



## Security Council

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### Progress report of the Secretary-General on Ethiopia and Eritrea

#### I. Introduction

1. The present report is submitted pursuant to paragraph 12 of Security Council resolution 1320 (2000) of 15 September 2000, in which the Council requested me to keep it closely and regularly informed of the progress towards the implementation of the resolution. The report provides an update on developments since my report of 7 March 2001 (S/2001/202). It also describes the status of deployment of the United Nations Mission in Ethiopia and Eritrea (UNMEE) as authorized by the Security Council in resolutions 1312 (2000) of 31 July 2000, 1320 (2000) of 15 September 2000 and 1344 (2001) of 15 March 2001, which extended the mandate of UNMEE until 15 September 2001.

#### II. Status of the Temporary Security Zone

##### Establishment of the Temporary Security Zone

2. The parties agreed in the Agreement on Cessation of Hostilities of 18 June 2000 (S/2000/601) to create a Temporary Security Zone, which would be a demilitarized area between the armed forces of both countries. The redeployment of Ethiopian forces from the future Temporary Security Zone was verified by UNMEE on 7 March 2001, and was followed by the rearrangement of the Eritrean forces, which was concluded on 16 April. This allowed my Special Representative, Mr. Legwaila Joseph Legwaila, to declare the formal establishment of the Temporary Security Zone on 18 April, which marked a milestone

in the peace process. The declaration of the Zone gave an additional momentum to the peace process and has made possible the return of civilians seeking to resume their lives in their places of origin.

3. Despite differing views concerning the exact boundaries of the Zone and its regime, in particular as it refers to the restoration of Eritrean militia and police, the situation on the ground has remained generally calm. The Government of Eritrea has commenced the return of its internally displaced population to their villages of origin in the Zone. Nonetheless, there is a growing concern at the possibility of incidents resulting from the proximity between the Eritrean militia and police and the Ethiopian forces, in the area of the southern boundary of the Zone. Accordingly, UNMEE has deployed additional troops to particularly sensitive areas along the southern boundary.

##### Finalization of the boundaries of the Temporary Security Zone

4. UNMEE has made every effort in recent months to define a precise southern boundary of the Temporary Security Zone that takes into account the concerns of the parties of an administrative, military or humanitarian nature. For example, on 15 March UNMEE determined that three companies of Ethiopian troops were present in the Irob area 6 km north of the southern boundary of the proposed Zone previously accepted by Ethiopia. In the course of the consultations that followed, Ethiopia maintained that it had administered the area before 6 May 1998 and would not therefore withdraw its forces despite its earlier failure to inform UNMEE accordingly. UNMEE advised the Eritrean authorities, and confirmed in a



public statement on 18 April, that it had adjusted the southern boundary in this area. UNMEE has also investigated the situation along several segments of the southern boundary, including by undertaking an on-the-ground clarification exercise regarding the location and status of over a hundred different villages in the border areas. This has resulted in a number of mutually acceptable adjustments to the southern boundary.

5. Given the need for operational clarity, it is important that Ethiopia, Eritrea and UNMEE operate on the basis of a precise and common understanding of the location of the Temporary Security Zone. To this end, UNMEE has completed and will shortly distribute to the parties a finalized map showing the southern and northern boundaries of the Zone. UNMEE anticipates that these boundaries will not be fully satisfactory to either party. Nevertheless, I trust that, in order to continue to move the peace process forward, and given the temporary nature of the Zone, the parties will agree to operate on the basis of this map, on the understanding that all decisions regarding the delimitation of the border will be made by the Boundary Commission.

6. In this respect, UNMEE is concerned at the continued presence of Ethiopian troops inside the Temporary Security Zone in one location in the Eastern Sector, despite the assurances given by the Government of Ethiopia that these troops would be withdrawn to the southern boundary of the Zone. Recently, UNMEE has received indications from Ethiopia that it considers that this redeployment position corresponds to the 6 May 1998 line. This cannot be regarded as acceptable, long after an understanding had been reached on the Ethiopian troops' redeployment positions in this area.

### **Presence of Eritrean militia and police in the Temporary Security Zone**

7. The Agreement on Cessation of Hostilities of 18 June 2000 provided that Eritrea would restore its civilian administration, including police and local militia, in the Temporary Security Zone. My report to the Security Council of 9 August 2000 (S/2000/785) noted that it would be necessary for the implementation of the UNMEE mandate that all relevant information on militia personnel be provided to the United Nations, in order to enable it to verify that the functions and configuration of the militia do not exceed that which prevailed before the outbreak of the conflict. On 26

February 2001, the Force Commander of UNMEE wrote to the Eritrean Commissioner for Coordination with the United Nations Mission to request this information. Although Eritrea initiated the restoration of its militia and police in the Zone immediately after the repositioning of its armed forces, no such information on past or planned numbers has been provided to the United Nations to date.

8. As of 13 June, UNMEE military observers estimated that over 5,500 Eritrean militia and 3,100 police had already deployed inside the Temporary Security Zone. General observations indicate that there is approximately 1 battalion of militia installed at each of the 14 sub-zones in the Zone. Like the militia, the police show signs of being organized along the lines of a regular military structure, and are more heavily armed than similar entities elsewhere in Eritrea. In several cases, police and militia have been deployed to areas located very close to the southern boundary of the Zone, which are not or only scarcely populated. All this may create additional tension, which could otherwise be avoided. Indeed, some elements of the Ethiopian forces and a number of Eritrean militiamen exchanged fire on 6 June, when both sides were patrolling too close to the southern boundary of the Zone.

9. On 16 April, my Special Representative and the Eritrean Commissioner signed a Protocol Agreement on the functioning of local militia and police inside the Temporary Security Zone. The Protocol outlines the terms under which Eritrean militia and police are expected to operate within the Zone, and limits the types of weapons that they may carry. It requires all militia and police to possess identification and weapons permits, and to wear distinctive uniforms. The Protocol also provides for the storage of certain types of weapons in predetermined locations inside the Zone. As of 13 June, UNMEE had lodged seven protests with the Eritrean authorities concerning violations of the Protocol by the police, and 24 protests concerning the militia. These protests include the establishment of unannounced or unauthorized checkpoints, possession of unauthorized weapons, absence of identification or weapons permits, and use of Eritrean Defence Forces' vehicles. Notwithstanding these problems, UNMEE has so far received good cooperation on the ground from both police and militia.

10. On 21 April, Ethiopia issued a statement in which it rejected key elements of the Protocol Agreement on

police and militia. In particular, Ethiopia objected to the number of Eritrean militia to be deployed in the Zone, the type of weapons that they would be allowed to carry and the fact that militia members would wear distinctive uniforms. In this regard, Ethiopia stressed that it was “totally unacceptable to deploy a uniformed and well-organized force within the Temporary Security Zone under the guise of militia”. The Ethiopian authorities have pointed to this as evidence that the Zone has not been demilitarized. Subsequently, the Ethiopian Minister for Foreign Affairs expressed similar concerns in a letter dated 7 May 2001 (S/2001/448) addressed to the President of the Security Council.

11. On 14 May, the Eritrean Minister for Foreign Affairs wrote to the President of the Council (S/2001/477) stating that Eritrea had no intention to “bring back its army to the Temporary Security Zone” through a back door, and that “a couple of thousand of lightly armed Eritrean police and militias dispersed in more than 400 villages over a total area of 25,000 square kilometres, cannot pose a legitimate cause of concern to Ethiopia”.

12. In the absence of any information regarding the pre-conflict strength and configuration of Eritrean local militia and police, UNMEE is currently engaged in determining what would constitute “an appropriate but limited number of Eritrean civilian police and militia”, as indicated in the Security Council’s Presidential Statement of 15 May 2001 (S/PRST/2001/14). The intention in this regard is to balance the need to ensure law enforcement in the Temporary Security Zone, while maintaining the Zone as a demilitarized area. UNMEE will therefore determine maximum numbers of police and militia, based on objective criteria, in consultation with the Eritrean authorities, and having in mind the demilitarized nature of the Zone.

### **UNMEE’s freedom of movement**

13. In the Agreement on the Cessation of Hostilities of 18 June 2000, Eritrea and Ethiopia agreed to the “guarantee of the free movement and access of the Peacekeeping Mission and its supplies, as required through the territories of the parties” (S/2000/601). Notwithstanding this commitment, as of 13 June, UNMEE had recorded and protested 113 restrictions on its freedom of movement by Eritrea and 30 by Ethiopia.

14. The Ethiopian authorities have agreed to the principle of UNMEE’s freedom of movement in the Temporary Security Zone and adjacent areas and so far, have worked to reduce the incidence of restrictions. However, the Eritrean Government has repeatedly argued that UNMEE’s freedom of movement should be limited to the Temporary Security Zone and to the main supply/access routes, and that it should not extend to the 15-km-wide area adjacent to the Zone. These restrictions impede the Mission’s ability to discharge its monitoring mandate, which requires the United Nations not only to monitor the Zone, but also to monitor the forces of the two parties after their redeployment and repositioning in the vicinity of the Zone. Given the deployment of UNMEE and its facilities in various areas of Eritrea, and the limited number of serviceable roads in the country, these restrictions also affect the Mission’s operational effectiveness in a major way.

15. Regrettably, despite my appeals and those of the Council, there has been no progress regarding the establishment of a direct high-altitude flight route between Asmara and Addis Ababa for the use of UNMEE’s aircraft. The Eritrean authorities continue to maintain that UNMEE should fly, as initially requested and agreed, on the most direct route, and decline to make any adjustments to it. At the same time, the Ethiopian authorities insist on a short diversion from the most direct route. However, they have agreed that UNMEE may fly by any other route between the two countries. UNMEE has recently presented Eritrea with two alternative high-altitude international flight routes approved by the International Civil Aviation Organization (ICAO). The United Nations has also engaged contacts with ICAO in order to seek alternative ways of resolving this important issue.

### **Military Coordination Commission**

16. The United Nations has continued to attempt to build confidence between the parties through the Military Coordination Commission (MCC), which remains the only channel for direct and regular contacts between them. At the fifth meeting of the MCC, held in Djibouti on 6 April, the Commission considered the establishment of joint investigation teams to address possible future military incidents between the parties. The meeting also discussed the restoration of the Eritrean militia and police in the Temporary Security Zone, freedom of movement, mine information, and the

need for the parties to plan for customs and immigration control along the southern boundary of the Temporary Security Zone.

17. At the sixth meeting of the MCC held in Nairobi on 21 May, the parties agreed to the establishment of three sector-level MCCs. They also agreed in principle to establish a joint cooperative mechanism, with the participation of the Organization of African Unity and UNMEE, to undertake the repatriation of remains of soldiers from areas both north and south of the southern boundary of the Temporary Security Zone. The issues of local militia, police, and freedom of movement were further discussed.

18. With the establishment of the Temporary Security Zone and the planned commencement of sector MCCs, additional possibilities will be created for a more sustained military coordination with the parties. UNMEE has repeatedly stressed to them that the time has come to start holding meetings of the MCC in the two capitals as a means of building confidence. While the Ethiopian authorities have agreed to this, Eritrea has so far declined, claiming security concerns for its participants in the MCC.

### **III. Status of the United Nations Mission in Ethiopia and Eritrea**

#### **Deployment of the Mission**

19. In the second half of March, both the Indian force reserve company and the Indian engineering company were deployed to the Mission area. In early May, an additional Slovak demining platoon was also inducted to UNMEE. This brought to a successful conclusion the original deployment of the Mission. As at 15 June, the strength of the military component of UNMEE stood at 5,631 military personnel<sup>1</sup> from over 40 countries, including 4,692 troops, 116 military staff, 216 military observers and 607 national support elements. The civilian component of the Mission was comprised of 221 international staff, 6 United Nations volunteers and 240 local staff.

20. On 17 May, 33 headquarters staff officers of the Standby High Readiness Brigade departed the mission area and have been replaced by new staff officers. Advance elements of the French guard and administration company arrived on 28 May to replace the company from Denmark, which has been

supporting the Force headquarters. Similarly, advance elements of the Indian battalion arrived on 30 May, with the main body being inducted in mid-June. They are replacing the combined Dutch/Canadian battalion currently stationed in the central sector and scheduled to depart by 16 June 2001. I wish to take this opportunity to express my appreciation to the Steering Committee and Member States of the Standby High Readiness Brigade for their vital contribution to UNMEE's speedy and efficient deployment.

21. Within its current strength, the military observers team has redeployed officers from the Asmara headquarters to establish four additional team sites in Sector West and also to reinforce the Sector headquarters.

#### **Status-of-forces agreements**

22. On 22 March, Ethiopia signed the status-of-forces agreement (SOFA) for UNMEE. However, the SOFA with Eritrea still remains under negotiation. UNMEE is currently awaiting the new proposals that the Eritrean Government has promised to make to resolve the two outstanding issues.

#### **Mine action**

23. The landmine and unexploded ordnance situation in the Temporary Security Zone is slowly but steadily becoming clearer now that more information has been provided by the parties and as on-site surveying progresses. In March, Eritrea handed over to UNMEE 313 mine records, covering approximately 175,000 anti-personnel mines and 45,000 anti-tank mines. As of that month, the Ethiopian Government had also provided some 17 reports to the Mine Action Coordination Centre, representing the results of the rapid survey conducted by the HALO Trust in the Temporary Security Zone in areas then controlled by Ethiopia. However, additional minefield information is still being sought. The Ethiopian authorities maintain that they have no central records of mines laid in the Temporary Security Zone, but have agreed to facilitate the collection by Mine Action Coordination Centre personnel of any available information directly from Ethiopian Army engineers.

24. Information obtained so far from the parties has been entered into the Mine Action Coordination Centre

Information Management System for Mine Action database and will subsequently be verified on the ground. However, the full scope of the mine/unexploded ordnance problem will not be known until such time as proper socio-economic impact surveys have been conducted in the mine-affected areas. In this regard, both countries have requested United Nations assistance.

25. Even at this stage, however, it is clear that the mine/unexploded ordnance threat in the Temporary Security Zone, and in adjacent areas, is very real. It places UNMEE troops at risk, as evidenced by the two separate landmine strikes involving Canadian contingent armoured vehicles in March, as well as an earlier explosion affecting a HALO survey team vehicle on 20 February. The threat to the civilian population is far greater. Mine and unexploded ordnance accidents are increasing, currently being reported at the rate of about one per day within the Temporary Security Zone. The real figure, taking into account unreported accidents, may be significantly higher.

26. The UNMEE Mine Action Coordination Centre is continuing to offer technical assistance to Ethiopia and Eritrea in fulfilling their mine action obligations under the Agreement on Cessation of Hostilities, and to coordinate mine action activities in the Temporary Security Zone, and adjacent areas, as required.

27. Although internally displaced persons (IDPs) in Ethiopia, who have largely returned to their home areas, appear to recognize landmine and unexploded ordnance dangers, as mentioned above, the presence of mines still presents a significant threat to life and an obstacle to the full restoration of livelihoods along a significant portion of the border zone. Growing pressure to cultivate, collect firewood and graze animals is expected to result in a gradual increase in casualties. Realizing that the actual removal of mines in the former conflict zones is going to take many years — even with the significant World Bank loan being used for demining — the need for expanding and improving mine-awareness training among affected communities has become more urgent. Current constraints in Ethiopia include the lack of complete information on the location and composition of minefields, insufficient funding for technical assistance/capacity-building and mine-awareness training.

28. In Eritrea, UNMEE is working in close cooperation with United Nations Children's Fund (UNICEF) and international non-governmental organizations (NGOs) to create greater mine awareness in the population. Mine-awareness information materials are also being produced for broadcast on UNMEE radio.

29. UNMEE's Slovak and Bangladeshi demining units continue to prove routes and clear key operational sites. A combined Slovak/Kenyan company has been formed to operate in Sector East (Assab-Bure). Contingent ordnance disposal teams are undertaking disposal of landmines and unexploded ordnance in the field.

30. In the meantime, humanitarian demining teams are being trained and equipped in collaboration with the Eritrean Mine Action Centre and the National Training Centre, with the assistance of UNMEE Mine Action Coordination Centre and NGOs such as the HALO Trust, Danish Church Aid and the Danish Demining Group. Several teams, including two from the Eritrean Demining Agency, who were trained with UNMEE financing, have already been deployed to the Temporary Security Zone to conduct minefield survey, marking and clearance tasks in support of the humanitarian relief efforts.

31. The UNMEE budget will continue to provide for the core Mine Action Coordination Centre staff and equipment so that it can effectively carry out its role of coordination, technical advice and information management for mine action in the Temporary Security Zone. In addition, the Mine Action Coordination Centre intends to take a more proactive role in the development of national capacities to ensure that the necessary resources are mobilized as soon as possible to deal with the current threat, and that sufficient sustainable capacity is built in the medium term.

32. In this regard, I wish to express my deep appreciation to donors for the generous contributions provided through the Voluntary Trust Fund for Mine Action managed by the United Nations Mine Action Service, that allow mine action activities that are complementary to, but outside of the UNMEE mandate, to be undertaken. In yet another complementary effort, the United Nations Development Programme (UNDP) and UNICEF are receiving demining contributions directly and are providing assistance to the Governments of Ethiopia and Eritrea

to further develop their national mine action capacities. Bilateral efforts are also having an impact: the initial HALO Trust danger area survey was funded bilaterally, as are a follow-up survey project, a HALO Trust mine action project and the provision of trainers.

33. However, funding remains a constraint on the urgently needed mine-awareness activities, and is having an impact on the speed with which humanitarian deminers can be trained, equipped, and deployed with adequate supervision. The Eritrean Government has recently demobilized 650 combat engineers and made them available for mine action work within the Temporary Security Zone. Some of them can be absorbed immediately into ongoing training initiatives, but additional financing is needed to absorb all of them effectively. There are several mine action project proposals currently under consideration by the international donor community that, if funded, could greatly assist in this regard. I urge those countries that are in a position to do so to contribute to the many important mine action projects already developed but still short of funding.

### **Quick Impact Projects**

34. A total of US\$700,000 has been allocated in the UNMEE budget to address some of the immediate needs in the Temporary Security Zone and adjacent areas in Eritrea and Ethiopia through quick impact projects. These projects are implemented by United Nations agencies, local and international NGOs and government institutions. As of 13 June, over 50 per cent of the available funds had been allocated for approved projects in both Ethiopia and Eritrea. These projects cover a variety of interventions in health, water, sanitation, education and training. As more IDPs return to the Temporary Security Zone and adjacent areas, additional critical needs are likely to be identified; it is anticipated that the number of quick-impact proposals submitted to UNMEE will increase. Since funding of quick-impact projects from UNMEE's assessed budget is limited to the first year of the Mission's duration, it is my intention to establish a special trust fund to enable UNMEE primarily to continue to undertake such projects from voluntary contributions.

### **Public information**

35. UNMEE's public information programme is now entering a critical phase, focusing increasingly on communicating the Mission's message to the people of Ethiopia and Eritrea, particularly in the light of the establishment of the Temporary Security Zone and the commencement of the return of IDPs to the Zone.

36. Since mid-January, UNMEE has been broadcasting weekly one-hour programmes with news on the Mission and humanitarian issues and information on Eritrean radio, in Arabic, English, Tigre and Tigrinya. The continuing obstacles to providing UNMEE similar access to broadcast free of charge in Ethiopia have not yet been overcome. However, UNMEE radio materials and programmes are available on the United Nations web site in English and six local Ethiopian languages (Amharic, Arabic, Afaan Oromo, Tigre, Ethiopian-Tigrinya, Eritrean-Tigrinya). In the meantime, mine-awareness leaflets in three languages have been distributed throughout the Temporary Security Zone and adjacent areas. A variety of print materials are also being produced in local languages on the importance of peace, the mandate of the Mission and essential aspects of UNMEE's activities.

37. In addition, media outreach programmes are actively being pursued, including the provision of regular briefings to local and international journalists, organization of interviews with the Special Representative and UNMEE senior staff, and the provision of information on, and access to, the Temporary Security Zone for international and national media. A television package containing footage of the Mission at work will be made available soon.

## **IV. Boundary Commission and Claims Commission**

38. The Boundary Commission and the Claims Commission established in accordance with the Peace Agreement concluded between Ethiopia and Eritrea on 12 December 2000, have started their work. The initial difficulties regarding the nomination of some of the Commissioners, have been successfully resolved in conformity with a proposal presented to the parties. Information on the main activities of the two Commissions since their inception, provided by their

respective Presidents, is contained in annexes I and II to the present report.

39. As noted in the first report on the work of the Eritrea/Ethiopia Boundary Commission (annex I), a draft operational plan was prepared by the United Nations Cartographer, who is the Secretary of the Commission, and has been communicated to the Commission for its consideration. Once approved, this operational plan will constitute the basis for cost estimates for the on-site work of the Commission. The operational plan will also identify the Boundary Commission's requirements and allow it to prepare its budget. In the meantime, the Commission's activities will continue to be financed from voluntary contributions totalling some \$3.8 million, which have so far been received or pledged, to the Trust Fund for the delimitation and demarcation of the border established pursuant to Security Council resolution 1177 (1998) and from the disbursements expected from the parties. I shall revert to Member States at a later stage if additional funding through other mechanisms is required.

40. In this connection, I would like to express my appreciation to those Member States who have generously heeded my appeal for contributions to the Trust Fund, and I reiterate my call to the parties to meet their obligation to bear the cost of the Boundary Commission.

## **V. Humanitarian developments**

41. Although the impact of the drought is still being felt in both Ethiopia and Eritrea, most northern areas of the Tigray region have received enough rain during the "small" rainy season to begin land preparation for the main rainy season due in June/July. In the Temporary Security Zone, the majority of IDPs have not yet returned to their home areas, and even if they do return in time for the planting season, many of the returning families may not have sufficient agricultural inputs, such as seeds, tools and plough oxen, to take full advantage of this year's planting season.

42. Significant numbers of IDPs have moved back to their home areas, either spontaneously or through returns organized by the Government with the assistance of the Office of the United Nations High Commissioner for Refugees (UNHCR). There were approximately 160,000 IDPs in camps in mid-April and

another 100,000 to 150,000 living in host communities; by 13 June, it is estimated that over 81,000 people had returned home through organized moves. However, the provision of timely and effective support to the returning population has been hampered by the lack of advance information from the Eritrean Government to the humanitarian agencies on the planned moves.

43. At the end of May, the Eritrean Government released its operational plan for the second phase of government-organized returns of IDPs to the Temporary Security Zone and adjacent areas. The plan, which covers roughly a period of three to four weeks, details repatriation of about 20,000 IDPs from Debub camps and 14,500 IDPs from Gash Barka camps to various villages in these two regions.

44. In preparation for the return of IDPs back to the Temporary Security Zone, the United Nations Country Team and the Eritrean Government, with UNMEE's support, conducted a series of rapid village assessments in all the regions of the Temporary Security Zone. Although priorities differed from area to area, the survey teams found extensive damage to basic infrastructure in most areas and the team reports highlighted the need for immediate interventions in the provision of water, health services and shelter, as well as the procurement of agriculture inputs to farmers.

45. Last February, the Country Teams of Ethiopia and Eritrea issued consolidated appeals covering relief needs for drought, displaced persons and refugees/returnees. Recently, the pledge situation has improved somewhat with 27 per cent of the overall food requirement being pledged and additional food aid pledges from donors expected in the near future. Pledges for the very important non-food component have also increased recently, with a significant contribution from the Government of the Netherlands. However, in view of the urgent humanitarian requirements over the next few months, it would be important that donors respond positively to the various appeals issued by both Eritrea and Ethiopia. Meanwhile, the continuing cooperation between the United Nations agencies and UNMEE greatly facilitates the provision of humanitarian assistance to the IDPs throughout the Mission area of operation.

46. At a tripartite meeting held in March between the Government of the Republic of the Sudan, the Government of the State of Eritrea and UNHCR, it was agreed that the voluntary repatriation of Eritrean

refugees from the Sudan should begin as quickly as possible. Accordingly, on 12 May the first group of approximately 900 Eritrean refugees from the Sudan were repatriated by UNHCR and the Eritrea Relief and Rehabilitation Commission. This group of returnees was part of the new caseload that fled to the Sudan as a result of the fighting in May/June 2000 and will be settled in their home villages. Once all the new caseload refugees have been voluntarily repatriated, the older group dating from the 1960s will be moved back to Eritrea. The Government of the Sudan estimates that there are currently about 174,000 Eritrean refugees in the Sudan and they plan to repatriate roughly 62,000 this year and the balance in 2002. As of 12 June, a total of approximately 12,055 from both the old and new caseloads had been repatriated.

47. In early May, the United Nations Country Teams of Eritrea and Ethiopia held their fourth joint meeting in Asmara since 1998. The meeting, which included representatives from all the main United Nations operational agencies, considered ways to collaborate more effectively with the host Governments on a wide range of humanitarian issues, including HIV/AIDS, resource mobilization, the safe return of displaced and refugee populations; and ways and means of supporting the peace and reconciliation process between the two countries. Among other things, the two Country Teams agreed to organize a series of national workshops on each side of the border around the themes of development, peace and tolerance; to jointly pursue pilot initiatives for the reunification of separated families; and to seek to engage the Ethiopian and Eritrean diaspora as a force for peace and reconciliation in support of any initiatives in this regard.

### **Release and repatriation of prisoners of war and repatriation of civilians**

48. During the period under review, Ethiopia released and repatriated, with the assistance of the International Committee of the Red Cross (ICRC), 242 Eritrean prisoners of war, and Eritrea released and repatriated 1 Ethiopian prisoner of war, on health grounds. According to ICRC figures, some 400 prisoners of war remain in Eritrea, and some 1,300 in Ethiopia. There has been no further progress in the repatriation despite the requirements of international humanitarian law and the commitment made by both Governments under

article 2 of the Agreement of 12 December 2000 (S/2000/1183, annex) to release and repatriate all prisoners of war “without delay”.

49. During the reporting period, ICRC also assisted in the voluntary repatriation of 9,822 Ethiopians from Eritrea. These included a small number of less than 60 civilian internees, and many others who had recently been detained by the Eritrean authorities for holding expired residence permits. Since December 2000, a total of 14,179 civilians have returned to Ethiopia. On 1 June, a group of 285 Eritreans, who had been living in the Tigre area of Ethiopia, were repatriated to Eritrea with the assistance of ICRC.

## **VI. Human rights**

50. During the period under review, the human rights component of UNMEE became operational with the arrival of five of the expected seven human rights officers in the Mission area. Human rights officers began investigating the treatment of Eritreans in Ethiopia and of Ethiopians in Eritrea in the context of the conflict. Monitoring activities within the Temporary Security Zone and adjacent areas have begun, with visits by human rights officers to all sectors. In addition to investigating allegations of human rights violations within the Temporary Security Zone, the human rights officers, in collaboration with other UNMEE and United Nations agencies personnel, are monitoring the return of IDPs. Special attention is being paid to vulnerable groups and populations affected by the conflict. UNMEE human rights experts also contributed to a pilot project providing gender and human rights training to peacekeepers at five locations in Ethiopia and Eritrea.

## **VII. Confidence-building measures**

51. UNMEE stands ready to contribute to any confidence-building efforts that would promote lasting peace between the two countries. In this context, my Special Representative and his Deputies have met with the religious leaders of Ethiopia and Eritrea and have offered every support to their initiative to meet at a location in the border area. UNMEE had planned to provide logistical assistance and security to such a meeting, which was scheduled for 19 to 21 May and to assist in media coverage. The postponement of the



meeting, due to incomplete preparations in Ethiopia, was very regrettable. However, the Patriarch of Ethiopia assured my Special Representative of the continued commitment of the religious leaders to pursue this initiative. In another effort to build confidence between the parties, UNMEE intends to assist in repairing a bridge over the Mereb river between the two countries.

52. The Military Coordination Commission, which, as indicated in paragraph 16 above, is currently the only forum for direct contacts between both parties, also serves as a useful confidence-building mechanism. In addition, the United Nations Country Teams in Ethiopia and Eritrea, which met recently together, committed themselves to actively promoting the peace and reconciliation process, and confirmed their intention to develop appropriate initiatives to that effect, in close coordination with my Special Representative.

## VIII. Observations

53. The Governments of Ethiopia and Eritrea deserve to be commended for their continued commitment to the peace process and for their overall compliance with their obligations under the Algiers agreements, in spite of the fact that serious difficulties remain. The establishment of the Temporary Security Zone is an encouraging development, which, despite the disagreements between the parties, marks a milestone in the implementation of the Agreement on Cessation of Hostilities. However, it is imperative that the parties resolve the outstanding issues, in particular those pertaining to the Temporary Security Zone, so as to ensure that it is clearly defined and effectively demilitarized.

54. In this regard, in separate letters dated 1 June addressed to the President of Eritrea, Isaias Afwerki, and to the Prime Minister of Ethiopia, Meles Zenawi, I reiterated my appeal to them to resolve all outstanding issues without further delay. I called President Isaias' attention to the deployment by Eritrea of an excessive number of militia and police in the Zone, and noted that the status-of-forces agreement for UNMEE has not yet been signed. I expressed concern to Prime Minister Meles over the continued presence of Ethiopian troops in parts of the eastern sector of the Temporary Security Zone. The letters to both leaders also mentioned the continuing restrictions imposed on UNMEE's freedom

of movement and the establishment of a direct high altitude air route between Asmara and Addis Ababa for the use of United Nations flights. On 6 June, President Isaias responded to my letter. However, as of 15 June, I had not received a reply to my letter from Prime Minister Meles Zenawi. My Special Representative will continue his efforts with both sides with a view to an early resolution of these issues.

55. The humanitarian situation in Ethiopia and in Eritrea remains a source of major concern. I therefore urge the international donor community to respond generously to the United Nations Country Teams' requests for humanitarian assistance for the two countries. I call upon both Governments to continue to cooperate closely with the United Nations to address the humanitarian challenges with which they are confronted.

56. Mines and unexploded ordnance remain a serious threat to UNMEE troops and the civilian population, including IDPs who are returning to their homes in the Temporary Security Zone and areas adjacent to it. As additional resources are urgently needed to support demining activities, I reiterate my call to Member States to provide the funds required to sustain these vital tasks.

57. The consolidation of the peace process between Ethiopia and Eritrea will require the continued commitment of their leaders to the peace agreements. In this respect, I would like, once again, to emphasize the importance of the work of the Boundary Commission. The Commission is mandated to delimit and demarcate the border between the two countries, with a view to resolving the dispute that was the root cause for the war between them. While it is encouraging that the problems encountered with its composition have been solved, I call upon both Governments to cooperate fully with the Boundary Commission and to meet their obligation to bear the related costs.

58. Lasting peace between Ethiopia and Eritrea and the restoration of normal relations will require a further effort to ensure reconciliation between the peoples of two countries among which the recent and painful war has generated deep mistrust. In this respect, it is essential that the leadership of both countries, with the assistance of the international community, seek to build trust and confidence between their respective people. Initiatives such as the planned encounter of the

religious leaders of both countries are commendable and should be followed by other similar endeavours. In this connection, I regret that, despite some softening of the hostile rhetoric in the media, neither Government has yet displayed publicly much openness to a normalization of relations between them. It is important that political developments in both countries should not distract them from their commitments to a peaceful settlement of their differences. I trust that the leaders of Ethiopia and Eritrea will remain fully committed to further consolidating the peace process.

59. In conclusion, I would like to pay a tribute to my Special Representative, Mr. Legwaila Joseph Legwaila, and to all military and civilian personnel of UNMEE, as well as to humanitarian workers and representatives of non-governmental organizations, for the dedicated way in which they have been carrying out their duties and their contribution to the consolidation of the peace process.

*Notes*

- <sup>1</sup> This figure temporarily exceeds the authorized strength. It is planned that by 16 June 2001 the total number of military personnel will be reduced to the maximum authorized strength.

## Annex I

### **Eritrea/Ethiopia Boundary Commission**

#### **First report on the work of the Commission**

1. The Eritrea/Ethiopia Boundary Commission was formally constituted on 20 February 2001, the date on which the President accepted appointment by the four party-appointed Commissioners.

2. The current composition of the Commission is: Sir Elihu Lauterpacht, CBE, QC (President); His Excellency Prince Bola Adesumbo Ajibola (appointed by Ethiopia); Judge Stephen M. Schwebel (appointed by Eritrea); and Sir Arthur Watts, KCMG, QC (appointed by Ethiopia). The current vacancy on the Commission, caused by the resignation of one of the Commissioners originally appointed by Eritrea, is expected to be filled in the very near future.

3. Pursuant to article 4, paragraph 8, of the Agreement of 12 December 2000, the parties provided the Secretary with statements of their claims and evidence relevant to the mandate of the Commission. The Secretary reviewed the statements and on 12 March 2001 transmitted to the Commission and the parties materials relevant to the mandate of the Commission as well as his findings identifying those portions of the border as to which there appears to be no dispute between the parties. On 23 March 2001, the Government of Ethiopia reserved its position with respect to these findings.

4. In order to expedite the proceedings, the Commissioners met together in The Hague on 25 March 2001 at the premises of the Permanent Court of Arbitration at the Peace Palace. On 26 March 2001, an informal meeting to discuss procedural matters was held between the Commissioners and the parties. It was understood that the meeting would be without prejudice to the position of the parties, pending the resolution of the question of a challenge to one of the members of the Commission. At the meeting, the parties were represented by their agents and counsel. The United Nations Cartographer, as Secretary of the Commission, was also present.

5. The parties agreed that there should be appointed to assist the Commission, in addition to the Secretary provided for in the Agreement of 12 December 2000, a legally trained Registrar. Ms. Bette Shifman, Principal Legal Counsel of the Permanent Court of Arbitration, was accordingly appointed.

6. A time-line for the first phase of the Commission's work (the delimitation of the border) was tentatively agreed. It was subsequently amended and is now as follows:

- The parties will simultaneously file written Memorials on 30 June 2001.
- The parties will simultaneously file written Counter-Memorials on 22 September 2001.
- Consideration will then be given to whether the parties should exchange replies.
- A pre-hearing consultation will be held between the Commission and the parties on 6 November 2001.

- Hearings will be held in The Hague between 10 and 21 December 2001.
- It is hoped that the decision on delimitation will be reached in February 2002.

The demarcation stage of the Commission's work will then be begun.

7. Pursuant to instructions from the Commission, the Secretary sent a team to carry out a field reconnaissance of the border areas with a view to preparing an operational plan for the information of the Commission outlining the steps that need to be taken for the delimitation and demarcation of the boundary. The team was in the area between 15 April and 1 May 2001. A possible operational plan for the consideration of the Commission was communicated to it on 23 May 2001. This material is for the internal use of the Commission and is without prejudice to the respective positions of the parties.

8. The Commission has been actively engaged in preparing its rules of procedure, as required by article 4, paragraph 11, of the Agreement of 12 December 2000. They will be adopted when the membership of the Commission is completed.

9. Article 4, paragraph 17, of the Agreement of 12 December 2000 provides that the expenses of the Commission shall be borne equally by the two parties, and that to defray its expenses, the Commission may accept donations from the United Nations Trust Fund established under paragraph 8 of Security Council resolution 1177 (1998) of 26 June 1998. The initial contributions that the Commission requested from the parties have not yet been received. The expenses of the reconnaissance team referred to in paragraph 8 above have been met from the Trust Fund.

29 May 2001

(Signed) Sir Elihu **Lauterpacht**  
President of the Commission

## Annex II

### Eritrea/Ethiopia Claims Commission

#### **Report to the Secretary-General on the work of the Commission: February-May 2001**

1. The Eritrea/Ethiopia Claims Commission was established pursuant to article 5 of the Agreement signed in Algiers on 12 December 2000 between the Governments of the State of Eritrea and the Federal Democratic Republic of Ethiopia (the "December Agreement"). The mandate of the Commission is

“to decide through binding arbitration all claims for loss, damage or injury by one Government against the other, and by nationals (including both natural and juridical persons) of one party against the Government of the other party or entities owned or controlled by the other party that are (a) related to the conflict that was the subject of the Framework Agreement, the Modalities for its Implementation and the Cessation of Hostilities Agreement, and (b) result from violations of international humanitarian law, including the 1949 Geneva Conventions, or other violations of international law.”

2. Pursuant to the December Agreement, the Commission is an independent body, located in The Hague. The current composition of the Commission is: Professor Hans Van Houtte (President); Mr. John Crook (appointed by Eritrea); Dean James Paul (appointed by Ethiopia); and Ms. Lucy Reed (appointed by Eritrea). The current vacancy on the Commission, caused by the resignation of one of the Commissioners originally appointed by Ethiopia, is expected to be filled in the very near future. The Commission has appointed as Registrar Ms. Bette E. Shifman, Principal Legal Counsel of the Permanent Court of Arbitration.

3. In order to begin planning for the proceedings, the Commissioners met together in The Hague from 26 to 28 March 2001 at the premises of the Permanent Court of Arbitration at the Peace Palace. On 27 March and 14-15 May 2001, the Commissioners and representatives of the parties held informal meetings in The Hague to discuss procedural matters. Prior to the 14-15 May informal meetings, the parties filed substantial memoranda with their views and suggestions.

4. On the basis of the useful discussion at the 14-15 May meeting, the President addressed to the parties a list of issues related to the process of preparing and submitting claims. These are to be addressed in written submissions to be filed by the parties on 15 June. A hearing on these matters is scheduled to take place in The Hague from 1 to 3 July, provided the fifth Commissioner has been appointed.

5. Pursuant to article 5, paragraph 6, of the December Agreement, the Commission is empowered to employ such professional, administrative and clerical staff as it deems necessary, and to retain consultants and experts. As part of its preparatory work on a possible mass claims process, the Commission has undertaken initial consultations with computer and software experts regarding the technical aspects of filing and processing mass claims. On 21 May 2001, the Commission organized a telephone conference connecting representatives of the parties and experts involved in designing computer systems and software for other mass claims systems.

6. The Commission will adopt its Rules of Procedure, as required by article 5, paragraph 7, of the December Agreement, in consultation with the parties, after the membership of the Commission is completed.

7. Pursuant to article 5, paragraph 8, of the December Agreement, the deadline for submitting claims to the Commission is one year from the effective date of that agreement, i.e., 12 December 2001. Claims are to be submitted to the Commission by each of the parties on its own behalf and on behalf of its nationals, including both natural and juridical persons. The December Agreement further provides that the Commission shall endeavour to complete its work within three years of the closing date for filing claims.

7 June 2001

*(Signed)* Professor Hans **Van Houtte**  
President of the Claims Commission

## Annex III

**United Nations Mission in Ethiopia and Eritrea:  
Contributions as at 15 June 2001**

	<i>Military observers</i>	<i>Staff officers</i>	<i>National support elements</i>	<i>Troops</i>	<i>Total</i>
Algeria	8				8
Australia		2			2
Austria	3	4			7
Bangladesh	6	6		160	172
Benin	5	3			8
Bosnia and Herzegovina	8				8
Bulgaria	4				4
Canada	6		349	445*	800
China	5				5
Croatia	5				5
Czech Republic	2				2
Denmark	4	3	42	58*	107
Finland	7	3			10
France		2		180	182
Gambia	4	2			6
Ghana	11	7			18
Greece	2				2
India	5	16		1 306	1 327
Italy	4	8		141	153
Jordan	6	15		942	963
Kenya	10	12		605	627
Malaysia	7	5			12
Namibia	3	2			5
Nepal	4				4
Netherlands	1	6	211	653*	871
Nigeria	6	1			7
Norway	5				5
Paraguay	2				2
Peru	2				2
Poland	6				6
Romania	8				8
Russian Federation	6				6
Singapore	2				2
Slovakia		4	5	202	211
South Africa	5	2			7

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	<i>Military observers</i>	<i>Staff officers</i>	<i>National support elements</i>	<i>Troops</i>	<i>Total</i>
Spain	3	2			5
Sweden	8				8
Switzerland	4				4
Tunisia	3	3			6
Ukraine	6				6
United Republic of Tanzania	8	3			11
United States of America	6	1			7
Uruguay	6				6
Zambia	10	4			14
<b>Total</b>	<b>216</b>	<b>116</b>	<b>607</b>	<b>4 692</b>	<b>5 631</b>

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\* This figure temporarily exceeds the authorized strength. It is planned that by 16 June 2001 the total number of military personnel will be reduced to the maximum authorized strength.