

UNHCR' Position on the status of persons of disputed Ethiopian or Eritrean origin, in the context of the Cessation of Hostilities Agreement of 18 June, 2000

Contextual Framework

3/10-00

This position is developed in the framework of a request for Country of Origin Information received from the Ministry of Justice of the Republic of Korea with specific reference to the impact or effect the **Cessation of Hostilities Agreement** of 18 June, 2000, and the implementation arrangements thereof, such as the deployment of the Peace-keeping force may or may not have on the question of the treatment of Eritrean nationals or persons of Eritrean ethnicity in Ethiopia. Additionally, the question has also been raised whether there continue to be deportations of Eritrean nationals or of persons of Eritrean ethnic background after the conclusion of the **Cessation of Hostilities Agreement**.

The status of the Cessation of Hostilities Agreement of 18 June 2000

The **Cessation of Hostilities Agreement** is essentially a Cease-Fire Agreement, and does not settle the root causes of the Ethio-Eritrean conflict, and the after effects thereof. All the Parties and interested observers agree that "[t]he accord is the first phase of the process taken to pave the way for the next step, and much remains to be done to achieve a permanent peace and a comprehensive agreement."¹

While the Parties have committed themselves to the principle of resolving their differences peacefully, among the outstanding issues are: the verification and delimitation of the boundary; attribution of fault for starting the conflict and the related issue of war reparations; compensation for relief food alleged to have been expropriated by the Eritrean authorities from the port of Assab in 1998; compensation for the treatment of Ethiopian nationals in the areas taken by Eritrea from 1998 as well as for internal displacement¹; the question of the mutual deportation of each other's nationals and compensation for expropriated property etc.

The implementation of the **Cessation of Hostilities Agreement** is itself in turn dependent on positive action being taken both by the Security Council (authorisation and deployment of Peace keeping forces as well as Military Liaison officers) and the Organisation of African Unity.

Since the conclusion of the Agreement, accusations have persisted of the continuing practice of deporting each other's nationals, with the Ethiopian authorities issuing thinly veiled threats of the

¹ Statement attributed to Ethiopia's Foreign Minister, Seyoum Mesfin, AFP, 19 June 2000, Addis Ababa.

¹ See *Africa Confidential*, Vol 41 No 13, 23 June 2000, Article entitled Eritrea/Ethiopia "Time for Reckoning," column 3, page 8.

possibility of renewing hostilities¹ over this issue.

By 2 September 2000 Ethiopia had trained seventy-four Military Liaison officers who will work with the United Mission in Eritrea and Ethiopia (UNMEE).

By the same date, the United Nations had deployed only five, out of a total of fifty UN Liaison officers envisaged under the June Agreement.

To-date, nineteen countries have committed themselves to contribute troops towards the UN Peace keeping contingent but there has been no actual deployment yet.

It must also be noted that in the wake of the Agreement, the Eritrean authorities have admitted to having deported Ethiopian nationals, and they continue to engage in this practice.¹

The Ethiopian authorities have likewise continued the practice of deporting persons they deem to be Eritreans or of Eritrean ethnicity.

Resolution of the specific issue of the disputed nationality of the deportees

It appears that the main interest of both Parties on the question individuals deported from each other's territory revolves mainly around the issue of compensation for property that may have been expropriated.¹ From UNHCR's perspective, the fundamental issue of the nationality of the affected individuals must be addressed in time, particularly for those individuals deported to Eritrea, most of whom still claim their Ethiopian nationality, and in respect of whom the Eritrean authorities have shown ambivalence over their supposed Eritrean nationality. Resolution of this issue may probably have to await the conclusion of a comprehensive Peace Agreement, and the cooling of emotions.

UNHCR's position on the issues raised

Consequence of the Cessation of Hostilities Agreement

From the above description, the **Cessation of Hostilities Agreement** has not had any immediate positive impact or influence in stopping the practice of deportation of each other's nationals. The situation of individuals thus affected or fearing deportation therefore remains precarious and they must continue to be treated in accordance with the Guidelines developed for the Japanese authorities.

¹ The gravity of the situation is demonstrated by the decision of the US Department of State to send Ambassador Richard Bogosian, Special Assistant on the Horn of Africa, to discuss humanitarian and human rights issues affecting civilians as a result of the Ethio-Eritrean conflict.

¹ Ethiopians are mainly being deported through the East Tigray Zone, and the main reception Centre is at the Town of Adigrat. Previously, the Eritrean authorities denied any actions of a reciprocal nature on the issue of deportations, claiming instead that all Ethiopian who had left from Massawa and other areas had done so voluntarily and without any form of coercion.

¹ In a Meeting with UNHCR Addis Ababa, Ambassador Bogosian, stated that his brief had not included the issue of nationality.

Question of nationality

UNHCR's position on the nationality of the affected individuals, as well as the handling of asylum claims that such individuals may lodge also remains the same as outlined in the Guidelines developed for the Japanese authorities.

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Addis Ababa
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