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## Annex

### **Eritrea-Ethiopia Boundary Commission: twenty-third report on the work of the Commission**

1. This is the twenty-third report of the Eritrea-Ethiopia Boundary Commission, covering the period from 21 December 2006 to 31 March 2007. The previous report covered the period from 1 September to 20 December 2006.

2. As this is the Commission's first report to Secretary-General Ban Ki-Moon, the Commission wishes to express its good wishes to him on his appointment and looks forward to continuing the fruitful cooperation with him and his staff that it enjoyed under his predecessor.

3. In its previous report, the Commission indicated that it had not yet received any reaction from the Parties to the issuance of its Statement of 27 November 2006. The Commission regrets that the Parties have to date not yet proceeded as foreseen in paragraph 22 of the Statement, and, in particular, have not by themselves reached the necessary agreement on the emplacement of pillars, nor have they proceeded significantly to implement the Statement or enabled the Commission to resume its activity. The Commission stated further in paragraph 22 of the Statement that if the Parties did neither of the foregoing within 12 months of the issuance of the Statement, the Commission determined that the boundary would automatically stand as demarcated by the boundary points listed in the annex to the Statement and that the mandate of the Commission could then be regarded as fulfilled.

4. Nonetheless, the Commission wishes to reiterate its firm commitment, expressed in paragraph 28 of the Statement, that during the 12 months from the issuance of the Statement, it will remain willing to provide assistance in emplacing the boundary pillars if the Parties jointly so request and provide assurances of cooperation and security.

5. The Commission regrets the continued refusal of Ethiopia to pay its contribution to the Commission's work, as is required to by article 4 (17) of the Algiers Agreement. In its last report, the Commission indicated that it would be seeking support from the United Nations Trust Fund for Eritrea and Ethiopia to enable it to meet obligations that it had already incurred. The Commission has now been assured that it will receive the assistance it has sought. It thanks the donors and Trust Fund administrators for their support. The fact that it will now receive such support does not, however, relieve Ethiopia of its duty to meet its commitment to the Commission.

*(Signed)* Sir Elihu **Lauterpacht**  
President of the Eritrea-Ethiopia Boundary Commission