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Country/ entity	Eritrea Ethiopia
Region	Africa (excl MENA) Africa (excl MENA)
Agreement name	Agreement between the Government of the State of Eritrea and the Government of the Federal Democratic Republic of Ethiopia (Algiers Agreement)
Date	12 Dec 2000
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Interstate/interstate conflict ( Eritrean Border Conflicts (1998 - 2018) )
Stage	Framework/substantive - partial
Conflict nature	Territory
Peace process	Eritrea-Ethiopia border dispute peace process
Parties	- FOR THE GOVERNMENT OF THE STATE OF ERITREA: Isais Afwerki, President - FOR THE GOVERNMENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA: Meles Zenawi, Prime Minister
Third parties	WITNESSED BY: - For the People's Democratic Republic of Algeria Abdelaziz BOUTEFLIKA, President of the Republic - For the United States of America, Mme Madelcinc K. ALBRIGHT, Secretary of State - For the United Nations M. Kofi ANNAN, Secretary General - For the Organisation of African Unity, M. Salim Ahmed Salim, Secretary General - For the European Union, M. Rino SERRI, Special Representative of the Presidency
Description	This agreement provides for permanent cessation of hostilities and the setting up of a Boundary Commission.

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Agreement  
document

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## Groups

Children/  
youth      No specific mention.

Disabled  
persons      No specific mention.

Elderly/age      No specific mention.

Migrant  
workers      No specific mention.

Racial/  
ethnic/  
national  
group      No specific mention.

Religious  
groups      No specific mention.

Indigenous  
people      No specific mention.

Other  
groups      No specific mention.

Refugees/ displaced persons	<p>Groups→Refugees/displaced persons→Rhetorical Page 1, Untitled Preamble: Welcoming the commitment of the OAU and United Nations, through their endorsement of the Framework Agreement and Agreement on Cessation of Hostilities, to work closely with the international community to mobilize resources for the resettlement of displaced persons, as well as rehabilitation and peacebuilding in both countries,</p> <p>Groups→Refugees/displaced persons→Substantive Page 6, Article 5: 1. Consistent with the Framework Agreement, in which the parties commit themselves to addressing the negative socio-economic of the crisis on the civilian population including the impact on those persons who have been deported, a neutral Claims Commission shall be established. 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. The Commission shall not hear claims arising from the cost of military operations, preparing for military operations, or the use of force, except to the extent that such claims involve violations of international humanitarian law.</p>
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Social class	No specific mention.
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## Gender

Women, girls and gender	No specific mention.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

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## State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/ secession No specific mention.

Accession/ unification No specific mention.

Border Page 3-5, Article 4:  
delimitation

1. Consistent with the provisions of the Framework Agreement and the Agreement on Cessation of Hostilities, the parties reaffirm the principle of respect for the borders existing at independence as stated in resolution AHG/Res. 16(1) adopted by the OAU Summit in Cairo in 1964, and, in this regard, that they shall be determined on the basis of pertinent colonial treaties and applicable international law.

2. The parties agree that a neutral Boundary Commission composed of five members shall be established with a mandate to delimit and demarcate the colonial treaty border based on pertinent colonial treaties (1900, 1902 and 1908) and applicable international law. The Commission shall not have the power to make decisions *ex aequo et bono*.

3. The Commission shall be located in The Hague.

4. Each party shall, by written notice to the United Nations Secretary General, appoint two commissioners within 45 days from the effective date of this Agreement, neither of whom shall be nationals or permanent residents of the party making the appointment. In the event that a party fails to name one or both of its party-appointed commissioners within the specified time. The Secretary General of the United Nations shall make the appointment.

5. The president of the Commission shall be selected by the party appointed commissioners or, failing their agreement within 30 days of the date of appointment of the latest party-appointed commissioner, by the Secretary General of the United Nations after consultation with the parties. The president shall be neither a national nor permanent resident of either party.

6. In the event of the death or resignation of a commissioner in the course of the proceedings, a substitute commissioner shall be appointed or chosen pursuant to the procedure set forth in this article that was applicable to the appointment or choice of the commissioner being replaced.

6. In the event of the death or resignation of a commissioner in the course of the proceedings, a substitute commissioner shall be appointed or chosen pursuant to the procedure set forth in this article that was applicable to the appointment or choice of the commissioner being replaced.

7. The UN Cartographer shall serve as Secretary to the Commission and undertake such tasks as assigned to him by the Commission, making use of the technical expertise of the UN Cartographic Unit. The Commission may also engage the services of additional experts as it necessary.

8. Within 45 days after the effective date of this Agreement, each party shall provide to the Secretary its claims and evidence relevant to the mandate of the Commission. These shall be provided to the other party by the Secretary.

9. After reviewing such evidence and within 45 days of its receipt, but not earlier than 15 days after the Commission is constituted, the Secretary shall transmit to the Commission and the parties any 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. The Secretary shall also transmit to the Commission all the claims and evidence presented by the parties.

10. With regard to those portions of the border about which there appears to be controversy, as well as any portions of the border identified pursuant to paragraph 9 with respect to which either party believes there to be controversy, the parties shall present their written and oral submissions and any additional evidence directly to the Commission, in accordance with its procedures.

11. The Commission shall adopt its own rules of procedure based upon the 1992 Permanent Court of Arbitration Optional Rules for Arbitrating Disputes Between Two States. Filings shall be made in the official language of the

Cross-  
border  
provision

Summary: See also page 3-5, Article 4 on Boundary Commission

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## Governance

Political  
institutions  
(new or  
reformed)

No specific mention.

Elections

No specific mention.

Electoral  
commission

No specific mention.

Political  
parties  
reform

No specific mention.

Civil society

Page 1-2, Article 2:

1. In fulfilling their obligations under international humanitarian law, including the 1949 Geneva Conventions relative to the protection of victims of armed conflict ("1949 Geneva Conventions") and in cooperation with the International Committee of the Red Cross, the parties shall without delay release and repatriate all prisoners of war.
2. In fulfilling their obligations under international humanitarian law, including the 1949 Geneva Conventions, and in cooperation with the International Committee of the Red Cross, the parties shall without delay, release and repatriate or return to their last place of residence all other persons detained as a result of the armed conflict.

Traditional/  
religious  
leaders

No specific mention.

Public  
administration

No specific mention.

Constitution

No specific mention.

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## Power sharing

Political power sharing      No specific mention.

Territorial power sharing      No specific mention.

Economic power sharing      No specific mention.

Military power sharing      No specific mention.

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## Human rights and equality

Human rights/RoL general      Page 1, Article 2:  
...  
3. The parties shall afford human treatment to each other's nationals and persons of each other's national origin within their respective territories.

Bill of rights/similar      No specific mention.

Treaty Page 1-2, Article 2:

incorporation 1. In fulfilling their obligations under international humanitarian law, including the 1949 Geneva Conventions relative to the protection of victims of armed conflict ("1949 Geneva Conventions") and in cooperation with the International Committee of the Red Cross, the parties shall without delay release and repatriate all prisoners of war.

2. In fulfilling their obligations under international humanitarian law, including the 1949 Geneva Conventions, and in cooperation with the International Committee of the Red Cross, the parties shall without delay, release and repatriate or return to their last place of residence all other persons detained as a result of the armed conflict.

Page 3, Article 4:

1. Consistent with the provisions of the Framework Agreement and the Agreement on Cessation of Hostilities, the parties reaffirm the principle of respect for the borders existing at independence as stated in resolution AHG/ Res. 16(1) adopted by the OAU Summit in Cairo in 1964, and, in this regard, that they shall be determined on the basis of pertinent colonial treaties and applicable international law.

2. The parties agree that a neutral Boundary Commission composed of five members shall be established with a mandate to delimit and demarcate the colonial treaty border based on pertinent colonial treaties (1900, 1902 and 1908) and applicable international law. The Commission shall not have the power to make decisions *ex aequo et bono*.

Page 5, Article 4:

...

14. The parties agree to cooperate with the Commission, its experts and other staff in all respects during the process of delimitation and demarcation, including the facilitation of access to territory they control. Each party shall accord to the commission and its employees the same privileges and immunities as are accorded to diplomatic agents under the Vienna Convention on Diplomatic Relations.

Page 6-9, Article 5:

1. Consistent with the Framework Agreement, in which the parties commit themselves to addressing the negative socio-economic of the crisis on the civilian population including the impact on those persons who have been deported, a neutral Claims Commission shall be established. 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. The Commission shall not hear claims arising from the cost of military operations, preparing for military operations, or the use of force, except to the extent that such claims involve violations of international humanitarian law.

...

8. Claims shall 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. All claims submitted to the Commission shall first be filed with the Commission by the party on whose behalf they are submitted.



Civil and political rights      No specific mention.

Socio-economic rights      No specific mention.

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**Rights related issues**

Citizenship Rights related issues→Citizenship→Citizens, specific rights

Page 6-8, Article 5:

1. Consistent with the Framework Agreement, in which the parties commit themselves to addressing the negative socio-economic of the crisis on the civilian population including the impact on those persons who have been deported, a neutral Claims Commission shall be established. 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. The Commission shall not hear claims arising from the cost of military operations, preparing for military operations, or the use of force, except to the extent that such claims involve violations of international humanitarian law.

2. The Commission shall consist of five arbitrators. Each party shall, by written notice to the United Nations secretary General, appoint two members within 45 days from the effective date of this Agreement, neither of whom shall be nationals or permanent residents of the party making the appointment. In the event that a party fails to name one or both of its party-appointed arbitrators within the specified time, the Secretary General of the United Nations shall make the appointment.

3. The president of the Commission shall be selected by the party-appointed arbitrators or, failing their agreement within 30 days of the date of appointment of the latest party-appointed arbitrator, by the Secretary General of The United Nations after consultations with the parties. The president shall be neither a national nor permanent resident of either party.

...

8. Claims shall 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. All claims submitted to the Commission shall be filed no later than one year from the effective date of this Agreement. Except for claims submitted to another mutually agreed settlement mechanism in accordance with paragraph 16 or filed in another forum prior to the effective date to this Agreement, the Commission shall be the sole forum for adjudicating claims described in paragraph 1 or filed under paragraph 9 of this article, and any such claims which could have been and not submitted by that deadline shall be extinguished, in accordance with international law.

9. In appropriate cases, each party may file claims on behalf of persons of Eritrean or Ethiopian origin who may not be its nationals. Such claims shall be considered by the Commission on the same basis as claims submitted on behalf of that party's nationals.

Rights related issues→Citizenship→Citizenship other

Page 3-5, Article 4:

...

4. Each party shall, by written notice to the United Nations Secretary General, appoint two commissioners within 45 days from the effective date of this Agreement, neither of whom shall be nationals or permanent residents of the party making the appointment. In the event that a party fails to name one or both of its party-appointed commissioners within the specified time. The Secretary General of the United Nations shall make the appointment.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/  
access Page 3-5, Article 4:  
...  
14. The parties agree to cooperate with the Commission, its experts and other staff in all respects during the process of delimitation and demarcation, including the facilitation of access to territory they control. Each party shall accord to the commission and its employees the same privileges and immunities as are accorded to diplomatic agents under the Vienna Convention on Diplomatic Relations.

Protection measures Rights related issues→Protection measures→Protection of groups  
Page 1-2, Article 2:  
1. In fulfilling their obligations under international humanitarian law, including the 1949 Geneva Conventions relative to the protection of victims of armed conflict ("1949 Geneva Conventions") and in cooperation with the International Committee of the Red Cross, the parties shall without delay release and repatriate all prisoners of war.

Other No specific mention.

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## **Rights institutions**

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

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## Justice sector reform

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.
Judiciary and courts	Page 7, Article 5: ... 7. The Commission shall adopt its own rules of procedure based upon the 1992 Permanent Court of Arbitration Optional Rules for Arbitrating Disputes Between Two States. All decisions of the Commission shall be made by a majority of the commissioners.
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

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## Socio-economic reconstruction

Development or socio-economic reconstruction	No specific mention.
National economic plan	No specific mention.
Natural resources	No specific mention.

International funds Page 1, Untitled Preamble:  
Welcoming the commitment of the OAU and United Nations, through their endorsement of the Framework Agreement and Agreement on Cessation of Hostilities, to work closely with the international community to mobilize resources for the resettlement of displaced persons, as well as rehabilitation and peacebuilding in both countries,

Page 5, Article 4:

...

17. The expenses of the Commission shall be borne equally by the two parties. To defray its expenses, the Commission may accept donations from the United Nations Trust Fund established under paragraph 8 of Security Council Resolution 1177 of 26 June 1998.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

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## Land, property and environment

Land reform/  
rights No specific mention.

Pastoralist/  
nomadism  
rights No specific mention.

Cultural  
heritage No specific mention.

Environment No specific mention.

Water or  
riparian  
rights or  
access No specific mention.

## Security sector

Security Guarantees	No specific mention.
Ceasefire	Security sector→Ceasefire→Ceasefire provision Page 1, Article I: I. The parties shall permanently terminate military hostilities between themselves. Each party shall refrain from the threat or use of force against the other. 2. The parties shall respect and fully implement the provisions of the Agreement on Cessation of Hostilities.
Police	No specific mention.
Armed forces	Page 6, Article 5: 1. Consistent with the Framework Agreement, in which the parties commit themselves to addressing the negative socio-economic of the crisis on the civilian population including the impact on those persons who have been deported, a neutral Claims Commission shall be established. 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. The Commission shall not hear claims arising from the cost of military operations, preparing for military operations, or the use of force, except to the extent that such claims involve violations of international humanitarian law.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/ rebel and opposition group forces	No specific mention.

Withdrawal of foreign forces No specific mention.

Corruption No specific mention.

Crime/organised crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

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## **Transitional justice**

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.



Mechanism Page 2, Article 3:

1. In order to determine the origins of the conflict, an investigation will be carried out of the incidents of 6 May 1998 and on any other incident prior to that date which could have contributed to a misunderstanding between the parties regarding their common border, including the incidents of July and August 1997.
2. The investigation will be carried out by an independent, impartial body appointed by the Secretary General of the OAU, in consultation with the Secretary General of the United Nations and the two parties.
3. The independent body will endeavor to submit its report to the Secretary General of the OAU in a timely fashion.
4. The parties shall cooperate fully with the independent body.
5. The Secretary General of the OAU will communicate a copy of the report to each of the two parties, which shall consider it in accordance with the letter and spirit of the Framework Agreement and the Modalities.

Page 6-9, Article 5:

1. Consistent with the Framework Agreement, in which the parties commit themselves to addressing the negative socio-economic of the crisis on the civilian population including the impact on those persons who have been deported, a neutral Claims Commission shall be established. 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. The Commission shall not hear claims arising from the cost of military operations, preparing for military operations, or the use of force, except to the extent that such claims involve violations of international humanitarian law.
2. The Commission shall consist of five arbitrators. Each party shall, by written notice to the United Nations secretary General, appoint two members within 45 days from the effective date of this Agreement, neither of whom shall be nationals or permanent residents of the party making the appointment. In the event that a party fails to name one or both of its party-appointed arbitrators within the specified time, the Secretary General of the United Nations shall make the appointment.
3. The president of the Commission shall be selected by the party-appointed arbitrators or, failing their agreement within 30 days of the date of appointment of the latest party-appointed arbitrator, by the Secretary General of The United Nations after consultations with the parties. The president shall be neither a national nor permanent resident of either party.
4. In the event of the death or resignation of a member of the Commission in the course of the proceedings, a substitute member shall be appointed or chosen pursuant to the procedure set forth in this article that was applicable to the appointment or choice of the arbitrator being replaced.
5. The Commission shall be located in The Hague. At its discretion it may hold hearings and conduct investigations in the territory of either party, or at such other location as it deems expedient.
6. The Commission shall be empowered to employ such professional, administrative and clerical staff as it deems necessary to accomplish its work, including establishment of Districts. The Commission shall have the right to

Prisoner release	<p>Page 1-2, Article 2:</p> <p>1. In fulfilling their obligations under international humanitarian law, including the 1949 Geneva Conventions relative to the protection of victims of armed conflict ("1949 Geneva Conventions") and in cooperation with the International Committee of the Red Cross, the parties shall without delay release and repatriate all prisoners of war.</p> <p>2. In fulfilling their obligations under international humanitarian law, including the 1949 Geneva Conventions, and in cooperation with the International Committee of the Red Cross, the parties shall without delay, release and repatriate or return to their last place of residence all other persons detained as a result of the armed conflict.</p>
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	<p>Transitional justice→Reparations→Material reparations</p> <p>Page 6, Article 5:</p> <p>1. Consistent with the Framework Agreement, in which the parties commit themselves to addressing the negative socio-economic of the crisis on the civilian population including the impact on those persons who have been deported, a neutral Claims Commission shall be established. 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. The Commission shall not hear claims arising from the cost of military operations, preparing for military operations, or the use of force, except to the extent that such claims involve violations of international humanitarian law.</p>
Reconciliation	No specific mention.

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## Implementation

UN  
signatory      WITNESSED BY:  
- For the United Nations M. Kofi ANNAN, Secretary General

Other  
international  
signatory      WITNESSED BY:  
- For the People's Democratic Republic of Algeria Abdelaziz BOUTEFLIKA,  
President of the Republic  
- For the United States of America, Mme Madelcinc K. ALBRIGHT, Secretary of  
State  
...  
- For the Organisation of African Unity, M. Salim Ahmed Salim, Secretary  
General  
- For the European Union, M. Rino SERRI, Special Representative of the  
Presidency

Referendum      No specific mention.  
for  
agreement

International Page 2, Article 3:

mission/  
force/similar

1. In order to determine the origins of the conflict, an investigation will be carried out of the incidents of 6 May 1998 and on any other incident prior to that date which could have contributed to a misunderstanding between the parties regarding their common border, including the incidents of July and August 1997.
2. The investigation will be carried out by an independent, impartial body appointed by the Secretary General of the OAU, in consultation with the Secretary General of the United Nations and the two parties.
3. The independent body will endeavor to submit its report to the Secretary General of the OAU in a timely fashion.
4. The parties shall cooperate fully with the independent body.
5. The Secretary General of the OAU will communicate a copy of the report to each of the two parties, which shall consider it in accordance with the letter and spirit of the Framework Agreement and the Modalities.

Page 3-5, Article 4:

...

4. Each party shall, by written notice to the United Nations Secretary General, appoint two commissioners within 45 days from the effective date of this Agreement, neither of whom shall be nationals or permanent residents of the party making the appointment. In the event that a party fails to name one or both of its party-appointed commissioners within the specified time. The Secretary General of the United Nations shall make the appointment.
5. The president of the Commission shall be selected by the party appointed commissioners or, failing their agreement within 30 days of the date of appointment of the latest party-appointed commissioner, by the Secretary General of the United Nations after consultation with the parties. The president shall be neither a national nor permanent resident of either party.

...

7. The UN Cartographer shall serve as Secretary to the Commission and undertake such tasks as assigned to him by the Commission, making use of the technical expertise of the UN Cartographic Unit. The Commission may also engage the services of additional experts as it necessary.
8. Within 45 days after the effective date of this Agreement, each party shall provide to the Secretary its claims and evidence relevant to the mandate of the Commission. These shall be provided to the other party by the Secretary.

...

13. Upon reaching a final decision regarding delimitation of the borders, the Commission shall transmit its decision to the parties and Secretaries General of the OAU and the United Nations for publication, and the Commission shall arrange for expeditious demarcation.

...

Page 5, Article 4:

...

16. Recognizing that the results of the delimitation and demarcation process are not yet known, the parties request the United Nations to facilitate resolutions of problems which may arise due to the transfer of territorial control, including the consequences for individuals residing in previously disputed territory.

17. The expenses of the Commission shall be borne equally by the two parties. To defray its expenses, the Commission may accept donations from the United Nations Trust Fund established under paragraph 8 of Security Council Resolution 1177 of 26 July 1998.

Enforcement mechanism	Article 3. Establishes independent impartial body appointed by the Secretary-General of the OAU, in consultation with the Secretary General of the UN and the two parties, to investigate incidents of 6 May 1998 and earlier which could have contributed to a misunderstanding between the parties regarding their common border; Article 4 establishes a Boundary Commission with a mandate to delimit and demarcate the colonial treaty border based on pertinent colonial treaties (1900,1902 and 1908) and applicable intl law, with out the power to make decisions ex aequo et bono, each party shall appoint of the five commissioners, neither of whom shall be nationals of that party's state, the fifth member to be selected by the party-appointed commissioners. Upon reaching its decision, the Commission shall arrange for expeditious demarcation. Article 5 establishes a Claims Commission to compensate the civilian population and govts for loss, damage or injury suffered during the armed conflict that result from violations of intl humanitarian law (incl. Geneva Conventions) or other violations of intl law, membership and powers on the same terms as the Boundary Commission
Related cases	Decision regarding Delimitation of the Border between Eritrea and Ethiopia, Decision of 13 April 2002
Source	<a href="http://peacemaker.un.org/">http://peacemaker.un.org/</a>

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