

**NATIONS UNIES**  
**HAUT COMMISSARIAT DES NATIONS UNIES**  
**AUX DROITS DE L'HOMME**

**PROCEDURES SPECIALES DU**  
**CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS**  
**OFFICE OF THE UNITED NATIONS**  
**HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE**  
**HUMAN RIGHTS COUNCIL**

**Mandate of the Special Rapporteur on the human rights of migrants.**

REFERENCE: AL G/SO 214 (106-10)  
ETH 2/2012

23 March 2012

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the human rights of migrants pursuant to General Assembly resolution 60/251 and to Human Rights Council resolution 17/12.

In this connection, I would like to bring to the attention of your Excellency's Government information I have received regarding the **repatriation agreement between Norway and Ethiopia**. I will also be sending a similar letter to the Government of Norway.

According to the information received:

A Memorandum of Understanding (MOU) between the governments of Norway and Ethiopia concerning assisted return of Ethiopian nationals residing in Norway was signed on 26 January 2012. Ethiopian nationals whose request for a refugee status or residence permit has been rejected, and those with pending application for asylum who decide of their own free will to return to Ethiopia are being offered an opportunity to return voluntarily to Ethiopia with support from the Norwegian authorities.

The MOU provides that the Norwegian authorities commit themselves to sharing with the Ethiopian authorities "as much information as possible with regard to the returnees" (article 3.4). Furthermore, the MOU does not provide for guarantees that the returnees will not be subjected to harassment, threats, persecution, discrimination or criminal investigations upon their return to Ethiopia. The MOU (annex 2) provides that the Norwegian authorities shall submit a return application (for the persons to be returned) to the Ethiopian Ministry of Foreign Affairs and to the National Intelligence and Security Services/Immigration.

The MOU (annex 1) further provides that the Ethiopian Administration for Refugee and Returnee Affairs (ARRA) will be responsible for the implementation of the return and reintegration programme in Ethiopia and that it will receive a

sum of money per returned person (NOK 26 000 per person plus administrative costs).

According to the information received, those who do not return voluntarily will be returned by force, starting on 15 March 2012. Reportedly, persons who do not return voluntarily will not receive reintegration support.

Children who were born and raised in Norway, and who have never been to Ethiopia may reportedly also be subjected to forced return.

Concern is expressed at the lack of safeguards in place for the return and reintegration process. Concern is also expressed that forced return may not be in the best interest of the children concerned.

As it is my responsibility, according to the mandate entrusted to me by the Human Rights Council, to clarify all information brought to my attention, I would greatly appreciate additional details from your Excellency's Government concerning the above MOU and its implementation plan. I would in particular appreciate to receive information on the following points:

1. Are the facts alleged in the above summary of the case accurate?
2. How does your Excellency's Government intend to use the information it receives from the Norwegian Government regarding the returnees?
3. How will your Excellency's Government ensure that the returnees are not subjected to harassment, threats, persecution, discrimination or criminal investigations as a result of their returnee status?
4. What is the role of the National Intelligence and Security Services in the return and reintegration process?
5. What measures has your Excellency's Government taken or intends to take to monitor how ARRA allocates the money it receives for the implementation of the return and reintegration programme?
6. How will your Excellency's Government assist those who are returned by force in finding work, starting a business etc., as they will not benefit from reintegration support?
7. What measures has your Excellency's Government taken or intends to take to ensure the integration of the children who are returned, including their access to education?

I would greatly appreciate receiving the above information from your Excellency's Government within 60 days. Your Excellency's Government's response will be made available in a report to the Human Rights Council.

I remain at your disposal for any further clarification you may require and hope to be able to continue this constructive dialogue with you and your Excellency's Government. Please note that I can be contacted through the Office of the High Commissioner for Human Rights (Ms. Christel Mobeck at [cmobech@ohchr.org](mailto:cmobech@ohchr.org), and Ms. Federica Donati at [fdonati@ohchr.org](mailto:fdonati@ohchr.org), tel: + 41 22 917 9995 / + 41 22 917 9496; or any of them at: [migrant@ohchr.org](mailto:migrant@ohchr.org)).

Please accept, Excellency, the assurances of my highest consideration.

François Crépeau  
Special Rapporteur on the human rights of migrants