

ERITREA-ETHIOPIA CLAIM COMMISSION

DECISION NUMBER 6:

Eritrea's Claim 18

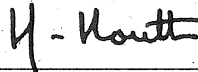
Eritrea's Claim 18 was brought before the Commission by the Claimant, the State of Eritrea ("Eritrea") against the Respondent, the Federal Democratic Republic of Ethiopia ("Ethiopia"), pursuant to Article 5 of the Agreement between the Government of the State of Eritrea and the Government of the Federal Democratic Republic of Ethiopia of December 12, 2000 ("the Agreement"). The Claimant sought compensation for losses suffered by Eritrea and its nationals and agents as a result of Ethiopia's alleged breach of the Telecommunications Services Agreement of September 27, 1993, a bilateral agreement regulating the operation of telecommunications between the two nations during the 1998–2000 international armed conflict between the Parties. Ethiopia denied liability.

The Commission informed the Parties on August 29, 2001 that it intended to conduct proceedings in Government-to-Government claims in two stages, first concerning liability, and second, if liability is found, concerning damages. Eritrea filed its Statement of Claim 18 on December 12, 2001, pursuant to Article 5, paragraph 8 of the Agreement. Ethiopia filed its Statement of Defense on October 15, 2002. Eritrea advised the Commission by letter accompanying its Memorials filed on November 1, 2005 that it was not filing a Memorial for Claim 18.

The final round of hearings on liability was held in April 2005. At the hearing the Commission asked Eritrea how it wished Claim 18 to be dealt, and counsel for Eritrea responded that "Eritrea filed the statement of claim but chose not to proceed with it." (Transcript at p. 564)

DECISION

In light of the history of this case as set out above, the Commission decides to regard Eritrea's Claim 18 as withdrawn by the Claimant. No Award will be issued.



Hans van Houtte

President, Eritrea-Ethiopia Claims Commission