

COUNTRY OPERATIONS PLAN

Country: ERITREA

Planning Year: 2002

EXECUTIVE COMMITTEE SUMMARY

(a) Context and Beneficiary Populations

After 30 years of conflict, Eritrea won its independence from Ethiopia in 1991. Following international recognition in 1993, Eritrea had barely begun the process of recovery before becoming embroiled in another conflict. The recent border conflict with Ethiopia cost thousands of lives and caused severe hardship to more than a million others. Infrastructure and property were destroyed, creating massive displacement internally and exodus into neighbouring countries as refugees poured across the border into Sudan and across the Red Sea into Yemen. Over one million Eritreans, mainly in the Gash Barka and Debub Regions were affected by the conflict, either as refugees or internally displaced persons.

In June 2000, Eritrea and Ethiopia agreed to a cessation of hostilities. This agreement was followed on 12 December 2000 by the signing of the comprehensive Peace Accord. In the latter part of the year, a UN Peacekeeping Force of 4,200 multinational soldiers was deployed, and by March 2001, Ethiopia began the withdrawal of their forces from Eritrea.

Following the signing of the Peace Accord, relations between Ethiopia and Eritrea have improved significantly. Though problems in the implementation of the peace agreement have occasionally surfaced, it is generally believed that the peace will hold, and the creation of the Temporary Security Zone (TSZ) and the return of the displaced populations will gradually proceed. Co-operation between Eritrea and Sudan has also taken a positive direction in the latter part of 2000, with both country leaders visiting each other, and exchanges of several high-level delegations to discuss outstanding issues including peace in the borderlands.

These recent regional developments favour the repatriation of Eritrean refugees from neighbouring countries. For UNHCR, there is an opportunity to provide a durable solution to one of the world's most protracted large-scale refugee situations, ending nearly three decades of exile. For the Government of Eritrea, it signifies the fulfilment of Eritrea's long-stated policy of returning all her citizens back home. According to surveys, 90% of the Eritrean refugees in Sudan have expressed their desire to voluntarily return. The repatriation of Eritrean refugees needs to be seen as an integral part of the peace-consolidation and stabilisation process in the region.

Furthermore, the donor response to post-war reconstruction needs in Eritrea is quite encouraging. Comprehensive multi-sectoral programmes to address community-based rehabilitation, repair and reconstruction of infrastructure and the demobilisation and reintegration of soldiers have been designed and both bilateral donors and the World Bank have already pledged significant support. Important components of these programmes will be implemented in the areas where refugees are set to return. This has provided UNHCR a window of opportunity to factor medium-to-long term returnee social and economic reintegration needs into Eritrea's post-war recovery

strategy. Notable among the multi-sectoral programmes are the World Bank's ERP and DRP Programmes and the UNDP's POWER programme. UNHCR's approach will be to join its resources for short-term, initial reintegration assistance with these longer-term programmes, and having done so, to phase out of reintegration activities as rapidly as possible.

With the infrastructure in most of the areas of return now in worse condition than at any previous time, linking up with development agencies, and seeking the expansion of their programmes in return areas is a logical direction. However, what is critical is that the repatriation and re-integration be carried out concurrently, and it remains to be seen whether development agencies will adapt the content, scope and timeframes of their programmes as needed.

Refugees who have lived in exile for several decades and who are planning to repatriate voluntarily to Eritrea essentially have nothing to return to - no homes, no prospects to earn a living. Those who returned in 2000 and IDPs are facing the same consequences of conflict and displacement: destroyed houses, farms and livestock, as well as looted and lost belongings. Moreover, many of the most fertile areas of Eritrea have been affected by the drought, as well as the long-lasting reminders of conflict: landmines. Repatriation and re-integration planning will need to include a community-based approach to restoring and strengthening the absorption capacity of receiving communities, including essential services. Measures for dealing with mine risks will be critical.

In the 2000 – 2001 period relations between UNHCR and the Eritrean Government deepened and strengthened. Co-operation through the provision of humanitarian aid to mixed populations of returnees and IDPs, UNHCR's commitment to solving the long-standing Eritrean refugee situation in the region, as well as UNHCR's determination in providing adequate protection to the refugee caseload in Eritrea have re-built lost confidence and credibility of UNHCR within the country.

In 2000 UNHCR participated in the inter-agency response to the IDP crisis resulting from the May/June 2000 hostilities. As peace has gradually returned to Eritrea, the IDP situation has stabilised, and as of this writing the great majority of IDPs have returned to their homes (an estimated 155,000, many of whom belong to areas in the Temporary Security Zone on the Eritrea-Ethiopia border, remain in camps). Consequently, as of early 2001, UNHCR is phasing out its emergency activities on behalf of IDPs, and reconcentrating its capacity on the large-scale operation to repatriate all Eritrean refugees from Sudan, Yemen and Djibouti. This forms the background to the March 2001 signing of a third Tripartite Agreement between UNHCR, Sudan and Eritrea to facilitate the return of Eritrean refugees from the Sudan.

The Eritrean refugee population in this region comprises the so-called "old" and "new" caseloads. The "old caseload" are those refugees who fled during the 30 year war of independence. Approximately 160,000 reside in Sudan in 20 UNHCR-supported camps or as registered refugees outside camps. (According to Sudanese authorities many more unregistered refugees are found outside camps.) A few hundreds are housed in camps in Djibouti and Yemen. The "new caseload" consists

of those refugees who fled to Sudan as a result of the May/June 2000 hostilities. According to Sudanese estimates this outflow totalled approximately 95,000. Following the Cessation of Hostilities Agreement of June 2000, some 25,000 of the “new caseload” were repatriated in an organised manner under UNHCR auspices, while 5000 were confirmed by UNHCR to have repatriated spontaneously. (According to Eritrean estimates the actual spontaneous return totalled approximately 26,000.) A survey conducted in November 2000 determined that some 27,000 of the “new caseload” still remained in Sudan. Since then an undetermined number of further spontaneous returns have taken place.

In 2002, UNHCR expects that some 90,000 Eritrean refugees from Sudan will repatriate voluntarily, as well as smaller numbers from Djibouti and Yemen. This voluntary repatriation will be conducted in accordance with generally accepted international protection principles. UNHCR will verify the voluntariness of return and ensure that refugees are given a free choice on whether to repatriate based on accurate country of origin information. UNHCR has been assured that returnees will be allowed to return home with their personal belongings, settle freely wherever they choose and have full access to social services. Returnees will also have access to and use of land in Eritrea. In accordance with existing laws, the Eritrean Government will provide support to returnees who wish to recover their lost property. UNHCR will closely monitor conditions of return so as to ensure that returnees enjoy the same rights, including access to services, as resident citizens and are not discriminated against.

Although the overall security situation has improved, there are serious security constraints including the prevalence of landmines and unexploded ordinance, in particular in many areas to which refugees will return. Various activities which include land survey, mine marking, de-mining, public awareness, and assistance to landmine victims have been jointly initiated by several UN agencies, UNMEE and the Government (EDF, EHDF). However, with an estimation of over 3 million landmines and UXO in the country from 30 years of conflict, especially in the Temporary Security Zone (TSZ), conditions in rural areas are a major concern. Risks from mines and UXO significantly impact UNHCR administrative budgets as provision needs to be made for such items as anti-mine armour or ballistic blankets for vehicles, special radio equipment, trauma kits etc. As of this writing, the areas of UNHCR returnee operations remain in Phases III and IV.

In contrast to the positive developments affecting the situation of Eritrean refugees in the region, continuing armed conflict and instability in Somalia and southern Sudan mean that UNHCR will have to continue to provide protection and care and maintenance assistance to some 2000 Somali and Sudanese refugees who have been granted asylum in Eritrea. Neither the government nor other agencies present in Eritrea have the capacity or expertise to do so.

Eritrea is not a state party to any of the international refugee instruments or to either of the conventions relating to statelessness, and, furthermore, does not have legislation or administrative arrangements for dealing with refugee issues. Consequently all of UNHCR’s core responsibilities in this regard, as defined in the 2001 Priority-setting Exercise, are engaged: promotion of accession to international

refugee and statelessness instruments; advice on national legislation and intervention in precedent-setting court cases; involvement in refugee status determination; direct involvement in the protection of individual cases; and protection advocacy.

In 2001 UNHCR intends to carry out an exhaustive, case-by-case review of the Sudanese caseload accommodated in Elit camp. Those persons who are determined still to be of UNHCR concern may, subject to the agreement of the Government, be relocated to a facility further away from the border, where they would continue to benefit from international protection and assistance. For those to be determined not to be of concern to the Office, protection and assistance will be phased out.

Some 80,000 persons were expelled from Ethiopia into Eritrea during the course of the border war between the two countries. Most of these persons have been able to regain or acquire de facto Eritrean nationality. However, some thousands have not yet been able to do so. While the latter have been issued with temporary documentation by the authorities, and very few cases among them have thus far approached UNHCR, they remain at risk of statelessness. Their predicament makes UNHCR's responsibilities with respect to the two statelessness conventions particularly salient.

Eritrea has very few indigenous and independent NGOs – all of them small and with very limited capacity - and has only recently welcomed back international NGOs. Thus UNHCR's programmes have been implemented largely through government bodies, principally the Eritrean Relief and Refugee Commission, line ministries and para-statal bodies such as the National Union of Eritrean Women. As more national and international NGOs establish themselves UNHCR will actively seek to engage them in its operations. As of this writing, UNHCR's 2002 operational partners will include the following:

- Eritrean Relief and Refugee Commission (ERREC)
- National Union of Eritrean Women (NUEW)
- National Union of Eritrean Youth and students (NUEYS)
- International Medical Corps (IMC)
- Ministry of Local Government (including Eritrean Community Development Fund (ECDF))
- Ministry of Health
- Ministry of Education
- Ministry of Land, Water and Environment
- Ministry of Agriculture
- UN Agencies (UNICEF, WFP, UNFPA, WHO, UNDP, WB and UNAIDS)
- Bilateral programmes

ERREC will remain UNHCR's major partner both for setting policy and implementing the repatriation and reintegration programme. Refugee and statelessness issues will be dealt with in co-ordination and co-operation with the Government's Office of Refugee Affairs. UNHCR will operate in collaboration with the UN Resident/ Humanitarian Co-ordinator as well as other UN Agencies. The Office will continue to participate in inter-agency working groups, such as the Theme Group on Recovery, Reintegration, and Reconstruction established within UNDAF and the Child Protection Working Group.

(b) Main Programme Goals and Principal Objectives

Name of Beneficiary Population: Sudanese and Somali Refugees	
Main Goals: Protection, Care and Maintenance, Durable Solutions	
Principal Objectives	Related Outputs
Some 2,000 Sudanese and Somali refugees in Eritrea benefit from protection, care and maintenance and durable solutions.	<ul style="list-style-type: none"> • An effective care and maintenance programme administered; • The basic rights of refugees respected and direct interventions made as necessary. • Selected Ics resettled on protection grounds. • The voluntary repatriation of those Ics who make an informed choice to repatriate facilitated. • Advocacy conducted on relevant government policies and practices

Name of Beneficiary Population: Eritrean Refugees/Returnees	
Main Goals: Facilitate the Voluntary Repatriation and Sustainable Reintegration of 90,000 Eritrean Refugees from Sudan, Yemen and Djibouti	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • 90,000 Eritrean refugees repatriate in safety and dignity; • Returnees reintegrate viably and in a sustainable manner in existing communities in Eritrea • Receiving communities receive and assimilate the returnees • Returnees have access to essential services • Returnees are not discriminated against and enjoy the same rights and access to services as other citizens. 	<ul style="list-style-type: none"> • Voluntary repatriation of Eritrean refugees from the above countries facilitated, and as appropriate, promoted. • Initial reintegration assistance provided • Sustainability of return ensured by linking UNHCR's short-term re-integration assistance to larger, longer-term, non-UNHCR-funded recovery, reconstruction and development programmes; • Returnees enjoy basic rights and access to services without discrimination.

Theme: Promotion, Advocacy and Advice/Beneficiary Population: Refugees, asylum-seekers and persons at risk of statelessness in Eritrea

Main Goals: Eritrea's adherence to the international refugee law regime and to international principles and standards relating to statelessness issues

Principal Objectives	Related Outputs
<ul style="list-style-type: none">• Accession by Eritrea to the international refugee and statelessness instruments• Interim arrangements for dealing with refugee issues in accordance with international refugee law• Enactment of legislation dealing with refugee issues• Persons at risk of statelessness are able to acquire nationality	<ul style="list-style-type: none">• Tangible steps by Eritrea towards acceding to these instruments• Satisfactory interim arrangements, including for refugee status determination are in place• Steps taken to develop appropriate refugee legislation• Legislation and administrative procedures developed which will eliminate or reduce the incidence of statelessness