

ERITREA-ETHIOPIA CLAIMS COMMISSION

DECISION NUMBER 4:

Evidence

The Parties are reminded that under Article 5(13) of the Agreement of December 12, 2000, the Commission is bound to apply the relevant rules of international law and cannot make decisions *ex aequo et bono*. The rules that the Commission must apply include those relating to the need for evidence to prove or disprove disputed facts.

The Commission therefore calls on the Parties to pay particular attention to matters related to evidence in the collection and preparation of claims. The Commission expects the Parties to develop guidance for all personnel who collect or prepare claims, emphasizing the importance of evidence, and indicating the types of evidence potentially available.

The Commission calls on Counsel for both Parties to be in contact regarding this matter, and strongly encourages the Parties to harmonize the guidance regarding evidentiary matters that each Party provides to its personnel who collect and prepare claims.