



Containing the Volatile Sudan-Ethiopia Border Dispute

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What's new? Ethiopia and Sudan are locked in a dangerous standoff over al-Fashaga, a swathe of fertile borderland from which Khartoum evicted thousands of Ethiopian farmers in December 2020. Clashes between the two countries' troops have claimed dozens of combatant and civilian lives.

Why does it matter? Fragile political transitions in both countries are at risk if the dispute boils over. Neither side seeks war, but hostilities could escalate due to accident or miscalculation. A wider conflict could draw in regional allies and further destabilise the Horn of Africa.

What should be done? Addis Ababa and Khartoum should immediately freeze military deployments to the border area. External partners should urge the two countries to find a land-use compromise similar to a past soft border arrangement for al-Fashaga without linking this issue to other contentious matters.

I. Overview

Sudan and Ethiopia, the Horn of Africa's two biggest countries, are facing off in a confrontation that could tip into a war neither can afford. In mid-December 2020, with Ethiopia distracted by the Tigray conflict, Sudan took control of the fertile al-Fashaga borderland, disregarding a relatively amicable land-use arrangement that had governed the area for more than a decade and evicting thousands of farmers, mainly from Ethiopia's second-largest ethnic group, the Amhara. Infuriated by Sudan's sudden move, Ethiopia deployed federal forces and militiamen, resulting in deadly clashes with Sudanese troops. The recurrent fighting is now raising fears of an escalation that could draw in regional allies. To prevent a disastrous border war, external partners, particularly the African Union (AU), the United Arab Emirates (UAE), the European Union (EU) and the U.S., should urge Addis Ababa and Khartoum to immediately open deconfliction channels, halt further military deployments and organise high-level talks to return to the peaceful soft border arrangement that was in place before the current crisis.

Ethiopia and Sudan have wrangled for decades over the 260 sq km al-Fashaga borderland, a region Ethiopians call the Mazega. Khartoum contends that the area, which straddles the eastern frontier of Sudan's breadbasket Gedaref state and the western borders of Ethiopia's Amhara and Tigray regions, officially belongs to Sudan

as per colonial-era maps drawn up more than a century ago. But its boundaries were never clearly demarcated. In 2007, President Omar al-Bashir and Prime Minister Meles Zenawi – then the long-time rulers of Sudan and Ethiopia – agreed on a cooperation formula by which Ethiopian and Sudanese citizens could both cultivate the land, with the two sides agreeing to undertake formal demarcation at an unspecified later date. Leadership changes and political turbulence in both countries have sharpened old rivalries between the two neighbours and brought the al-Fashaga dispute back to the fore.

Neither side appears ready to back down, partly because both are beholden to key domestic constituencies averse to compromise. Addis Ababa enlisted Amhara forces in its military campaign against the ousted leadership of Ethiopia's northern Tigray region. The Amhara are a key electoral constituency for Prime Minister Abiy Ahmed's new ruling party and, in part not to jeopardise that support – and also to avoid looking weak in an election year – his administration insists that Sudanese troops withdraw from al-Fashaga before any negotiations.

Sudan's military leaders have used the row to burnish their nationalist credentials: they want Ethiopia not only to acknowledge Sudan's sovereignty over the area but also to accept immediate border demarcation and concurrent settlement of all major disputes between Addis Ababa and Khartoum, including over the Grand Ethiopian Renaissance Dam (GERD). In early April, Khartoum upped the ante by calling for the removal of Ethiopian troops from the UN peacekeeping mission in Abyei, on Sudan's border with South Sudan. Sudan's growing pressure on Addis Ababa may deepen internal fissures in Ethiopia, where Abiy's efforts to centralise power have energised opposition among ethno-nationalists from various parts of the country.

Urgent steps are needed to steer the parties away from their perilous path. It is imperative to prevent further firefights in al-Fashaga; any escalation between Ethiopia and Sudan could even ignite a wider conflict, drawing in Egypt (in favour of Khartoum) and Eritrea (backing Addis Ababa). To this end, the AU, UAE, EU, UK and U.S. should encourage both sides to set up a channel for military dialogue in order to avoid accidental clashes that might trigger a wider conflagration. Simultaneously, they should facilitate talks between Ethiopian and Sudanese civilian and military leaders and encourage both parties to stop sending troops to al-Fashaga. These outside actors should press for a soft border solution for al-Fashaga that incorporates customary land-use rights for Ethiopian farmers in the area. Alongside the talks on boundary tensions, the AU, backed by external powers with influence over the parties, notably the UAE, should keep pushing Addis Ababa and Khartoum to engage more constructively on other divisive issues, particularly Ethiopia's plans for the GERD.

II. The Beginnings of the al-Fashaga Dispute

The beginnings of the al-Fashaga dispute go back to the 1902 Anglo-Ethiopian Treaty – a colonial-era document that sought to determine the frontier between Ethiopia and Sudan (then under British dominion). The treaty, which was the result of protracted negotiations between Emperor Menelik II and the British government, assigned the territory that is now the border region of Benishangul-Gumuz to Ethiopia and ad-

dressed the flow of Blue Nile waters from Ethiopia's Lake Tana. Ethiopian claims to al-Fashaga extend 40-50km west of a line delineating the border between Sudan and Ethiopia, defined only in general terms by the treaty and loosely demarcated by the British.¹ By contrast, according to Sudan's reading of the treaty's maps, al-Fashaga is part of its Gedaref state, one of Sudan's breadbaskets. The region, including al-Fashaga, boasts a mix of large- and small-scale farms producing a variety of crops, including cereals, sunflowers, cotton, export-grade sesame seeds and gum Arabic.

In the decades that followed the 1902 treaty, demarcation and management remained bones of contention between Addis Ababa and Khartoum, primarily because of local jockeying for political power and control of the region's economic resources.² Following a 1972 visit by Ethiopian Emperor Haile Selassie to Sudan as part of his mediation of Sudan's north-south conflict, the two countries sought to resolve the boundary dispute with an "exchange of notes" that would guide demarcation. Ethiopia's 1974 revolution disrupted this effort, however, and it was another 33 years before the two neighbours arrived at a mutually acceptable arrangement for managing tensions over the area.

The formula for cooperation over al-Fashaga that Ethiopia and Sudan struck in 2007 largely rested on good-will between the two countries' leaders.³ Ethiopian Prime Minister Meles Zenawi, who led a rebel coalition to power in 1991, cultivated close ties with his Sudanese counterpart Omar al-Bashir in pursuit of two strategic goals.⁴ First, Meles sought to isolate Eritrea after Ethiopia's relations with that coun-

¹ There are significant discrepancies between the text of the 1902 treaty and the border as marked on the map or as it had been demarcated on the ground. For historical background on the contested border, see Edward Ullendorff, "The Anglo-Ethiopian Treaty of 1902", *Bulletin of the School of Oriental and African Studies*, vol. 30, no. 3 (1967), pp. 641-654; Wondwosen Teshome, "Colonial Boundaries of Africa: The Case of Ethiopia's boundary with Sudan", *Ege Academic Review*, vol. 9, no. 1 (2009), pp. 337-367; Mulatu Wubneh, "This Land is My Land: The Ethio-Sudan Boundary and the Need to Rectify Arbitrary Colonial Boundaries", *Journal of Contemporary African Studies*, vol. 33, no. 4 (2015), pp. 441-466; and Luca Puddu, "Border Diplomacy and State-building in North-western Ethiopia, c. 1965-1977", *Journal of East African Studies*, vol. 11, no. 2 (2017), pp. 230-248. See also "Ethiopia/Tigray Responsive Research: Weekly Report – El Fashaga Triangle", DX Open Network, 1 May 2021.

² Puddu, "Border Diplomacy and State-building in North-western Ethiopia", op. cit.

³ "Viewpoint: Why Ethiopia and Sudan have fallen out over al-Fashaga", BBC, 3 January 2021. "Former Ethiopian PM Desalegn recognized demarcated border with Sudan: report", *Sudan Tribune*, 27 February 2021. In 2007, President Bashir and Prime Minister Meles's Ethiopian People's Revolutionary Democratic Front signed a secret agreement that news sources at the time said would cede up to 65,000 hectares to Sudan. In December 2013, under Bashir and Prime Minister Halemariam Desalegn, the Ethio-Sudan Border Joint Committee inked an agreement to end disputes over the ownership of agricultural land and to demarcate the boundary. Wubneh, "This Land is My Land", op. cit. This demarcation has yet to take place. A senior Sudanese government official told Crisis Group in June 2021 that "the border between Sudan and Ethiopia is undisputed" and that "no Ethiopian leader has contested the border". Crisis Group interview, senior Sudanese government official, Khartoum, 6 June 2021.

⁴ Ethiopia and Sudan had occasionally clashed or engaged in mutual destabilisation by supporting proxies against each other. Relations almost collapsed in 1995 after Islamist would-be assassins believed to have been sent by Khartoum targeted Egyptian President Hosni Mubarak while he was attending an AU summit in Addis Ababa in 1995. Their attempt failed. Yet ties between the two sides soon returned to being largely cordial as each perceived the other as a valuable ally against a hostile neighbour – Eritrea, in Ethiopia's case, and Egypt, in Sudan's. Bilateral mechanisms include

try deteriorated, culminating in a two-year border war (1998-2000) that claimed tens of thousands of lives. Secondly, he wanted Sudan's support for construction of the GERD – the largest hydropower plant in Africa and the centrepiece of his economic and foreign policy strategy – which lies about 20km from the Sudanese border. Because of the reduced water flow during reservoir filling to Ethiopia's downstream neighbours, Sudan and Egypt, the dam has been an intermittent source of tension between Addis Ababa and Khartoum.⁵

While demarcation attempts during the 2000s consistently foundered when the teams reached al-Fashaga, the 2007 cooperation agreement contained a compromise that allowed both Ethiopian and Sudanese citizens to grow crops, put cattle to pasture and conduct trade in the area, reducing the urgency of border demarcation.⁶ Before the new frictions, thousands of Ethiopians moved across the undefined border into al-Fashaga daily as farm labourers.⁷ Beyond the Bashir-Meles deal, numerous other understandings about land use and crop sales at the state, district and local levels underpinned cooperation.⁸ Perhaps most influential in this cooperation were the respective states' macro-economic policies. Ethiopia offered farmers in al-Fashaga, particularly the Ethiopians but also the Sudanese, incentives to sell crops to its marketing boards, making it more profitable for them to do business in Ethiopia.⁹ In Sudan, no such incentives existed.¹⁰ For at least a decade, Sudanese and Ethiopian farmers lived side by side in relative harmony, with both preferring to sell their produce in Ethiopia.¹¹

III. Growing Regional Tensions

This latest iteration of the al-Fashaga dispute has arisen against the backdrop of growing regional tensions that involve not just Ethiopia and Sudan, but also Eritrea and Egypt.

a Joint Border Committee, which in 2018 agreed to protect the GERD. "Sudan, Ethiopia agree to joint military force to protect dam", *Middle East Monitor*, 1 May 2018.

⁵ William Davison, "Calming the Choppy Nile Dam Talks", Crisis Group Commentary, 23 October 2019.

⁶ Crisis Group telephone interview, UK diplomat, 13 May 2021. A senior Sudanese government official told Crisis Group that just ten demarcation pillars were in place across the entire stretch of the 744km Sudan-Ethiopia border. Crisis Group interview, senior Sudanese government official, Khartoum, 6 June 2021.

⁷ Crisis Group telephone interview, Sudan expert and researcher, 14 June 2021.

⁸ Wubneh, "This Land is My Land", op. cit. Crisis Group telephone interview, UK diplomat, 13 May 2021.

⁹ Because agricultural produce can fetch higher prices in Ethiopia and as a result of market distortions brought about by the widespread application of subsidies in Sudan, Sudanese farmers in al-Fashaga have preferred to sell their produce in Ethiopia. Temesgen Eyilet and Getachew Senishaw, "Impacts of Border in Borderland Conflict along the Ethio-Sudan Border: Evidence from Metema Woreda, North-Western Ethiopia", *Humaniora*, vol. 32, no. 1 (February 2020), pp. 10-18. Crisis Group telephone interview, UK diplomat, 13 May 2021.

¹⁰ Crisis Group telephone interview, UK diplomat, 13 May 2021.

¹¹ The value of crops produced in al-Fashaga is hard to determine. One U.S. diplomat suggested an annual figure of \$250 million. Regardless of the exact amount, these harvests are "hugely profitable", according to a UK diplomat. Crisis Group telephone interviews, U.S. diplomat, 21 May 2021; UK diplomat, 13 May 2021.

At first, changes of leadership in Ethiopia and Sudan brought a flourishing in relations between the two countries. Abiy became Ethiopia's prime minister in April 2018, heralding a significant loss of federal power for the Tigray People's Liberation Front (TPLF). Sudanese Prime Minister Abdalla Hamdok was appointed in September 2019 to lead Sudan's transitional government following Bashir's overthrow in April of that year. Relations between Addis Ababa and Khartoum briefly thrived. Following Bashir's ouster, Sudan's new leaders praised Abiy for his role in their country's transition as he intervened to ease tensions between the military and civilian protesters.¹² Relations between Abiy and Hamdok were initially warm.

Since then, however, ties have deteriorated. Observers say the shift in relations between Abiy and Hamdok in particular is partly due to a lack of communication between them. They point to Abiy's disregard for the efforts of the Intergovernmental Authority on Development (IGAD), a regional bloc currently chaired by Sudan, to help resolve the Tigray conflict. Ethiopia's evolving relationship with Eritrea creates further complications for Sudan. Previously aligned with Egypt, which he saw as a counterweight to Ethiopia, Eritrean President Isaias Afwerki has entered what seems to be a firm alliance with Abiy. Eritrean forces have played a central role in Addis Ababa's military campaign against Tigray's ousted leadership, all members of the TPLF, which Eritrea views as its true historical foe.¹³ Sections of Sudan's military establishment, however, retain links to senior TPLF figures.¹⁴

The greatest source of friction, however, is the GERD. Khartoum feels that Addis Ababa is not sufficiently explaining its plans for the dam.¹⁵ Tensions have mounted as the facility approaches completion. Ethiopia intends to fill the reservoir for the second time in July and August, the height of the rainy season.¹⁶ Sudan's position on the dam, which straddles the Blue Nile, the Nile's main tributary, has seesawed over time. Bashir first opposed it but soon swung in favour, perceiving benefits for Sudan after lobbying by Addis Ababa. If managed cooperatively, the GERD could produce cheap electricity for Sudan and regulate water flow to boost irrigation, reduce flooding – which harmed Sudan in 2020 – and enhance electricity production by Sudan's own Blue Nile dams.¹⁷ But Sudan now frets about whether its interests will be protected. It seeks assurances from Addis Ababa about reservoir management and safety procedures. For instance, it worries that, absent an agreement on the terms for filling and operating the project, its downstream Roseires Dam could be inundated.¹⁸

¹² See Crisis Group Africa Report N°281, *Safeguarding Sudan's Revolution*, 21 October 2019.

¹³ See Crisis Group Africa Briefing N°171, *Ethiopia's Tigray War: A Deadly, Dangerous Stalemate*, 2 April 2021.

¹⁴ Crisis Group telephone interviews, regional and Western diplomats, February and March 2021.

¹⁵ One such observer is Horn of Africa scholar Harry Verhoeven, who made comments to this effect in a Crisis Group podcast. "What Eritrea Wants", The Horn podcast, International Crisis Group, 6 April 2021. Another is Annette Weber, senior fellow at the German Institute for International and Security Affairs, who advanced a similar analysis in a later episode. "What's Driving Sudan and Ethiopia Apart?", The Horn podcast, International Crisis Group, 12 May 2021.

¹⁶ "Premier says 2nd filling of GERD ensures benefits in reducing floods in Sudan", Fana Broadcasting Corporation, 18 April 2021. Ethiopia first filled the GERD in June and July 2020.

¹⁷ Crisis Group Statement, "Nile Dam Talks: A Short Window to Embrace Compromise", 17 June 2020.

¹⁸ On 6 February 2021, Yasser Abbas, the Sudanese minister for irrigation and water resources, stated that "filling the dam would threaten the lives of half the population in central Sudan, as well

If tensions escalate over al-Fashaga, Sudan could conceivably decide to lend support to the Tigrayan resistance, either by affording its leaders a rear base or allowing them to bring in supplies through eastern Sudan, as occurred in the 1980s.¹⁹ This move would further poison relations not just between Sudan and Ethiopia, but also between Sudan and Eritrea.²⁰ Similarly, Khartoum could choose to back ethnic Gumuz militias in the Benishangul-Gumuz region, where the GERD is located and which lies across the border from Sudan's Blue Nile state. Abiy has already accused Sudan and Egypt of providing such support.²¹

Ethiopia's relations with Egypt have also reached a low point. Almost completely dependent on the Nile for its water supply, Egypt fears that a huge dam on the river's largest tributary will reduce downstream flow. Although talks among Ethiopia, Sudan and Egypt on how to fill and operate the dam are still stuttering along under the AU's auspices, with the U.S. and EU as observers, Cairo accuses Addis Ababa of using the negotiations to play for time, and is demanding more robust international efforts to steer the three countries to a deal.²² Addis Ababa, for its part, alleges that Cairo initiated military exercises with Khartoum in November 2020 and March and May 2021 as part of a campaign to pressure Ethiopia on the GERD.²³ After Sudan signed a military cooperation agreement with Egypt on 2 March, Ethiopia's foreign ministry accused Sudan's armed forces of acting as a "Trojan horse for the enemies of Ethiopia", presumably a reference to Egypt.²⁴ These allegations, in turn, have infuriated Khartoum.²⁵

Amid all this volatility, Ethiopia, Sudan and their respective regional allies accuse one another of supporting proxies to destabilise rivals, heightening fears of a wider conflict. In particular, Ethiopian authorities allege – and UN officials and foreign

as irrigation water for agricultural projects and power generation from [Sudan's] Roseires Dam". "Domestic pressures in Sudan and Ethiopia whet appetite for war", *The National*, 21 January 2021.

¹⁹ Crisis Group telephone interview, international expert close to Sudanese Armed Forces, 23 March 2021. Highlighting the risk of proxy conflict, Ethiopia claimed on 15 May that it had "destroyed" many fighters, whom it said were TPLF members, as they tried to re-enter the country from Sudan. "Ethiopia says 'destroyed' force coming from Sudan", AFP, 15 May 2021.

²⁰ Lieutenant General Mohamed Hamdan Dagalo (known as Hemedti), head of the paramilitary Rapid Support Forces, is a third pillar of power in Khartoum along with Prime Minister Hamdok and Sovereign Council chair Abdel Fattah al-Burhan. In late December, shortly after clashes began in al-Fashaga and without consulting Hamdok or Burhan, Hemedti flew suddenly to Asmara to speak directly to the Eritrean president. Hemedti demanded that Isaias declare which side he was on. Isaias demurred. Crisis Group telephone interview, European diplomat, January 2021.

²¹ "Ethiopia violence fuelled by fighters trained in Sudan: PM Abiy", AFP, 19 October 2021; "Red lines: Upheaval and containment in the Horn of Africa", ACLED, 21 January 2021.

²² "Egypt running out of patience", *Ahram Online*, 25 June 2020.

²³ Sudan and Egypt conducted Nile Eagles 1 in mid-November 2020 and Nile Eagles 2 on 31 March 2021. "Egypt, Sudan hold 'Nile Eagles 2' joint air exercise", Anadolu Agency, 1 April 2021; "Egypt, Sudan, sign military cooperation agreement", *Egypt Independent*, 2 March 2021; "Sudan says joint drills with Egypt do not target a certain country", *Asharq Al-Awsat*, 5 April 2021.

²⁴ "A Week in the Horn", Ethiopia Ministry of Foreign Affairs, 5 March 2021; "Egypt, Sudan sign military cooperation agreement", op. cit. On 13 April, Ethiopia's foreign ministry said Sudan was the "main actor in jeopardising the peace and security of the Horn of Africa by invading Ethiopian territories, plundering and displacing civilians and beating war drums to occupy even more lands". Tweet by MFA Ethiopia, @mfaethiopia, 2:18pm, 13 April 2021.

²⁵ Crisis Group interview, senior Sudanese government official, Khartoum, 6 June 2021.

diplomats in the region confirm – that the Sudanese military is supporting Gumuz militiamen to stage attacks in Metekel Zone, part of a restive Ethiopian region that borders Sudan.²⁶ Gumuz forces opposed to the federal government reportedly crossed into Ethiopia from Sudan’s Kadalo area in the first half of January.²⁷ In mid-March, Sudan accused Ethiopia of supporting a rebel faction in Blue Nile province, the Sudan People’s Liberation Movement/Army-North of Abdel Aziz al-Hilu, a charge this group denied to Crisis Group.²⁸ Meanwhile, Khartoum hosts armed Eritrean opposition groups and Asmara reportedly supports dissidents in eastern Sudan.²⁹

IV. The Borderland Boils Over

Sudan appears to have contemplated an incursion into al-Fashaga well before Ethiopia was distracted by the Tigray conflict. Western diplomats told Crisis Group that the rapid, large-scale deployment of troops in December 2020 indicated significant advance planning.³⁰ These accounts are backed up by satellite imagery that shows Sudanese forces preparing permanent rear positions on roads leading east to Abu Tuyour in eastern Gedaref state, only weeks after the Tigray conflict started in early November and Amhara fighters departed to join the federal campaign.³¹ Preparations included clearing land by setting fire to brush, building military outposts and laying all-weather roads to facilitate troop movements into al-Fashaga, all of which appears to have begun by November.³²

Still, the heavy-handed eviction of potentially thousands of Ethiopian farmers that began in the first week of December caught Addis Ababa off guard. The Ethiopian government was distracted by the Tigray conflict; it also believed it had secured an understanding with Khartoum on Tigray and that hostilities with its neighbour were unlikely.³³ During a visit by Sudanese officials to Addis Ababa two days before fighting broke out in Tigray on 3 November, Abiy asked Sudan’s Sovereign Council

²⁶ Crisis Group telephone interview, European diplomat, 17 March 2021. “Ethiopia violence fuelled by fighters trained in Sudan: PM Abiy”, op. cit; “Red lines”, op. cit. Crisis Group telephone interview, UN official, 25 January 2021.

²⁷ Crisis Group telephone interview, UN official, 25 January 2021.

²⁸ Crisis Group telephone interview, senior official in al-Hilu’s faction, 9 March 2021. A Sudanese Armed Forces officer declined to offer Crisis Group evidence of Ethiopia’s alleged support. Crisis Group telephone interview, 16 March 2021.

²⁹ Nizar Manek and Mohamed Kheir Omer, “Sudan will decide the outcome of the Ethiopian civil war”, *Foreign Policy*, 14 November 2020.

³⁰ Crisis Group interviews, Western diplomats, May 2021.

³¹ “Ethiopia/Tigray Responsive Research: Weekly Report – El Fashaga Triangle”, op. cit.

³² “Senior Sudanese army general inspects troops on border with Ethiopia”, *Sudan Tribune*, 11 February 2021.

³³ The numbers of deaths, injuries and persons displaced are difficult to ascertain. Sudan reported that at least a dozen of its armed personnel and more than a dozen civilians died. Ethiopia has not disclosed casualties but has reported the eviction of a few thousand farmers. “A border war looms between Ethiopia and Sudan as Tigray conflict sends ripples through the region”, *The Washington Post*, 19 March 2021. A significant proportion of the Ethiopians displaced by the Sudanese military took shelter in Abdi Rafi, less than 5km from the border as demarcated in the 1902 treaty. Crisis Group telephone interview, Sudan expert and researcher, 14 June 2021.

head Abdel Fattah al-Burhan to secure the Sudanese border with Tigray, a key supply route for Tigrayan rebels during their 1980s insurgency against Mengistu Haile Mariam's military dictatorship.³⁴

But what Addis Ababa thought was an amicable arrangement to help it bottle up Tigray's dissident leadership appears to have opened the door to the border standoff. Instead of deploying soldiers to the border as Ethiopia understands it, Sudan sent 6,000 troops into eastern al-Fashaga just as fighting in Tigray began, positioning them in the areas to which Khartoum lays claim and that have been governed by the 2007 Meles-Bashir agreement – in effect, seizing disputed land.³⁵ The troop deployment, together with the eviction of almost all Ethiopian farmers from al-Fashaga, sent tensions soaring between the capitals.

Sudanese soldiers made rapid progress in consolidating their hold on the disputed territory. On 2 December, the Sudanese Armed Forces occupied the Khor Yabis area, controlled by Ethiopia for 25 years, expelling Ethiopian paramilitaries without a fight.³⁶ Three days later, according to Sudan's military, the army deployed its Sixth Infantry Division to occupy Jebel Tayara in eastern Gallabat locality, east of Sondos. Khartoum sent troops deeper into al-Fashaga by the second week of December.³⁷

Tensions escalated further following a 15 December clash between Ethiopian militiamen and a Sudanese Armed Forces patrol in Abu Tuyour, a settlement between the Angareb and Atbara rivers in al-Fashaga, that killed four Sudanese, including an officer and three soldiers.³⁸ Khartoum says Sudanese farmers had demanded protection from the army after a series of attacks they attributed to heavily armed Ethiopian militiamen.³⁹ Two days later, Burhan and other senior military leaders arrived in Gedaref state to announce that Sudan controlled most of al-Fashaga and intended to seize the entire territory.⁴⁰

³⁴ Sudan's acting foreign minister, Omar Gamar el Din, was also in attendance. Crisis Group telephone interviews, Sudanese government source, 16 March 2021; European diplomat, 26 January 2021. This meeting indicates that the Ethiopian government was aware that conflict with Tigray was imminent. An Ethiopian diplomat said it was not clear what Abiy and Burhan agreed upon: "The problem with our leadership's diplomacy is that they take it as more of a personal conversation, so no officers or high-ranking officials who make records, no protocol, bureaucracy". Crisis Group telephone interview, 15 February 2021. As the Tigray war expanded, Sudanese state media reported that Khartoum was sending troops to al-Fashaga "to recapture the stolen lands and take up positions on international lines". "Sudan and Ethiopia border clashes fuel wider tensions", *The Defense Post*, 16 March 2021.

³⁵ Crisis Group telephone interview, senior Sudanese Armed Forces officer, 23 November 2021. "Sudan's PM meets Ethiopian leader after cross-border attack", Associated Press, 20 December 2020. Several senior Tigray politicians managed to escape to Sudan, according to a European journalist in Sudan who is in contact with those Tigrayan figures. Crisis Group telephone interview, 11 March 2021. Some 64,000 Ethiopians have fled to Sudan's Gedaref state, where three refugee camps were expanded or established to accommodate them.

³⁶ "Eastern Sudanese farmers want their lands back", Radio Dabanga, 1 July 2020; "What's behind the Ethiopia-Sudan border row?", Deutsche Welle, 4 June 2020.

³⁷ Cameron Hudson, "The unintended consequences of Ethiopia's civil war might be a border war with Sudan", Atlantic Council, 2 March 2021.

³⁸ "Sudan says officers ambushed by Ethiopian forces during patrol", Al Jazeera, 16 December 2020.

³⁹ "Sudan accuses Ethiopia of escalating tensions over disputed territory", VOA, 15 January 2021.

⁴⁰ "Sudan army chief visits border area after ambush blamed on Ethiopia", *The Defense Post*, 18 December 2020.

Ethiopia responded to these events by sending reinforcements accompanied by Amhara militias into the disputed territory. In the third week of December, Ethiopian and Sudanese troops engaged in direct combat for the first time in a quarter-century.⁴¹ Fighting was also reported in Wad Arud, Birkat Noren and al-Asira in Gedaref's al-Qureisha locality immediately south of al-Fashaga, as well as around the border at Torklain on 19 December.⁴² Ethiopia has accused Sudan of setting off the confrontation. "Our military is engaged elsewhere; they took advantage of that", Ethiopian military chief General Birhanu Jula told journalists in February.⁴³

Sudanese forces then took steps to make their gains harder to reverse. They capped the burst of road construction by building a large forward operating base near Abu Tuyour town. Sudanese troops also took over Ethiopian security posts and turned them into their own forts, adding sand berms, Hesco barriers, perimeter fencing and positions for armoured vehicles.⁴⁴ By late March, Sudan's military said it had occupied all of al-Fashaga, except for three fortified urban areas protected by Ethiopian forces.⁴⁵ It has further solidified its position by building bridges and roads to improve mobility during the rainy season that starts around June.⁴⁶

Sudanese and Ethiopian troops are now locked in a tense standoff with tanks and some heavy weaponry less than 17km apart along front lines.⁴⁷ The soldiers are arrayed along three axes: Metemma-Gallabat, Abdi Rafi-Abu Tuyour and Barakat-Mai Kadra.⁴⁸ It is unclear how many regular Sudanese troops are at the front lines, but 100 vehicles from the paramilitary Rapid Support Forces are reportedly holding positions some distance away.⁴⁹ Satellite imagery shows that by early May, Sudanese forces were concentrated in areas north of Gallabat al-Shargiah on both banks of the

⁴¹ Crisis Group telephone interview, UK diplomat, 13 May 2021. The last time the two countries' forces fought each other directly was when Ethiopia intervened in Sudan's civil war 25 years ago.

⁴² Confidential UN document on file with Crisis Group, January 2021.

⁴³ "Rising tension as Ethiopia and Sudan deadlocked on border dispute", Al Jazeera, 1 February 2021.

⁴⁴ Ibid. A Hesco barrier is a collapsible container made of mesh wire and fabric that militaries fill with sand or water for use as a blast wall. It can absorb the impact of small arms fire and minor explosions.

⁴⁵ According to a source close to the Sudanese military, these areas are around Lugdi, near Greater Fashaga, and Abdi Rafi, close to Lesser Fashaga, and contain a large proportion of the Ethiopians displaced from al-Fashaga. At present, Sudan says it has no plans to advance into these fortified areas. Crisis Group telephone interview, international expert close to the Sudanese Armed Forces, 23 March 2021.

⁴⁶ Crisis Group interview, Sudanese Armed Forces officer, Khartoum, 24 February 2021. "Eritrea forces deployed in disputed Sudan-Ethiopia area, UN says", Bloomberg, 24 March 2021. Satellite imagery indicates that in addition to the roads laid in November and December 2020, the Sudanese military constructed roughly 60km of all-weather hard-packed dirt roads in al-Fashaga between January and March 2021, connecting a new large forward operating base near the town of Abu Tuyour (between the Angareb and Atbara rivers) and a string of smaller military outposts running back into al-Qureisha locality. "Ethiopia/Tigray Responsive Research: Weekly Report – El Fashaga Triangle", op. cit.

⁴⁷ Crisis Group telephone interviews, U.S. diplomat, 2 February 2021; DX Open Network analyst, 30 April 2021.

⁴⁸ Crisis Group telephone interview, DX Open Network analyst, 30 April 2021.

⁴⁹ Crisis Group interview, senior Sudanese Armed Forces officer, Khartoum, 24 February 2021. Crisis Group telephone interview, international expert close to the Sudanese Armed Forces, 23 March 2021.

Atbara river, northward through al-Qureisha locality and into Abu Tuyour.⁵⁰ Sudan has also closed Gedaref state's airspace after alleging that Ethiopian fighter jets flew over the area on 13 January.⁵¹

On the Ethiopian side, Amhara militiamen backed by federal troops are the main combatants.⁵² Eritrean forces have moved in as well, clashing with the Sudanese army in March.⁵³

Bitterly divided over al-Fashaga's status, both sides have dug in. But renewed fighting carries a real risk of escalation and neither side can afford a larger conflict that could draw in other regional powers, which may seek to advance their own interests while Khartoum and Addis Ababa are distracted.⁵⁴ Ethiopia's government already faces multiple crises, most notably the conflict in Tigray. Its military is pre-occupied with trying to defeat that region's ousted leadership, which has mobilised armed resistance to the federal intervention.⁵⁵ War with Sudan could stretch the military to the breaking point and offer the Tigrayan resistance a chance to extend its influence beyond the rural areas in central and southern Tigray it controls. Armed confrontation with Sudan could also reinforce the Ethiopian government's reliance on Eritrea's military and Amhara forces, who are also fighting in Tigray and whose forceful reclaiming of territory in the region has galvanised local opposition to the federal intervention.⁵⁶

V. Troubled Home Fronts

Domestic pressures make it especially difficult for both Ethiopian and Sudanese leaders to make concessions. In Ethiopia, what Abiy's administration had billed as the peaceful advent of multiparty democracy has lapsed into turbulence. Sudan's post-Bashir transition, meanwhile, is beleaguered by an acute economic downturn and persistent rivalries both within the military and between the top brass and the civilian administration. Some Ethiopian and Sudanese actors believe that taking an aggressive stance in the border dispute may offer economic, political or other rewards at home.

⁵⁰ Crisis Group email communication, DX Open Network analyst, 14 May 2021.

⁵¹ "Is Egypt behind Sudanese escalation on border with Ethiopia", *Al-Monitor*, 21 January 2021.

⁵² "Ethiopia: Tigray Region Humanitarian Update – Situation Report", UN Office for the Coordination of Humanitarian Affairs, 22 March 2021. Contradicting this report in early June, a Sudanese military source told Crisis Group that the Sudanese Armed Forces were seeing only Ethiopian regular forces at the border. Crisis Group interview, Khartoum, 3 June 2021.

⁵³ In March, the UN said Eritrean forces deployed around Barkhat settlement in Greater Fashaga, which is the northern section of the disputed territory. "Ethiopia: Tigray Region Humanitarian Update – Situation Report", op. cit. Sudan denies that Eritrean forces are stationed in or around al-Fashaga. Crisis Group interview, Sudanese Armed Forces officer, Khartoum, 2 June 2021.

⁵³ Crisis Group Briefing, *Ethiopia's Tigray War: A Deadly, Dangerous Stalemate*, op. cit.

⁵⁴ Ibid.

⁵⁵ Ibid.

A. *Ethiopia: Severe Turbulence*

Prime Minister Abiy's ruling Prosperity Party is an uneasy coalition of ethno-regional chapters, which only recently have been brought together by antagonism toward the TPLF, and other opposition groups. The desire to maintain power bound the Prosperity Party together through elections held on 21 June, but its long-term cohesion is less assured, and dangerous factionalism is already on display.⁵⁷ In particular, the growing ethnic nationalism of Amhara elites discomfits rivals both inside and outside the ruling party, and feeds into complex political and security dynamics.

The deadliest element of Ethiopia's cocktail of domestic problems is the conflict in Tigray. The region's leaders were for years at the helm of the ruling coalition that Abiy took over when he came to power in 2018. Following the TPLF's refusal to merge with the Prosperity Party in 2019, its influence on the national stage waned further, offering its longstanding Amhara adversaries an opportunity.⁵⁸ After supporting the federal intervention in Tigray, Amhara militias, with backing from the Amhara regional government, de facto annexed what they see as historical Amhara land in Tigray – the western section of the region bordering Sudan that stretches from northern Amhara to southern Eritrea, as well as a chunk of South Tigray Zone.⁵⁹ Amhara nationalists argue that the area was populated predominantly by Amharic speakers, and that the area's 1992 incorporation into what later became Tigray was a result of demographic engineering and land grabs by the rebels-turned-rulers in the TPLF.⁶⁰

Amhara land claims do not stop there. Some Amhara also assert ownership over al-Fashaga and have designs on Metekel Zone, which lies to Amhara's west and is also the site of the GERD.⁶¹ Defending the assertive Amhara stance, activists contend that Amhara civilians are suffering "genocide" at the hands of armed factions from dominant groups in Ethiopian regions with substantial Amhara minorities.⁶²

Abiy seems unwilling or unable to remove the Amhara factions from western Tigray and he may also be reluctant to offer concessions to Khartoum over al-Fashaga to avoid upsetting a constituency he needs within the ruling party. The elections also restrict his room for manoeuvre: he may feel nervous about appearing weak to the electorate if he countenances what many Ethiopians see as Sudanese aggression. At the same time, he would struggle to reverse Sudan's territorial gains without risking losing ground in Tigray, all the more so if Khartoum more directly offers support to the ousted TPLF leadership's forces. His inaction on this front will likely rile the Amhara, some of whom believe that Abiy's predecessor, Meles, allowed Sudan to encroach on their territory in part because of the TPLF's anti-Amhara disposition.⁶³ At

⁵⁷ Intra-party tensions include those between the two largest regional chapters from Oromia and Amhara. See, for example, "Amhara and Oromia PP engage in war of words as relative peace returns to violence hit areas", *Addis Standard*, 24 March 2021.

⁵⁸ See Crisis Group Africa Briefing N°156, *Bridging the Divide in Ethiopia's North*, 12 June 2020.

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

⁶¹ "Ethiopia moves artillery to Sudanese border after deadly clashes", *Bloomberg*, 28 January 2021.

⁶² See, for example, "Protest against Amhara genocide in Washington DC", *Borkena*, 6 April 2021.

⁶³ Ethno-nationalism in Ethiopia is partly a reaction to perceived Amhara imperial domination. In the early 1990s, the TPLF was integral to building the country's multinational federation, which is an institutional expression of the view that decentralisation promotes self-determination and en-

home, Abiy has cast Khartoum's border militarism as being at Cairo's behest. Addis Ababa implies that Egypt is trying to maintain its Nile basin hegemony by destabilising Ethiopia, a perception that further explains the reluctance to compromise.⁶⁴

B. *Sudan: An Ailing Economy*

Sudan appears to have upset the peaceful status quo in al-Fashaga partly out of the sense that it could strengthen its leverage in GERD negotiations and that seizing lucrative farmland there could help revive the country's agricultural industry and buttress its ailing economy. The country faces structural economic problems that are a legacy of the Bashir era, including a crippling subsidies regime and a debt pile of around \$60 billion which has severely limited access to loans and financing. Spiralling inflation and bread, water and electricity shortages have angered ordinary Sudanese and resulted in several mass demonstrations against the absence of basic services and the government's management of the economy.⁶⁵ According to some diplomats, Sudan may seek to lease some of the land it has seized in al-Fashaga to Gulf Arab states for cultivation as part of its sorely needed economic recovery plan. Complicating the picture further, diplomats say a number of Sudanese senior military officers have economic interests in the area.⁶⁶

Domestic politics play a role, too. The military establishment led by Burhan – who is, in effect, head of state as chairman of the Sovereign Council – is vying with the civilian side of the transition to shape Sudan's future. The competition has contributed to the armed forces' assertive position on the border, a stance that has plenty of popular support.⁶⁷ Burhan has used the crisis to burnish his own political and patriotic credentials, portraying himself as an aggressive defender of Sudanese interests while whipping up nationalist sentiment with televised statements from al-Fashaga farms.⁶⁸

That said, Sudan's civilian actors have hardly been less enthusiastic. Civilian Prime Minister Hamdok has publicly supported the military operation since relations be-

shrines autonomy. Opponents of the ethnic federalist system, however, say it has balkanised the country and does little to protect minority rights. For background, see Crisis Group Africa Report N°143, *Ethiopia: Ethnic Federalism and Its Discontents*, 4 September 2009.

⁶⁴ Crisis Group telephone interview, Ethiopian diplomat, 15 February 2021. "A Week in the Horn", op. cit. Also see "Sudan Should Unconditionally Withdraw Its Forces from Ethiopian Territories", Ethiopian Border Affairs Committee, 27 December 2020. The Committee is a civil society pressure group. Consultations with Egyptian and European diplomats suggest instead that Cairo worries about an unstable Ethiopia, which it believes would pose a serious problem for regional security. Crisis Group telephone interviews, European diplomats, 26 January 2021; Egyptian diplomat, 27 January 2021.

⁶⁵ See Crisis Group Africa Briefing N°157, *Financing the Revival of Sudan's Troubled Transition*, 22 June 2020.

⁶⁶ Crisis Group telephone interviews, Western diplomat, 27 January 2021; U.S. diplomat, 21 May 2021. Crisis Group interview, UK diplomat, Khartoum, 31 May 2021.

⁶⁷ Reportedly, the al-Fashaga conflict is closely associated with Burhan's name, with some in Khartoum calling it "Burhan's war on Ethiopia". Crisis Group telephone interview, former government official, 24 February 2021. "Domestic pressures in Sudan and Ethiopia whet appetite for war", op. cit.

⁶⁸ "What's behind the Ethiopia-Sudan border row?", op. cit.

tween Addis Ababa and Khartoum deteriorated in December.⁶⁹ Hamdok spoke on several occasions with his Ethiopian counterpart in the first months of the crisis but contact between the two appears to have ceased in April.⁷⁰ It is not just a question of scoring domestic political points, however. Khartoum's new government – despite being only transitional – has, in essence, sought to establish authority and control over areas it sees as historically Sudanese.⁷¹

While Sudan has a laundry list of reasons for upsetting the status quo in al-Fashaga, Khartoum's calculus toward Addis Ababa remains dominated by negotiations over the GERD.⁷² The re-establishment of control over the disputed farmland appears in part to have been an escalation in Sudan's negotiating tactics and an attempt to gain leverage over Ethiopia in discussions about the dam. Sudan objects to what it sees as an approach to transboundary water management by Addis that ignores Khartoum's concerns, a stance that has strained previously strong personal relationships that otherwise might have restrained Sudan from adopting a notably aggressive stance on al-Fashaga.

Despite all these factors, Sudan is conscious that its international image – which has just begun to recover from Bashir's 30 years of misdeeds – could suffer because it has embroiled itself in an inter-state conflict. Key donors, including all the important international financial institutions, are scrutinising the administration closely in the hope of seeing more funds spent on development and less on the military budget, among other things.⁷³ This scrutiny was seen as key to Sudan's withdrawal from conflicts in Libya and Yemen, in 2019 and 2020, respectively.⁷⁴ A return to either proxy or direct conflict in the region could undermine Sudan's progress in

⁶⁹ Prime Minister Hamdok said on Twitter that Sudan's forces would be prepared to "repel" military aggression. Tweet by Abdalla Hamdok, @SudanPMHamdok, prime minister of Sudan, 2:21pm, 16 December 2020. Prime Minister Abiy responded with a conciliatory call for calm: "Such incidents will not break the bond b/n our two countries as we always use dialogue to resolve issues". Tweet by Abiy Ahmed, @AbiyAhmedAli, prime minister of Ethiopia, 8:26am, 17 December 2020. Hamdok has, as a Western diplomat put it, sought to avoid being "out-sovereigned" by the military on the border conflict. Crisis Group telephone interview, 27 January 2021.

⁷⁰ Crisis Group telephone interview, Sudanese government source, 16 March 2021.

⁷¹ A senior civilian figure in the Sudanese government said Khartoum was similarly interested in regaining sovereignty over the disputed and resource-rich Halayeb and Shalateen areas on Sudan's north-eastern border with Egypt. Crisis Group interview, Khartoum, 6 June 2021. Sovereign Council head Burhan has apparently long been seized of the al-Fashaga issue: according to one senior Western diplomat, Burhan had been deployed to al-Fashaga when Ethiopian forces moved into the land in 1995-1996 as part of Ethiopia's response to the 1995 assassination attempt on Mubarak, which Addis Ababa and Cairo blamed on Khartoum. At the same time, Egypt moved in to occupy Halayeb and Shalateen. Bashir, distracted by his war with the Sudan People's Liberation Army, the main rebel force in what later became independent South Sudan, did not respond. Burhan is said to have felt personally humiliated by Sudan's loss of the territory. Crisis Group interview, Western diplomat, Khartoum 31 May 2021.

⁷² Crisis Group interview, senior Sudanese government official, Khartoum, 6 June 2021.

⁷³ Crisis Group interview, Western diplomat, Khartoum, 7 June 2021. France hosted an investment conference for Sudan on 17-18 May 2021 at which key investors, previously wary of security and legal conditions, signalled willingness to invest in the country. Donors also reviewed Sudan's progress on structural economic reforms and its compliance with donor and International Monetary Fund requests.

⁷⁴ Cameron Evers, "Where Next for Sudan's Soldiers of Fortune? Army Withdrawal from Yemen Signals Wider Reform", Jamestown Foundation, 11 March 2020.

escaping pariah state status and jeopardise efforts to secure much-needed foreign investment. Nor is it clear that Sudan can afford the cost of a border war that would push the fragile economy to its limits.

Still, thus far, outside actors have not succeeded in persuading Khartoum to soften its stance. Indeed, Sudan has actively begun consolidating control of al-Fashaga with the rapid establishment of military and commercial infrastructure: alongside new roads and bridges built by the military and newly fortified military outposts, the Sudanese government has encouraged citizens to return to the area and has begun to train youth and other Gedaref state residents to farm there.⁷⁵ Khartoum has provided funds for a microfinance scheme intended to support new farmers to cultivate land in al-Fashaga.

VI. Soft Steps to Cooperation

Ethiopia and Sudan have adopted increasingly hardline stances, complicating mediation efforts. Both sides continue to issue strident statements about al-Fashaga that inflame bilateral tensions and narrow room for manoeuvre at home.

For its part, Ethiopia's foreign ministry maintains that negotiations are out of the question until Khartoum withdraws its troops from al-Fashaga.⁷⁶ Deputy Prime Minister and Foreign Minister Demeke Mekonnen, a powerful Amhara politician whom Sudanese officials view as acting in service of Amhara interests, has emphasised that position.⁷⁷

Meanwhile, Sudan labels the border dispute as legitimate resistance to Ethiopian and Amhara irredentism, and wants Ethiopia to explicitly recognise its claim to al-Fashaga.⁷⁸ Khartoum feels that its claim has strong legal grounding – a stance backed by some diplomats in the region – both in treaties and in the fact of previous acknowledgement by successive Ethiopian governments.⁷⁹ Although Sudan has said it will allow some Ethiopian farmers to return once Addis Ababa has acknowledged its sovereignty over the region, it refuses to countenance questions about that claim or negotiate over the boundary's location.⁸⁰ Addressing a military audience in Sudan's second-largest city of Omdurman on 18 March, Burhan said Khartoum would not

⁷⁵ Crisis Group interview, Western journalist in al-Fashaga, 13 June 2021.

⁷⁶ "Ethiopia warns Sudan it is running out of patience over border dispute", Reuters, 12 January 2021. A joint high-level political committee on border issues, the countries' bilateral mechanism for addressing the al-Fashaga issue, met from 16-18 May 2020 in Addis Ababa and again from 22-23 December 2020 in Khartoum without resolution.

⁷⁷ Crisis Group telephone interviews, Western diplomats, March-April 2021. Crisis Group interview, Western diplomat, Khartoum, May 2021.

⁷⁸ Increasing the provocation, Sudan has gone so far as to suggest that Ethiopia's failure to respect the 1902 agreement opens up Sudanese claims to parts of what is now Benishangul-Gumuz region. "Sudan warns Ethiopia over Renaissance Dam sovereignty", *Gulf News*, 3 May 2021.

⁷⁹ Crisis Group interviews, Western diplomats, Khartoum, June 2021. Treaties Between United Kingdom and Ethiopia and Between United Kingdom, Italy and Ethiopia Relative to the Frontiers Between the Sudan, Ethiopia and Eritrea, 15 May 1902. Agreement between Ethiopia and Great Britain relative to the Frontiers between British East Africa, Uganda and Ethiopia, signed at Addis Ababa, 6 December 1907.

⁸⁰ Crisis Group telephone interview, Western diplomat, 27 January 2021.

negotiate “unless there is a confession by the Ethiopians that these lands are Sudanese and marks have been placed on the joint borders”.⁸¹

So far, foreign efforts to broker a compromise have fallen flat. IGAD was unable to produce a breakthrough in late December, when Hamdok and Abiy met in Djibouti to discuss border demarcation.⁸² The AU in February tasked Mauritanian diplomat Mohamed El Hacem Lebatt with leading its de-escalation efforts.⁸³ Russia, Saudi Arabia, Turkey and the UAE, as well as Eritrea and South Sudan, have offered to mediate but only the Emirati efforts brought the parties to the table.⁸⁴ Those talks saw Sudanese and Ethiopian officials meet in April in Abu Dhabi, but Khartoum demurred on signing a draft agreement tabled by the UAE because it allotted one quarter of al-Fashaga’s farmland to Ethiopian farmers and did not adequately address Sudan’s demands for greater control of farmland in the area.⁸⁵ For their part, Ethiopian authorities said the share of the land the deal proposed for its farmers was inadequate.⁸⁶ Abu Dhabi’s financial clout and warm relations with both parties put it in a strong position to facilitate future meetings.

Whoever leads the way in the search for a settlement, mediators need to impress upon Addis Ababa and Khartoum that an escalation of the border dispute could tank their respective transitions, fuel domestic unrest and trigger a regional war that would come at enormous cost. The diplomatic task is especially urgent because of Ethiopia’s not entirely unfounded perception that Egypt and Sudan are seeking to capitalise on its internal strife to pressure Addis Ababa over the GERD. The July-August period, in which Ethiopia will again fill the GERD reservoir, may see a spike in tensions and leave Addis Ababa and Khartoum less inclined to compromise over the

⁸¹ “Lt. Gen El Burhan: Sudan armed forces committed to protect sovereign territory”, Dabanga Sudan, 18 March 2021. Similarly, a senior figure in the Sudanese Armed Forces told Crisis Group that without demarcation, “we don’t have any will to allow Ethiopia [to farm in al-Fashaga]”. Crisis Group interview, Khartoum, 2 June 2021.

⁸² “Sudan, Ethiopia to hold border demarcation talks week after clash”, Al Jazeera, 20 December 2020.

⁸³ “African issues should be solved by Africans”, Lebatt told Crisis Group soon after his appointment. Crisis Group telephone interview, 16 March 2021.

⁸⁴ “Sudan’s cabinet backs UAE mediation in border, dam disputes with Ethiopia”, 24 March 2021.

⁸⁵ The Emirati proposal provided for \$6-8 billion in investments in al-Fashaga, including a railway line from al-Fashaga to Port Sudan that would have significantly boosted Sudan’s export capacity from the region. Emirati negotiators proposed the erection of demarcation pillars at 1.5km intervals along the al-Fashaga boundary, but the mode of agreeing on just where the boundary line runs was not detailed beyond specifying consultation between the two sides. The agreement would have divided al-Fashaga into three zones, with 25 per cent of the territory allotted to Sudanese farmers, 25 per cent to Ethiopian farmers and 50 per cent controlled by an Emirati agricultural company on a 99-year lease. Both sides rejected the proposal because they were unhappy with the land allotment. The accord also failed to account for the three Sudanese parties with farming interests in al-Fashaga: the Sudanese Armed Forces; large-scale private land holders; and smallholders driven off their land by Ethiopian paramilitaries. A Khartoum-based Western diplomat described it as “a banker’s deal”. Crisis Group interview, 31 May 2021. Crisis Group telephone interview, UN official, 14 April 2021. Crisis Group interview, senior Sudanese government official, Khartoum, 6 June 2021. Emirati mediation efforts have focused on improving socio-economic conditions in the border area, with less attention to the dispute’s legal aspects. Although the border issue is core to its mediation initiative, the UAE has inevitably found talks veering toward the GERD, which the parties cannot discuss without Egypt. Crisis Group correspondence, UN official, 29 April 2021.

⁸⁶ Crisis Group interviews, UN officials and foreign diplomats, Khartoum, May and June 2021.

border. External brokers – particularly the AU and the UAE – need to immediately discourage further inflammatory statements, press for talks between Ethiopian and Sudanese military and civilian leaders, and urge them to freeze military mobilisation. Mediators should also press Sudan to halt construction of military and other infrastructure in al-Fashaga.

If the parties can get back to the table, they could consider confidence-building steps that might help lower the volume and lay the groundwork for discussions about long-term solutions. Such steps could include an AU- or UN-monitored border demilitarisation, the reopening of crossings and trade routes, and the reactivation of bilateral border committees. Down the line, the development of Gulf-backed joint business ventures could contribute to tying together Sudanese and Ethiopian fortunes in al-Fashaga.⁸⁷ To forestall an accidental escalation, outside parties could set up a hotline that in case of an incident would immediately connect senior military commanders or designated focal points bound by a deconfliction protocol. U.S. Africa Command, which has strong relations with both Addis Ababa and Khartoum, may be well placed to help establish such a hotline. Similar conflict avoidance mechanisms have been used to some effect in recent years by the Israeli, Russian and U.S. militaries in Syria, and by India and China.⁸⁸

In the end, any peaceful resolution of the al-Fashaga dispute will need to resemble the soft border arrangement that was semi-formalised in 2007. In order to find common ground, both parties should revert to the mix of customary and legal precepts that have historically governed fluid boundaries – including this one – in East Africa. Whereas Sudan seeks Ethiopian recognition of its legal ownership of al-Fashaga, Ethiopia seeks recognition of customary rights for its citizens who have tilled lands in al-Fashaga for decades. Recent history shows that a workable compromise is possible despite competing interests. As part of an eventual settlement, Sudan should grant Ethiopians customary rights to farm in al-Fashaga and Ethiopia, in turn, should agree to border demarcation, which the existing Joint Border Committee could do with the AU Border Programme's assistance. An agreement should seek to bind the economic fortunes of both of these fragile transitional states. It can also serve as a confidence-building measure to help reset negotiations over the GERD.

Addis Ababa, Cairo and Khartoum also need to pursue resolution of the larger regional issue of the GERD, particularly as Ethiopia makes plans to proceed with a second filling in July. Sudan's move in al-Fashaga has left Addis Ababa even less inclined to meet downstream countries' demands. A pragmatic, gradual approach to building confidence is essential. Rather than continuing to demand that filling be delayed pending a comprehensive legal agreement with Ethiopia, Sudan and Egypt should pursue data sharing and verification protocols, as well as agreed-upon proce-

⁸⁷ The 1972 "exchange of notes" (see footnote 1) created a Joint Boundary Commission, Joint Technical Boundary Committee and Joint Special Committee, each of which has met sporadically since. The two governments also recently formed a High-Level Political Committee on Boundary Issues, which has met once, in 2020. "Facts on the Ethiopia-Sudan boundary dispute", *New Times*, 10 March 2021.

⁸⁸ "A hotline for Americans and Russians to avoid catastrophe in Syrian skies", *The New York Times*, 14 December 2016; "Israel, Russia to review Syria hotline after plane downed", Associated Press, 21 September 2018; Sahil Shah and Leah Walker, "Zoom won't stop a nuclear war", *Foreign Policy*, 19 April 2021.

dures for advance notification of Ethiopia's precise filling plan.⁸⁹ For its part, Addis Ababa should permit increased third-party involvement to help reach a deal and then to verify hydrological data and assist with resolving disputes.⁹⁰

While such a stopgap arrangement falls well short of Khartoum's demands, and those of Cairo, incremental cooperation rather than an unobtainable definitive solution should be the immediate objective of such talks. In this regard, the U.S. and EU should continue to back AU facilitation of GERD talks, while the UAE, with its strong ties to all three parties, should encourage gradual steps that would pave the way for future efforts at establishing wider cooperation.⁹¹

VII. Conclusion

In less than two years, Sudan-Ethiopia relations have veered from pragmatic collaboration to open hostility amid fragile transitions in both countries and laborious negotiations over Ethiopia's giant dam. Khartoum perceives the Tigray conflict as an opportunity to pursue economic and strategic gains, including a favourable GERD agreement. In Addis Ababa, Abiy's attempt to consolidate his power amid fierce political tensions has contributed to domestic conflict and worsening strife, particularly in Tigray. For both governments, troubles at home will complicate efforts to resolve the crisis.

Still, it is critical for the parties to calm tensions and reach a settlement. The quarrel over al-Fashaga threatens to spark a wider conflict and destabilise the Horn of Africa as rival powers exploit instability to advance their own interests. Addis Ababa and Khartoum should quieten their border row before it further complicates resolution of their other disputes.

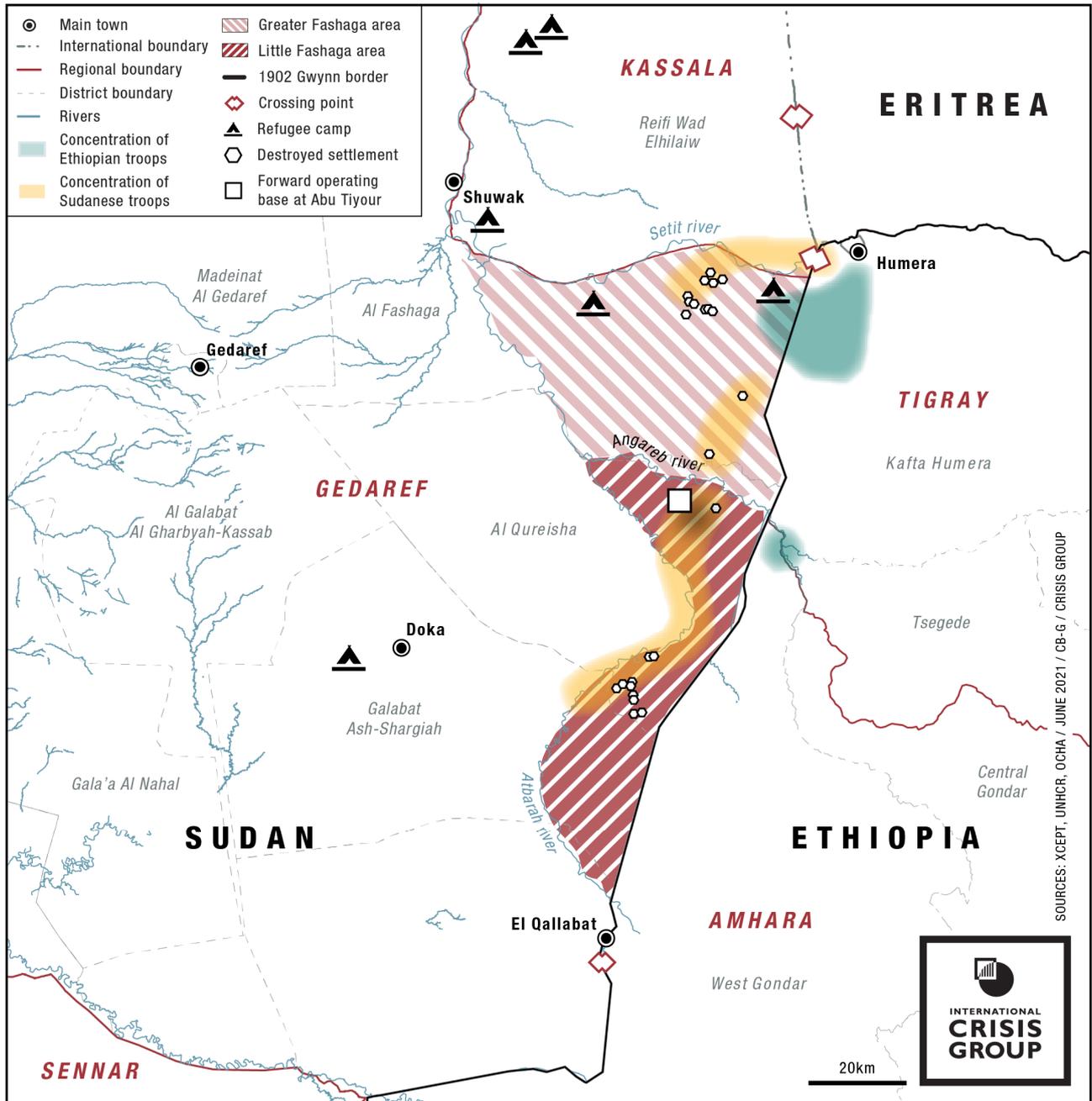
Khartoum/Nairobi/Brussels, 24 June 2021

⁸⁹ After the parties failed to agree on the format of negotiations at a 4-5 April meeting in Kinshasa, the Democratic Republic of Congo's capital, on 8 April Ethiopia's water minister suggested exchanging data in advance of the second filling. Sudan rebuffed the offer, however, saying it required a binding agreement on filling and operating the GERD. Confidential document on file with Crisis Group. "Sudan Affirms the Exchange of Information within a Legal Agreement to Fill and Operate the Renaissance Dam", press release, Sudanese Ministry of Irrigation and Water Resources, 10 April 2021.

⁹⁰ See Crisis Group Africa Report N°271, *Bridging the Gap in the Nile Waters Dispute*, 20 March 2019.

⁹¹ In an effort to calm tensions, the UAE held an informal consultation on the GERD on 30-31 March in Abu Dhabi attended by representatives from Egypt, Sudan and Ethiopia. To complement the AU-led GERD talks, it produced a roadmap to an initial tripartite deal on the dam in June. Confidential document on file with Crisis Group.

Appendix A: Map of Al-Fashaga Area and Troop Concentrations, April 2021



Appendix B: About the International Crisis Group

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 80 situations of conflict or potential conflict around the world.

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