



Home Office

Eritrea

Country of origin information report

COI service
18 September 2013

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- Annex G – Letter dated 11 October 2010 from the British Embassy in Asmara
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Preface

- i This Country of Origin Information (COI) report has been produced by COI Service, Home Office, for use by officials involved in the asylum and human rights determination process. The report provides background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom (UK). The main body of the report includes information available up to 16 August 2013. The report was issued on 18 September 2013.
- ii The report is compiled from material produced by a wide range of external information sources published in English (occasionally the Home Office will arrange for a translation of source material from another language into English. Where this has occurred, this is stated in the text). All information in the report is attributed to the original source material.
- iii The report aims to provide a compilation of extracts of the source material identified, focusing on the main issues raised in asylum and human rights applications in the UK. It is not intended to be a comprehensive survey of all issues that may arise in asylum and human rights claims. Officials are recommended to examine the original source material for further detail.
- iv The structure and format of the report reflects the way it is used by Home Office decision makers and appeals presenting officers, who require quick, electronic access to information on specific issues and use the contents page to go directly to the subject of interest. Key issues arising in asylum and human rights claims are usually covered within a dedicated section but may also be referred to in other sections. Some repetition is therefore inherent in the structure of the report.
- v The information included in this report is limited to that which can be identified from source documents. **Officials should note that due to the restrictive political and social environment in Eritrea, up to date and reliable information about the country is limited. As a result, information from older sources, which is considered still relevant, has been used in some sections of the report.** While the report aims to provide a range of information on topics relevant to asylum and human rights claims, it is not always possible to obtain information on all issues. For this reason it is important to note that information included in the report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated. Similarly, the absence of information does not necessarily mean that, for example, a particular event or action did not occur.
- vi As noted above, the report is a collation of material produced by a number of information sources. In compiling the report, no attempt has been made to resolve discrepancies between source documents. For example, source documents often contain different versions of names and spellings of individuals, places and political parties, etc. Reports do not aim to bring consistency of spelling but to reflect the spellings used in the original source documents. Similarly, statistics given in different source documents sometimes vary and these are quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The report is based substantially upon source documents issued during the previous two years. However, some older source documents may be included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this report was issued.
- viii This report and the accompanying source material are public documents. All COI reports are published on the Home Office website and the great majority of the source material is available in the public domain. Where the source documents identified are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, may be attached as an annex to the report or are available from COI Service upon request.
- ix COI reports are published on the 20 countries generating the most asylum claims in the UK. Reports on other countries may be published if there is a particular operational need. In addition, Home Office officials have access to an information request service for matters not covered by a report or where an update on a particular issue may be required.
- x In producing this report, COI Service has sought to provide an accurate, up-to-date, balanced, and impartial compilation of source material on the main issues relevant to the asylum decision making process. Any comments regarding this report or suggestions for additional source material are welcome and can be submitted to Home Office as below.

Country of Origin Information Service

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United Kingdom

Email: cois@homeoffice.gsi.gov.uk

Website: <http://www.ukba.homeoffice.gov.uk/policyandlaw/guidance/coi>

Independent Advisory Group on Country Information

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office's COI material. The IAGCI welcomes feedback on the Home Office's COI reports and other COI material. Information about the IAGCI's work can be found on the Independent Chief Inspector's website at <http://icinspector.independent.gov.uk/country-information-reviews/>
- xii In the course of its work, the IAGCI reviews the content of selected Home Office COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI reports and other documents which have been reviewed by the IAGCI is available at <http://icinspector.independent.gov.uk/country-information-reviews>
- xiii Please note: it is not the function of the IAGCI to endorse any Home Office material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the IAGCI's work should not be taken to imply any endorsement of the

decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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Useful news sources for further information

A list of news sources with weblinks is provided below, which may be useful if additional up to date information is required to supplement that provided in this report. The full list of sources used in this report can be found in [Annex I – References to source material](#).

AlertNet (Thomson Reuters) <http://www.alertnet.org/thenews/newsdesk/index.htm?news=all>

All Africa <http://allafrica.com/eritrea/>

British Broadcasting Corporation (BBC) <http://news.bbc.co.uk>

Cable News Network (CNN) <http://edition.cnn.com/WORLD/?fbid=i0gUtrVnUAY>

Integrated Regional Information Networks (IRIN) <http://www.irinnews.org/>

Reuters <http://www.reuters.com/>

Voice of America (VoA) News <http://www.voanews.com/english/news/>

The Home Office is not responsible for the content of external websites.

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Background Information

1. Geography

1.01 The Eritrea section of the Europa World Plus website, undated, accessed on 31 July 2013, stated that:

‘The State of Eritrea, which has a coastline on the Red Sea extending for almost 1,000 km, is bounded to the north-west by Sudan, to the south and west by Ethiopia, and to the south-east by Djibouti. Its territory includes the Dahlak islands, a low-lying coralline archipelago off shore from Massawa...the major language groups in Eritrea are Afar, Bilien, Hedareb, Kunama, Nara, Rashaida, Saho, Tigre and Tigrinya. English is rapidly becoming the language of business and is the medium of instruction at secondary schools and at university. Arabic is also widely spoken. The population is fairly evenly divided between Tigrinya-speaking Christians (mainly Orthodox), the traditional inhabitants of the highlands, and the Muslim communities of the western lowlands, northern highlands and east coast; there are also systems of traditional belief adhered to by a small number of the population...the capital is Asmara.’

[24] (Eritrea - Country Profile)

1.02 Estimates of the total population of Eritrea vary. The BBC ‘Country Profile - Facts on Eritrea’ (updated on 19 December 2012), stated that Eritrea has a total population of 5.6 million (figure obtained from a United Nations source). **[25g]**. The Central Intelligence Agency (CIA) ‘World Factbook’ section on Eritrea, updated on 13 August 2013, stated that Eritrea has a total population of 6,233,682 (July 2013 est.) **[1] (People)**

See also [Ethnic groups](#) for details of ethnic demographics.

1.03 The www.eritrea.be website, undated, accessed on 7 June 2013, provided the following information about Eritrean national holidays: ‘Eritrea bases its national holidays on the Roman calendar. Orthodox events however, are based on the Julian calendar which puts these events approximately one week later than those celebrated under the Roman calendar. Muslim holidays follow a lunar calendar. Therefore the exact dates of each Muslim festivals will change every year’. **[12a]**. As regards Islamic holidays, the www.sacred-texts.com website, undated, accessed on 9 July 2013, provided the following information: ‘The starting point for the Islamic calendar was fixed at the date of the new moon during the first lunar month in the year in which Mohammed and his followers left Mecca for Medina (the Hegira)...The day begins at sunset in the Islamic calendar...The Islamic calendar is strictly based on lunar cycles. For this reason, each year is about 11 days short of a solar year. Hence the start of each month will be different from one year to the next. The Islamic calendar is used to determine important religious holidays such as the start and end of Ramadan.’ **[88]**. According to the www.eritrea.be website, the following days are listed as Eritrean public holidays in 2013:

Date	Name of public holiday
1 January	New Year’s Day
7 January	Leddēt (Geez Christmas)

20 January	Timket (Epiphany)
10 February	Liberation of Massawa (Operation Fenkil)
8 March	International Women's Day
13 April	Good Friday
1 May	International Labour Day
16-24 May	Independence Day festivities (one week)
24 May	Independence Day
29 May	Festival of Mariam Dearit (Keren)
20 June	Martyrs' Day
28 June	Mariam Debre Sina
27 July - 11 August	Festival Eritrea Asmara Expo (one week)
11 August	Debre Bizen Abune Libanos
8 August	Eid Al Fitr
1 September	Anniversary of the Start of the Armed Struggle
11 September	Keddus Yohannes (Geez New Year)
27 September	Meskel (Finding of the True Cross)
25 October	Eid El Adha
11 November	Nidget of Saint Georghis Orthodox Church (Gejeret)
21 November	Nidget Saint Michaels Orthodox Church (Tseserat)
30 November	Nidget Enda Mariam Orthodox Cathedral
25 December	Christmas Day

[12a]

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Maps

1.04 Map of Eritrea showing the main towns and cities - obtained from <http://web.archive.org/web/20030319134912/http://www.un.org/Depts/Cartographic/map/profile/eritrea.pdf> [4], November 2000, accessed on 19 August 2013.

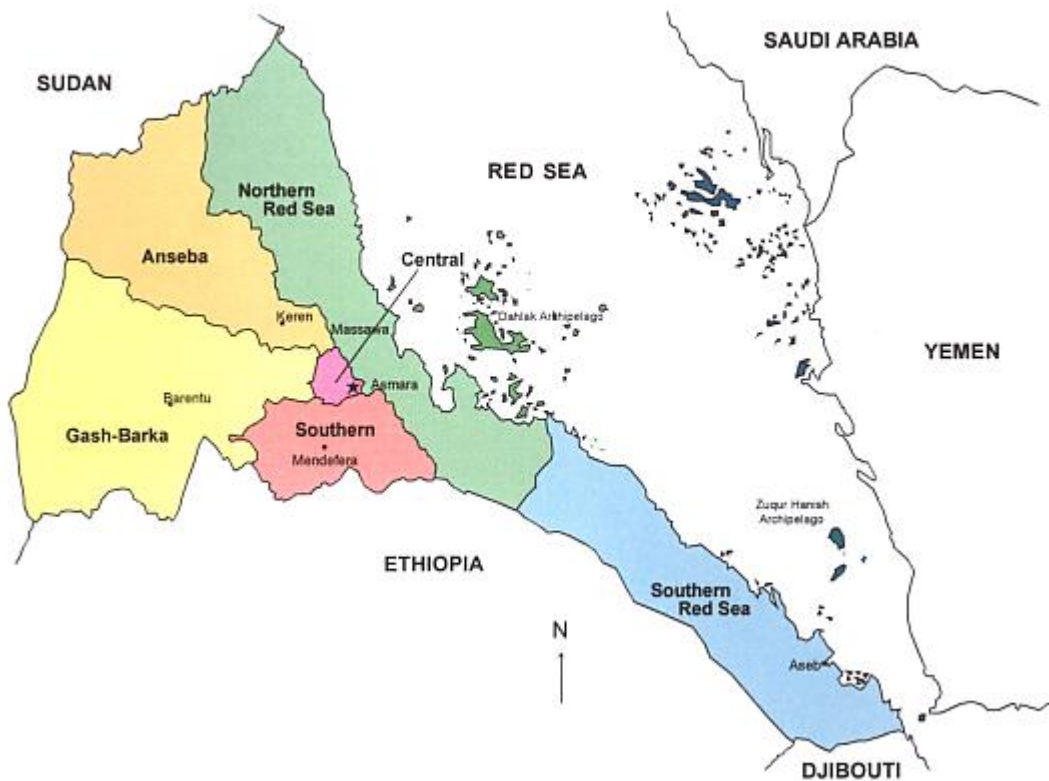


Map No. 3790 Rev. 4 UNITED NATIONS November 2000

Department of Public Information Cartographic Section

The following map from the www.eritrea.be website shows the administrative regions of Eritrea:

Regional Administration of Eritrea



Available at <http://www.eritrea.be/old/eritrea%20regional%20map.jpg>

More maps of Eritrea can be accessed using the following weblinks:

www.mappery.com/map-of/Eritrea-Physical-Map

http://www.lib.utexas.edu/maps/africa/eritrea_pol86.jpg

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2. Economy

- 2.01 The Eritrea section of Europa World Plus, undated, accessed on 31 July 2013, stated that the national currency is the Nakfa. **[24] (Eritrea - Business and Commerce)**. The XE Universal Currency Converter website, accessed on 9 August 2013, listed the following official market rates - one American dollar is equivalent to 10.47 Nakfas; one Euro is equivalent to 13.96 Nakfas, and one British pound is equivalent to 16.23 Nakfas. **[26]** A shadow exchange rate also exists which varies from the official exchange rate (see para 2.05 for more information).
- 2.02 The Bertelsmann Stiftung Transformation Index Eritrea Country Report 2012, published in 2013, stated that:

'The government's policy of fighting inflation with strict control of the foreign currency market and restrictions on imports proved to be unsuccessful. Consumer price inflation has risen continuously during the past four years and is now at 30%...The local currency, the nakfa, remained fixed and highly overvalued. This led to an increase of black market currency change activities at rates doubling or tripling the official rate. This seems to be quietly tolerated by the government, which lacks financial expertise now that all of the champions of a market economy have been dismissed from government positions...Statistical data on macroeconomic stability in Eritrea are unreliable, as the country has not published a budget since independence. All relevant economic enterprises are controlled by the PFDJ or the military and are not subject to financial monitoring. The prolonged use of national service conscripts as forced laborers has led to a partial de-monetization of the economy, as their only cash remuneration is 500 nakfa (€25) pocket money, with which they are supposed to cover the entire cost of living for their families. The government is attempting to achieve macroeconomic stability by militarizing its labor force, but this policy has failed. The command economy has led to a shortage of basic consumer goods, rising inflation, chronic shortage of hard currency and dependency on remittances from abroad. The start of gold mining might bring an improvement, but has been delayed year after year...There has been no change in the government's hostile policy against the private business sector. All relevant companies are owned by the PFDJ, the government or the military. Foreign companies, which are increasingly interested in exploring Eritrea's mining sector (gold and other precious metals), must form a joint venture with the government in order to get a license.' **[89] (Section 8)**

2.03 The same source also stated that:

'There are three state-controlled banks in Eritrea, namely the Bank of Eritrea, the Commercial Bank and the Commercial and Housing Bank, while the PFDJ runs Himbol Financial Services. This banking institution continued to handle money transfers from the diaspora via Eritrean embassies and consulates worldwide. There are no private banks, and an official capital market does not exist. However, as the local currency, the nakfa, has been fixed to the U.S. dollar for years at a rate of 1 nakfa to \$15 and is severely over-valued, a flourishing currency black market has developed using the "hawala" system, meaning private money transfers via third persons. The beneficiaries receive the transfer (mostly from the diaspora) in nakfa, but at black market rates that are often double or triple the official rate. Small retail traders (shop owners) are often involved in these practices, which are partially tolerated by the government, which seems to be involved in and profiting from the system.' **[89] (Section 7)**

2.04 The Heritage Foundation's (public policy institute) '2013 Index of Economic Freedom', published in December 2012, provided an analysis of Eritrea's economy:

'Eritrea's economic freedom score is 36.3, making its economy one of the least free in the 2013 Index. Its overall score is essentially the same as last year, with improvements in the control of government spending and monetary freedom offset by declines in freedom from corruption and labor freedom. Eritrea is ranked 45th out of the 46 countries in the Sub-Saharan Africa region.

'Eritrea scores very poorly in most components of the Index. Entrepreneurs have been pushed out of the formal market by an underdeveloped regulatory framework and weak property rights enforcement. Informal activity dominates outside the minerals sector and the government.

‘Strong GDP growth has been led by increased foreign investment in the mining industry, but substantial mineral revenues benefit only a narrow segment of the population. The public sector remains the largest source of employment. Chronic deficits due to large military spending plague public finance, worsening fragile monetary stability. A repressive central government continues to marginalize the domestic private sector, perpetuating an uncertain investment climate, and U.N. economic sanctions have greatly increased risks for potential investors.’ **[65]**

- 2.05 The United States State Department ‘2013 Investment Climate Statement - Eritrea’ report, published in April 2013, stated:

‘The GSE [government of Eritrea] places limits on possession and exchange of foreign currency and lacks transparency in conversion and transfer policies. It is generally illegal for Eritrean citizens to hold or exchange foreign currency. At the beginning of 2013, black market exchange centers valued the local currency (nakfa) at 45 to one USD, whereas the legal rate – legal transactions could only be performed by foreigners in a few official exchange locations – was 15 nakfa to one USD. Foreign companies have sometimes found themselves unable to convert nakfa into foreign currencies: for example, foreign air carriers say they have hundreds of millions of unconvertible nakfa in local banks. In addition, companies have reported that signed contracts allowing for payment against certain services in nakfa have been violated, with the GSE insisting on payment in U.S. dollars or other hard currency. (A hard currency shortage motivates the GSE to seek payment in U.S. dollars but provide income in nakfa.)

‘The Central Bank of Eritrea (CBE) was established under Proclamation 32/1993 and later modified under Proclamation 93/1997. The Proclamation pertaining to foreign exchange bureaus was introduced in 1998. The CBE is the only body authorized to maintain and account for foreign currency reserves and manage foreign exchange activities. Despite this, quasi-governmental exchange services charged with processing tax payments of diaspora Eritreans and gifts from those abroad to relatives in country (Himbol and Ericommerce) have placed some incoming foreign currency reserves in a legal no man’s land, without accountability or transparency.’ **[3a]**

- 2.06 In the World Bank ‘Doing Business 2013’ report, published on 23 October 2012, 185 countries were ranked according to the ease with which business activity can be carried out. Higher rankings indicate better, usually simpler, regulations for businesses and stronger protections of property rights. Eritrea was ranked 182 out of the 185 countries surveyed overall. In the ‘Starting a Business’ category, Eritrea was ranked 183 out of 185; in the ‘Dealing with Construction Permits’ category, Eritrea was ranked 185 out of 185, and in the ‘Getting Credit’ category, Eritrea was ranked 180 out of 185. **[90a]**

- 2.07 The World Bank ‘Eritrea Review’, updated in September 2012, stated:

‘Eritrea was one of the fastest growing African economies in 2011, with growth in gross domestic product (GDP) projected at 14%, up from an estimated 2.2% in 2010, according to the World Bank’s June 2012 Global Economic Prospects. The growth was mainly stimulated by favorable harvest and the mining sector (mainly gold), which has attracted substantial foreign direct investment.

‘However, growth in absolute terms is small. Eritrea is one of the least developed countries in the world, with an average annual per capita income of US\$403 in 2010 for a population of about 5.3 million, of whom an estimated two-thirds live in rural areas.

Eritrea is ranked 177th out of 187 countries in the 2011 United Nations Human Development Index, and the Eritrean Diaspora is large and increasing.

‘Rain-fed agriculture, the predominant economic activity for more than two thirds of the population, is a very risky enterprise, and food security remains one of the government’s main concerns. Favorable rains and rehabilitation of rural infrastructure have led to improved agricultural performance and food security in the last three years. Large fiscal and trade deficits are managed through price, exchange rate and interest rate controls, which have led to a shortage of foreign exchange and a fall in private sector activity. The size of the public debt in proportion to GDP is a concern. The official annual inflation rate rose to 13.3% in 2011, from 11.6% in 2010, but much improved compared to 29.5% in 2009. In the longer term, sustained real economic growth of seven percent or more will be required for Eritrea to reach the Millennium Development Goal (MDG) of halving the proportion of people living in extreme poverty by 2015.’ **[90b]**

- 2.08 An Asmarino article, ‘Eritrea, a Nation in Crisis: Land Expropriation’, dated 28 March 2009, stated:

‘The land proclamation that the government had issued in 1994 puts land under government ownership and introduces a shift of land ownership from the “desa” tenure system to permanent private ownership to promote sustainable land use and conservation and protection of land, as it is believed that long time or permanent land ownership encourages individuals to make long term investment on the land including conservation. But this land proclamation has never been implemented, only provided the cover the government wanted to expropriate land from the people. Land expropriation by the government has been in practice ever since the PFDJ came in power. The government selectively uses the article that stipulates that land is under government ownership to expropriate land for raising government income, especially for the very much needed hard currency through the sale of land to residential and investment purpose to Eritreans living abroad and through its export-oriented farms, and for agricultural and residential purposes to benefit its loyal military officers and other officials while denying the local populations their right for land and associated economic benefits...According to the land tenure system that has been in practice for generations and recognized by the 1994 land proclamation every household is entitled land in its village both for residence and agriculture intents. This right to land is known as “Tiesa”. But in those villages where their territories overlap within the towns’ boundary, the “tiesa” distribution started late; and even then, only to those men and women who are in national service. And for women, participation in the national service alone does not qualify them to equal land rights with men. The practice applies only to those women who have been recruited in the national service but are not married or have been divorced or widowed and living in their own villages. However, women who were fighters are privileged and exempted from these conditions, i.e. even if they are married and living in other area, they are entitled to land in their village.’ **[68d]**

- 2.09 A Foxbusiness news report, ‘The 10 Poorest Countries in the World’, dated 14 September 2012, provided the following information:

‘Eritrea

Poverty rate: 69.0%

Population: 5,415,280

GDP: \$2.61 billion (40th lowest)

GDP per capita: \$482 (8th lowest)

'While hopes for economic growth rest on several international mining projects, 80% of Eritrea's labor force is employed in the agricultural sector. However, agriculture only represents 11% of the nation's GDP, with industry comprising 34% and services making up 55%. The country's only political party, the People's Front for Democracy and Justice, has implemented policies that rigidly control the use of foreign currency and favors party-owned businesses in the economy.' [28]

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3. History

This section provides a brief history of the country from Italian control in the nineteenth century to 2012. For further information about the history of Eritrea, see the [BBC Country Profile – Timeline: Eritrea](#) (updated on 26 June 2013). [25a]

See also [Annex A](#) for a chronology of major events in Eritrea since 1952.

Italian rule to national independence (1890 to 1997)

3.01 The Patachu.com website, accessed on 30 July 2013, provided the following information, dated 25 May 2012, about Eritrea's history:

'Modern-day Eritrea, like most African countries, is a creation of nineteenth-century European colonialism. Toward the end of the nineteenth century, Italy was lagging behind in the colonial scramble. The only area open for colonial occupation was the Horn of Africa. Italy first gained a foothold in Eritrea in 1869 when an Italian company bought the Assab Port from a local chief in the name of the Italian government. On January 1, 1890, Eritrea was declared an Italian colony...Great Britain took possession of Eritrea in 1941, after Italy was defeated in the Horn of Africa. The British Military Administration (BMA) governed Eritrea until 1952. After 1945 the conditions under which the BMA maintained responsibility were stipulated by the United Nations: the administration was to assist Eritrea in the process of making an orderly transition from an occupied territory to full self-determination...The ten years of British administration had an important effect on the country's political consciousness. The period paved the way for organized political participation, and, for the first time, Eritreans were exposed to the possibilities of political freedom...Three major political parties emerged during the British occupation: the Muslim League, the Liberal Progressive Party, and the Unionist Party. As the British mandate was approaching an end in 1952, Eritrean political identity was crystallized as a liberal progressive system.' [43]

3.02 The Eritrea section of Europa World Plus, undated, accessed on 31 July 2013, stated:

'In 1952 a federation was formed between Eritrea and Ethiopia; however, the absence of adequate provisions for the creation of federal structures allowed Ethiopia to reduce Eritrea's status to that of an Ethiopian province by 1962.

'Resistance to the Ethiopian annexation was first organized in the late 1950s, and in 1961 the Eritrean Liberation Front (ELF) launched an armed struggle. In the mid-1970s

a reformist group broke away from the ELF and formed the Popular Liberation Forces (renamed the Eritrean People's Liberation Front, EPLF, in 1977), and the military confrontation with the Ethiopian Government began in earnest. A major consequence of the split between the two Eritrean groups was the civil war of 1972–74. After two phases of desertion from the ELF to the EPLF, in 1977–78 and in 1985 (following a second civil war), the ELF was left without a coherent military apparatus.

'Following the 1974 revolution in Ethiopia and the assumption of power by Mengistu Haile Mariam in 1977, thousands of new recruits joined the EPLF, and the armed struggle transformed into full-scale warfare. The numerically and materially superior Ethiopian forces achieved significant victories over the EPLF, which was forced to retreat to its stronghold in the north of Eritrea. The EPLF launched counter-attacks throughout the late 1980s and slowly drove back the Ethiopian forces on all fronts. In May 1991 units of the EPLF entered Asmara, after the Ethiopian troops had fled the capital, and immediately established an interim administration.'

[24] (Eritrea - Historical Context)

- 3.03 A book written by Negash Tekeste, 'Eritrea and Ethiopia: the federal experience', published by the Nordiska Africainstitutet (Nordic Africa Institute, Sweden) in 1997, stated:

'From mid-1990 onwards, well-placed observers could foresee that the epoch of the Derg was coming to an end. The army of the EPRDF began swarming over one region after another with an ease and speed that has yet to be explained. The Ethiopian government army, estimated at about half a million (although 300,000 appears to be more accurate) was ill organised, poorly led and to a large extent immobile. The Ethiopian government army had lost its fighting spirit. By early 1991, through a very long detour the EPRDF had come very close to the capital city of the country and engaged the government in an intense battle in the small but strategic town of Ambo, ca. 120 kms. southwest of the capital.

'While the inhabitants and the international community in Addis Ababa were gripped with the horrors of a pitched battle between the government forces and those of the EPRDF, the Americans and the Italians were busily engaged in negotiations for the transfer of power. The chances appeared good, since it was widely known in Addis Ababa that the Ethiopian president had bought a house in Harare, Zimbabwe towards the end of 1990.

'On May 20, 1991 Menghistu Haile Mariam, the president of the country and head of the armed forces, fled to Harare. The Americans, who a few weeks earlier had been sounding out the appropriateness of the EPRDF leaders, organised a small meeting in London where they virtually gave the green light for the EPRDF to enter Addis Ababa.

'The flight of Menghistu and the entry of the EPRDF into Addis Ababa meant that the Ethiopian army in Asmara had either to continue to fight on its own against both the EPLF and the EPRDF or to raise the white flag. On May 24, 1991 the EPLF entered Asmara peacefully and soon proceeded to disarm the Ethiopian soldiers. Eritrea had, de facto, become independent.' **[91]**

- 3.04 The Eritrea section of Europa World Plus, undated, accessed on 31 July 2013, stated:

'Following the liberation of Asmara by the EPLF [in May 1991], and of Addis Ababa by the Ethiopian People's Revolutionary Democratic Front (EPRDF), a conference was convened in London, United Kingdom, in August 1991. Both the USA and the Ethiopian delegation accepted the EPLF administration as the legitimate provisional Government of Eritrea, and the EPLF agreed to hold a referendum on independence in 1993. The provisional Government, which was to administer Eritrea during the two years prior to the referendum, drew most of its members from the EPLF. The Government struggled to rehabilitate and develop Eritrea's war-torn economy and infrastructure, and to feed a population largely dependent on food aid. The agricultural sector had been severely disrupted by the war, and urban economic activity was almost non-existent.'

[24] (Eritrea - Historical Context)

- 3.05 The same source stated that the United Nations supervised a referendum on independence in April 1993, with a 99.8 per cent vote of Eritreans in favour of independence. The date chosen for Independence Day was 24 May (anniversary of the liberation of Asmara), and on 28 May 1993, the state of Eritrea was formally granted international recognition. Three institutions were set up to govern the state - the Consultative Council, the National Assembly, and the judiciary. One of the National Assembly's first acts was the election of Isaias Afewerki, the leader of the EPLF, as President and Head of State. **[24] (Eritrea - Historical Context)**. The same source also stated that in February 1994, the EPLF became a political party called the People's Front for Democracy and Justice (PFDJ). In March 1994, the Consultative Council was replaced with a State Council, and the National Assembly was reconstituted to include 75 members of the PFDJ Central Committee, and 75 directly elected members. A Constitutional Committee of 58 members (50 of these members were government appointees) was set up to reorganise the country administratively.

[24] (Eritrea - Domestic Political Affairs)

- 3.06 The International Crisis Group report, 'Eritrea: The Siege State', published on 21 September 2010, stated:

'In the mid-1990s, the government promised to produce a constitution, introduce multi-party politics and hold national elections. A constitutional commission drafted a constitution that was ratified by a constituent assembly in May 1997 but never implemented. As with a number of other political promises, its neglect was justified by the outbreak of war, in 1998, although there was no clear explanation why it gathered dust for months beforehand.' **[18a] (pages 6-7)**

War with Ethiopia (1998 to 2000)

- 3.07 The Global Security website provided the following information, dated 7 November 2011, about the war between Eritrea and Ethiopia that took place between 1998 and 2000:

'When Eritrea, formally a province of Ethiopia, gained its independence in 1993, after a long guerrilla war, parts of the border was never fixed with maps and surveying markers. It has always been in dispute, but a war broke out in May 1998 in a dispute about the exact location of their border. Ethiopia and Eritrea are fighting over an inconsequential piece of real estate. But it is highly charged with symbolism as the two nations sort out their relationship after a 20-year war that ended with Eritrea breaking off from the larger nation...In May 1998 fighting broke out between Eritrean armed forces and Ethiopian militia along the border, in response to the movement of Eritrean forces into territory previously administered by Ethiopia. Eritrea responded to an escalating

military conflict by calling up reserves and increasing its armed forces to approximately 100,000 to 120,000 soldiers. Eritrea and Ethiopia exchanged artillery fire and engaged in air attacks leading to numerous civilian casualties. In June 1998 Eritrean forces bombed the Ethiopian town of Mekele and killed 47 civilians, including children. In June 1998 and again in November 1998, Eritrean forces fired artillery shells at the Ethiopian town of Adrigat, killing six persons and wounding several others. By the end of 1998 approximately 250,000 Eritreans had been internally displaced as a result of the conflict with Ethiopia. At the outbreak of the war, Ethiopia detained and deported Eritreans and Ethiopian citizens of Eritrean origin. By the end of 1998, a total of 45,000 such persons of an estimated total population of up to 400,000 had left Ethiopia for Eritrea; the vast majority were deported. The nationality of Eritrean-origin Ethiopians had never been settled since the independence of Eritrea in 1993.

'The heaviest fighting of 1999 came in February, when Ethiopia made a push to take the border town of Badame. Troops backed by jet fighters, tanks, and heavy artillery attacked Eritrean positions. Casualties were high, the dry, rocky terrain offering little cover, but Ethiopia did recapture the town. In March, there were more battles around the town of Zalambesa, but no clear winner.

'Despite the massive weapons build-up, the fortified trenches, the harsh rhetoric, both countries insist they did not want this war, and each country blames the other for continuing it. Ethiopian Prime Minister Meles Zenawi says his country wants peace, but accuses Eritrea of acting irrationally. Eritrea's president, Isayas Afewerki, says Ethiopia is continuing the war to humiliate the Eritreans.

'Regional groups have tried to mediate an end to the conflict. The Organization of African Unity spent months drawing up a peace plan, and negotiators shuttled between Addis Ababa and Asmara trying to persuade the two governments to agree to its terms. The OAU plan calls for both sides to pull back their troops, with international monitors controlling the disputed areas while a border commission draws up a new map.

'At first it was Eritrea which rejected the accord, saying it did not want to withdraw from any territory. But shortly after the fighting at Badame, Eritrea said it would accept the OAU plan, and negotiators turned their attention to getting both countries to agree to a ceasefire. That ceasefire never happened. Minor skirmishes continue on the border, and each country accuses the other of using foreign mercenaries and mistreating refugees.

'In September 1999, Ethiopia withdrew its support for the OAU plan. Ethiopian Prime Minister Meles Zenawi said there could be no agreement unless land administered by Ethiopia before the outbreak of the war was returned to its control... In November 1999, the Ethiopian government and Mr. Aideed made a deal. He agreed to force the OLF out of Somalia, and Ethiopia agreed to withdraw its troops. The OLF has shut its office in Mogadishu, but there is some question as to whether it has actually disbanded and left Somalia.

'The Eritrean Islamic Salvation (EIS), a small Sudan-based insurgent group, has mounted terrorist attacks in north and west Eritrea since 1993. Both Eritrea and Ethiopia have been critical of Islamic groups from Sudan, but the war with Eritrea has prompted Ethiopia to mend its relations with the government in Khartoum. Eritrea has condemned the new alliance, saying Ethiopia is encouraging opponents to the current Asmara government who operate out of Sudan... The most recent fighting resumed on 11 May

2000 when the Ethiopian forces made a major advance and captured a key border town inside what was considered to be Eritrean territory.

'In May 2000 Washington suggested a full arms embargo on the two countries, in the hope of starving their arsenals. Russia and China are skeptical of sanctions. Russia has urged continued diplomacy, which hasn't worked. Because Ethiopia rejected a UN deadline to resume peace talks, the United States would, as part of the sanctions, ban Ethiopian government officials from traveling outside their country. Eritrea accepted the UN offer, but whether that was out of a genuine desire to end the fighting or the need to buy time after recent setbacks is hard to say. A peace agreement was signed on December 12, 2000 between Ethiopia and Eritrea putting an end to their two-year border war.' [59]

Domestic developments and opposition politics (2001 to 2011)

3.08 The International Crisis Group report, 'Eritrea: The Siege State', published on 21 September 2010, stated:

'In the mid-1990s, the government promised to produce a constitution, introduce multi-party politics and hold national elections. A constitutional commission drafted a constitution that was ratified by a constituent assembly in May 1997 but [was] never implemented...A national assembly was created in 1993 (and reorganised the following year) to which the cabinet was in theory responsible; it frequently passed resolutions on elections, but they were never held.

'During the [border] war [with Ethiopia], power was concentrated even further. Important ministers were excluded from key political and military decisions, and the national assembly was never consulted. The imperiousness with which Isaias directed policy and strategy became a matter of grave concern. During the critical weeks of the third phase of fighting in May and June 2000, when Ethiopian forces broke the Eritrean lines in the west, Isaias sidelined the defence ministry and personally directed operations. Many maintain his interference and refusal to consult or delegate was the cause of military failures during that period. Deep rifts opened within the leadership but only later became public. As the dust began to settle in the latter half of 2000, critics emerged, and vocal opposition grew.

'In October, professionals in the diaspora met in Berlin and drafted a letter to Isaias – known as the "Berlin Manifesto" – criticising the tendency toward one-man rule. The president met with them in Asmara and dismissed their concerns...but more serious attacks came late that year and in early 2001, as senior liberation war veterans (some founding fathers of the EPLF), known as the "Group of 15" or "G15", began to voice disquiet over the president's conduct. They published an open letter on the internet that condemned his high-handed leadership and failure to consult the national assembly, especially over the war. Isaias's circle regarded the critics as having broken a cardinal EPLF rule, never to wash dirty linen in public. They argued that it was not the time for discussions about democracy and elections; indeed, "now is not the time" became the defining principle of the regime.

'Isaias waited several months and made his move a week after the 11 September 2001 attacks in the U.S., when the world's attention was diverted. Over the weekend of 18-19 September, the crackdown swung into action. Eleven of the fifteen open letter signatories were imprisoned, including such senior figures as Petros Solomon (a former military commander who since independence had served, successively, as defence,

foreign and marine resources minister) and Haile Woldensae (ex-foreign minister, recently shunted to trade and industry). Three, including Mesfin Hagos, an architect of the EPLF's victory in 1991, were out of the country, so escaped detention; one recanted. Those arrested are now either dead or remain in jail without trial at an unknown location. In addition, the offices of the private press were raided and closed and a number of editors and journalists incarcerated indefinitely.' [18a] (pages 6-7)

- 3.09 The Human Rights Watch press release, 'Escalating Crackdown in Eritrea Reformists, Journalists, Students At Risk', dated 21 September 2001, also reported on the arrests of university students in 2001:

'The recent clampdown on civil society and critical political voices was reportedly triggered by an increasingly tense standoff between the government and university students demanding greater academic freedom and social liberties, particularly the publication last week in a private newspaper of a long diary of a student on a forced summer work program.

'Students at the University of Asmara, the only one in the country, had joined in criticizing the government by demanding better treatment from the government and consultation on matters that concern them. The summer work program is mandatory for University of Asmara students, who are allowed to defer their national military service until after graduation. This year [2001], the students protested the appalling conditions of previous camps. On July 31 [2001], the police arrested the president of the Asmara University student council, Semere Kesete, a day after he publicly announced that students would not enroll in the summer program unless certain reforms were carried out. He remains in jail without charge.

'When students tried to protest his arrest at his court appearance on August 10 [2001], four hundred of them were rounded up and sent to the work program in Wia, a desert camp near the Red Sea port of Massawa, in a region where daytime temperatures hover about 100 degrees Fahrenheit (38 degrees Celsius). The government accused the students, who were not charged, of 'unruly behavior' and 'unlawful acts.' Following the forcible transfer of the arrested students to Wia, 1700 others 'voluntarily' joined them there, according to the government. The government acknowledged that two students died of heatstroke during the past month, but attributed the loss to 'lack of adequate logistical support' at the camp. There were reports that a number of other students were taken for treatment from heat exhaustion in closed military hospitals, and some may have died.' [29a]

- 3.10 An Open Doors (NGO) analysis paper on religious freedom in Eritrea (no title), dated 13 April 2009, submitted to the United Nations Human Rights Council as a contribution to the Universal Periodic Review of Eritrea, stated that:

'In May 2002, the Eritrean government ordered all unregistered religious communities to close their places of worship and stop practicing their faith until they were registered. They had to apply for registration with the Department for Religious Affairs in the Office of the President in accordance with the 1995 Proclamation regarding legally elucidating and regulating of religious activities and religions declaration NO 73/1995, the full implementation of which had been delayed.' [62]

See also [Freedom of religion](#) for more information about the impact of this.

3.11 The Eritrea section of Europa World Plus, undated, accessed on 31 July 2013, stated:

‘During 2004 several parties took steps to form a viable opposition movement to the PFDJ. In February, following talks in Germany, the EPLF—DP announced that it would reform as the Eritrean Democratic Party (EDP), under the continued leadership of Mesfin Hagos. In May numerous former members of the ELF and the PFDJ combined to establish the Eritrean Popular Movement (EPM). In August two new coalitions were formed; the first united the EPM and four smaller parties under the umbrella of the Eritrean National Alliance (ENA), while the second brought the EDP, the ELF and the Eritrean Liberation Front—Revolutionary Council together. In 2004 the ENA was reorganized as the Eritrean Democratic Alliance (EDA) and in January 2005 Hiruy Tedla Bairu was elected leader of the coalition. In January 2008 the 11 opposition parties comprising the EDA met in Addis Ababa to consolidate the alliance after divisions had emerged in the previous year. Two additional parties were admitted to the coalition: the Eritrean Islamic Congress and the Eritrean People’s Movement.

‘Meanwhile, in August 2005 the Minister of Foreign Affairs, Ali Sayyid Abdullah, died and Muhammad Omar was appointed to succeed him on an interim basis. In April 2007 President Afewerki appointed Osman Salih Muhammad, hitherto Minister of Education, as Minister of Foreign Affairs. The education portfolio was assumed by the Administrator of Maakel Province, Semere Rusom.

‘Despite the continued failure of the Government to announce a date for legislative elections, in 2009 political parties began to prepare for an eventual poll with three main opposition blocs emerging. In May 2009 four opposition parties (the ELF, Islah, al-Khalas and the Eritrean Federal Democratic Movement) joined forces as the Eritrean Solidarity Front. Later that month the Eritrean People’s Party announced it was to merge with the Democratic Movement of Gash-Setit and was continuing discussions with the EDP regarding a merger. In June the Red Sea Afar Democratic Organization and the Democratic Movement for the Liberation of Eritrean Kunama signed an agreement establishing the Democratic Front of Eritrean Nationalities, while confirming their intention to continue to work under the umbrella of the EDA. However, Afewerki repeatedly stated his reluctance to implement a democratic framework. In August 2010 the EDA’s 11 member organizations, together with other groups and civil society representatives, held a National Conference for Democratic Change in Addis Ababa, Ethiopia, during which plans were reportedly discussed to overthrow the Eritrean Government. The EDA claimed to have staged co-ordinated military attacks against government troops inside Eritrea in February, April and May, but the Eritrean Government refused to confirm such reports of attacks on its forces. Another National Conference for Democratic Change was convened in Hawassa, Ethiopia, in November 2011.’ **[24] (Eritrea – Domestic Political Affairs)**

International relations (2002 to 2012)

3.12 Regarding Eritrea’s border conflict with Ethiopia, a ‘Guardian’ article, ‘Ethiopian raid on Eritrean bases raises fears of renewed conflict’, dated 16 March 2012, stated that: ‘A bitter dispute over the position of Eritrea and Ethiopia’s shared border was not resolved at the end of the war [1998-2000 border war]. The Hague-based Eritrea-Ethiopia Boundary Commission ruled in 2002 that the border village of Badme belonged to Eritrea. But the village remains in Ethiopia and Eritrea blames the international community, and the UN in particular, for not forcing Ethiopia to accept the border.’ **[99b]**

- 3.13 The United Nations News Centre report, 'Ban Welcomes Deal Between Eritrea and Djibouti to Resolve Border Conflict', dated 9 June 2010, stated:

'Secretary-General Ban Ki-moon today [9 June 2010] welcomed the agreement signed by Eritrea and Djibouti to resolve their two-year border dispute through a negotiated settlement.

'Eritrean President Isaias Afwerki and Djibouti's President Ismail Omar Guelleh signed the agreement on Sunday [6 June 2010] in a deal reached under the auspices of Qatar and its Emir, Sheikh Hamad Bin Khalifa al-Thani.

"The Secretary-General is encouraged by this positive development, which he believes will contribute to long-term peace and stability in the Horn of Africa region," he said in a statement issued by his spokesperson in which he also voiced deep appreciation for the Qatari Emir's mediation efforts.

'The agreement entrusts Qatar with establishing a mechanism for the resolution of the border dispute and the normalization of relations between the two countries.

'The deal ends the dispute that erupted in early 2008 when, following weeks of tensions and military build-up, the two countries' armed forces clashed over an un-demarcated area in the Red Sea known as Doumeira, killing 35 people and leaving dozens of others wounded.' **[54b]**

- 3.14 The United Nations News Centre report, 'At General Assembly, Ethiopia accuses Eritrea of spoiling peace efforts in Somalia', dated 29 September 2010, stated:

'Ethiopia today [29 September 2010] accused Eritrea of continuing to undermine efforts to restore peace and stability in Somalia by arming insurgents battling the transitional Government in Mogadishu and urged the Security Council to strictly enforce existing sanctions against Eritrea.

"Despite the sanctions, Eritrea is still the principal architect of the complicated situation in Somalia by training, arming and nurturing the extremist elements such as Al Shabaab and Hisbul Islam who are causing havoc in the country today,' Ethiopia's Foreign Minister Seyoum Mesfin said in his statement to the General Assembly's high-level debate.

'In a resolution in January last year [2009], the Council imposed an arms embargo on Eritrea and a travel ban and an assets freeze on Eritrean political and military leaders who violated the embargo or provided support to armed opposition groups destabilizing Somalia.

'The resolution followed a request by the regional Intergovernmental Authority on Development (IGAD) and the African Union (AU) for the Council to take such action.' **[54a]**

- 3.15 The Sudan Tribune report, 'Ethiopia to step-up support to Eritrean rebels', dated 16 April 2011, stated that:

'Ethiopia on Friday declared that it will increase its support to Eritrean rebel groups in their struggle to topple the regime of Issaias Afewerki.

“In light of Eritrea’s continuing nefarious campaigns’, Ethiopia has given up on “the passive approach it has pursued in the past in dealing with the Eritrean regime in Asmara”, thus “decided to carry out a more active policy, taking measured action against Eritrea’s activities”, the Ministry of Foreign Affairs said in its weekly press release published on Friday [15 April 2011].

‘Last week, Addis Ababa threatened it might be forced to take military action against the Red Sea nation accusing it of continuous ‘terrorist acts’ and attempts to destabilize Ethiopia.

‘The latest statement said: ‘No act of aggression by the government of President Isaias will be left unanswered’.

‘Ethiopia has given refuge to a number of Eritrean resistance groups including Eritrean Democratic Alliance (EDA), a coalition of some nine political organizations.

‘The Horn of Africa country hosts over 50,000 Eritrean refugees who fled home in protest to the current rule. Many of these refugees join Eritrean resistance groups in Ethiopia.

‘Ethiopia has been providing political support to the Eritrean political groups and it says now the support to the opposition groups will be strengthened further.’ **[57c]**

3.16 A BBC News report, ‘Eritrea: UN Security Council toughens sanctions’, dated 6 December 2011, stated that:

‘The UN Security Council has toughened sanctions against Eritrea after its East African neighbours accused it of continuing to provide support to Islamist militants.

‘The resolution requires foreign companies involved in Eritrea’s mining industry to ensure that funds from the sector are not used to destabilise the region.

‘Thirteen council members voted for the resolution and two abstained.

‘Eritrea denies the accusations.

‘East African nations had called for tougher sanctions after a UN report found that Eritrea continued to support al-Shabab and other armed groups in Somalia.’ **[25h]**

3.17 Regarding Eritrea’s border conflict with Ethiopia, a ‘Guardian’ article, ‘Ethiopian raid on Eritrean bases raises fears of renewed conflict’, dated 16 March 2012, stated that:

‘Fears of renewed conflict between Ethiopia and Eritrea have intensified after Addis Ababa announced it had sent troops into its sworn enemy’s territory for the first time in more than a decade.

‘Ethiopia’s forces carried out a dawn raid on Thursday [15 March 2012] in neighbouring Eritrea in what it described as a successful attack against military targets.

‘Shimeles Kemal, a government spokesman, said Ethiopia launched the military assault because Eritrea was training “subversive groups” that had carried out attacks on its territory.

'Ground forces targeted three bases about 10 miles inside south-eastern Eritrea. Kemal said Eritrea had used the bases to train an Ethiopian rebel group that Addis Ababa claims killed five foreign tourists and kidnapped two others in Ethiopia's remote Afar region in January. Eritrea denies any involvement.

'Shimeles said: "[These] measures do not constitute a direct military confrontation between the two countries. The Ethiopian defence force has entered into Eritrea and launched a successful attack against military posts that have been used to organise, finance and train the subversive groups.

"The Eritrean defence force is not in a position to launch an attack against Ethiopia and were they to try to do so, the results would be disastrous."

'The incursions were the first that Ethiopia has admitted to since the countries fought a border war from 1998 to 2000 that left at least 70,000 people dead. Eritrea alleges there have been other such attacks.' **[99b]**

- 3.18 Regarding the raids that occurred in March 2012, an Awate report, 'Ethiopia Attacks Military Bases Inside Eritrea', dated 16 March 2012, stated that:

'On March 16 [2012], the Ethiopian government announced that it had carried out raids 18 kilometers into Eritrea and that it had destroyed three Ethiopian 'terrorist' bases in Ramida, Gelahbe, and Gimbi in the Afar region of Eritrea... 'The Eritrean government responded that there was nothing new to the Ethiopian attack, announced as it may have been with 'much bravado' by its media and its 'echo chamber' [Western media.] In a statement issued by its Foreign Ministry, the Eritrean government said that the attack was a continuation of a 10-year long occupation of Eritrean territories and that the attack of Ethiopia and its 'backers' and 'protectors' was a way to distract attention from Ethiopia's internal crisis.' **[27d]**

- 3.19 On 17 July 2012, the United Nations (UN) Human Rights Council issued a resolution against human rights violations in Eritrea and appointed a special rapporteur to report on the human rights situation in Eritrea for a period of one year. The special rapporteur was instructed to submit a report to the Human Rights Council. **[73c]** (UN Human Rights Council – 'Situation of human rights report on Eritrea', 17 July 2012)

For more recent news reports on Eritrea, refer to the following weblinks: [BBC News](#); [Reuters](#); [All Africa](#); [Afrol News](#), and [Africa Online](#).

See also [Opposition groups and political activists](#).

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4. Recent developments (August 2012 to August 2013)

This section covers the period August 2012 to August 2013 and provides a selection of incidents as reported by a number of sources on events in, and concerning, Eritrea. This section is organised thematically and then chronologically, from the oldest to most recent events. For further information generally, see the following links:

AlertNet (Thomson Reuters)

<http://www.alertnet.org/thenews/newsdesk/index.htm?news=all>

All Africa <http://allafrica.com/eritrea/>

British Broadcasting Corporation (BBC) <http://news.bbc.co.uk>

Cable News Network (CNN) <http://edition.cnn.com/WORLD/?fbid=i0gUtrVnUAY>

Integrated Regional Information Networks (IRIN) <http://www.irinnews.org/>

Reuters <http://www.reuters.com/>

Voice of America (VoA) News <http://www.voanews.com/english/news/>

- 4.01 A 'Sudan Tribune' news report, 'Eritrea's entire football squad defects in Kampala,' dated 4 December 2012, stated:

'Almost the entire Eritrean national football squad has been missing in Uganda since Sunday [2 December 2012], after the team was eliminated at the ongoing East and Central Africa Football Associations (CECAFA) senior Challenge Cup.

'According to reports, seventeen players and the team's doctor have disappeared in Ugandan capital, Kampala, leaving behind the head coach, Teklit Negash, two of his assistants and four other members of the team.

'One of the missing footballer [sic] on condition of anonymity confirmed to Radio France Internationale (RFI) that the squad is hiding some where in Kampala... This is a third time that the Eritrean national team has chosen to claim asylum in an African nation when playing outside the Horn of Africa nation.

'In July last year, 13 Eritrean football players sought asylum in Tanzania after a 2011 tournament, while 12 members of the national team similarly disappeared in Kenya and sought asylum there during a regional tournament in 2009.

'Four Eritrean athletes sought political asylum in Britain after the London Olympics this summer.' **[57a]**

- 4.02 An Amnesty International report, 'Eritrea - 20 years of independence, but still no freedom,' dated 9 May 2013, stated:

'On 21 January 2013, a group of 200 soldiers occupied the Ministry of Information in central Asmara, and broadcast an announcement calling for the release of all political prisoners and the implementation of the 1997 Constitution. As with all developments in Eritrea, it is very difficult to establish with certainty the subsequent course of events. According to some reports shots were fired during the removal of the soldiers from the Ministry, other reports say the incident passed with no violence. However, in the aftermath of the event a large number of arrests were reported. Information received by Amnesty International from exiled Eritrean human rights defenders suggests that at least 187 people have been arrested since these events. These reportedly include a number of people in high profile positions within the authorities, including Abdullah Jaber, Head of the Department of Organizational Affairs of the ruling party; Ibrahim Toteel, the governor of the North Red Sea region; Mustafa Nurhusein, governor of the Southern region; and Ahmed Alhag, the Minister for Mining. Eritrean human rights defenders in exile report that there have been suggestions of dissent among various members of the government in recent months, and that the arrests of these high profile figures may be based on suspected involvement with this or were a result of the nervousness of the authorities about potential sources of opposition. It is not known where any of these detainees are currently being held.' **[6c] (page 18)**

- 4.03 The International Crisis Group report, 'Eritrea: Scenarios for Future Transition', dated 28 March 2013, also reported on the incident:

'On 21 January 2013, in Asmara, the capital, approximately 100 disgruntled soldiers, possibly accompanied by two tanks, entered "Forto", the building of the information ministry, which broadcasts the state television (Eri-TV) and rounded up the staff. They forced the station's director, Asmelash Abraha, to read an announcement stating that the ministry was under their control and demanding the release of all prisoners of conscience and political detainees, as well as implementation of the 1997 constitution. Not much was heard by the public. After two sentences, the TV signal went off air. Troops loyal to Isaias quickly surrounded the building and secured the presidential palace and the airport...What is certain is that after several hours, Eri-TV went back on air (around 10pm), informing viewers of the severe snowstorm in Paris. The day's turbulent local event was not mentioned.

'The government reportedly negotiated with the soldiers, and in the end the ministry's employees were released. The mutinous soldiers left the building and returned to their barracks outside the capital. Not a single shot appears to have been fired...If no immediate punitive measures were taken against the soldiers, it was probably to downplay the incident and wait until international attention subsided.' [18b] (pages 4-5)

- 4.04 A BBC report, 'Eritrea: Asmara calm after "information ministry raid"', dated 22 January 2013, stated that:

'Eritrea's capital is calm a day after mutinous soldiers reportedly stormed the information ministry, sources say, while state TV is back on air.

'A European diplomat in Asmara told the AFP news agency that the mutineers had left the ministry building and there was no visible military presence.

'Opposition website Awate says the raid was led by an army commander, who has been pushing for political change...State television is back on air after broadcasts were interrupted for several hours on Monday.

'The dissident soldiers reportedly had a statement calling for the implementation of the country's 1997 constitution and the release of political prisoners read out on air.

'Eritrea expert Leonard Vincent, an author and co-founder of a Paris-based Eritrean radio station, told AP news agency the broadcast of the statement was cut off after only two sentences were read out.

'There has been no official statement about Monday's incident.

'Yemane Gebremeskel, a director in the president's office, told AFP that all was calm in Asmara, as it had been on Monday.' [25i]

- 4.05 A BBC News report, 'Canada expels Eritrea envoy over expat fees claims,' dated 29 May 2013, stated:

'Canada has ordered an Eritrean envoy to leave the country following claims he demanded contributions from expatriates to fund Eritrea's military.

‘Semere Ghebremariam Micael, head of the Eritrean Consulate General in Toronto, has been under investigation for the practice.

‘It is in breach of both UN sanctions against Eritrea and Canadian law, the Canadian government said...The UN Security Council toughened sanctions against Eritrea in December 2011 over its alleged support for Islamist militant groups such as Somalia's al-Shabab. The sanctions include a block on remittance tax imposed on nationals overseas.

‘Mr Michael has previously been warned against collecting funds from Eritrean expatriates living in Canada. The consul said it would comply with the Canadian government's ruling in September.

‘But recent reports said Mr Michael had again started demanding the payments.’
[25n]

- 4.06 A United Nations News Centre report, ‘Security Council extends mandate of monitoring group for Somalia and Eritrea,’ dated 24 July 2013, stated:

‘The Security Council today [24 July 2013] extended for 16 months the mandate of the United Nations expert panel monitoring compliance with sanctions against Somalia and Eritrea, while further easing funding and equipment restrictions on the UN and European Union missions in the region.

‘In a resolution adopted this morning, the Council asked Secretary-General Ban Ki-moon to re-establish the eight-member Monitoring Group on Eritrea and Somalia until 25 November 2014.

‘The panel, which monitors compliance with the embargoes on the delivery of weapons and military equipment to Somalia and Eritrea, also investigates any seaport operations in Somalia that could generate revenue for the Islamist militant group known as Al-Shabaab that controls some Somali territory.’ [54d]

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5. Constitution

- 5.01 The Constitutionnet.org website, accessed on 30 August 2013, stated that the Eritrean Constitution will guarantee fundamental human rights such as the right to life, liberty, freedom of movement, freedom of religion, freedom of speech, right to vote in elections, and right to a fair trial. Under the constitution, ‘all persons are equal before the law’ and ‘no person may be discriminated against on account of race, ethnic origin, language, colour, sex, religion, disability, political belief or opinion, or social or economic status or any other factors.’ The constitution also contains provisions relating to how the executive, legislature, and judiciary are organised and function. National unity, participation in national service and patriotism in general is emphasised. [41]
- 5.02 The Report of the United Nations Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth, dated 28 May 2013, stated:

‘A constitutional commission was established by proclamation 55/1994 in March 1994. Following broad consultations, public debate and drafting, the National Assembly ratified the Constitution in 1997. A brief document apparently destined to evolve with

time, it provides for the separation of powers, with checks and balances, the independence of institutions, including of the judiciary, and human rights guarantees. As the fundamental law, the Constitution is based on democratic principles and has the authority to declare invalid any law or proclamation inconsistent with it.

'The Constitution was meant to come into effect following the National Assembly elections, scheduled for 1997. The elections were, however, postponed indefinitely; Eritrea therefore continues to operate on pre-constitutional transitional powers. In the addendum to the report of the Working Group on the Universal Periodic Review, the State under review remarked that the Constitution was "the supreme law of the land", and that the Government was implementing it, "including the holding of democratic elections at the local, subregional and regional levels". Some of the institutions provided for in the Constitution had "yet to be constituted". The representative added that national elections would be held "once the threat to national security and the country's sovereignty is irrevocably removed".

'Even though the Constitution includes a Bill of Rights (chap. three), the Government of Eritrea continues to systematically violate these very fundamental rights. Systematic human rights violations stem from the absence of due process and a lack of credible institutions through which affected individuals can take their complaints to be examined and have their rights upheld. Attempts have also been made to silence dissent over the failure to implement the Constitution.

'Legislative functions accorded to the National Assembly by the unimplemented Constitution have been assumed entirely by the Government. The Ministry of Justice drafts and publishes laws in collaboration with other relevant ministries and the Office of the President; Eritrea is thus a country ruled by decree. The National Assembly has not convened since 2002.' **[73b] (page 8)**

Link to Eritrean constitution:

http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_126648.pdf **[55]**

See also [Political system](#) and [Judiciary](#).

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6. Political system

6.01 The International Crisis Group report, 'Eritrea: The Siege State', published on 21 September 2010, provided a detailed analysis of the political system:

'The PFDJ is the sole legal political movement and has dominated public and private life. At first glance, there is no distinction between party and state. However, the party is only one element of an amorphous apparatus centred on the president's office. The PFDJ funded the war effort, as the government lacked resources. The party rather than government ministries inherited the EPLF [Eritrean People's Liberation Front] legacy and its financial and moral capital, but it is only as important as the president allows at any given time. Since independence, and especially since 2001, his favour has alternated between the party and the army. Creating rivalry between the two institutions

for Isaias's favour is one of the strategies deployed by the Office of the President to maintain its importance.

'EPLF/PFDJ members dominate state institutions. From the early 1990s, all the main ministries - defence, interior, education, health, labour - have been headed by leading ex-fighters. Many of the lower rungs in the administrative structure have likewise been occupied by tegadelay ["EPLF fighter" (Tigrinyan)]. Posts were reserved for ex-fighters, and only exceptionally - notably in the banking sector - were key figures brought in who had not seen combat. It was axiomatic that there was no job - technical, commercial or administrative - that an ex-fighter could not do. This created a gulf between ex-combatants and everyone else, for whom there were relatively few opportunities. An independent, professional civil service is virtually non-existent, and those who work in the lower levels of an increasingly stultifying bureaucracy are demoralised, underpaid and inadequately trained. Civilians predominate in only a few areas, such as teaching. The university was led by a nonfighter between the mid-1990s and early 2000s and for a time was harnessed to the nation-building process, but as a key institution that is potentially a seedbed for alternative views, it has never been trusted.' **[18a] (page 8)**

6.02 Although no national elections have taken place since independence, local and regional elections have been organised. Europa World Plus, undated, accessed on 31 July 2013, noted that regional assembly elections took place in May 2004. A total of 92 per cent of those registered to vote voted in these elections.
[24] (Eritrea - Domestic Political Affairs).

6.03 The International Crisis Group report, 'Eritrea: Scenarios for Future Transition', dated 28 March 2013, stated:

'The president maintains control by keeping the country on a perpetual war footing; nullifying institutions and personalising all branches of the state; continuously fomenting rivalry; and constructing a system of patronage reliant solely on him. No institutional mechanism has been installed to resolve conflicts between the branches of government or between government and population. Governmental institutions have withered, replaced by informal governance by presidential dictate.

'The exception is the military, which appears to have maintained a certain degree of autonomy, such that it has reportedly questioned Isaias's capacity to retain control and asked him to consider a transition at various points in the recent past. The president appears to have refused. Therefore, quite possibly with quiet approval of some senior officers, dissent within the ranks has started to grow. But it is a question whether this newly found desire for change is motivated by patriotic duty or by personal and financial interests.' **[18b] (page 10)**

6.04 The Article 19 report, 'Eritrea: A Nation Silenced', published in June 2013, stated:

'The Eritrean government formally recognises only one political party - the People's Front for Democracy and Justice (PDFJ) - which is led by President Isaias Afewerki. The PDFJ is largely made up of former Eritrean People's Liberation Front members, a military group that opposed the Ethiopian annexation of Eritrea. The PDFJ were the dominant domestic power following the UN sanctioned referendum on independence that saw Eritrea become a de jure independent state in 1993.

'The class structure advocated by the ruling party divides Eritrean society into two classes: the Tegadelti¹ and the Hafash. The Tegadelti claims that, because of their

contribution and participation in the armed struggle with Ethiopia, they deserve more reward than the rest of the Eritrean population. Hence, Tegadelti in post-independent Eritrea receive a higher salary scale as compared to Hafash.

‘In addition, the Tegadelti dominate politics and government. 50 per cent of national assembly seats are reserved for Tegadelti, although they represent only 95,000 of the population. Likewise, the executive branches of the government, specifically most of the cabinet of ministers are, if not all, members of Tegadelti. With regard to judiciary, with the exception of Special Court, members of both class structures operate all the other courts.’ **[85] (page 8)**

6.05 The Bertelsmann Stiftung Transformation Index Eritrea Country Report 2012, published in 2013, stated that:

‘Since Eritrea’s independence in 1993, there have been no elections on the national or regional (zoba) levels and no free elections on the sub-regional and local levels. The PFDJ is the only political party, and President Isaias Afewerki, who has been in power since independence, has firmly declared that he has no intention to hold elections within the foreseeable future. The constitution ratified in 1997 has not been implemented, and the PFDJ held its last congress in 1994...The National Assembly met for the last time in 2001, leaving the president and his cabinet of ministers – the latter’s political impact is very limited – as the only political decision-makers in the country. The military has been awarded considerable political power on the regional level in the past decade... Separation of powers is nonexistent. The ruling PFDJ and the government form a monolithic power apparatus. There is no separation of powers and not even a convening parliament. The legislative, executive and judicial branches are controlled by the president, who rules by decree. He heads the cabinet of ministers, who have very little autonomy as to setting up policies in their respective portfolios.’ **[89] (Section 2)**

See also [Political affiliation](#); [Women - political rights](#); [Constitution](#).

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Human Rights

7. Introduction

7.01 The Geneva Academy of International Humanitarian Law and Human Rights stated on its website, updated on 10 June 2013, that the Eritrean government has ratified the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, including the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, Convention (IV) relative to the Protection of Civilian Persons in Time of War, and the Convention for the Protection of Cultural Property in the Event of Armed Conflict. The website also stated that:

‘Eritrea is party to only a small number of instruments of international human rights and humanitarian law, but not to the main instruments of international criminal or refugee law. It has signed but not ratified the 1998 Rome Statute of the International Criminal Court. It has not adhered to the 1977 Additional Protocols to the Geneva Conventions, but has ratified the Optional Protocol to the Convention on the Rights of the Child on involvement in armed conflict.’ **[21]**

7.02 The United States State Department ‘2012 Human Rights Report: Eritrea’, published on 19 April 2013, stated:

‘Unlawful killings by security forces continued, as did torture, harsh prison conditions, and incommunicado detention, which sometimes resulted in death. The government continued to force persons to participate in its national service program, often for periods of indefinite duration. The government also severely restricted civil liberties, including freedom of speech, press, assembly, association, and religion.

‘Other abuses included: politically motivated disappearances; arbitrary arrest and detention, including of national service evaders; executive interference in the judiciary; detention of political prisoners and detainees; lack of due process and excessive pretrial detention; infringement of privacy rights; restrictions on academic freedom and cultural events; and limits on freedom of movement and travel. Abuse and discrimination against women and the Kunama ethnic group were a concern. The law criminalizes consensual same-sex activity. Child abuse, female genital mutilation/cutting (FGM/C), human trafficking, and forced child labor occurred. Government policies limited worker rights.’ **[3b] (Executive Summary)**

7.03 The Human Rights Watch ‘World Report 2013: Eritrea’, published on 19 February 2013, summarised the human rights situation in Eritrea:

‘Torture, arbitrary detention, and severe restrictions on freedom of expression, association, and religious freedom remain routine in Eritrea. Elections have not been held since Eritrea gained independence in 1993, the constitution has never been implemented, and political parties are not allowed. There are no institutional constraints on President Isaias Afewerki, now in his twentieth year in power.

‘In addition to ongoing serious human rights abuses, forced labor and indefinite military service prompt thousands of Eritreans to flee the country every year.

'Access to the country for international humanitarian and human rights organizations is almost impossible and the country has no independent media. In recognition of the "continued widespread and systematic violation of human rights," the United Nations Human Rights Council (HRC) in 2012 appointed a special rapporteur on Eritrea.' **[29b]**

- 7.04 The Bertelsmann Stiftung Transformation Index Eritrea Country Report 2012, published in 2013, stated that:

'There is still absolutely no protection of civil rights in Eritrea. There is no constitution in place and civil rights are not guaranteed by any law. Top government officials, including the president, repeatedly expressed callous disregard of internationally accepted civil rights and due process of law. There is no freedom of the press, no right to habeas corpus, and no freedom of expression and assembly. Religious freedom is only granted to the four officially accepted faiths: Orthodox, Roman Catholic and Lutheran Protestant Christianity, and Islam. The rights to life and security are ignored and torture is widespread in prisons and prison camps throughout the country. Ethnic and religious minorities may be subjected to even harsher treatment than the general public, but the lack of civil rights affects the entire population. Traditional jurisdiction does not handle gender equality along the lines of Western liberal understanding, but does not generally neglect women's rights.' **[89] (Section 3)**

For information about specific human rights issues, see [Human rights violations by government forces](#); [Freedom of movement](#); [Freedom of speech and media](#); [Freedom of religion](#); [Freedom of political expression](#); [Freedom of association and assembly](#); [Prison and detention centre conditions](#); [Women](#); [Children](#).

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8. Security forces

Police

- 8.01 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated that the:

'Police were responsible for maintaining internal security, and the army was responsible for external security, but the government sometimes utilized the armed forces, the reserves, demobilized soldiers, or the newly mustered civilian militia to meet domestic and external security requirements. Agents of the National Security Office, which reports to the Office of the President, were responsible for detaining persons suspected of threatening national security. The armed forces have authority to arrest and detain civilians. Police generally did not have a role in cases involving national security. Impunity for abuse was the norm.' **[3b] (section 1d)**

See also [Human rights violations by government forces](#).

Armed forces

- 8.02 The Central Intelligence Agency's (CIA) 'World Factbook' section on Eritrea (13 August 2013 version), stated that of the estimated 2.7 million military service reservists and

military conscripts, around 1.8 million were fit for military service (2010 figures). [1]. The Eritrea section of Europa World Plus, undated, accessed on 31 July 2013, stated that "...as assessed at November 2010, Eritrea's active armed forces included an army of about 200,000, a navy of 1,400 and an air force of about 350; reserve forces numbered 120,000." [24] **(Government and Politics)**. The Social Watch report, 'Engineering a Failed State', published in 2012, stated that: 'Although the country has never conducted a census, the proportion of the population forced into military service appears to be exceedingly high. One recent study estimated the country's population at 3.6 million. In 2010 the Eritrean army had an estimated 600,000 troops, which would be an extraordinary 16.6% of the total population.' [94]

- 8.03 The Armed Forces section of Jane's 'Sentinel Country Risk Assessments' (28 November 2012 version), Eritrea, provided the following information about Eritrea's armed forces:

'In terms of capabilities, the Eritrean military remains overwhelmingly a light infantry force with little in the way of armoured, mechanised or artillery support. Development of the air force has aimed to overcome the strategic limitations of a largely conscript army as well as to match the expansion of Ethiopia's capabilities, which remain comparable and broadly constrained by the same factors. With no naval dimension to the conflict with Ethiopia, the development of Eritrea's small navy has stalled, although it may still be considered a competent paramilitary force in the coast guard role...President Isaias Afewerki is the commander in chief of the Eritrean Defence Forces (EDF), which consists of an army, air force and navy. Eritrea has one of the biggest land armies in sub-Saharan Africa, with conscription strictly enforced. By comparison with the army, the air force and navy deploy modest numbers of personnel. The commander in chief exercises control through a small number of trusted, long-serving associates. The key senior personnel are the minister of defence, the commanders of the five Military Operation Zones (MOZs), and the commanders of the air force and navy. During the 1990s it was understood that there was a chief of general staff overseeing a land forces commander, an air force commander and a navy commander. In more recent years the army has been organised on the basis of the five MOZs.' [7a]

See also [National service](#).

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Human rights violations by government forces

Arbitrary arrest and detention

- 8.04 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated:

'The law stipulates that, unless there is a "crime in progress," police must conduct an investigation and obtain a warrant prior to making an arrest. In cases involving national security, this process may be waived. In practice very few individuals were arrested with a warrant. The law stipulates that detainees must be brought before a judge within 48 hours of arrest and may not be held more than 28 days without being charged with a crime. In practice suspects were detained for longer periods without being brought before a judge, charged with a crime, or in some cases being told the reason for their detention. Authorities also sometimes changed charges during detention. The

government took the position that those detained without charge should be assumed to be held in relation to national security concerns.

'The law provides for a bail system. In practice bail was arbitrary and not always set, and sometimes reportedly involved paying bribes to persons with government connections to intercede.

'Incommunicado detention was widespread. Detainees in prisons, including those held on national security grounds and those considered indigent, often did not have access to counsel. Detainees in police stations not held on national security grounds sometimes received family visits.' **[3b] (section 1d)**

8.05 The Report of the United Nations Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth, dated 28 May 2013, stated:

'Government officials, zonal administrators, community and religious leaders, businesspeople, journalists and teachers, as well as ordinary citizens expressing critical views or posing questions, have been jailed for explicit or inferred opposition to the Government or its policies. Mere suspicion appears to be enough for somebody to be subjected to interrogation and detention without charge or without being brought before a court of law. The number of Eritreans jailed for their perceived political opposition is difficult to confirm, but may be as high as 10,000. They are often held indefinitely without access to family members or lawyers, and there are no court appearances or public trials.

'From several accounts, it would appear that the modus operandi adopted involves detainees being arrested at night, or kidnapped, blindfolded and driven around before being subjected to interrogation by agents in civilian clothes. They are either dumped in a cell in an underground prison or in another secret place of detention. They do not know where they have been taken to (nor do their families), and are too afraid to ask. They are removed from their places of detention for interrogation at regular intervals. The identities of interrogators are kept secret, as they shroud their faces.

'The number of people arrested and detained without charge or due process amounts to thousands. National service evaders or escapees, and those suspected of wanting to flee or caught during flight further swell detention figures and may reach tens of thousands.' **[73b] (page 10-11)**

8.06 An Amnesty International report, 'Eritrea - 20 years of independence, but still no freedom,' dated 9 May 2013, stated:

'Throughout the 20 years of Eritrea's independence, the government of President Isaias Afewerki has systematically used arbitrary arrest and detention without trial to crush all opposition, to silence all dissent, and to punish anyone who refuses to comply with the restrictions placed on freedom of religion and belief, the system of indefinite conscription into national service and other restrictions on human rights imposed by the government. Thousands of prisoners of conscience and political prisoners have disappeared into secret detention, held incommunicado with no contact with the outside world, and without charge or trial. In hundreds of cases that detention is indefinite. In many hundreds of cases the families of the prisoners are not informed of arrests or of the whereabouts of their relatives; have never heard from them after their arrest and do not know if their relatives are alive or dead. Some relatives of detainees have been

arrested and detained themselves for asking questions about their family members. Large numbers of people have been arbitrarily detained without charge for over a decade, and many for nearly 20 years – the entirety of Eritrea’s independent history. In a very large proportion of these cases their detention amounts to enforced disappearance – the authorities refuse to acknowledge their detention or conceal their fate or whereabouts, placing them outside the protection of the law.

‘Those in detention include actual or suspected critics or opponents of the government, politicians, journalists, members of unregistered religious groups as well as those which are registered, people caught trying to evade or desert indefinite national service conscription or caught trying to flee the country - those caught on the borders and those who have sought asylum in other countries but who are forcibly returned after they have not been given access to asylum procedures or after their claims have been rejected in those countries. Family members have been arrested in place of individuals who have fled the country. Many of the architects of Eritrea’s independence languish in isolation cells and shipping containers, alongside thousands of other prisoners of conscience and political prisoners, for trying to exercise their rights.’ **[6c] (pages 6-7)**

8.07 The same Amnesty International report also stated:

‘There is no transparency or oversight of this extensive system of arbitrary detention – no public records are kept, there is no judicial oversight and the government refuses to acknowledge the detentions. Because of the many restrictions on freedom of association and freedom of expression in Eritrea, there are no civil society organisations to monitor or document arrests, to assist detainees and their families in accessing justice, and to press for remedies for human rights violations. The International Committee of the Red Cross does not have access to detention facilities in Eritrea. Families cannot make enquiries of the authorities on the whereabouts of their relatives. Countless people have been told they have ‘no right to ask.’ Many have been threatened for asking questions, and some people have been arrested themselves for asking about their family member’s arrest. Many are too afraid to ask, knowing well the high risk of repercussions. The repression of freedom of expression means that there are major obstacles to exchange of information, including reports of new arrests.’ **[6c] (page 13)**

See also [Arrest and detention - legal rights](#); [Detention of national service conscripts](#).

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Torture

8.08 The Amnesty International ‘Annual Report 2013: The state of the world’s human rights’, covering events in 2012, published on 22 May 2013, stated that:

‘Torture and other ill-treatment of prisoners were widespread. Prisoners were beaten, tied in painful positions and left in extreme weather conditions, and held in solitary confinement for long periods. Conditions in detention amounted to cruel, inhuman or degrading treatment. Many detainees were held in metal shipping containers or underground cells, often in desert locations, where they were exposed to extremes of heat and cold. Detainees received inadequate food and water. They were frequently denied – or provided with only inadequate – medical care.’ **[6b]**

- 8.09 The Human Rights Watch (HRW) 'Service for Life - State Repression and Indefinite Conscription in Eritrea' report, published on 16 April 2009, stated: 'According to eyewitness accounts gathered by Human Rights Watch, torture and cruel, inhuman, and degrading treatment or punishment by military officers and commanders are systematic and "normal" ...in Eritrea, deaths in custody are common as a result of ill-treatment, torture, and denial of medical treatment.' **[29c] (p29-30)**
- 8.10 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated:
- 'The law and unimplemented constitution prohibit torture; however, torture and beatings occurred within prisons and detention centers. Lack of access made it impossible to determine the numbers or circumstances of deaths due to torture or poor detention conditions.
- 'Security forces tortured and beat army deserters, national service evaders, persons attempting to flee the country without travel documents, and members of certain religious groups. Released and escaped detainees from previous years who detailed their experiences on diaspora Web sites and elsewhere described prison conditions that included exposure to extreme heat during confinement in crowded and unventilated metal shipping containers, or in crowded basements without ventilation or sanitation.'
- [3b] (section 1c)**
- 8.11 The HRW 'Service for Life - State Repression and Indefinite Conscription in Eritrea' report, published on 16 April 2009, describes the various torture methods used on prisoners in military detention. According to the report, the names of the known different types of torture are:
- 'Helicopter' - the victim's hands and feet are tied together behind the back. The victim is left face down, often outside in the sun. According to former detainees, this form of torture is practiced in most of the prisons, in particular in Alla prison.
- 'Otto' (or 'eight') - the victim's hands are tied together behind the back, and the victim has to lie on his or her stomach. According to former detainees, this was the most common form of torture, practiced in all the prisons, and also in Wi'a and Sawa military camps.
- 'Ferro' - the victim's hands are placed behind the back and the wrists are bound together with handcuffs. The victim is made to lie on his or her stomach. The victim may also be left outside in the sun. According to a former army officer, 'ferro' was often the punishment for individuals suspected of being army deserters.
- 'Jesus Christ' - the victim is crucified by being tied up with rope to a tree or a cross and then left to hang in that position. Sometimes the victim is also beaten while in the hung position.
- 'Goma' - the victim is placed in a radial truck tyre in a double-bent position for long periods of time.
- 'Mock drowning' - the victim's head is submerged in water as an act of 'mock drowning'.

'Beating' - according to former detainees, beatings are a common punishment and take place on a regular, often daily, basis. Beatings can occur before or after other forms of torture.' **[29c] (p30-32)**

- 8.12 The Report of the United Nations Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth, dated 28 May 2013, stated:

'Individuals arrested arbitrarily are subjected to physical and psychological torture, cruel, inhuman or degrading treatment. The information gathered confirmed that torture is regularly used in Eritrean prisons, military barracks and at Sawa – a one-stop service consisting of a school, a military training camp and a detention facility all in one, as well as other military training camps.

'Political prisoners, other detainees, military deserters, "refouled" refugees, failed asylum seekers and students at Sawa are subjected to torture, cruel, inhuman and degrading treatment or punishment. Detainees are particularly vulnerable to abuse, as they are held incommunicado, without legal procedures or safeguards, while access by family, doctors or lawyers is denied, in blatant disregard for international human rights standards. Perpetrators are not prosecuted or punished, thus perpetuating a culture of impunity.' **[73b] (page 11)**

See also [Prison and detention centre conditions](#); [Detention of national service conscripts](#); [Political affiliation](#)

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Extra-judicial killings

- 8.13 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated:

'The government committed arbitrary killings and subjected detainees to harsh and life-threatening prison conditions, including torture, which resulted in deaths.

'Reporters Without Borders provided information that four journalists had died while in detention. The deaths reportedly occurred in prior years. Deaths resulted from the continued authorized use of lethal force against individuals resisting or attempting to flee military service or attempting to leave the country clandestinely. Persons detained for evading national service reportedly died from harsh treatment.' **[3b] (section 1a)**

- 8.14 The Report of the United Nations Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth, dated 28 May 2013, stated:

'An unknown number of people have been shot near the Eritrean borders with Djibouti, Ethiopia and the Sudan, allegedly for attempting to cross illegally. Border military personnel have standing orders to implement a shoot-to-kill policy to those attempting to flee. The policy was confirmed in the discussions and interviews held by the Special Rapporteur with several former military personnel who had been required to implement it, as well as with those who had been victims of the practice. The account of a young woman who was shot while crossing the border in 2012 was particularly harrowing. After her first attempt to cross failed, she was imprisoned at Sawa detention centre for almost a year, without her family being informed. When she attempted to cross the

border again, she was shot seven times, in the leg, foot, hand and breast, but still managed to escape. She had to be hospitalized for nine months.’ **[73b] (page 9)**

Avenues of complaint

- 8.15 The United States State Department ‘2012 Human Rights Report: Eritrea’, published on 19 April 2013, stated: ‘There were no effective mechanisms to address allegations of official abuse, and impunity was a problem.’ **[3b] (section 4)**

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9. National service (including military service)

The information in this section has been obtained from a number of sources which give differing information about national service and how it is implemented in practice. For example, sources differ on at what age national service starts and ends for men and women. As a result, it is not possible to be definitive about how the legislation governing national service and the other aspects of national service are implemented in practice.

Background

- 9.01 A German Institute of Global and Area Studies (GIGA) academic paper about the national service programme by Nicole Hirt, dated January 2010 (GIGA paper 2010), stated:
- ‘In November 1991 the provisional government of Eritrea, formerly the Eritrea People’s Liberation Front (EPLF), introduced a mandatory national service...Although there has not been much enthusiasm for the program since its beginning, it was initially accepted as a national duty. In early 1998, a few months before the war with Ethiopia started, a national development campaign was announced and all those who had finished their national service were remobilized. When the war started, they were directly integrated into their specific army positions.’ **[67]**
- 9.02 A 2004 paper by Sara Rich Dorman, ‘Past the Kalashnikov: Youth, Politics and the State in Eritrea’, stated:
- ‘Drawing on the traditions of the fighters, many of whom continued to work as volunteers after independence in 1991, national service for all was introduced in 1994 ...and written into the 1997 constitution (The Constitution of Eritrea 1997: article 25.3). It was designed to create a trained reserve army, connect young people to the older, liberation-war generation, and to develop cross-cultural understanding by integrating the different ethnic groups and religions.’ **[92b] (page 10)**
- 9.03 A 2003 paper by Sara Rich Dorman, ‘Eritrea’s Nation and State-building: Re-assessing the impact of the “struggle”’, stated:
- ‘National service...involved all ‘youth’ between the ages of 18 and 40 undergoing 6 months military training and 12 months of work in various ministries. In the same summer, the student work programme was initiated, which saw secondary school students providing agricultural and environmental services under the supervision of the Ministry of Education. In an interview, President Isaias emphasized, “Everybody

recruited for national service has to go. As for those who create lame excuses for not going, let them know that there is no way one can evade it.' [92a] (page 10)

9.04 The GIGA paper 2010 by Nicole Hirt also stated:

'In summer 2002 the government announced the so-called Warsay Yikealo Development Campaign [WYDC]. The younger generation is referred to as warsay, meaning "inheritor" or "follower," While yikealo denotes a wise elderly person, a term the government uses explicitly for the fighter generation. The younger generation is supposed to follow in the footsteps of the former fighters by internalizing and practicing the values of self-sacrifice, hard work and dedication to the Eritrean nation in the form of unlimited and unpaid service. The introduction of the WYDC meant de facto that the national service was no longer limited to 18 months (as a matter of fact, all those remobilized in 1998 had already spent years in the military) but rather became open-ended.' [67]

9.05 The Eritrea section (29 June 2009 update) of the 'War Resisters International' website, accessed on 31 May 2012, provided the following information:

'In 1991 the provisional government of Eritrea introduced compulsory national service, including military service (Decree no. 11/1991 of 6 November 1991). However, until May 1994, the 1991 decree was not implemented.

'After officially achieving independence from Ethiopia in 1993, the 1991 Decree was initially revised (Decree 71/1995), but later replaced with the 23 October 1995 Decree on national service [Proclamation No 82/1995].' [64]

9.06 The International Crisis Group report, 'Eritrea: The Siege State', published on 21 September 2010, also provided background information about the national service programme:

'Eritrea is a highly militarised society shaped by war, run by warriors and in which citizenship has come to be equated with indefinite national service - associated not with rights but with obligations. The ethos of the armed struggle permeates all aspects of public life, and the country has proved unable, as yet, to escape its violent past. Immediately after independence, the EPLF [Eritrean People's Liberation Front] created a system of national service, the core component of which was military, centred on the training camp at Sawa, where it sought to inculcate the next generation with the culture and spirit of the liberation struggle. Sawa was conceived as the foundation stone of the nation-building process. Initially, it was a potentially constructive arrangement: all men and women between the ages of eighteen and 50 were to undergo six months of military training, followed by twelve months either of active duty deployment or developmental work.' [18a] (page 9)

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National Service Proclamation 82/1995

Officials should note that while Proclamation 82/1995 is the principal official instrument that sets out national service requirements, there are a number of other proclamations – namely, 11/1991 and 89/1996 – on national service or other aspects related to it.

- 9.07 The National Service Proclamation No 82/1995 issued by the Eritrean government on 23 October 1995 sets out the national service requirements in full. Article 2 of the Proclamation stated that: ‘National Service’ will mean the general service that a citizen will give in active national service and in reserve military service, under the present proclamation... “Active National Service” will mean the training and service that a citizen [referred to as a “Trainee”] fit for national service under Article 8 of this proclamation will undergo for 18 months’. **[13] (National Service Proclamation of 23 October 1995)**
- 9.08 Article 6 of the National Service Proclamation states that: ‘...any Eritrean citizen from 18 to 50 years of age has the obligation of carrying out national service.’ Article 8 of the Proclamation states that: ‘...all Eritrean citizens from the age of 18 to 40 years have the compulsory duty of performing Active National Service. Active National Service consists of six months of training in the National Service Training Center and 12 months of active military service and development tasks in military forces for a total of 18 months.’ The use of the term ‘active national service’ in the National Service Proclamation refers to military training and national service duties but does not include reserve military service. **[13] (National Service Proclamation of 23 October 1995)**
- 9.09 Article 9 states that ‘...any Eritrean citizen from the age of 18 to 40 years called upon to undertake active national service has the compulsory duty of undertaking military training for six months in the National Service Military Training Center’. Article 13 (i) adds that anyone declared unfit for military training may be obliged to undertake 18 months of active national service in ‘any public and Government organ according to their capacity and profession.’ **[13] (National Service Proclamation of 23 October 1995)**
- 9.10 Article 11 of the National Service Proclamation states that citizens have to register at a registration centre for national service when called upon to do so by the Ministry of Defence. Youths who are 17 years old are expected to register for national service at a registration centre without being formally instructed to by the Ministry of Defence. **[13] (National Service Proclamation of 23 October 1995)**
- 9.11 Article 12 of the National Service Proclamation covers the categories of people who are exempt from ‘Active National Service’, and these are: “(1) The citizens who have performed National Service before the promulgation of this proclamation; (2) All Fighters and Armed peasants who have proved to have spent all their time in the liberation struggle”. **[13] (National Service Proclamation of 23 October 1995)**
- 9.12 Article 13 of the National Service Proclamation covers individuals who are unfit for military service and states that:
- ‘(1) Those citizens who have been declared unfit for military [service] by the Board composed of the Ministry of Regional Administration of other Government Organs under the directives given by the Ministry of Defence will undertake 18 months of National Service in any public and Government organ according to their capacity and profession.
- ‘(2) After completing 18 months of service they will have the compulsory duty of serving according to their capacity until the expiry of 50 years of age under mobilization or emergency situation directives given by the Government.’
- [13] (National Service Proclamation of 23 October 1995)**

See [Exemption on medical grounds](#).

9.13 Article 14 of the National Service Proclamation covers exemptions that are only valid for a limited period, and mainly affects students. Article 15 of the Proclamation deals with medical exemptions and states that individuals who are disabled, blind or suffer from psychological derangement, can be given official exemption from all types of national service - not just military service. Article 16 of the Proclamation states that the Ministry of Defence decides what type of national service individuals have to complete.
[13] (National Service Proclamation of 23 October 1995)

See [Exemption on medical grounds](#).

9.14 Article 17 sets out the regulations that relate to exit from the country when either being eligible for the draft or performing national service. According to this Article, an Eritrean citizen eligible for national service may travel abroad 'upon giving evidence that he is exempted from National Service or that he has completed his service by producing a Certificate of Service' or, alternatively, by 'producing a registration card and entering into a bond of 60,000 Birr as security that he will return to resume his duty when called upon to do so.' Article 18 of the Proclamation states that the Ministry of Defence has the responsibility to resolve problems individuals may have with the length and nature of national service they have to undergo.
[13] (National Service Proclamation of 23 October 1995)

See also [Demobilisation](#).

9.15 Article 21(1) of the National Service Proclamation stated that 'during a mobilization or war period anyone in Active National Service is under the obligation of remaining even beyond the prescribed period unless the concerned Authority allows him to leave officially.'
[13] (National Service Proclamation of 23 October 1995)

9.16 Article 22 of the National Service Proclamation provides details of the rights and privileges of the individuals in national service. These include food, lodging, transport, uniform, medical services, and payment. Individuals who have completed active national service have the right to return to their previous employment - whether this is in the public sector or private sector.

9.17 Articles 23 to 32 of the National Service Proclamation deals with service in the reserve army. Article 23 states that:

'1) -The citizen[s] mentioned below are subject to compulsory service in [the] reserve Army:

- Anyone that has completed active National Service;

- Anyone that was rehabilitated because he had joined the Armed Struggle; Fighters and militia in civil life.

- Former fighters working in private, public and government work;

- Citizens who have been discharged from the army or Police.

2) -The citizens mentioned in Sub-Art. (1) of this article have the compulsory duty of service until the age of 50.'
[13] (National Service Proclamation of 23 October 1995)

- 9.18 Article 37 relates to the penalties for evading national service duties, including attempts to evade national service by deliberate self-inflicted injury.
[13] (National Service Proclamation of 23 October 1995)

The full text of National Proclamation 82/1995 can be accessed using the weblink below:

<http://www.unhcr.org/refworld/country,LEGAL,,LEGISLATION,ERI,,3dd8d3af4,0.html>

See also [Exemptions](#); [Penalties for evading national service](#); [Exit and return](#).

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National service in practice

- 9.19 The United States State Department 'Trafficking in Persons Report 2013', published on 19 June 2013, stated:

'Under the Proclamation of National Service (No.82/1995), persons aged 18 to 50 years had the obligation of performing national service. For persons aged 18 to 40, this obligation consisted of six months of military training and 12 months of active duty military service, for a total of 18 months; persons over 40 were considered to be on reserve status if they had performed active duty service. An emergency situation declared in 1998, as a result of a border war with Ethiopia, remained in effect during the year, with the result that despite the 18-month limit on active duty national service under the 1995 Proclamation, many conscripts were not demobilized from the military as scheduled and some were forced to serve indefinitely under threats of detention, torture, or punishment of their families. Persons performing national service could not resign from their jobs or take new employment, generally received no promotions or salary increases, and could not leave the country legally because they were denied passports or exit visas. Those conscripted into the Eritrean military performed standard patrols and border-monitoring, in addition to public works projects such as agricultural terracing, road maintenance, and laying of power lines. Working conditions were often harsh and sometimes involved physical abuse. There were reports that some Eritrean conscripts were forced to build private homes for army officers, perform agricultural labor on farms owned by the ruling party, or work in privately-owned mines; functions that fall outside the scope of the proclamation. During the reporting period, the Ministry of Education continued Mahtot, a national program in which secondary-school children engage in public works projects including anti-litter campaigns and building school furniture.'

[3d] (Eritrea section)

- 9.20 The Amnesty International report, 'Eritrea - 20 years of Independence but still no freedom', published on 9 May 2013, stated:

'According to the testimonies of former conscripts, within the national service framework conscripts are assigned to a wide variety of roles, without any choice as to the nature of the work they are assigned to. Some conscripts are reportedly assigned as labour in state and private projects and enterprises, such as construction projects and road building; testimonies of former conscripts suggest that large numbers are assigned to work as agricultural labourers on large-scale farms; some reportedly work for companies owned and operated by the military or ruling party elites. Other conscripts

are reportedly assigned to work in the civil service, in government departments or various roles in the military administrative infrastructure. A significant portion of conscripts are assigned to remain as soldiers after the initial six months' military service.' **[6c] (pages 25-26)**

- 9.21 The British Embassy in Asmara, in a letter dated 1 April 2010 (Annex E), provided the following information, obtained from Eritrean sources:

'Officially, the Eritrean Ministry of Defence runs the military/national service programme. However, in practice other ministries are involved in the assignment of people to national service positions in ministerial dependencies...when students finish school in the Sawa military/school camp, they are automatically assigned to either military service, another type of national service or further education, and are given the relevant documents to that effect at that time. Other Eritreans are forcefully brought into military/national service as a result of round-ups or house searches. Military service or national service call-up documents are not issued to these individuals and they are not informed in advance that they have to undergo military/national service...in principle, individuals have no choice about their military/national service assignment though some may be able to influence where (e.g Asmara). Individuals are generally arbitrarily transferred by their commanders or supervising officers. There are no standard rules with regard to such transfers.'

- 9.22 A Canadian Immigration and Refugee Board Research Directorate response to an information request, dated 4 September 2012, stated that:

'After the mandatory six-month military training period, conscripts are assigned to a year of military or civil work as part of their national service...Civil service may include labour for the state or for private firms owned and operated by military or political officials (Human Rights Watch 16 Apr. 2009, 25; AI 2 Nov. 2011; US June 2012). It may also include community work (Human Rights Watch 16 Apr. 2009, 47), work in the fields of health and education (ibid.; Bozzini 2011, 96), or office work (ibid.). Sources indicate that conscripts must work in any position or location assigned by the government (US June 2012; Bozzini 16 Feb. 2012, 4) and cannot choose between military and civil work (UK 17 Aug. 2011, para. 9.8). Bozzini also indicates that conscripts do not have recourse to any outside authority if they are mistreated during their service (16 Feb. 2012, 5). Additionally, conscripts assigned civil work are reportedly considered soldiers and can be mobilized to serve in the army at any time (Bozzini 2011, 96). According to Human Rights Watch, civil workers who leave their position without permission are considered deserters under military law (Human Rights Watch 16 Apr. 2009, 44). Eritrean refugees in Djibouti and Italy interviewed by Human Rights Watch in 2008 indicated that "there was no difference between military and civilian national service - conscripts are equally at the mercy of the state" (ibid.). Regardless of the civil or military nature of national service work, conscripts are paid an allowance that is described as "barely sufficient for survival" (ibid. 2012) and "minimal" (AI 2 Nov. 2011). According to Bozzini, most civil service conscripts have to wait for seven or eight years before they are paid (2011, 97). They also reportedly have "limited" rights in areas such as marriage, property, business licences, permission to travel, and others (Bozzini 16 Feb. 2012, 5).' **[66]**

- 9.23 The minutes of a presentation by Dr David Bozzini, given to the Swiss Federal Office for Migration on 16 February 2012, entitled 'National Service and State Structures in Eritrea', noted that:

'The Eritrean National Service includes both a military and civil service. Conscripts in the civil sector are assigned to work in ministries, schools, courts, hospitals, local administrations or party-owned companies... They're not allowed to choose their assignments or jobs in the National Service. Many conscripts following further education, academic or vocational, do not necessarily choose their discipline or training. Criteria used to access education and to distribute students after their military training are unclear and partly based on academic results.' **[33a] (page 4)**

- 9.24 The Human Rights Watch 'World Report 2013: Eritrea', published on 19 February 2013, stated that:

'National service keeps most young Eritreans in perpetual bondage. Although a decree mandating compulsory national service limits service to 18 months, in practice the government prolongs service indefinitely. National service conscripts are poorly fed and receive inadequate medical care. Eritrean refugees describe them as emaciated. Their pay (less than US\$30 per month) is insufficient to provide sustenance for a family. Female conscripts report sexual abuse by commanding officers. In early 2012, President Isaias acknowledged that national service members and government employees are so poorly paid that they essentially "have been fulfilling their duties apparently without pay" for the past 20 years.

'Conscripts allegedly provided forced labor to construct infrastructure at the Bisha gold mine, Eritrea's only operating mine and a major source of revenue. Although the Eritrean government had agreed with the mine's principal international owner that no national service conscripts would be allowed to work at Bisha, it required use of a ruling party-controlled contractor, Segen Construction. Segen makes widespread use of conscript labor and there is evidence that it did so at Bisha as well. Escapees told Human Rights Watch in 2012 that they worked 12-hour shifts and endured dangerously inadequate food and housing conditions. They did not complain because, as one escapee told Human Rights Watch, "we were afraid for our lives."

'Recent escapees report that conscripts are also involuntarily assigned to public works projects, the ruling party's commercial and agricultural enterprises, farms owned by high-ranking military officers, and the civil service.' **[29b]**

- 9.25 The Amnesty International 'Annual Report 2013', published on 22 May 2013, stated that:

'National service remained compulsory for all adult men and women [in 2012]. All schoolchildren were required to complete their final year of secondary education at Sawa military training camp, a policy which affected children as young as 15. At Sawa, children suffered poor conditions and harsh punishments for infractions.

'The initial national service period of 18 months was frequently extended indefinitely, on minimal salaries that were inadequate to meet families' essential needs. Conscripts continued to be used widely as forced labour in state projects, including agricultural production, or in private companies owned by military or ruling party elites. They faced harsh penalties for evasion, including arbitrary detention and ill-treatment.' **[6b]**

- 9.26 A paper by David Bozzini, entitled 'Low-tech Surveillance and the Despotism State in Eritrea', published in 2011, stated:

'Under National Service, both men and women aged from 18 to 50 must first undergo six months of military training before being deployed for an entire year in military units or to various areas of civil service or the public sector where they work as teachers, nurses or office workers in ministries or party-owned companies, to name but a few of the possibilities...National Service therefore includes both military and civil service, but those assigned to the civil sector continue to be classified as soldiers and can therefore be mobilised at any time to serve in the army in cases of conflict...The less educated conscripts are deployed in the trenches set along the border with Ethiopia which still has not been demarcated on the ground. Those who have a secondary or high school educational background are deployed in state civil institutions or in the [PFDJ] Party offices.' **[33b] (page 96)**

- 9.27 The HRW 'Service for Life - State Repression and Indefinite Conscription in Eritrea' report, published on 16 April 2009, stated:

'After six months of compulsory military training, national service conscripts are deployed indefinitely in one of several possible activities. Many conscripts are simply drafted into military service and are deployed in regular military units. One refugee interviewed by Human Rights Watch was sent to work as clerk in a court in Asmara, another was sent to work as a mechanic in a civilian garage repairing trucks in Asmara. Others described working on farms or mines owned by the state or the PFDJ ruling party, or building roads and bridges. Regular military units, conscripted military personnel, and prisoners are all also engaged in similar activities - building, mining, and farming...the projects on which conscripts are deployed are not just public works for the national good. They are often sent to work on private construction projects, building houses for military leaders, and working on private farms. Human Rights Watch and Amnesty International have both previously documented the use of conscript labor for the benefit of ranking members of the military and the government...it is not just conscripts who are providing cheap labor for the benefit of military leaders. Prisoners are regularly employed and school children are made to work during their school holidays. The national program for school children is called Mahtot.' **[29c] (pages 51-56)**

- 9.28 A Human Rights Concern - Eritrea report, 'Appalling Work Conditions at Bisha-Nevsun Mining Project', dated 21 July 2011, stated:

'A few months ago, a number of workers from Bisha-Nevsun Project (owned by the Eritrean government and Canada's Nevsun Resources Ltd.) have managed to escape to Ethiopia, and they are now living in one of the refugee camps located in Tigray. Two of them, Abadi Ghebremeskel and Legesse Berhe, have been extensively interviewed so far...(I) The tale of two groups of workers: one native, the other foreign.

'So far, what the informants have to say has corroborated much of what have been suspected for a long time – and more. The story that is emerging is a story of two different groups of workers: one mostly foreign, well-fed, well-quartered, well paid, well insured and working in a safe environment; and the other group: natives, poorly fed, poorly quartered, poorly paid, overworked, nominally insured and working in an unsafe environment. But this, by itself, doesn't say much. It is only by categorizing the workers in the different strata that they have been put that we see how the regime is exploiting the workers in every way imaginable to maximize its profit. In this exploitative stratification created by the PFDJ, in collaboration with the mining company, are four categories that we have to look at:

‘(a) Foreign workers

‘There are about 400 South African and Zimbabwean workers hired by Senet (a South African company), the General Contractor. These are the well treated ones. They have their own compound with their cafeteria and living quarters. They are well fed, their food comes from outside. Their lodging quarters are well built and comfortable. They have buses to transport them from their working to lodging places. And when it comes to their safety, it matches the international standards. The workers are provided with all the necessary safety equipments: industrial gloves, hard hats, goggles, steel-toed boots, safety belts, etc. And, besides, in case of accidents and illnesses, they are well-insured.

‘And in what matters most, the salaries, they are well paid. It is not easy to get the exact figure from the interview, but it is easy to find out. One interviewee mentions \$4,000 and \$7,000 as salaries per month paid to some of the foreign workers, but the source seem[s] to be the foreign workers themselves and cannot be taken as reliable source. Besides, even if there are some paid this much, we don’t know how much the average worker is paid. A better source would be the mining industry itself – the one in South Africa, given that both the General Contractor (Senet) and the workers are from South Africa.

‘The minimum that we should expect is that the foreign workers are being paid in South African standard. Usually, people who are willing to go to work outside their country are paid higher salaries; they get extra stipend for working outside their country. And if the nation that they are sent to happens to be to be of high risk – due to extreme temperatures, poor health conditions, unsafe environment, etc, the payment goes higher. In addition, we should expect that they are specialized in their profession. If we stick with the South African standard payment, the payment, depending on the specialty of the worker goes from 120,000 rands to 800,000 rands per year (\$17,385 and \$115,900 respectively)...For comparative reasons, we will take only the barest minimum so as to remain on the safe side.

‘(b) Privileged Eritreans

‘There are some Eritreans who hired directly by Nevsun (and not by the subcontracted government companies) who are considered to be part of the workforce that includes the foreign workers, and as such are treated in the same manner as the South African workers (food, lodging, etc.) except in what matters most – payment.

‘Although they receive much higher salary than their Eritrean counterparts working for the subcontracted companies, they are paid in Nakfa (the local currency). Since the official exchange rate is much lower than what it fetches in the black market, almost 65% of their salary directly goes to the government this way. The black market exchange rate system is about 45 Nakfa for one dollar, compared to the official 15 Nakfa for one dollar; and it is the former that reflects the real market value of Nakfa. Thus, the regime pockets two thirds of the workers’ salaries through this banking scheme.

‘Abadi Ghebremeskel talks about Eritrean welders, machinists and Bulldozer drivers being paid 3,000, 6,000 [6,000] and 10,000 Nakfa respectively. This would roughly be the equivalent of \$80, \$160 and \$250 respectively. And then he mentions that about half of that is further cut by the government for various reasons. In the end – after the exchange rate robbery and all the other cuts – they get about \$40, \$80 and \$120

respectively. So the picture that is emerging is clear: for the same job, a South African worker is paid ten to twenty times more than his Eritrean counterpart! And these are supposed to be the lucky ones.’ [45a]

- 9.29 A Shabait article, ‘Reviving the Green Eritrea’, dated 27 June 2012, explained in detail what ‘Mahtot’ involves:

‘Ever since independence the Eritrean government along with its people worked on making Eritrea better in every aspect. One of the most known activities that spring from the collaboration of young people of Eritrea and the government is the yearly “Matot”. Records show that 30% of Eritrean land used to be covered by a dense forest and now due to prolonged wars as well as consecutive droughts and other factors, was been reduced to only 1% coverage in less than a century. To improve such factors the Eritrean government through the Ministry of Agriculture aimed and carefully organized a lot of activities done by all Eritreans as individuals but also all together to make the land of our home land fertile to satisfy all of our needs and requests.

‘Although this activity is done all year round by everyone “Matot” specifically refers to the activity done by high school students (usually freshman and sophomore) during the summer.

‘Matot started in the year 1994. The government of Eritrea in order to restore natural vegetation launched summer work programs. These programs consist in deploying students from different parts of the country to participate in forestation activities ranging from planting tree seedlings as well as soil and water conservation activities. A big amount of human resources and 173 million Nakfas were deployed in this effort over the past 18 years. Without a doubt in this past years not only has it improved massively and has been very useful to the country but also built a stronger bond between all the youth of Eritrea.’ [46e]

See also [Women - national service](#)

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Payment for national service

- 9.30 Regarding individuals in national service work programmes, the GIGA 2010 paper stated that: ‘They receive a ‘salary’ of approximately 500 nakfa per month (approximately €25) and live under military discipline even when working on civil activities. Some educated persons are allowed to perform their national service in the offices of the administration, but they still do not receive payment. Thus, it is the government, the PFDJ, the mass organizations, and the senior army officers that are the beneficiaries of the campaign.’ [67]
- 9.31 The United States State Department ‘2012 Human Rights Report: Eritrea’, published on 19 April 2013, stated: ‘The government set wages for union workers, employees of PFDJ-owned enterprises, and government employees...the government paid civil service employees and national service recruits according to a fixed scale; the most common salary was 500 nakfa (\$33) per month.’ [3b] (section 7d)

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Penalties for evading national service

Legal penalties

- 9.32 Article 37 (Penalties) of the National Service Proclamation 82/1995 lists a range of sanctions which exist for evading national service, and is sub-divided into four sections. Art 37(1) states that any violation of the Proclamation is punishable by two years imprisonment or a fine, or both. Art 37(2) states that avoidance of national service by deceit or self-inflicted injury is punishable by up to two years imprisonment or a fine, followed by national service. If the self-inflicted injury precludes national service, the prison term is three years. Art 37(3) states that individuals who travel abroad to avoid national service and return before they are 40 years of age must undertake national service. The penalty for individuals who return after the age of 40, but are under 50, is imprisonment for five years; and they also lose the right to employment, to own a business licence, to be issued with an exit visa, and to own land. Art 37(4) states that the punishment for deliberately delaying being registered for national service or avoiding national service by deceit or the use of obstructive methods is two years imprisonment or a fine, or both. **[13] (National Service Proclamation of 23 October 1995)**
- 9.33 The United Nations High Commissioner for Refugees (UNHCR) 'Eligibility Guidelines for Assessing the International Protection Needs of Asylum-seekers from Eritrea', published 20 April 2011, stated that:
- 'In addition to the penalties imposed under the Proclamation on National Service, the penalties stipulated in the Eritrean Transitional Penal Code also cover military violations, including failure to enlist, or re-enlist, seeking fraudulent exemptions, desertion, absence without leave, refusal to perform military service and infliction of unfitnes (injury to avoid service). The punishment ranges from six months' to 10 years' imprisonment depending on the gravity of the act. During emergencies or mobilizations, the penalties are significantly more severe. Desertion is the most severely sanctioned and entails imprisonment for up to five years. In times of mobilization or emergency this can increase from five years to life, or, in the gravest cases, the death penalty, for desertion from a unit, post or military duties or for failure to return to them after an authorized period of absence.
- 'In practice, punishment for military offences is carried out extrajudicially, and has been reported to include "shoot to kill" orders, detention for long periods often in inhumane conditions, torture and forced labour. Draft evaders/deserters are reported to be frequently subjected to torture, while conscientious objectors can face severe physical punishment as a means of forcing them to perform military service. Furthermore, extrajudicial executions are allegedly ordered by local commanders and carried out in front of military units for what are considered serious military offences.' **[32a] (p11)**
- 9.34 The Amnesty International report 'Eritrea - 20 years of Independence, but still no freedom', published on 9 May 2013, stated that:
- 'In many cases, individuals arbitrarily arrested and detained for avoiding or deserting national service conscription have told Amnesty International that they were detained for periods of one to two years. Testimony from individuals formerly detained for evading national service or suspected of intention to desert indicates that the length of detention

of conscripts is the decision of their commanding officer and appears to be arbitrary with no basis in law.

‘When caught, draft evaders and deserters have been subjected to torture and other illtreatment, including brutal beatings and being tied in contorted positions, as punishment. The families of draft evaders and deserters are also often punished. Individuals of conscription age who left the country, whether legally or illegally, are also suspected of draft evasion upon return.’ **[6c] (page 27)**

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Punishment of relatives of national service evaders

9.35 The minutes of a presentation by Dr David Bozzini, given to the Swiss Federal Office for Migration on 16 February 2012, entitled ‘National Service and State Structures in Eritrea’, noted that:

‘Since 2005, conscripts in the civil sector of the National Service have to name a responsible relative (sometimes called a "sponsor" or "guarantor" (wuhaz)) who will be addressed in case of desertion or any liability. This measure was introduced by the Ministry of Education to facilitate systematic retaliation towards the the [sic] relatives of deserters. Authorities expected that it would inhibit would-be deserters, since they know who will be punished for their deeds.

‘In case of desertion, retaliatory measures for the relatives include: Fines of 50,000 Nakfa, the withdrawal of business licenses and arrest. In some cases, for the renewal of business licenses, traders have to prove that their children have fulfilled their National Service duty in order to obtain its renewal.

‘Retaliatory measures are not applied systematically. Such measures are now less frequent but are still enforced. Repression of family members of deserters is used by the Eritrean regime set to achieve a certain amount of control in the diaspora, especially on new migrants who have fled indefinite conscription.’ **[33a] (pages 10-11)**

9.36 The Amnesty International report ‘Eritrea - 20 years of Independence, but still no freedom’, published on 9 May 2013, stated that:

‘Many people who fled the country while of national service age, deserting or evading conscription have told Amnesty International that their family was subjected to reprisals. Families are subjected to a fine, widely reported to be 50,000 Nakfa (approximately US\$ 3,800). In some cases, families have reportedly paid this in instalments if they cannot afford to pay the full amount in one payment. According to testimonies received by Amnesty International, in some cases where families have not been able to pay, a family member has been arrested and detained... This is reportedly often a parent, but detention of other family members has also been reported. These detainees are not charged with any offence, brought before a judicial authority or provided with access to a lawyer. The duration of detention in these cases varies, according to reports. Amnesty International has received reports that detention of family members detained in place of escaped relatives can last up to a year, but in many cases detention is for periods ranging from several weeks to several months.’ **[6c] (page 32)**

9.37 The United States State Department ‘2012 Human Rights Report: Eritrea’, published on 19 April 2013, stated: ‘In contrast with previous years, there were no reports that

security forces continued to detain and arrest the parents and spouses of individuals who evaded national service or fled the country.’ **[3b] (section 1d)**

See [Human rights violations by the security forces](#).

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Round-ups ('Giffas')

- 9.38 The HRW 'Service for Life - State Repression and Indefinite Conscription in Eritrea' report, published on 16 April 2009, noted that:

'Conscription is generally managed by local councils, the smallest units of local administration, sometimes referred to as kebelles, sometimes as memehidar, a general word meaning 'administration'. These council officials maintain detailed records on the individual families in their area and ensure that those of age are conscripted. But in larger towns, the police or military also try to capture evaders or deserters through ad hoc round-ups. Round-ups of the population in towns and villages - known as giffa in Tigrinya - are common and constitute a kind of modern press-ganging. Anyone of age found without the relevant documents exempting them from national service is taken to the military camps of Sawa and Wi'a for training...even aside from evaders and deserters, any civilian who forgets their identification or travel documents is at particular risk of being rounded up in a giffa and arbitrarily detained.' **[29c] (pages 48-49)**

- 9.39 The British Embassy in Asmara, in a letter dated 11 October 2010 (Annex G), provided the following information, obtained from Eritrean sources:

'Occasionally, the local authorities [Kebelles] issue letters to those who have not entered into the military urging them to do so. Round-ups are normally carried out by the military...the most common form of assistance is through informing the military of any individuals who have not undertaken military training. They usually get this information through 'informants'. The Kebelles distribute call-up papers to those found in breach of the rules on military training.'

- 9.40 The British Embassy in Asmara, in a letter dated 1 April 2010 (Annex E), provided the following information, obtained from Eritrean sources:

'It is important to note that there are no set government policies or standard procedures regarding how round-ups are organised. Military service round-ups take place usually around 4 to 5 times a year but can occur more frequently or less frequently, and usually coincide with public holidays when large numbers of people are out and about. They can occur in various parts of Eritrea and are not confined to one particular part of it. Once rounded up, people are sent from Asmara to the Adi Abeto camp for processing and onward assignment.'

- 9.41 The same source (Annex E) explained that conscripts are taken to the Adi Abeto camp after being rounded up, according to information obtained from Eritrean sources. Information in the HRW 'Service for Life - State Repression and Indefinite Conscription in Eritrea' report, published on 16 April 2009, **[29c] (p48-49)**, and an Awate report, 'Eritrean regime rounds up thousands of Keren youth', dated 12 March 2007, indicated that conscripts had been taken to other military camps. **[27c]**

9.42 An article written by Dr David Bozzini, 'Low-tech Surveillance and the Despotic State in Eritrea' published in 'Surveillance and Society' in 2011, noted that:

'...some conscripts worked out in 2006 that round-ups were intensifying while the President was abroad and University graduates incorporated into the civil service believed that they were especially targeted by Military Police because their educational background made them especially menacing for the leadership. Nobody knows where and when the next round-up will happen since the effectiveness of military actions depends mainly on surprise, but Eritreans try a posteriori to read between the lines of police violence, interpreting the latest round-up as an action taken against a particular group of people. Afterwards, it becomes clear that round-ups targeted secondary schools to capture students considered too old to continue their studies, while others raids were considered to have especially targeted women because military officers were in need of new maids.' **[33b] (p105)**

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Authorised leave

9.43 The British Embassy in Asmara, in a letter dated 1 April 2010 (Annex E), provided the following information, obtained from Eritrean sources:

'There are no standard rules with regard to leave. Individuals have no entitlement to leave, and cannot request it, but can be given it arbitrarily by local commanding officers. If a military commander authorises leave for an individual, documents are issued specifying where that person may travel to and for how long (usually one month maximum). We do not know whether leave papers are issued in a printed standard format or are handwritten.'

Conscientious objection

9.44 The United States State Department 'International Religious Freedom Report for 2012: Eritrea', published on 20 May 2013, stated that: 'The law does not provide for conscientious objector status, nor are there alternative activities for persons willing to perform national service, but unwilling to engage in military activities.' **[3c] (section 2)**

9.45 The United Nations High Commissioner for Refugees (UNHCR) 'Eligibility Guidelines for Assessing the International Protection Needs of Asylum-seekers from Eritrea', published on 20 April 2011, stated that: 'No alternative or substitute service is available to those objecting for reasons of conscience, including members of the Jehovah's Witness movement who cannot, in accordance with their faith, carry arms. Those who object can face extreme physical punishment as a means of forcing them to perform military service.' **[32a] (p17)**

9.46 The Amnesty International report, 'Eritrea - 20 years of Independence, but still no freedom', published on 9 May 2013, stated that: 'There is no exemption from military service for conscientious objectors. The government of Eritrea has not designed any service alternative to military service.' **[6c] (page 25)**

See also [Jehovah's Witnesses](#).

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Students and conscription

9.47 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated: 'The government requires all students who reached the final year of secondary school to attend grade 12 at the Sawa educational and military camp in the western section of the country. Students who did not attend this final year did not graduate and could not take examinations for advanced education, although they could attend vocational schools. Some persons who attempted to leave the country did so to avoid going to the Sawa camp.' **[3b] (section 6)**

9.48 The HRW 'Service for Life - State Repression and Indefinite Conscription in Eritrea' report, published on 16 April 2009, stated:

'The preferred method of the Eritrean government is to conscript students into national service straight from school, unless they are continuing higher education. To this end, the final year of secondary school was moved to Sawa military camp in 2003. This 12th grade takes place only in Sawa, under military authority, and incorporating military training. Although many 12th grade students are 18 years old, or less, some are older because they take longer to finish high school. Each round or intake of students incorporates 8,000 to 9,000 students.

'Once they are in the camp, however, military service effectively starts then and there. A teacher whose national service involved teaching in Sawa told Human Rights Watch, 'The students could not study. They were always being forced to leave the class for some kind of military service.' A former student said he did not even enter 12th grade but was ordered straight into national service in July 2007 even though he was less than 18 years old.' **[29c] (p50)**

9.49 The military authorities have made it difficult for students to escape from Sawa or to avoid military training, as noted in the HRW 'Service for Life' report:

'National service is deeply unpopular, especially because new recruits know that there is no prospect of it ending. Students have started escaping from Sawa camp during their 12th grade year without completing school. Escape is no mean feat, because, as described above, Sawa is in effect a huge prison. Those who made it described braving machine gun fire, barbed wire fences, and several days of walking through the desert without food and water.

'Some students, aware of their fate once they reach 12th grade have begun to deliberately fail classes so that they can remain in the lower grades. Government awareness of this practice has been to simply pull anyone of military age - 18 and above - out of school altogether, even though it is normal for some students to take extra years to finish school because they are poor or work on family farms...Wi'a is reportedly the camp where the "not so clever" students go. If it appears that a student will not graduate [from] high school anyway, then the government will send him to Wi'a even before he has finished. One former student who was sent to Sawa explained, 'In school, if you are absent more than two weeks, you get sent to Wi'a - for whatever reason. Sawa is supposed to be for educated people. If you get kicked out of school, you are not fit for education anyway, so you go to Wi'a.' **[29c] (pages 50-51)**

See [Children - Child labour](#); [Children - Military service](#).

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Exemptions

- 9.50 The British Embassy in Asmara, in a letter dated 11 October 2010 (Annex G), obtained the following information from Eritrean sources about exemptions:

‘Normally, married women or women with young children are exempt from military service as are those registered disabled. The elderly have usually completed their national service, but if conflict ensues they could be expected to take up arms. Military commanders are able to authorise medical exemptions, with a report from a military medical officer. There are no exemptions for those from a poor background or those who have family members dependent on them through age or illness.’

Exemption of women

- 9.51 The British Embassy in Asmara, in a letter dated 1 April 2010 (Annex E), provided the following information, obtained from Eritrean sources:

‘People who are disabled or medically unfit for military/national service, and pregnant women can and have been exempted from military/national service...Married women and women with children are exempt from military/national service. Single women who become formally engaged are also exempt. Muslims and Christians are treated the same (they are given no special allowances for prayers, etc) although it is believed that Muslim women in rural areas are rarely called up. This may be due to early marriages and the fact that those communities are made up of mostly poor, subsistence-farming families.’

- 9.52 The British Embassy in Asmara, in a letter dated 3 October 2011 (Annex H), provided the following information, obtained from Eritrean sources:

‘Women are able to marry whilst on a national service work programme, but not during military service, which normally is the first six months of the national service programme

‘Following her marriage, a woman may apply for demobilisation, a decision on whether to grant lies with the relevant dept/ministry. It is not standard practice for a woman to be demobilised on marriage, some are expected to continue their national service for various reasons.’

- 9.53 The British Embassy letter, dated 3 October 2011 (Annex H), also stated that: ‘Women are not automatically exempt on marriage. They have to formally apply for demobilisation, if on national service, or exemption if national service has not yet started.’ Women who are discharged from national service duties are ‘...issued with a certificate releasing them from duty, followed by a demobilisation card.’

- 9.54 The Amnesty International report, ‘Eritrea - 20 years of Independence, but still no freedom’, published on 9 May 2013, stated: ‘Women with children are reportedly exempt from military service, but are required to undertake various duties in the civil sector within the framework of national service. However, this policy is unwritten, and, as with all aspects of written and unwritten national service policy, appears to be arbitrarily

implemented (based on the testimonies of former conscripts and other refugees).’
[6c] (page 25)

- 9.55 The minutes of a presentation by Dr David Bozzini, given to the Swiss Federal Office for Migration on 16 February 2012, entitled ‘National Service and State Structures in Eritrea’, noted that:

‘Women who left school and avoided the National Service are often in [a] clandestine situation. There are two main strategies for these objectors: Either they stay at home and work as housekeepers in their own families, or they search employment in commerce (shops, bars, cafes). There is a certain degree of tolerance towards female objectors; they’re usually left in peace by the police.

‘After the age of 27 years, women in clandestine situations can regularize their status, i.e. they’re demobilized without ever having joined the National Service. This possibility was introduced around 2005. Women are able to travel more freely than men in Eritrea. They can often set up small businesses or even be active in the black market trade of items coming from Sudan to the western lowlands. However, it happens sometimes that they’re recruited after a round-up. In some cases, people claimed that certain round ups were targeting young women. They believe that this happens when leaders of military units require new domestic workers.

‘Another way to avoid conscription is marriage or pregnancy. Many marriages are arranged for this goal. Especially in Sawa, women often get pregnant in order to be demobilized. In both cases, such demobilizations, are fragile: Women aren’t promptly issued a demobilization paper, which makes them vulnerable during police controls. Mothers usually aren’t re-mobilized, but given the general arbitrariness in Eritrea, such cases can’t be categorically excluded. Some women with children were in the National Service. But there’s certainly no systematic practice to remobilize mothers.’

[33a] (pages 8-9)

See also [Women - national service](#).

Exemption on medical grounds

- 9.56 Article 13(1) of the Proclamation on National Service states that individuals who are deemed to be medically unfit for military service may be given non-military duties as an alternative to military service for a period of eighteen months. This will depend on the nature of the illness or disability of the individual concerned. For some individuals, this will not be possible, and they will be exempt from all types of national service. Article 15 of the Proclamation allows individuals who are disabled, blind or psychologically deranged to be exempt from national service altogether - whether this is military service or some other type of national service.

[13] (National Service Proclamation of 23 October 1995)

- 9.57 The British Embassy in Asmara, in a letter dated 1 April 2010 (Annex E), provided the following information, obtained from Eritrean sources:

‘People who are disabled or medically unfit for military/national service, and pregnant women can and have been exempted from military/national service. To be exempted, these individuals have to be medically certified by a doctor at a military base as disabled/medically unfit...doctors produce the medical reports needed and then make a

recommendation as to whether a particular individual should be exempted from military/national service. The military authorities make the decision regarding exemption and issue the relevant exemption documents.'

- 9.58 The Human Rights Watch 'Service for Life - State Repression and Indefinite Conscription in Eritrea' report, published in April 2009, stated:

"Psychological derangement" (article 14, 5.1[of the National Service Proclamation]) is also a ground for exemption from military service, and this appears to be a popular way to try and evade service. Recruits who have recently been in Sawa describe a dramatic increase in the number of people in the camp showing signs of severe mental illness. Recruits describe a new disease that has sprung up among young women drafted into Sawa and Wi'a training camps, called "lewt" and only known in the camps.' **[29c] (p48)**

Exemption of religious clerics

- 9.59 Full-time religious clerics are not automatically exempt from national service, as noted in an In Chains for Christ (Christian NGO) report, 'The Dismantling of the Eritrean Orthodox Church', dated 19 October 2011:

'At the end of 2006, the Eritrean government informed churches of its decision to rescind a long-standing exemption of clerics from compulsory military service. The Roman Catholic Church in Eritrea was the only church to express vehement and public opposition to this unprecedented action. In contrast, the top leaders of the Eritrean Orthodox Church, who have been hand-picked by the government, embraced the new policy with open arms.

'Eritrean officials are now forcibly recruiting church ministers into military service on a wide scale. On March 24, 2008, Eritrean officials issued replacement identity cards to a limited number of the church's priests and deacons, exempting them from military training. The vast majority of the church's leaders, however, who did not receive updated identity cards, are now required to go to military training camps.

'The largest Eritrean Orthodox Church in the country, St. Mary, in the capital city, Asmara, had 96 ministers, but only 10 of them were issued IDs that exempted them from military training. Similarly, in rural areas, where most Orthodox churches are located, the maximum number of priests and deacons allowed to serve in any church is 10. The rest are expected to report for military service if they are under the age of 50.

'In addition to churches, the new campaign also forces many in Orthodox monasteries to be conscripted into the army.' **[71]**

- 9.60 A letter from the British Embassy in Asmara, dated 1 April 2010 (Annex E), containing information obtained from Eritrean sources, stated that: 'Full-time religious clerics/nuns can be required to do military/national service although in previous years they have been exempt. It is believed that some churches or mosques are limited to having a minimum of serving religious members who are exempt from military/national service.'
- 9.61 The United States Commission on International Religious Freedom '2013 Annual Report', published in April 2013, stated: 'Religious workers including those from registered religious communities must participate in national military service; according to the State Department, 3,000 religious workers from recognized religious communities have been compelled to participate in the national military service against their will.' **[35] (p66)**

Detention of national service conscripts

- 9.62 The Human Rights Watch 'Service for Life - State Repression and Indefinite Conscription in Eritrea' report, published on 16 April 2009, stated:

'Deserting from the army or even expressing dissent over the indefinite military service is viewed as a political issue by the government. Therefore, most prisoners held for political reasons are detained without charge or trial for refusing or questioning national service or for offences punishable under military law. Even where detainees may have committed a potential crime under military law, numerous former detainees told Human Rights Watch that there was no system of military justice, that they were simply imprisoned on the orders of their commanders without any courts-martial or other procedure.

'Human Rights Watch spoke to over 40 deserters from the national service and the military who had fled the country, all of whom had been thrown in jail multiple times without due process. Their alleged offences ranged from questioning the educational curriculum to being caught in prayer meetings to being suspected of trying to leave national service.

'An officer in charge of a military prison who subsequently fled to Djibouti explained that sentencing was completely arbitrary and commanders decide how long people remain in jail...detention of conscripts who try to practice unregistered religions is common. Several people who escaped from their military service told Human Rights Watch that they were arbitrarily thrown in jail for secretly reading the Bible in Sawa camp or being caught in prayer meetings.' **[29c] (pages 27-29)**

- 9.63 The Amnesty International report, 'Eritrea - 20 years of Independence, but still no freedom', published on 9 May 2013, stated:

'Within the national service system, any form of criticism or insubordination is not tolerated. Conscripts in any role in the national service framework can be arrested and detained arbitrarily – with no charge, trial, judicial oversight or opportunity to challenge their detention – for minor infractions including questioning an order of a senior officer or post holder, being late for work, criticising levels of pay, questioning a commanding officer or allegedly not working to the best of their ability. One young man told Amnesty international that he had been arrested for expressing his opinion during a meeting in 2010. He had been assigned as a teacher as his national service post. He and other teachers were called to a meeting and encouraged to give feedback on the educational system. The man reported that he and a number of other participants suggested that standards would improve if the teachers' salary was increased, and were immediately arrested. He stated that he spend four months in detention without charge in a detention centre in Keren.' **[6c] (page 27)**

See also [Arbitrary arrest and detention](#); [Arrest and detention - legal rights](#); [Political affiliation](#); [Journalists](#)

Demobilisation

- 9.64 The Proclamation on National Service allows for demobilisation. The relevant article of the Proclamation is Article 20, which states that except for cases provided for in Article 21(1), citizens who have completed Active National Service are allowed to be discharged from duty. Also, citizens on Active National Service may be discharged before the end of the term of their Active National Service. The Ministry of Defence has the responsibility to issue citizens discharged from Active National Service with relevant certification. **[13] (National Service Proclamation of 23 October 1995)**

Weblink to the National Service Proclamation:

<http://www.unhcr.org/refworld/country,LEGAL,,LEGISLATION,ERI,,3dd8d3af4,0.html>

- 9.65 The minutes of a presentation by Dr David Bozzini, given to the Swiss Federal Office for Migration on 16 February 2012, entitled 'National Service and State Structures in Eritrea', noted that: 'Conscripts are demobilized on an individual basis only. There has been no comprehensive demobilization program in Eritrea since the end of the Ethiopian-Eritrean war (1998-2000).' **[33a] (page 4)**

- 9.66 The same source also noted that:

'Demobilization cards are issued to National Service members who have successfully carried out the demobilization process. This card replaces laissez-passers. It generally grants more freedom of movement within the Eritrean territory. However, holders of such cards are not properly demobilized. On the contrary, they are still assigned to their position within the state institutions and do not have the right to change or to find a job elsewhere. Usually, Eritreans do not differ between the National Service period and such demobilization in the sense that the conscript is not released. Many people doubt that they are officially demobilized by the army. Everyone expects to be remobilized in case of a new conflict.

'Passports cannot be obtained by conscripts and so-called demobilized National Service members who still have the obligation to participate in the Warsay Yikealo campaign.'
[33a] (pages 6-7)

- 9.67 The Eritrean Human Rights Electronic Archive report, 'Eritrea (Demobilisation and Reintegration Programme, 2002-...)', undated, noted that:

'Initially designed in 2002 to demobilise 200,000 combatants over a period of 18 to 24 months, disarmament and demobilisation has involved the return of military equipment such as arms and uniforms, identification, transport to decommissioning centres, information on the process, a medical review, and later transport to reinsertion centres. A pilot project was organised for the disarmament and demobilisation of 5,000 soldiers, for a larger process divided over three phases with demobilisations of 60,000-70,000 soldiers per phase. In the first of these three phases, priority is given to "special groups", that is, women, disabled persons, veterans, and economically productive persons, as well as re-mobilised soldiers...The decommissioning process is supposed to last for approximately a week and for each week, at each centre, the process will decommission 500 soldiers.

'A pilot project was conducted from April to September 2002. According to the UNDP, 104,400 soldiers had demobilised by the end of 2006, whilst the World Bank took stock of 65,000 demobilised soldiers within its programme by the end of 2007. In addition to being slow, the demobilisation process was frustrated by two processes running in parallel: continued recruitment of combatants and reintegration of combatants within a "militarised work service" ...As a result of this, the number of soldiers in the military rose from 300,000 at the end of the war in Eritrea to 350,000-420,000 soldiers by the end of 2007, with half this number in active military service and the other half in the "militarised work service" (Mehreteab 2007).' [58b]

See also [Armed forces](#).

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10. Judiciary

Organisation

- 10.01 An academic study paper by Dr. Robert Winslow, undated, accessed on 4 February 2011, published by the San Diego State University (United States), stated:

'The judicial system has three parts: civilian, military, and special courts. The civilian court system consists of village courts, subregional courts, regional courts, and the High Court, which also serves as an appellate court...under the legal system, minor infractions are brought to village courts and subregional courts. More serious offenses are argued before regional courts, and cases involving murder, rape, and other serious felonies are heard by the High Court. All cases except those argued before the High Court are heard by a single judge; on the High Court, panels of three judges hear cases...since the population is largely rural, most citizens only have contact with the legal system through the traditional village courts. Village judges, who are appointed by a panel composed of heads of regional courts, the regional prosecutor, and the regional governor, hear civil cases. Magistrates versed in criminal law hear criminal cases. Many local issues - for example, property disputes and most petty crimes - are adjudicated by local elders according to customary law. Where both litigants are Muslims, civil cases are heard under Shari'a law. The traditional courts cannot impose sentences involving physical punishment.' [72]

- 10.02 An academic study paper by Luwam Dirar and Kibrom Tesfagabir, 'Introduction to Eritrean Legal System and Research', published in March 2011 by the New York University School of Law, stated:

'Judicial and quasi-judicial institutions, in terms of local jurisdiction, largely follow the structure of the local government. In terms of hierarchy of courts, the Community Courts lie at the bottom of the jurisdictional structure. Regional courts that are at local government unit – Zonal – level follow the hierarchy of the Court structure. At the top lies, the High Court that entertains appeals from Zonal courts and has first instance jurisdiction in certain instances. Without a Supreme Court in the Country, the Highest Appellate Court takes the role of court of last resort. The Highest Appellate Court is a bench of the High Court that entertains appeals from High Court decisions. Moreover, there are judicial and quasi-judicial organs in the Country that do not fall in to this

hierarchy...The Zonal and High Courts make the Regular Courts in the Country. These are courts of first instance as well as appellate courts. In civil cases the Zonal Court has material jurisdiction over issues that are of the value of 50,000 to 250, 000 Nakfa in movables 100,000 to 500,000 Nakfa in immovable's. Furthermore, civil cases dealing with movable property of more than 250,000 Nakfa and immovable property of more than 500,000 Nakfa fall into the jurisdiction of the High Court.

'However, not all disputes have monetary value and some require a certain level of expertise and sophistication. Hence, the High Court has exclusive jurisdiction over cases dealing with bankruptcy, negotiable instruments, insurance, intellectual property rights, habeas corpus, nationality, filiation, expropriation, and communal exploitation of property. Moreover, with regard to other civil matters that cannot be valued in monetary measures, for instance, dissolution of marriage fall into the jurisdiction of the Zonal Court...One of the official justifications for the establishment of Special Court is to deter the spread of corruption by bringing perpetrators to justice. Hence, the Court has jurisdiction over theft, embezzlement and corruption. The Court does not have to follow the basic legal principles that ensure fair and just trial for the accused. For instance, article 4(2) of the Special Court Proclamation, gives the Court power to reopen cases that the regular courts settled. In terms of substantive law, the Court has a power to decide whether to apply and follow the Transitional Penal Code. Furthermore, the Courts decisions are final. Even though the proclamation does not necessarily bar the right to representation, Mekonnen explains that through executive orders it has abrogated the right to an attorney of the accused.

'This broad endowment of jurisdiction to try cases dealing with theft, embezzlement and corruption without actually defining the specifics of the jurisdiction gives the court jurisdiction over cases that are beyond the purpose of its establishment. The manning and budget source of the Court is another distinguishing factor. Unlike the regular courts, the judges of Special Court are senior military officers with no legal training. In addition, the President's Office has power to allocate budget for the Court making it a judiciary organ under an executive branch. Moreover, article 7 of the Special Court proclamation specifically states that the primary relationship of the court is with the Ministry of Defense instead of the Ministry of Justice, which is much better equipped to provide legal and technical assistance to the Court...Military Courts have personal jurisdiction over members of the Eritrean Defense Forces, member of National service during the execution of their national service, members of the Eritrean Police, members of militia, members of national reserve army, prison wardens and former combatants discharging governmental functions. The Courts have jurisdiction over offences listed in articles 296-353 of the Transitional Penal Code of Eritrea.' [95]

10.03 As regards community courts, an academic study paper by Senai Andemariam entitled, 'Ensuring Access to Justice Through Community Courts in Eritrea', published in 2011, stated:

'On 22 September 2003, the Government of Eritrea enacted Proclamation 132/2003 to establish community courts and thereby accomplish two objectives. The first objective is to enable greater participation of the community in the judicial process and make the judicial process accessible to the larger community, the poor in particular. This objective is achieved by allowing the community to elect the judges of the community courts, at least one of whom must be a woman, and by establishing hundreds of community courts. The second objective is to integrate customary dispute resolution mechanisms in the national legal system and thus alleviate the burden of higher courts. To achieve this two-tier objective, community court judges are allowed to reconcile disputants based on

customary laws and practices. If the parties fail to reach a compromise, the community court judges then pass judgments based on national laws. Any disputant who does not agree with the judgment can appeal to higher courts. Settlement at the community courts of those disputes that would have been previously brought to the higher courts has alleviated the burden of such courts.’ [93] (page 1)

10.04 The ‘Ensuring Access to Justice Through Community Courts in Eritrea’ academic study paper also stated:

‘Following Eritrea’s liberation in 1991, the Transitional Government of Eritrea resolved to institutionalize traditional dispute settlement mechanisms and institutions by establishing village courts that were to function mostly in rural areas and to serve as the lowest benches of the judiciary for civil and criminal cases.

‘The law that established village courts was Proclamation Number 25/1992, which amended Proclamation Numbers 1/1991, 5/1991 and Legal Notice 3/1991...Village courts did not manage to produce the desired effect of enhancing access to state justice and reducing cases at higher levels of state courts. The institution of village courts was not formally abolished until the establishment of community courts. However, in practice, village courts faded out and their jurisdiction was later merged into the expanded jurisdiction of sub-regional courts. With the introduction of regional administrations in Eritrea through Proclamation 86/1996 (the Proclamation for the Establishment of Regional Administrations), the structure of the courts had to be aligned to the new administrative structure of the country. Thus, sub-regional courts were created as the lowest level of courts in Eritrea. Appeals from sub-regional courts led to regional courts, from regional courts to the high courts, and from the high courts to the Court (Bench) of Final Appeal. With the enactment of the Proclamation to Establish Community Courts, sub-regional courts were dissolved, and appeals from community courts are now made to the regional courts.

‘The main reason for the limited success of village courts was that they were established to function as any other court. Although the intent was to enable them to help settle cases amicably, they were not given any clear mandate to do so. Village courts were established by Proclamation 25/1992 as the lowest echelon of the formal court structures. For each court, the Government appointed a village elder to serve as judge. A number of these new judges were either illiterate and/or lacked basic legal training, and the decisions of these single-judge village courts were neither traditional (i.e. dispute resolutions based on local customs and customary laws) nor formal (i.e. judgments based on national laws). When the Government realized that the village courts were ineffective and that new community-based legal institutions needed a clearer mandate to apply customary laws and practices, it resorted to establishing “mediation elders” (shmagle erqi) in all communities with the aim of bringing disputants to settle their cases out of courts. These were neither formalized dispute resolution institutions established by law nor panels of previous customary community judges. Simply, they were panels of village elders selected by the community for their knowledge of customary dispute resolution who would try to mediate when disputes arose in their respective communities...Responding to the strengths and weaknesses of village courts and shmagle erqi, the Government decided to establish a mechanism that would combine the character of both institutions. Like the village courts, it would issue binding judgments if parties failed to settle their disputes amicably. Like the shmagle erqi, the new mechanism would be allowed to make use of customary laws and practices familiar to the disputants to try to settle the dispute amicably. Community

courts were created in 2003 to accomplish this dual task as well as to provide the communities with an opportunity to participate in the judicial process.

‘The present community court system was created as a logical step to bring the state legal system closer to the people while integrating and formalizing traditional dispute resolution into its lowest tier. Before the introduction of community courts, due to the unequal distribution of formal courts throughout the nation, the rural people had to travel long distances and spend a great deal of money and time to make use of the state legal system. Some people in the southern Red Sea region, for example, had to travel over 300 km to the nearest state courts located in the port cities of Massawa and Asseb. This long distance, together with time and money involved, heavily restricted poor people’s access to state justice. The complex procedures and the frequent misunderstandings caused by the differences in language and cultural background between the disputants and the judges, compounded these problems and made it difficult to reach an amicable settlement between the disputants.’

[93] (pages 1,5 and 6)

10.05 The ‘Ensuring Access to Justice Through Community Courts in Eritrea’ academic study paper further stated:

‘Issued on 22 September 2003, Proclamation 132/2003 entered into force on 1 November 2003. In 13 Articles, the Proclamation covers a range of issues including: the establishment and distribution of community courts; the qualification, election and term of office of community court judges; work procedures; civil and criminal jurisdiction of community courts; courtroom procedures and fees, budget, salary and other benefits of community court judges; and cooperation with, monitoring of, removal and/or disciplinary measures against community court judges...The Proclamation (art 3) requires the establishment throughout Eritrea of community courts at any convenient level such as a village or group of villages, districts or cities. Each community court is constituted by three judges elected by the people. Article 3 (1) and (2) of Proclamation 132/2003 distinguish the three member of the court as “one judge and two nebaro”, with the judge sitting as the presiding member. In Eritrean customary law, particularly in the highlands, the nebaro (singular nebaray, meaning “one who sits”) consist of an even number of elders called to constitute a majority when their votes are counted together with that of the judge. These elders, owing to their deep knowledge of customs and of the community, assist the judge at all steps during the proceedings, particularly in factual matters. The name nebaro seems to have been used in the Proclamation to follow traditional terminology. In the practice of community courts however, the three members of the community court bench are all named “judges”, even though Proclamation 132/2003 outlines some differences in the powers of a judge and a nebaray. For example, art 3(9) of Proclamation 132/2003 states that a community court cannot take the testimony of witnesses in the absence of the judge; whereas, in the absence of one nebaray, the judge and the other nebaray can take the testimony. Article 3(9) however, adds that judgments cannot be pronounced in the absence of any one of the three members of the court.

‘Judges of community courts are elected for two years and are eligible for re-elections. As required by art 4, to be elected to the community courts, a person must:

- be at least 25 years of age;
- be free from chronic mental problems;

- have fulfilled all national duties required from him/her; and
- not have been previously convicted of theft, embezzlement, corruption or perjury.

‘With respect to administration, the Ministry of Justice was given the responsibility to manage and oversee the election of community court judges, their budget and their overall functioning.’ **[93] (pages 6-7)**

10.06 The ‘Ensuring Access to Justice Through Community Courts in Eritrea’ academic study paper also stated:

‘Since the establishment of community courts dissolved sub-regional courts, art 2(c) of Proclamation 133/2003, which amended the jurisdictions of Eritrean courts following the establishment of community courts, provides that all criminal matters that had previously been under the jurisdiction of sub-regional courts were to fall under the jurisdiction of regional courts. In the first three or four years after the establishment of community courts, there was a tendency in Eritrea not to consider community courts as part of the court hierarchy in the country, which was reflected in the use of the term “regular” courts to identify courts other than community courts. This notion probably came from the misguided belief that community courts were established to settle disputes by mediation or conciliation of the parties. It should be noted however that:

- Since the establishment of community courts, there have been four levels of courts in Eritrea: community courts, regional courts, high courts and the Court (Bench) of Final Appeal. By law, therefore, community courts are the lowest level of the courts in Eritrea, as were previously the village courts, the district courts and the sub-regional courts;
- Although art 3(10) of Proclamation 132/2003 provides that community court judges must give parties adequate opportunity to settle their dispute by conciliation or negotiation, this article also authorizes them to issue a judgment if the parties fail to reach an amicable settlement;
- Judgments of community courts are appealable to regional courts by the losing party (arts 5 (6) and 8(5) of Proclamation 132/2003); 19 and
- The police, security officers and other government institutions are obliged, as with the other courts, to assist community courts in their functions (art 13 of Proclamation 132/2003).

‘These and related provisions of Proclamation 132/2003 show that community courts are part of the state legal system. Due to the increase in the number of disputes being settled out of court by community courts and the growing expertise of community court judges in national laws as a result of lessons learned from judgments of regional courts to which community court judgments are appealed, there is increased trust in the capacity of community courts. This can be evidenced from the current plans to expand their jurisdiction.’ **[93] (pages 8-9)**

10.07 The academic study paper by Luwam Dirar and Kibrom Tesfagabir, ‘Introduction to Eritrean Legal System and Research’, also stated:

‘Community Courts is the most recent and accessible establishment in the Country’s judicial system. One of the main distinguishing factors of Community Courts from the Regular Court system is that Community Courts use customs and norms of the society

to resolve disputes. Moreover, the lack of formality and procedure in the court proceedings puts disputants at ease and allows them to present their case in a language and manner customary to their vicinity. However, appeals from Community Courts go to the Zonal Court for review. Community Courts unlike the Regular Courts apply customary laws to decide cases. The application of customary law in regular courts is grim or non-existent since article 3347 of the Civil Code repealed all customary law unless specifically specified. Hence, Zonal Courts apply State law to review Community Court decisions. Scrutinizing Community Court judgments through the application of a law that repealed all customary practices is in contradiction to the *raison d'être* of Community Courts. Furthermore, it puts the higher court judge in a dilemma.

'Knowledge of law, legal career, or educational qualifications is not a requirement for judicial positions of Community Courts. However, the Ministry of Justice has been engaged in capacity development programs of community court judges since the establishment of the Court system. The training in addition to giving basic literacy and file keeping also involved basic legal training. Irrespective of the positive impact of legal training in the activities of the Court in particular and its impact on civic education in general one can argue that it is against the purpose of Court system. Substantive legal training to Community Court judges can affect the development of customary laws by limiting its use in the very courts established for its incorporation.' [95]

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Independence

10.08 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated: 'The law and unimplemented constitution provide for an independent judiciary; however, in practice executive control of the judiciary continued, and the judiciary was not independent or impartial. Judicial corruption remained a problem...The judiciary suffered from lack of trained personnel, inadequate funding, and poor infrastructure.' [3b] (section 1e)

10.09 The International Crisis Group report, 'Eritrea: Scenarios for Future Transition', dated 28 March 2013, stated:

'The judicial system has been simultaneously dismantled. If formal legal codes do exist, they are completely ignored. Presidential decrees have replaced the rule of law. Judges are not independent and are closely monitored by the office of the president. In 2001, several, including the chief justice, criticised increasing executive interference. They were promptly dismissed.

'Along with a number of informal committees run locally by the secret service, army and police commanders, the heart of the current legal system is the Special Court, a parallel jurisdiction unfettered by legal codes. Created in 1996, its original mandate was to halt the perceived decline in moral standards in the civil administration. It now hears criminal, political and administrative cases. The court comprises PFDJ officials and army commanders handpicked by Isaias and accountable exclusively to him. Sessions are held in secret. According to Bereket Habte Selassie, the former head of the Constitution Commission, "the rule of law has gone to the dogs in Eritrea."

[18b] (page 14)

- 10.10 The Freedom House 'Freedom in the World 2013' report, published on 16 March 2013, noted that: 'The judiciary, which was formed by decree in 1993, is understaffed, unprofessional, and has never issued rulings at odds with government positions. Constitutional due process guarantees are often ignored in cases related to state security. The International Crisis Group has described Eritrea as a "prison state" for its flagrant disregard of the rule of law and its willingness to detain anyone suspected of opposing the regime, usually without charge.' **[9]**
- 10.11 The Report of the United Nations Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth, dated 28 May 2013, stated:
- 'The basic tenets of the rule of law are not respected in Eritrea owing to a centralized system of Government where decision-making powers are concentrated in the hands of the President and his close collaborators. The separation of powers among the various arms of the State is inexistent. The failure to implement the Constitution adopted in 1997 is another reason for the breakdown of the rule of law, although there are other contributory factors, such as arbitrariness, lack of transparency and accountability, all of which have a negative impact on the enjoyment of human rights and fundamental freedoms.' **[73b] (page 8)**
- 10.12 The Bertelsmann Stiftung Transformation Index Eritrea Country Report 2012, published in 2013, stated that:
- 'Separation of powers is nonexistent. The ruling PFDJ and the government form a monolithic power apparatus. There is no separation of powers and not even a convening parliament. The legislative, executive and judicial branches are controlled by the president, who rules by decree. He heads the cabinet of ministers, who have very little autonomy as to setting up policies in their respective portfolios. The commanders of the military operational zones (four generals) have some impact on government policies, but apparently they were unable to increase their impact during the past two years.
- 'As the constitution has not been implemented, there is also no de jure separation of powers.
- 'There have been no judiciary reforms, and the formal judiciary remains poorly organized and dependent on the government. The military or special courts headed by military officers, who act as judges without following legal procedures, remained in place. In numerous cases, people were jailed for several months without being accused or brought before a court of law. The informal sector of traditional juridical [judicial] institutions is the backbone of jurisdiction in civil, and to some extent criminal, cases. They decide cases on the basis of traditional law, which focuses strongly on mediation and judgments accepted by all parties involved. There are also community courts headed by lay judges, appointed by the government, who are supposed to adjudicate based on traditional law, but these courts enjoy less confidence among the public than do informal customary institutions.' **[89] (Section 3)**

Fair trial

- 10.13 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated:

'The law and unimplemented constitution provide for presumption of innocence, for defendants to be informed promptly and in detail of charges, and for fair public trial by a court of law, but in practice many detained persons were not brought to trial. No cases involving individuals detained for national security or political reasons were brought to trial during the year. The law does not specifically address adequate time to prepare one's defense, access to government-held evidence, the right of defendants to confront witnesses, or the right of defendants to refuse to testify, although courts afforded some of these rights to defendants in practice.

'In civil and criminal courts, defendants have the right to be present and to consult with attorneys, but for those without means government legal aid was usually not available. Courts of first instance are at the regional level. Each party to a case has the right to one appeal. Decisions rendered by any regional court can be appealed to the next appellate court. Should that court reverse a decision, the party whose petition a court did not sustain can appeal to the five-judge upper appellate court. However, should the lower appellate court uphold the decision of a regional court, there is no second appeal.

'No lawyers practice in special courts, which deal with high profile cases and operate under the executive branch. Judges serve as prosecutors and may request that individuals involved in given cases present their positions. Most trials in special courts were not open to the public.

'Rural courts generally followed traditional and customary law rather than constitutional law and were headed by rural elders or elected officials. Local administrators in rural areas encouraged citizens to reconcile outside the court system for less serious cases. Community courts were widely used. Trials in rural courts were open to the public and heard by a panel of judges.' **[3b] (section 1e)**

See also [Constitution](#).

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11. Arrest and detention – legal rights

11.01 Article 17 of the Eritrean constitution stated that:

'1. No person may be arrested or detained save pursuant to due process of law.

'2. No person shall be tried or convicted for any act or omission which did not constitute a criminal offence at the time when it was committed.

'3. Every person arrested or detained shall be informed of the grounds for his arrest or detention and of the rights he has in connection with his arrest or detention in a language he understands.

'4. Every person who is held in detention shall be brought before a court of law within forty-eight (48) hours of his arrest, and if this is not reasonably possible, as soon as possible thereafter, and no such person shall be held in custody beyond such period without the authority of the court.' **[55]**

11.02 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated:

'The law stipulates that, unless there is a "crime in progress," police must conduct an investigation and obtain a warrant prior to making an arrest. In cases involving national security, this process may be waived. In practice very few individuals were arrested with a warrant. The law stipulates that detainees must be brought before a judge within 48 hours of arrest and may not be held more than 28 days without being charged with a crime. In practice suspects were detained for longer periods without being brought before a judge, charged with a crime, or in some cases being told the reason for their detention. Authorities also sometimes changed charges during detention. The government took the position that those detained without charge should be assumed to be held in relation to national security concerns.

'The law provides for a bail system. In practice bail was arbitrary and not always set, and sometimes reportedly involved paying bribes to persons with government connections to intercede.' **[3b] (section 1d)**

See also [Detention of national service and military service conscripts](#); [Arbitrary arrest and detention](#).

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12. Prison and detention centre conditions

12.01 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, provided the following information about prison conditions:

'Prison conditions remained harsh and life-threatening. The government did not permit independent monitoring by domestic or international observers.

'Physical Conditions: Neither the approximate number of detainees nor the number of detention centers was known. Severe overcrowding was reportedly common. The law requires that juveniles be held separately from adults. There is a juvenile detention center in Asmara, but authorities held some juveniles, particularly teenagers, with adults due to overcrowding in facilities for young persons. When police arrested mothers for petty crimes such as begging, their young children were sometimes held with them.

'Refusal to perform military service, failure to enlist, fraudulent evasion of military service, and desertion were punishable by lengthy imprisonment. Detention center conditions for persons temporarily held for evading national service were said to be harsh, equivalent to conditions for national security detainees. Authorities placed political prisoners in solitary confinement more often than other detainees.

'Data on the prevalence of death in prison and detention facilities were not available, although persons reportedly died from harsh conditions. One person released midyear after several weeks in detention reported that the detention facility consisted of a shipping container without ventilation or provision for sanitation. The government did not provide adequate basic or emergency medical care in prisons or detention centers. Food was not adequate. Potable water was sometimes available only for purchase. There were reportedly numerous unofficial detention centers, some located in military camps. Use of psychological torture was common, according to former inmates. Some former prisoners reported that interrogations and beatings appeared to be conducted in

such a way that those not being interrogated or beaten would hear and fear that they might suffer the same punishment.’ **[3b] (section 1c)**

- 12.02 The Human Rights Watch ‘2013 World Report’, published on 19 February 2013, stated that:

‘Eritreans are routinely subject to imprisonment without explanation, trial, or any form of due process. Incarceration often lasts indefinitely. Senior government officials and journalists, arrested in 2001 after they raised questions about President Isaias’ rule, remain jailed incommunicado. Defecting guards report that most of these officials have died.

‘According to accounts from those who have fled, conditions in Eritrea’s detention facilities are abysmal, with minimal food and medical care. Prisoners are held in underground cells and shipping containers, subject to boiling and freezing temperatures. Many prisoners die from the harsh conditions.

‘Torture and other abuses during detention are routine. Punishments include mock drowning, being hung from trees by the arms, being tied up in the sun in contorted positions for hours or days, being doubled up inside a rolling tire, having handcuffs tightened to cut off circulation, as well as frequent beatings.’ **[29b]**

- 12.03 As regards prison visits by NGOs and relatives of prisoners, the United States State Department ‘2012 Human Rights Report: Eritrea’ stated:

‘Prisoners and detainees did not have consistent access to visitors. Authorities generally did not permit family visits for some persons detained, arrested, or convicted for reasons of national security or for evading national service, whereas those convicted of crimes were permitted visits, although without predictable regularity. Authorities did not permit religious observance for some prisoners and detainees, although at least one detention center had a facility where prisoners were permitted to conduct religious observations. Prison officials generally allowed Muslims to pray. International religious organizations claimed that authorities interrogated detained individuals about religious affiliation and asked them to identify members of outlawed religious groups. Prisoners and detainees could not submit complaints to judicial authorities, and authorities did not adequately investigate or monitor prison or detention center conditions.’

[3b] (section 1c)

See also [Arbitrary arrest and detention](#).

- 12.04 The Amnesty International report, ‘Eritrea - 20 years of Independence, but still no freedom’, published on 9 May 2013, stated:

‘According to information from the testimonies of former detainees, refugees who formerly worked within the government or military administration, Eritrean human rights defenders in exile, and other sources, there is an extensive network of places of detention in Eritrea, run by the military, security service and civilian authorities. These include large prison facilities, smaller high security prisons, prisons within military camps, and police stations in which prisoners are held for prolonged periods. Some are well-known, some are secret, some were built specifically for purpose, some are makeshift. The exact number of detention centres in Eritrea is unknown. Some Eritrean human rights defenders in exile have estimated the number at more than 200. Amnesty International has received consistent report that many detention centres use

underground cells, and many use metal shipping containers to house prisoners. Overcrowding in detention centres is frequently reported.

‘According to information received by Amnesty International the military, military intelligence and police all reportedly have their own prisons. Each army division has its own prisons, some of which are in military camps, some in other locations. Many of the cases documented by Amnesty International of prisoners who were detained for practising their religion or belief, evading national service or attempting to flee the country, as well as prisoners detained for alleged infractions during national service, insubordination or attempting to desert were held in detention centres in the military camps of Sawa, Me’eter, Mai Serwa and Wi’a. The national security service is reported to have a number of prisons throughout the country, including at least three in Asmara. The national security service is also alleged to use civilian buildings as prisons in some locations.

‘According to testimonies of former detainees and information received from other sources, police stations are reportedly also used to detain people for extended periods. The infamous Karchele prison is part of the 2nd police station in Asmara. Within Karchele is the “special security section” Wenjel Mermera (meaning “special investigation”). According to unconfirmed reports received by Amnesty International, a number of journalists and adherents of unrecognised religions are believed to be in incommunicado detention in Wenjel Mermera. Some have been detained arbitrarily for over a decade. Conditions there are reported to be particularly harsh. There is also reported to be a special security section in the 6th police station in Asmara. According to information received by Amnesty International from a range of sources, including former detainees and international religious organizations, adherents of unrecognised religions and returned asylum-seekers have reportedly been detained at 4th and 5th police stations in Asmara. For example, two women with their young children (aged two and three years old at time of arrest) were detained in 4th police station, Asmara, for two and half years, after they were arrested during a police raid on a religious meeting in a private house in Asmara in July 2009.’ **[6c] (page 33)**

12.05 The same Amnesty International report further stated:

‘Food given to detainees is minimal and of very poor quality. Food rations vary according to detention centre but many former detainees told Amnesty International the rations consist of bread once or twice a day, and in some prisons, plain lentils (ades) once a day. Some former detainees have reported that they only received a small amount of bread once a day. Detainees also receive limited drinking water, despite the high temperatures in many detention locations. Former detainees also report that the water they are given is often unclean. Detainees are also severely restricted in their access to facilities and water to wash. Former detainees have reported being permitted to wash once every two to three weeks. Many centres lack adequate toilet facilities, and detainees are restricted in their access to those that are provided...Medical treatment is generally unavailable. Several people interviewed by Amnesty International who had been detained said that they were denied access to medical care as well as vital medication while they were in detention, or had witness other detainees being denied medical care. Detainees in advanced stages of illness have reportedly been denied medical treatment, according to the testimonies of former detainees, as well as the accounts of people who claim to have formerly acted as guards in detention centres. However, occasionally detainees are admitted to hospitals.’ **[6c] (pages 41-42)**

Location of prisons and detention centres

12.06 The following is a list of places of detention in alphabetical order that have been mentioned in sources accessed. The list should not be regarded as a complete or comprehensive list of all the Eritrean detention facilities:

- Aderser. The HRW Service for Life report described it as a ‘military camp/training center’, and stated that it was located ‘25 km from Sawa camp’. **[29c] (p93)**. The Amnesty International report, ‘Eritrea - 20 years of Independence, but still no freedom’, published on 9 May 2013, stated that: ‘Aderser military camp, in Gashbarkar province: people caught trying to flee the country are often detained here. Detainees are held in underground cells. Detainees are reportedly held in Aderser before being transferred to other detention centres.’ **[6c] (page 34)**
- Adi Abeto. The HRW Service for Life report described it as a ‘main prison for Asmara; also used as processing centre to send prisoners elsewhere’, and stated that it is located ‘10 to 15 kilometers northeast of Asmara off the road to Keren.’ **[29c] (p93)**. The Amnesty International report, ‘Eritrea - 20 years of Independence, but still no freedom’, published on 9 May 2013, stated that: ‘According to information received by Amnesty International from former detainees, family members of prisoners and Eritrean human rights defenders in exile, adherents of unrecognised religions, returned asylum seekers, conscripts and people caught trying to flee the country are often detained at Adi Abeto army prison just outside Asmara. It is also used as a transit prison, for prisoners from around the country, before they depart for other detention centres, including those of the military camps of Me’eter, Mai Serwa, Sawa and Wi’a. Numerous former detainees have described Adi Abeto as consisting of several large halls, which sometimes accommodates hundreds people at one time.’ **[6c] (page 34)**
- Adi Quala or Adi Qala. The HRW Service for Life report described it as a ‘military prison’, and stated that it is located ‘40 kilometers north of Ethiopian border, off main road from Asmara through Mendefera.’ **[29c] (p93)**
- Agip, Asmara. The HRW Service for Life report described it as a ‘police-run facility’. **[29c] (p93)**.
- Alla or Ala. The HRW Service for Life report described it as an ‘old prison from Italian days’, and stated that it is located ‘40 kilometers from Asmara, near Dekemhare town’ **[29c] (p93)**. The Amnesty International report, ‘Eritrea - 20 years of Independence, but still no freedom’, published on 9 May 2013, stated that: ‘Alla military camp, near Dekamhare: draft evaders, adherents of unrecognised religions and others are often detained here. Alla is reported to consist of large rooms and underground cells. Former detainees have reported being forced to undertake hard labour.’ **[6c] (page 35)**
- Assab Front (aka ‘Gimbar’). The HRW Service for Life report described it as a ‘military prison’. **[29c] (p93)**
- Baharia Naval Base. The HRW Service for Life report described it as a ‘military facility’ located in ‘Massawa’. **[29c] (p94)**

- Barantu. The HRW Service for Life report described it as a ‘civilian prison’ located in ‘Barantu town.’ **[29c] (p94)**
- Dahlak Kebir. The HRW Service for Life report described it as a ‘maximum security’ prison, located in the ‘Dahlak archipelago, islands in the Red Sea’, and stated that it contains “political” prisoners, including those returned from Malta and Egypt.’ **[29c] (p94)**. The Amnesty International report, ‘Eritrea - 20 years of Independence, but still no freedom’, published on 9 May 2013, stated that: ‘Dahlak Kebir prison on Dahlak Kebir island is notorious for its harsh conditions in very high temperatures. Many political prisoners are reported to have been detained there, including hundreds of forcibly-returned asylum seekers. The prison is reported to have a capacity for 800 prisoners, and comprises of eight large sheet metal buildings. Temperatures on the Dahlak archipelago can regularly reach 40 degrees Celsius.’ **[6c] (page 35)**
- Duarwa. The HRW Service for Life report stated that it is located in the ‘south of Asmara on the road to Adi Quala before Adi Ugri’ but states nothing else about it. **[29c] (p94)**
- Era Eiro (Eiraeiro). The HRW Service for Life report described it as a ‘secret jail, not acknowledged by the government’ and is located in the ‘Filfil-Selomuna area north of the Asmara-Massawa road’. **[29c] (p94)**
- Gedem prison. The HRW Service for Life report described it as the ‘site of forced prison labor for the construction of a naval base’ and stated that it is located in ‘Gedem, 40 kilometers south of Massawa’. **[29c] (p94)**
- Ghatelay (Ghatielay). The HRW Service for Life report described it as a ‘forced labor camp’ set up to ‘build a military base’, and stated that it is located about ‘40 to 45 kilometers northwest of Asmara off main road to Massawa.’ **[29c] (p94)**
- Haddis Ma’askar. An Awate report, ‘Eritrea - The Network of Prisons’, dated 21 September 2009, stated that Haddis Ma’askar was: ‘An army prison equipped with underground cells.’ **[27g]**
- Halhale. An Awate report, ‘Eritrea - The Network of Prisons’, dated 21 September 2009, stated that Halhale was located in Asmara and was a ‘detention centre i.e. for those who illegally tried to cross the borders.’ **[27g]**
- Kambo Ndafurstale. The HRW Service for Life report described it as a ‘military jail’, and stated that it is located in ‘Sanafe town’. **[29c] (p94)**
- Klima. The HRW Service for Life report stated that it is located ‘near Assab’ but did not provide further details. **[29c] (p94)**
- Mai Daga. The HRW Service for Life report stated that it is located ‘45 kilometers south of Asmara (near Decamhare)’ but did not provide further details. **[29c] (p94)**

- Mai Srwa. The HRW Service for Life report stated that it is located 'outside Asmara' and is used for the detention of 'political prisoners and Pentecostal pastors', and also this facility has 'shipping containers'. **[29c] (p94)**
- Mai Temenei. The HRW Service for Life report stated that it is a 'military prison'. **[29c] (p94)**.
- Metkelabet. The HRW Service for Life report stated that it is located 'between Massawa and Asmara' and is a 'military prison belonging to the 32-division.' **[29c] (p94)**
- Me'eter. The HRW Service for Life report stated that it is located 'between Nakfa and the coast'. **[29c] (p95)**. The Amnesty International report, 'Eritrea - 20 years of Independence, but still no freedom', published on 9 May 2013, stated that:

'Me'eter prison, within the military camp, is situated along the Red Sea coast between Karora and Massawa. According to former detainees interviewed by Amnesty International and information from religious organizations, exiled human rights defenders, as well as other sources, the prison houses a large number of prisoners of conscience and political prisoners. Numerous prisoners of conscience detained for worshipping a religion not recognised by the state – have been and continue to be detained in Me'eter, including Jehovah's Witnesses and members of other Christian groups. People caught trying to flee the country and evade national service conscription have also been arbitrarily detained in Me'eter. Due to its location Me'eter experiences very high temperatures, and treatment and detention conditions are reportedly very harsh.' **[6c] (page 35)**

- Nakhura Island. The HRW Service for Life report stated that it is 'part of the Dahlak complex of prisons' and is a 'maximum security' facility. **[29c] (p95)**
- Prima 1+2. The HRW Service for Life report stated that it is a 'military prison'. **[29c] (p95)**
- Sawa. The HRW Service for Life report stated that it is a 'military camp/training center' and is located 'along Sawa River, in far western Eritrea near the border with Sudan, about 10 km south of the road midway between Sebderat and Hawashayt.' **[29c] (p95)**. The Amnesty International report, 'Eritrea - 20 years of Independence, but still no freedom', published on 9 May 2013, stated that: 'Sawa military training camp, near the Sudan border - regularly reported in the cases of adherents of unrecognised religions, draft evaders and people caught attempting to flee the country...The detention centre reportedly consists of barrack blocks constructed of metal and shipping containers used as cells.' **[6c] (page 36)**
- Sembel prison. The HRW Service for Life report stated that it is 'possibly the normal prison of Sembel town, but also mentioned as a place for political prisoners' and also stated that it is a 'Asmara suburb.' **[29c] (p95)**. The Amnesty International report, 'Eritrea - 20 years of Independence, but still no freedom', published on 9 May 2013, stated that: 'Sembel prison, Asmara – reportedly holds a number of prisoners of conscience and political prisoners,

including suspected government opponents and adherents of unrecognised religions.’ **[6c] (page 36)**

- Tehadasso. The HRW Service for Life report stated that it is a ‘military’ detention facility, and also that it has ‘shipping containers’. **[29c] (p95)**
- Tessenei. The HRW Service for Life report stated that it is a ‘military’ detention facility and is located in ‘Tessenei.’ **[29c] (p95)**
- ‘Tract B’. The HRW Service for Life report stated that it is a ‘military’ detention facility, located in “Asmara”, also that it was a “former US storage facility near Asmara airport.’ **[29c] (p95)**. The Amnesty International report, ‘Eritrea - 20 years of Independence, but still no freedom’, published on 9 May 2013, stated that: ‘Track B [sometimes called Tract B] – reported in the cases of draft evaders, returned asylum-seekers, EPLF veterans, alleged armed Islamists, and people accused or forging identity documents or smuggling army deserters out of the country. The prison reportedly comprises a former US storage facility near Asmara airport.’ **[6c] (page 36)**
- Tsererat. The HRW Service for Life report stated that it is a ‘military’ detention facility, located in ‘Asmara’, and also that it is used ‘mainly for EPLF veterans’ and contains ‘underground cells.’ **[29c] (p95)**
- Wengel Mermera. The Asmarino report, ‘Eritrea continues to hold thousands of prisoners of faith’, dated 11 March 2010, described Wengel Mermera as a ‘maximum security, crime investigation unit’, located in ‘Asmara’. **[68b]**
- Wi’ya/W’ia/Wieh. The HRW Service for Life report stated that it is a ‘military camp/training center’ and is located along the ‘Red Sea Coast, about 40 kilometers southeast of Massawa, off Road to Asmara’. **[29c] (p95)**.

See also the Annex in the Human Rights Watch report, ‘Service for Life - State Repression and Indefinite Conscriptioin in Eritrea’:

http://www.hrw.org/sites/default/files/reports/eritrea0409web_0.pdf.

Asmarino.com reproduced ‘The map of terror in Eritrea’, originally published by espresso.repubblica.it in October 2011, which maps prison and detention centres:

<http://asmarino.com/en/58-interactive>

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13. Death penalty

- 13.01 The Amnesty International ‘Death Sentences and Executions 2012’ report, published on 9 April 2013, classed Eritrea as one of those countries, ‘...which retain the death penalty for ordinary crimes such as murder but can be considered abolitionist in practice in that they have not executed anyone during the past 10 years and are believed to have a policy or established practice of not carrying out executions.’ **[6a]**
- 13.02 The Amnesty International ‘Death Sentences and Executions 2012’ report also stated that: ‘Information on the use of the death penalty in Eritrea is very difficult to obtain. The

majority of detainees do not go through a judicial procedure and the government generally refuses to provide relevant information. In this context no formal executions or new death sentences were reported but over recent years there have been reports that inmates were unlawfully killed in prison.’ **[6a]**

- 13.03 Similarly, a report submitted by the Eritrean government in November 2009 to the United Nations Human Rights Council for the purposes of a United Nations Universal Periodic Review stated:

‘In Eritrea, the death penalty is applied with extreme caution. It is the mandate of the Ministry of Justice to forward the judgments where death penalty is pronounced, together with its opinions, to the President of the State of Eritrea. The President of the State of Eritrea may remit or commute the sentence. The Constitution of Eritrea guarantees against deprivation of life without due process of law. The Transitional Penal Code of Eritrea, on its part, provides that a sentence of death may not be passed except in cases where there are no extenuating circumstances. It further provides that the death penalty may not be pronounced on any person who commits an offence under the age of eighteen years or in a state of limited responsibility. In the case of a prisoner who is seriously ill, carrying out execution of the sentence is prohibited while that prisoner continues to be in that state. In the case of [a] convicted woman who is pregnant or have [sic] children less than three years of age the sentence is commuted to rigorous imprisonment for life.’ **[73a]**

- 13.04 The Foreign and Commonwealth Office (United Kingdom) ‘Human Rights and Democracy: The 2012 Foreign & Commonwealth Office’ report, published in April 2013, stated that: ‘There were no reports of the death penalty being used in 2012. In November [2012], the British Ambassador joined the EU Ambassador in lobbying the Eritrean government to support the draft UN General Assembly resolution on a moratorium on the use of the death penalty.’ **[10a] (page 167)**

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14. Political affiliation

Freedom of political expression

- 14.01 The United States State Department ‘2012 Human Rights Report: Eritrea’, published on 19 April 2013, stated:

‘The government came to power in a 1993 popular referendum, in which voters chose to have an independent country managed by a transitional government. This government did not permit the formation of a democratic system. The government twice scheduled elections in accordance with the constitution but cancelled them without explanation. An official declaration in 2003 asserted that, “in accordance with the prevailing wish of the people, it is not the time to establish political parties, and discussion of the establishment has been postponed.” Government officials also stated that implementation of the constitution was not possible until the border demarcation with Ethiopia was final.’ **[3b] (section 3)**

- 14.02 The ‘Freedom in the World 2013’ report, published by Freedom House on 16 March 2013, explained that:

'Eritrea is not an electoral democracy. Created in 1994 as a successor to the EPLF, the People's Front for Democracy and Justice (PFDJ) is the only legal political party. Instead of moving toward a democratic system, the PFDJ government has become harshly authoritarian since the end of the war with Ethiopia.

'A new constitution was ratified in 1997, calling for "conditional" political pluralism and an elected 150-seat National Assembly, which would choose the president from among its members by a majority vote. However, this system has never been implemented, as national elections planned for 2001 have been postponed indefinitely. The Transitional National Assembly is comprised of 75 PFDJ members and 75 elected members. In 2004, regional assembly elections were conducted, but they were carefully orchestrated by the PFDJ and offered no real choice to voters. The PFDJ and the military, both strictly subordinate to President Isaias Afwerki, are in practice the only institutions of political significance in Eritrea.' **[9] (Political Rights and Civil Liberties)**

- 14.03 The Bertelsmann Stiftung Transformation Index Eritrea Country Report 2012, published in 2013, stated that:

'There are no associations or interest groups permitted which are independent of the PFDJ. The party claims to be the sole organization representing the interests of all societal groups and has suppressed the emergence of independent civil society organizations. Local elders remained highly respected by the general public and acted as mediators in conflicts between various societal groups, such as in land conflicts, but remained barred from intervening in political affairs.' **[89] (Section 5)**

Freedom of association and assembly

- 14.04 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated:

'The law and unimplemented constitution provide for freedom of assembly and association; however, the government restricted these rights in practice. For some public gatherings, the government sporadically required those assembling to obtain permits. Gatherings of more than seven persons without prior approval, with the exception of events such as weddings, funerals, and religious observances, were subject to investigation unless the gatherings appeared to be social in nature or occurred in the context of meetings of government-affiliated organizations. Gatherings appearing to be political or religious in nature were subject to government interference.

'Freedom of Association. The law and unimplemented constitution provide for freedom of association; however, the government did not respect this right in practice.

'The government did not allow the formation of any political parties other than the PFDJ. It also prohibited the formation of associations except those with official sponsorship.' **[3b] (section 2b)**

- 14.05 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated: 'Membership in the PFDJ, the only legal political party, was not mandatory; however, some categories of individuals, particularly those occupying government positions, were pressured to join. The majority of citizens were occasionally convoked to attend political indoctrination meetings irrespective of PFDJ membership.' **[3b] (section 1f)**

Opposition groups and political activists

- 14.06 The Central Intelligence Agency (CIA) 'World Factbook' section on Eritrea, updated on 13 August 2013, lists the names of various opposition groups and the names of their leaders:

'Eritrean Democratic Party (EDP) [HAGOS, Mesfin]; Eritrean Islamic Jihad or EIJ (includes Eritrean Islamic Jihad Movement or EIJM also known as the Abu Sihel Movement); Eritrean Islamic Salvation or EIS (also known as the Arafa Movement); Eritrean Liberation Front or ELF [ABDULLAH Muhammed]; Eritrean National Alliance or ENA (a coalition including EIJ, EIS, ELF, and a number of ELF factions) [HERUY Tedla Biru]; Eritrean Public Forum or EPF [ARADOM lyob].' [1]

- 14.07 The Asmarino report, 'Mesfin Hagos steps down as chair of EDP', dated 9 April 2009, stated that Mesfin Hagos resigned from his post as head of the Eritrean Democratic Party (EDP) in April 2009. The Central Council of the EDP elected Tesfamichael Yohannes to be the new head of the party. [68c]

- 14.08 The International Crisis Group report, 'Eritrea: The Siege State', published on 21 September 2010, provided an analysis of the political opposition:

'Political debate and pluralism have rarely flourished in Eritrea: briefly in the late 1940s; as part of the underground nationalist movement in the late 1960s and early 1970s; and then even more briefly in 2000-2001. The EPLF [Eritrean People's Liberation Front] is the product of a splinter opposition movement to the then-dominant ELF. The civil war between the ELF [Eritrean Liberation Front] and EPLF confirmed in the minds of its leadership that there was no room for debate and dissent in the vortex of violent competing nationalisms and in the face of the powerful Ethiopian enemy. Therefore, the EPLF permitted no other liberation front to operate within the country, just as it accepted no disunity within its own ranks. Once driven into Sudan in 1981 and then scattered into European and North American exile, however, the ELF spawned a range of movements that opposed the EPLF from abroad. While some fighters and factions rejoined the EPLF in the late 1980s, the rest remained firmly outside the political fold.

'There consequently has always been a broad opposition outside the country, ranging from branches of the ELF; to ethnocentric 'liberation' organisations (notably Kunama and Afar); to new parties fronted by former EPLF leaders and other dissidents in exile. These remain divided. Some advocate constitutional, negotiated transition and thus a degree of engagement with the EPLF; others call for renewal of armed struggle. There are also starkly different perceptions of the regime, whether as a Tigrinya dictatorship or a manifestation of Christian hegemony. Thus, there are sometimes sharp disagreements between Tigrinya highlanders in exile - especially those associated with the armed struggle - and Muslims - especially those from or purporting to represent the lowlands. There are likewise disagreements over leadership and structure.

'No legal opposition party or broad opposition movement exists - yet - in the country. Hostility to the government is manifest in silent, fearful, brooding disengagement from the state and tacit withdrawal of support from the 'tegadelay' ["EPLF fighter" (Tigrinyan)] generation. Yet, despite the deep disillusionment and low morale, overseas opposition parties are regarded somewhat sceptically. Ordinary citizens are not yet persuaded that any of them would significantly improve their lot. Many believe the leaders of some of these movements are cut from much the same cloth as the president and are at the least unsure of their democratic credentials...the only opposition movement of any

significance which operates inside Eritrea, at least part of the time, is Eritrean Islamic Jihad (EIJ), an armed, radical Islamic front. Founded in the early 1980s, it enjoyed the support of both the Sudanese government and Osama bin Laden in the 1990s. It continues to operate covertly at a relatively low level in the western lowlands and northern mountains. Until the recent thaw in relations with Sudan, Asmara regularly accused Khartoum of providing support and bases to enable it to cross the remote border with ease. Despite the low-level of its activities, EIJ has potential to tap into the alienation of young Muslims, who are increasingly aggrieved at state interference in Muslim institutions, land alienation, the economic domination of highlanders (especially in the western lowlands), the state's refusal to recognise Arabic as an official language, the lack of Muslim representation in the upper echelons of the political and military leadership and the recruitment of Muslim women into the army.' [18a] (pages 12-13)

14.09 Young Eritreans living abroad have organised themselves and have formed political organisations, such as the Eritrean Youth Solidarity for Change (EYSC). The EYSC website, accessed on 12 August 2013, stated that: 'EYSC was formed in the midst of the Arab Spring that was sweeping countries in North Africa and the Middle East. In February of 2011, a few individuals decided to take advantage of this phenomenon and the power of cyber technology such as Facebook and Twitter to organize Eritreans online. Membership of EYSC's Facebook group quickly rose to 10,000 and created unprecedented opportunities for all pro-democracy Eritreans to get to know each other and work together.' The EYSC website explains that its mission is to:

'1. To awaken the fighting spirit of the Eritrean youth, revamp the Eritrean national pride, and channel it toward the establishment of a democratic government that respects human rights.

'2. To defeat the PFDJ's pro-dictatorship network world-wide.

'3. To help remove dictator Isaias Afewerki and the remnants of his dictatorial regime from power.' [96]

14.10 A CNN news report, 'Eritrean Youth are at it again: Massive Demonstrations planned in Eritrea on May 24', dated 9 April 2012, reported on a mass protest organised by Eritrean youths living abroad:

'A coalition of Eritrean Youth all over the world are planning massive nationwide protests against the regime of Isaias Afewerki, who has clinched to power for 21 years. Eritrean Diaspora are organizing for support within Eritrea by disseminating flyers in Eritrean bars, schools, and restaurants and also using "Robo-calls" to an estimated 10,000 Eritreans...The group Eritrean Youth Solidarity for Change (EYSC) which boasts 11,000+ members has organized a campaign inside Eritrea called "Arbi Harnet" which translates to Freedom Friday. The Freedom Friday Campaign calls upon the people inside Eritrea to protest dictatorship by emptying the streets of Eritrea's cities every Friday after 6 PM...Eritrean opposition youth movements around the world are coordinating major demonstrations on May 24 [2012] in order to bring down the regime of Isaias Afewerki. Coalition groups include, but are not limited to: Popular Movement for Democracy and Justice, May 24 – Eritrean Youth Movement, EYC-EYSC NA Interim Board, Eritrean Youth Movement for Change.' [44]

See also [Political system](#); [Women - political rights](#); [Annex B Political Organisations](#); [Human Rights Institutions, Organisations and Activists](#).

15. Freedom of speech and media

Overview

15.01 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, summarised the situation regarding freedom of speech and media in Eritrea:

'The law and unimplemented constitution provide for freedom of speech and press; however, the government severely restricted these rights in practice.

'Freedom of Speech: The government severely restricted the ability of individuals to criticize the government in public or in private. The government attempted to impede criticism.

'Freedom of Press: The law bans private broadcast media and foreign ownership of the media and requires that documents be submitted to the government for approval prior to publication. The government controlled all existing media, which included one newspaper, editions of which were published in Tigrinya, English, and Arabic; three radio stations; and a television station. Official media focused primarily on local issues, celebrations, descriptions of good moral practices, and profiles of national heroes.

'The law requires journalists to be licensed. The government allowed satellite dishes. Their use was common in Asmara, Massawa, and other cities, and increasingly in the countryside, with the result that some persons in the country had access to a range of international cable television networks, including several from Ethiopia. Some of these were periodically jammed. A number of satellite radio stations run by diaspora Eritreans, including Radio Erena, based in Paris, attempted to reach listeners in the country. The government jammed this station in August [2012] and September [2012]. Persons could also receive radio broadcasts originating in Ethiopia.

'Those who regularly publish materials must have permits. The law restricts printing and publication of materials. The printing of a publication that does not have a permit and the printing or dissemination of prohibited foreign publications are both punishable. Government approval is required for distribution of publications from religious or international organizations.' **[3b] (section 2a)**

15.02 The Article 19 report, 'Eritrea: A Nation Silenced', published in June 2013, stated:

'No private media has existed in Eritrea since the last eight private newspapers were forced to close in 2001, when at least eighteen journalists and eleven former government officials were detained incommunicado without charge or trial. Of these detainees, eight are confirmed as having died in custody. Other reports include those of radio and television stations being forced closed and their broadcasters and journalists imprisoned, the whereabouts of many still unknown. The few remaining 'media' are state owned and far from independent, essentially serving as a mouthpiece for the Ministry of Information. Alternative sources of information are limited given the extremely low levels of internet penetration in the country. Opportunities for the re-establishment of an independent media in the country are therefore largely nonexistent,

and continued impunity for human rights violations against journalists provide little hope of this situation changing.

‘Eritrea’s legal framework sustains impunity for these human rights violations. Domestic legislation has essentially engineered an environment where Afewerki’s regime is insulated from criticism and has the discretionary means to crush any hint of dissent, often by relying on the perpetual state of emergency in the country. The failure of Afewerki’s regime to implement the 1995 constitution flies in the face of binding commitments made at the international and regional level to the right to freedom of expression and information. The Press Proclamation, the Transitional Penal Code for Eritrea, and the Proclamation to Determine the Administration of Non-governmental Organizations grant the authorities numerous mechanisms to punish dissent with extensive custodial sentences and fines.’ **[85] (page 2)**

Media organisations

- 15.03 The media section of the BBC ‘Eritrea Country Profile - Media’, updated on 15 August 2012, lists the state press agencies as: Hadas Eritrea (published three days a week); Eritrea Profile (government-owned English language weekly paper); Tirigta (pro-government youth weekly) and Geled (youth weekly); Eri-TV (state television); Voice of the Broad Masses of Eritrea (Dimtsi Hafash) (state-run radio networks); Radio Zara (state-run FM network); and Erina (Eritrean state news agency). **[25c]**. The website for the Eritrean Ministry of Information (Shabait), accessed on 12 June 2013, under the index found on the homepage, listed several titles under the heading of local newspapers. These were Eritrea Profile, Eritrea Alhaditha, Haddas Ertra (published daily) and Eritrea Haddas. **[46a]**

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Internet

- 15.04 The United States State Department ‘2012 Human Rights Report: Eritrea’, published on 19 April 2013, stated:

‘The government monitored some Internet communications, including e-mail, without obtaining warrants. Internet users had a choice from among five service providers, some of which were government-owned. Internet cafes with limited bandwidth were available in Asmara and other major cities, but the vast majority of persons in the country did not have access to the Internet. According to the International Telecommunications Union, 6.2 percent of individuals used the Internet in 2011. Internet users who needed larger bandwidth paid prices beyond the reach of most persons in the country.

‘Government informants frequented Internet cafes during periods of unrest in nearby countries or when international media reported news about the country. In previous years some Internet cafes closed on short notice, and their owners were said to have been detained on grounds of circulating pornography, although many believed that the cafes had facilitated access to opposition Web sites of the diaspora. The government discouraged citizens from viewing some opposition Web sites by labeling the sites and

their developers saboteurs. Some citizens expressed fear of arrest if caught viewing such sites. Nonetheless, the sites were generally available.

‘The government became more sophisticated in disseminating information via the Internet, and a number of progovernment sites competed with opposition sites.’

[3b] (section 2a)

15.05 The Reporters Without Borders ‘Enemies of the Internet Report 2012’, published on 13 March 2012, about government restrictions on the use of the Internet stated that:

‘In this totally freedom-deprived country whose privately owned media were shut down in September 2001, the Internet remains the only space left where Eritreans are free to voice their opinions. Its use, however, is still very limited. Dictator Isaias Afewerki has imposed a climate of terror that has led the few Eritreans brave enough to connect despite technical obstacles and surveillance in the cybercafés to rely on self-censorship.

‘Leading diaspora websites such as Assenna.com, Asmarino.com and Awate.com are inaccessible mainly because of the slow bandwidth speed. No independent site is currently operated from Eritrea. Those living abroad who post writings on ‘banned’ websites often have to do so anonymously as a security measure...Eritrean Information Minister Ali Abdu, and Yemane Gebreab, are coordinating online propaganda, disinformation initiatives on the Internet, cyberattacks against opposition sites, and crackdowns and pressure on the regime’s opponents. They have decided to occupy the social networks’ terrain and to confront their opponents there by disseminating their own pro-regime messages. One of the Facebook pages concerned is Eritrea First, which, as of early March 2012, boasts 2,500 friends and whose motto is “The nation always comes first.”

‘An unprecedented wave of cyberattacks struck several websites critical of the regime in early December 2011. Most of the opposition sites, including Assenna.com, Awate.com, Asmarino.com, were blocked for several days. Hackers allegedly attacked these sites’ databases in a vain attempt to delete their archives, but pro-government sites such as Meskerem.net, Alenalki.com, and Dehai.org were spared – a new censorship episode with which it would be difficult not to connect the Asmaran regime.’ **[20a]**

15.06 The Article 19 report, ‘Eritrea: A Nation Silenced’, published in June 2013, stated:

‘Eritrea lacks the infrastructure that would allow a more robust media to operate. It has an extremely small telephone network and one of the least internet hosts of any country in the world. The combined mobile and fixed line telephone reach is around 5%. As a result, usage statistics for all phones and the internet are also among the lowest globally; only 6.2% of the population use the Internet. In 2011, Eritrea planned to introduce mobile Internet capability, but these plans were abandoned, apparently because the government was fearful of the effect of the Arab Spring uprisings. The well-documented rise in broadband connectivity and access to smart phones that has seen an explosion of new media in Africa - particularly in Kenya, Egypt, South Africa and Nigeria - has not reached Eritrea.’ **[85] (pages 11-12)**

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Journalists

15.07 A Reporters Without Borders report, 'Three journalists held since 2001 die in Eiraeiro prison camp', dated 30 August 2012, stated:

'Three journalists held since 2001 die in Eiraeiro prison camp

'After several weeks of investigating reports from sources in Eritrea and from prison guards who fled the country, Reporters Without Borders has been able to confirm that three more journalists – Dawit Habtemichael, Mattewos Habteab and Wedi Itay – have died in the northeastern prison camp of Eiraeiro. All three had been held since late 2001...

'Dawit Habtemichael

'Arrested on 21 September 2001 after hiding for three days in the school where he taught physics, Habtemichael was the deputy editor and co-founder of the biweekly Meqaleh. Aged 30 at the time of his arrest, he was one of the youngest of the Eritrean journalists to be detained. After his mental health began to deteriorate in 2007, he became schizophrenic and finally lost all contact with reality in 2010. The failure to treat his steadily worsening mental condition is thought to have been the cause of his death in the second half of 2010. He was prisoner No. 12 at Eiraeiro.

'Mattewos Habteab

'Meqaleh co-founder and editor Mattewos Habteab and another journalist, Temesgen Gebreyesus, were transferred to a prison in the Dahlak Archipelago in late 2008 but were subsequently brought back to the mainland, to Eiraeiro, and it was there that Habteab finally succumbed to the camp's appalling conditions.

'Sahle Tsegazab, aka Wedi Itay

'Better known by the pen-name of Wedi Itay, Sahle Tsegazab was a freelance journalist and writer who often worked for privately-owned newspapers such as Keste Debenä as well as the pro-government daily Hadas Eritrea. Arrested in October 2001, he died at Eiraeiro from an identified illness and from the lack of medical treatment.

'It was previously established that four of the other journalists arrested around the same time in 2001 – Medhanie Haile, Yusuf Mohamed Ali, Said Abdulkader and Fessehaye "Joshua" Yohannes – died in detention.' [20b]

15.08 The Committee to Protect Journalists '2012 Prison Census' report, published on 1 December 2012, provided information about the journalists who had been arrested in 2001:

'More than 10 years after imprisoning several editors of Eritrea's once-vibrant independent press and banning their publications to silence growing criticism of President Isaias Afewerki, Eritrean authorities had yet to account for the whereabouts, health, or legal status of the journalists, some of whom may have died in secret detention.

'The journalists were arrested without charge after the government suddenly announced on September 18, 2001, that it was closing the country's independent newspapers. The papers had reported on divisions within the ruling Party for Democracy and Justice (PFDJ) and advocated for full implementation of the country's constitution. A dozen top

officials and PFDJ reformers, whose pro-democracy statements had been covered by the independent newspapers, were also arrested.

‘Authorities initially held the journalists at a police station in the capital, Asmara, where they began a hunger strike on March 31, 2002, and smuggled a message out of jail demanding due process. The government responded by transferring them to secret locations without ever bringing them before a court or publicly registering charges.

‘Over the years, Eritrean officials have offered vague and inconsistent explanations for the arrests—from anti-state conspiracies involving foreign intelligence to accusations of skirting military service to violating press regulations. Officials at times have even denied that the journalists existed. Meanwhile, shreds of often unverifiable, second- or third-hand information smuggled out of the country by people fleeing into exile have suggested the deaths of as many as five journalists in custody. Several CPJ sources said the journalists were confined at the Eiraeiro prison camp or at a military prison, Adi Abeito, based in Asmara.

‘In February 2007, CPJ established that one detainee, Fesshaye "Joshua" Yohannes, a co-founder of the newspaper Setit and a 2002 recipient of CPJ's International Press Freedom Award, had died in custody at the age of 47.

‘CPJ is seeking corroboration of reports that several other detainees may have died in custody. In August 2012, the international press freedom group Reporters Without Borders, citing a former prison guard, said Dawit Habtemichael and Mattewos Habteab had died at Eiraeiro in recent years. In 2010, the Ethiopian government-sponsored Radio Wegahta also cited a former Eritrean prison guard as saying that Habteab had died at Eiraeiro.

‘An unbylined report on the Ethiopian pro-government website Aigaforum in August 2006 quoted 14 purported Eiraeiro guards as citing the deaths of prisoners whose names closely resembled Yusuf Mohamed Ali, Medhanie Haile, and Said Abdelkader. The details could not be independently confirmed, although CPJ sources considered it to be generally credible. In 2009, the London-based Eritrean opposition news site Assena posted purportedly leaked death certificates of Fesshaye, Yusuf, Medhanie, and Said.

‘CPJ lists the journalists on the 2012 prison census as a means of holding the government accountable for their fates. Relatives of the journalists also told CPJ that they maintain hope their loved ones are still alive.’ **[76a]**

15.09 The Committee to Protect Journalists (CPJ) ‘Attacks on the Press 2012’ report, published on 14 February 2013, stated that:

‘CPJ identified Eritrea as the most censored country in the world in 2012. No independent domestic news outlets have been allowed to operate since a widespread September 2001 government crackdown on dissent. The last accredited foreign news reporter was expelled in 2007. State media operate under the rigid control of Information Minister Ali Abdu, who uses intimidation and imprisonment to enforce a government-approved message. The Red Sea nation is the continent’s leading jailer of journalists; the detainees include independent reporters and editors swept up in the 2001 crackdown, along with numerous state media journalists who have somehow violated the government’s strict controls. The detainees are held without charge and in secret locations. President Isaias Afwerki has consistently refused to account for the

whereabouts, legal status, or health of the jailed journalists, or even confirm reports that some have died in custody. Fearful state media journalists have fled the country in large numbers. Eritrea has the fifth highest number of exiled journalists in the world, according to CPJ data. In July, the U.N. Human Rights Council unanimously condemned “widespread and systematic violations” and appointed a representative to further investigate abuses, according to news reports.’ **[76b]**

- 15.10 The United States State Department ‘2012 Human Rights Report: Eritrea’, published on 19 April 2013, stated:

‘According to Reporters Without Borders, the government continued to detain 28 journalists as well as others associated with the media. The government did not provide information about their locations or health.

‘In August [2012] authorities reportedly arrested and detained without charge journalist Ahmed Shek Umer, chief of Arabic programming on Eri-TV. On December 29 [2012], they announced his release at an earlier date.

‘Reporters Without Borders cited former detention center guards as having stated that journalists Dawit Habtemichael, Mattewos Habteab, and Wedi Itay, who had been held in detention without trial since 2001, died at Eiraeiro detention camp, and another journalist who had been detained since 2009 died in Abi Abeito military prison. The exact dates of the deaths were not available but reportedly occurred in prior years.

‘There was no information available regarding journalists Nebiel Edris, Ahmed Usman, Mohamed Osman, and Tesfalidet Mebrahtu, whom authorities arrested in 2011.

‘Reporters Without Borders stated that authorities released Said Abdulhai, the former head of the Ministry of Information’s press department and the person responsible for the state newspaper. Authorities arrested him in 2010. Radio Bana staff member Yirgalem Fisseha Mebrahtu, detained in 2009, reportedly was hospitalized.

‘Censorship or Content Restrictions: Most independent journalists remained in detention or abroad, which effectively limited any domestic media criticism of the government. Journalists practiced self-censorship due to fear of government reprisal. Journalists were required to obtain government permission to take photographs.’ **[3b] (section 2a)**

For further information on the treatment of prisoners, see [Prison and detention centre conditions](#).

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16. Human rights institutions, organisations and activists

- 16.01 The Foreign and Commonwealth Office (United Kingdom) ‘Human Rights and Democracy: The 2012 Foreign & Commonwealth Office’ report, published in April 2013, stated that: ‘No active human rights NGOs or groups operate in Eritrea. The government of Eritrea does not permit human rights groups to visit the country. Civil society is tightly controlled, with no effective fully independent civil society groups.’ **[10a] (page 168)**. The Human Rights Watch ‘World Report 2013: Eritrea’, published on 19 February 2013, stated: ‘Gatherings of more than seven unrelated people are forbidden

and formation of NGOs is prohibited.’ **[29b]**. The United States State Department ‘2012 Human Rights Report: Eritrea’, published on 19 April 2013, stated that: ‘The government closed all international NGO offices in previous years. Civil society organizations were few and, other than those with official affiliations, lacked capacity.’ **[3b] (section 5)**

- 16.02 The International Crisis Group report, ‘Eritrea: The Siege State’, published on 21 September 2010, stated:

‘Independent civil society does not exist in any meaningful way. The [People’s Front for Democracy and Justice (PFDJ)] party dominates what passes for the nongovernmental sector. It runs national unions for youths and students, women and workers, much as during the armed struggle branches of the EPLF were responsible for socio-economic entities that were to participate in the “social revolution”. No independent civil society groups, trade unions or NGOs are permitted; strikes are not allowed under any circumstances; and advocacy or lobby groups cannot be organised outside PFDJ structures. Leaders of the party unions are carefully vetted. Religious organisations, both Christian and Muslim, are closely monitored. Their leaders are cowed and take no public stance on policy or any other social issue. The last time a senior non-government figure was publicly outspoken was in 2005, when the deeply revered Patriarch of the Eritrean Orthodox Church criticised state interference in the church’s affairs. He was stripped of his authority and has been under house arrest ever since.’ **[18a] (p16)**

- 16.03 The ‘Freedom in the World 2013’ report, published by Freedom House on 16 March 2013, stated that:

‘The government maintains a hostile attitude toward civil society, and independent NGOs are not tolerated. A 2005 law requires NGOs to pay taxes on imported materials, submit project reports every three months, renew their licenses annually, and meet government-established target levels of financial resources. The six remaining international NGOs that had been working in Eritrea were forced to leave in 2011. The government placed strict controls on UN operations in the country, preventing staff from leaving the capital.’ **[9] (Political Rights and Civil Liberties)**

- 16.04 The Bertelsmann Stiftung Transformation Index Eritrea Country Report 2012, published in 2013, stated that:

‘Civil society in the modern sense is absent in Eritrea, as its development has been suppressed since independence. The National Union of Women, the National Union of Youth and Students, and the Confederation of Eritrean Workers remained under the control of the government and did not play any significant role in channeling the interests of the groups they represent. Traditional civil society, represented by religious and local elders, was excluded from the political decision-making process and was not consulted by governmental authorities on local issues. Private charities and religious civil society groups were not allowed. Within the context of its policy deliberations, the government and PFDJ view themselves as the only representatives of the society.’ **[89] (Section 16)**

See also [Political affiliation; Human rights violations by security forces](#)

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17. Corruption

17.01 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated:

'The law provides criminal penalties for corruption by officials. However, official corruption was a problem and occurred with impunity.

'Persons seeking executive or judicial services sometimes reported that they obtained services more easily after having paid a "gift" or bribe through a system of patronage and cronyism. Petty corruption within the executive branch was based largely on family connections and used to facilitate access to social benefits. Some persons who benefited from preferential treatment due to perceived loyalty to the government subsequently were denied services such as housing when their political loyalties appeared to change. Judicial corruption was also a problem, and acts such as property expropriation generally were not prosecuted when military or security officials or those seen as being in favor with the government carried them out.

'The UN Monitoring Group on Somalia and Eritrea as well as others cited allegations that leaders of the country's armed forces, including General Teklai Kefle, were involved in trafficking in persons. Members of the armed forces were also said to engage in illicit trade in arms and black market sales of goods such as diesel fuel and cement. There was some evidence that members of the armed forces collaborated with members of the Ethiopian armed forces to facilitate emigration across the Ethiopian border. Members of the armed forces also were said to visit Eritrean refugees in camps in Sudan occasionally to offer illicit passage to third nations in exchange for the payment of large fees. Some who accepted passage under these circumstances claimed to have been abused.

'There were reports of police corruption. Police occasionally used their influence to assist friends and family in facilitating their release from prison. There were reports that police demanded bribes to release detainees. There were no effective mechanisms to address allegations of official abuse, and impunity was a problem.

'Reports of corruption existed in the government's issuance of identification and travel documents, including in the passport office. Individuals requesting exit visas or passports sometimes had to pay bribes.

'The government had a history of nationalizing profitable private companies, although during the year it was in the process of privatizing several large state-owned firms.

'Public officials were not subject to financial disclosure laws, and no government agency was responsible for combating government corruption.' **[3b] (section 4)**

17.02 The Freedom House 'Freedom in the World 2013' report, published on 16 March 2013, stated:

'Corruption is a major problem. The government's control over foreign exchange effectively gives it sole authority over imports. At the same time, those in favor with the regime are allowed to profit from the smuggling and sale of scarce goods such as building materials, food, and alcohol. According to the International Crisis Group, senior military officials are the chief culprits in this trade. They have also been accused of

enriching themselves by charging fees to assist some of the approximately 900 Eritreans who try to flee the country each month; using conscripts for private building projects; and seizing private property for their own use.'

[9] (Political Rights and Civil Liberties)

17.03 Eritrea ranked 150th in Transparency International's 2012 Corruption Perceptions Index (CPI) of 174 countries, published on 5 December 2012. Eritrea was given an overall CPI score of 25. The CPI defines corruption as the abuse of public office for private gain, and measures the degree to which corruption is perceived to exist among a country's public officials and politicians. The CPI is a composite index that draws on multiple expert opinion surveys. The CPI scores range from 100 (low level of corruption) to 0 (high level of corruption). **[16]**

17.04 The Bertelsmann Stiftung Transformation Index Eritrea Country Report 2012, published in 2013, stated that:

'The official policy of fighting corruption is still in place, but due to the poor state of the economy, general scarcity of goods and strict government control over all economic and trade activities, corruption within the military and the civil administration is on the rise. This includes contraband trade by officials, accepting bribes for the release of holiday certificates for conscripts or sick notes, and black market currency trade. There is still no due process of law and the accused are brought before a military court without access to a lawyer or the right to appeal. An alleged perpetrator's political loyalties still play a role when it comes to persecution or tacit tolerance of corrupt practices. Corruption does not result in adverse publicity; cases of corruption have rarely been made public during the past couple of years.' **[89] (Section 3)**

17.05 The Bertelsmann Stiftung Transformation Index Eritrea Country Report 2012 also stated that:

'The government maintained its goal of containing official corruption, but lacked all necessary measures to do so. There is absolutely no auditing of state spending due to a complete lack of checks and balances. The PFDJ owns the "Hdri Trust Fund," which holds all major companies in the country (trade, construction, retail, etc.). The fund's board of auditors has never met; in fact, auditing is left to one single person, the financial head of the PFDJ. Citizens and media have absolutely no access to information, and Eritrea is ranked last in press freedom worldwide. There is no public accountability for mismanagement or corruption, which is handled inside the government by a military or "special" court. There is no public procurement system. In the past, corruption was limited by self-restraint of the ruling elites, but has become more widespread in recent years.' **[89] (Section 15)**

17.06 The United States State Department '2013 Investment Climate Statement - Eritrea' report, published in April 2013, stated:

'Eritrea has historically suffered less from corruption than many other nations on the African continent, but there are indications that corruption does exist. Some persons claim that civil court cases may be influenced by the Office of the President, or that decisions are rendered based on political factors. Military officials have in the past confiscated houses and other property of private individuals. The GSE [Government of Eritrea] controls all foreign exchange, virtually the only legal source of imports, creating illicit profit opportunities for smugglers. Eritrea is not yet a party to international anti-

corruption agreements. The GSE does not publish a national budget or national accounts.

‘Unstable political conditions, strict regulations regarding imports, and lack of consistency regarding granting of exit visas have encouraged bribery and money laundering, specifically with respect to those responsible for customs and immigration.’
[3a]

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18. Freedom of religion

Overview

18.01 The United States State Department ‘International Religious Freedom Report for 2012: Eritrea’, published on 20 May 2013, stated:

‘The constitution and other laws and policies provide for religious freedom, but the government partially implemented these laws and policies only for the four officially registered religious groups: the Eritrean Orthodox Church, Sunni Islam, the Roman Catholic Church, and the Evangelical Lutheran Church of Eritrea. The government’s overall record on religious freedom was poor and that trend did not change significantly during the year. The government continued to detain members of unregistered religious groups, although there were reportedly fewer such detentions than last year. The government retained influence over the four registered religious groups.

‘There were no reports of societal discrimination based on religious affiliation, belief, or practice. Citizens generally accepted limited religious pluralism.’
[3c] (Executive Summary)

Religious demography

18.02 The United States State Department ‘International Religious Freedom Report for 2012: Eritrea’, published on 20 May 2013, stated:

‘There are no reliable statistics on religious affiliation. The government reports that 50 percent of the population is Christian and 50 percent Sunni Muslim. According to a 2010 international nongovernmental organization (NGO) estimate, the population is 63 percent Christian and 36 percent Muslim. The same NGO asserts that Orthodox Christians make up approximately 57 percent of the population, Roman Catholics 4 percent, and Protestants – including the Evangelical Lutheran Church, Baptists, Presbyterians, Jehovah’s Witnesses, Pentecostals, and others without international affiliation – 1 percent. It is possible that 2 percent of the population is animist. There is a small Bahai community. Numbers of Muslims and Protestants reportedly have increased over the past 10 years.

‘The population is predominantly Muslim in the eastern and western lowlands and mainly Christian in the central highlands. There are high levels of participation among all religious groups.’ [3c] (section 1)

Restrictions

- 18.03 The United States Commission on International Religious Freedom '2013 Annual Report', covering the period 31 January 2012 – 31 January 2013, published in April 2013, stated:

'In 2002, the government imposed a registration system for all religious groups other than the four officially-recognized religions, requiring communities to provide detailed information on their finances, membership, and activities. Since 2002, the government has not registered any religious group, despite the Presbyterian Church, Methodist Church, Seventh-day Adventists, and Baha'i community all submitting the required applications. Without registration, religious communities lack a legal basis on which to practice their faiths publicly in the country. Unrecognized groups' places of worship have been closed and public religious activities prohibited. Further restrictions are described below.

'Government violations of religious freedom are particularly severe in the armed forces and national service. Eritrean refugees told USCIRF in late 2012 that soldiers are frequently banned from engaging in religious activities, subject to penalty of imprisonment, and face severe punishment for possessing religious literature, including Bibles and Qur'ans.

'The State Department, non-governmental human rights organizations, and Christian advocacy groups estimate that 2,000 to 3,000 persons are imprisoned on religious grounds in Eritrea. The vast majority are Evangelical or Pentecostal Christians. Religious prisoners have reportedly been beaten and tortured. Prisoners are not permitted to pray aloud, sing, or preach, and no religious books are allowed. Released religious prisoners interviewed by USCIRF report having been confined in cramped conditions, such as 20-foot metal shipping containers or underground barracks, some located in areas subject to extreme temperature fluctuations. The refugees also told USCIRF that security forces beat detainees and coerce them to renounce their faith, at times as a precondition of release. Persons detained for religious activities, serving both short- and long-term sentences, often are not formally charged, permitted access to legal counsel, accorded due process, or allowed access to their families. Reports continue to arise of deaths of religious prisoners who refused to recant their beliefs, were denied medical care, or were subjected to other ill treatment.' **[35] (Eritrea - p64)**

- 18.04 The United States State Department 'International Religious Freedom Report for 2012: Eritrea', published on 20 May 2013, stated:

'The constitution and other laws and policies provide for religious freedom, but the government partially implemented these laws and policies only for the four officially registered religious groups: the Eritrean Orthodox Church, Sunni Islam, the Roman Catholic Church, and the Evangelical Lutheran Church of Eritrea.

'By law, religious groups must register with the government or cease activities. The Office of Religious Affairs reviews the applications of religious groups seeking official recognition. Applications must include a description of the religious group's history in the country, an explanation of the uniqueness or benefit the group offers compared with other religious groups, names and personal information of the group's leaders, detailed information on assets, a description of the group's conformity to "local culture," and a declaration of all foreign sources of funding. All registrations require the president's signature for full approval. No religious groups applied for registration during the year...

The government limits foreign financing for religious groups, based on its stated policy of fostering national self-reliance.

‘Religious groups must obtain government approval to build facilities for worship and must observe strict rules governing relations between religious groups and foreign donors and sponsors.

‘The Office of Religious Affairs must authorize religious groups to print and distribute documents. It routinely approved such requests, but only for officially recognized religious groups...Official attitudes toward members of unregistered religious groups who worshiped in homes or rented facilities differed from place to place. Some local authorities tolerated unregistered groups, while others attempted to prevent them from meeting. The national government continued to disrupt home-based worship and arrested those who hosted prayer meetings. Local authorities sometimes denied community-based services to Jehovah’s Witnesses and members of Pentecostal groups...Religious facilities not belonging to the four officially recognized religious groups remained closed. Several unoccupied religious structures formerly used by Jewish, Greek Orthodox, and Church of England groups – which fled repression in the 1970s – still stood in Asmara. The government permitted foreigners to worship at these sites. Other structures belonging to unregistered groups, such as the Seventh-Day Adventists, remained shuttered, although the government allowed the Bahai center to operate.’ **[3c] (section 2)**

- 18.05 The Amnesty International report, ‘Eritrea - 20 years of Independence, but still no freedom’, published on 9 May 2013, stated:

‘According to information received by Amnesty International, members of unrecognised religious groups, including Evangelical Christian groups and Jehovah’s Witnesses have been subjected to torture and coercion by the security forces during detention, to force them to recant their religion. Some religious detainees have been offered release from detention on the condition that they recant their religion. These individuals were forced to sign a statement declaring they had recanted their religious beliefs and agreed to join an officially recognised religious group. Some have reportedly been pressurised to sign statements promising not to participate in religious activities outside the four recognised religions, or to join together with others practising religions not recognised by the state. Detainees who refuse to recant have been subjected to repeated torture.’

[6c] (page 23)

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Christian pentecostals and evangelicals

- 18.06 The United States Commission on International Religious Freedom ‘2013 Annual Report’, published in April 2013, stated:

‘The State Department, non-governmental human rights organizations, and Christian advocacy groups estimate that 2,000 to 3,000 persons are imprisoned on religious grounds in Eritrea. The vast majority are Evangelical or Pentecostal Christians. Religious prisoners have reportedly been beaten and tortured. Prisoners are not permitted to pray aloud, sing, or preach, and no religious books are allowed. Released religious prisoners interviewed by USCIRF report having been confined in cramped

conditions, such as 20-foot metal shipping containers or underground barracks, some located in areas subject to extreme temperature fluctuations. The refugees also told USCIRF that security forces beat detainees and coerce them to renounce their faith, at times as a precondition of release. Persons detained for religious activities, serving both short- and long-term sentences, often are not formally charged, permitted access to legal counsel, accorded due process, or allowed access to their families. Reports continue to arise of deaths of religious prisoners who refused to recant their beliefs, were denied medical care, or were subjected to other ill treatment... There were reports of two new mass arrests during the reporting period. Twenty-one evangelicals who had gathered to worship on Good Friday were reported to have been rounded up and continue to be detained, with unconfirmed reports that they were being held in metal shipping containers and were undergoing military punishment. Seventeen Christians, including several women, were arrested in October following a raid on a house in Emba-Derho where they had gathered for a service and remain detained. In addition, several Protestant pastors were reported arrested following the January 2013 "coup."

[35] (Eritrea - p64-65)

- 18.07 The Christian Solidarity Worldwide 'Eritrea: Summary of Concerns and Recommendations' press release, dated April 2012, stated:

'Between 2,500 and 3,000 Christians are currently detained indefinitely at any given time. Although some were initially released after pledging to renounce their faith, none have been formally charged or tried and all are held pending similar denials of faith. Reports persist of prisoners dying after torture, or after being denied life-saving medication for refusing to deny their faith. Torture is rife in these centres, with prisoners being held in such inhumane conditions as metal shipping containers, underground cells, and in the open air in desert areas where they are surrounded by barbed wire or thorns. Female Christian prisoners are regularly beaten on the soles of their feet and their wombs, allegedly to prevent them from bearing children.' **[50b]**

See also [Arbitrary arrest and detention](#).

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Jehovah's Witnesses

- 18.08 The United States Commission on International Religious Freedom '2013 Annual Report' stated:

'Fifty-one Jehovah's Witnesses are detained without trial or administrative appeal. A third of the Jehovah's Witnesses currently detained are reported to be over 60 years old, well beyond draft age. Additionally, three Jehovah's Witnesses - Paulos Eyassu, Isaac Mogos, and Negede Teklemariam - have been held for more than 15 years, despite the maximum legal penalty for refusing to perform national service being two years... President Asaias issued a decree in October 1994 specifically barring Jehovah's Witnesses from obtaining government jobs, business licenses, and government-issued identity and travel documents. He reportedly viewed them as rejecting the duties of Eritrean citizenship, due to their refusal on religious grounds to participate in the 1993 independence referendum or to perform mandatory national military service. Without Eritrean identity cards Jehovah's Witnesses cannot obtain legal recognition of marriages or land purchases.

'The government requires a military training component for secondary school graduation, with no non-military alternative service option, which effectively denies educational and employment opportunities to young Jehovah's Witnesses, causing many to flee the country. Some children of Jehovah's Witnesses have been expelled from school because of their refusal to salute the flag or to pay for membership in the officially-sanctioned national organization for youth and students.' **[35] (Eritrea - p65)**

18.09 The United States State Department 'International Religious Freedom Report for 2012: Eritrea', stated:

'In January [2012] the Jehovah's Witnesses' Web site asserted that 48 members of the group remained imprisoned in the country. In December [2012] Human Rights Watch asserted that 56 Jehovah's Witnesses were incarcerated, including 12 arrested during the year while attending a funeral and three who had been held since 1994. Eleven were reportedly in their 70s and 80s...Although members of several religious groups faced reprisals for refusal to participate in military portions of required national service, the government singled out Jehovah's Witnesses to receive particularly harsh treatment because of their blanket conscientious objection to bearing arms. The government reportedly penalized Jehovah's Witnesses and others who did not participate in national military service on religious grounds by denying them government services and entitlements, such as ration cards.' **[3c] (section 2)**

18.10 The Amnesty International report, 'Eritrea - 20 years of Independence, but still no freedom', published on 9 May 2013, stated:

'During the 20 years of independence, according to information received by Amnesty International from individual sources, the Jehovah's Witness Association and from media reports, at least 157 Jehovah's Witnesses have been arbitrarily arrested and detained, in prisons including Me'eter, Adi Abeto and Mai Serwa. Some have been released after periods varying from several months to several years. Two are believed to have died in detention, as a result of ill-treatment and appalling conditions. As of April 2013, the European Association of Jehovah's Christian Witnesses has information it regards as reliable that at least 56 Jehovah's Witnesses are currently in detention in Eritrea.' **[6c] (page 22)**

See also [Arbitrary arrest and detention](#) ; [National service - conscientious objection and Citizenship and nationality](#).

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Muslims

18.11 The United States Commission on International Religious Freedom '2013 Annual Report' stated that:

'The Department of Religious Affairs appoints the Mufti of the Eritrean Muslim community, despite community protests. The government does not permit independent Muslim religious activities or groups it considers "radical." Government officials point to the actions of foreign or foreign-inspired Muslim fundamentalists, whom they believe are seeking to radicalize traditional Eritrean Islam and thus possibly create tensions in a society that is roughly half Christian and half Muslim. Additionally, the International

Crisis Group reports that the only military and government officials arrested following the “coup” were Muslims and that President Isaias stated that they were engaging in “jihad.” [35] (Eritrea - p70)

Orthodox Church of Eritrea

18.12 The United States Commission on International Religious Freedom ‘2013 Annual Report’ stated that:

‘The Orthodox Church of Eritrea is the country’s largest Christian denomination and the institutional expression of the country’s traditionally-dominant form of Christianity. According to Eritrean Orthodox refugees interviewed by USCIRF, government interference in church affairs began increasing in 2005 when the government revoked the exemption of Orthodox priests, monks, and deacons from mandatory national service. This resulted in the closure of smaller, rural churches due to a shortage of clergy, and increased opposition within the church to the government’s religious policies. Security forces began targeting reformist elements in the Orthodox Church, arresting religious activists, and preventing their meetings. In May 2006, the government appointed a new Patriarch of the Orthodox Church of Eritrea, replacing Patriarch Antonios and placing him under house arrest.

‘According to the Eritrean Orthodox Church North America Archdioceses, more than 1,700 Orthodox clergy have been forced out of the church, including 24 imprisoned, 14 banned from entering Eritrean Orthodox Church properties, and seven restricted from leaving Asmara. Hundreds have fled the country. In addition, a government-appointed administrator, who is not a member of the Orthodox clergy, manages the church’s affairs and controls its finances.’ [35] (Eritrea – p66)

See also [Arbitrary arrest and detention](#).

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19. Ethnic groups

19.01 The report entitled ‘The Constitutional and Legislative Protection of the Rights of Indigenous Peoples: Eritrea’, published by the International Labour Organisation and the African Commission on Human and People’s Rights in 2009, stated:

‘It is generally recognised that there are nine ethnic groups in Eritrea. These groups may be divided into three categories, according to their historical evolution from ancient races: the Semitic; the Hamitic (Cushitic); and the Nilotic races. The Semitic group forms the majority of the population, and consists of the Tigrinya (48 per cent of the total population) and the Tigre (35 per cent). The Rashaida (1 per cent), a recently-established group of Arab origin, may also be included in the Semitic family. Four ethnic groups comprise the Cushitic category: the Afar (4 per cent of the total population); the Saho (3 per cent); the Bilen (2 per cent); and the Hedareb (2 per cent). The Nilotic groups are the Kunama (with 3 per cent of the total population) and the Nara (2 per cent). Jiberti Muslims regard themselves as an additional (tenth) ethnic group. In addition, there is a small group of recently-settled migrants said to be descendants of the Hausa tribe in Nigeria, called the Tekurir. At present, the Eritrean government recognises all these groups - with the exception of the Jeberti and the Tekurir.

'The Tigrinya live on the central and southern plateau. The Tigre groups inhabit the northern hills and lowlands. The Afar live among the southern Red Sea coast. The Bilen are located in the Northern Eritrean highlands and in and around the city of Keren and north of it in the region of Halhal (the Bogos area). The Hedareb live in the western lowlands and along the border with Sudan. The Kunama occupy the region between the Gash and Setit rivers, near the border with Ethiopia. The Nara reside north of the Gash river around Barentu. The Tekurir live in the Anseba and Gash-Barka regions. The Rashaida live along the Red Sea coast. The Saho live on the escarpment and coastal plain southeast of Asmara. To some extent, most of the ethnic groups exist across the boundaries of the present-day Ethiopia, Djibouti and the Sudan.' **[36] (pages 3-4)**

- 19.02 More information about Eritrea's ethnic groups was provided in the Everyculture.com website, undated, accessed on 23 May 2012:

'The highland Tigrinya ethnic group is the dominant group, numerically, politically, and economically. There is also a minority group of Tigrinya-speaking Muslims called Jeberti in the highlands. The Jeberti, however, are not recognized as a separate ethnic group by the Eritrean government. The lowland groups -the Afar, Beja/Hadarab, Bileyn, Kunama, Nara, Rashaida, Saho, and Tigre - are all, with the exception of the Tigre, relatively small and, taken together, they do not form any homogenous cultural or political blocs. Traditionally, the relationship between the highland and lowland groups has been one of tension and conflict. Raids on livestock and encroachment on land and grazing rights have led to mutual distrust, which is still, to a certain degree, relevant in the relation between the minorities and the state. Many of the groups are also divided between Eritrea and Ethiopia, Sudan, and Djibouti, making cross-border ethnic alliances a possible threat to the national identity.' **[37]**

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Languages

- 19.03 The Ethnologue website, Languages of Eritrea section, accessed on 23 May 2012, lists the languages spoken in Eritrea as: Afar, Arabic, Bedawiyet, Bilen, English, Italian, Kunama, Nara, Saho, Tigré and Tigrigna. The same source noted that English, standard Arabic, and Tigrinya are the official languages. **[38]**

- 19.04 More information about the languages spoken in Eritrea was provided in the Everyculture.com website, undated, accessed on 23 May 2012:

'Although the Eritrean Constitution states that all nine ethnic languages in the country are equal, the government of Eritrea has two administrative languages: Tigrinya and Arabic. Tigrinya is a Semitic language also spoken by the Tigreans of Ethiopia. Arabic was chosen to represent the lowland Muslim groups in the country. Nevertheless, only one ethnic group, the Rashaida, has Arabic as a mother tongue, whereas the other groups use it as a religious language. Many of the groups are bilingual, and because of the legacy of Ethiopian domination over Eritrea, many Eritreans also speak Amharic, the Ethiopian administrative language. Eritrean pupils are today taught in their mother tongue in primary levels (one through five), and English takes over to be the language of instruction from sixth grade (at least in theory). English is taught as a second language from second grade. It appears, however, that Tigrinya is taking over as the dominant language, since the majority of the population are Tigrinya-speakers, the

biggest towns are located in the highlands, and most people in government and the state bureaucracy are from the Tigrinya ethnic group.' [37]

- 19.05 The ILO and African Commission on Human and People's Rights, 'The Constitutional and Legislative Protection of the Rights of Indigenous Peoples: Eritrea', report, published in 2009, stated:

'The Constitution guarantees equality of all Eritrean languages (article 4(3)). It was deliberately left to the wisdom of the courts and, more importantly, to future generations to decide as the situation warrants whether there shall be an official language or not...In a historical perspective, the Italians encouraged the use of their language rather than the native languages while the British encouraged both Tigrinya and Arabic as co-official languages and languages of education. Linguistically, the nine most widely-spoken languages in Eritrea fall into three major language families. Afar, Bilen, Hidareb and Saho are Cushitic languages, Tigrinya, Tigre and Arabic belong to the Semitic group, and Nara and Kunama are Nilo-Saharan. As far as the nature of bilingualism is concerned, it can generally be argued that the majority of the western lowland-dwellers speak Tigre as either their first or second language. Arabic is not as a matter of fact a real lingua franca [italics in text of source] at a national or sub-national level...however, it is a sacred and prestigious language for Muslims in Eritrea and is the preferred spoken language among the Muslim elite. As a result, Arabic remains a language of official ceremonies, national gatherings and government declarations. In this sense, therefore, both Tigrinya and Arabic enjoy both statutory and official status.

'In general it can be said that Tigrinya and Tigre together are spoken by about 83 per cent of the total population and are widely distributed throughout the country. Both languages serve as languages of inter-ethnic communication in that many members of other nationalities use one of the languages as a second language. Multilingualism is common as most of the numerical minority groups speak Tigre or Tigrinya or both in addition to their mother-tongue.'" [36] (pages 35-36)

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Government and societal attitudes

- 19.06 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated: 'Discrimination against minorities was a problem. There were reports of governmental and societal discrimination against the nomadic Kunama, one of nine ethnic groups in the country, who reside primarily in the northwest. 'Citizens in rural areas (where ethnic minorities were concentrated) received fewer basic services than those in Asmara.' [3b] (section 6)
- 19.07 The ILO and African Commission on Human and People's Rights, 'The Constitutional and Legislative Protection of the Rights of Indigenous Peoples: Eritrea', report, published in 2009, stated:

'Generally, the numerical majority ethnic groups, particularly the Tigrinya, tend to regard all minority ethnic groups as 'less developed' and 'less advanced'. However, such an attitude is more pronounced towards the Kunama, the Nara, and the Tekurir, who face social marginalisation as a result...the Kunama, in particular, have been singled out as unpatriotic. Although the Kunama participated in the Eritrean independence struggle, they are sometimes blamed for lacking strong allegiance with the independence

state...Going beyond mere stigmatisation, all three of these groups have been subjected to marginalisation. There is no official policy of political marginalisation, and the nine officially-recognised ethnic groups are mostly represented in various public presentation, cultural performances, national documents and, importantly, the national media. The exceptions are the Tekurir and Jiberti Muslims. However, marginalisation does occur due to the dominance of the culture and way of life of the two major ethnic groups, which have gradually influenced the culture and way of life of the other groups. This is illustrated most clearly in the high rate of resettlement of the members of the Tigrinya ethnic group, who form the core of ex-soldiers resettled by the government on the settlements and living areas of the Kunama and the Nara.' **[36] (pages 5-6)**

- 19.08 The 'Freedom in the World 2013' report, published by Freedom House on 16 March 2013, stated that:

'The Kunama people, one of Eritrea's nine ethnic groups, face severe discrimination. Members of the Afar ethnic group have also been targeted, and several hundred Afars were arrested in 2010, according to Human Rights Watch. In October 2012, members of the Afar diaspora condemned plans by the authorities in Yemen to deport 300 Afar asylum seekers back to Eritrea, claiming they would be persecuted upon return. LGBT (lesbian, gay, bisexual, and transgender) individuals face legal and social discrimination due to the criminalization of homosexual conduct.'

[9] (Political Rights and Civil Liberties)

- 19.09 The United Nations High Commissioner for Refugees (UNHCR) 'Eligibility Guidelines for Assessing the International Protection Needs of Asylum-seekers from Eritrea', published on 20 April 2011, stated that:

'Discriminatory measures against minority ethnic groups are historically motivated and rooted in socio-cultural bias. Perceived as having supported Ethiopia during the war of independence and a potential threat to the nationalistic policies of the Eritrean Government, the Kunama are reportedly subject to discrimination, harassment and other intimidation techniques. Historically, the Afar people have also been perceived as ambivalent in their support for the Eritrean People Liberation Front.

'The land reform introduced by the Government after independence abolished all traditional land tenure forms and made all land the property of the State. As a result, the plains of Gash-Setit traditionally inhabited by the Kunama were used for resettlement and agricultural plantation schemes. The new land policy is seen as effectively undermining the clan-based traditional ownership rights of the Kunama. The encroachment on Kunama land rights and the targeting of their cultural sites and symbols have spawned resistance movements such as the Democratic Movement for the Liberation of the Eritrean Kunama (DMLEK) and the Eritrean Democratic Resistance Movement (EDRM). This resistance has only increased the perception by the Eritrean authorities of the Kunama as 'Ethiopian collaborators and spies'. The Kunama are reportedly particularly vulnerable to arbitrary arrest and detention.' **[32a] (p31-2)**

- 19.10 The Report of the United Nations Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth, dated 28 May 2013, stated:

'The Afar are subjected to extrajudicial killings, enforced disappearances, torture and rape, as well as the destruction of their traditional means of subsistence and livelihood, and businesses. They have also been forced into displacement from their traditional

territory. Forced military training and national service requiring young Afar women to leave their homes for long periods of time is met with criticism.

‘The Afar consider that they are targeted as a community and are discriminated against, given that the Afar region has suffered from lack of development and security for the past 20 years.

‘The Kunama populate the border areas between Eritrea and Ethiopia, and consider themselves the first inhabitants of those areas. Originally a nomadic people, they settled in the Gash Barka (formerly Gash Setit) region of Eritrea, one of the most fertile areas of the country. Their livelihood is based on farming and herding cattle. Kunama culture is rooted in the community and they carry out several tasks communally, such as building their huts, farming and harvesting. Some still practice their traditional religion, while others have embraced Islam and Christianity.

‘Since independence, many people from other regions of Eritrea, particularly from the highlands, have been encouraged to settle in areas traditionally populated by the Kunama. The Government’s policy, turning all land into State property, undermined the clan-based traditional land tenure system of the Kunama people. It led to competition between the Kunama agro-pastoralists and the new settlers for land and grazing grounds, resulting in encroachment until much of the land was taken over, forcing the population off it.

‘The Kunama assert that they have been marginalized, a situation that has brought about disparities in their access to such basic social services as health care and education. They are subjected to extrajudicial killings, death in custody, arbitrary arrests and detention, expropriation leading to destruction of their traditional way of life, and displacement.

‘During the border dispute between Eritrea and Ethiopia, the Government of Eritrea accused the Kunama of being sympathetic to the Ethiopians, and persecuted them. As a result, some 4,000 crossed into Ethiopia in 2000, while others sought refuge in other parts of Eritrea. The numbers have since increased; today, the Kunama are scattered throughout Eritrea and in refugee camps in Ethiopia.’ **[73b] (page 15)**

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20. Sexual orientation and gender identity

20.01 The International Lesbian, Gay, Bisexual, Trans and Intersex Association ‘State-sponsored Homophobia - A world survey of laws: Criminalisation, protection and recognition of same-sex love’, published in May 2013, stated according to Article 600 of the 1957 Penal Code, same-sex sexual acts (both male and female) are illegal. The punishment for same-sex acts is imprisonment. The actual prison sentence, determined by the courts, can be as short as ten days or as long as three years (Article 105 of the 1957 Penal Code). **[40] (p47)**

20.02 The United States State Department ‘2012 Human Rights Report: Eritrea’, published on 19 April 2013, stated:

‘The law criminalizes consensual same-sex activity. Antidiscrimination laws relating to lesbian, gay, bisexual, or transgender (LGBT) persons do not exist. In the past the

government accused foreign governments of promoting homosexuality. In contrast with previous years, there were no reports that the government rounded up individuals considered gay or lesbian, or that gays or lesbians in the armed forces were subjected to severe abuse. There were no known LGBT organizations in the country. In general, society stigmatized discussion of LGBT issues.’ **[3b] (section 6)**

- 20.03 The United Nations High Commissioner for Refugees ‘Eligibility Guidelines for Assessing the International Protection Needs of Asylum Seekers from Eritrea,’ published on 20 April 2011, stated that:

‘Consensual same-sex conduct is criminalized under the Transitional Penal Code and punishable by imprisonment from ten days to three years. Only rather limited information is available on the treatment of LGBTI [lesbian, gay, bisexual, transgender and intersex] individuals in Eritrea. It has nevertheless been reported that LGBTI individuals face severe societal discrimination and are also subjected to likewise severe abuse in the military. It has also been reported that the authorities have carried out periodic round-ups of LGBTI individuals. The Eritrean Government has recently rejected a recommendation by the Working Group on the Universal Periodic Review to legalize same-sex activity between consenting adults, deeming it “in direct contradiction with the values and traditions of the Eritrean people.” **[32a]**

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21. Women

Legal rights

- 21.01 Eritrea acceded to the UN Convention to Eliminate on all forms of Discrimination against Women on 5 September 1995. (UN Treaties Databases, 17 August 2012) **[75]**. A national report submitted by the Eritrean government in 2009 to the United Nations Human Rights Council for the purposes of a United Nations Universal Periodic Review [A/HRC/WG.6/6/ERI/1], carried out in 2009, stated:

‘The Constitution of Eritrea and other pertinent laws guarantee equality of all persons under the law. It further provides that no person may be discriminated against on account of race, ethnic origin, language, colour, gender, religion, disability, age, political view, or social or economic status or any other improper factors...it has always been a basic State policy of Eritrea to promote equality between men and women. Eritrea has put in place a variety of legal regimes for protecting the rights and interests of women. This regime has been reflected, inter alia, in the Transitional Civil Code of Eritrea, such as family law, the Land Proclamation No. 58/1994, Election of Regional Assemblies Proclamation No. 140/2004, and a Proclamation to Abolish Female Circumcision No. 158/2007.

‘The Eritrean Constitution and other pertinent laws guaranty [sic] equal rights for women and men. In addition to the supreme principle enshrined in the Constitution prohibiting discrimination on account of race, ethnic origin, language, color, gender, religion, disability, age, political view, social or economic status, various Articles in the Constitution grant equal right to women as men...right after the independence of Eritrea, the Provisional Government undertook measures to revise the inherited colonial

laws. Consequently, Proclamation No.2/1991 (the Transitional Civil Code of Eritrea) and Proclamation No. 4/1991 (the Transitional Penal Code of Eritrea) repealed all discriminatory clauses and connotations from the colonial Civil Codes and included protective legal measures. To mention some important provisions in the Transitional Codes pertaining to the status of women:

- 'Marriage is now based on the free consent of both partners, and needs no parental consent. The age of the female partner was raised to 18 from the previous 15 years;
- Women can enter into a contract of marriage freely;
- bride price and abduction were prohibited by law;
- Irregular unions have been abolished because they don't provide any legal protection of women's right[s] upon separation;
- the death penalty is commuted to life imprisonment for convicted women who may be pregnant or have children under three years of age;
- abortion, although still punishable under the penal code, is permitted in situations where a physician certifies that the mother would suffer grave and permanent damage due to severe physical and mental stress, or when the pregnancy has resulted from rape or incest;
- Rape is punishable by law with a maximum imprisonment of 15 years;
- Pornography and other indecent and obscene exposure are also punishable under the Transitional Penal code of Eritrea; and
- A provision of the colonial Civil Code which bluntly glorifies the husband as head of the family was repealed and replaced by a new Article which recognizes the equal power and status of the spouses.' **[73a]**

Political rights

21.02 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated: 'Women held four ministerial positions in the government: justice, labor and human welfare, tourism, and health. Women also served in other government positions, including as mayors and regional administrators.' **[3b] (section 3)**

21.03 The National Union of Eritrean Women website, undated, accessed on 25 February 2011, provided the following information about the participation of women in society:

'The Eritrean People's Liberation Front (EPLF) had a clear policy on the issue of women. As a result, its popular motto 'Equality through Participation' served not only as a slogan, but also as a practical doctrine in the struggle for the emancipation of women.

'The 1st and 2nd congresses of the EPLF, held in 1977 and 1987 respectively, clearly stated the Front's principles on the rights and equality of women.

'This trend continued after independence. Policy and legislative measures were taken to insure the participation of women, who comprise half of the society. The fact that 30%

of parliament seats are exclusively reserved for women, who can, moreover, contest the other seats in the elections, is an example of some of the measures taken to that end.

‘The Constitution of Eritrea guarantees equal rights for both sexes. The Government of the State of Eritrea (GSE) made a deliberate effort to ensure women’s participation in every stage of the constitution-making process.’ [78]

See also [Political system](#) and [Political affiliation](#).

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Social and economic rights

- 21.04 Information published in the [peacewomen.org](#) website, undated, accessed on 24 February 2011, stated that the Eritrean government ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on 5 September 1995. [77]
- 21.05 The United States State Department ‘2012 Human Rights Report: Eritrea’, published on 19 April 2013, stated:
- ‘Women have a legal right to equal educational opportunities, equal pay for equal work, and equal property rights. The percentage of men receiving access to education, economic resources, and employment exceeded that of women, particularly in rural areas. The Ministry of Labor and Human Welfare and the Ministry of Health are the primary government offices responsible for promoting legal rights of women along with the quasigovernmental National Union of Eritrean Women (NUEW).’ [3b] (section 6)
- 21.06 The Social Institutions and Gender Index (Eritrea section), 2012 version, accessed on 23 May 2012, provided the following information:
- ‘The Eritrean Constitution provides for full ownership rights for women. The Eritrean People’s Liberation Front established a policy on land redistribution to improve women’s access to land by granting extensive land rights to divorced, widowed and childless women. However, the distribution of land is in most cases handled by land distribution committees at village level. The National Union of Eritrean Women reports that negative attitudes of local authorities towards women’s land rights prevents the principle of gender equality being implemented in practice. The land rights of married women are often subsumed under male household heads when land is allocated and registered. The position of women in polygamous marriages is also unclear as husbands can claim land for one wife only. Many women also lack the means of working the land and face specific difficulties, especially in regions in which cultural norms prevent women from clearing land.
- ‘With regard to access to property other than land, Eritrean women have equal rights to conclude contracts, administer property and run businesses. In 2003, 41 percent of all business licenses issued in the Central Region of Eritrea over the previous five years were to women.
- ‘There are no laws that discriminate against women with respect to access to credit. However, in practice, a lack of property and collateral make it difficult for Eritrean

women to access capital in commercial banks, where they access only 9 percent of available credit. The Government’s Savings and Micro Credit Programme is the largest micro-credit provider in the country and 40% of its customers are women.’ [15]

21.07 A paper published by the Food and Agriculture Organization of the United Nations, undated, accessed on 16 July 2013, stated:

‘Land tenure legislation promulgated in Eritrea in 1994 reflects a strong policy of gender equality. The right of ownership of all land in Eritrea is the exclusive right of the government. Every Eritrean citizen, whose main source of income is the land, has a lifetime right of usufruct over land with the provision that such a right is neither divisible nor inheritable. Eritreans qualify automatically for land upon attainment of age 18 regardless of sex, religion or marital status; individual holdings are registered and lifetime usufructuary title-deeds issued.’ [63]

21.08 A report submitted by the Sexual Rights Initiative (an association of NGOs including Mulabi, Action Canada, Action India, Polish Federation for Women and Family Planning, and others) to the United Nations Human Rights Council, in December 2009, for the purposes of a universal periodic review, stated:

‘The Constitution guarantees freedom of movement to everyone and the transitional civil code provides both spouses with the right to choose residence. However, deeply rooted traditions practically necessitate that after marriage a woman automatically holds the domicile of her spouse. Socially, men are entitled to select their wives, although women have no such entitlement, especially in the patriarchal rural communities. In rural areas, women after marriage stay at home, and never go out without the permission of their husbands. The father at home is the dominant figure financially and socially and his daughters cannot go out with men or getting [sic] married without his permission. Women are not allowed any relationship outside the marriage frame, and it is hard for the women to travel alone seeking education or work especially in rural areas away from Asmara.’ [70]

21.09 The United Nations Children’s Fund (UNICEF) website, accessed on 21 August 2013, provided the following statistical information on life expectancy, education and health:

Eritrean women - Statistics (UNICEF)	
Life expectancy: females as a percentage of males, 2011 Life expectancy: The number of years newborn children would live if subject to the mortality risks prevailing for the cross-section of population at the time of their birth.	108
Adult literacy rate: females as a percentage of males, 2007 - 2011*	73
Enrolment ratios: females as a percentage of males, Primary gross enrolment ratios school 2008-2011* The gross enrolment ratio is the number of children enrolled in a schooling level (primary or secondary), regardless of	84

age, divided by the population of the age group that officially corresponds to that level.	
Enrolment ratios: females as a percentage of males, Secondary gross enrolment ratios school 2008-2011* The gross enrolment ratio is the number of children enrolled in a schooling level (primary or secondary), regardless of age, divided by the population of the age group that officially corresponds to that level.	76
Survival rate to last grade of primary: females as percentage of males 2008-2011*	94
Contraceptive prevalence (%), 2007-2012*	8
Antenatal care coverage (%), At least one visit, 2007-2012*	70
Antenatal care coverage (%), At least four visits, 2007 - 2012*	41
Delivery care (%), Skilled attendant at birth, 2007 -2012*	28
Delivery care (%), Institutional delivery, 2007 -2012*	26

* Data refers to the most recent year available during the period specified in the column heading. **[52a]**

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Violence against women

21.10 The African Development Bank website provided the following information, dated 3 March 2009, about gender-based violence in Eritrea:

‘[Gender-based violence] GBV takes many forms including FGM; rape/attempted rape, domestic violence, enforced child bearing and early child marriages to older men. A number of research reports acknowledge that all forms of violence against women are underreported in Eritrea as most victims are prevented by custom and fear from reporting the assaults against them. Eritrean police do not always record any violence against women as a separate category, making it impossible to accurately state prevalence.

‘Although rape is a criminal offence in Eritrea, there is a provision in the Penal Code that if the perpetrator of rape decides to marry the victim with the consent of the latter the prosecution is closed. The provision has its origin in customary laws/codes which favours this resolution of rape since it preserves the honour of the family and regularises the sexual intercourse and appeases the “owners” of the girl’s sexuality, namely the parents. In fact, some parents of raped girls prefer to marry their daughters to the offender in order to cover up the offence and shame inflicted on the family, ignoring the sexual injury and the emotional trauma of their daughter. Perpetrators of rape, in turn, opt to marry their victims as a means of escaping justice, only to divorce the women soon after the marriage.’ [97]

National service

21.11 The United Nations High Commissioner for Refugees (UNHCR) ‘Eligibility Guidelines for Assessing the International Protection Needs of Asylum-seekers from Eritrea’, published on 20 April 2011, stated that:

‘Sexual violence against female conscripts within the military is being reported by human rights monitors. Some female conscripts are reportedly subject to sexual harassment and violence, including rape, by their supervisors. It is reported that female conscripts are coerced into having sex with commanders, including through threats of heavy military duties, harsh postings, and denial of home leave. Refusal to submit to sexual exploitation and abuse is allegedly punished by detention, torture and ill-treatment, including exposure to extreme heat and limitation of food rations. No effective mechanism for redress and protection exists within or outside the military, and perpetrators generally go unpunished. Women, who become pregnant as a result, are decommissioned and likely to experience social ostracism from their families and communities as unmarried mothers.’ [32a] (p18)

21.12 The minutes of a presentation by Dr David Bozzini, given to the Swiss Federal Office for Migration on 16 February 2012, entitled ‘National Service and State Structures in Eritrea’, noted that:

‘According to many informants who have been to Sawa military camp, men outnumber women by three. This shows that many women are objecting National conscription and are therefore living in a clandestine situation or have been effectively demobilized. There are several tactics to avoid recruitment. Young women often leave school in the 10th or 11th grade to avoid being called to the 12th school year in Sawa. They’re afraid of going to Sawa, because of the high risk of being raped – not only by military superiors, but also by colleagues of the same age.

‘Women who left school and avoided the National Service are often in [a] clandestine situation. There are two main strategies for these objectors: Either they stay at home and work as housekeepers in their own families, or they search employment in commerce (shops, bars, cafes). There is a certain degree of tolerance towards female objectors; they’re usually left in school year in Sawa. They’re afraid of going to Sawa, because of the high risk of being raped – not only by military superiors, but also by colleagues of the same age.’ [33a] (page 8)

See also [National service in practice](#).

Protection

- 21.13 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated:

'Rape is a crime punishable by up to 10 years of imprisonment. Gang rape or rape of a minor or an invalid is punishable by up to 15 years in prison. Sexual assault is punishable by six months to eight years in prison. Spousal rape is not outlawed specifically. No information was available on the prevalence of rape. Religious authorities or families sometimes responded to reports of rape by encouraging the perpetrator to marry the victim. Unlike in previous years, there were no reports of rapes of women attending mandatory military and educational training at the Sawa camp... Domestic violence is a crime; however, domestic violence cases rarely were brought to trial, and there were no legal penalties. Women sometimes refrained from openly discussing domestic violence because of societal pressures. Such incidents were more commonly addressed by traditional authorities, within families, or by clergy. A lack of trained personnel, inadequate funding, and unsupportive societal attitudes hindered the authorities' response to domestic violence.' **[3b] (section 6)**

Reproductive health and rights

- 21.14 A report submitted by the Sexual Rights Initiative (an association of NGOs including Mulabi, Action Canada, Action India, Polish Federation for Women and Family Planning, and others) to the United Nations Human Rights Council, in December 2009, for the purposes of a Universal Periodic Review, stated:

'The use of contraception is not widespread. Unless their husbands allow it, women have no choice to prevent pregnancy. Abortion is forbidden by Law and Sharia'a in Eritrea and there is no way to find registered clinics offering that practice. For the Eritreans, abortion is a religious sin. If a woman has to abort, she may do it at home - called 'domestic abortion' - a practice that doubtless puts her on high risk of death. If she dies, her relatives would never admit the reason of death, so there are no clear records in this regard. The main causes of maternal mortality are the lack of medical assistance, the bad roads which delay access to medical help, and the malnutrition, especially in the villages and towns far from Asmara.' **[70]**

- 21.15 As regards abortion, a report submitted by the Eritrean government in 2009 to the United Nations Human Rights Council for the purposes of a United Nations Universal Periodic Review, stated that: 'Abortion, although still punishable under the penal code, is permitted in situations where a physician certifies that the mother would suffer grave and permanent damage due to severe physical and mental stress, or when the pregnancy has resulted from rape or incest.' **[73a]** The United Nations report, 'Progress of the World's Women: In pursuit of Justice: 2011-2012', published in 2011, stated that abortion is permitted by law to save the woman's life, to preserve the woman's physical health, and to preserve the woman's mental health. Abortion is not permitted by law in cases of rape or incest, in cases of foetal impairment, for economic and social reasons or on request. **[56]**

See also [Human Rights - Introduction](#); [Trafficking - Overview](#); [National service - exemptions](#); [National service in practice](#).

For information about FGM, see [Children - Female Genital Mutilation \(FGM\)](#).

22. Children

Overview

22.01 A national report submitted by the Eritrean government in 2009 to the United Nations Human Rights Council [A/HRC/WG.6/6/ERI/1] for the purposes of a United Nations Universal Periodic Review stated:

‘The State of Eritrea has various provisions for the protection of children’s rights under its Transitional Civil Code, Transitional Penal Code and the Transitional Criminal Procedure Code.

‘The State of Eritrea signed and ratified the United Nations Convention of the Rights of the Child (CRC) in August 1994 and the African Charter on the Rights and Welfare of Children (ACRWC) in January 2000. Moreover, Eritrea acceded to the CRC optional Protocol on the Sale of children, Child Prostitution and Child Pornography as well as CRC optional Protocol on the Involvement of Children in Armed Conflicts in February 2005.’ **[73a]**

Eritrea was last considered against the UN Convention on Rights of the Child in June 2008. The UN Committee’s concluding comments are found in its report, [The Consideration of reports submitted by States parties under article 44 of the Convention: Convention on the Rights of the Child : concluding observations : Eritrea, 23 June 2008](#). Though dated, officials are recommended to consult this document in addition to the material below considering the position of children.

Basic legal information

22.02 The United States State Department ‘2012 Human Rights Report: Eritrea’, published on 19 April 2013, stated: ‘The legal minimum age for marriage for both men and women is 18, although religious entities may condone marriages at younger ages. **[3b] (section 6)**. The same report also stated that: ‘The legal minimum age for employment is 14, although this restriction does not apply to self-employed workers. The law prohibits those under 18 from employment in categories including transport industries, work connected with toxic chemicals or dangerous machinery, or work located underground or in sewers.’ **[3b] (section 7)**. The Child Soldiers 2008 Global Report stated that the legal voting age in Eritrea is 18 years of age and 18 is also the minimum age for voluntary recruitment into the armed forces. **[8]**

Legal rights

22.03 The unimplemented Constitution mentions children specifically in Article 22 in relation to the right to enjoy family life and that ‘...parents have the right and duty to bring up their children with proper care and affection; and, in turn, children have the right and the duty to respect their parents and to sustain them in their old age.’ **[41]** (Constitutionnet.org)

Birth registration and citizenship

22.04 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated that:

'Citizenship is derived from at least one parent being an Eritrean citizen. Persons born abroad to at least one Eritrean parent also are considered citizens. Registration of a new birth within the first three months of a child's life requires only a hospital certificate; after three months, parents must present themselves to judicial authorities with their child and three witnesses. If not registered, a child cannot attend school but can receive medical treatment at hospitals. An increasing number of persons registered their children within the three-month period.' **[3b] (section 6)**

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Military service

22.05 The United Nations High Commissioner for Refugees (UNHCR) 'Eligibility Guidelines for Assessing the International Protection Needs of Asylum-seekers from Eritrea', published on 20 April 2011, stated that: 'Although the minimum age for military conscription is 18, forced underage recruitment, particularly of boys, as well as detention and ill-treatment of children have been reported.' **[32a] (p16)**. The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated that: 'The law prohibits the recruitment of children under 18 into the armed forces.' **[3b] (section 6)**

22.06 The Amnesty International report, 'Eritrea - 20 years of Independence, but still no freedom', published on 9 May 2013, stated:

'All school-children are required to complete their final year of schooling (grade 12) at Sawa military training camp, where military training is conducted alongside schoolwork. Former conscripts who undertook their grade 12 year at Sawa have told Amnesty International that the emphasis of this year is significantly weighted towards the military training and consistently reported that the education provided is of very poor quality. This system effectively involves the conscription of children into the military. The age at which children enter grade 12 depends on their progress through school, and the age they first entered school, which varies. Therefore, while the majority of children conscripted in this manner are 17 years old, Amnesty International has received a number of reports of children of 15 and 16 years old being conscripted. A number of children aged between 15 and 17 are also reported to have been caught in national service "round-ups" – when the authorities sporadically go around houses, offices and shops searching for people of national service age who appear to be avoiding conscription.' **[6c] (page 25)**

See also [National service – students and conscription](#).

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Violence and abuse against children

22.07 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated:

'There are no laws against child abuse. Local social welfare teams investigated circumstances reported to be abusive and counseled families when child abuse was evident. Physical punishment was accepted socially, particularly in rural areas...The law criminalizes child prostitution, pornography, and sexual exploitation. The minimum age for consensual sex is 18. Penalties for the commercial sexual exploitation of children included imprisonment. Child prostitution occurred at locations in Asmara.'

[3b] (section 6)

- 22.08 Information on the Child Rights Information Network (CRIN) website (accessed on 2 August 2012), comprising of a compilation of extracts about child-rights issues from reports submitted in connection with the first United Nations Universal Periodic Review and considered at the 6th session of Human Rights Council on 30 November 2009, stated that:

'In 2008, CRC [UN Committee on the Rights of the Child] was concerned over the information that children, including those in high schools, are victims of torture, cruel and degrading treatment by the police and military, in particular children seeking to avoid military service. It requested Eritrea to take effective measures to protect all children from torture, cruel, inhuman and degrading treatment; to investigate and sanction those responsible for having committed abuses; ensure that all child victims of ill-treatment are provided access to physical and psychological recovery and social reintegration as well as compensation.

'In 2008, CRC noted that the provision on corporal punishment in the Transitional Penal Code only applies to children under 15 when endangering gravely their physical and mental health and that 'reasonable chastisement' remains permitted. CRC was concerned that corporal punishment was still widely practiced in the home, the schools and other settings.' **[79]**

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Female genital mutilation (FGM)

- 22.09 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated that:

'The law prohibits FGM/C. According to reliable sources, the practice of FGM/C has been largely eliminated in urban areas through government educational campaigns, but FGM/C continued among some of the rural population. In lowland areas, infibulations - the most severe form of FGM/C - was practiced. The government and other organizations, including the NUEW and the National Union of Eritrean Youth and Students, continued to sponsor a variety of education programs that discouraged the practice.' **[3b] (section 6)**

- 22.10 A report published on the No Peace Without Justice (international NGO) website, entitled '2007: Eritrea bans female circumcision', stated that the law making the practice of FGM illegal in Eritrea is Proclamation 158/2007, issued on 4 April 2007. This law stated that:

'(1) Whosoever performs female circumcision shall be punishable with imprisonment of two to three years and a fine of five to ten thousand (5,000.00 to 10,000.00) Nakfa. If female circumcision causes death, imprisonment shall be from five to ten years.

(2) Whosoever requests, incites or promotes female circumcision by providing tools or by any other means shall be punishable with imprisonment of six months to one year and a fine of three thousand (3,000.00) Nakfa.

(3) Where the person who performs female circumcision is a member of the medical professions, the penalty shall be aggravated and the court may suspend such an offender from practicing his/her profession for a maximum period of two years.

(4) Whosoever, knowing that female circumcision is to take place or has taken place, fails, without good cause, to warn or inform, as the case may be, the proper authorities promptly about it, shall be punishable with a fine of up to one thousand (1,000.00) Nakfa.' [5]

22.11 There was some variation between sources regarding the percentage of girls who have undergone FGM. The BBC News report, 'Eritrea bans female circumcision', dated 4 April 2007, stated that '...more than 90% of Eritrean women are circumcised.' [25b]. The United Nations Children's Fund (UNICEF) 'State of the World's Children 2013' report, published in May 2013, however, stated that 89 percent of women (aged 15-49) had undergone FGM. [52b]

22.12 The UNICEF report 'Commemorating the ban on female genital mutilation in Eritrea', dated 22 February 2010, stated that:

'In 2007, the Government of Eritrea passed a proclamation banning FGM/C. An intensive, multi-faceted advocacy and mobilization campaign ensued, aiming to change attitudes among different groups of society - including traditional birth attendants, circumcizers, community elders and religious leaders...despite the ban, much work is still needed to ensure the full elimination of FGM/C in Eritrea, where the practice is still seen by many as an important factor in attaining social acceptance and improving girls' marriage prospects...since the ban, it appears that traditional birth attendants and circumcizers have increasingly dropped the practice and become advocates for change. UNICEF Eritrea's goal is to attain a 30 per cent reduction in the practice of FGM/C by 2011.' [52c]

22.13 The Report of the United Nations Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth, dated 28 May 2013, stated:

'The promulgation of proclamation No. 158/2007 to ban female genital mutilation/cutting and subsequent advocacy against the practice has resulted in the decrease in the practice, especially in girls under 15 (from 95 per cent in 1995 to 83 per cent in 2010), but remains high. The prevalence among girls under the age of 15 and 5 stands at 33 per cent and 12.9 per cent, respectively...the number of prosecutions for female genital mutilation since the proclamation was made in 2007 remains, however, unknown.'

[73b] (page 14)

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Child labour

22.14 The United States Department of Labour '2011 Findings on the Worst Forms of Child Labor' report, published on 26 September 2012, stated that:

'Children in Eritrea are engaged in the worst forms of child labor, many in dangerous activities in agriculture and domestic service. There is limited evidence that children in rural areas of Eritrea work on farms producing corn, wheat, sorghum and other grains; they also work in fields gathering firewood, hauling water and herding livestock. Children working in agriculture may use dangerous tools, carry heavy loads and apply harmful pesticides. Children employed as domestic servants may work long hours and are isolated in private homes, where they are susceptible to physical and sexual abuse.

'In urban areas, children transport loads and work on the streets as vendors and car washers. Children also work in garages and workshops making household utensils and furniture, which may require them to use dangerous machinery. In Asmara, some children engage in commercial sexual exploitation and street begging. Children working on the streets may be vulnerable to severe weather, traffic accidents and crime.

'The Government of Eritrea imposes compulsory labor on secondary-level school children. Children in grades nine through eleven are forced to work for 2 months during the school break for Mahtot—a national program in which children are recruited to work in various service and agricultural activities. There is some evidence that these activities include building and maintaining roads, conducting maintenance of school furniture, building canals, terracing, installing power and telephone lines, working as domestic servants, and planting trees and picking cotton.' [42] (p220)

- 22.15 The United States Department of Labour '2011 Findings on the Worst Forms of Child Labor' report, published on 26 September 2012, stated that:

'During the reporting period no new laws or regulations were passed related to child labor. The Labor Proclamation sets the minimum age for employment at age 14 and the minimum age for hazardous work at age 18. Under this law, hazardous work includes transporting goods and passengers; heavy lifting; working with toxic chemicals and dangerous machines; digging tunnels; and working underground in mines, quarries and sewers. However, the Labor Proclamation does not require employers to keep a register containing the name, age or date of birth of their employees; it does not include penalties for employers of children in hazardous work or children under the minimum age. Further, the Government does not provide protection for self-employed children or children working without a contract, leaving many children working on the streets, in family businesses and as unprotected child domestics...Slavery, servitude and forced labor are prohibited by the Constitution. The Penal Code prohibits and provides penalties for trafficking in persons for sexual exploitation, child rape and child prostitution. No law prohibits trafficking for labor exploitation. Research did not uncover information on whether there are laws regulating the use of children in illicit activities such as drug trafficking. Children under age 18 are prohibited from recruitment into the armed forces by Proclamation 11/1991. However, in practice, some children under age 18 are conscripted as a result of the Government's required.' [42] (p221)

- 22.16 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated that:

'The law prohibits those under 18 from employment in categories including transport industries, work connected with toxic chemicals or dangerous machinery, or work located underground or in sewers. However, this restriction does not apply to training. The government prohibited those under 18 years old from employment between 6 p.m. and 6 a.m. and for more than seven hours per day.

'Labor inspectors from the Ministry of Labor and Human Welfare are responsible for enforcing child labor laws; however, capacity was inadequate, and penalties, if imposed, were arbitrary. Inspections were infrequent. Although the government had a national plan of action to protect children from exploitation in the workplace, it was not enforced effectively.

'It was common for children in rural areas to work on family farms, including producing crops, fetching firewood or water, and herding livestock. In urban areas children worked as street vendors of cigarettes, newspapers, and chewing gum. Children also worked in small-scale manufacturing, garages, bicycle repair shops, and tea and coffee shops. They also transported grain or other goods via donkey cart. Begging and prostitution of children also occurred in Asmara.' **[3b] (section 7)**

See also [National service – students and conscription](#).

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Education

22.17 Europa World Plus, undated, accessed on 31 July 2013, stated that:

'Education is provided free of charge in government schools and at the University of Asmara. There are also some fee-paying private schools. Education is officially compulsory for children between seven and 13 years of age. Primary education begins at the age of seven and lasts for five years. Secondary education, beginning at 12 years of age, lasts for up to six years, comprising a first cycle of two years and a second of four years.' **[24] (Society and Media)**. An Awate report, 'Education not Incarceration: Build Schools not Prisons', dated 4 June 2010, stated that the University of Asmara was closed down in 2006. **[27e]**

22.18 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated:

'Education through grade seven is compulsory and tuition-free; however, students' families were responsible for uniforms, supplies, and transportation. Education above grade seven required a nominal fee and was not compulsory. There was a shortage of schools and teachers at all levels. Schools had two shifts, which reduced the amount of teaching time per student. In rural areas, young girls were not as commonly enrolled in school as young boys were, but the percentage of girls in school continued to increase.' **[3b] (section 6)**

22.19 A United Nations Development Programme (UNDP) report, 'Assessing Progress in Africa toward the Millennium Development Goals' (MDG Report 2012), published on 15 July 2012, noted that: 'The Eritrean government has in fact invested heavily in education, expanding access across the country. It is promoting a new class of trained youths who have disciplined minds and skills to act as teachers and to address the educational deficit, especially at the primary level. The government has established some eight colleges at tertiary level quickly, with new curricula, appropriate to immediate national needs.' **[80] (p27)**

See also [National service – students and conscription](#).

Health and welfare

22.20 The UNICEF (United Nations Children's Fund) 'The State of the World's Children 2013: Children with Disabilities' report, published in May 2013, provided the following

UNICEF statistical information - health of children in Eritrea	
percentage of live births immunised against tuberculosis (2011)	99
percentage of surviving infants who have received their first dose of diphtheria, pertussis and tetanus vaccine (2011)	99
percentage of surviving infants who have received three doses of diphtheria, pertussis and tetanus vaccine (2011)	99
percentage of surviving infants who have received three doses of polio vaccine (2011)	99
percentage of surviving infants who have received their first dose of the measles vaccine (2011)	99
percentage of surviving infants who have received three doses of hepatitis B vaccine (2011)	99
percentage of one-year-old children who have received three doses of haemophilus influenzae type b vaccine (2011)	99
percentage of new-borns protected against tetanus (2011)	93
percentage of children under five years old who had diarrhoea in the two weeks preceding the survey and who received oral rehydration salts 2007-2012*	45x
percentage of children under five years old who were ill with fever in the two weeks preceding the survey with fever and received anti-malarial medicine 2007-2012*	13

statistical information about the health of Eritrean children:

* Data refers to the most recent year available during the period specified
 x Data refers to years or periods other than those specified; differ from the standard definition, or refer to only part of a country. **[52b]**

- 22.21 The UNDP [United Nations Development Programme], 'Assessing Progress in Africa toward the Millennium Development Goals' (MDG Report 2012), published on 15 July 2012, noted that Eritrea was amongst 'the best performing countries' for reducing child mortality, with a 51.7 per cent reduction between 1990 and 2010. **[80] (p57, p62)**

See also [Human Rights - Introduction](#); [Trafficking - Overview](#); [Medical Issues](#); and [Students and conscription](#).

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23. Trafficking

Overview

- 23.01 The United States State Department 'Trafficking in Persons Report 2013', published on 19 June 2013, stated that: 'Eritrea is a source country for men, women, and children subjected to forced labor, and to a lesser extent, sex and labor trafficking abroad. During the reporting period, tens of thousands of persons fled the nation, many to escape conditions that amounted to forced labor through exploitative circumstances in the government's mandatory national service program.' **[3d] (Eritrea)**

- 23.02 A report by Daniel Rezene Mekonnen and Meron Estefanos, 'From Sawa to the Sinai Desert: The Eritrean Tragedy of Human Trafficking', dated 30 November 2011, published by Social Science Research Network, stated:

'The push-pull factors that compel people into forced migration are pervasive in Eritrea... Trends of human trafficking in Eritrea have been reported as early as the 1990s. However, the challenge reached alarming levels only at the end of 2010, when a wide network of human traffickers operated by some Bedouin tribes in the Sinai Dessert has been identified by reporters and human rights activists working in support of Eritrean refugees. The reports reveal that the Sinai Desert in the border of Egypt and Israel has become a major spot of human trafficking in recent years. The incidents taking place in the Sinai Desert involve illegal organ harvesting, extortion, sexual exploitation, torture and other forms of abuses perpetrated against a diverse group of African immigrants by Bedouin human traffickers. A considerable number of the victims, perhaps the greatest majority, constitute Eritreans who are fleeing their country in an unprecedented and high level of exodus.' **[98] (page 2)**

- 23.03 The report by Daniel Rezene Mekonnen and Meron Estefanos also stated:

'Some of the earliest trends of human trafficking in Eritrea, involving women as victims, date back to the mid-1990s when many female ex-tegadelti (ex-freedom fighters) begun to migrate to the Middle East as domestic workers. This particular trend of migration was an outcome of one of the most adverse government policies in post-independence Eritrea, which is the hasty demobilisation programme of thousands of ex-freedom fighters in mid-1990s. This had serious repercussions on the well being and human

rights of the demobilised ex-freedom fighters, particular on female ex-combatants... Left without effective supporting mechanisms, many have resorted to socially unacceptable forms of self-employment such as commercial sex work. Others have been forced to travel to some Middle East countries as domestic workers where they suffered maltreatment and abuse...Semi-official accounts of the Eritrean government indicate that migration of Eritrean women, mostly ex-freedom fighters, to some Middle East countries was facilitated via the Labour Office, a government organ responsible for labour relations. According to a letter authored by a former Director General of the Labour Office, the facilitation was done in full knowledge of the fact that the migrants were often to be subjected to conditions of coercive labour and to debt bondage as they were required to pay off recruitment costs exorbitantly in excess of what they can afford, should they desire to return to Eritrea. The letter clearly states that women migrants had to expect tough working conditions such as restrictions on movement and excessive work hours. This, it was indicated in the letter, was acceptable as long as it complements government efforts aimed at reducing unemployment levels in the country...In another report compiled by the US Department of Justice Eritrea is also mentioned as one of the countries of origin for individuals trafficked to the US.'

[98] (pages 10-11)

23.04 The report by Daniel Rezene Mekonnen and Meron Estefanos further stated:

'Children are also some of the earliest victims of human trafficking in Eritrea. The aftermath of the 1998–000 [sic] border conflict has increased the number of children and destitute living on the streets. In recent years, a growing number of HIV/AIDS victims have also been noticed in the country with serious repercussions on the increase of number of orphaned children. For the year 2000, the ILO estimated that there were 183,000 economically active children in Eritrea. Children between the ages of ten and fourteen represent 38.4% of the total figure from which 90,000 were girls...Child prostitution is another emerging challenge in Eritrea. A data on commercial sex workers in the country collected in 1999 by the Eritrean Ministry of Labour and Human Welfare revealed that 5% of commercial sex workers surveyed were children between the ages of 14–17 years. It was reported that a 'majority of the children entered the trade at an early age, with most of them starting off as street children and bar maids'...In addition, the more than four thousand members of the UN peacekeeping forces who were stationed in the common border between Eritrea and Ethiopia were accused of purchasing sex from vulnerable Eritrean children and women (Reilly 2003). Children are also abused in the Eritrean army in the form of child soldiers, this practice dating back to the era of liberation struggle.' **[98] (page 11)**

23.05 A 'Guardian' newspaper report, 'Eritrean regime cashes in on arms and human trafficking, says UN report', dated 17 July 2012, stated:

'A multimillion-dollar arms trafficking industry that is funding the Eritrean military regime is behind the kidnap, torture and ransom of thousands of Eritrean refugees, according to a leaked report to the UN security council

'An investigation by the Somalia and Eritrea monitoring group has uncovered a trafficking highway running from the Eritrean highlands through Sudan's refugee camps into the Sinai desert, delivering arms to militant groups, and Eritrean asylum-seekers to Bedouin gangs, who use starvation, electrocution, rape and murder to extort up to \$40,000 (£25,000) from relatives in the Eritrean diaspora for their release.

'According to witness testimony, part of the arsenal smuggled from Eritrea is sold to Palestinian militants in the Gaza Strip. This industry, run jointly by Eritrean officials, Sudanese and Egyptian smuggling gangs, is estimated to generate more than \$10m a year.

'The monitoring group's findings, presented to the UN security council in New York earlier this month and leaked on Monday, place Eritrea in clear contravention of a sanctions regime imposed in 2009, which prohibits the sale of arms and military equipment to Eritrea and prevents Eritrea from exporting weapons.

'The report names General Teklai Kifle "Manjus", commander of Eritrea's western military zone, as the mastermind.

"Multiple independent sources in Israel and the Sinai have identified General Teklai Kifle Manjus...as well as a string of intermediaries, as being directly responsible for the cross-border smuggling of humans and weapons from Eritrea," the report it states."The weapons are generally described as Kalashnikov-pattern assault rifles and rocket-propelled grenades. Many bear the inscriptions of the Eritrean military units to which they previously belonged."

'UN sources told the Guardian that the extent of corruption the industry requires on Eritrea's western border, and the scale of the exodus of asylum-seekers it involves, mean it would be impossible to run without the collusion of government officials. "If it hasn't come to the president's attention, I'd be very surprised," the source said.' [99a]

Government efforts to tackle trafficking

23.06 The United States State Department 'Trafficking in Persons Report 2013' stated:

'The Government of Eritrea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The Eritrean government did not operate transparently, nor did it publish data or statistics regarding efforts to combat human trafficking. Although the government acknowledged the existence of a trafficking problem, including sending a letter seeking assistance of the UN Secretary-General, and warning its citizens of the dangers that traffickers posed, authorities largely lacked understanding of human trafficking, conflating it with all forms of transnational migration from Eritrea. The government rejected responsibility for creating circumstances that drove its citizens to flee the country...The Government of Eritrea did not report prosecuting or convicting any traffickers during the year. Article 605 of the Eritrean Transitional Criminal Code prohibits trafficking in women and young persons for sexual exploitation, which is punishable by up to five years' imprisonment, or from three to 10 years' imprisonment if aggravating circumstances are present; these penalties are sufficiently stringent, but not commensurate with punishments prescribed for other serious crimes, such as rape. Article 565 prohibits enslavement and prescribes punishment of five to 20 years' imprisonment, penalties which are sufficiently stringent. Forced labor and slavery are prohibited except where authorized by law under Article 16 of the ratified, but suspended, Eritrean Constitution; Article 17 of the 2001 Labor Proclamation specifically excludes activities performed under national service or other civic obligations from the definition of forced labor. Existing labor protections limiting hours of work and prohibiting harsh conditions did not apply to persons engaged in national service. Proclamation 11/199 prohibits the recruitment of children younger than 18 years of age into the armed forces. The penalties are sufficiently stringent, though

the government does not appear to have used these statutes to prosecute cases of human trafficking. During the year, an unknown number of Eritrean citizens alleged to be traffickers were returned from Uganda. The government did not behave in a transparent or consistent manner regarding information about prosecutions or punishments of these or other suspected trafficking offenders during the reporting period. Nor was the government transparent regarding any investigations or prosecutions of government officials allegedly complicit in human trafficking. The government did not provide information regarding training it might have offered to its law enforcement officials on identifying and responding to trafficking crimes.’ **[3d] (Eritrea)**

23.07 The report by Daniel Rezene Mekonnen and Meron Estefanos stated:

‘The Transitional Penal Code of Eritrea criminalises trafficking in women, infants and young persons which is done for whatsoever purposes (Articles 605-6070). In the case of trafficking for prostitution, the law imposes the punishment of rigorous imprisonment not exceeding five years and a fine not exceeding ten thousand Eritrean Nakfas. Under aggravated circumstances, the penalty can extend up to ten years imprisonment and a fine not exceeding 20,000 Eritrean Nakfa. The crime of trafficking can be aggravated, among other things, where the trafficker has made it into a profession. Other aggravating circumstances include the use of fraud, violence, intimidation, or coercion, and cases in which the victim has been driven into suicide by shame, distress, or despair (Article 606). The punishments proscribed by the Penal Code are not sufficiently stringent. Furthermore, Eritrea has a poor record of law enforcement mechanisms.’ **[98] (pages 20-21)**

See also [Human Rights - Introduction](#); [Children](#); [Women](#).

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24. Medical issues

Overview of availability of medical treatment and drugs

24.01 The AmeriCares (NGO) website, accessed on 28 January 2011, provided the following information about Eritrean health services:

‘Ninety percent of the country’s 5 million people are allowed to access free medical treatment at public hospitals and clinics.

‘However, Eritrea has only one doctor per 10,000 people and most health care providers are located in urban areas. With 80% of the country’s population living in rural areas, it is much harder to access health care or travel to urban health facilities. The lack of access to medical care leads to needless deaths in patients with treatable illnesses, new mothers and children under the age of 5.

‘Strengthening the public health system is a priority. In recent years, significant investments have been made and several new hospitals and teaching facilities were opened to reach medically underserved communities.’ **[69]**

24.02 The pacificprime website (health insurance company), accessed on 7 June 2012, provided the following, undated, information:

‘Despite the fact that the Government has tried to improve the healthcare system in Eritrea, the overall standard is generally poor. In Eritrea, about 90% of the country’s population is entitled to access free medical treatment at public hospitals and clinics. The doctor to patient ratio in Eritrea is low, about 1:10,000 people and most healthcare providers are mainly located in urban areas. About 80% of the country’s populations are living in the rural areas, which mean that many people will need to travel to urban areas in order to have access to healthcare facilities; this makes it difficult for people living in the rural sections of Eritrea. The lack of access to medical care in the rural areas may result in delayed treatments or leading to needless deaths in patients. Private doctors and clinics are also available in the country and there is even a private hospital in the capital city, however, the private healthcare sector is relatively small as the charges for service are very expensive and only limited group of people in the country can access private medical services due to the majority of the population living below the poverty line.

‘Healthcare facilities in Eritrea include healthcare centres and hospitals. Medical centres provide preliminary medical aid and minor surgical assistance, as well as carrying out diagnostic functions. Except in the case of an emergency, patients are required to make an appointment with the doctor in order to admit into a hospital. Some of the services that patients can find in the hospitals include gynecology, pediatrics and eye care.

‘In general, the infrastructure of the healthcare system in Eritrea is far from meeting the standard of western countries. The modern medical facilities are not always available and they are mostly limited to the urban areas in the country. Chemists and drugstores are available in major towns; however, qualifications of chemists are often unknown. Basic non-prescription medicines can be found in major cities, though the selection is not large, and the supply of medicines is often irregular.’ [23]

24.03 The World Bank ‘Eritrea Review’, updated in September 2012, stated:

‘The general health status of Eritrea greatly improved after independence. Many health outcome indicators compare favorably with Sub-Saharan African neighbors, and are improving faster, although up-to-date comprehensive data on outcomes has been a challenge. According to the 2011 African Development Indicators report, the infant mortality rate decreased from 58 deaths per 1,000 in 2000 to 39 deaths per 1,000 in 2009, under-five mortality rate dropped from 89 deaths per 1,000 in 2000 to 55 deaths per 1,000 in 2009, child immunization rate was 95% in 2009 and access to safe drinking water has reached over 60%. Based on DHS between 1995 and 2002, total fertility rate decreased from 6.1 to 4.8.

‘Success in some disease control programs, supported by the World Bank and other partners, is particularly impressive. While most other Sub-Saharan African countries suffer from an increasing HIV epidemic, HIV prevalence in Eritrea is estimated to be low and under control at about 0.8% of the adult population in 2009 compared to the Sub-Saharan African average of 5%. In addition, since 1999, the country has been able to reduce overall malaria morbidity by more than 86% and mortality due to malaria by more than 82%.

‘Nevertheless, important challenges remain. Rural households suffer worse health outcomes, and improvements are coming more slowly. Malnutrition is of particular concern among women and children. An estimated 46% of the population were estimated to be undernourished in 2002, and 40% of children were found to be

underweight for their age. Around 37% of women have a low body mass index. Maternal mortality ratios have drastically reduced but are currently still high (280 per 100,000 in 2008 from 330 per 100,000 in 2005).’ **[90b]**

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HIV/AIDS – anti-retroviral treatment

24.04 A Eritrean Ministry of Information (Shabait) report, ‘HIV/Aids Keeps on Declining’, dated 1 December 2010, stated that:

‘The spread of HIV/AIDS infection in Eritrea continues to decline, stated Dr Andeberhan Tesfatsion, director of national HIV/AIDS and Tuberculosis control department in the Health Ministry.

‘In an interview he conducted with ERINA [Eritrean News Agency] in connection with World AIDS Day, he pointed out that the infection is declining from year to year thanks to the campaign being undertaken to raise societal awareness.

‘Dr Andeberhan further indicated that the Government is disbursing 8 million to 10 million Nakfa annually for providing medical care to nationals living with HIV/AIDS so as to enable them [to] become productive. He went on to say that concerted action is also being taken to help them organize in the Bidho HIV/AIDS Association so that they may obtain psychological and medical advice, besides securing financial support.

‘Noting that the Ministry has been working diligently through mapping out a 5-year work program for the period 2008 to 2012, Dr Andeberhan said that strenuous efforts are being exerted to raise public awareness to the highest level and reducing the infection to the lowest level possible.’ **[46c]**

24.05 The Medical Advisor’s Office (BMA) of the Netherlands Ministry of the Interior and Kingdom Relations, Immigration & Naturalisation Service, stated in a response provided through the MedCOI service (European Commission-funded project to share medical information in countries of origin) on 22 March 2012 that the following facilities were available in a private hospital in Asmara:

- Outpatient treatment and follow up by an internal specialist
- Inpatient/clinical treatment by an internal specialist
- Laboratory check up of CD4 count
- Laboratory check up of viral load. **[81a]**

24.06 The same response noted that the following anti-retrovirals were available at that time at the same hospital:

Nucleoside/nucleotide reverse transcriptase inhibitors:

- zidovudine
- lamivudine
- abacavir
- emtricitabine
- zalcitabine
- tenofovir
- didanosine

- stavudine
- Combinations:
- efavirenz+ emtricitabine+tenofovir (=triple)
 - zidovudine+lamivudine (=combivir)
- Non- nucleoside reverse transcriptase inhibitors;
- Efavirenz
 - Nevirapine
- Protease inhibitors:
- indinavir
 - saquinavir mesylate
 - lopinavir/ritonavir (=kaletra). **[81a]**

24.07 The same response noted that the following were not available at that hospital at that time:

- Combinations:
- abacavir+ lamivudine (=epzicom)
 - abacavir+ zidovudine+ lamivudine (=trizivir)
 - tenofovir+ emtricitabine (=truvada)
- Non- nucleoside reverse transcriptase inhibitors;
- Delavirdine
- Protease inhibitors:
- amprenavir
 - tipranavir
 - fosamprenavir
- Entry fusion inhibitors:
- enfuvirtide. **[81a]**

24.08 A further response, dated 23 April 2012, stated that darunavir and ritonavir were not known to be available in Eritrea at that time. **[81b]**

24.09 A UNAIDS report, undated, about AIDS in Eritrea, stated that:

‘According to the 2010 UNAIDS Report on the Global Epidemic, there were about 29,160 people living with HIV in Eritrea at the end of 2009. Of these, 60.2 per cent were female and 3,180 were children...According to the 2010 UNAIDS Report on the Global Epidemic, there were 4,955 people on antiretroviral therapy (ART) at the end of 2009. This represents 25 per cent of all people in need of treatment. The proportion of women on antiretroviral prophylaxis to prevent mother-to-child transmission of HIV was 34 per cent in the same period.’ **[60a]**

24.10 A more recent report published by UNAIDS, ‘UNAIDS Report on the Global AIDS Epidemic 2012’, published in 2012, stated that that there was a 25-49% decrease in the number of deaths caused by AIDS-related causes between 2005 and 2011, and that there was an upper estimate of 24,000 people receiving antiretroviral therapy in 2011. Also, 40-59% of the people eligible to receive antiretroviral therapy were receiving it at the end of 2011. **[60b]**

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Mental health

24.11 Regarding mental health care in Eritrea, the World Health Organization (WHO) 'Mental Health Atlas 2011', published in 2011, stated that:

'An officially approved mental health policy does not exist. However, mental health is specifically mentioned in the general health policy.

'A mental health plan does not exist. Dedicated mental health legislation does not exist and legal provisions concerning mental health are not covered in other laws (e.g. welfare, disability, general health legislation etc.)...Prescription regulations do not authorize primary doctors to prescribe psychotherapeutic medicines. Similarly, the department of health does not authorize primary health care nurses to prescribe and/or to continue prescription of psychotherapeutic medicines. Official policy also does not permit primary health care nurses to independently diagnose and treat mental disorders within the primary care system.

'The majority of primary health care doctors and nurses have not received official in-service training on mental health within the last five years. Officially approved manuals on the management and treatment of mental disorders are not available in the majority of primary health care clinics. Official referral procedures for referring persons from primary care to secondary/tertiary care exist, as do referral procedures from tertiary/secondary care to primary care.' [22]

24.12 The WHO 'Mental Health Atlas 2011' [22] also provided information about the availability of mental health facilities and medical personnel in Eritrea:

	Total number of facilities/beds	Rate per 100,000 population	Number of facilities/beds reserved for children and adolescents only	Rate per 100,000 population
Mental health outpatient facilities	3	0.06	0	0.0
Day treatment facilities	0	0.0	NA	NA
Psychiatric beds in general hospitals	UN*	UN*	UN*	UN*
Community residential facilities	0	0.0	NA	NA
Beds/places in community residential facilities	NA	NA	NA	NA
Mental hospitals	1	0.02	0	0.0
Beds in mental hospitals	160	3.06	0	0.0

*UN = Information not available

	Number of health professionals working in the mental health sector Rate per 100,000	Training of health professions in educational institutions Rate per 100,000
Psychiatrists	0.0	NA
Medical doctors, not specialized in psychiatry	0.02	0.57
Nurses	1.07	4.19
Psychologists	0.04	NA
Social workers	0.02	NA
Occupational therapists	0.0	NA
Other health workers	0.08	NA

See also [Overview of availability of medical treatment and drugs](#).

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25. Freedom of movement

25.01 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated:

'The law and unimplemented constitution provide for freedom of internal movement, foreign travel, emigration, and repatriation; however, the government restricted all these rights in practice. Citizens participating in national service or exempt from national service often were denied passports and exit visas on grounds that they had not fulfilled their military duties.

'The government provided limited cooperation to the Office of the UN High Commissioner for Refugees to provide protection and assistance. The government defined refugee differently from the 1951 Convention and 1967 Protocol Relating to the 'Status of Refugees; the government did not recognize refugee status for Ethiopians. The government provided protection to Somali and Sudanese refugees on a prima facie basis.

'In-country Movement: The government required citizens to notify local authorities when they changed residence. When traveling within the country, particularly in remote regions or near borders, authorities asked them to provide justification for travel at checkpoints. Checkpoints were few in number except in remote regions.

'In contrast with previous years, there was no evidence that the government extensively used checkpoints to identify national service evaders or military deserters.

'Travel restrictions on noncitizens remained in effect. The government required all diplomats, humanitarian workers, UN staff, and foreign tourists to request permission

from the government 10 days in advance to leave Asmara. The government did not respond to a number of such requests early in the year but granted permission more liberally during the second half of the year.' **[3b] (section 2d)**

25.02 The United States State Department '2012 Human Rights Report: Eritrea', also stated:

'The government restricted foreign travel. Requirements for obtaining passports and exit visas were inconsistent and nontransparent. Nonetheless, increasing numbers of citizens traveled abroad legally to Dubai, Saudi Arabia, Egypt, and Qatar...In general citizens had the right to return. However, citizens residing abroad had to show proof that they paid the 2-percent tax on foreign earned income to be eligible for some government services, including passport renewals. Persons known to have broken laws abroad, contracted serious contagious diseases, or been declared ineligible for political asylum by other governments had their visas and visa requests to enter the country considered with greater scrutiny than others did.' **[3b] (section 2d)**

25.03 The Human Rights Watch 'Service for Life - State Repression and Indefinite Conscription in Eritrea' report, published on 16 April 2009, stated:

'Severe restrictions on freedom of movement are in place. As more and more of its citizens leave the country, the government's methods to try and stem the exodus have become more brutal...within Eritrea, movement is equally circumscribed through a variety of mechanisms...a visitor to Eritrea in late 2008 described buses being frequently stopped and passengers asked for ID cards: some possessed laminated cards showing that they had completed national service, others had letters authorizing travel to a specific place and for a limited period of time.' **[29c] (p62-63)**

25.04 The minutes of a presentation by Dr David Bozzini given on 16 February 2012, entitled 'National Service and State Structures in Eritrea', noted that:

'Police control is enforced through the control of identity documents at checkpoints and by police or military police who carry out regular roundups...since the border war with Ethiopia (1998-2000), military conscripts need only a laissez-passer (and no ID card) to pass check-points.

'Conscripts in both sectors of the National Service hold laissez-passers (Mänqäsaqäsi), which are issued by the Ministry of Defense (for the military sector) or another ministry or civil institution under which the conscript is assigned...demobilization cards are issued to National Service members who have successfully carried out the demobilization process. This card replaces laissez-passers. It generally grants more freedom of movement within the Eritrean territory.' **[33a] (p6)**

25.05 The same document noted that:

'Until autumn 2011, movement on Eritrean roads was controlled by many checkpoints. At these checkpoints, only laissez-passers were checked with no cross-checking other identity documents such as ID cards. It was never verified, if a laissez-passer really belonged to the person who was using it. Deserters using documents of friends or falsified documents were thus almost never detected. Nevertheless, the controls were responsible for a climate of fear and incertitude.' **[33a] (p7)**

25.06 The British Embassy in Asmara, in a letter dated 10 August 2010 (Annex F), provided the following information, obtained from Eritrean sources:

'Travel permits are required to travel anywhere in Eritrea, travel to border areas is not permitted. They are issued by the Ministry of Defence (MOD), the Demobilisation Commission and other local administration offices. The format is not standard, for those who have completed their national service, they can travel using their ID Card and their demobilisation papers. If issued by the MOD, the travel permit contains: full name, date of travel, expiry date of permit and where travelling to and from. The demobilisation paper contains: full name, military number, date of birth, national service details and a photograph of the holder. Anyone found trying to leave without the necessary permit or demobilisation paper will be detained until they can prove they have completed their national service. Those who have not reported for national service will be detained as deserters and sent to a military training camp. ID cards are compulsory for anyone over the age of 18. They are issued by the Department of Immigration and Nationality in a standard format. They contain: full name, date of birth, place of birth, address and a photograph of the holder. ID cards need to be carried at all times. If found not to be in possession of an ID card, individuals will be detained until such time as one can be produced. They rely on friends or guards to inform their family of their detention.'

- 25.07 The Amnesty International report, 'Eritrea - 20 years of Independence, but still no freedom', published on 9 May 2013, stated:

'Former detainees have also said that they were detained along with people who had been caught moving around the country without the requisite travel permit. In Eritrea, a travel permit is required to move around the country or to travel from one town to another. According to the testimonies of former detainees, some people caught moving without a travel permit have been suspected of an intention to travel to one of the country's borders in order to flee. It is not known if all people caught without an internal travel permit are arrested, or whether in all cases arrest is based on a suspicion of intention to leave the country without authorisation.' **[6c] (pages 28-29)**

- 25.08 Foreign nationals in Asmara need permission to travel outside the city, as noted in the 'Travel Advice', section of the Foreign and Commonwealth Office website, updated on 26 April 2013: 'All foreign nationals must apply in advance for a travel permit to leave Asmara. This includes diplomats, whose applications are often refused. The British Embassy is unlikely to be able to provide consular support outside the capital.' **[10b]**

- 25.09 A paper by David Bozzini, entitled 'Low-tech Surveillance and the Despotism State in Eritrea', published in 2011, stated:

'Checkpoints were first set up to control population movements during the war against Ethiopia, between 1998 and 2000. But since the proper demobilisation and release from national duty has been postponed, the Military Police has started to check people assigned to the civil National Service because they have begun to flee the country in such large numbers. Here follows a short description of what typically happens at such sites. A few kilometres out of Asmara [the capital city of Eritrea], at the edge of the eastern escarpments which fall 2000 metres down to the coastal desert, lie some small offices which take the form of two brand new white containers placed on either side of the road. In between them, a simple and almost invisible elastic cord stretches across the road. On the side of the road, a few soldiers are sitting in a quite relaxed way; they exude boredom more than anything else. When the bus reaches the barracks, some of them stand up. And immediately after that, the bus stops. The soldier standing in front of the vehicle begins to shout, admonishing the driver for not having followed the instructions on a new traffic sign showing that buses have to stop at the right side of the

road; silence reigns among the travellers. The manoeuvre takes place and a second soldier holding a Kalashnikov enters the bus and snaps his fingers three times without targeting anyone in particular. Most of the travellers provide papers to the soldier, who gives them a quick look, checks to see if there is anyone who has not provided a document yet and then snaps his fingers again at those who are late. The papers go back to the entitled travellers and the soldier steps out of the bus without having said a word. Another soldier lowers the elastic cord and the bus continues on its way. Discussion shyly resumes on the bus. No more, no less.

‘Checkpoints like this number in the hundreds in Eritrea. They are scattered along all roads and stand at the gates of every town. This deployment gives the state a spatial dimension throughout the national territory. Moreover, this ubiquitous presence does not remain unseen but on the contrary, it considerably increases the visibility of the state. Certainly, few African states can claim to have such an ostentatious territorial presence. Indeed, people travelling about 100 km regularly have to cross at least 3 or 4 checkpoints. This state presence and its ambition to control its territory and citizens could arguably encourage the view that Eritrea is a police state...or at least one that is deeply shaped and obsessed by security issues...However, state omnipresence was rarely questioned and challenged by my informants who even considered the state omniscient project as normal and legitimate during what they readily recognised, along official definition, as a period of “no war, no peace”. Beside such popular consent to the official perspective, the repetitive presence of checkpoints also certainly contributes to such routinisation and normalisation of state scrutiny...More active and fine-tuned sorting is carried out at checkpoints by Military Police focused attention: ID cards for exempted people such as freedom fighters and “aged” or demobilised civilians, military leaves for soldiers, and travel permits for those assigned to civil National Service. In Tigrinya, this social dichotomy between exempted and non-exempted is even semantically underlined: leaves and permits are generically called *mänqesaqäsi*, while *mänänät* refers to ID cards. *Mänqesaqäsi* not only inform the Military Police of the name and the assignation of the holder but also specify the route which the conscript is authorised to follow and the geographical area where he or she can stay. Both leaves and permits have a limited validity in time, which Military Police can also check. They are renewed by officials from the institution to which the conscripts are assigned. ID cards inform the Military Police about the name, the age and possibly about the military rank of the holder. ID cards can also specify status such as “demobilised”, “Ethiopian” or “security staff”. Finally, medical certificates can testify for a temporary or a more permanent exemption to serve.’ **[33b] (pages 98-99)**

See also [Round-ups \('Giffas'\)](#) and [Exit and return](#).

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26. Citizenship and nationality

- 26.01 The legal requirements for Eritrean nationality are set out in Eritrean Nationality Proclamation 21/1992, which became law on 6 April 1992. Eritrean nationality can be acquired through birth, adoption, naturalisation, and marriage. Dual nationality is not allowed. The Proclamation also contains provisions that allow citizenship to be rescinded. **[2] (Eritrean Nationality Proclamation 21/1992)**
- 26.02 Article 2 of the Nationality Proclamation relates to birth in Eritrea and states that:

- '1. Any person born to a father or a mother of Eritrean origin in Eritrea or abroad is an Eritrean national by birth.
- '2. A person who has 'Eritrean origin' is any person who was resident in Eritrea in 1933.
- '3. A person born in Eritrea of unknown parents shall be considered an Eritrean national by birth until proven otherwise.
- '4. Any person who is an Eritrean by origin or by birth shall, upon application, be given a certificate of nationality by the Department of Internal Affairs.
- '5. Any person who is Eritrean by birth, resides abroad and possesses foreign nationality shall apply to the Department of Internal Affairs if he wishes to officially renounce his foreign nationality and acquire Eritrean nationality or wishes, after providing adequate justification, to have his Eritrean nationality accepted while maintaining his foreign nationality.' **[2] (Eritrean Nationality Proclamation 21/1992)**

26.03 Article 3 of the Nationality Proclamation relates to individuals who were born abroad and entered and resided in Eritrea between 1934 and 1951 and states that:

'1. Eritrean nationality is hereby granted to any person who is not of Eritrean origin and who entered, and resided in, Eritrea between the beginning of 1934 and the end of 1951, provided that he has not committed anti-people acts during the liberation struggle of the Eritrean people. He shall, upon application, be given a certificate of nationality by the Department of Internal Affairs, provided that he has not rejected Eritrean nationality. The provisions of article 2(5) of this Proclamation shall apply when such a person possesses the nationality of another country.

'2. Any person born to a person mentioned in sub-article 1 of this article is Eritrean by birth. The Department of Internal Affairs shall, upon his application, issue him a certificate of nationality.

'3. The Department of Internal Affairs shall revoke the nationality of any person mentioned in sub-article 1 of this article where it determines that he had acquired Eritrean nationality or the certificate of Eritrean nationality by fraud, deceit or concealment of decisive facts." **[2] (Eritrean Nationality Proclamation 21/1992)**

26.04 Article 4 of the Nationality Proclamation relates to individuals who were born abroad and entered and resided in Eritrea in 1952 or thereafter and states that:

'1. Any person who is not of Eritrean origin and has entered, and resided in, Eritrea in 1952 or after shall apply for Eritrean nationality to the Secretary of Internal Affairs.

'2. The Secretary of Internal Affairs shall grant Nationality by Naturalization to the person mentioned in sub-article 1 of this article provided that the person:

a) has entered Eritrea legally and has been domiciled in Eritrea for a period of ten (10) years before 1974 or has been domiciled in Eritrea for a period of twenty (20) years while making periodic visits abroad;

b) possesses high integrity and has not been convicted of any crime;

c) understands and speaks one of the languages of Eritrea;

d) is free of any of the mental or physical handicaps mentioned in article 339-340 of the Transitory Civil Code of Eritrea, will not become a burden to Eritrean society and can provide for his own and his family's needs;

e) has renounced the nationality of another country, pursuant to the legislation of that country;

f) has decided to be permanently domiciled in Eritrea upon the granting of his Eritrean nationality;

g) has not committed anti-people acts during the liberation struggle of the Eritrean people.

'3. A person shall be granted Eritrean Nationality by Naturalization and given a certificate of nationality pursuant to sub-article 2 of this article only after he signs the oath of allegiance attached to, and is part of, this Proclamation before the Secretary of Internal Affairs or any other official designated by him. Eritrean nationality granted pursuant to article 4 of this Proclamation shall be proclaimed in the Gazette of Eritrean Laws.

'4. A person given a certificate of Eritrean nationality pursuant to sub-article 2 of this article shall acquire the status of a Naturalized Eritrean national as of the date of receipt of the certificate.

'5. The Secretary of Internal Affairs may cause the name of any offspring on whose behalf an application has been made by a person responsible for him under the law and who has been granted Eritrean Nationality by Naturalization to be included in the certificate of nationality of the applying person. The minor offspring shall acquire the status of a naturalized national as of the date of the inclusion of his name.

'6. Any person born to a naturalized Eritrean national pursuant to article 4 of this Proclamation after the person has been granted the status of a Naturalized National becomes an Eritrean by birth." **[2] (Eritrean Nationality Proclamation 21/1992)**

26.05 Article 5 of the Nationality Proclamation relates to obtaining nationality by adoption and states that: 'The Secretary of Internal Affairs shall grant Eritrean Nationality by Naturalization and issue a certificate of nationality to a person adopted legally by, and upon the application of, an Eritrean national by birth or by Naturalization or by the adopted person himself.' **[2] (Eritrean Nationality Proclamation 21/1992)**

26.06 Article 6 of the Nationality Proclamation relates to obtaining nationality through marriage and states that:

'1. Any person of non-Eritrean origin who is legally married to an Eritrean national by birth or to a person granted Eritrean Nationality by Naturalization shall be granted Eritrean Nationality by Naturalization when such a person applies to the Secretary of Internal Affairs, provided that the person:

a) has lived in Eritrea with the spouse for at least three (3) years;

b) has renounced his foreign nationality and is prepared to acquire Eritrean nationality;

c) signs an oath of allegiance pursuant to article 4(3).

'2. A person who had been granted Eritrean nationality by reason of marriage shall be deprived of his nationality by the Secretary of Internal Affairs where such a person chooses to re-acquire his original nationality upon the death of the spouse or by divorce or when the marriage is declared null and void by a court of law.'

[2] (Eritrean Nationality Proclamation 21/1992)

26.07 Article 8 of the Nationality Proclamation relates to the deprivation of nationality and states that:

'1. A committee composed of the Secretaries of Justice, Internal Affairs and Public Administration may deprive of his nationality an Eritrean national by birth or an Eritrean granted Nationality by Naturalization pursuant to article 4 hereof, who has attained the age of eighteen and has capacity under the law where such a person:

- a) voluntarily acquires a foreign nationality after the publication of this Proclamation; or
- b) officially renounces his Eritrean nationality; or
- c) signs an oath of allegiance of another country after the publication of this Proclamation; or
- d) in violation of an explicit provision of Eritrean law, serves or continues to serve another country; or
- e) is condemned for treason by a court of law.

'2. A committee composed of the Secretaries of Justice, Internal Affairs and Public Administration may deprive of his Nationality a person who has been granted Eritrean Nationality by Naturalization (articles 4 to 6) where such a person:

- a) acquires Eritrean nationality or a certificate of nationality by fraud, deceit or concealment of decisive facts; or
- b) is confirmed, that he has, by illegally contacting external powers, committed acts which aided and abetted an enemy;
- c) has committed treason outside Eritrea;
- d) has been indicted for a crime and sentenced to more than five years imprisonment;
- e) has committed any one of the acts enumerated in sub article(l) hereof.

'3. A person shall be deprived of his nationality pursuant to sub-articles (l) and (2) hereof only after the necessary investigation has been conducted and after such a person has been given an opportunity to defend himself.'

[2] (Eritrean Nationality Proclamation 21/1992)

The nationality law, Eritrean Nationality Proclamation 21/1992, can be accessed here: <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=3ae6b4e026>.

See also [Religion - Jehovah's Witnesses](#).

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Ethiopians in Eritrea

- 26.08 The Human Rights Watch report, 'The Horn Of Africa War: Mass Expulsions and the Nationality Issue', published in January 2003, noted that:

'The legal status of Ethiopian residents in Eritrea who had not sought Eritrean nationality at the time of the war's [with Ethiopia] outbreak [in 1998] does not appear to be in dispute. The Eritrean government as a rule considered them as aliens. It did not automatically issue the Eritrean national identity card or passport to these Ethiopians nor did it recruit them for employment reserved for nationals. Ethiopians were also not called up for military service in Eritrea. For the purposes of residency and departure procedures, the Eritrean government continued to deal with Ethiopian nationals under the normal institutions and procedures governing aliens residing in the country, i.e. they were required to acquire residency permits and obtain exit visas to leave the country.' **[29d] (p31)**

- 26.09 An International Committee of the Red Cross report, published in August 2009, stated that '...the Eritrean authorities have informed the International Committee of the Red Cross (ICRC) that it will no longer be involved in any repatriation of Ethiopians from the country. According to the authorities, this decision was motivated by the unilateral cancellation of two repatriation operations in late 2008 and early 2009 by Ethiopia'. The report further stated that since 2000, more than 43,000 Ethiopian and Eritrean civilians have been repatriated to their respective countries, and that 'the decision of the Eritrean authorities to terminate the ICRC's involvement in the repatriations does not affect the right of Ethiopian nationals to leave Eritrea if they wish to do so.' **[47]**

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27. Identity cards and official documentation

- 27.01 The British Embassy in Asmara, in a letter dated 10 August 2010 (Annex F), provided the following information, obtained from Eritrean sources:

'[Identity] ID cards are compulsory for anyone over the age of 18. They are issued by the Department of Immigration and Nationality in a standard format. They contain: full name, date of birth, place of birth, address and a photograph of the holder. ID cards need to be carried at all times. If found not to be in possession of an ID card, individuals will be detained until such time as one can be produced. They rely on friends or guards to inform their family of their detention...by virtue of Article 51 of the T/Criminal Procedure Code of Eritrea, the police and army are empowered to carry out routine checks on individuals unless the person concerned is a member of the diplomatic community. Individuals have to produce their ID card and demobilisation papers...according to Art 5 of the Eritrean Peoples' Liberation Front (EPLF) Civil Law, every People's Congress has the duty and responsibility to organise Civil Status Officers who shall register births, marriages and deaths within its jurisdiction, and are duty-bound to issue certificates on request by any individual, as prescribed under Article 9 of the law. But in practice People's Congresses have not yet been re-established since independence in the spirit of the law. Therefore, registration of births, marriages and deaths is not available except in Asmara. Registration in Asmara has been in practice since the time of Italian colonisation, however, registration is not mandatory for

the people - even in Asmara. That said, most people do register births in order to include all family members on their ration cards. There is no central register office where records are held.'

- 27.02 The minutes of a presentation by Dr David Bozzini given on 16 February 2012, entitled 'National Service and State Structures in Eritrea', noted that:

'The blue identity card is issued to individuals over 18 years by the Immigration Office, which has branches in all Zobas. For obtaining an ID card, a citizen first has to approach the local administration (Mmhdar), which issues a letter of recommendation for the Immigration Office branch of the Zoba. In preparation for the independence referendum in 1993, millions of ID cards were issued. ID cards are used in all kinds of bureaucratic procedures. Not having an ID card can hinder access to civil services. However, since the border war with Ethiopia (1998-2000), military conscripts need only a laissez-passers (and no ID card) to pass check-points.

'Conscripts in both sectors of the National Service hold laissez-passers (Mänqäsaqäsi), which are issued by the Ministry of Defense (for the military sector) or another ministry or civil institution [sic] under which the conscript is assigned. Military laissez-passers are yellow, and those of civil institutions are white. Not all have the same design and information, some are even simple letters.' **[33a] (p6)**

- 27.03 A paper by David Bozzini, entitled 'Low-tech Surveillance and the Despotic State in Eritrea', published in 2011, stated:

'For Eritreans who are effectively carrying out their national duty, the risk of being caught in round-ups or by patrols is furthermore strengthened because of some problems which they face regularly when they request their laissez-passers from the institution to which they belong. Having a valid permit while in the National Service is never guaranteed. Even though Military Police forced civil state institutions to issue permits for people assigned in 2004, less than two years later some offices were taking months to issue permits to freshly enlisted conscripts. These conscripts circulated with only their student ID cards, which nevertheless had been de facto invalidated by Military Police. This suggests that the new regulation introduced so urgently was still changing and taking new shape, though newly mobilised Eritreans were waiting anxiously to be granted at least a minimum security by their new hierarchy. Sources of insecurity and uncertainty for people in the National Service thus not only relates to the arbitrariness of military actions and the police state, but is also rooted in bureaucratic ineptness. Moreover, permits must be renewed frequently (almost every two months). Unfortunately again, these renewals are anything but automatic. Regularly, people assigned to civil duty are not granted new permits for days or even weeks, and thus risk being jailed by Military Police or deported to military camps as deserters. Clearly, it is in the interest of the state institution where the conscripts are working to issue a proper permit in order not to lose manpower, possibly for days. However, they do not provide servicemen and women with documents on a clear and regular basis, and this is for many reasons. I have grouped the main causes of this apparently irrational bureaucratic behaviour into three different categories: absenteeism, technical problems and changes in regulation.

'Sometimes, officials in charge of issuing permits are not in their office for several days or weeks because they are attending a workshop, or because they are on leaves [sic] to attend family events and celebrations. Often in these cases, renewal processes are

frozen, since delegations of authority have not been put in place. Other causes are related to technical problems such as lack of electricity or poor management of letterhead paper supply. For half a year in 2006, electricity was rationed throughout the country, state offices included. At that time, it was difficult to know when an office was going to be open for business. On other occasions, ink or paper was lacking. All these reasons might be considered trivial but for the fact that they put many conscripts at risk for days. In Eritrea, it can take a week to refurbish an office with paper. Consequently, people in the National Service are always anticipating problems when they have to renew their permits, which is frequently. Finally, internal regulations can change at any time without any advance notification. For instance, the geographical validity of permits is sometimes restricted to the town of assignation only, thus preventing conscripts from visiting their relatives. This kind of bureaucratic interference in providing permits to people carrying out National Service is pervasive. When internal regulations change within an office, this can also have an important effect on the daily functioning of the bureaucrats in charge of them. In these situations, it sometimes happens that every basic responsibility is frozen since no one yet knows the new regulations or they do not know who will be in charge of issuing permits after an internal reshuffle of posts. Bureaucratic purge also takes place unexpectedly. A new team of bureaucrats is then constituted and they usually change the rules and issue new kinds of permits of which Military Police will again be suspicious. Processes of re-assignation from one institution to another are not rare for people in the National Service. In such cases, people assigned face many problems in maintaining a valid permit. A transfer can take half a year to be processed and during that time people may have permits that are valid for only a week. Sometimes, they even remain without one, since no institution recognises their current affiliation while in “transfer”. In other words, obtaining and maintaining a valid permit can easily become a Kafkaesque ordeal, since bureaucracy and its regulations are not standardised and changes of different kinds happen frequently. Such bureaucratic instability, and the ad hoc solutions it calls forth, intensify the suspicion of Military Police and trigger more uncertainty and fear for those who must have a valid permit to keep their already quite limited freedom.’ **[33b] (pages 103-104)**

See also [National service](#).

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28. Exit and return

Passport applications

28.01 The British Embassy in Asmara, in a letter dated 1 April 2010 (Annex E), provided the following information, obtained from Eritrean sources:

‘Individuals working in a government ministry or agency must obtain ministerial permission before applying for a passport. Other individuals must obtain authorisation from a local government administrator and present a birth certificate, any military/national service medical exemption documents, and an ID card. The administrator will then instruct the Department of Immigration (which has offices in regional capitals) to issue a passport. All of the Department of Immigration’s regional offices can issue passports. There is a fee for this service. For some time now, it has been very difficult to obtain first-issue passports. In practice, those individuals who are exempt from military/national service, such as people who are ill or old, as well as government officials who need to travel abroad on official business, will find it easier to

obtain passports. Even in these cases, however, there is no guarantee that a passport application will be accepted. Passports, which are due to go biometric at some point, are printed in English, Tigrinya and Arabic.'

- 28.02 The minutes of a presentation by Dr David Bozzini given on 16 February 2012, entitled 'National Service and State Structures in Eritrea', noted that:

'Passports cannot be obtained by conscripts and so-called demobilized National Service members who still have the obligation to participate in the Warsay Yikealo campaign. Passports and ID cards can be obtained upon request at Eritrean embassies and consulates abroad. It's necessary to pay fees, others [sic] taxes and to fill out of a [sic] special form for deserters or objectors that clearly mentions their national felony. At least between 2004 and 2007, au-thentic [sic] passports and exit visas could be obtained through illegal procedures in Eritrea at a high price (40'000/70'000 [sic] Nakfa). However, such opportunity was considerably limited after the police cracked down on a network of offenders in 2005.' [33a]

- 28.03 The Awate report, 'Eritrea Annuls All Passports; Issues New Ones', dated 19 April 2010, stated that:

'Cash strapped and facing sanctions and asset-freezes, the Government of Eritrea has issued an order to its embassies to annul all Eritrean Passports and to require Eritrean passport-holders to apply for new ones by paying USD \$200 (for expatriates) and Nakfa 3000 for Eritrean residents.

'Unlike the old passports, which were valid for 5 years, the new ones will have to be renewed every 2 years...the decision to reduce the expiration date of the passports from 5 to 2 years will be specially onerous on Eritreans residing in Middle Eastern countries who are required to have valid passports from their native country to secure employment in their host countries. When renewing their passports, they are asked to pay the passport fee, any 2% income tax in arrears (tax on income generated in the host country), as well as any other fee that was imposed by the ruling party (national defense fee, adopt-a-martyr fee, fight-the-sanction-fee, etc.).' [27a]

See [Freedom of Movement](#).

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Exit visas and illegal exit

- 28.04 The United States State Department '2012 Human Rights Report: Eritrea', published on 19 April 2013, stated:

'The government required citizens and some foreign nationals to obtain exit visas to depart the country. Categories of persons most commonly denied exit visas included men under the age of 54, regardless of whether they had completed the military portion of national service, and women younger than 47. Some relaxation of exit visa requirements appeared to take place during the year, including for medical purposes, allowing an unknown number of persons below the age cutoffs to leave the country.

'To prevent emigration, the government generally did not grant exit visas to entire families or both parents of children simultaneously. Some parents avoided seeking exit permits for children approaching the age of eligibility for national service due to concern[s] that they would be denied permission to travel, although other adolescents were granted exit permits. Diaspora members who visited the country reported being required to pay a 2-percent tax on foreign earned income before being given exit visas.'

[3b] (section 2d)

28.05 The United States State Department 'International Religious Freedom Report for 2012: Eritrea', published on 20 May 2013, stated: 'Exit visa applications require a designation of religious affiliation; Christians must also indicate their specific denomination...The government allowed Muslims to practice only Sunni Islam, but permitted Muslims to take part in the Hajj, travel abroad for religious study, and receive some clerics from abroad...Persons who acknowledged membership in unregistered faiths generally had difficulty obtaining passports and exit visas.' **[3c] (section 2)**

28.06 The British Embassy in Asmara, in a letter dated 1 April 2010 (Annex E), provided the following information, obtained from Eritrean sources:

'Exit visas used to be issued in sticker form but following a 2009 alleged visa scam are now stamps. They are produced in a standard format, in English only.

'Exit visas are not issued free of charge. The cost is currently around £8 (GBP) for a single exit visa. If government officials are travelling on official business we assume, but cannot confirm, that they do not pay fees.

'Exit visas are issued by the Department of Immigration which has regional offices. All these regional offices have the authority to issue exit visas. Applicants must apply in person only...in practice, the majority of Eritreans wishing to travel abroad are not issued with exit visas and therefore cannot leave the country legally. Government officials and ministers can certainly obtain exit visas provided they have been given authorisation to travel abroad on official business. People who need medical treatment abroad can also obtain exit visas. Businessmen will almost always have to satisfy the age limit. In other words, they would have to be over the age of 57 before they would be allowed to apply for an exit visa. Women are not given preferential treatment or dispensation. For example, we know of many Eritrean women who have undergone military service, or are married and have children, but have still been refused exit visas for bona fide journeys abroad. Religious ministers or clerics can obtain exit visas if they need to travel abroad to attend meetings or events in connection with their religious faith, but they would have to belong to one of the officially recognised religions, such as the Roman Catholic Church...multi-exit visas are not issued. Exit visas are valid for one month and for one journey only.'

28.07 An article, 'How Long Can Eritrea Remain A Closed State?', published on the ThinkAfricaPress website, dated 22 January 2013, stated that:

'Compulsory conscription which can last as long as fifteen years, limited political rights, and the pull of the diaspora are all factors that might trigger an exodus. Aware of this, the government persists in trying to confine the entire population.

'But the borders are not watertight. Enforcement relies on a shrinking military which is made up mostly of unmotivated conscripts. Furthermore, the willingness of many

Eritreans to pay substantial sums for passage out of the country has created a burgeoning human trafficking industry.

'Yet paradoxically, the regime actually benefits from its own restrictions being flouted. Those who escape join a diaspora which sends money home to relatives and keeps the country's economy afloat. The ruling party, the People's Front for Democracy and Justice (PFDJ), condemns those who leave while simultaneously profiting from their flight...While the majority of those fleeing the country are ordinary Eritreans, escape is not confined to the struggling poor. Many Eritreans in positions of relative power are also attracted to leave and inevitably have more opportunities to do so. One audacious escape saw two high-ranking Air Force officers steal the president's luxury plane and fly to Saudi Arabia, while other notable asylum seekers have included the Information Minister, a leading eye surgeon and most of the national football team.

'As prominent Eritreans choose to flee rather than endure life in Eritrea, it becomes harder for the tired propaganda machine to depict the government as united or effective.' [86]

28.08 The British Embassy in Asmara, in a letter dated 1 April 2010 (Annex E), provided the following information, obtained from Eritrean sources:

'People wishing to travel overseas for medical treatment are required to have a medical certificate provided by a government medical panel. The medical panel is made up of doctors who have the authority to carry out a medical examination on the person concerned. Medical certificates are only issued after a medical examination has been carried out. Depending on the age of the person concerned and severity of the condition, the normal requirement for military/national service exemption papers may be waived. We do not believe that letters from foreign doctors are also required as it is local medical opinion that carries weight in these matters.'

28.09 The Amnesty International report, 'Eritrea - 20 years of Independence, but still no freedom', published on 9 May 2013, stated:

'According to testimonies of people who have fled the country, as well as other information received by Amnesty International, it is frequent for family members of people who have successfully fled to be arrested and detained, apparently as punishment for the acts of their relative. This is particularly the case where people who have fled are of national service age, but has also reportedly occurred in the cases of high-profile members of the government who have fled.

'Many people who fled the country while of national service age, deserting or evading conscription have told Amnesty International that their family was subjected to reprisals. Families are subjected to a fine, widely reported to be 50,000 Nakfa (approximately US\$3,800). In some cases, families have reportedly paid this in instalments if they cannot afford to pay the full amount in one payment. According to testimonies received by Amnesty International, in some cases where families have not been able to pay, a family member has been arrested and detained...This is reportedly often a parent, but detention of other family members has also been reported. These detainees are not charged with any offence, brought before a judicial authority or provided with access to a lawyer. The duration of detention in these cases varies, according to reports. Amnesty International has received reports that detention of family members detained in place of escaped relatives can last up to a year, but in many cases detention is for periods

ranging from several weeks to several months...Family members have also been arrested as punishment in the case of senior members of the regime who have fled the country. In late 2012, Minister of Information, Ali Abdu, defected during a business trip to Germany and fled to an unconfirmed destination. After his departure, on 23 December 2012, his father, Abdu Ahmed Younis (87), his brother, Hassen Abdu Ahmed, and his daughter Ciham Ali Abdu, who is 15 years old, were arrested. It is not known where any of the three are being detained. According to information received by Amnesty International, there is no news of them since their arrests, they have not been charged with an offence or brought before a judicial authority.' **[6c] (page 32)**

28.10 The same Amnesty International report also stated:

'While a policy to shoot to kill anyone sighted crossing the border reportedly remains in place, it seems that this policy is not consistently implemented. Testimonies collected by Amnesty International indicate that many people are caught in the act of trying to flee, and suggest that when they are caught, most, if not all, are subjected to arbitrary arrest and detention without charge...Because of the restrictions on reporting and exchange of information in Eritrea, most of the information obtained by Amnesty International on the arbitrary arrest and detention without charge of people caught trying to flee the country, comes from the testimonies of individuals who were arrested and detained trying to flee the country and who then had successfully made another attempt to flee. None of those arrested while trying to flee the country, interviewed by Amnesty International, had been charged with a crime, brought before a court or provided with access to a lawyer. None were told the reason for their arrest or informed of the duration of their detention. The periods of detention reported by people arrested on this basis vary, but many former detainees reported a period of between one and two years' detention. In addition to the arbitrary nature of the detention itself, its duration appears to be decided by senior commanders and prison authorities.' **[6c] (page 28)**

See [Freedom of Movement](#).

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Requirement to pay income tax

28.11 The Human Rights Watch report 'Service for Life - State Repression and Indefinite Conscription in Eritrea', published on 16 April 2009, stated:

'There are a variety of ways in which the Eritrean government exerts pressure on exiles for both financial and political reasons. The government expects all Eritreans in the diaspora to pay a two percent tax on income. While taxing expatriates may be a legitimate state function, the manner in which the Eritrean government coerces individuals into paying this income [tax] presents serious human rights concerns. If refugees or other Eritrean expatriates do not pay the two percent tax then the government typically punishes family members in Eritrea by arbitrarily detaining them, extorting fines, and denying them the right to do business by revoking licenses or confiscating land.

'The two percent tax is not only a financial mechanism, however. The government also uses it to consolidate its control over the diaspora population by denying politically suspect individuals essential documents such as passports and requiring those who live in Eritrea to provide 'clearance' documents of their relatives who live abroad -

essentially coercion to ensure that their relatives have paid the two percent expatriate income tax demanded by the government...one man living in the UK, a known critic of the government, said that his family had been denied land that they had applied for in Eritrea, because of his refusal to pay the tax...clearance is a process whereby an embassy charges a fee to certify that Eritreans living abroad have paid their dues and are up to date with the two percent tax...a woman living in Eritrea described how several of her neighbors had had their business licenses revoked because their children, residents in the United States, had not paid the two percent [tax] and they could not provide clearance certificates.

‘Embassies have particular leverage over many Eritrean immigrants and refugees who do not have travel documents, and those whose passports require renewing. A refugee living in Rome had his application for a new passport refused...“if you don’t pay [the tax] they don’t renew your passport, with no passport, you have no permit to stay in Italy...so directly or indirectly you are obligated to pay.” **[29c] (p75-76)**

- 28.12 The Human Rights Watch ‘World Report 2013: Eritrea’, published on 19 February 2013, stated:

‘Since at least 1995, Eritrea has imposed a 2 percent income tax on Eritrean expatriates (retroactive to 1992) to be eligible for consular services, such as notarizing powers of attorney, certifying educational decrees, and issuance of travel documents. Relatives in Eritrea of expatriates who refuse to pay the tax have been threatened with loss of business licenses or have been prevented from selling property because of a missing notarial. Canada and Germany prohibit collection of the tax, while the Netherlands and others are considering a ban.’ **[29b]**

- 28.13 A letter dated 11 July 2012 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, addressed to the President of the Security Council on behalf of the Security Council Committee pursuant, stated:

‘The Eritrean authorities continue to rely heavily on extraterritorial taxation among Eritrean diaspora communities to generate hard currency. The Monitoring Group has confirmed that the collection of such taxes routinely involves threats, harassment and intimidation against the individual concerned or relatives in Eritrea. Taxes are often collected by unofficial agents or activists from the ruling People’s Front for Democracy and Justice (PFDJ), and no distinction is made between Eritrean nationals living abroad and foreign nationals of Eritrean descent. Payment is a prerequisite for any other Government service, although receipts are rarely issued. In some countries, the standard 2 per cent diaspora tax is accompanied by demands for mandatory “donations” to the Eritrean defence budget.’ **[87] (page 6)**

- 28.14 The same source also stated:

‘The Government of Eritrea and the ruling PFDJ impose a variety of extraterritorial taxation requirements on Eritrean citizens resident abroad and foreign nationals of Eritrean descent. In addition, members of the Eritrean diaspora are also encouraged to make “voluntary” contributions to a variety of causes, although in practice individuals may be penalized if they do not comply.

'Procedures for payment of Eritrean extraterritorial taxes vary from location to location. In places where an embassy or consulate exists, it is usually made directly at the embassy. Where there is no official representation, local PFDJ agents or activists act as tax collectors. In Seattle, Washington, for example, taxes can be paid through an Eritrean-owned travel agency. Whether or not the techniques they employ are extortive or illicit is often a matter of national or state law, and depends upon such questions as whether or not the collector is a diplomat or other registered agent of a foreign power, the nationality of the collector and the kinds of legal and administrative loopholes employed by collectors.

'Eritrean officials and party agents routinely resort to threats, intimidation and coercive measures in order to elicit payment. The most common tactic is the denial of unrelated services until taxes have been paid. Other measures include harassment, intimidation and the threat of retribution in Eritrea: individuals who refuse to make payment may have their inheritance rights voided; their family members may be penalized; and they may be subject to detention or denial of an exit visa if they return to Eritrea.

'Since the passage of resolutions 1907 (2009) and 2023 (2011), methods of Eritrean extraterritorial revenue collection have come under greater scrutiny and are facing mounting challenges. On 20 May 2011, the Government of the United Kingdom notified the Eritrean authorities that, since aspects of the collection of the 2 per cent tax may be unlawful and in breach of the Vienna Convention on Diplomatic Relations, until it was demonstrated otherwise, the Eritrean embassy should suspend, immediately and in full, all activities relating to the collection of the tax. The Government of Germany has also demanded that Eritrea cease collection of the 2 per cent tax involving the use of Eritrean diplomatic missions on German territory. Members of the Eritrean diaspora have increasingly begun to challenge the legality of the tax under the laws of their host countries.

'As a result, revenue collection techniques are increasingly designed to avoid direct confrontation with host countries' investigators and prosecutors, and increasingly resemble the clandestine fundraising techniques employed by the Eritrean People's Liberation Front (EPLF) during the liberation struggle - without the same degree of popular support that they once enjoyed. Greater emphasis has been placed on voluntary contributions through concerts and cultural events organized by PFDJ agents and activists, but even these may be illegal under certain circumstances...For diaspora Eritreans, payment of 2 per cent income tax is a prerequisite for obtaining any government service, and is retroactive to the date of the last payment of the tax. Any contact with an Eritrean embassy or consulate, whether for renewal of a passport, issuance of a visa, family reunification, or inheritance matters, automatically triggers a demand for retroactive payment of taxes. Applicants may also be required to sign an immigration and citizenship services request form, also known as a B4 form or a regret letter. The form requires the applicant to sign a statement of "regret [for] having committed an offence by not completing the national service" and indicating readiness to accept appropriate punishment in due course...Requests for service by relatives living in Eritrea can also trigger a demand for payment of tax by a diaspora member. Renewals of annual business licences or requests for Power of Attorney may be refused if a family member in the diaspora has not paid the taxes. If the demand for payment is rejected, then relatives in Eritrea are often required to formally repudiate the diaspora family member or suffer the consequences.

'Lastly, diaspora Eritreans who return home for a visit may be delayed or detained if they have not paid the 2 per cent tax. The Eritrean authorities do not distinguish

between Eritrean nationals resident abroad and foreign nationals of Eritrean origin. Foreign passport holders may therefore also be denied access to the consular services of their country of citizenship pending resolution of the matter.' [87] (pages 22-24)

Treatment of returned failed asylum seekers

28.15 The Amnesty International report, 'Eritrea - 20 years of Independence, but still no freedom', published on 9 May 2013, stated:

'According to testimonies and other information received by Amnesty International, asylum seekers whose applications have been rejected or who have not been granted access to asylum procedures, who have been forcibly-returned to Eritrea by various other countries have been arbitrarily arrested and detained without charge.

'As with other forms of arbitrary arrest and detention without charge or trial it is difficult to follow the cases and discover the fate of many forcibly returned asylum-seekers, due to the lack of transparency around these detentions, the failure of the authorities to inform families of the arrests, and because many of these detainees are held incommunicado with no contact with the outside world. However, Amnesty International has received information, from former detainees and Eritrean human rights defenders in exile, as well as other sources, on numerous cases of individuals and groups of returned asylum-seekers who have reportedly been arbitrarily detained and subjected to torture or other ill-treatment, and it is believed that this may apply to a significant majority of forcibly-returned asylum seekers.

'Anyone of national service age is particularly at risk of arrest upon return, as their flight from the country would have involved an evasion of or desertion from national service – itself an 'offence' which is met with arbitrary arrest and detention without charge, as described above. Suspected or actual opponents of the government are also particularly at risk of detention upon return, as are adherents of religions not recognized by the state...As well as receiving reports of individuals and groups of asylum-seekers forcibly returned to Eritrea being arrested and detained, Amnesty International has interviewed refugees and asylum-seekers who had previously been forcibly-returned to Eritrea, before fleeing the country for a second time. These individuals reported that upon return they were arrested and detained without charge. In each case reported to Amnesty International, the arrest took place immediately upon the arrival of the individual in Eritrea. Periods of detention reported to Amnesty International range from a number of days to a number of years. In addition to the arbitrary nature of the detention itself, its duration appears to be decided by senior commanders and prison authorities.

'Testimonies of returned asylum-seekers indicate that the act of claiming asylum is perceived by the authorities as involving a criticism of the government and – as with all other forms of dissent – is therefore not tolerated. Forcibly-returned asylum-seekers interviewed by Amnesty International were tortured both as a form of punishment for perceived criticism of the government, and for the purposes of interrogation. According to accounts given by escaped detainees, Eritrean security officials were particularly interested in how asylum seekers fled the country, who assisted them, and what they said against the Eritrean government during their asylum application process. Returnees have reported that under torture, or threat of torture, they were forced to state that they have committed treason by falsely claiming persecution in asylum applications.' [6c] (page 30)

28.16 The same Amnesty International report further stated:

‘Amnesty International received consistent reports from former detainees that torture, or the threat of torture, is also practised for punishment and interrogation in the cases of forcibly returned asylum-seekers – those whose asylum claims lodged in other countries have been rejected or who have not been given access to asylum procedures and who are sent back to Eritrea. Returned asylum-seekers have been subjected to torture and other ill-treatment as punishment – often for deserting national service, but also for suspected criticism of the government to foreign entities in the course of trying to claim asylum. Torture is also used in these cases for the purposes of interrogation – about how the person fled and what they said against the government during their asylum proceedings.’ **[6c] (page 37)**

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29. Humanitarian issues

29.01 The ‘Humanitarian Action for Children 2013’ Eritrea section of the UNICEF website, undated, accessed on 4 September 2013, stated that:

‘Eritrea’s location in one of the driest parts of Africa contributes to the vulnerability of its children and women. The nutrition sentinel site surveillance conducted in July 2012 revealed an increase in acute malnutrition in the majority of the country’s regions compared to 2011. Malnutrition combined with pneumonia and/or diarrhoea is the number one cause of child mortality. Pneumonia and diarrhoea cause 20 per cent and 12 per cent of deaths respectively in children aged 1 to 5 years. While most of the country suffers from arid or semi-arid conditions, there is a short and intense rainy season in certain areas that heighten the risk of exposure to landmines displaced into new, unmarked areas, resulting in injuries and the subsequent destruction of livelihoods. More than 650,000 people live in areas impacted by landmines and explosive remnants of war (ERWs). Only 25 per cent of mine fields have been cleared, and 70 per cent of the casualties reported are children, primarily boys. Injuries from road accidents, which contributed to the death of around 40,000 children over the age of 5 in 2011, and are among the top five leading causes of child death. An estimated 121,000 school-aged children are presently out of school; they are primarily from disadvantaged groups with nomadic lifestyles and are highly vulnerable to recurrent drought. Within rural communities, 39 per cent of people are without access to safe drinking water, and the practice of open defecation continues to be a challenge, contributing to diarrhoeal diseases and hampering progress in reducing mortality rates of children under 5.’ **[52d]**

29.02 An Open Democracy report, ‘Eritrea: the politics of food security’, dated 5 September 2011, stated:

‘In the summer months of 2011, the government in Asmara (via its only media outlet, the ministry of information) regularly announced that there is no food shortage in Eritrea and thus no need for food aid or the kind of emergency attention devoted by international agencies to the rest of the horn of Africa. Its stance - that it is untouched by an emergency affecting 12 million people elsewhere - is reiterated by government ministers in the international media and by Eritreans in the diaspora supportive of the

regime of the president, Isaias Afewerki...there had already been sources available that suggested scepticism over the Eritrean government's claims...Every Eritrean under the age of 50 is supposed to be undertaking compulsory military service, which earns 400 nakfa a month (approximately \$26). This alone wouldn't even cover the price of a single decent meal: for a small chicken costs around 800 nakfa, a small goat or lamb 2,000 nakfa, and local fruits and vegetables on average 80 nakfa/kg. Many families thus sustain themselves on dry bread, which is rationed. Even basic traditional meals prepared from local grains such as chickpeas are now a luxury.' [31]

- 29.03 A United States Department of Agriculture Economic Research Service report, 'International Food Security Assessment, 2012-2022', published in July 2012, stated:

'In the Democratic Republic of Congo, Burundi, Eritrea, and Lesotho, nearly 100 percent of the population is projected to remain food insecure throughout the projection period [2012-2022]...Eritrea and Lesotho have some of the lowest average grain yields in the world. Both countries' agricultural output is characterized by wide swings in output due to rainfall variability. Eritrea's coefficient of variation of grain production during the last two decades averaged 65 percent; in any given year, production could vary 65 percent above or below trend levels. Eritrea's projected population growth of 2.5 percent per year through 2022 will exacerbate the food security situation.' [30]

- 29.04 The Global Hunger Index (GHI) 2012, published by the International Food Policy Research Institute on 11 October 2012, stated that:

'Most of the countries with alarming GHI scores are in Sub-Saharan Africa and South Asia (the 2012 GHI does not, however, reflect the recent crisis in the Horn of Africa, which intensified in 2011, or the uncertain food situation in the Sahel). Two of the three countries with extremely alarming 2012 GHI scores - Burundi and Eritrea - are in Sub-Saharan Africa; the third country with an extremely alarming score is Haiti...In terms of the GHI components, Burundi, Eritrea, and Haiti currently have the highest proportion of undernourished people - more than 50 percent of the population.' [19] (page 18)

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30. Eritrean refugees abroad

Eritreans in Ethiopia

- 30.01 A UNHCR report, 'Young Eritreans in Ethiopia face future in limbo', dated 21 July 2011, stated:

'During a recent visit to the Eritrean refugee camps in northern Ethiopia, UN Assistant High Commissioner for Refugees, Erika Feller, said she was alarmed and shocked to see "a sea of young faces" and "youth denied for so many people".

'In addition to the large numbers of Somali and Sudanese refugees, Ethiopia is home to more than 48,000 Eritrean refugees – mostly young, educated, single men. Between 800 and 1,000 more arrive every month. Among them are significant numbers of unaccompanied children. Some are as young as six years old, and are being taken care of by the oldest child in the group.

'The continuous inflow of these highly vulnerable individuals far exceeds the coping capacity of existing facilities. Feller said the challenges were on a scale she had "never seen in my long years with UNHCR".

'The Assistant High Commissioner and her delegation toured the registration centre last week and talked to new arrivals at Endabaguna, some 20 kilometres from the UNHCR office in northern Ethiopia's Shire area. Refugees at Maiaini and Adi-Harush camps pleaded with her to make their problems known to the world.

"We spent a quarter of our youth in an open-ended military service at home, and another quarter in a refugee camp," said a women's representative. "Should UNHCR allow our children to vegetate in a refugee camp like their parents?!"

'Feller appreciated the frustrations of young refugees caught up in a situation that is in danger of being protracted. Eritrean refugees started coming to Ethiopia in the year 2000, which means that early arrivals have lived in a refugee camp for more than a decade.

"These are young people with a future who can't see their future," Feller said. "And here, the international community has to look at this problem imaginatively and invest in the future of these young people, not in their care and maintenance."

'Voluntary repatriation is not an option at the moment and UNHCR has been using resettlement as the only durable solution for Eritrean refugees. Feller explained that resettlement placements offered by different countries were limited, but reassured them that UNHCR would continue to advocate to increase resettlement opportunities.

"Life in a refugee camp is tough," said an eight-year-old who arrived two months ago, adding that there is "not much incentive" for him to remain here for long.

'Frustrated by the difficulties of camp life and the limited opportunities for self-reliance and post-secondary education, thousands of Eritrean refugees are moving on to third countries such as Sudan and Egypt en route to Europe or the Middle East, on often-dangerous journeys arranged by smugglers.

'Urging consolidated action against this form of secondary movement, UNHCR's Feller said, "The international community should assist Ethiopia and international agencies like UNHCR to provide a real alternative to these people so that they don't put themselves at risk in the hands of smugglers." **[32b]**

30.02 A UNHCR report, 'Eritrean refugees in Ethiopia get new camp in north of country', dated 13 June 2013, stated:

'The UN refugee agency has opened a new camp in northern Ethiopia to house the increasing number of Eritrean refugees entering the country. A total [of] 776 Eritrean refugees have already been transferred to Hitsats Camp, which can house up to 20,000 refugees.

"This is a big step forward in the protection of Eritrean refugees in this area," said Michael Owor, head of UNHCR's sub-office in Shire, which has erected 200 family tents and dug a communal well to handle the arrival of the new refugees at the camp on land provided by the Ethiopian government.

'The government has also set up a temporary medical clinic and reception facilities for arriving refugees.

'So far this year, UNHCR and the government's refugee agency, the Administration for Refugee and Returnee Affairs (ARRA), have registered more than 4,000 Eritrean refugees, overwhelming the capacity of the existing three camps in the region, which house nearly 49,000 refugees. A large number of the new arrivals are unaccompanied minors who require special protection...The predominance of young men is a pattern observed throughout the region, where Eritrean refugees tell UNHCR staff they are fleeing indefinite military service for both men and women...Eritrean refugees cross into Ethiopia through 16 entry points from which they are collected and brought to a reception station for screening and registration. Before departure from the reception centre, the refugees are issued with basic assistance items, including sleeping mats, blankets, jerry cans, water buckets, soap and mosquito nets. They are also provided with tents and food rations once they get to the new camp.

'As of the end of May [2013], Ethiopia is hosting 71,833 Eritrean refugees in four camps in Tigray region and two others in the Afar region in north-eastern Ethiopia. Transfers to the new camp are taking place every second day.' **[32c]**

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Eritreans in Israel

30.03 A Radio France Internationale (RFI) report, 'Extraordinary Eritreans: A support centre for Eritreans in Israel', dated 1 April 2013, stated:

'Israel is home to one of the largest Eritrean communities in the world. However, they face discrimination and live in constant fear. One Eritrean woman has founded a centre to give them support.

'An estimated 35,000 Eritreans live in Israel. Many survived a perilous 2000-kilometre desert journey across Sudan and Egypt to get to Israel.

'Many are lured by people and arms smugglers in Sudan. They are then met with suspicion by the Israeli authorities who neither send them back to Eritrea nor grant them refugee status.

'And the introduction of the Law to Prevent Infiltration in January 2012 means that people trying to enter Israel without a permit can be detained without charge for up to three years.

'It is this state of fear and limbo that provoked a 29-year-old woman to set up the Eritrean Community Women's Centre in Tel Aviv.

'At the Eritrean Community Women's Centre in South Tel Aviv, Zebib Sultan, 29, plays with her 18-month-old son Aron.

'Sultan fled Sudan for Israel in 2009, and like all the women around her, was imprisoned in a detention centre when she first arrived:

“We used to be sixty women in a tent. We had nothing to drink and no place to sleep- no blankets and no sheets. We had to lay close together to get warm.”

‘Having been expelled from the centre with nothing but a bus ticket for Tel Aviv, Sultan came to the run-down south of the city that houses the majority of Israel’s Eritrean community.

‘Despite having previously worked with the humanitarian organisation Médecins Sans Frontières in Eritrea, Sultan worked as a cleaner before deciding to found the Eritrean Women’s Community centre.

‘This is the only one of its kind in Israel, providing support to around 100 women.

“We give English and Hebrew courses: this is necessary for work. Also we have art class, we also have family planning activities [sic],” Sultan explains.

“We also have a domestic abuse group: we discuss different women’s issues within the community. We escort women to doctors also, as they don’t have the language and someone should be with them. I always go with them,” she adds.

‘Unlike community centres in other richer countries that form part of a support network, the centre is the sole form of assistance that many Eritreans have access to in Israel.

‘Sarah Robinson, the refugee Rights Coordinator at Amnesty International Israel who helped Sultan to found the centre, says her work is important.

“Before the opening of this centre, there really was no address that was comprehensive for women to deal with the past trauma, and unfortunately they are always on survival mode so they can’t even think about the past often. They have to find a job, [but] they don’t have formal work permits; they don’t have access to government healthcare or welfare services. So they’re pretty much left on their own to deal with the trauma they experienced on the way.”

‘Sultan’s success is to understand precisely what her community needs. The centre also provides day-care services for young children to allow their mothers time to work, and will soon implement a program to tackle domestic abuse and prostitution among Eritrean women.

“When I see other women who are abused, in addition to the stress they have from the policies here and the general situation, with others suffering just inside their houses, it hurts me a lot. So I feel responsible. I have to do something if I can help these women,” she says.

‘Despite providing a lifeline for Eritrean women in Israel, the centre is constantly threatened with closure as it strives from month to month to find funding from private Eritrean donors living abroad.

‘Sultan continues to work; although it is an uphill struggle: it is unusual to find Eritreans who plan to stay in Israel for the long-term, as such is the level of discrimination that they face.’ **[82]**

30.04 An Ahram online report, ‘Sinai remains security challenge; Eritrea complains to UNSC on killings’, dated 23 February 2013, stated:

'Eritrea has sent a complaint to the UN Security Council complaining about Egyptian security's shoot-to-kill policy of Eritrean refugees attempting to cross illegally Egyptian borders into Israel, diplomatic sources in New York tell Ahram Online.

'According to one source, the Eritrean complaint, which was signed by President Isaias Afewerki, suggested that Egyptian authorities are opting for a bloody approach to border control that, in the words of the letter, "violates human rights."

'This is the second complaint to be forwarded to the UN Security Council about Sinai in less than six months. Last summer Israel complained about a lack of security and border control in Sinai, claiming that the situation undermined Israeli security.' [83]

30.05 A Radio Netherlands Worldwide report, 'Eritrean Newspaper Man in Israel Tells It Like It Is', dated 19 September 2012, stated:

'Earlier this month, 21 refugees from Eritrea made international headlines when stranded at the Israeli-Egyptian border. Last month, three migrants from the east African country were stabbed at a Tel Aviv internet café. Critics say the Israeli government blacklists these refugees as infiltrators, even considering them an existential threat. Our correspondent reports on one individual who, despite the discord around him, focuses on making existence easier for his fellow Eritreans in Israel.

'Kebedom Menghistu doesn't dress like most of the refugees here. He walks around the run-down, densely populated African migrant area of South Tel Aviv looking likes he's come fresh from a church service. As though he were an elder in the refugee community, the 34-year-old Eritrean asylum seeker receives hearty handshakes and pats on the back.

'To pay for the poorly maintained apartment he shares with seven other men, Menghistu works for minimum wage as a cleaner. But every other waking minute is spent on New Century, the newspaper that he publishes for the 35,000-strong Eritrean community in Israel.

"I want to tell the truth about what we faced in Sinai and on the way through the deserts," Menghistu says, referring to the Egyptian territory where many men have reportedly been tortured, raped, imprisoned or killed en route to Israel. Through his newspaper, he says he also wants to convey "the life inside Israel: the expectation and the reality".

'The newspaper's raison d'être was to inform Israeli-bound asylum seekers of the dangers they could expect and the reality of life inside the country. But attempts to have UNHCR distribute the publication in Ethiopia and Sudan were unsuccessful. Menghistu subsequently refocused its contents to focus on community-building: sharing asylum seekers' stories, advising struggling couples and families and giving advice on the practicalities of everyday life in Israel, such as keeping a quiet Shabbat...Lately, New Century has struggled to keep afloat. It is printed sporadically, whenever money is available; so far, there have been eight editions.

'But this month things are different. Lily Galili, a 29-year veteran of Israel's Haaretz newspaper, secured financing from the New Israel Fund to support New Century's publication for six more months.

'Speaking about her own country's leaders, Galili says: "If I can change the mindset of 10 people, or 100 people over time and make some of the politicians feel bad, I will say that's a great achievement. I want them to feel bad."

'For Menghistu's newspaper, she writes a column in Hebrew that endeavours to help Israeli society understand the Eritrean asylum seekers. Her column scheduled to appear at month's end addresses Israeli interior minister Eli Yishai's comments about making migrants' lives so miserable they want to leave. As most of the Eritrean community doesn't speak Hebrew, the statement largely fell on deaf ears. According to Galili, it didn't matter.' [84]

30.06 A Ynet report, 'Eritrea: Israel to Blame for the Rise in Infiltrators', published on the Tesfa News website, dated 12 January 2011, stated:

'In a special interview with Ynet, Eritrean envoy blames Israel for recent immigration wave from Africa. 'You should have deported the first one to arrive, now it is too late,' he says...Eritrean Ambassador to Israel Debbas Tessamariam told Ynet that Israel should have turned away the first infiltrator as early as 2006, adding that his country will not accept citizens who were deported from Israel against their will.

"In the beginning we asked them to come back," he said, "but now it has turned into a mass of 17,000-18,000 people. The solution was very simple from the outset, at the end of 2006 – the first one to arrive should have been sent back to Eritrea." Now, said the envoy, it is too late.

'Eritrean citizens infiltrating Israel via Egypt are not refugees, but work migrants, the ambassador added. "We consider them guests invited by Israel. By deciding not to deport them from the get-go, you have created an ever-growing phenomenon of Eritreans seeking to improve their quality of life and reach Israel"...Debbas stressed that should an Eritrean citizen show up at the embassy and ask to come back home he will be offered assistance, yet "if someone is forced to return from Israel against their will we shall refuse." The ambassador added, "These are people with different dreams and expectations, they will undermine national morale and bring back with them frustration and bitterness resulting from the great cultural differences." [61a]

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Eritreans in Sudan

30.07 A United Nations News Centre report, 'UN agency dismayed by Sudan's deportation of Eritrean refugees', dated 18 October 2011, stated:

'The United Nations refugee agency today [18 October 2011] condemned the deportation of more than 300 Eritrean refugees and asylum-seekers by Sudan after weeks of detention and in spite of a previous agreement with the UN.

'Adrian Edwards, a spokesperson for the UN High Commissioner for Refugees (UNHCR), told reporters at a press briefing in Geneva that his agency was concerned that the rights of refugees were not being respected, even though Sudanese authorities had assured otherwise, and said Sudan's actions breached the agreement between his agency and the Government.

“The deportation took place despite an agreement between UNHCR and the Sudanese Commissioner for Refugees that the Eritreans would be transferred to Khartoum for joint screening – the aim being to identify people in the group who already had refugee status and to allow others the opportunity to lodge asylum claims,” he said.

‘Upon arrival, the refugees were convicted on charges of illegal entry and movement in Sudan, and were subsequently detained for several weeks in Dongola in the country’s north, before being deported yesterday.’ **[54c]**

30.08 A Human Rights Watch report, ‘Sudan: End Mass Summary Deportations of Eritreans’, dated 25 October 2011, stated:

‘The Sudanese authorities are increasingly deporting Eritreans to their country without allowing them to claim asylum, Human Rights Watch said today. On October 17, 2011, Sudan handed over 300 Eritreans to the Eritrean military without screening them for refugee status, drawing public condemnation from the United Nations High Commissioner for Refugees (UNHCR).

‘The mass deportation follows dozens of other unlawful deportations by Sudan since May of Eritrean asylum seekers and of Eritreans who had been denied access to asylum...On September 12, media reports said Sudanese police had arrested 317 Eritreans, including 65 women and four children, who had been trying to cross from Sudan into Egypt. UNHCR says the authorities confirmed a week later that at least 300 Eritrean nationals had been detained in Dongola prison, in Northern State, about 400 kilometres south of Sudan’s border with Egypt. Other sources put the total at 351, including about 100 women.

‘Sudan’s Commission on Refugees (CoR), the Interior Ministry entity responsible for registering refugees, issued assurances that the group would be relocated to Khartoum for screening purposes and that any asylum seekers or refugees would be transferred to Shagarab refugee camp near Kassala in eastern Sudan, one of 12 camps there that shelter around 70,000 refugees.

‘UNHCR says it was taken by surprise when it discovered the group had been handed over to the Eritrean authorities in Tesseney, on the Sudan-Eritrea border near Kassala. According to an Eritrean aid worker from an international charity who spoke by phone with one of the deportees during the deportation, the Sudanese authorities used seven buses to drive the group from Dongola to the border with Eritrea via Khartoum and Kassala, without stopping.’ **[29e]**

30.09 An Amnesty International public statement, ‘Sudan must end forced returns of asylum seekers to Eritrea’, dated 15 August 2012, stated:

‘On 24 July [2012] the government of Sudan forcibly returned nine asylum seekers and one refugee to Eritrea. The ten - six [sic] Eritrean nationals and four Ethiopian nationals - were convicted earlier in July by a court in Dongola of unlawfully entering Sudan and sentenced to a two-month term in prison and deportation. They were not allowed to appeal against their convictions and sentences. At least one was a recognised refugee, while the others are believed to be asylum seekers.

'Seeking asylum abroad is considered by the Eritrean government to be an act of treason. Asylum seekers should not be returned to Eritrea, because they will be at grave risk of serious human rights violations.

'Eritreans forcibly returned to Eritrea face a real risk of being subjected to violations, including incommunicado detention, torture and other forms of serious ill-treatment. In addition, detention conditions in Eritrea are appalling, and in themselves amount to cruel, inhuman or degrading treatment.

'The government of Sudan also violated international law by deporting to Eritrea, citizens of Ethiopia who had claimed asylum in Sudan. The ten people deported to Eritrea, following their conviction for unlawful entry to Sudan, had been tried alongside 41 other asylum seekers and refugees, also accused of entering Sudan illegally. During their trial, all 51 were denied access to lawyers and to translators. Only one person understood Arabic. The judge allegedly refused to consider evidence of the individuals' status as refugees and asylum seekers.

'All 51 were sentenced to serve two months in prison before deportation. However, the deportation of the ten took place only two weeks after this ruling. During this two week period, the group of 51 reportedly requested access to the UN Refugee Agency, UNHCR, and associated international protection.' **[6d]**

30.10 A BBC News report, 'Eritrean tells of Sinai torture for ransom', dated 20 May 2013, stated:

'After seven months of beatings, burns, electric shocks and constant threats to kill him, an Eritrean refugee has finally been freed by his kidnappers in Egypt's Sinai desert. Covered in deep scars and suffering from breathing problems and bone injuries, Philemon Semere, now in Cairo, told the BBC how it feels to be free at last...The UN estimates that on average 3,000 Eritreans fled into eastern Sudan each month last year. During that journey many of them were kidnapped, tortured and killed by Bedouin people-trafficking gangs. Their bodies were often dumped in the Sinai desert.

'Philemon explained how he and a large group of fellow Eritreans had been seized by kidnappers soon after crossing into Sudan but had managed to escape into the desert.

'Driven by raging thirst to drink their own urine after four sweltering days, they staggered to the nearest town for help.

'But soon after they arrived there, locals tipped off their kidnappers.

'Within hours they were thrown, hooded and chained, into the back of a truck and driven to North Sinai...The kidnappers finally agreed to release Philemon after accepting that the \$13,200 his now impoverished family had paid was all they had.

'But then they changed their minds and demanded that he and two other men being held with him paid a further \$10,000 between them.

'Several weeks later the money was paid and the men finally freed.

'Philemon has now made his way to Cairo, home to hundreds of former kidnap victims like him.

'But his search for a better life has brought only horrors and left his family back home '

'With no guarantee that he'll be allowed to work to help pay them back, or be granted asylum, Philemon's future, like that of so many others, hangs in the balance.' [25o]

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Eritreans in Egypt

- 30.11 A report by Daniel Rezene Mekonnen and Meron Estefanos, 'From Sawa to the Sinai Desert: The Eritrean Tragedy of Human Trafficking', dated 30 November 2011, published by Social Science Research Network, stated:

'In many cases the journey of Eritreans from Ethiopia and Sudan to Egypt begins in the form of a smuggling arrangement agreed between smugglers and the smuggled people...As can be seen from numerous reports and interviews of victims, the journey takes a different shape when the refugees arrive in the Sinai Desert. At this spot refugees are asked to pay more money than was initially agreed when they made the deal with the smugglers at the initial point of departure. The situation develops to hostage-taking and kidnapping. However, as reported by some interviewees there are also victims who have been hijacked by human traffickers before they reach the Sinai Desert. Such victims are hijacked from refugee camps in Sudan or Ethiopia...Many others are kidnapped from the agricultural fields in the vicinity of the UNCHR Refugee Camp in Sudan. On the other hand, a number of other victims interviewed by Estefanos tell that they were hijacked from the Mai Ayni Refugee Camp in Ethiopia under mysterious circumstances and brought by traffickers to Sudan and finally to the Sinai Desert. Another victim in the Sinai Desert, who has heart and kidney complications, told Estefanos that he was kidnapped on his way from Eritrea to the UNHCR Refugee Camp in Sudan and he asserted that he had no intention of migrating to Israel but he ended up becoming a hostage in the Sinai Desert...Once in the Sinai Desert victims are also compelled to pay exorbitant prices to secure their release or smuggling to Israel. In recent months traffickers have asked victims to pay anything between US\$ 20 000 and US\$ 30 000. In order to ensure payment of the ransom, traffickers force victims to speak to their relatives and friends over satellite mobile-phones under the influence of torture and severe beating...Those who are unable to pay the ransom face a number of horrendous violations such as torture, electrocution, rape and other forms of violations. Some have suffered removal of organs to settle the ransom.' [98] (pages 13-14)

- 30.12 An Amnesty International 'Urgent Action' statement, 'Eritreans in Egypt at risk of Forcible Return', dated 2 November 2011, stated:

'After being arrested and detained in and around the city of Aswan, southern Egypt, 118 male Eritrean asylum seekers have been recently transferred to a compound in Shallal, a town south of the city. Security forces have reportedly beaten some detainees, including on the legs and head, to force them to fill in papers provided by Eritrean diplomatic representatives to arrange their deportation. The reported involvement of Eritrean government representatives in documenting the detainees increases the likelihood that the group will be at risk if returned.

'Amnesty International considers that there is a significant risk that if the group is forcibly returned to Eritrea they will be tortured or otherwise ill-treated and detained without charge or trial in appalling conditions. Eritrean nationals forcibly returned to Eritrea have been detained incommunicado and tortured upon return, particularly those

who had fled the country to avoid conscription. Large numbers of those detained in Shallal are reported to be young adults of national service age, many of whom fled Eritrea to escape military service.

'As in previous cases documented by Amnesty International in recent years, despite requesting it, none of the Eritrean asylum-seekers has been allowed access to representatives from the UN High Commissioner for Refugees (UNHCR) in Cairo. Amnesty International is concerned at increased reports of forcible returns of Eritrean nationals in recent weeks, as well as reports that further groups of Eritreans in detention are at risk of forcible removal to Eritrea.' **[6e]**

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Eritreans in Tunisia

- 30.13 A Christian Solidarity Worldwide report, 'Four Eritreans murdered in Tunisian refugee camp on Libya border', dated 24 May 2011, stated that:

'Four Eritrean refugees were burnt to death, and one was critically injured, after their tents were deliberately set on fire at a Tunisian refugee camp close to the Libyan border in the early hours of Sunday 22 May [2011].

'Ibrahim Suleman Ahmed, Ahmed Mohamed Saleh, Jamie Mohamed and Saleh Ismail had recently fled Libya, and were waiting to be resettled in a safe third country by the office of the United Nations High Commissioner for Refugees (UNHCR). Two Sudanese refugees have been arrested in connection with the deaths and remanded in custody.

'According to reports, a few Sudanese refugees had been sexually harassing Eritrean female refugees in Shusha Camp, Ras Jedir. This generated tension in the camp as Eritrean men attempted to protect the women.

'On Saturday 21 May [2011], a Sudanese man reportedly entered a married couple's tent and tried to rape the woman. The Eritrean men who were nearby managed to stop him, and he was later heard saying that he would kill Eritreans in the camp.

'The four victims of the blaze were not involved in the dispute and were murdered simply because of their nationality.

'These are not the first murders to occur in Shusha camp. Although the UNHCR office in Tunisia is aware of these incidents, there is still no security in the camp, despite demands from refugees for greater protection. The non-governmental organisation (NGO) Human Rights Concern-Eritrea (HRC-E) has been informed that the refugees in the camp are now extremely anxious following the recent murders, and the atmosphere remains very tense. Last night the Tunisian armed forces were forced to fire in the air as tensions boiled over between refugees of Arab and African descent.' **[50c]**

- 30.14 An Amnesty International press release, 'Tunisia must stop returning asylum-seekers to Libya', dated 14 December 2011, stated that:

'The Tunisian authorities must allow asylum-seekers to enter the country through Libyan border crossings and give them access to UN officials to establish their refugee status, Amnesty International said today, after another group of asylum-seekers was returned across the Libyan border.

'In the latest in a series of such incidents, on 10 December [2011] Tunisian security forces returned a group of sub-Saharan African asylum-seekers to their point of entry along the Libyan border.

'The group of more than 10 Somalis and Eritreans included a family with newborn babies, and had arrived at the Choucha refugee camp in Tunisia during the previous night after being stranded for weeks on the Libyan side of the Ras Ajdir border crossing.

"These asylum-seekers had informed the Tunisian authorities of their claim to asylum and have a right to be granted access to the UN refugee agency to determine their status," said Hassiba Hadj Sahraoui, Amnesty International's Middle East and North Africa Deputy Director... "Returning them to languish in Libya - where there is no mechanism for recognizing or protecting refugees - is not an option."

'Libya currently lacks any procedures to formally register asylum-seekers and recognize refugees. It also lacks sufficient guarantees to protect refugees against forcible return to their countries of origin.' **[6f]**

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Eritreans in Libya

30.15 The Human Rights Concern - Eritrea report, 'The Tragedy of the Eritrean Refugees Caught Up in the Libyan Uprising', dated 25 February 2011, stated that:

'There is a large number of Eritrean Refugees in Libya, most of them in the capital, Tripoli. During the current popular uprising in the country, their lives have been put in danger. Although it is difficult to get information from Libya, already the murder of two Eritrean refugees has been confirmed.

'Less than a month ago, twenty-seven Eritrean Refugees moved from Tripoli to Rabesh Gedima, in Benghazi to work for a company. Following the popular uprising, a group of people broke into the company where the Eritrean Refugees were staying and attacked them with iron bars, knives and machetes critically injuring three of them. Robel and Yared went out searching for medicines for the wounded but they were shot dead by armed citizens. Now the remaining twenty-five people, including the wounded, are hiding underground in a certain location in Benghazi with no food, water supplies or medicines... In a similar incident, on the 22nd and 23rd of February [2011], a group of armed civilians abduct nineteen Eritreans out of their houses in Tripoli. It is not yet known what has happened to them. Human Rights Concern Eritrea has also received information that three Eritrean Refugees have taken refuge at the Swiss Embassy in Tripoli.' **[45b]**

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Annex A

Chronology of major events

Information is taken from Europa World Plus, undated, accessed on 31 July 2013, unless stated otherwise. [24]

- 1952** Federation formed between Eritrea and Ethiopia. [24] (Eritrea - Historical Context)
- 1958** Eritrean Liberation Movement (ELM) founded. [24] (Eritrea - Historical Context)
- 1961** Eritrean Liberation Front (ELF) begins armed campaign for Eritrean independence from Ethiopia. [24] (Eritrea - Historical Context)
- 1962** Eritrea's status reduced to that of an Ethiopian province. [24] (Eritrea - Historical Context)
- 1970** The Eritrean People's Liberation Front (EPLF) forms. [11] (About.com - accessed on 1 February 2011)
- 1972-74** Civil war in Eritrea between ELF and breakaway Popular Liberation Forces (which went on to form the Eritrean People's Liberation Front [EPLF] in 1977). [24] (Eritrea - Historical Context)
- 1974** Revolution brings hard-line Marxist 'Derg' regime to power. [24] (Eritrea - Historical Context)
- 1977** First conference of the EPLF held. [58a] (EHREA website - accessed on 1 February 2011).
- 1977-78** Further splits within ELF. [24] (Eritrea - Historical Context)
- 1990**
February The EPLF captures the port of Massawa from the Ethiopians. [12b] (www.eritrea.be - accessed on 15 September 2010)
- 1991**
May EPLF captures Asmara; at the same time Eritrean People's Revolutionary Defence Force (EPRDF) captures Addis Ababa and overthrows Derg; EPRDF recognises EPLF as government of Eritrea and agrees independence referendum for Eritrea in 1993. [24] (Eritrea - Historical Context)
- 1993**
April UN-supervised referendum overwhelmingly approves independence from Ethiopia. [24] (Eritrea - Historical Context)
- May On 24 May, Eritrean independence is proclaimed. On 28 May, Eritrean independence is internationally recognised. The EPLF establishes a transitional government. The leader of the EPLF, Isaias Afewerki becomes the first president of Eritrea. [24] (Eritrea - Historical Context)

- June On 8 June, Isaias Afewerki becomes President of Eritrea.
[48] (Economic Expert - Politics of Eritrea - accessed on 15 September 2010)
- 1994**
February EPLF becomes the People's Front for Democracy and Justice (PFDJ) and espouses its support for a pluralistic political system.
[24] (Domestic Political Affairs)
- 1995**
May The National Assembly approves proposals to create six administrative regions to replace the 10 regional divisions that had been in place since colonial rule.
[24] (Domestic Political Affairs)
- November The National Assembly approved new names for the regions and finalised details of their exact boundaries and sub-divisions.
[24] (Domestic Political Affairs)
- 1997**
May On 23 May, a new constitution is adopted by the Constituent Assembly but is not fully implemented. [24] (Domestic Political Affairs)
- 1998**
May Border conflict with Ethiopia erupts into heavy fighting; thousands of Eritreans expelled from Ethiopia and many Ethiopians leave Eritrea. This conflict lasts until 2000. [24] (Conflict with Ethiopia)
- 1999 The border conflict between Eritrea and Ethiopia continues. Numerous clashes occur during 1999 between Eritrean and Ethiopian troops.
[24] (Conflict with Ethiopia)
- 2000**
April Peace talks organised by the Organisation for African Unity in Algiers to end the border conflict fail. [24] (Conflict with Ethiopia)
May Hostilities between Ethiopia and Eritrea resume. [24] (Conflict with Ethiopia)
June The Eritrean and Ethiopian governments sign ceasefire agreement and agree to UN monitoring force along border. [24] (Conflict with Ethiopia)
December The Eritrean and Ethiopian governments sign a peace agreement in Algeria establishing commissions to mark border, exchange prisoners, return displaced people and hear compensation claims. [24] (Conflict with Ethiopia)
- 2001**
February Eritrea accepts United Nations plans for a temporary demilitarised zone along its border with neighbouring Ethiopia. [24] (Conflict with Ethiopia)
Ethiopia says it has completed its troop withdrawal from Eritrea in accordance with a United Nations-sponsored agreement to end the border war.
[24] (Conflict with Ethiopia)
April The Eritrean government announces that its forces have pulled out of the border zone with Ethiopia - a key provision of the peace agreement signed between the two countries. [24] (Conflict with Ethiopia)

- May A dissident group at the centre of the PFDJ publicly expresses strong criticisms of the President. This group is known as the 'Group of 15' or 'G-15'. (In later sources as 'G11', thus referred to as 'G15/G11').
[24] (Domestic Political Affairs)
- September Security authorities detain 11 members of the G11/G15 group. Four members escape arrest. **[24] (Domestic Political Affairs)**
- 2002**
- April On 13 April, the International Tribunal announces a decision on the border issue between Eritrea and Ethiopia. Both Eritrea and Ethiopia declare victory. Confusion over which country controls Badme remains.
[24] (Conflict with Ethiopia)
- 2003**
- March The Boundary Commission categorically rules Badme to be in Eritrean territory. Ethiopia voices its opposition to the ruling. **[24] (Conflict with Ethiopia)**
- 2004**
- July UN Secretary-General Kofi Annan visited the Horn of Africa in a new initiative to kick-start the stalled Ethiopian-Eritrean peace process. **[17b]** (United Nations 'IRIN - Ethiopia-Eritrea: Chronology of Key Events in 2004', 5 January 2005)
- September The United Nations Mission in Ethiopia and Eritrea (UNMEE) expresses disappointment after the Eritrean Government re-imposed restrictions of movement along a crucial supply route for its peacekeepers. **[17b]** (United Nations IRIN – 'Ethiopia-Eritrea: Chronology of Key Events in 2004', 5 January 2005)
- November Prime Minister Zenawi announces a five-point plan to try to end the border stalemate with Eritrea, saying his country would accept, "in principle", the April 2002 ruling of the independent Boundary Commission that was intended to end hostilities between the two neighbours. He, however, insists that the ruling is still illegal and unjust. Any attempt to implement the Hague-based decision, he adds, "might lead to a serious escalation of the tension between the two countries and thereby undermine the peace". **[17b]** (United Nations IRIN – 'Ethiopia-Eritrea: Chronology of Key Events in 2004', 5 January 2005)
- 2005**
- February The United Nations noted a large number of troops being deployed at the border between Ethiopia and Eritrea. The troops remained on their own soil, but Ethiopian soldiers had come within a 20 - 40 kilometre range of the frontier.
[25d] (BBC News – 'Concern at Horn troop deployment', 17 February 2005)
- August A UN special envoy for the humanitarian crisis in the Horn of Africa, conducted an eight-day visit to the region to assess prospects for long-term food security. The government asks the US Agency for International Development (USAID) to cease its operations in the Horn of Africa country. **[17c]** (United Nations IRIN – 'Ethiopia-Eritrea: Year in Brief, July-Dec 2005 - A Chronology of Key Events', 11 January 2006)
- October The Eritrean government imposes more restrictions on the movement of UN peacekeepers, days after grounding UN helicopter flights. **[17c]** (United Nations IRIN – 'Ethiopia-Eritrea: A Chronology of Key Events in 2005', 11 January 2006)
- December The United Nations relocates some UNMEE staff to Ethiopia following Eritrea's decision to expel European and North American personnel. **[17c]** (United Nations IRIN – 'Ethiopia-Eritrea: A Chronology of Key Events in 2005', 11 January 2006)

2006

- January Christian Today NGO reports that the patriarch of the Eritrean Orthodox Church has been placed under arrest. **[49]** (Christian Today – ‘Eritrean Patriarch Under House Arrest as Government Repression Increases’, 23 January 2006)
- June The Eritrean government places travel restrictions on foreign nationals and dual nationality holders that apply to travel into the country and travel within the country. **[3e]** (US State Dept ‘Document Reciprocity Schedule’, Eritrea - accessed on 13 July 2013)
- October On 16 October, the Eritrean army moves 1,500 troops and 14 tanks into the demilitarised zone of the Ethiopian/Eritrean border. The United Nations state that this is a “major breach of the ceasefire” agreement. **[25e]** (BBC News – ‘Eritrea incursion “to pick crops”’, 17 October 2006)

2007

- June Police raids in Asmara, Pentecostal Christians are detained. **[50a]** (Christian Solidarity Worldwide – ‘Demonstrators call for release of Eritrean Prisoners of Conscience’, 29 May 2009)
- November Eritrea accepts border line demarcated by international boundary commission. Ethiopia rejects it. **[25a]** (BBC ‘Timeline: Eritrea’, 26 June 2013)

2008

- January UN extends mandate of peacekeepers on Ethiopia-Eritrea border for six months. UN Security Council demands Eritrea lift fuel restrictions imposed on UN peacekeepers at the Eritrea-Ethiopia border area. Eritrea declines, saying troops must leave border. **[25a]** (BBC ‘Timeline: Eritrea’, 26 June 2013)
- April UN Secretary-General Ban Ki Moon warns of likelihood of new war between Ethiopia and Eritrea if peacekeeping mission withdraws completely. Outlines options for the future of the UN mission in the two countries. Djibouti accuses Eritrean troops of digging trenches at disputed Ras Doumeira border area and infiltrating Djiboutian territory. Eritrea denies charge. **[25a]** (BBC ‘Timeline: Eritrea’, 26 June 2013)
- May The Eritrean government calls on the UN to terminate its peacekeeping mission. **[25a]** (BBC ‘Timeline: Eritrea’, 26 June 2013)
- June Fighting breaks out between Eritrean and Djiboutian troops in the disputed Ras Doumeira border area. **[25a]** (BBC ‘Timeline: Eritrea’, 26 June 2013)
- September It was reported by Awate that an Eritrean government intelligence camp in Molokhseito was attacked by armed units of the Eritrean National Salvation Front (ENSF). **[27b]** (Awate – ‘Eritrean Government Unit Attacked’, 26 September 2008)
- November The Eritrean government launched a fresh crackdown on practicing Christians. At least 110 evangelical believers were detained. The Christians were arrested in all parts of the country apart from Asmara. Those detained included 65 members of the evangelical Kale Hiwot Church. **[51]** (Walta – ‘Eritrea launches new crackdown on Christians’, 27 November 2008)

2009

- February Reuters reported that a bomb explosion killed two people and wounded eight others at a restaurant in western Eritrea. The report further stated that: “Eritrea blamed Ethiopia for an earlier bomb attack in January 2008 that killed one person and wounded several others in another market town near the western

- border". **[53]** (Reuters – ‘Eritrea govt says bomb kills two, wounds eight’, 28 February 2009)
- April UN Secretary Council says Eritrea failed to fulfil its obligation to withdraw troops from disputed border area of Djibouti under an ultimatum issued in January [2009]. Eritrea denies having troops on Djiboutian soil. **[25a]** (BBC ‘Timeline: Eritrea’, 26 June 2013)
- June The United Nations reported that Eritrea was facing a food crisis caused by poor harvests, a lack of rain, and the high cost of food. **[17d]** (United Nations IRIN – ‘How bad is the food crisis really?’ - analysis, 12 June 2009)
- August International tribunal ruling stipulates that Eritrea and Ethiopia have to pay one another financial compensation for war damages incurred in the 1998-2000 border war. **[25f]** (BBC News – ‘Eritrea to pay Ethiopia millions’, 18 August 2009)
- December The United Nations Security Council voted to impose sanctions on the Eritrean regime. The sanctions place an arms embargo on Eritrea, an asset freeze on specific businesses and individuals, as well as a travel ban on political and military leaders to be identified by a sanctions committee. **[14]** (The Times – ‘UN imposes sanctions on Eritrea over support for rebels in Somalia’, 23 December 2009)

2010

- February The Red Sea Afars Democratic Organisation (RSADO) stated that it had it killed 17 Eritrean government soldiers and injured more than 20 others in an attack on military barracks. The attack was carried out in Fura in central Dankalia on 15 February according to a RSADO spokesman. **[74]** (Ethiopian Journal [Reuters] – ‘Eritrea rebels say [they] killed 17 government troops’, 18 February 2010)
- August An Ethiopian government ruling allows Eritrean refugees the freedom to live outside refugee camps, provided they can support themselves, or receive support from friends or relatives. **[17a]** (United Nations IRIN - ‘Eritrea-Ethiopia: Refugees embrace life “out of camps”’, 30 August 2010)
- September On 29 September, the Ethiopian government accused Eritrea of continuing to undermine efforts to restore peace and stability in Somalia by arming insurgents battling the transitional Government in Mogadishu and urged the United Nations Security Council to strictly enforce existing sanctions against Eritrea. **[54a]** (United Nations News Centre - ‘At General Assembly, Ethiopia accuses Eritrea of spoiling peace efforts in Somalia’, 29 September 2010)

2011

- May On 24 May, the Eritrean people celebrated 20 years of independence. **[46d]** (Shabait [via allafrika.com] ‘People Welcomes May 24 With Sense of Patriotism and Pride’, 24 May 2011)
- August The members of IGAD (Inter-Governmental Authority on Development) - Ethiopia, Kenya, Uganda, Djibouti, Sudan and Somalia, consider Eritrea’s request to rejoin the East African body. Eritrea withdrew from IGAD in 2007 after IGAD supported Ethiopia’s intervention to oust an Islamist militia force from power in Mogadishu. **[25j]** (BBC News – ‘Eritrea seeks to rejoin East African body Igad’, 2 August 2011)
- October Human Rights Watch reported that the Sudanese authorities have been increasingly deporting Eritreans back to their country without allowing them to

- claim asylum. This action has been condemned by the United Nations High Commissioner for Refugees (UNHCR). **[29e]** (Human Rights Watch – ‘Sudan: End Mass Summary Deportations of Eritreans’, 25 October 2011)
- December The UN Security Council toughened sanctions against Eritrea after its East African neighbours accused the country of continuing to provide support to Islamist militants. The UN resolution requires foreign companies involved in Eritrea's mining industry to ensure funds from the sector are not used to destabilise the region. Eritrea denied the accusations. **[25h]** (BBC News – ‘Eritrea: UN Security Council toughens sanctions’, 6 December 2011)
- 2012**
- January A UN monitoring panel stated that allegations made by the Kenyan government that Eritrea had supplied weapons to Somalia's Al-Shabaab militants towards the end of 2011 were incorrect. These allegations had been dismissed by the Eritrean government which demanded that the UN Security Council conduct an independent inquiry into the matter. A preliminary report by the Somalia and Eritrea Monitoring Group (SEMG) to the United Nations Security Council revealed that Eritrea probably did not supply weapons to Al-Shabaab, but the allegations will be investigated further. **[57b]** (Sudan Tribune – ‘UN clears Eritrea over allegation of arming Somali rebels’, 17 January 2012)
- March Ethiopian forces launch a military assault on positions inside Eritrea. Ethiopian officials state that Eritrea has been training subversive groups to carry out attacks inside Ethiopia. A number of people were reportedly killed and captured when three camps were attacked. **[25k]** (BBC News – ‘Ethiopia “launches military attack inside Eritrea”’, 15 March 2012)
- April Eritrea's president made an appearance on Eritrean national TV to dispel rumours he is either dead or ill. He stated that the people who had been spreading the rumours were indulging in psychological warfare to ‘disturb’ the people. The rumours on various opposition websites and on social media noted that the president had not appeared on television for nearly a month, which many people believed was unusual. **[25l]** (BBC News - ‘Eritrea President Isaias Afewerki goes on TV to dispel health rumours’, 28 April 2012)
- May In its annual survey, the Committee to Protect Journalists (NGO) identified Eritrea as the most censored country in the world. According to the NGO, Eritrea is “completely closed” to foreign journalists, and stated that only tightly controlled state media are allowed to operate there. **[39]** (Voice of America – ‘Eritrea President Denies Stifling Free Speech’, 18 May 2012)
- July The United States government imposes sanctions on two Eritrean government officials for supporting the Somali Islamist rebel group, Al Shabaab. **[25m]** (BBC News - ‘US sanctions on Eritrea spy chief Negash over al-Shabab’, 6 July 2012)
- December Almost the entire Eritrean national football squad has been missing in Uganda since 2 December] after the team was eliminated at the ongoing East and Central Africa Football Associations (CECAFA) senior Challenge Cup. According to reports, seventeen players and the team's doctor have disappeared in Ugandan capital, Kampala, leaving behind the head coach, Teklit Negash, two of his assistants and four other members of the team. **[57a]**

(Sudan Tribune - 'Eritrea's entire football squad defects in Kampala,' 4 December 2012)

2013

January

On 21 January 2013, a group of 200 soldiers occupied the Ministry of Information in central Asmara, and broadcasted an announcement calling for the release of all political prisoners and the implementation of the 1997 Constitution. According to some reports, shots were fired during the removal of the soldiers from the Ministry, other reports stated the incident passed with no violence. However, in the aftermath of the event a large number of arrests were reported. **[6c] (page 18)** (Amnesty International - 'Eritrea - 20 years of independence, but still no freedom,' 9 May 2013)

May

The Canadian government ordered an Eritrean envoy to leave the country following claims he demanded contributions from expatriates to fund Eritrea's military forces. Semere Ghebremariam Michael, head of the Eritrean Consulate General in Toronto, has been under investigation for the practice. Mr Michael had previously been warned against collecting funds from Eritrean expatriates living in Canada. **[25n]** (BBC News - 'Canada expels Eritrea envoy over expat fees claims,' 29 May 2013)

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Annex B

Political organisations

Eritrean Democratic Alliance (EDA)

Formerly Alliance of Eritrean National Forces and founded in 1999. Became the Eritrean National Alliance in 2002. Adopted present name in 2004. Broad alliance of 13 opposition parties opposed to the PFDJ regime. Chairman: Berhane Yemane “Hanjema”. Secretary General: Husayn Khalifa.

[24] (**Political Organisations**) (Europa World Plus, undated, accessed on 31 July 2013)

Eritrean Democratic Party (EDP)

Founded 2001 as the Eritrean People’s Liberation Front - Democratic Party (EPLF-DP); breakaway group from the PFDJ; name changed to above in 2004.

[24] (**Political Organisations**) (Europa World Plus, undated, accessed on 16 May 2012)

Tesfamichael Yohannes is head of the party. [68c] (Asmarino: Mesfin Hagos steps down as chair of EDP, 9 April 2009)

Eritrean Islamic Jihad (EIJ)

Radical opposition group. In August 1993, split into a political wing and a military wing.

[24] (**Political Organisations**) (Europa World Plus, undated, accessed on 31 July 2013)

Eritrean Islamic Party for Justice and Development (EIPJD)

Founded in 1988 as the Eritrean Islamic Jihad Movement. Changed name to al-Khalas in 1998; political wing of EIJ. Leader: Khalil Muhammad Amer.

[24] (**Political Organisations**) (Europa World Plus, undated, accessed on 31 July 2013)

Eritrean Liberation Front -Central Command (ELF-CC)

Founded in 1982. Chairman: Abdella Idriss.

[24] (**Political Organisations**) (Europa World Plus, undated, accessed on 31 July 2013)

Eritrean Liberation Front-Revolutionary Council (ELF-RC)

Chairman: Ahmed Woldeyesus Ammar.

[24] (**Political Organisations**) (Europa World Plus, undated, accessed on 31 July 2013)

Eritrean National Commission for Democratic Change (ENCDC)

New organisation set up during a political opposition conference held from 31 July to 9 August 2010 in Addis Ababa. One of the aims of the new Commission is to bring the various elements of the Eritrean political opposition together to form a more united opposition against the Eritrean regime. [68a] (Asmarino - ‘Message from the National Commission for Democratic Change’ [ENCDC], 28 October 2010)

Eritrean People’s Democratic Party (EPDP)

Relatively new party. On 25 May 2009, the Eritrean Democratic Resistance Movement united with the Eritrean People’s Party (EPP), with the latter retaining the name of the united organisations. On 1 January 2010, the EPP merged with two other parties, the Eritrean Democratic Party (EDP) and the Eritrean People’s Movement (EPM) to found a new party - the Eritrean People’s Democratic Party (EPDP). This was achieved in a conference in December 2009.

[27f] (Awate – ‘The Next EDA-EPDP Confrontation’ - 17 January 2011)

Eritrean People's Liberation Front - Democratic Party (EPLF-DP)

The EPLF-DP announced its establishment in January 2002. Leadership is based abroad but claims that its main support base is in Eritrea.

[7b] (Jane's 'Eritrea Internal Affairs', updated 26 October 2012)

Eritrean Popular Movement (EPM)

Founded in 2004. Leader: Abdallah Adem.

[24] (Political Organisations) (Europa World Plus, undated, accessed on 31 July 2013)

Eritrean Revolutionary Democratic Front (ERDF)

Founded in 1997 following a merger of the Democratic Movement for the Liberation of Eritrea and a faction of the People's Democratic Front for the Liberation of Eritrea. Leader: Berhane Yemane "Hanjema".

[24] (Political Organisations) (Europa World Plus, undated, accessed on 31 July 2013)

Gash Setit Organization

Leader: Ismail Nada.

[24] (Political Organisations) (Europa World Plus, undated, accessed on 31 July 2013)

People's Front for Democracy and Justice (PFDJ)

Founded in 1970 as the Eritrean Popular Liberation Forces (EPLF); following a split in the Eritrean Liberation Front, renamed the Eritrean People's Liberation Front in 1977; adopted present name in February 1994. Christian and Muslim support; in May 1991 took control of Eritrea and formed provisional Government; formed transitional Government in May 1993; Chairman: Isaias Afewerki. Secretary General: Alamin Mohamed Said.

[24] (Political Organisations) (Europa World Plus, undated, accessed on 31 July 2013)

Red Sea Afar Democratic Organisation

Afar opposition group. Secretary General: Ibrahim Haroun.

[24] (Political Organisations) (Europa World Plus, undated, accessed on 31 July 2013)

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Annex C

Prominent people

The main source used in the list is [7c] (Jane's 'Eritrea - Political Leadership', updated 26 March 2013, accessed on 11 June 2013). The other sources used are [46b] (Shabait – 'Marine Resources Ministry graduates members trained in different disciplines', 3 August 2013), [61b] (Tesfa News – 'Eritrea to Re-Start Aggressive Privatization Program', 27 December 2012), and [34] (jeberti.com - Eritrean Authority Personnel, undated).

President of Eritrea

Minister of Defence

Minister of Justice

Minister of Foreign Affairs

Minister of Information

Minister of Finance

Minister of National Development

Minister of Agriculture

Minister of Labour and Human Welfare

Minister of Maritime Resources and Fisheries

Minister of Construction

Minister of Education

Minister of Health

Minister of Energy and Mines

Minister of Transport and Communications

Minister of Tourism

Minister of Local Government

Minister of Land, Water and the Environment

Minister of Trade and Industry

Minister of Public Works

Isaias Afewerki [7c]

General Sebhat Ephrem [7c]

Fozia Hashim [7c]

Osman Salih Muhammad [7c]

Ali Abdu Ahmed [7c]

Berhane Abrehe [7c]

Dr Woldai Futur [34]

Arefaine Berhe [7c]

Salma Hassen [34]

Tewolde Kelati [46b]

Abraha Asfaha [7c]

Semere Rusom [7c]

Aminah Nur Husayn [7c]

Tesfai Ghebresselassie [34]

Woldemikael Abraha [7c]

Askalu Menkorios [7c]

Woldenkial Ghebremariam [7c]

Tesfai Ghebresselassie [7c]

Estifanos Habte [61b]

Abraha Asfaha [34]

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Annex D

List of abbreviations

AI	Amnesty International
BBC	British Broadcasting Corporation
CIA	Central Intelligence Agency
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CPJ	Committee to Protect Journalists
EIU	Economist Intelligence Unit
FCO	Foreign and Commonwealth Office (UK)
FGM	Female Genital Mutilation
FH	Freedom House
GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
ICG	International Crisis Group
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
NGO	Non Governmental Organisation
RSF	Reporters sans Frontières
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development
USSD	United States State Department
WHO	World Health Organization

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Annex E

Letter dated 1 April 2010 from the British Embassy in Asmara about national service and illegal exit



Foreign &
Commonwealth
Office

British Embassy
Asmara
66-68 Mariam Ghimbi
Street
Asmara
Eritrea

1 April 2010

ERITREA COUNTRY INFORMATION

This note has been produced by officials at the British Embassy in Asmara in response to a series of questions about national service and exit from Eritrea sent by the Country of Origin Information Service of the United Kingdom Border Agency (UKBA). Any further enquiries regarding its contents should be directed to UKBA. The information in this note has been obtained from local sources in Eritrea and is publicly disclosable. The note does not reflect the opinion of officials of the embassy, nor any policy of the Foreign and Commonwealth Office.

CAVEAT

Embassy officials wish to make it clear that it is virtually impossible to be categorically certain about military/national service practice and exit procedures in Eritrea. The official rules/regulations are mostly obscure, liable to subjective interpretation, and can be changed without notice, consultation or public information campaigns. The information contained in this note, provided by local sources and contacts in Eritrea, is what embassy officials believe to be true.

National Service/Military Service

Does the Eritrean Ministry of Defence run the military/national service programme? If so, can one assume that officials in that department decide when and where military service round-ups occur, rather than the president or a senior government official from another department?

Officially, the Eritrean Ministry of Defence runs the military/national service programme. However, in practice other ministries are involved in the assignment of people to national service positions in ministerial dependencies. It is impossible to confirm who decides when and where military service round-ups occur. However, it is assumed that the Eritrean Ministry of Defence decides this, possibly on instructions from the president.

How often do military service round-ups (Giffas) occur? Do they start on an exact date every year?

It is important to note that there are no set government policies or standard procedures regarding how round-ups are organised. Military service round-ups take place usually around 4 to 5 times a year but can occur more frequently or less frequently, and usually coincide with public holidays when large numbers of people are out and about. They can occur in various parts of Eritrea and are not confined to one particular part of it. Once rounded up, people are sent from Asmara to the Adi Abeto camp for processing and onward assignment.

In general, are all documents relating to military or national service printed in one language only, e.g. Tigrinya? If not, in what other languages are these documents printed in? Can these documents be obtained by bribing the relevant officials or can forgeries easily be obtained?

Documents are mostly printed in Tigrinya and Arabic. There have been reports of fake documentation but the general view is that it is difficult to forge these documents.

Are call-up papers issued to individuals who have to undergo military or national service? Do they always name individuals specifically? If call-up papers are not issued, how are individuals informed that they have to undergo military or national service?

When students finish school in the Sawa military/school camp, they are automatically assigned to either military service, another type of national service or further education, and are given the relevant documents to that effect at that time. Other Eritreans are forcefully brought into military/national service as a result of round-ups or house searches. Military service or national service call-up documents are not issued to these individuals and they are not informed in advance that they have to undergo military/national service.

Are siblings or other family members called up to serve in the armed forces if their brothers or sisters have deserted or evaded military service?

We have no information to suggest or indicate that this occurs.

Is it possible for wealthy individuals to bribe military officials to avoid undergoing military or national service? If so, have there been actual cases of this happening? Can individuals close to the political ruling class avoid military or national service? If so, have there been actual cases of this happening?

Wealthy conscripts and individuals who are close to the political ruling class may be able to influence the decision as to where they will be located (e.g. Asmara, living at home but working for military/ministry) but cannot avoid military/national service altogether. Individuals who can afford it, and do not want their children to undergo military/national service, may try to send their children overseas to study. But it is notable that even respected and senior government officials send their children to military/national service assignments. It is thought that the children of dead fighters, especially children responsible for the support of the remaining parent, may be excused from military/national service, and in some cases may receive some sort of preferential treatment.

Are there any categories of people exempt from military or national service, such as disabled people, pregnant women, or full-time religious clerics? Are such individuals given military/national service exemption documents? If so, who has the authority to issue them?

People who are disabled or medically unfit for military/national service, and pregnant women can and have been exempted from military/national service. To be exempted, these individuals have to be medically certified by a doctor at a military base as disabled/medically unfit. Full-time religious clerics/nuns can be required to do military/national service although in previous years they have been exempt. It is believed that some churches or mosques are limited to having a minimum of serving religious members who are exempt from military/national service.

Regarding military service exemption on medical grounds, are doctors allowed to issue exemption documents following a medical examination, or are they only allowed to make a recommendation to the military authorities, who then make a decision?

Doctors produce the medical reports needed and then make a recommendation as to whether a particular individual should be exempted from military/national service. The military authorities make the decision regarding exemption and issue the relevant exemption documents.

Whilst in military service, can individuals apply for leave? If so, are there standard written rules that must be followed or is this a matter for local commanders who judge each case on its merits? Are leave papers issued if leave is granted and are these documents issued in a standard format? Can local military commanders be bribed to grant leave?

There are no standard rules with regard to leave. Individuals have no entitlement to leave, and cannot request it, but can be given it arbitrarily by local commanding officers. If a military commander authorises leave for an individual, documents are issued specifying where that person may travel to and for how long (usually one month maximum). We do not know whether leave papers are issued in a printed standard format or are handwritten. We can only assume that they would have to name the individual concerned, and be signed by a military commander at the relevant base, to have any validity. It is rumoured that military commanders accept bribes to grant leave by the more wealthy conscripts but this cannot be substantiated.

Do individuals have any say in what type of national service they may be required to do or where in the country they may be required to go? Can individuals change from undergoing one form of national service to another? For example, can a person working for a nationalised company ask to be transferred to a government department?

In principle, individuals have no choice about their military/national service assignment though some may be able to influence where (e.g. Asmara). Individuals are generally arbitrarily

transferred by their commanders or supervising officers. There are no standard rules with regard to such transfers.

Are individuals who have completed military/national service given an official document as proof that they have completed military/national service, such as a "Completion of National/Military Service" certificate? If so, who has the authority to issue them?

There is no such thing as a "Completion of National/Military Service Certificate". In the absence of such documents, a person's age gives an indication regarding whether they should be in military/national service - under 57 for men, or under 47 for women who are unmarried.

Are women treated differently when it comes to military/national service? Are they assigned different types of work to men? If they are married, or have children, are they treated any differently from single women or women without children? If they are Muslim, are they treated with more consideration than Christians, or are they exempt from some types of national service?

Generally speaking, single women are not treated very differently to men (though we have heard that their rations, for example, may be less meagre). Married women and women with children are exempt from military/national service. Single women who become formally engaged are also exempt. Muslims and Christians are treated the same (they are given no special allowances for prayers, etc) although it is believed that Muslim women in rural areas are rarely called up. This may be due to early marriages and the fact that those communities are made up of mostly poor, subsistence-farming families.

Obtaining a Passport and Exit from Eritrea

What are the procedures for obtaining an Eritrean passport? What government office or agency issues passports? What documents are needed to be submitted before a passport can be issued? Is there just one passport-issuing office or several in various locations around Eritrea? Is it always necessary for an individual to have completed his national service or military service obligations first before being issued with a passport? Are they always issued in a standard format, if so, in what language? Can officials be bribed to issue passports?

Individuals working in a government ministry or agency must obtain ministerial permission before applying for a passport. Other individuals must obtain authorisation from a local government administrator and present a birth certificate, any military/national service medical exemption documents, and an ID card. The administrator will then instruct the Department of Immigration (which has offices in regional capitals) to issue a passport. All of the Department of Immigration's regional offices can issue passports. There is a fee for this service. For some time now, it has been very difficult to obtain first-issue passports. In practice, those individuals who are exempt from military/national service, such as people who are ill or old, as well as government officials who need to travel abroad on official business, will find it easier to obtain passports. Even in these cases, however, there is no guarantee that a passport application will be accepted. Passports, which are due to go biometric at some point, are printed in English, Tigrinya and Arabic. There were rumours in 2009 that staff in the Immigration Department and Asmara Airport were running a passport/papers/exit visa stamp scam to facilitate illegal exit from the country. The general belief is that bribery occurs but is not a widespread practice.

Can local authorities issue passports?

See above answer on passport issuing.

Are exit visas stamped in passports, or are they stickers that are stuck on a page of a passport, or are they issued as a separate paper document? Are they always issued in a standard format, if so, in what language?

Exit visas used to be issued in sticker form but following a 2009 alleged visa scam are now stamps. They are produced in a standard format, in English only.

Are exit visas issued free of charge? If payment is required, are government officials or other categories of people exempt from payment?

Exit visas are not issued free of charge. The cost is currently around £8 (GBP) for a single exit visa. If government officials are travelling on official business we assume, but cannot confirm, that they do not pay fees.

Where can Eritreans obtain exit visas? Is there only one government office that issues them? If so, do Eritreans always have to apply in person at this office? Can exit visas be obtained illegally by bribery or can they be forged?

Exit visas are issued by the Department of Immigration which has regional offices. All these regional offices have the authority to issue exit visas. Applicants must apply in person only. Without expert knowledge, we can only assume that the stamp/signature can be forged, and that the demand for false exit visas will increase.

Can certain categories of people obtain exit visas more easily than others, such as government ministers, prominent businessmen, people who need medical treatment abroad, or religious clerics?

In practice, the majority of Eritreans wishing to travel abroad are not issued with exit visas and therefore cannot leave the country legally. Government officials and ministers can certainly obtain exit visas provided they have been given authorisation to travel abroad on official business. People who need medical treatment abroad can also obtain exit visas. Businessmen will almost always have to satisfy the age limit. In other words, they would have to be over the age of 57 before they would be allowed to apply for an exit visa. Women are not given preferential treatment or dispensation. For example, we know of many Eritrean women who have undergone military service, or are married and have children, but have still been refused exit visas for bona fide journeys abroad. Religious ministers or clerics can obtain exit visas if they need to travel abroad to attend meetings or events in connection with their religious faith, but they would have to belong to one of the officially recognised religions, such as the Roman Catholic Church.

Do people who need medical treatment abroad need to obtain a letter or medical certificate from a doctor to prove that they have the disease or condition they claim to have, as well as a military/national service medical exemption document before they are issued with exit visas? Do they also need other documents to obtain exit visas, such as letters from foreign hospitals or foreign doctors confirming that the medical treatment needed is available in a specific hospital in a specific country?

People wishing to travel overseas for medical treatment are required to have a medical certificate provided by a government medical panel. The medical panel is made up of doctors who have the authority to carry out a medical examination on the person concerned. Medical

certificates are only issued after a medical examination has been carried out. Depending on the age of the person concerned and severity of the condition, the normal requirement for military/national service exemption papers may be waived. We do not believe that letters from foreign doctors are also required as it is local medical opinion that carries weight in these matters.

Are multi-exit visas ever issued (valid for more than one journey)?

Multi-exit visas are not issued. Exit visas are valid for one month and for one journey only.

Have there been cases of Eritrean military officials/immigration officials/border guards accepting bribes or otherwise assisting in illegal exits?

We do not have substantive evidence to prove this but it is widely believed that officials, border officers and military/police at checkpoints, have and do accept bribes, and help facilitate the escape of very large numbers of young Eritreans to other countries (Sudan mostly).

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Annex F

Letter dated 10 August 2010 from the British Embassy in Asmara about official documentation and freedom of movement in Eritrea



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10 August 2010

INFORMATION ABOUT OFFICIAL DOCUMENTATION AND FREEDOM OF MOVEMENT WITHIN ERITREA

This note has been produced by officials at the British Embassy in Asmara in response to a series of questions about official documentation and freedom of movement within Eritrea, sent by the Country of Origin Information Service of the United Kingdom Border Agency (UKBA). Any further enquiries regarding its contents should be directed to UKBA. The information in this note has been obtained from local sources in Eritrea and is publicly disclosable. The note does not reflect the opinion of officials of the embassy, nor any policy of the Foreign and Commonwealth Office.

CAVEAT

Embassy officials wish to make it clear that it is not possible to be categorically certain about how the rules and regulations relating to official documentation and freedom of movement within Eritrea are implemented in practice. The information contained in this note, provided by local sources and contacts in Eritrea, is what embassy officials believe to be true.

Official documentation and freedom of movement within Eritrea

As requested below are the responses to the questions asked:

Q. Are travel permits needed to travel to certain parts of the country? If so, where? If travel

permits are issued, are they issued in a standard printed format, and what government department issues them? What details do they contain? If travel permits are compulsory for travel within the country, what are the criminal penalties for not possessing them?

A. Travel permits are required to travel anywhere in Eritrea but travel to border areas is not permitted. They are issued by the Ministry of Defence (MOD), the Demobilisation Commission and other local administration offices. The format is not standard. For those individuals who have completed their national service, they can travel using their ID Card and their demobilisation papers. If issued by the MOD, the travel permit contains: full name, date of travel, expiry date of permit and where travelling to and from. The demobilisation paper contains: full name, military number, date of birth, national service details and a photograph of the holder. Anyone found trying to leave without the necessary permit or demobilisation paper will be detained until they can prove they have completed their national service. Those individuals who have not reported for national service will be detained as deserters and sent to a military training camp.

Q. Is the possession of ID cards compulsory? If so, what government department issues them? Are they issued in one standard printed format? What details do they contain (full name, date of birth, place of birth, address, photograph of the holder)? Do Eritreans need to carry ID cards with them on every occasion they are out and about, in case they are stopped by police officers and asked to produce ID? If ID cards are compulsory, what are the criminal penalties for not possessing them?

A. ID cards are compulsory for anyone over the age of 18. They are issued by the Department of Immigration and Nationality in a standard format. They contain: full name, date of birth, place of birth, address and a photograph of the holder. ID cards need to be carried at all times. If found not to be in possession of an ID card, individuals will be detained until such time as one can be produced. They rely on friends or guards to inform their family of their detention.

Q. Do the police carry out routine security checks at various parts of the country, such as major crossroads and road junctions, bus stations and market squares, occasions in which ID documentation have to be produced? Do they have the legal right to carry out routine on-the-spot ID checks.

A. By virtue of Article 51 of the T/Criminal Procedure Code of Eritrea, the police and army are empowered to carry out routine checks on individuals, unless the person concerned is a member of the diplomatic community. Individuals have to produce their ID card and demobilisation papers.

Q. Does Eritrean law make the registration of births, marriages and deaths compulsory? If so, what government department, local authority or official body issues birth, marriage and death certificates? Is there a central registry office where copies of these documents can be obtained? Is it common practice for Eritreans to register births, marriages and deaths? If Eritrean law makes the registration of births, marriages and deaths compulsory, what are the criminal penalties for not registering births, marriages and deaths?

A. According to Art 5 of the Eritrean Peoples' Liberation Front (EPLF) Civil Law, every People's Congress has the duty and responsibility to organise Civil Status Officers to register births, marriages and deaths within its jurisdiction, and are duty-bound to issue certificates on request by any individual, as prescribed under Article 9 of the law. But in practice, People's Congresses have not yet been re-established since independence, in the spirit of the law. Therefore, registration of births, marriages and deaths is not available, except in Asmara, where

18 September 2013

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registration has been in practice since the time of Italian colonisation. However, registration is not mandatory for the people - even in Asmara. That said, most people do register births in order to include all family members on their ration cards. There is no central register office where records are held.

Please let me know if you need any further information.

Regards,

HM Ambassador

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Annex G

Letter dated 11 October 2010 from the British Embassy in Asmara about passport controls, national service, military training and homosexuality



British Embassy
Asmara

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11 October 2010

INFORMATION ABOUT PASSPORT CONTROLS, MILITARY TRAINING IN SAWA, NATIONAL SERVICE ROUND-UPS AND EXEMPTIONS, AND TREATMENT OF HOMOSEXUALS

This note has been produced by officials at the British Embassy in Asmara in response to a series of questions about passport controls, military training in Sawa, national service round-ups and exemptions, and treatment of homosexuals, sent by the Country of Origin Information Service of the United Kingdom Border Agency (UKBA). Any further enquiries regarding its contents should be directed to UKBA. The information in this note has been obtained from local sources in Eritrea and is publicly disclosable. The note does not reflect the opinion of officials of the embassy, nor any policy of the Foreign and Commonwealth Office.

CAVEAT

Embassy officials wish to make it clear that it is not possible to be categorically certain about how the rules and regulations relating to passport controls, military training in Sawa, and national service round-ups and exemptions are implemented in practice. Likewise, it is not possible to be categorically certain about how homosexuals are viewed and treated in Eritrea.

The information contained in this note, provided by local sources and contacts in Eritrea, is what embassy officials believe to be true.

We have answered the most recent questions as fully as we are able, please find our responses below:

Treatment of Ethiopians and treatment of returned failed asylum seekers and other Eritreans at airport immigration control points

Q. Would Ethiopians find it more difficult to enter and exit Eritrea through Eritrean airports than other nationalities?

A. Ethiopians cannot enter or exit Eritrea through Eritrean airports. Ethiopian refugees are kept separately from others and normally do not have access to UNHCR. If they chose to leave, they would normally exit Eritrea through the Sudanese border after a laissez-passer is granted from an immigration office. The Red Cross are involved in the repatriation of Ethiopian refugees.

Q. Would the Eritrean immigration authorities view Ethiopians with suspicion?

A. Yes, as mentioned above, Ethiopians are separated from other nationalities and are usually held in detention or in designated areas.

Q. Would it make any difference if they had been born in Eritrea and had lived in the country for many years?

A. They would not be treated differently if they had been born in Eritrea and had been issued with an Eritrean ID card giving them the right to live and work in Eritrea.

Q. Would Ethiopians need any other documents, apart from passports?

A. As there is no Ethiopian government representation in Eritrea, they would need to obtain a laissez-passer from the Eritreans to enable them to travel back to Ethiopia.

Q. How would the Eritrean immigration authorities view returned failed Eritrean asylum seekers, independent journalists, and leaders or active members of opposition political parties? [These would be individuals with valid passports or travel documents]. Is it likely that they would have to undergo lengthy questioning about their political activities and loyalties, whether they had paid the required income tax or completed their national service duties, and then let through immigration control? Or is it more likely that they would be questioned, arrested and detained for an indefinite period?

A. This is a grey area as there is little experience of failed asylum seekers returning to Eritrea. However, the Eritrean authorities tell us that if they return and have not committed a criminal offence, no action would be taken. But we have to put this into context. It is an offence to leave the country illegally, so returnees would be liable to detention and questioning. Some have been released without further action but those who have not undertaken military service could be sent to a military training camp.

National service round-ups and exemptions and military training in Sawa

Q. What is the precise role of the Kebelles (local authorities) in national service round-ups?

The main text of this COI Report contains the most up to date publicly available information as at 16 August 2013.

A. Occasionally, the local authorities issue letters to those who have not entered into the military urging them to do so. Round-ups are normally carried out by the military.

Q. How do they assist the military authorities? Do they routinely issue national service call-up papers to people in their jurisdiction, under instructions from the Ministry of Defence? Or do they just inform the military authorities of the home addresses of people required to undergo national service, thus making it easier for house-to-house round-ups to be made?

A. The most common form of assistance is through informing the military of any individuals who have not undertaken military training. They usually get this information through 'informants'. The Kebelles distribute call-up papers to those found in breach of the rules on military training.

Q. Does military training at Sawa always last six months, or can it vary according to how well resourced the camp is at any given time, or at times of war?

A. Another grey area. Military service normally lasts 18 months - 6 months military training at Sawa before being deployed in other areas. During times of conflict or heightened security threat, this period can be extended. We have no information on the resources available in camps.

Q. Do military commanders at Sawa have any freedom to vary the length of the training period?

A. We have no information concerning the freedom military commanders have to vary the length of the training period.

Q. Are there any other military training camps currently used?

A. Yes.

Q. If so, what are their names and where are they located?

A. The camps we are aware of are at Weah and Meater in the Northern Red Sea Region, Kiloma and Alla in the Southern Red Sea Region.

Q. Can people be required to undergo military training at Sawa or forced into military service more than once, perhaps as a form of punishment for some misdemeanour?

A. Anyone who deserts the military and are then captured will be punished and then required to undertake a full period of military training.

Q. Certain categories of people can be given official exemption from national service duties such as the disabled, elderly people or pregnant women. More generally, can military commanders or supervising officials exercise discretion in exempting individuals from national service duties, including military training and military service?

For example, can an individual from a poor family who is the only working person in that family be exempted, or can an individual who has to look after relatives who are severely ill, disabled, or elderly, be exempted, although this is not strictly permitted by the rules?

A. Normally, married women or women with young children are exempt from military service as are those registered disabled. The elderly have usually completed their national service, but if conflict ensues they could be expected to take up arms. Military commanders are able to

authorise medical exemptions, with a report from a military medical officer. There are no exemptions for those from a poor background or those who have family members dependent on them through age or illness.

Societal and official government attitudes to homosexuals

Q. Homosexual acts are illegal in Eritrea and the punishment is imprisonment. Have there been any known prosecutions and convictions in Eritrean courts during the last ten years?

A. We cannot find any details on prosecutions or detentions without trial specifically involving homosexual acts.

Q. If not, can one conclude that the authorities tolerate practising homosexuals to a certain extent?

A. Homosexuality is not tolerated to any extent.

Q. What are societal attitudes to known homosexuals?

A. The attitudes are negative. No one will admit to being homosexual or admit to knowing anyone rumoured to be homosexual.

Q. Are they likely to encounter hostility, lose their jobs, experience family ostracisation, or be discharged from the army (if they are soldiers)?

A. Soldiers would be arrested. It is difficult in the climate of secrecy in Eritrea to know if anyone has lost their job but it can be expected they would. No evidence is available on how families would react.

Q. Can homosexuals avoid prosecution or societal hostility if they conduct themselves discreetly and do not draw attention to themselves?

A. Yes.

I hope the above information is useful.

Regards,

HM Ambassador

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Annex H

Letter dated 3 October 2011 from the British Embassy in Asmara about national service and exit visas



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Asmara

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Eritrea

03 October 2011

Country of Origin Information Service
United Kingdom Border Agency
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Surrey

Dear colleague

Eritrean COI questions for the post in Asmara - September 2011

This letter is a response to questions sent by the Country of Origin Information Service of the United Kingdom Border Agency (UKBA). Any further enquiries regarding its contents should be directed to UKBA. The information in this letter has been obtained from local sources in Eritrea and is publicly disclosable. This letter does not reflect the opinion of officials of the British Embassy in Asmara, nor any policy of the Foreign and Commonwealth Office. Whilst we make every effort to ensure the replies are accurate, the answers given are based on common practice, which the government of Eritrea does not always follow.

Below are responses to the Eritrean COI questions for September 2011.

National service and marriage

- Would the Eritrean authorities allow a woman to get married whilst on a national service work programme or in military service? If so, would that woman become exempt from national service duties as soon as she married, and could produce a marriage certificate as proof?

Women are able to marry whilst on a national service work programme, but not during military service, which normally is the first six months of the national service programme.

Following her marriage, a woman may apply for demobilisation, a decision on whether to grant lies with the relevant dept/ministry. It is not standard practice for a woman to be demobilised on marriage, some are expected to continue their national service for various reasons.

- Are there any formal procedures to be followed by the woman concerned after the marriage ceremony to allow her to be exempt, or is a woman automatically exempt as soon as she is married?
- Women are not automatically exempt on marriage. They have to formally apply for demobilisation, if on national service, or exemption if national service has not yet started.
- Are national service exemption documents issued to such women?

Yes, firstly they will be issued with a certificate releasing them from duty, followed by a demobilisation card.

Exit visas

- We understand that the Eritrean government requires some foreign nationals (eg long-term residents) to obtain exit visas before leaving the country. Are the exit visas stamped in the passports of foreign nationals of the same type and format as the exit visas stamped in Eritrean passports? If not, in what way do they differ? Would such individuals have to go to a local immigration office to obtain an exit visa, just as Eritreans are required to do?

Exit permits for foreign nationals are the same type and format as those for Eritrean nationals. All exit permits are issued by the local immigration office.

Yours sincerely

HM Ambassador

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Annex I

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