

MEMORANDUM OF UNDERSTANDING BETWEEN  
THE TRANSITIONAL GOVERNMENT OF ETHIOPIA  
AND THE GOVERNMENT OF SUDAN AND  
THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES  
FOR THE VOLUNTARY REPATRIATION OF ETHIOPIAN REFUGEES IN SUDAN

The Transitional Government of Ethiopia and the Government of Sudan, the United Nations High Commissioner for Refugees (hereinafter referred to as the Parties).

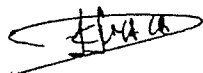
Recognizing that the developments that have taken place in Ethiopia since May 1991 have given rise to a momentous opportunity for the attainment of peace, stability and a democratic process in Ethiopia;

Realizing that, among the large number of Ethiopian refugees residing in Sudan who have benefitted from the generosity and hospitality of the Sudanese people and government, thousands have expressed the wish to return to their homeland;

Considering that all Ethiopians, irrespective of their ethnic, political, religious or other affiliation have an inalienable right and the freedom to return to Ethiopia, and the desire of the Transitional Government of Ethiopia to promote such return in conditions of safety and dignity;

Taking into account the longstanding policy and full commitment of the Government of Sudan to find lasting solutions to the problems of refugees in Sudan and to promote and facilitate voluntary repatriation in accordance with internationally accepted humanitarian principles;

Mindful of UNHCR's mandate within the terms of its Statute which entrusts the Office with the responsibility, inter alia, to facilitate the voluntary repatriation of refugees;







Specifying that the present Memorandum of Understanding concerns the repatriation of Ethiopian refugees residing in settlements and reception centres in Sudan as well as those who have settled spontaneously elsewhere in Sudan;

Reaffirming the intention of the Parties concerned to continue providing assistance to those who cannot repatriate at this time and, therefore, wish to remain in Sudan;

Noting that it is the desire of the three parties to proceed without delay in fulfilling the objectives stated herein;

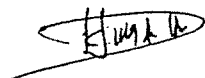
HAVE AGREED as follows:

ARTICLE 1  
ASSURANCES

The Transitional Government of Ethiopia shall ensure that returnees will be treated equally as other Ethiopian nationals and will not be subject to persecution or other punitive measures merely on account of their status as refugees or exiles or because of their political views or affiliations or ethnic origin.

ARTICLE 2  
ESTABLISHMENT OF A TECHNICAL COMMITTEE

1. A Technical Committee for the voluntary repatriation of Ethiopian refugees shall be established to consider such matters, and take such decisions as may be necessary to facilitate the voluntary repatriation, related services and reintegration of the refugees in accordance with accepted humanitarian principles. The Committee will be responsible for the resolution of procedural issues and problems that may arise in the course of the repatriation.
2. The Committee will, in particular, look into the implementation modalities of the legal framework



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represented by this Memorandum of Understanding. The Committee will thus be seized with such matters as the guarantees for repatriants, the plan of operations dealing with practical aspects of repatriation, as well as the link between repatriation and reintegration.

ARTICLE 3

COMPOSITION OF THE COMMITTEE

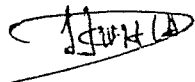
1. The Technical Committee shall be composed of senior representatives of the three Parties, or their designated representatives. Any member of the Committee, when attending any meeting of the Committee, may be accompanied by advisers.
2. Meetings of the Committee may be convened at the request of any of the Parties to this agreement at any mutually agreed venue and the Committee shall adopt its own Rules of Procedure.

ARTICLE 4

ROLES OF THE THREE PARTIES

For the purposes of this operation.

1. the Government of Sudan will be represented by the Office of the Commissioner for Refugees (COR) as the main implementing agent in Sudan;
2. the Transitional Government of Ethiopia will be represented by the Administration for Refugee and Returnee Affairs (ARRA) as the main implementing agent in Ethiopia;
3. UNHCR will assist both governments in the implementation of the voluntary repatriation and reintegration programmes.





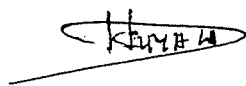



ARTICLE 5  
INFORMATION, REGISTRATION AND PRE-DEPARTURE FORMALITIES

UNHCR, the Office of the Commissioner for Refugees of Sudan and representatives of the Transitional Government of Ethiopia will launch a comprehensive information campaign among the refugees in order to create a reasonable and realistic awareness of the objectives of the repatriation programme and the assistance to be provided. This will be followed by UNHCR supervised interviews of the refugees to ensure the voluntariness of the decision to repatriate. The registration of each applicant/head of family will be carried out using the standard UNHCR Voluntary Repatriation Declaration Form (VRDF). The repatriation forms will serve as valid travel documents for the purpose of voluntary repatriation.

ARTICLE 6  
BORDER PROCEDURES

1. The Governments of Ethiopia and Sudan will allow for the free border passage of the returning refugees and their personal belongings and also simplify and streamline their respective exit and entry formalities at the borders. in compliance with their respective existing laws and regulations.
2. The returnees' personal and/or communal properties and other assets not prohibited for import or export shall be free from any duties, taxes, charges or other tariffs under laws and regulations in force for the time being.
3. The personnel, property and all other assets of UNHCR and any other agencies involved in the implementation of the voluntary repatriation and reintegration of the returnees shall, to the extent that they may not be covered under existing agreements or arrangements between UNHCR or any other agencies and the respective Parties. be treated in accordance with the provisions herein above.







ARTICLE 7  
ASSISTANCE TO RETURNEES

UNHCR will assume the lead role in the coordination and monitoring of the implementation of the repatriation exercise while calling upon relevant UN agencies to support this effort within their own mandate and technical expertise. Joint efforts should aim at strengthening the absorptive capacity of the returnee/receiving regions by assisting in a general rehabilitation effort. Assistance will include:

- a) transportation of the returnees from Sudan to their respective areas of origin or of their choice of return, along with the necessary transit facilities;
- b) food to be utilized by communities to support those most in need and to promote transitional rehabilitation efforts which will improve the local services and simultaneously provide employment for those without land or necessary skills;
- c) basic domestic utensils and agricultural implements for distribution on the basis of needs determined by local administration and community groups;
- d) inputs towards community-based rehabilitation and reintegration schemes focusing on such vital areas as water, health, feeder roads, land reclamation, agriculture and education.

ARTICLE 8  
UNHCR ACCESS TO RETURNEES

UNHCR shall be granted full access in Ethiopia to areas where refugees will return in order to discharge effectively its international protection and assistance functions.

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ARTICLE 9  
REINTEGRATION

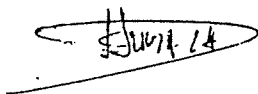
1. The Transitional Government of Ethiopia and UNHCR will take appropriate steps to initiate a coordinated programme to facilitate the smooth reintegration of the returning refugees in the context of the cross-mandate concept coupled with the principle of refugee/returnee aid and development. This will involve joint endeavours and contributions from other UN agencies and NGO's.
2. The programme of assistance will give due consideration to the peculiarities prevailing in the areas of returnee reintegration which have in general suffered from the effects of war and drought that have affected infrastructural and other facilities.

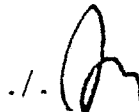
ARTICLE 10  
ASSISTANCE IN SUDAN

1. UNHCR will continue to render assistance to refugees who opt to remain in Sudan.
2. UNHCR shall seek cooperation of other agencies of the UN system for the purposes of addressing the question of environmental degradation, in particular projects that have been studied through UNHCR consultancies.
3. In addition, UNHCR shall support efforts to improve essential services in the refugee affected areas as well as repair and maintenance of roads to be used for the return movement of the refugees.

ARTICLE 11  
AUXILIARY MATTERS

A Joint Communique and the plan of operations agreed by the Parties shall be an integral part of this Memorandum of Understanding.







ARTICLE 12  
ENTRY INTO FORCE

This Memorandum of Understanding shall enter into force upon signature hereof and shall remain in force for the period required to implement the organized voluntary repatriation of Ethiopian refugees from Sudan, or for as long as may be mutually agreed between the Parties, provided that any termination shall not affect UNHCR's statutory responsibilities.

ARTICLE 13  
SETTLEMENT OF DISPUTES

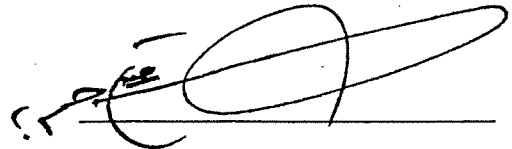
Any question arising in connection with the application or interpretation of any provision of this Memorandum of Understanding, or for which no provision is made herein, shall be resolved amicably and mutually through consultations between the Parties.

IN WITNESS WHEREOF the undersigned have this Second  
day of February the year 1993  
on behalf of the parties hereto, signed this Memorandum of  
Understanding  
at Khartoum

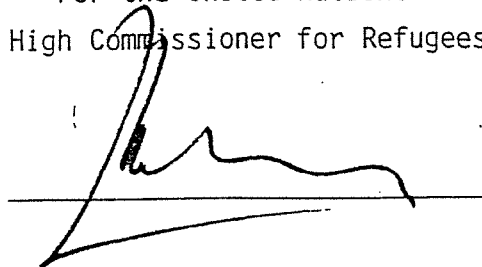
For the Transitional  
Government of Ethiopia

For the Government of  
the Republic of Sudan

  
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For the United Nations  
High Commissioner for Refugees

  
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