eritrea's economy prospered.

But separation from Ethiopia proved impossible. By 1996, a collection of small, unavoidable disputes between the two countries (over such matters as the regulation of cross-border trade, the creation of an Eritrean currency, and the demarcation of the border) had piling up, adding tension to a more substantive disagreement between President Isaias and Prime Minister Meles Zenawi, over Ethiopia's decision to pursue a model of ethnic "federalism."² In 1998, only seven years after the end of Eritrea's thirty-year battle for independence, these many differences escalated into a full-scale war between the countries that lasted for two years and killed some 90,000 people.

The Ethiopia-Eritrea border war ended when both sides agreed to sign the Algiers Agreement, which established both a cease-fire and an independent border commission in The Hague (called the Eritrea-Ethiopia Boundary Commission, or EEBC). The United States, the European Union, the Organization of African Unity (now called the African Union) and the United Nations signed the Algiers Agreement as witnesses. As it was desperately attempting to broker a peace, the United States apparently made closed-door promises to both sides that it would serve as guarantor to the EEBC's ruling. But when the EEBC eventually awarded most of the disputed border territory to Eritrea—including the flashpoint town of Badme—Ethiopia reneged on the agreement, and the witnesses to the treaty did nothing. Since then, for the past 15 years, Ethiopian troops have been permitted by a silent international consensus to flout the treaty and illegally occupy Eritrean territory. In consequence, the border between the two countries is heavily militarized and skirmishes occasionally claim lives. And Eritrea has been trapped in a painful stasis known as "no peace, no war."

Ethiopia's refusal to comply with the firm and final ruling of the Boundary Commission is the primary source of instability in East Africa. Both Ethiopia and Eritrea have supported armed rebel groups across the region, in efforts to destabilize each other's territory through proxy warfare. Eritrea has exhibited especially poor judgement in its choice of proxies: One of the groups that it supported early on was the al Shabaab militia group in Somalia. By all indications, Eritrean support of al Shabaab was short-lived, insubstantial, had no visible impact on the course of events in Somalia, and occurred before that group was listed as a terrorist organization. Eritrea was nonetheless sanctioned by the UN Security Council—an effort that was spearheaded by the United States.

Ethiopia's invasion of Somalia in late 2006, and the Ethiopian army's subsequent occupation of Mogadishu, by contrast, has done immeasurable harm to US security interests.³ Ethiopia's invasion of Somalia destroyed an innocuous and potentially constructive Somali grassroots governance movement called the Union of Islamic Courts. At the time, Ethiopia falsely alleged that the Union of Islamic Courts was a proxy of al Qaeda, and persuaded Washington to back its interpretation. When Ethiopia invaded Somalia and destroyed this moderate Union of Islamic Courts, it cleared the field for the rise of al Shabaab. Al Shabaab—which before the Ethiopian invasion was unpopular in Somalia—was able to rise to power on a wave of public fury against

² Federalism is a controversial system of government, both in Ethiopia and Somalia; it is effectively a system of ethnic segregation.

³ Bronwyn Bruton, "Somalia: A New Approach," Council on Foreign Relations Special Report No. 52, March 2010, http://www.cfr.org/content/publications/attachments/Somalia_CSR52.pdf.

the atrocities that the Ethiopian army was committing in Mogadishu. It was the rage of the Somali people against Ethiopian and US meddling that permitted al Shabaab to become a national resistance movement; to seize most of southern Somalia's territory; and to provide the long-feared sanctuary to al Qaeda.⁴ Worse still, outrage over the rapes and atrocities perpetrated by Ethiopian troops in Somalia sparked the transit of dozens of Somali Americans from Minnesota to Mogadishu, creating, for the first time, a problem of homegrown radicalization in the United States.

Ethiopia was not sanctioned for these actions; on the contrary, Washington has repeatedly praised the Ethiopian regime for its support of US counterterror efforts,⁵ and since 2006 provided it with billions of dollars in economic, budgetary and humanitarian assistance. Via the African Union, the United States also provides extensive military support to Ethiopia in return for its deployment of troops to Somalia.

The asymmetry of the United States' treatment of these two countries has created a reasonable perception among Eritrean officials that Washington is "hostile" to Eritrea and directly responsible for many aspects of the country's suffering over the past 18 years. Eritrea is even more concerned about American hostility than it is about Ethiopia. As Eritrea's senior presidential advisor, recently commented: "The problem with Eritrea is not Ethiopia; it is the United States."⁶ President Isaias expressed the same conviction when I met with him in February 2015.

Over the years, US rhetoric has helped to establish a fictional dichotomy between the "good" Ethiopia and the "spoiler" Eritrea. This dichotomy is not based on objective fact, and thus has a detrimental effect on US credibility in Africa. The US condemnation of Eritrea and its failure to respond to Ethiopian military adventurism, poor governance, and human rights abuses is widely attributed to the useful role that Ethiopia has played in supporting US counterterrorism objectives. As a result, anti-American sentiment is rising across the Horn of Africa, but most especially in Ethiopia, where the government has imprisoned thousands of journalists, politicians, bloggers, as suspected "terrorists." US political and financial support of the Ethiopian government is widely viewed as instrumental to the regime's continuing stranglehold on power. These perceptions could easily contribute to the rooting of jihadist agenda in the Horn.

Current conditions in Eritrea

The Eritrean government has also made many mistakes. I do not mean to downplay actions that the Eritrean government has taken to support armed groups in the region, to restrict the freedom

⁴ Bronwyn Bruton and Paul Williams, *Counterinsurgency in Somalia: Lessons Learned from the African Union Mission in Somalia, 2007-2013*, report no. 14-5, Joint Special Operations University, ix-110.

⁵ Mehari Tadele Maru, "The Secret to Ethiopia's Counter Terrorism Success," Al Jazeera, July 31, 2015, <http://www.aljazeera.com/indepth/opinion/2015/07/secret-ethiopia-counterterrorism-success-150728112317438.html>

⁶ "INTERVIEW: Mr. Yemane Gebreab with German Reporter," RAIMOQCOM, July 15, 2016, <http://www.raimoq.com/interview-mr-yemane-gebreab-with-german-reporter-oliver/>.

of expression and other civil liberties within its own borders, to violate human rights, and violate norms of diplomat relations (such as the arrest of US embassy employees or the opening of diplomatic pouches). But my respected colleagues on this panel have already ensured that this information is effectively and thoroughly represented on the record.

What is so far missing from the record is the Eritrean government's point of view.

The absence of this perspective is terribly dangerous to US interests in the Horn of Africa, and beyond.

When there is poor access to a country – and there has now been a decade of poor access to Eritrea, just as there was a decade of poor access to Somalia, as of 2006 – it is painfully easy to get it wrong. And there are terrible consequences to getting it wrong in the Horn of Africa.

In my testimony I have already referred to the catastrophic series of events that Washington's misanalysis of events in Somalia triggered in 2006. Washington's missteps in 2006 occurred precisely because it listened only to Ethiopia's point of view. If Washington had back then given Asmara a seat at the table, Somalia would probably look substantially different and better today. Washington might, for example, have recognized the true nature of the Islamic Courts and resisted Ethiopia's ill-conceived attack on Somalia. As important, Washington would have had the means to engage with the right actors in Somalia: not with the liberal fringe of Islamists who gathered in Djibouti and ultimately signed the Djibouti Peace Agreement, but with the middle-of-the-spectrum Islamists, like Hassan Dahir Aweys, who had standing within their clans and who chose to gather in Asmara. Had Washington chosen to engage with those "middle of the spectrum" Islamists, the peace agreements and ceasefires might have held. Asmara said that at the time; Washington didn't listen. And the result is that today, al Shabaab is spreading carnage throughout the whole of East Africa.

The United States cannot afford to get it wrong in Eritrea, not least because that country has valuable insights to offer regarding the resolution of the conflicts in Somalia and South Sudan. And it can't afford not at least to be thinking about worst-case contingencies. If Ethiopia's instability worsens, the United States may ultimately be faced with a situation of multiple state failure in the Horn: a swath of instability that stretches from Somalia, through Ethiopia, to Yemen, through the Sudan, and onwards to the Sahel. And, in this worst-case scenario, Eritrea, Djibouti and Somaliland will be the vital buffers between that instability and the billions of dollars of trade passing everyday through the Mandeb Strait.

The good news is that the United States can still get it right. But a course correction is required.

7 Common misconceptions about Eritrea

To develop a policy towards Eritrea that will promote positive political change rather than do harm, Washington needs first and foremost to understand what is happening there.

Unfortunately, in the absence of eyes on the ground in Eritrea, a number of questionable assumptions have taken root in the policy and media debate about the country. They are:

- 1) The Eritrean government as fragile and unpopular, and could collapse at any time.

My research has convinced me that there is no serious opposition inside Eritrea to President Isaias or his government. There is certainly unhappiness and unspoken dissent inside Eritrea. Increasingly, that dissent is voiced aloud. But Eritreans are very much aware that there is no viable alternative to the present government, and that lack of alternatives has produced a tangible sense of resignation. Of course, as in Ethiopia, the lack of political alternatives is caused by the government's imprisonment and exile of the best and brightest of the political opposition. But it remains a fact that the Eritrean opposition is not perceived as more credible than the government, and in the case of any government collapse, a protracted and potentially violent power struggle would likely occur. Eritreans fear that possibility.

International analysts have often perceived signs that a popular uprising is imminent—many such predictions were made, for example, in the wake of the “Forto incident”⁷ of 2013. But such predictions have proved inaccurate time and again; and the reality is that incidents like the one at Forto, and in Asmara in June of this year,⁸ have proven extremely rare. Policymakers should note that the revolts now spreading through Ethiopia and Zimbabwe have been facilitated by reliable internet connections and a decent amount of cellphone penetration—conditions that do not currently exist in Eritrea.

Finally, Eritreans are passionately nationalistic. Despite the virulent tribal and ethnic conflicts plaguing the rest of the region, the Eritrean government appears to have been exceptionally successful in its own nation-building project. Eritreans seem largely unified across tribal and religious categories. Eritreans across the world, whether or not they support the government, demonstrate a strong sense of national identity and display pride in their country.

Given this dynamic, the United States should consider the possibility that international criticism of Eritrea—reflected in the shrill condemnations of the Isaias regime, the imposition and continuation of sanctions, the failure to enforce the Algiers Agreement, and continued silence regarding the presence of Ethiopian troops on Eritrean soil—may have very counterproductive effects on the ground. Many Eritreans take the insults directed at their government personally, and many are prone to blame Washington rather than Asmara for the current state of affairs in their country. Sanctions and other punitive devices may actually lend credence to government narratives that Eritrea is being persecuted by the international community. Such perceptions can easily lead to increased support for the government, both inside Eritrea and in the diaspora. In particular, Washington should beware that many average Eritreans recoil from human rights narratives that depict them as helpless children waiting desperately for a Western intervention.⁹

⁷ Jeffrey Gettleman, “Coup Attempt by Rebel Soldiers is Said to Fail in Eritrea,” *New York Times*, January 21, 2013, http://www.nytimes.com/2013/01/22/world/africa/coup-attempt-fails-in-eritrea.html?_r=0

⁸ “Shots Fired, Stoning in Eritrea’s Capital,” *Awate.com*, April 5, 2016, <http://awate.com/shots-fired-stoning-in-eritreas-capital/>.

⁹ Makau W. Mutua, “Savages, Victims, and Saviors: The Metaphor of Human Rights,” *Harvard International Law Journal* 42, no. 1 (2001): 201-45, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1525547.

These are the same Eritreans who pride themselves on having fought down the Derg and the Ethiopian army, after all.

In short, Washington's singling out of Eritrea for criticism serves neither its diplomatic nor its governance and human rights objectives.

- 2) Isolation tactics can be used to pressure the Eritrean government into instituting reforms.

Mr. Isaias and his colleagues fought the Derg for thirty years and are far more comfortable now than they were then. They will be pressured into change by Western disapproval.

Further, in this multipolar global environment, it is not possible for the United States to isolate Eritrea. Sanctions, verbal condemnations of the government, the United Nation's Commission of Inquiry on Eritrea, and other such devices have simply compelled the government to give up on America, and to pivot towards China and the Gulf for support. Indeed, the success of that pivot is the primary political development of the past 18 months in Eritrea. Asmara has formed strong strategic alliances with the United Arab Emirates, Qatar and Saudi Arabia, providing a base for their counterterror efforts in the Red Sea basin. It has also scaled up its relations with Egypt, deepened ties to South Africa, and secured a series of new Chinese mining investments. These alliances are more than enough to sustain Eritrea – it is not a large country. And with blank checks starting to flow in from China and Gulf, and with strong support from the Arab world to address its own very pressing counterterror objectives, Asmara has less reason than ever to be concerned about the opinion of Washington.

- 3) The threat from Ethiopia is not real; the government simply uses it as an excuse to crack down on dissent.

The failure of the international community to appreciate the extent to which Ethiopia's actions have destabilized Eritrea is a serious flaw in our analysis of the Horn. The military threat from Ethiopia is real and pressing. Indeed, Ethiopian aggression towards Eritrea has been steadily escalating over the past 18 months and the increased threat of an Ethiopian annexation of Eritrean territory is a major threat to regional stability.

In March 2015, Ethiopia bombed Eritrea twice, striking a military depot in Asmara and killing eight people, and striking the perimeter fence of the Bisha mine (causing no casualties and little damage). For the record, these strikes have been confirmed on a not-for-attribution basis by officials of the Eritrean government, the US government, and the operators of the Bisha mine. Ethiopia's bombing of the Bisha site, a civilian target and a foreign-owned investment, is a clear violation of the rules of war. But neither Washington nor the UN Security Council so much as commented on the attack. Meanwhile, Ethiopia's prime minister, Hailemariam Desalegn, has repeatedly announced—both on the floor of the parliament and in Ethiopia's government-controlled press—that Ethiopia intends to attack Eritrea.¹⁰ In June 2016, Ethiopia did exactly as it had announced, initiating a major conflict on the Eritrean border (at the area known as the

¹⁰ "Ethiopian Threatens Action against Eritrea," *Sudan Tribune*, July 8, 2016. <http://www.sudantribune.com/spip.php?article55622>.

“Tsorona front”¹¹ that killed hundreds of soldiers and displaced an unknown number of civilians. Despite Ethiopia’s admission that it initiated the assault, Washington has merely called for “both parties” to exercise restraint.¹²

The threat of a renewed war between Eritrea and Ethiopia is my number one concern for stability in the Horn of Africa. Washington’s illogical posture towards Eritrea, and its willingness to overlook the military aggressions of its counterterror partners—such as Ethiopia’s invasion of Somalia in 2006; Kenya’s invasion of Somalia in 2011; Kenya’s well-documented and deliberate trafficking of illegal goods with the al Qaeda-linked al Shabaab terror group in Somalia; Uganda’s current incursions into South Sudan; and Ethiopia’s repeated military attacks on Eritrea over the past 18 months—has created a dangerous climate of impunity that has made the renewal of the Ethiopia-Eritrea war substantially more likely.

- 4) The Eritrean government can and should implement reforms before any meaningful Western development assistance or investment is provided to the regime.

For the past 18 years, Eritreans have lived with the threat of a hostile army within its borders. The presence of Ethiopian troops on Eritrean soil has done crippling harm to the Eritrean people. It has produced a state of paralysis that is generally described as “no peace, no war” – a condition of constant insecurity, a limbo in which economic and political development have proved all but impossible. The continued closure of the Ethiopia-Eritrea border has done serious damage to Eritrea’s economy: prior to the border war, the vast majority of Eritrea’s trade was with Ethiopia. That portion of the gross domestic product has entirely disappeared. And the effort to maintain Eritrea’s defenses has continuously consumed an inordinate amount of Eritrea’s budget, which in turn diminishes Eritrea’s ability to develop its schools, hospitals and industries.

The presence of this “army at the gates” has of course also undermined Eritrea’s political development. The over-militarization of the country as a justified means of defending the country has had severe consequences for political and civil space.

The active threat from Ethiopia has also forced the Eritrean government to extend its program of mandatory military conscription far beyond its intended duration of 18 months.

The practice of mandatory, indefinite military conscription in Eritrea (known as the “National Service”) is the primary concern of human rights activists. But reforming the military conscription program will be difficult, despite the Eritrean government’s public statements that it is willing to do so. Currently, nearly all public sector, and probably a majority of private sector, jobs are performed by national service conscripts working for nominal or “volunteer” wages. Asmara claims that it has raised many of these wages already (and anecdotal reports from

¹¹ Bronwyn Bruton, “A Frightening Flare-up on the Ethiopia/Eritrea Border, and Another Resounding Silence from Washington,” *AfricaSource*, June 14, 2016, <http://www.atlanticcouncil.org/blogs/africasource/a-frightening-flare-up-on-the-ethiopia-eritrea-border-and-another-resounding-silence-from-washington>.

¹² US Department of State, “The United States Calls for Restraint on the Ethiopia-Eritrea Border,” June 14, 2016, <http://www.state.gov/r/pa/prs/ps/2016/06/258489.htm>.

Western journalists and diplomats seem to confirm this). But fully normalizing the National Service will require the conversion of most National Service positions into civil service and private sector jobs that provide a market-based wage. Without a significant influx of development funding or investment, it is hard to see how that would be possible to achieve. This strongly suggests that development assistance to Eritrea will need to precede any meaningful reform of the National Service program – not the other way around.

- 5) The Eritrean government exerts pervasive and stifling control over every aspect of life in Eritrea.

In preparation for my first visit to Eritrea, I met with a range of US intelligence officers. One of these individuals was particularly well informed, having studied Eritrea for more than a decade. When I asked her what I should be alert for during my visit, and whether there was any information that she would consider helpful for her own research, she responded:

“Find out if there is a government in Eritrea, outside of Asmara.”

This officer is to be commended for her thoughtful open-mindedness; but the question itself is a rather frightening indication of how very little even our intelligence community understands about the nature of government control in Eritrea.

The idea that there is no government outside of Asmara is clearly false; but equally false is the notion that Eritrea exercises a North Korea-like control over its citizens.

Through my conversations with the Western diplomats serving in Asmara, I found that they unanimously agree that the Eritrean government is among the least corrupt in Africa, and they don't doubt the government's commitment to achieving economic development for Eritrea. They do agree, however, that the government's capacity is alarmingly low. The arrest or defection of many senior members of the party over the years has left President Isaias dependent on a very small handful of trusted advisors to run the country. When one of them leaves the country, important affairs are put on hold. Migration has created a terrible problem of “brain drain” in Eritrea – so that there is a near-desperate lack of capacity in the middle and lower ranks of the bureaucracy. Eritrea has also been systematically starved of development funds and investment since the border war; so, despite its abundant natural resources, its lack of corruption, and its strategic location on the Red Sea, it is now one of the very poorest nations on earth.¹³

Given that the Eritrean government is extremely poor, deeply lacking in capacity at many levels, and profoundly dependent on involuntary military conscripts, its capacity to truly coerce the Eritrean population is probably quite limited. Assuredly, intimidation does occur, and is considered oppressive by Eritreans with whom I have spoken, both inside and outside the country. It has become clear to me, however, that government intimidation is only one of many

¹³ As of 2015, Eritrea was ranked 186 out of 187 countries on the United Nations Development Programme's Human Development Index. See “Human Development Reports: Eritrea.” United Nations Development Programme. <http://hdr.undp.org/en/countries/profiles/ERI>.

factors that has produced a state of “stasis”¹⁴ or quietude in the population. Other important factors include: the state of “no peace, no war,” leading many to feel that political reforms must be deferred until the nation is secured; loyalty to the liberation party, coupled with anger at the United States, and a perception that sanctions and other Western actions are responsible for Eritrea’s problems; the ability of dissatisfied Eritreans to migrate from the country; the fear that the likely alternatives to President Isaias are even worse.

All of these factors contribute to the population’s continued acceptance of the regime. The narrative of crushing government repression is not only too simplistic, but likely to lead Washington into policy errors.

6) The state of human rights is worse in Eritrea than it is in any other country in the region.

Though extensive human rights violations occur in Eritrea, the country is extremely stable and appears to have very low rates of crime or chronic hunger. The populations of Somalia, Sudan and South Sudan experience far higher levels of violence. In terms of repression, Eritrea is on a par with Ethiopia and Djibouti. A recent UN Human Rights Council Commission of Inquiry on Eritrea entirely failed to make the case that Eritrean human rights abuses were either systemic or the result of deliberate government policy.¹⁵ Though Eritrea’s human rights record is assuredly a concern, Eritrea is not uniquely bad when compared to the other countries of the Horn.

7) Change in Eritrea is impossible as long as President Isaias remains in power.

Despite the profound challenges that Eritrea faces, the government is attempting to emerge from the economic and political stasis of the post-border war period. In the past two years, Asmara has made serious efforts to improve its relations with European countries. It has formed new alliances with Arab and African partners, has sought to reenter the Intergovernmental Authority on Development (IGAD), and has ramped up its participation in the African Union. Approximately fifty foreign journalists have been permitted to enter and report on the country. Significantly, several foreign NGOs have been permitted to re-enter Eritrea and to open programs in the country, and one of these groups, Finn Church Aid, recently visited Sawa, a school and military training camp that has been off-limits to Westerners for about a decade and is thought to be the epicenter of human rights abuses in the country. The UN Office of the High Commissioner for Human Rights was recently permitted to tour a prison. Eritrea has also recently released all of the living Djiboutian prisoners of war, a major development that bodes well for regional stability. The judicial code has been revised, though the changes are not yet implemented. It appears that the government is raising the salaries of National Service conscripts, which it says is the first step towards normalizing the program and converting the NS posts into civil service and private sector jobs. President Isaias has also indicated that he is in the process of writing a new constitution. (The president was clear when I met him that the new

¹⁴ Richard Reid, "The Politics of Silence: Interpreting Stasis in Contemporary Eritrea," *Review of African Political Economy* 36, no. 120 (2009): 209-21, doi:10.1080/03056240903065125.

¹⁵ Bronwyn Bruton, "It's Bad in Eritrea, but Not That Bad," *The New York Times*, June 23, 2016, <http://www.nytimes.com/2016/06/24/opinion/its-bad-in-eritrea-but-not-that-bad.html>.

constitution would enshrine Eritrea's current system, and would not be the result of a democratic process. But this nevertheless represent progress, as any constitution is better than none.)

Given the government's limited finances and bureaucratic capacity, progress on all of these fronts has sometime been frustratingly slow. But they are nevertheless positive steps. And Eritrea is undertaking these steps of its own accord – not as a result of foreign pressure, nor in pursuit of foreign funding, which it has often refused. Because the changes are voluntary, they have a better chance of being sustainable.

US RELATIONS WITH ERITREA

The question for the United States is what, if any, constructive role it can play in Eritrea's development.

Over the past 18 months I have engaged with the government of Asmara and the US State Department in an effort to understand the impediments to a better relationship. They are many. On the US side, they include the ongoing imprisonment of four former employees of the US embassy; the restricting of US embassy personnel to perimeter of 20 kilometers around Asmara; the opening of diplomatic pouches and the recalling of Eritrea's ambassador from the embassy in Washington; the expulsion of the US Agency for International Development; human rights abuses and the general closure of democratic space; Eritrea's holding of Djiboutian prisoners of war (though Eritrea claims to have released all of its Djiboutian prisoners, and has indeed withdrawn from Djiboutian territory in compliance with an international ruling and the mediation process being led by Qatar); Eritrea's refusal to permit the UN's Somalia and Eritrea Monitoring Group unfettered access to the country; and Eritrea's continued funding of armed groups to perpetuate its proxy conflict with Ethiopia. State Department officials will probably prefer not to acknowledge it, but there is also a clear and pervasive irritation among American officials over the fact that Eritrea, despite the firm and final ruling of the EEBC in its favor, has not simply given up on Badme and moved on.¹⁶

As I have noted in my introduction to this testimony, Eritrea also possesses a substantial list of grievances against the United States. These include: Washington's refusal to grant Eritrean independence following the second World War, which directly necessitated the 30-year war that killed an uncounted number of Eritreans; Washington's failure to enforce the Algiers Agreement and its apparent prioritization of Ethiopia's interests over those of Eritrea; the Washington-led effort to sanction Eritrea for its actions in Somalia and around the region; Washington's continued refusal to lift those sanctions, despite the UN Somalia and Eritrea Monitoring Group's failure to find any major violations of law by Eritrea over the past four years; Washington's travel ban and sanctions on various Eritrean officials; and finally, what is perceived as a Washington-led effort to use UN human rights instruments as a mechanism for bringing Eritrea to the International Criminal Court. (This last grievance persists despite the fact that the United

¹⁶ In his memoirs, former US ambassador to the United Nations John Bolton describes the efforts of Assistant Secretary of State for African Affairs Jendayi Frazer to overturn the border ruling in Ethiopia's favor. See Michela Wrong, *America's Latest African Blunder* (Slate, November 29, 2007), available at: http://www.slate.com/articles/news_and_politics/foreigners/2007/11/americas_latest_african_blunder.html

States does not appear to support the report's forwarding to the UN Security Council.) Eritrea rightly resents the United States' refusal to hold Ethiopia accountable for its continued military aggressions, including the assaults on the border and the bombings of Eritrean territory.

The United States and Eritrea cannot repair all of these breaches overnight.

Surprisingly and importantly, however, when I met with President Isaias, he asserted that the relationship between the United States and Eritrea was fundamentally sound, and that he was himself convinced that at some point in the future, the two countries would be friends.

Friendship between the United States and Eritrea would be in the interests of both countries.

It is not well-remembered, but during the 1990s, Eritrea was a key counterterrorism partner of the United States, assisting Washington in its efforts to track Osama bin Laden's activities in the Sudan. When Secretary of Defense Donald Rumsfeld visited Eritrea in the wake of 9/11, he remarked that the US could learn a lot from Eritrea about counterterrorism.¹⁷ Today, Eritrea has a markedly socialist bent, but it still shares many fundamental values with the United States. Eritrea's system of governance is repressive of liberties that Americans consider fundamental, but certainly not more so than Ethiopia, which has enjoyed close ties with Washington.

The only structural impediment to a better relationship is the United States' continued dependence on Ethiopia as its "anchor" in the region. But it is likely that the US relationship with Eritrea could be dramatically improved even in the absence of any substantial change in the US-Ethiopia partnership. Specific actions will be required of Washington, but the upcoming change in Administration should offer a convenient opportunity for a reset.

- President Isaias was explicitly clear during our meeting in February 2015 that he considers the lifting of the UN Security Council sanctions on Eritrea to be a precondition of any serious effort to improve relations between the two countries. These sanctions should have been lifted years ago – as noted, the UN Somalia and Eritrea Monitoring Group has found no substantial violations by Eritrea of international law. Washington should consider too that there is express desire on the part of the UN Sanctions Committee to lift the Eritrea sanctions, due to an anxiety that the continuation of sanctions in the absence of any wrongdoing will diminish the credibility of sanction regimes in general, and at a time when the impartiality of international justice mechanisms (the International Criminal Court in particular) is being widely questioned in Africa.

Lifting the sanctions will of course require cooperation from Asmara. But nothing in my engagement with Asmara has suggested that a visit from the SEMG to Eritrea is beyond the realm of possibility—provided that Washington makes its openness to the possibility of lifting the sanctions clear.

¹⁷ Jim Garamone, "Eritrea Could Teach US Much to Combat Terror," US Department of Defense News Article, December 10, 2002, <http://archive.defense.gov/news/newsarticle.aspx?id=42407>.

- Asmara does not expect Washington to send troops to its border to enforce the Algiers Agreement. But it would be tremendously helpful for Washington to signal its continuing commitment to the “firm and final” nature of the EEBC ruling on the border. A Congressional resolution or a simple statement from the State Department could help to accomplish that.
- Finally, Washington must learn to be more even-handed in its response to military provocations and human rights abuses in the Horn. When Ethiopia attacks Eritrea, Washington must publicly take notice. And efforts to single out Eritrea for criticism on human rights grounds must stop. (That is certainly not to say that Washington should not continue to press for human rights reforms in Eritrea – US outrage simply needs to be spread more proportionately around the Horn. And Washington needs to do this regardless of whether it wishes to improve relations with Eritrea, in order to combat the common African perception that the United States dismisses human rights and democracy concerns whenever more important counterterrorism objectives are in play.)

Washington has its own list of action items for Eritrea. But I believe that it is up to the United States to take the first step. Asmara has already pivoted successfully towards new alliances in the Gulf and a new economic partnership with China, and it is reluctant to invest its scarce diplomatic resources in a hopeless cause. In order to improve relations, a strong signal needs to be sent to Asmara from Washington.

Eritrea has also made great progress in improving its relations with individual European nations, and with the European Union. Because of migration, the EU has a vested interest in Eritrea’s development. That makes Europe an inherently better partner for Eritrea, and Washington would be wise to let London and Brussels lead the way on development assistance.

President Isaias and his advisors will not swivel back towards Washington unless they have good reason to do so. But my own dialogue with Asmara over the past 18 months leads me to believe that President Isaias would very much like to put his relations with Washington on a more constructive footing. Given the high stakes in the Horn of Africa, and very low level of effort that would be required to set the stage for a much better relationship in the future, it is surely in Washington’s interest to try.