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Introduction

This country of origin information report (country report) was drawn up on the basis of the questions asked in the Terms of Reference (ToR) compiled by the Ministry of Justice and Security. This ToR was approved on 23 May 2023 and it and the country report are available at the Dutch Government's website.

This general country of information report describes the situation in Eritrea insofar as this affects the assessment of asylum applications from persons originating from Eritrea, and for decision-making regarding the return of Eritrean asylum seekers who have been rejected. It is an update of the general country of information report on Eritrea of May 2022. The reporting period covers the period from May 2022 to November 2023 and includes relevant developments up to the publication date. This country report is a factual, neutral and objective representation of the findings that were made during the reporting period. It is not a policy document, nor does it reflect the Dutch government's vision or policy in relation to any given country or region, or reach any conclusions on immigration policy. This country report has been compiled on the basis of public and confidential sources, using carefully selected, analysed and verified information. The information presented in this country report was obtained from various sources, including non-governmental organisations (NGOs), specialist literature, media reporting, and relevant government agencies. The content in this report is based on multiple sources wherever possible, except where the facts are generally undisputed or unless stated otherwise. The public sources that were consulted are listed in the references. Other information was gathered during interviews or correspondence with relevant and expert confidential sources both in and outside Eritrea. This confidential information was primarily used to support and supplement passages based on public information.

The first chapter covers recent political developments, the security situation, Eritrea's relationships with foreign countries, and freedom of movement both within Eritrea and at its borders. Chapter 2 discusses various aspects of identity and other documents used in Eritrea. Chapter 3 describes the human rights situation and compliance with, and any violations of, human rights, as well as the position of specific groups in Eritrea. Chapter 4 covers the reception of refugees and internally displaced persons and the activities of international organisations. Chapter 5 discusses the return of Eritrean nationals. Finally, Chapter 6 contains a list of abbreviations, references and a map of Eritrea.

1 Political and security situation

1.1 Political situation

1.1.1 Domestic political developments

The domestic political situation in Eritrea has remained more or less unchanged for many years now. The current reporting period also saw little change in the political situation. Since taking office in 1993, president Isaias Afwerki (hereafter: Isaias) has been at the head of the legislative and executive government. The judiciary is largely controlled by the executive government. A separation of powers is thus lacking.¹ In 2023, Freedom House gave Eritrea a score of 3 on a scale of 100 for political and civil liberties.² The annual Democracy Index of the Economist Intelligence Unit (EIU) ranked Eritrea 152 out of a total of 167 countries in 2022. This qualified the Eritrean administration as 'authoritarian'.³

A single national election has been held since Eritrea declared independence in 1993. On 8 June 1993, president Isaias won an election organised by the Transitional National Assembly with 95% of the vote. That assembly was already dominated by the Eritrean People's Liberation Front (EPLF), which became the People's Front for Democracy and Justice (PFDJ) in 1994.⁴

The PFDJ is the only political party and president Isaias has been in power since independence. He shows no willingness to hold elections or accept changes in the country's political status quo.⁵ The country is still led by the old generation of independence fighters with a strong war mentality.⁶ He rules along with a small number of advisers to the PFDJ leadership, notably Yemane Gebreab (called 'presidential adviser' in recent years), Hagos 'Kisha' Gebrehiwot (head of the PFDJ's financial affairs) and Yemane Gebremeskel (minister of Information). Osman Saleh is foreign minister and General Filipos Woldeyohannes is commander of the armed forces.⁷ The army and the security service have considerable political power, and the National Assembly (the parliament) has not met since 2002. The constitution of 1997 has not yet entered into force.⁸

For two decades, president Isaias used the lack of peace with Ethiopia as justification for his authoritarian rule. When Ethiopia and Eritrea declared peace in 2018, many hoped that reforms would follow, and that the human rights situation in the country would improve. However, this proved not to be the case. The outbreak

¹ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 9; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; confidential source, 21 September 2023.

² Freedom House, *Freedom in the World: Eritrea*, 2023.

³ The Democracy Index is based on five categories: electoral process and pluralism, government functioning, political participation, political culture and civil liberties. Each country is classified as one of the following government types based on scores for a set of indicators within these categories: 'full democracy', 'flawed democracy', 'hybrid regime' or 'authoritarian regime'. Economist Intelligence Unit, *Democracy Index 2022: Frontline Democracy and the Battle for Ukraine*, 2023.

⁴ The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023; BBC Monitoring, *Isaias Afwerki*, 10 July 2023; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 7.

⁵ The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023; confidential source, 1 December 2022; confidential source, 21 September 2023.

⁶ Confidential source, 1 December 2022.

⁷ Bertelsmann Stiftung, *BTI 2022 Country report Eritrea*, 1 February 2022, p. 4; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 7.

⁸ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 7; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 9; BBC Monitoring, *Isaias Afwerki*, 10 July 2023; Confidential source, 1 December 2022.

in late 2020 of the conflict in Tigray, a region in Northern Ethiopia, confirmed that president Isaias' course had not changed. The Tigray region is held by the Tigray People's Liberation Front (TPLF), which group Isaias considers an arch-enemy and which dominated Ethiopia's government from 1991 until 2018 – until Abiy Ahmed was elected prime minister of Ethiopia in 2018. During the Tigray conflict, the Eritrean army fought alongside Ethiopian government soldiers.⁹ The signing of the Pretoria Agreement that ended the war in Tigray on 2 November 2022 (see also § 1.2 'Security situation') did not have a major impact on public life in Eritrea: Eritrea had not carried out any reforms at the time of the current reporting period¹⁰, it maintained its presence in Tigray and the border region, and conscripts were still being recruited by the Eritrean army during so-called razzias (round-ups) during the reporting period (see also § 3.2.3.3 'Conscription practice').¹¹

1.1.1.1 Domestic opposition

Without a constitution, democratic institutions, or civil liberties, no domestic political opposition was possible in Eritrea.¹² There were no signs of any domestic resistance, organised or otherwise, by the Eritrean people against the current Eritrean authorities. There was thought to be real discontent among the population, but confidential sources strongly doubted that it was organised to any extent. There was no opportunity in Eritrea for civil society to organise itself¹³ and engaging in political opposition carried many risks (see also § 3.2.6 'Members of opposition parties / political activists').¹⁴

1.1.2 Foreign relations

1.1.2.1 Multilateral relations

Eritrea apparently saw itself as a victim of the West's double standards and its lack of support for the Algiers agreement (which established the border with Ethiopia) and the implementation of the 2018 peace treaty.¹⁵ The Eritrean state was very much closed and fostered multilateral relations, and particularly regional cooperation, only if this was clearly useful and effective.¹⁶ The country took part in several regional and international meetings during the current reporting period and seemed to want to strengthen its international and regional position.¹⁷ For example, for the first time in sixteen years, it sent a delegation to a summit of leaders of the East African Intergovernmental Authority for Development (IGAD), which took place in neighbouring Djibouti on 12 June 2023.¹⁸ Isaias also travelled to Cairo on 12 July 2023 to attend a summit with other leaders of Sudan's neighbouring countries to hold peace talks about Sudan.¹⁹ During this summit, he spoke with South Sudanese

⁹ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 8; Chatham House, *Navigating the regionalization of Ethiopia's Tigray conflict*, 8 September 2023; The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023.

¹⁰ Confidential source, 1 December 2022.

¹¹ Confidential source, 28 September 2023.

¹² Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 8.

¹³ Confidential source, 21 August 2023; confidential source, 21 September 2023.

¹⁴ Confidential source, 21 June 2023; confidential source, 21 August 2023; confidential source, 21 September 2023.

¹⁵ Confidential source, 1 December 2022.

¹⁶ Confidential source, 1 December 2022; confidential source, 21 September 2023.

¹⁷ International Crisis Group, *Eritrean forces' continued presence in Ethiopia's Tigray region hindered peace process; President Isaias attended summits in Egypt and Russia amid efforts to boost international standing*, July 2023; International Crisis Group, *Asmara re-joined regional bloc in sustained effort to bolster international standing; President Isaias continued seeking closer ties with Russia*, June 2023; confidential source, 21 September 2023.

¹⁸ BBC Monitoring, *(Corrected) Eritrea joins Igad summit after 16-year absence*, 12 June 2023; International Crisis Group, *Asmara re-joined regional bloc in sustained effort to bolster international standing; President Isaias continued seeking closer ties with Russia*, June 2023.

¹⁹ BBC Monitoring, *Eritrean leader travels to Egypt to discuss Sudan conflict*, 12 July 2023; International Crisis Group, *Eritrean forces' continued presence in Ethiopia's Tigray region hindered peace process; President Isaias attended summits in Egypt and Russia amid efforts to boost international standing*, July 2023.

president Salva Kiir Mayardit and the Egyptian foreign minister Sameh Shoukry about solutions to the conflict in Sudan.²⁰ Isaias also met with Ethiopia's prime minister Abiy Ahmed and Egypt's president Abdul Fattah al-Sisi during the summit to discuss the conflict in Sudan.²¹ Isaias attended the Russia-Africa summit on 27 and 28 July and remained in Russia for several days afterwards, during which he attended the Russian Navy Day celebrations and other events.²² In late August, an Eritrean delegation led by president Isaias attended the three-day fifteenth BRICS summit in Johannesburg, where he also held several talks with other leaders, including Chad's prime minister Saleh Kebzabo and Belarus' foreign minister Syarhey Aleynik.²³ In early September, Isaias travelled to Nairobi with an Eritrean delegation to attend the African Climate Summit.²⁴ Finally, between 10 and 12 November, Isaias attended the Saudi-Africa summit in Riyadh where he had many bilateral meetings.²⁵

Human Rights Council

As also mentioned in the previous country report, Eritrea was re-elected to the United Nations (UN) Human Rights Council in October 2021.²⁶

1.1.2.2

Bilateral relations

Besides Eritrea's participation in regional and international meetings, there were also many bilateral meetings between Isaias and other regional leaders during the reporting period. This period was marked by a significant turn in relations between Eritrea and Kenya, which had seen no improvement for most of the decade.²⁷ In December 2022, Kenyan president William Ruto visited Eritrea to discuss trade and regional security.²⁸ On 8 and 9 February 2023, Isaias visited Nairobi, his first official visit to Kenya since December 2018. During this visit, president Ruto announced Kenya's intention to open an embassy in Asmara. The two heads of state also agreed to abolish the reciprocal visa requirement for citizens with immediate effect.²⁹ On 3 April 2023, Eritrean foreign minister Osman Saleh and presidential adviser Yemane Gebreab met with South Sudan's president Salva Kiir in Juba to discuss bilateral relations and regional stability. The same delegation met Kenyan president Ruto again in Nairobi on 11 April 2023.³⁰ Talks between Isaias and Ruto took place following the African Climate Summit.³¹ The following are more detailed descriptions of Eritrea's relations with Russia, Somalia, Sudan and Ethiopia.

Eritrea - Russia

Although the relationship between Eritrea and Russia was described as very opaque, it is said to have improved in recent years.³² During the reporting period, there were several meetings between senior Russian and Eritrean officials. Russian foreign minister Sergei Lavrov visited Eritrea in January 2023 during a tour of Africa, when

²⁰ BBC Monitoring, *Eritrean and South Sudan leaders discuss Sudan conflict*, 12 July 2023.

²¹ BBC Monitoring, *Eritrean, Ethiopian leaders meet first time in over two years*, 13 July 2023.

²² BBC Monitoring, *Eritrea's president returns home from Russia visit*, 31 July 2023.

²³ BBC Monitoring, *Chad PM, Eritrea leader discuss Sudan on sidelines of Brics summit*, 24 August 2023; BBC Monitoring, *Eritrean leader travels to South Africa for Brics summit*, 22 August 2023; BBC Monitoring, *Belarus discusses trade ties with African states on Brics sidelines*, 23 August 2023.

²⁴ BBC Monitoring, *Eritrean, Kenyan leaders discuss bilateral ties in Nairobi*, 7 September 2023.

²⁵ EIPA, *News Highlights: UK Supreme Court blocks Rwanda deal, African Development Bank staff arrested in Ethiopia, Saudi Summit concludes*, 17 November 2023.

²⁶ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 11.

²⁷ The East African, *Eritrean leader Isaias Afwerki arrives in Nairobi for two-day visit*, 8 February 2023.

²⁸ BBC Monitoring, *Ruto says Kenya to open embassy in Eritrea*, 9 February 2023.

²⁹ The East African, *Eritrean leader Isaias Afwerki arrives in Nairobi for two-day visit*, 8 February 2023; BBC Monitoring, *Ruto says Kenya to open embassy in Eritrea*, 9 February 2023.

³⁰ International Crisis Group, *May Alerts and April Trends 2023*, April 2023.

³¹ BBC Monitoring, *Eritrean, Kenyan leaders discuss bilateral ties in Nairobi*, 7 September 2023.

³² Confidential source, 1 December 2022; Chatham House, *Navigating the regionalization of Ethiopia's Tigray conflict*, 8 September 2023; The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023; confidential source, 21 September 2023.

agreements were reached on military cooperation, among others.³³ In late May 2023, Isaias visited Russia for the first time at the invitation of Russian president Putin.³⁴ As already mentioned, Isaias also attended the Russia-Africa summit in late July.³⁵ At this summit, Putin, who had pulled out of the grain deal with Ukraine earlier that month, promised to provide African countries, including Eritrea, with 25,000 to 50,000 tonnes of grain for free.³⁶

No information was found to suggest that Eritrea and Russia have reached agreements on the supply of Eritrean conscripts or military personnel to Russia. A confidential source considered it implausible that Eritrea would have sent soldiers to Russia, because their appearance would stand out on the front in Ukraine. This would also have caused a shortage of manpower and resources that Eritrea needed to achieve its military objectives in its own region.³⁷

Eritrea - Somalia

Relations between Somalia and Eritrea have improved since 2018.³⁸ Diplomatic relations between the two countries were restored in 2018 under Somali president Mohamed Abdullahi Farmaajo, after years of difficult relations due to allegations that Eritrea was supporting Somali militants. As already described in the previous country report, Isaias was a driving force behind the Tripartite Alliance (also known as the Cushitic Alliance), a partnership between Eritrea, Ethiopia and Somalia concluded in September 2018.³⁹ The good relations between the two countries purportedly continued under the new Somali president, Hassan Sheikh Mohamud, who took office in May 2022, and Eritrea continued to provide Somalia support, such as training government soldiers.⁴⁰ President Mohamud has made several visits to Eritrea since taking office in May 2022, most recently on 8 October 2023.⁴¹

Since 2019, Eritrea has trained between eight and ten thousand Somali troops, purportedly to be deployed against Somali's militant *Al-Shabaab* group.⁴² In July 2022, the two countries signed a Memorandum of Understanding (MoU) to strengthen their relations (specifically in the areas of diplomacy, defence and security, economy, culture, environmental protection and economic integration in the Horn of Africa).⁴³ Somali president Mohamud visited Somali army units in Eritrea on two occasions.⁴⁴

Eritrea - Sudan

³³ Reuters, *Lavrov shores up Eritrean support for Russia over Ukraine conflict*, 27 January 2023.

³⁴ BBC Monitoring, *Eritrean president heads to Russia-Africa summit*, 26 July 2023; BBC Monitoring, *Eritrean president concludes 'fruitful' visit to Russia*, 4 June 2023; BBC Monitoring, *Eritrean president heads to Russia on official visit*, 30 May 2023.

³⁵ FD.nl, *Veel minder Afrikaanse leiders op top met Rusland*, 27 July 2023.

³⁶ De Stentor, *Poetin paait Afrika met beloftes en cadeautjes*, 29 July 2023.

³⁷ Confidential source, 17 August 2023.

³⁸ BBC Monitoring, *Eritrean, Somali leaders discuss ways to 'strengthen' Somalia*, 14 March 2023; confidential source, 17 August 2023.

³⁹ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 9.

⁴⁰ Confidential source, 17 August 2023; BBC Monitoring, *Briefing: Somali president hails 'genuine friend' Eritrea, visits cadets*, 10 October 2023.

⁴¹ BBC Monitoring, *Somali president to hold talks with Eritrean leader*, 8 October 2023; EEPA, *News Highlights: Eritrea receives delegations, US's Blinken in Ethiopia, 30 presumed dead off Libya as SaR fails again*, 17 March 2023; BBC Monitoring, *Somali president makes third visit to Eritrea in nine months*, 14 March 2023.

⁴² BBC Monitoring, *Eritrea-trained Somali soldiers welcomed in Mogadishu*, 24 October 2023; X, *NationalEr Interest: 2nd Round Cadets Deployment - Video of Somali Army arriving home from #Eritrea*, 16 October 2023; VOA News, *Eritrea, Somalia Leaders Vow Cooperation on Defence, Political Efforts*, 12 July 2022; BBC Monitoring, *First group of Eritrea-trained Somali soldiers return home*, 21 December 2022; The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023.

⁴³ Qatar News Agency (QNA), *Eritrea and Somalia Sign MoU to Strengthen Relations*, 12 July 2022; VOA News, *Eritrea, Somalia Leaders Vow Cooperation on Defence, Political Efforts*, 12 July 2022.

⁴⁴ Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; BBC Monitoring, *Briefing: Somali president hails 'genuine friend' Eritrea, visits cadets*, 10 October 2023.

Sources described relations between Eritrea and Sudan as fraught, volatile and complicated, with the two countries constantly attempting to blackmail each other.⁴⁵ During the Tigray conflict, Sudan supported the TPLF.⁴⁶ According to a source, Eritrea had repeatedly softly threatened Abdel Fattah al-Burhan, Sudan's head of state since April 2019, because of his diplomatic support to the TPLF.⁴⁷ In addition, a constant strong presence of Eritrean troops was reported in the border region with Sudan⁴⁸ and Eritrea apparently maintained good relations with various groups in eastern Sudan, such as the Beni Amer, the Beja and the Rashida.⁴⁹

Since the start, in April 2023, of Sudan's internal conflict between the government army under Al-Burhan and the paramilitary Rapid Support Forces (RSF) under the former vice president of the Sovereign Council, Mohamed Hamdan Dagalo (better known as 'Hemedti'), the Sudanese authorities have focused less on foreign affairs, and thus less on Eritrea.⁵⁰ Nonetheless, Eritrea tried to play a significant role in the internal Sudanese conflict. In March 2023, just before the conflict broke out in Sudan, Hemedti visited Eritrea,⁵¹ which led to much speculation about Eritrea's role in the conflict.⁵² On 9 July 2023, Isaias met the vice president of Sudan's Sovereign Council⁵³, Malik Agar, in Asmara.⁵⁴ A few days later, on 12 July 2023, Isaias travelled to Cairo (as already mentioned above) to discuss the Sudanese conflict with other regional leaders.⁵⁵ On 11 September 2023, Al-Burhan visited Isaias in Asmara. No details of this visit were released, except that they discussed bilateral relations and the conflict in Sudan. Al-Burhan was reportedly visiting to seek support from Isaias in the Sudan conflict.⁵⁶ Al-Burhan visited Eritrea again in late November 2023.⁵⁷ Partly because of these visits, it was not clear which side Eritrea supported in the conflict.⁵⁸ Analysts thought Eritrea would take a neutral stance in the conflict, because it was unclear which side would win the war.⁵⁹

Eritrea - Ethiopia

After Ethiopia's prime minister Abiy Ahmed took office in 2018, Abiy and Isaias maintained close relations in order to look out for their shared interests. In the Tigray conflict, Eritrean troops fought the TPLF in Tigray on the side of the Federal Ethiopian Army and Amharic militias (see also the previous country of origin information report).⁶⁰ An Eritrean military delegation led by National Security

⁴⁵ The Independent, *Sudan's military chief visits Eritrea for talks with the president on Sudan's conflict*, 11 September 2023; confidential source, 17 August 2023; confidential source, 21 June 2023.

⁴⁶ Confidential source, 17 August 2023; Chatham House, *Navigating the regionalization of Ethiopia's Tigray conflict*, 8 September 2023.

⁴⁷ Confidential source, 17 August 2023.

⁴⁸ Confidential source, 21 June 2023; confidential source, 17 August 2023.

⁴⁹ Al Jazeera, *Will Ethiopia and Eritrea be dragged into Sudan's complex war?*, 6 May 2023; Chatham House, *Navigating the regionalization of Ethiopia's Tigray conflict*, 8 September 2023.

⁵⁰ Confidential source, 21 June 2023.

⁵¹ EEPA, *News Highlights: Eritrea receives delegations, US's Blinken in Ethiopia, 30 presumed dead off Libya as SaR fails again*, 17 March 2023; Al Jazeera, *Will Ethiopia and Eritrea be dragged into Sudan's complex war?*, 6 May 2023.

⁵² Confidential source, 17 August 2023.

⁵³ In April 2019, after thirty years, Omar Al-Bashir's rule came to an end. In August 2019, a group of soldiers and civilians formed a so-called 'Sovereign Council' to act as interim government. Al-Burhan was made president of the Sovereign Council. Al-Burhan assumed complete control in October 2021, see: Ministry of Foreign Affairs, *General Country of Origin Information Report on Sudan*, August 2022, pp. 7-9.

⁵⁴ BBC Monitoring, *Isaias Afewerki*, 10 July 2023; African Business, *Eritrea: President Isaias met and held talks with Sudanese Envoy*, 9 July 2023.

⁵⁵ BBC Monitoring, *Eritrean leader travels to Egypt to discuss Sudan conflict*, 12 July 2023; International Crisis Group, *Eritrean forces' continued presence in Ethiopia's Tigray region hindered peace process; President Isaias attended summits in Egypt and Russia amid efforts to boost international standing*, July 2023.

⁵⁶ Confidential source, September 2023; The Independent, *Sudan's military chief visits Eritrea for talks with the president on Sudan's conflict*, 11 September 2023; Trouw, *Al-Burhan probeert het frame van de oorlog in Soedan te verschuiven*, 13 September 2023.

⁵⁷ BBC Monitoring, *Eritrean and Sudanese leaders discuss regional issues*, 26 November 2023.

⁵⁸ The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023.

⁵⁹ Al Jazeera, *Will Ethiopia and Eritrea be dragged into Sudan's complex war?*, 6 May 2023.

⁶⁰ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, pp. 8-10.

Agency chief Abraha Kassa visited Addis Ababa from 3 to 5 April 2023.⁶¹ This visit was reportedly meant to highlight the strong relationship between the two countries after the signing of the peace treaty in Tigray (see also § 1.2 'Security situation' for more information on the peace treaty).⁶² On 13 July 2023, during the Cairo summit, where leaders of countries in the region discussed a solution to the conflict in Sudan, Isaias also spoke with Ethiopian president Abiy Ahmed. This was reportedly the first time they had met since October 2020, a month before the conflict broke out in Tigray.⁶³

The relationship between Abiy and Isaias had deteriorated since the signing of the November 2022 peace agreement (see also § 1.2.1 'The conflict in Tigray').⁶⁴ Both the Amharic militias fighting in Tigray and Eritrea would have preferred not to see a peace agreement between the TPLF and the Ethiopian government.⁶⁵ Eritrea was not involved in the negotiations that had led to the agreement,⁶⁶ and was suspected of supporting the Amharic militias in their conflict with Ethiopia's federal government, which erupted when the Ethiopian government tried to disarm the regional special forces (see also § 1.2.2 'The conflict in Amhara').⁶⁷ Prime minister Abiy sent a letter to Western countries in October in which he stated that Eritrea was undermining the peace agreement of 2 November, continuing to occupy parts of Tigray, and arming the Fano militias in Amhara.⁶⁸ The relations between Abiy and Isaias came under further strain after prime minister Abiy expressed a desire to regain access to the Red Sea. Ethiopia had lost this access when Eritrea gained independence in 1991.⁶⁹ He called access to the Red Sea 'an existential issue for Ethiopia'.⁷⁰ In late October, both Eritrea and Ethiopia increased troop numbers in the border region, and particularly at the border with Djibouti.⁷¹

1.2 Security situation

1.2.1 The conflict in Tigray

The previous country report on Eritrea of May 2022 and the general country of origin information report on Ethiopia of November 2022 already addressed the conflict that broke out between Ethiopian armed forces and the TPLF in the northern Ethiopian region of Tigray on 4 November 2020.⁷² The current country report focuses on the developments in Tigray, and Eritrea's involvement in the conflict there since the peace agreement was signed on 2 November 2022.

⁶¹ International Crisis Group, *May Alerts and April Trends 2023*, April 2023, <https://www.crisisgroup.org/crisiswatch/may-alerts-and-april-trends-2023>; BBC Monitoring, *Ethiopian delegation visits Somalia, Djibouti*, 5 April 2023.

⁶² International Crisis Group, *May Alerts and April Trends 2023*, April 2023, <https://www.crisisgroup.org/crisiswatch/may-alerts-and-april-trends-2023>.

⁶³ BBC Monitoring, *Eritrean, Ethiopian leaders meet first time in over two years*, 13 July 2023.

⁶⁴ Chatham House, *Navigating the regionalization of Ethiopia's Tigray conflict*, 8 September 2023; Al Jazeera, *Will Ethiopia and Eritrea be dragged into Sudan's complex war?*, 6 May 2023; confidential source, 17 August 2023; The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023.

⁶⁵ Confidential source, 17 August 2023.

⁶⁶ Chatham House, *Navigating the regionalization of Ethiopia's Tigray conflict*, 8 September 2023; confidential source, 21 September 2023.

⁶⁷ EEPA, *Situation Report Horn of Africa No 468*, 7 August 2023; BBC Monitoring, *Ethiopian Fano militia claims killing over 100 soldiers*, 2 October 2023; The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023; confidential source, 17 August 2023.

⁶⁸ EEPA, *Situation Report Horn of Africa No 490*, 23 October 2023.

⁶⁹ Chatham House, *Navigating the regionalization of Ethiopia's Tigray conflict*, 8 September 2023; BBC Monitoring, *Eritrean website reacts to Ethiopian PM's Red Sea comments*, 12 July 2023; BBC Monitoring, *Briefing: Ethiopian leader says ready to swap dam's shares for port*, 14 October 2023.

⁷⁰ X, *Addis Standard: #NewsAlert: #Eritrea pushes back at talks of #Ethiopia's access to sea as "excessive"*, 16 October 2023.

⁷¹ EEPA, *Situation Report Horn of Africa No 490*, 23 October 2023.

⁷² Ministry of Foreign Affairs, *Thematic Country of Origin Information Report on Tigray*, August 2021; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022.

On 2 November 2022, in Pretoria, South Africa, the federal Ethiopian authorities and the TPLF signed a ceasefire agreement in which the parties agreed that Ethiopia has only a single armed force and that TPLF fighters would be disarmed, demobilised and reintegrated. The treaty further stipulated that the TPLF would respect the constitutional authority of the federal government, that in return the Ethiopian government would cease all military operations in the area, and that TPLF fighters would no longer be classified as 'terrorists'. Tigray would additionally regain representation in federal institutions, including parliament.⁷³ The agreement did not address withdrawal of foreign troops from the area.⁷⁴

On 12 November 2022, military representatives of Ethiopia and Tigray signed a supplementary statement in Nairobi that elaborated on details of the treaty. In this statement, they agreed that the disarmament of TPLF fighters would be carried out simultaneously with the withdrawal of foreign and non-Ethiopian national (Ethiopian National Defence Force, ENDF) troops from Tigray.⁷⁵

1.2.1.1 Incidents between the TPLF and the Eritrean army

In March 2022, the Ethiopian government declared a ceasefire in Tigray so that humanitarian aid could reach the region.⁷⁶ This ceasefire was broken in late August 2022 when fighting erupted between the TPLF and Ethiopian troops. One month later, on 20 September, Eritrea launched a large-scale offensive against the TPLF in Tigray, with fierce fighting taking place in several border regions.⁷⁷

1.2.1.2 Developments since the peace agreement of 2 November 2022

Overall, the peace treaty did not affect relations between the TPLF and Eritrea, which remained volatile.⁷⁸ Although Eritrean troops were reported to have withdrawn from most parts of Tigray by January 2023,⁷⁹ this withdrawal went very slowly and did not include all the Eritrean forces.⁸⁰ Eritrean troops were still present in parts of Tigray at the time of the current reporting period, particularly in the border regions to the north and west.⁸¹ For example, there were reports of troops present in most of Irob, one of the few regions in north-eastern Tigray that aid agencies could not access, and a region that Eritrea considers its territory.⁸² Eritrean troops were said to have blocked the road to Irob, preventing the transport of

⁷³ Al Jazeera, *Five key takeaways from the Ethiopia peace deal*, 4 November 2022.

⁷⁴ Al Jazeera, *Protesters in Ethiopia's Tigray demand Eritrean troops withdraw*, 23 May 2023; Al Jazeera, *Five key takeaways from the Ethiopia peace deal*, 4 November 2022; The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023.

⁷⁵ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 6; Human Rights Watch, *Eritrea: Crackdown on Draft Evaders' Families*, 9 February 2023; confidential source, 21 September 2023.

⁷⁶ Al Jazeera, *Ethiopia declares unilateral truce to allow aid into Tigray*, 24 March 2023.

⁷⁷ Al Jazeera, *Tigrayan forces accuse Eritrea of launching offensive*, 20 November 2023.

⁷⁸ Confidential source, 17 August 2023.

⁷⁹ The Washington Post, *Hundreds massacred in Ethiopia even as peace deal was being reached*, 1 March 2023; The Guardian, *'They just left the corpses lying there': survivors speak about the horrors of a massacre in northern Tigray*, 20 April 2023; Ethiopia Watch, *Civil society Monitoring of the Cessation of Hostilities Agreement*, July 2023, pp. 13-14.

⁸⁰ UN News, *Eritrea: human rights situation remains dire amid complete impunity*, 6 March 2023; Al Jazeera, *Protesters in Ethiopia's Tigray demand Eritrean troops withdraw*, 23 May 2023; Al Jazeera, *Five key takeaways from the Ethiopia peace deal*, 4 November 2022; The Washington Post, *Peace deal ending Ethiopia's Tigray war yet to dispel fear of more atrocities*, 25 January 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 6; Confidential source, 21 June 2023.

⁸¹ Al Jazeera, *Protesters in Ethiopia's Tigray demand Eritrean troops withdraw*, 23 May 2023; Al Jazeera, *Five key takeaways from the Ethiopia peace deal*, 4 November 2022; The Washington Post, *Peace deal ending Ethiopia's Tigray war yet to dispel fear of more atrocities*, 25 January 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 6; confidential source, 21 June 2023; Frankfurter Allgemeine Zeitung, *Nahrungsmittel gegen Reformen*, 9 August 2023; confidential source, 17 August 2023; confidential source, 15-16 June 2023; The Guardian, *'People are under siege': why Ethiopia's war in Tigray isn't over*, 7 August 2023.

⁸² The New Humanitarian, *Ethiopian minorities remain fearful despite peace deal*, 16 February 2023; confidential source, 15-16 June 2023; The Guardian, *'People are under siege': why Ethiopia's war in Tigray isn't over*, 7 August 2023; BBC Monitoring, *Eritrean army accused of raping 22 women in Ethiopia's Tigray region*, 15 August 2023.

humanitarian goods into the area.⁸³ In addition, they were reported to be present in West Tigray, an area controlled by Amharic militias, where they were apparently training and arming these militias, also referred to as 'Fano militias' (see also § 1.2.2 'The conflict in Amhara').⁸⁴ Other sources reported the presence of Eritrean troops in Shiraro⁸⁵, around Tserona⁸⁶ and Zalambessa⁸⁷ and in Gulo-Mekhedra.⁸⁸ In his report covering the period until March 2023, the UN special rapporteur on human rights in Eritrea reported the presence of Eritrean troops in some areas in northern, western and central Tigray.⁸⁹ Eritrean troops obstructed a team that was monitoring the implementation of the peace agreement from carrying out their work in May 2023.⁹⁰ Eritrean identity cards were also issued to residents of Irob and other areas as part of the occupation of the region.⁹¹

1.2.1.3 War crimes by Eritrean troops in Tigray

Eritrean troops were frequently accused of human rights violations in Tigray, including forced repatriation of Eritrean refugees, arbitrary detentions, killings and rape.⁹² The Eritrean authorities denied these allegations.⁹³ No information was available regarding criminal investigations or legal processes against possible Eritrean perpetrators of these human rights violations.⁹⁴ The general country of origin information report on Eritrea of May 2022 provides a comprehensive description of human rights violations during the Tigray conflict.⁹⁵ Human rights violations in the reporting period from October 2022 are discussed below.

According to witnesses and relatives of victims, Eritrean soldiers were guilty of killing more than three hundred villagers in Tigray, including children, women and priests, during a single week in October 2022, just days before the peace treaty was signed.⁹⁶ Eritrean and Ethiopian troops attacked villagers in at least ten villages to revenge losing a recent battle in the area, east of the city of Adwa.⁹⁷ Villagers told reporters from The Guardian that Eritrean troops remained in the area after the killings, preventing family members from searching for the missing persons and burying the bodies. Many of the bodies were later found mutilated by wild animals.

⁸³ The Guardian, 'People are under siege': why Ethiopia's war in Tigray isn't over, 7 August 2023.

⁸⁴ Confidential source, 15-16 June 2023; NRC, *Nieuw etnisch conflict in Ethiopië*, 9 August 2023; Confidential source, 17 August 2023; EEPA, *Situation Report Horn of Africa No 491*, 26 October 2023.

⁸⁵ BBC News, *Ethiopia war in Tigray Eritrean soldiers accused of rape despite peace deal*, 15 February 2023.

⁸⁶ Confidential source, 15-16 June 2023.

⁸⁷ Confidential source, 6 October 2023; confidential source, 15-16 June 2023; BBC Monitoring, *Eritrean army accused of raping 22 women in Ethiopia's Tigray region*, 15 August 2023.

⁸⁸ BBC Monitoring, *Eritrean army accused of raping 22 women in Ethiopia's Tigray region*, 15 August 2023.

⁸⁹ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 6.

⁹⁰ Al Jazeera, *Protesters in Ethiopia's Tigray demand Eritrean troops withdraw*, 23 May 2023; confidential source, 17 October 2023; confidential source, 21 September 2023.

⁹¹ BBC Monitoring, *Eritrean forces accused of abducting 56 people from Tigray*, 21 July 2023; The Guardian, 'People are under siege': why Ethiopia's war in Tigray isn't over, 7 August 2023; confidential source, 17 August 2023.

⁹² Freedom House, *Freedom in the World: Eritrea*, 2023; Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 158; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; The Washington Post, *Hundreds massacred in Ethiopia even as peace deal was being reached*, 1 March 2023.

⁹³ BBC Monitoring, *Eritrea rejects Amnesty report linking troops to atrocities in Ethiopia*, 5 September 2023; Reuters, *Xi: Strong China-Eritrea ties part of keeping peace in Horn of Africa*, 15 May 2023; The Washington Post, *Hundreds massacred in Ethiopia even as peace deal was being reached*, 1 March 2023; BBC News, *Ethiopia war in Tigray Eritrean soldiers accused of rape despite peace deal*, 15 February 2023; Al Jazeera, *Crimes against humanity continue in Ethiopia despite truce, say UN experts*, 19 September 2023.

⁹⁴ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 6; UN News, *Eritrea: human rights situation remains dire amid complete impunity*, 6 March 2023; The Independent, *UN experts say Ethiopia's conflict and Tigray fighting left over 10,000 survivors of sexual violence*, 18 September 2023.

⁹⁵ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, pp. 16-18.

⁹⁶ The Washington Post, *Hundreds massacred in Ethiopia even as peace deal was being reached*, 1 March 2023; Al Jazeera, *Will Ethiopia and Eritrea be dragged into Sudan's complex war?*, 6 May 2023; The Guardian, 'They just left the corpses lying there': survivors speak about the horrors of a massacre in northern Tigray, 20 April 2023.

⁹⁷ The Washington Post, *Hundreds massacred in Ethiopia even as peace deal was being reached*, 1 March 2023.

Many of these bodies were able to be buried only after the withdrawal of Eritrean troops from the area in late January 2023.⁹⁸

Even after the signing of the peace agreement in November 2022, Eritrean troops continued to commit human rights violations,⁹⁹ such as stealing cattle,¹⁰⁰ abduction,¹⁰¹ killings,¹⁰² and sexual violence (including rape).¹⁰³ According to UN-backed human rights experts, war crimes were still being committed in Tigray almost a year after the peace treaty was signed, including by Eritrean troops.¹⁰⁴ At least ten thousand people, and particularly women and young girls, are thought to have been the victims of rape and other sexual violence in Tigray from the start of the conflict up until July of 2023.¹⁰⁵ The official Tigray Health Bureau recorded 852 cases of rape in November and December 2022. These were people who sought help at one of the shelters for victims of sexual violence. According to health officials, Eritrean soldiers were responsible for the vast majority of rape cases.¹⁰⁶ Doctors at hospitals in three cities in Tigray reported in January 2023 that women who had been admitted there said they had been raped by Eritrean soldiers.¹⁰⁷ Inhabitants of the region also reported that Eritrean soldiers had stolen food, animals and phones and other equipment.¹⁰⁸ Months after the peace treaty was signed, an analysis of medical records in Tigray revealed that Eritrean soldiers were still responsible for the majority of rape cases there (the study ran until June 2023).¹⁰⁹ In August 2023, the authorities in East Tigray accused Eritrean soldiers of raping 22 women and abducting 14 civilians, all members of the Irob community.¹¹⁰ On 21 July 2023, the local authorities in Tigray accused Eritrean troops of abducting 56 Tigreans from the Irob and Gulo-Mekhedda districts in the border region.¹¹¹

No precise data could be found on which troops or divisions of the Eritrean armed forces were still deployed in Tigray and which were involved in human rights violations after the signing of the November 2022 treaty. Eritrea deployed infantry divisions, mechanised brigades and artillery during the Tigray conflict.¹¹² The previous country report mentioned various divisions that may have been deployed in Tigray during the conflict.¹¹³

⁹⁸ The Guardian, 'They just left the corpses lying there': survivors speak about the horrors of a massacre in northern Tigray, 20 April 2023.

⁹⁹ BBC News, *Ethiopia war in Tigray Eritrean soldiers accused of rape despite peace deal*, 15 February 2023; The Washington Post, *Peace deal ending Ethiopia's Tigray war yet to dispel fear of more atrocities*, 25 January 2023; The Guardian, 'People are under siege': why Ethiopia's war in Tigray isn't over, 7 August 2023; confidential source, 6 October 2023; The Independent, *UN experts say Ethiopia's conflict and Tigray fighting left over 10,000 survivors of sexual violence*, 18 September 2023.

¹⁰⁰ The Guardian, 'People are under siege': why Ethiopia's war in Tigray isn't over, 7 August 2023.

¹⁰¹ The Guardian, 'People are under siege': why Ethiopia's war in Tigray isn't over, 7 August 2023; The New Humanitarian, *Ethiopian minorities remain fearful despite peace deal*, 16 February 2023.

¹⁰² AP News, *Eritrean forces still killing Tigray civilians, report says*, 2 December 2022; confidential source, 17 August 2023.

¹⁰³ The New Humanitarian, *Ethiopian minorities remain fearful despite peace deal*, 16 February 2023; Confidential source, 17 August 2023; Amnesty International, *Eritrese soldaten pleegden gruweldaden in de regio Tigray*, 5 September 2023.

¹⁰⁴ OHCHR, *Ethiopia: Nearly one year after ceasefire, UN experts warn of ongoing atrocities, including war crimes and crimes against humanity*, 18 September 2023; OHCHR, *Report of the International Commission of Human Rights Experts on Ethiopia*, 14 September 2023.

¹⁰⁵ The Independent, *UN experts say Ethiopia's conflict and Tigray fighting left over 10,000 survivors of sexual violence*, 18 September 2023; Al Jazeera, *Crimes against humanity continue in Ethiopia despite truce, say UN experts*, 19 September 2023.

¹⁰⁶ BBC News, *Ethiopia war in Tigray Eritrean soldiers accused of rape despite peace deal*, 15 February 2023.

¹⁰⁷ The Washington Post, *Peace deal ending Ethiopia's Tigray war yet to dispel fear of more atrocities*, 25 January 2023.

¹⁰⁸ The Washington Post, *Peace deal ending Ethiopia's Tigray war yet to dispel fear of more atrocities*, 25 January 2023; Amnesty International, *Eritrese soldaten pleegden gruweldaden in de regio Tigray*, 5 September 2023.

¹⁰⁹ PHR (Physicians for Human Rights), *Broken Promises: Conflict-Related Sexual Violence Before and After the Cessation of Hostilities Agreement in Tigray, Ethiopia*, 24 August 2023; The Independent, *Scores of women and girls were sexually assaulted after peace deal in Ethiopia's Tigray, study shows*, 24 August 2023.

¹¹⁰ BBC Monitoring, *Eritrean army accused of raping 22 women in Ethiopia's Tigray region*, 15 August 2023.

¹¹¹ BBC Monitoring, *Eritrean forces accused of abducting 56 people from Tigray*, 21 July 2023.

¹¹² Confidential source, 15-16 June 2023.

¹¹³ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, pp. 18-19.

- 1.2.1.4 Impact of the peace agreement on the Eritrean people
Sources said they have not heard about any formal demobilisations in Eritrea; there were apparently no formal announcements in any of the official languages that people in compulsory national service would be demobilised and could return home.¹¹⁴ According to a confidential source, demobilisation was not to be expected because of a new conflict that was looming in the Ethiopian region of Amhara.¹¹⁵ Another source reported that there had been less media coverage of the conflict in Eritrea since the signing of the ceasefire agreement and that demobilisations did take place, albeit on a very small scale.¹¹⁶

- 1.2.2 *The conflict in Amhara*
Although there was less violence in Tigray after the ceasefire agreement, it increased sharply in the nearby Amhara region from August 2023.¹¹⁷ The disturbances started in August 2022, when Fano militias made up of Amharas (the second largest ethnic group in Ethiopia) occupied several villages and towns, attacked police stations and army garrisons, freed prisoners and occupied Lalibela airport. The Ethiopian army regained control of most of these areas, but the increased violence in Amhara persisted.¹¹⁸ While the Fano and other militias fought side by side with the Ethiopian federal army and Eritrean troops against the TPLF during the Tigray conflict, they now turned against Abiy Ahmed, partly due to the decision to incorporate all the regional forces into the national army.¹¹⁹ Eritrea reportedly supported the Fano militias and continued to arm and train them.¹²⁰

1.3 Domestic freedom of movement

The Eritrean government continued to restrict the freedom of movement of its citizens during the current reporting period.¹²¹ During the Tigray conflict, civilians faced travel restrictions and had to inform the authorities or seek permission to travel domestically.¹²² One source said that the requirement to inform the authorities about domestic travel was lifted after the ceasefire agreement with the TPLF in November 2022.¹²³ Other sources also reported that citizens not subject to compulsory national service could travel domestically relatively freely, and without a travel permit, during the reporting period.¹²⁴ However, other sources reported that citizens in fact did still require a travel permit for this purpose.¹²⁵ So, it was not clear from the information provided by the sources whether citizens not subject to compulsory national service needed a permit to travel domestically.

¹¹⁴ Confidential source, 21 June 2023; confidential source, 30 August 2023.

¹¹⁵ Confidential source, 17 August 2023.

¹¹⁶ Confidential source, 28 September 2023.

¹¹⁷ The Economist, *Ethiopia risks sliding into another civil war*, 15 August 2023; NRC, *Nieuw etnisch conflict in Ethiopië*, 9 August 2023; Confidential source, 17 August 2023.

¹¹⁸ The Economist, *Ethiopia risks sliding into another civil war*, 15 August 2023.

¹¹⁹ NRC, *Nieuw etnisch conflict in Ethiopië*, 9 August 2023; Al Jazeera, *Will Ethiopia and Eritrea be dragged into Sudan's complex war?*, 6 May 2023; The Independent, *UN experts say Ethiopia's conflict and Tigray fighting left over 10,000 survivors of sexual violence*, 18 September 2023.

¹²⁰ The Economist, *Ethiopia risks sliding into another civil war*, 15 August 2023; NRC, *Nieuw etnisch conflict in Ethiopië*, 9 August 2023; Frankfurter Allgemeine Zeitung, *Nahrungsmittel gegen Reformen*, 9 August 2023; confidential source, 17 August 2023; EEPA, *Situation Report Horn of Africa No 491*, 26 October 2023.

¹²¹ US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023; Freedom House, *Freedom in the World: Eritrea*, 2023; Confidential source, 21 June 2023; Confidential source, 30 August 2023.

¹²² Confidential source, 5 September 2023; confidential source, 23 October 2023.

¹²³ Confidential source, 5 September 2023.

¹²⁴ Confidential source, 5 September 2023; confidential source, 23 August 2023; confidential source, 9 October 2023.

¹²⁵ Confidential source, 13 July 2023; confidential source, 10 October 2023.

Nevertheless, citizens still had to explain the reason for their domestic travel at checkpoints, especially when travelling to remote areas or areas near borders.¹²⁶ Controls at checkpoints were reported to be especially strict on younger people, as they were expected to perform compulsory national service.¹²⁷ At the checkpoints, people of national service age who had been exempted or discharged had to show a document proving they had completed their compulsory national service and had been demobilised.¹²⁸ Older persons and women with children were reportedly less likely to be questioned at the checkpoints.¹²⁹

Diplomats, international humanitarian workers, UN staff and other foreigners wishing to travel outside Asmara had to seek permission from the authorities at least ten days in advance.¹³⁰ According to a confidential source, these persons were allowed to travel 15 to 18 kilometres outside Asmara without a travel permit. Non-Eritrean inhabitants also needed a travel permit when leaving the city.¹³¹

Conscripts continued to require a permit to travel domestically.¹³² The division commander would issue them the required travel permit when they leave the garrison.¹³³ People in compulsory civilian service (see also § 3.2.3.1 'Compulsory civilian service') worked for a ministry which in turn fell under the Ministry of Defence. These persons required a travel permit issued by their ministry (e.g. the Ministry of Education). People who were not actively conscripted had to apply for travel permits through the local civilian authorities.¹³⁴ These permits were valid for a certain period and route.¹³⁵ According to a source, travel permits were provided with an identity number (the same number as that on the identity card). If the person did not have an identity card, instead of the identity number, a note was made that they had lost their identity card. False identity cards and travel permits were also used.¹³⁶

1.3.1 *Avoiding travel restrictions*

A source reported that the existence of domestic checkpoints on all roads leading out of cities and villages depended highly on the current situation. For example, the number of checkpoints was increased and the checks were intensified during major national events in Asmara or during intensified recruitment campaigns for the war in Tigray. Both permanent and ad hoc checkpoints were reported, some of which were staffed, while others were not. Different checkpoints were also assigned different tasks. For instance, some checkpoints mainly had to ensure that no goods were imported illegally, while others mainly checked who was entering the city and whether they still had to complete their compulsory national service.¹³⁷

It was almost impossible to travel by motorised transport to the border without passing through a checkpoint, because all roads leading to border regions had checkpoints.¹³⁸ Besides the official checkpoints, one source said that strangers to

¹²⁶ US Department of State (USDOS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023; confidential source, 5 September 2023.

¹²⁷ Confidential source, 30 August 2023.

¹²⁸ Confidential source, 13 July 2023; confidential source, 22 September 2023.

¹²⁹ Confidential source, 23 August 2023; confidential source, 30 August 2023.

¹³⁰ US Department of State (USDOS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023; confidential source, 5 September 2023; confidential source, 30 August 2023.

¹³¹ Confidential source, 5 September 2023.

¹³² Confidential source, 30 August 2023; confidential source, 23 August 2023; confidential source, 21 June 2023; confidential source, 13 July 2023; confidential source, 5 September 2023; confidential source, 30 August 2023.

¹³³ Confidential source, 23 August 2023; confidential source, 13 July 2023.

¹³⁴ Confidential source, 13 July 2023.

¹³⁵ Confidential source, 23 August 2023; confidential source, 13 July 2023.

¹³⁶ Confidential source, 13 July 2023.

¹³⁷ Confidential source, 5 September 2023.

¹³⁸ Confidential source, 21 June 2023; confidential source, 5 September 2023.

the region were also identified and reported through informal channels.¹³⁹ These formal and informal checks of the population made it very difficult for people to travel across the country unnoticed. Avoiding the travel restrictions was therefore often costly.¹⁴⁰ People who travelled out of the country often used false documents, or paid large sums to be driven to the border in government vehicles.¹⁴¹ According to one source, persons who wanted to cross the border illegally would travel through the forests to avoid being noticed.¹⁴²

1.4 Exit restrictions

No significant changes were made to the exit ban during the reporting period.¹⁴³

Eritrea has officially ratified the 1999 African Charter on Human and Peoples' Rights (ACHPR). Article 12(2) of that charter states that every individual has the right to leave their country and return again.¹⁴⁴ Nevertheless, the government severely restricted foreign travel for its citizens.¹⁴⁵ One source described Eritrea's current exit policy as a 'de facto exit ban considered by many to be an official exit ban'.¹⁴⁶ For decades, the Eritrean authorities purportedly applied a strict exit policy aimed at preventing those who could contribute to the development of the country (in particular through compulsory military or civilian service) from leaving the country.¹⁴⁷ To leave the country legally, people still needed both a passport and an exit visa, which were issued only in exceptional cases.¹⁴⁸ Those with a passport and exit visa could only leave Eritrea by plane, as the country's borders were closed (see also § 1.4.3 'Border crossings').¹⁴⁹

The sources consulted were not sure whether legal exit through Sudan only required an exit visa.¹⁵⁰

1.4.1 Conditions for receiving a passport and exit visa

It was very difficult to obtain a passport, which was presented more as a privilege than a right. Obtaining a passport was linked to international travel, which also required an exit visa. The conditions for obtaining a passport and exit visa were both arbitrary and untransparent.¹⁵¹ Officials had unlimited discretion in the

¹³⁹ The source referred here to the pyramid system (see § 3.1 'General human rights situation').

¹⁴⁰ Confidential source, 21 June 2023.

¹⁴¹ Confidential source, 29 June 2023; confidential source, 21 June 2023.

¹⁴² Confidential source, 13 July 2023.

¹⁴³ Confidential source, 21 August 2023; US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 13.

¹⁴⁴ Milena, B. & Cole, G., 'The right to exit as national and transnational governance: The case of Eritrea', *International Migration*, 00, 1– 13, 2022, p. 3.

¹⁴⁵ EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023; US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 13; confidential source, 30 August 2023.

¹⁴⁶ Confidential source, 21 June 2023.

¹⁴⁷ Milena, B. & Cole, G., 'The right to exit as national and transnational governance: The case of Eritrea', *International Migration*, 00, 1– 13, 2022, p. 2.

¹⁴⁸ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 13; US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023; Milena, B. & Cole, G., *Return and Retreat in a Transnational World: Insights from the Eritrean Case*, Refuge: Canada's Journal on Refugees, Vol. 38, No. 1, 2022, p. 127; confidential source, 30 August 2023.

¹⁴⁹ Confidential source, 29 June 2023; confidential source, 21 August 2023; confidential source, 17 August 2023; confidential source, September 2023.

¹⁵⁰ Confidential source, 17 August 2023; confidential source, 29 June 2023; confidential source, 30 August 2023; confidential source, 23 October 2023.

¹⁵¹ US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023; Milena, B. & Cole, G., *Return and Retreat in a Transnational World: Insights from the Eritrean Case*, Refuge: Canada's Journal on Refugees, Vol. 38, No. 1, 2022, p. 127; Milena, B. & Cole, G., 'The right to exit as national and transnational governance: The case of Eritrea', *International Migration*, 00, 1– 13, 2022, p. 6; confidential source, 5 September 2023; Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022.

issuance of passports and exit visas.¹⁵² According to a source, this was an area where corruption was particularly prevalent in Eritrea. A major corruption case concerning the issuance of passports and exit visas was reported to have taken place in early 2023, which affected both the Ministry of Immigration and Nationality and local government departments, whereby many officials were reportedly arrested.¹⁵³

To obtain an exit visa, the applicant had to be able to prove that they had completed compulsory national service or were officially exempted.¹⁵⁴ However, even these individuals apparently had very little chance of obtaining a passport and exit visa.¹⁵⁵ Among the people who might qualify for a legal exit visa were men and women who were no longer of national service age and had been formally discharged from compulsory national service, and people travelling for medical reasons.¹⁵⁶ Exit visas were also said to be inconsistently and arbitrarily issued to students, businesspeople, sportspeople, people who bribed officials responsible for issuing exit visas, and people with personal connections.¹⁵⁷ Exit visas were most often issued to people with personal connections.¹⁵⁸ Government officials and PFDJ members who travelled to festivals organised by the Eritrean government were also said to have easier access to exit visas.¹⁵⁹ One article mentioned that conscripts in compulsory civilian service could leave the country legally, but only if they paid a deposit (200,000 nakfa¹⁶⁰, or the proof of ownership of their house) and with the permission of their ministry. Special rules applied to men and women married to Eritreans who had left the country illegally. Partners had to submit a 'regret form' signed by the partner abroad, and they had to have paid the diaspora tax for the past five years (see also § 3.2.9 'Diaspora'). In addition, the couple had to have been married for at least two years.¹⁶¹

Travel for medical reasons was subject to strict criteria. A medical board of doctors decided whether medical treatment abroad was necessary and whether it was likely to succeed or not.¹⁶² Reasons often given for rejecting exit visas were: failure to complete compulsory national service, unpaid income tax, or other, arbitrary and unspecified reasons.¹⁶³ Children above 7 years generally were not issued exit visas.¹⁶⁴ Other people whose exit visa applications were often rejected were men under 40, even if they had completed compulsory military service, and women under 30.¹⁶⁵ Another source cited the ages of 25 years old for women and 30 years

¹⁵² Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022.

¹⁵³ Confidential source, 5 September 2023.

¹⁵⁴ Milena, B. & Cole, G., 'The right to exit as national and transnational governance: The case of Eritrea', *International Migration*, 00, 1– 13, 2022, p. 5; Confidential source, 21 June 2023; confidential source, 21 August 2023; confidential source, 21 June 2023; confidential source, 13 July 2023; OHCHR, OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 13; confidential source, 5 September 2023.

¹⁵⁵ Confidential source, 13 July 2023.

¹⁵⁶ Confidential source, 30 August 2023; confidential source, 21 August 2023; confidential source, 9 October 2023; EASO, *Country of Origin Information Report Eritrea: National service, exit and return*, September 2019, pp. 43–44.

¹⁵⁷ EASO, *Country of Origin Information Report Eritrea: National service, exit and return*, September 2019, pp. 43–44; confidential source, 9 October 2023; confidential source, 21 August 2023.

¹⁵⁸ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 13; confidential source, 17 August 2023; confidential source, 30 August 2023.

¹⁵⁹ Confidential source, 21 August 2023.

¹⁶⁰ 200.000 nakfa is approximately 12.000 euros.

¹⁶¹ Milena, B. & Cole, G., 'The right to exit as national and transnational governance: The case of Eritrea', *International Migration*, 00, 1– 13, 2022, pp 5–6.

¹⁶² Confidential source, 30 August 2023.

¹⁶³ US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023.

¹⁶⁴ US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023; Milena, B. & Cole, G., 'The right to exit as national and transnational governance: The case of Eritrea', *International Migration*, 00, 1– 13, 2022, p. 5; confidential source, 23 August 2023.

¹⁶⁵ US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023.

old for men.¹⁶⁶ Married women and women with children were more likely to secure an exit visa.¹⁶⁷

The exit visa of persons who left the country legally also mentioned the date of exit. The validity period of an exit visa varied and was very inconsistently and arbitrarily applied.¹⁶⁸ Generally, an exit visa would be issued for a single visit abroad, with a validity period of one month. However, it was reportedly also possible to issue exit visas for multiple visits abroad, with a total validity period of three months.¹⁶⁹ According to one source, exit visas were initially issued for a short period, but this period was lengthened the more often an exit visa was issued, as the authorities gained more trust in the applicant. According to a confidential source, persons who returned from abroad later than permitted could face adverse consequences, including detention.¹⁷⁰ According to another report, returning to the country after an exit visa had expired did not necessarily imply an illegal residence abroad, unless there were exceptional circumstances. Persons who travelled abroad for an official visit were expected to return to Eritrea after this visit (the period for which the exit visa was issued). If they did not return after the visit, their stay abroad might be considered to be illegal (see also Chapter 5 'Return').¹⁷¹

1.4.2

Exits by minors

Youths and young adults in particular were prevented from travelling out of the country.¹⁷² With a few exceptions, minors up to 17 years old were not permitted to legally travel out of the country on their own.¹⁷³ Again, the exceptions were unclear and inconsistently applied.¹⁷⁴ Sources indicated study and medical treatment as reasons for minors to leave the country legally.¹⁷⁵ However, an exit visa to study abroad was very difficult to obtain.¹⁷⁶ As with adults, exit visas were easier to obtain for those with certain political or family connections.¹⁷⁷ Children under a certain age (sources cited 5 or 7 years of age) could more easily obtain passports and exit visas.¹⁷⁸

In the previous country report, it was reported that children under the age of 5 could legally leave the country on their parents' passport and exit visa.¹⁷⁹ According to the undated website of the US Department of State's (USDoS) Bureau of Consular Affairs, children up to 16 could travel on a parent's passport, but each child required a separate visa that was affixed to the parent's passport.¹⁸⁰ No additional information was found on whether children needed their own exit visas or could leave the country on the parents' exit visa.

¹⁶⁶ Milena, B. & Cole, G., 'The right to exit as national and transnational governance: The case of Eritrea', *International Migration*, 00, 1– 13, 2022, p. 6.

¹⁶⁷ US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023.

¹⁶⁸ Confidential source, 28 September 2023; Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022; Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and Civil status documents*, 21 January 2021, pp. 36-40.

¹⁶⁹ Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022.

¹⁷⁰ Confidential source, 28 September 2023.

¹⁷¹ Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022, p. 17.

¹⁷² Confidential source, 30 August 2023.

¹⁷³ Confidential source, 21 June 2023; confidential source, 23 August 2023; confidential source, 21 August 2023; confidential source, 5 September 2023.

¹⁷⁴ Confidential source, 5 September 2023.

¹⁷⁵ Confidential source, 5 September 2023; confidential source, 23 August 2023.

¹⁷⁶ Confidential source, 9 October 2023.

¹⁷⁷ Confidential source, 21 June 2023; confidential source, 5 September 2023.

¹⁷⁸ Confidential source, 5 September 2023; confidential source, 23 August 2023; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, pp. 19-20.

¹⁷⁹ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, pp. 19-20.

¹⁸⁰ U.S. Department of State (USDoS), *Eritrea: Reciprocity Schedule*, no date <<https://travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country/Eritrea.html>>.

1.4.3 *Border crossings*

The border crossings with Sudan and Ethiopia were closed during the reporting period and therefore no document checks were carried out there; nor were persons registered at border crossings.¹⁸¹ Before the border with Sudan closed in April 2023, not everyone who passed was checked for documents, nor were document checks carried out everywhere. This depended heavily on local conditions (see § 1.4.4 'Illegal exit').¹⁸²

Eritrean and Ethiopian border guards wore different clothing.¹⁸³ However, the national and regional Ethiopian forces wore somewhat similar uniforms, so the difference was not always clearly recognisable to civilians.¹⁸⁴ Besides the clothing difference, civilians could also distinguish Eritrean soldiers from Ethiopian soldiers in that the former spoke Tigrinya, the language also spoken in Tigray.¹⁸⁵ Ethiopian soldiers mainly spoke Amharic.¹⁸⁶

1.4.4 *Illegal exit*

In the previous country report of May 2022, it was reported that while crossing the border illegally by land was difficult and risky, it was not impossible. This report further mentioned that border crossings for family visits or trade by people who lived in the border regions were sometimes tolerated, while persons who lived in the more central parts of the country often needed the help of people smugglers to cross the border.¹⁸⁷ Various sources reported that this was still the case during the current reporting period.¹⁸⁸

Border crossings by some groups who lived on both sides of the national borders (such as the Afar in the east and the Beja in the west) were also tolerated.¹⁸⁹ These groups were said to have a certain official status so that they could cross the border without showing any documents.¹⁹⁰ These persons were also very familiar with the border region and so did not necessarily need to cross the border via an official crossing.¹⁹¹

1.4.4.1 *Border with Sudan*

It was difficult to assess to what extent it was still possible and permissible for civilians to cross the borders with Sudan during the current reporting period.¹⁹² After the conflict in Sudan broke out in April 2023, the border region with this country was heavily militarised and the borders were closed.¹⁹³ The Sudanese conflict affected the country's ability to guard the border with Eritrea.¹⁹⁴ However, more Eritrean soldiers were stationed in the border region, making it difficult to cross the border.¹⁹⁵ According to a source, persons who crossed the border into Sudan

¹⁸¹ Confidential source, 30 August 2023.

¹⁸² Confidential source, 21 June 2023.

¹⁸³ The Guardian, 'They just left the corpses lying there': survivors speak about the horrors of a massacre in northern Tigray, 20 April 2023; confidential source, 21 June 2023.

¹⁸⁴ PHR (Physicians for Human Rights), *Broken Promises: Conflict-Related Sexual Violence Before and After the Cessation of Hostilities Agreement in Tigray, Ethiopia*, 24 August 2023.

¹⁸⁵ Confidential source, 21 June 2023; BBC News, *Ethiopia war in Tigray Eritrean soldiers accused of rape despite peace deal*, 15 February 2023; PHR (Physicians for Human Rights), *Broken Promises: Conflict-Related Sexual Violence Before and After the Cessation of Hostilities Agreement in Tigray, Ethiopia*, 24 August 2023.

¹⁸⁶ PHR (Physicians for Human Rights), *Broken Promises: Conflict-Related Sexual Violence Before and After the Cessation of Hostilities Agreement in Tigray, Ethiopia*, 24 August 2023.

¹⁸⁷ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 20.

¹⁸⁸ Confidential source, 21 June 2023; confidential source, 13 July 2023; confidential source, 29 June 2023.

¹⁸⁹ US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023; confidential source, 13 July 2023.

¹⁹⁰ Confidential source, 21 June 2023.

¹⁹¹ Confidential source, 13 July 2023.

¹⁹² Confidential source, 5 September 2023; confidential source, 22 September 2023.

¹⁹³ Confidential source, September 2023.

¹⁹⁴ Confidential source, 17 August 2023.

¹⁹⁵ Confidential source, 21 August 2023; confidential source, 13 July 2023; confidential source, 30 August 2023.

illegally did so mainly at the southern border between Eritrea and Sudan, such as at Um Hajar, Tesenay, Guluy and Ghirmayka. It was dangerous to cross the northern border (above Ghirmayka), as this region was mostly uninhabited and so people crossing it risked getting lost.¹⁹⁶

1.4.4.2 Border with Ethiopia

To the south, Eritrea borders the Ethiopian regions of Tigray and Afar. Tigray consists of five zones: West Tigray, Central Tigray, East Tigray, North West Tigray and South Tigray. With the exception of South Tigray, all these zones border Eritrea. The numbers of Eritrean troops in the border area increased sharply after the Tigray conflict broke out in November 2020, while at the same time there was a strong decrease in Ethiopian personnel, including Ethiopian border guards.¹⁹⁷ The closure of the official border posts, the absence of Ethiopian border guards, and the presence of Eritrean troops on both sides of the border made it difficult to pinpoint exactly where the de facto border lay.¹⁹⁸ The Tigray border region remained militarised even after the peace agreement was signed in November 2022, and the situation there was tense.¹⁹⁹ However, a lot of illegal trade and smuggling continued to take place in the area, so it was still possible to cross the border.²⁰⁰

People would cross the border at specific hours of the day, mainly in the evening, to avoid border controls.²⁰¹ This required the help of smugglers, mostly local people who knew the area well.²⁰² According to various sources, government officials and army officers were often involved in the smuggling networks, especially along the Eritrean-Ethiopian border.²⁰³ Because Eritrean troops de facto occupied a stretch of the border region with Ethiopia during the reporting period, they also had more control of the region and the border crossings there.²⁰⁴ The troops used the porous Tigray border to bring people across the border for a fee and to facilitate existing people-smuggling networks.²⁰⁵ Influential Eritreans could bribe or manipulate border guards to get permission to cross the border.²⁰⁶ Partly due to the strong presence of Eritrean troops in the border region with Ethiopia, according to one source, it was difficult for people smugglers to operate without the knowledge of (parts of) the Eritrean government.²⁰⁷

Eritreans crossing the border at Tigray usually entered Ethiopia in East Tigray via Adi-Grat or Gerhu-Sernay, in Central Tigray via Chila or Mereb, or in North West Tigray via Shiraro, Adi-Nebri, Adi-Kilte or Badme.^{208, 209} Eritreans mainly crossed the border in West Tigray at the Um Hajar border crossing in Eritrea.²¹⁰ Most Eritreans who went to Ethiopia did so across the West Tigray or Central Tigray border.²¹¹ One source indicated that it was easiest to cross the border into Central Tigray because, compared to West Tigray, this region was safer and geographically more suitable: the landscape was less rugged and therefore easier to pass through. Also, the

¹⁹⁶ Confidential source, 13 July 2023.

¹⁹⁷ Confidential source, 30 August 2023; confidential source, 17 August 2023.

¹⁹⁸ Confidential source, 17 August 2023; confidential source, 5 September 2023.

¹⁹⁹ Confidential source, 30 August 2023.

²⁰⁰ Confidential source, 5 September 2023.

²⁰¹ Confidential source, 13 July 2023; confidential source, 30 August 2023.

²⁰² Confidential source, 30 August 2023; confidential source, 13 July 2023.

²⁰³ Confidential source, 15-16 June 2023; Freedom House, *Freedom in the World: Eritrea*, 2023; confidential source, 13 July 2023; confidential source, 17 August 2023; confidential source, 21 June 2023.

²⁰⁴ Confidential source, 21 June 2023.

²⁰⁵ Confidential source, 17 August 2023.

²⁰⁶ Confidential source, 30 August 2023; confidential source, 21 June 2023.

²⁰⁷ Confidential source, 21 June 2023.

²⁰⁸ Badme is claimed by both Eritrea and Ethiopia as their territory. The 2000 Algiers agreement allocated the area to Eritrea, but Ethiopia continued to control the region. Since the outbreak of the conflict in Tigray in November 2020, the area has mainly been occupied by Eritrean military personnel.

²⁰⁹ Confidential source, 30 August 2023.

²¹⁰ Confidential source, 21 June 2023; confidential source, 5 September 2023.

²¹¹ Confidential source, 17 August 2023.

presence of cities was said to make it less likely for persons crossing the border through Central Tigray to lose their way. According to the same source, West Tigray was still a war zone and was still occupied by both Eritrean and Amharic troops.²¹²

However, the smuggling route to Ethiopia could be very dangerous.²¹³ It was particularly difficult to cross the border with the Ethiopian region of Afar in the east.²¹⁴ This is desert country and there are volcanoes, making it difficult and dangerous to cross the border there. The eastern border had a single official border crossing, at Bure.²¹⁵

1.4.4.3 Border policy

The general country of origin information report of May 2022 stated that there used to be a shoot-to-kill policy in effect. During the reporting periods covered by the general country reports of November 2020 and May 2022, the border policy was applied arbitrarily and individual military commanders carried out their own policies.²¹⁶ Sources said it was difficult to ascertain what precisely the border policy was in the current reporting period.²¹⁷ According to one source, the policy of the Ministry of Defence was, in the first instance, to detain people who wanted to cross the border. If a person resisted arrest, tried to run away, or failed to follow officers' orders, the soldiers were allowed to shoot.²¹⁸ Other sources reported that individuals trying to flee the country were pursued by soldiers²¹⁹ or even shot at.²²⁰ According to a source who spoke to a number of Eritrean refugees in Ethiopia, who had themselves served in the army, these refugees reported that the shoot-to-kill policy is still passed on as orders to the military at the borders. According to this source, there were many incidents of Eritrean security forces firing on Eritreans crossing the border.²²¹ Moreover, the way commanders dealt with people trying to cross the border was said to vary greatly depending on the context.²²² One source questioned whether Eritrean border guards followed any specific policy, especially as they were closely involved in smuggling.²²³

²¹² Confidential source, 17 August 2023.

²¹³ Confidential source, 21 June 2023; confidential source, 13 July 2023.

²¹⁴ Confidential source, 17 August 2023; confidential source, 13 July 2023.

²¹⁵ Confidential source, 13 July 2023.

²¹⁶ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 20.

²¹⁷ Confidential source, 17 August 2023; confidential source, 21 August 2023.

²¹⁸ Confidential source, 13 July 2023.

²¹⁹ Confidential source, 21 August 2023.

²²⁰ Freedom House, *Freedom in the World: Eritrea*, 2023; confidential source, 13 July 2023.

²²¹ Confidential source, 30 August 2023.

²²² Confidential source, 21 August 2023.

²²³ Confidential source, 17 August 2023.

2 Documents

2.1 Introduction

When reading this chapter, it is important to keep the Eritrean context in mind. On the one hand, there is the administrative system and the rules on paper (or a lack of them), and on the other, there is the everyday practice of dealing with documents, which sometimes deviates. Because the population register is insufficiently developed and difficult to access, the legal obligation to register births, marriages and deaths in a timely manner is not enforced in practice.²²⁴ Furthermore, Eritrea is characterised by a high level of corruption and arbitrariness.²²⁵ These factors make it difficult to provide a clear description of how documents are issued and held.

In addition, it proved particularly difficult to gather new information about documents during the current reporting period. Eritrea is a closed country and hardly any information is released to the outside world, including regarding documents. The sources questioned also provided different descriptions in response to the ToR questions asked, for instance on the issuance of documents and registrations in population registers. This chapter often turns to sources of information from before the reporting period. Sources of information from the current reporting period are used wherever possible. A reference is provided to any information that was already covered in the previous country report.

2.2 Applying for an Eritrean passport abroad

It is almost impossible to use consular services, including to apply for documents such as a travel document, birth certificate or marriage certificate, without paying the diaspora tax and signing a 'regret form' or 'letter of regret'.^{226, 227} In a 'regret form', the signatory expresses regret for committing the crime of refusing to perform compulsory national service, and accepts the measures taken by the authorities, if they so decide. What these measures will be is unclear at the time of signing; the authorities can order them as they see fit.²²⁸ The diaspora tax is regulated in proclamation 67/1995 and was initially introduced through proclamation 17/1991. Formally, the tax is two percent of the 'net income' from 'employment, rental of moveable or immovable property, or any other commercial, professional or service-rendering activity or employment', but in practice, consular staff at Eritrean embassies have a large degree of discretion to determine the actual level of this tax.²²⁹ As a result, there were occurrences of people being exempted from the diaspora tax, or charged a greatly reduced amount.²³⁰ In practice, the tax

²²⁴ Daniel Mekonnen and Sara Palacios Arapiles, *Expert report Eritrea: Access to documents by Eritrean refugees in the context of family reunion*, April 2021, p. 22.

²²⁵ Daniel Mekonnen and Sara Palacios Arapiles, *Expert report Eritrea: Access to documents by Eritrean refugees in the context of family reunion*, April 2021, p. 38; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 23.

²²⁶ 'Regret form' and 'letter of regret' are the popular terms used to describe form 4/4.2 in which the person expresses regret for leaving the country illegally.

²²⁷ Al Jazeera, *Eritrea's 'diaspora tax' is funding violence and oppression*, 20 February 2023; Daniel Mekonnen and Sara Palacios Arapiles, *Expert report Eritrea: Access to documents by Eritrean refugees in the context of family reunion*, April 2021, p. 43; Confidential source, 15-16 June 2023; Confidential source, 29 June 2023; Confidential source, 30 August 2023.

²²⁸ Daniel Mekonnen and Sara Palacios Arapiles, *Expert report Eritrea: Access to documents by Eritrean refugees in the context of family reunion*, April 2021, pp. 36, 37.

²²⁹ Daniel Mekonnen and Sara Palacios Arapiles, *Expert report Eritrea: Access to documents by Eritrean refugees in the context of family reunion*, April 2021, p. 42; DSP and Tilburg University, *The 2% Tax for Eritreans in the diaspora: Facts, figures and experiences in seven European countries*, June 2017.

²³⁰ Daniel Mekonnen and Sara Palacios Arapiles, *Expert report Eritrea: Access to documents by Eritrean refugees in the context of family reunion*, April 2021, p. 38.

was also levied if the person did not have income from employment but, for example, from a benefit.²³¹ Persons who had never paid the tax before but still needed consular services could face huge arrears.²³² According to one source, Eritreans in Sudan, South Sudan and Uganda reported that corrupt officials demanded bribes when they applied for documents.²³³

2.3 Identity card

By law, every citizen aged eighteen and above is required to have an identity card (*menennet*). As mentioned in the previous country report, a blue identity card, which was valid indefinitely, was issued until 2014. In 2015, registration opened for a new, more advanced, green plastic identity card, of which only a limited number were eventually issued. This card was valid for fifteen years. Applicants for this identity card were fingerprinted. In 2018, the issuance of a grey 'provisional' identity card started, albeit at a limited rate. The word 'provisional' is used only in the Tigrinya designation of the card; in English and Arabic, the card is simply called an identity card. This card is valid for five years.²³⁴ The previous country report described the procedure for applying for an identity card.²³⁵

The Ministry of Immigration and Nationality is responsible for issuing the new provisional identity cards. Applications for identity cards were submitted at local branches of this ministry.²³⁶ No information was discovered during the current reporting period regarding the number of local branches and where they are located. According to an older source from 2017, the Ministry of Immigration and Nationality has a physical and a digital archive of all documents issued, being identity cards, passports and visas.²³⁷ A source reported that new identity cards are issued digitally, but this source was not aware if other documents are also issued digitally.²³⁸ Another source said there were reports that the issuance of passports was to be digitised, but this source was not sure if this had been implemented.²³⁹

Applicants for identity cards between 1994 and 1998 had to prove that they had completed compulsory national service.²⁴⁰ People of national service age could also apply for identity cards during this reporting period.²⁴¹ When applying for an identity card, they had to be able to prove their status, such as whether they were school pupils or students, or had completed or were still in compulsory national service. Persons who had not been discharged or exempted from compulsory national service were required to provide a letter of recommendation from their supervisor or

²³¹ Daniel Mekonnen and Sara Palacios Arapiles, *Expert report Eritrea: Access to documents by Eritrean refugees in the context of family reunion*, April 2021, pp. 33, 42; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 23; confidential source, 28 September 2023.

²³² Al Jazeera, *Eritrea's 'diaspora tax' is funding violence and oppression*, 20 February 2023.

²³³ Confidential source, 15-16 June 2023.

²³⁴ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, 15 November 2020, p. 18; 3 Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 25; Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, pp. 19-28.

²³⁵ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, pp. 25-26.

²³⁶ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, p. 26; confidential source, 23 August 2023.

²³⁷ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and Civil status documents*, 21 January 2021, p. 11; cited source: Schröder, Günter, *Statement to Kassel Administrative Court, File reference 1 K 1090/16.KS.A.*, 20 July 2017, p. 12.

²³⁸ Confidential source, 23 August 2023.

²³⁹ Confidential source, 29 June 2023.

²⁴⁰ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and Civil status documents*, 21 January 2021, p. 25; cited source: Schröder, Günter, *Statement to Kassel Administrative Court, File reference 1 K 1090/16.KS.A.*, 20 July 2017, p. 11.

²⁴¹ Confidential source, 13 July 2023; confidential source, 23 August 2023; confidential source, 30 August 2023; confidential source, 21 August 2023.

school.²⁴² According to one source, Eritreans could only apply for an identity card after completing six months of military training.²⁴³ Another source reported that persons who completed the six-month military training programme were issued with proof of this. According to the source, this was done consistently.²⁴⁴ As many Eritreans travelling out of the country had evaded compulsory national service, according to a source, many did not have identity cards.²⁴⁵ According to another source, in a few cases, a person's identity card was confiscated until they were discharged from compulsory national service.²⁴⁶

No information was found about the roll-out and issuance of the new provisional identity card during the current reporting period. According to an older report, the process of obtaining documentation, including identity cards, was very inconsistent and depended on where a person lived (in an urban or a rural area).²⁴⁷ Identity cards reportedly stopped being issued years ago.²⁴⁸ Some sources reported that the card recently started being issued again, but it was not clear on what scale.²⁴⁹ One source further reported that this could involve a long wait.²⁵⁰ With no or only very few identity cards issued since 2014, there were Eritreans who reached adulthood without possessing an identity document, or who lost their card and subsequently performed compulsory national service without one. Persons without identity cards could sometimes use a 'residence card' (see also § 2.6.1 'Personal and family residence cards') to identify themselves, and since about 2018 this was also possible using a provisional identity card.²⁵¹ Incidentally, this varied by region in Eritrea; there were areas, especially in rural parts of the country, where the population did not have access to a residence card either. The issue of these cards was most common in Maekel (Asmara).²⁵²

Young people under eighteen could not apply for an identity card.²⁵³ For children who did not attend school, a 'family residence card' (see also § 2.6.1 'Personal and family residence cards') was the only way to identify themselves.²⁵⁴ Children who did attend school usually possessed an identity document for school pupils (*tassiera*).²⁵⁵

2.4

Passport

As described in the previous country report, all passports in Asmara are issued by the Ministry of Immigration and Nationality.²⁵⁶ The conditions for applying for an Eritrean passport in various countries abroad are similar. The following documents are in any case required:

²⁴² Confidential source, 13 July 2023; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, 15 November 2020, p. 18; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 27.

²⁴³ Confidential source, 22 September 2023.

²⁴⁴ Confidential source, 10 October 2023.

²⁴⁵ Confidential source, 13 July 2023.

²⁴⁶ Confidential source, 30 August 2023.

²⁴⁷ Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents by Eritrean refugees in the context of family reunion*, April 2021, p. 18.

²⁴⁸ Confidential source, 22 September 2023; confidential source, 13 July 2023.

²⁴⁹ Confidential source, 23 August 2023; confidential source, 29 June 2023; confidential source, 10 October 2023.

²⁵⁰ Confidential source, 10 October 2023.

²⁵¹ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and Civil status documents*, 21 January 2021, p. 25.

²⁵² Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents by Eritrean refugees in the context of family reunion*, April 2021, pp. 27-28.

²⁵³ Confidential source, 12 September 2023; confidential source, 23 August 2023; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, 15 November 2020, pp. 19-20.

²⁵⁴ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, June 2018, pp. 23-24.

²⁵⁵ Confidential source, 23 August 2023; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, 15 November 2020, pp. 19-20; confidential source, 22 September 2023.

²⁵⁶ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, p. 32.

- the identity card of the applicant and of both parents
- the completed application form
- proof that the applicant has completed compulsory national service or has been exempted, or a signed 'regret form'
- proof of payment of the diaspora tax in Eritrea²⁵⁷

The same rules applied to obtaining a passport abroad as to other documents: not every Eritrean had access to consular services and documents (see also § 2.2 'Applying for an Eritrean passport abroad'). As described in § 1.4 'Exit restrictions', passports were difficult to obtain for Eritreans.²⁵⁸ A passport was not required for persons of Eritrean nationality returning to or visiting Eritrea; an Eritrean identity card was sufficient.²⁵⁹

2.5 Administrative structures and registrations

Eritrea has three regional administrative levels of government: *zobas*, *nus-zobas* (or *sub-zobas*) and *kebabis*. The zoba is the highest level and comparable to a province. Eritrea has six zobas (the name of the relevant capital city is in brackets): Maekel (Asmara), Debub (Mendefera), Gash-Barka (Barentu), Anseba (Keren), Semenawi Keyih Bahri (Massawa) and Debubawi Keyih Bahri (Assab). The country also has 58 sub-zobas, which are comparable to districts. The lowest level of administrative government is called a kebab, and is comparable to a municipality.

Kebabis (*memmehdar kebab*) manually keep family registers and changes in the civil status of family members (marriages, births, deaths, et cetera) in large books. They do not themselves issue certificates and identity documents. In some urban areas, such as Asmara, there are no kebab administrations; there, registers are kept only at the sub-zoba level.²⁶⁰

Sub-zobas (*memmehdar nus-zoba*) keep registers of births, marriages and deaths in book form. Some sub-zobas are also responsible for entering personal data in the digital population register. If someone needs to be entered in this register at the sub-zoba level and data needs to be shared with other authorities, the kebab will give the person concerned a blue transfer form to hand over to said authorities.²⁶¹ Parents must register births in the family register of the kebab office.²⁶² This office then issues a 'transfer letter' with all relevant details for the use of the sub-zoba office. This letter must be signed by three witnesses.²⁶³ The parents must then produce the transfer letter, the birth certificate and their residence card at the sub-zoba office. The data are entered into the database; paper records are kept in a file.²⁶⁴ Name or address changes must also first be entered at the kebab office

²⁵⁷ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, pp. 31-35; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 30.

²⁵⁸ Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, pp. 29-30.

²⁵⁹ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, p. 21; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 30.

²⁶⁰ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and Civil status documents*, 21 January 2021, p. 9.

²⁶¹ Danish National ID Centre, *Eritrea: Administrative structure and civil documents*, 17 August 2022, p. 3; Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and Civil status documents*, 21 January 2021, p. 9.

²⁶² Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and Civil status documents*, 21 January 2021, p. 14; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, 6 February 2017, p. 24.

²⁶³ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, 6 February 2017, pp. 24-25; confidential source, 23 August 2023.

²⁶⁴ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, 6 February 2017, p. 25.

before they can be included in the population register at the sub-zoba or zoba level.²⁶⁵

In some cases, the sub-zoba administrations also have a separate 'civil status office'. These offices do not only record life events, such as births, marriages, deaths, adoptions and other matters related to the civil registry, but they also issue the relevant certificates.²⁶⁶ The Transitional Civil Code (TCC) of 1991 provides for the establishment of these civil status offices at the local level. The Eritrean government has not been able to establish civil status offices everywhere.²⁶⁷ While some have been established at the sub-zoba level, there are also still sub-zobas without a civil status office. The first civil status office in the Gash-Barka zoba was established only in 2014. In the Maekel and Gash-Barka zobas, one civil status office is said to be responsible for all the sub-zobas. In sub-zobas without a civil status office, the population can reportedly apply at the neighbouring sub-zobas or go to Asmara. Since civil status offices had not yet been established all over the country, in most cases, the authorities also recognised certificates issued by religious bodies.²⁶⁸ For instance, Orthodox, Catholic and Protestant church groups kept their own handwritten registers of life events such as births, baptisms, marriages and deaths.²⁶⁹ These certificates were used to register at schools, childcare centres, or the court, among others.²⁷⁰

Apart from the few, often inadequate, administrative structures for registering life events in a few major cities and semi-urban areas, elsewhere in Eritrea there was said to be no consistent and reliable registration system. The average Eritrean (especially in rural areas) did not normally register such events in practice, or this was not a subject for concern.²⁷¹ The population registers of the civil status offices were reported to be incomplete and many events were reportedly registered while they had actually taken place long ago, often just because the applicant needed a document. Persons who resided permanently in Eritrea apparently often had no reason to request official civil registry records. So, the registration of life events could be said to be a voluntary act.²⁷² Furthermore, many Eritreans registered births and marriages at the kebabis without receiving written confirmation of this.²⁷³

2.6 Population register

Eritrea does not maintain a central population register. Each zoba maintains its own digital population register. These databases are kept up-to-date by the sub-zoba offices. If a birth is not registered, that person can still be included in the population register later in life by submitting a written application, signed by three witnesses.²⁷⁴

²⁶⁵ Confidential source, 23 August 2023.

²⁶⁶ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and Civil status documents*, 21 January 2021, pp. 9, 10.

²⁶⁷ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and Civil status documents*, 21 January 2021, p. 10; Daniel Mekonnen and Sara Palacios Arapiles, *Expert report Eritrea: Access to documents by Eritrean refugees in the context of family reunion*, April 2021, p. 18.

²⁶⁸ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, pp. 5, 10, 61.

²⁶⁹ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, p. 11; confidential source, 29 June 2023.

²⁷⁰ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, pp. 5, 61.

²⁷¹ Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, pp. 18, 23, 27.

²⁷² Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, p. 10; Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, p. 18.

²⁷³ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, p. 61.

²⁷⁴ Confidential source, 23 August 2023.

2.6.1 *Personal and family residence cards*

Not every Eritrean citizen has an identity card. Citizens without an identity card are expected to be able to prove their identity with a residence card or a family residence card.²⁷⁵ A residence card is a printout (possibly laminated) from the digital population register of a zoba or sub-zoba. It contains the cardholder's name, date and place of birth, nationality, and personal registration number (a national identification number) and date of issue. The document also lists the parents' names, the cardholder's address and the authority that issued the card. It does not have a photo. The colour of the document may vary depending on the zoba.²⁷⁶

A family residence card is likewise a printout from the register of a zoba or sub-zoba. It contains the details of the head of the family (name, date of birth and personal registration number) as well as the family number and the date of issue. On the back are the names of family members and their birth dates and personal registration numbers. There is no photo on this card either.²⁷⁷

Personal and family residence cards were issued inconsistently: they could take different forms (sometimes with incomplete information) and not every Eritrean possessed one of these cards.²⁷⁸ It was reported that, in practice, the residence card was more commonly issued in urban areas than in rural areas.²⁷⁹ In principle, both documents must be renewed annually, but this does not always happen, especially in remote areas.²⁸⁰ If a person changed residence they were supposed to apply for a new card, but this did not always happen either.²⁸¹

According to sources, a registration on the family residence card was sufficient to qualify for basic necessities subsidised by the government, such as food coupons, and to get access to government services.²⁸² This card is also used by newlyweds as proof of their marriage so they could be discharged from compulsory national service.²⁸³ Changes to the family residence card, such as when a person entered national service, left the country, moved home, or died, affected the advantages offered by the card, such the value of food coupons.²⁸⁴

2.7 **Birth registration**

The previous country report discussed birth registration and the applicable procedure in detail.²⁸⁵ Under articles 57, 58, 72 and 73 of the TCC and articles 5 and

²⁷⁵ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, pp. 41-43; confidential source, 13 July 2023; Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, p. 27.

²⁷⁶ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, pp. 41-43.

²⁷⁷ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, pp. 41-43.

²⁷⁸ Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, pp. 27-28.

²⁷⁹ Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, p. 28.

²⁸⁰ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, pp. 41-43; confidential source, 13 July 2023.

²⁸¹ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, pp. 41-43; US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023.

²⁸² Confidential source, 23 August 2023; confidential source, 13 July 2023; Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, p. 44.

²⁸³ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, p. 44; Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, p. 23.

²⁸⁴ Confidential source, 13 July 2023; Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, pp. 27-29.

²⁸⁵ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, pp. 30-32.

6 of the Civil Code of the EPLF²⁸⁶, it is legally required to declare a birth to the civil authorities within ninety days, both at the kebabi and sub-zoba levels. After registration at the sub-zoba, the person is registered in the population register.²⁸⁷

In practice, more and more births are purportedly being registered in the population register in Eritrea,²⁸⁸ although the percentage is unknown.²⁸⁹ Birth registration became increasingly common in the cities in particular, and children born in hospitals were also registered.²⁹⁰ However, few birth certificates were issued. If someone did not have a birth certificate, the authorities also accepted baptism certificates from churches and vaccination certificates, for example to enrol them in a school.²⁹¹

2.8 Registration of deaths

Section 62b of the TCC states that it is mandatory to register a death within thirty days.²⁹² However, the procedure around this form of registration is not clearly regulated and not the same everywhere.²⁹³

An earlier country report (from 2017) described in detail how a death is registered. If someone dies in a hospital, the date and cause of death are recorded on the hospital's patient card ('admission card'), which can be used to register the death in the family register of the kebabi office.²⁹⁴ If a person does not die in a hospital, witness statements can be used to confirm the death. The kebabi office then issues a 'death notice' for the sub-zoba, where the death is registered in the database. By registering a death, the person is automatically removed from the active file of the database.²⁹⁵ The sub-zoba can then print a death certificate with all relevant details. According to a source cited in the report by the Swiss *Staatssekretariat für Migration*, registering a death at the kebabi office is a quick process, because it is a condition for obtaining permission to bury the deceased.²⁹⁶ It is not clear whether, after being registered at the kebabi level, deaths are also routinely registered at the sub-zoba level in order to receive a death certificate. This is purportedly primarily required to settle the inheritance and for any legal proceedings.²⁹⁷

2.9 Registration of marriages

The legal framework for marriages in Eritrea is established in the 2015 civil code, the 'New Civil Code of Eritrea' (NCCE). This code replaces the older civil code (the Transitional Civil Code (TCC) of 1991), but it is unclear to what extent the NCCE has

²⁸⁶ The Eritrean People's Liberation Front (EPLF) was one of the Eritrean independence movements. In 1994, the EPLF became the PFDJ.

²⁸⁷ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea: Identity and civil status documents*, 21 January 2021.

²⁸⁸ Confidential source, 23 August 2023; confidential source, 12 September 2023.

²⁸⁹ UNICEF, *A Statistical Update on Birth Registration in Africa*, October 2022, p. 28.

²⁹⁰ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea: Identity and civil status documents*, 21 January 2021, footnote 48; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, 21 June 2018, pp. 22-23; Schroeder, Günter, *Marriage, Vital Events Registration & Issuance of Civil Status Documents in Eritrea*, May 2017, p. 13.

²⁹¹ Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, p. 24; Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea: Identity and civil status documents*, 21 January 2021, footnote 49: confidential source (8 October 2020).

²⁹² Eritrea, *Transitional Civil Code of Eritrea (TCCE)*, Proclamation No. 2/1991.

²⁹³ Danish National ID Centre, *Eritrea: Administrative structure and civil documents*, 17 August 2022, p.5.

²⁹⁴ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, 6 February 2017, p. 27; confidential source, 23 August 2023.

²⁹⁵ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, 6 February 2017, p. 27.

²⁹⁶ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, p. 5.

²⁹⁷ Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, pp. 25-26; confidential source, 23 August 2023.

been implemented and is being followed.²⁹⁸ The articles in the two codes are largely similar. The NCCE recognises civil marriages, religious marriages and marriages based on customary law in article 518.²⁹⁹ Religious and customary marriages are legally valid, even if they are not registered. For instance, churches issue marriage certificates for Christian marriages, and Muslim marriages performed in Sharia courts are recognised by the authorities.³⁰⁰

In practice, the majority of marriages in Eritrea were not registered due to lack of knowledge, cultural preference for traditional and religious marriages, and limited access to civil registry officials.³⁰¹ Especially in rural areas, marriages were usually not registered with the authorities. Marriages were registered more frequently in cities, especially by the younger generation.³⁰²

Purportedly, it was not necessary to register a marriage in everyday life in Eritrea, because all three types of marriage were considered equal in society.³⁰³ In case of doubt or a dispute, the court would ask for a proof of the marriage, but this proof could also be provided without having registered the marriage.³⁰⁴ Marriages are often registered retrospectively at the municipality if individuals need a marriage certificate, for example to apply for a visa or when they are abroad.³⁰⁵

2.10

Nationality

The conditions for obtaining Eritrean nationality are laid down in proclamation 21/1992 (Eritrean Nationality Proclamation).³⁰⁶ Sources did not produce any information about changes in the legislation regarding obtaining or losing Eritrean nationality.

²⁹⁸ Yohannes Abraha, Amanuel, *Marriage Law in Eritrea: Types and Methods of Proof*, 24 June 2018, p. 8; Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, p. 18.

²⁹⁹ Yohannes Abraha, Amanuel, *Marriage Law in Eritrea: Types and Methods of Proof*, 24 June 2018, p. 8.

³⁰⁰ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, pp. 5, 17.

³⁰¹ Yohannes Abraha, Amanuel, *Marriage Law in Eritrea: Types and Methods of Proof*, 24 June 2018, p. 8.

³⁰² Confidential source, 23 August 2023; Staatssekretariat für Migration, *Swiss Confederation, Focus Eritrea, Identity and civil status documents*, 21 January 2021, p. 17.

³⁰³ Yohannes Abraha, Amanuel, *Marriage Law in Eritrea: Types and Methods of Proof*, 24 June 2018, p. 8; confidential source, 23 August 2023; confidential source, 12 September 2023; Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, p. 25.

³⁰⁴ Yohannes Abraha, Amanuel, *Marriage Law in Eritrea: Types and Methods of Proof*, 24 June 2018, p. 12.

³⁰⁵ Staatssekretariat für Migration, Swiss Confederation, *Focus Eritrea, Identity and civil status documents*, 21 January 2021, p. 17; confidential source, 12 September 2023; Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, p. 23.

³⁰⁶ Eritrea, *The Eritrean Nationality Proclamation No. 21/1992*, see <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/101056/121592/F1949985633/ERI101056.pdf>.

3 Human rights

3.1 General human rights situation

Previous country reports described the human rights situation in Eritrea as bleak. There is no reason to update that description for the current reporting period. Nor were there any signs of any changes to compulsory national service.³⁰⁷ The UN special rapporteur on human rights in Eritrea reported a deterioration of the human rights situation in several areas. Among others, he described compulsory national service and intensified recruitment, the lack of rule of law, difficulties in obtaining justice, violations of civil and political rights and the deteriorating situation of the Afar community in Eritrea.³⁰⁸

As also mentioned in the previous country report, Eritrea has laws, but their application in practice is arbitrary. Legislative power is concentrated in the person of the president, who has surrounded himself with a small number of confidants. Executive and judicial powers have been delegated to local rulers, who have a large degree of discretion as to how to use them, as long as they ultimately serve the president's interests. As a result, enforcement can vary widely – by situation, by geographical area and by individual – and depends on a person's gender, socio-economic situation and connections, for example.³⁰⁹ Compulsory national service is of indefinite duration and the wages are insufficient to cover the cost of living, according to several sources.³¹⁰

The Eritrean government has a high degree of control of socio-economic and political life in Eritrea.³¹¹ Eritrean society has purportedly been organised into a network of citizens who report to the government.³¹² One source described this as a 'pyramid system', in which the Eritrean population is organised into small groups of about five to ten people, one of whom is responsible for the group. This person acts as a conduit of information, both from the bottom up and from the top down.³¹³ This is purportedly how the Eritrean government is kept closely informed about its own citizens.³¹⁴

In the 2022 Corruption Perception Index, Eritrea is ranked 162 out of 180 countries.³¹⁵ This is up one place from 2021, when Eritrea was ranked 161.³¹⁶

3.2 Position of specific groups

3.2.1 Ethnic groups

Eritrea is a multi-ethnic state and formally recognises nine ethnic groups: the Tigrinya, Tigre, Saho, Afar, Kunama, Bilen, Hedareb/Beja, Nara and Rashaida.³¹⁷

³⁰⁷ Confidential source, 1 December 2022; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 3; UN News, *Eritrea: human rights situation remains dire amid complete impunity*, 6 March 2023; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023.

³⁰⁸ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 3.

³⁰⁹ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 34.

³¹⁰ Confidential source, 1 December 2022; confidential source, 29 June 2023; confidential source, 13 July 2023.

³¹¹ Freedom House, *Freedom in the World: Eritrea*, 2023; confidential source, 1 December 2022.

³¹² Confidential source, 29 June 2023; confidential source, 21 June 2023; confidential source, 21 August 2023.

³¹³ Confidential source, 21 June 2023.

³¹⁴ Confidential source, 28 September 2023; confidential source, 21 June 2023.

³¹⁵ Transparency International, *Corruption Perceptions Index 2022*, 2023.

³¹⁶ Transparency International, *Corruption Perceptions Index 2021*, 2022.

³¹⁷ CIA, *The World Factbook: Eritrea*, 30 May 2023; BAMF - Federal Office for Migration and Refugees, *Eritrea: Ethnische Minderheiten*, April 2023, p. 1.

The Tigrinya form the majority in Eritrea and dominate the government, economic, military, political and education sectors. Ethnic and religious minorities remained underrepresented in higher education and government institutions.³¹⁸

The various Eritrean population groups lived in relative harmony with each other and there were no known incidents of ethnically motivated violence, although such violence could not be ruled out.³¹⁹ There were reports that certain ethnic minorities, such as the Kunama, the Afar and the Rashaida, faced serious forms of discrimination by the government.³²⁰ According to a Freedom House report, the Kunama and Afar were excluded from government poverty reduction programmes.³²¹ The US State Department reported that discrimination against ethnic minorities, especially the Afar and Rashaida, was taking place from within the government.³²²

3.2.1.1 Afar

According to the report by the UN special rapporteur on human rights, the Afar, who live in the Dankalia region, have suffered decades of discrimination, intimidation, arbitrary arrests, disappearances, violence and widespread prosecution. For instance, the authorities were said to discriminate against them in the provision of access to public services such as education, healthcare, access to employment and a living wage, and humanitarian aid. As a result of the measures taken against Covid-19, Afar people in Dankalia faced famine and many were forced to leave the area. During the coronavirus crisis, when the Eritrean authorities cut off Dankalia from the outside world by both land and sea, the Afar were hindered from fishing (their main source of income) and humanitarian aid was held back. Over the years, the special rapporteur received various allegations involving the arbitrary detention and enforced disappearance of members of the Afar community. On 28 August 2022, the Eritrean navy seized fishing boats and detained between eighty and one hundred Afar fishermen. On 9 September 2022, the Eritrean navy also arrested members of a family in Buri and seized their boats and the goods they were carrying when they returned from Yemen, where they had sold their fish. Some of them were released, while little information was available about the situation of the others. Those who were released and their family members were instructed not to inquire about the goods and boats seized during the arrests. Anyone who did and inquired with the authorities was threatened with imprisonment and fines up to millions of nakfa.³²³

3.2.2 Religious groups

The Eritrean government recognises four religious groups: the Coptic Orthodox Church, the Roman Catholic Church, the Lutheran Evangelical Church and Sunni Islam.³²⁴ Members of other, unregistered denominations were not allowed to freely practice their faith or participate in religious gatherings.³²⁵

³¹⁸ Bertelsmann Stiftung, *BTI 2022 Country Report Eritrea*, 23 February 2022, p. 8.

³¹⁹ Confidential source, 1 December 2022; US Department of State (USDOS), *2022 Report on International Religious Freedom: Eritrea*, 15 May 2023.

³²⁰ Freedom House, *Freedom in the World: Eritrea*, 2023; US Department of State (USDOS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023.

³²¹ Freedom House, *Freedom in the World: Eritrea*, 2023.

³²² US Department of State (USDOS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023.

³²³ 1 million nakfa is approx. 63,000 euros; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 12.

³²⁴ Freedom House, *Freedom in the World: Eritrea*, 2023; US Commission on International Religious Freedom (USCIRF), *2023 Annual Report: Eritrea*, May 2023, p. 23; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11; US Department of State (USDOS), *2022 Report on International Religious Freedom: Eritrea*, 15 May 2023.

³²⁵ Freedom House, *Freedom in the World: Eritrea*, 2023; US Commission on International Religious Freedom (USCIRF), *2023 Annual Report: Eritrea*, May 2023, p. 23; Confidential source, 15-16 June 2023.

There was no improvement in the dire situation regarding religious freedom during the current reporting period.³²⁶ Also in this reporting period, adherents of both recognised and non-recognised religious denominations were victims of arbitrary detentions and intimidation, and were continually restricted in their right to freely practice their faith.³²⁷ In particular Jehovah's Witnesses, evangelical Christian and Pentecostal communities continued to face severe restrictions in the practice of their faith.³²⁸ Religious practices were banned in the army³²⁹ and refusal of service on religious grounds was reason for arrest.³³⁰ Dozens of religious prisoners of conscience were still being held in detention during the current reporting period.³³¹ However, many arrests and releases went unreported because information was difficult to obtain.³³² Estimates of the number of religious prisoners therefore varied; there were thought to be between 130 and more than 1,000 religious prisoners, 20 to 27 of whom were Jehovah's Witnesses.³³³ They were detained without formal charges or access to legal remedies.³³⁴

Open Doors ranked Eritrea fourth place of countries where Christians were most persecuted in 2023, a deterioration from the previous years when Eritrea was ranked sixth.³³⁵

3.2.2.1 Treatment of members of recognised religious groups

During the reporting period, religious prisoners were released, but new arrests of individuals due to their religious beliefs also took place.³³⁶ It is not known exactly how many arrests and releases occurred during the current reporting period.³³⁷

The government used proclamation 73/1995, which addresses religious institutions and activities, as a basis for restrictions on freedoms. These restrictions stemmed mainly from the authorities' desire to prevent any form of social organisation, and were based less on theological considerations.³³⁸ Among other things, this proclamation prohibits religious institutions from providing social services, including education. As a result, the last two Catholic schools in the country were closed in September 2022.³³⁹ Eritrean security forces raided a Catholic church in Segheneity on 5 September 2022, arresting several youths who had gathered to pray. They also arrested the deacons, pastors and the choir.³⁴⁰

³²⁶ US Commission on International Religious Freedom (USCIRF), *2023 Annual Report: Eritrea*, May 2023, p. 22; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11.

³²⁷ Freedom House, *Freedom in the World: Eritrea*, 2023; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11; US Commission on International Religious Freedom (USCIRF), *2023 Annual Report: Eritrea*, May 2023, p. 22.

³²⁸ CSW, *HRC52: Oral statement on the situation of human rights in Eritrea*, 6 March 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11; Open Doors, *Eritrea: Full Country Dossier*, January 2023.

³²⁹ Freedom House, *Freedom in the World: Eritrea*, 2023.

³³⁰ Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 159; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 7; Confidential source, 15-16 June 2023.

³³¹ US Commission on International Religious Freedom (USCIRF), *2023 Annual Report: Eritrea*, May 2023, p. 22.

³³² US Department of State (USDoS), *2022 Report on International Religious Freedom: Eritrea*, 15 May 2023.

³³³ US Department of State (USDoS), *2022 Report on International Religious Freedom: Eritrea*, 15 May 2023; Release International, *Eritrea Arrests 103 Christians*, 24 April 2023; Persecution.org, *103 Christian College Students Imprisoned in Eritrea*, 25 April 2023; Open Doors, *Eritrea laat dertien christenen vrij*, 8 August 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11.

³³⁴ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11.

³³⁵ Open Doors, *Eritrea: Full country dossier*, January 2023, p. 5.

³³⁶ Release International, *Eritrea - More Arrests, Some Christians Freed*, 22 March 2023.

³³⁷ US Department of State (USDoS), *2022 Report on International Religious Freedom: Eritrea*, 15 May 2023.

³³⁸ US Department of State (USDoS), *2022 Report on International Religious Freedom: Eritrea*, 15 May 2023.

³³⁹ US Department of State (USDoS), *2022 Report on International Religious Freedom: Eritrea*, 15 May 2023; Freedom House, *Freedom in the World: Eritrea*, 2023.

³⁴⁰ Open Doors, *Eritrea: Full country dossier*, January 2023, p. 7.

As Catholic churches played an important role in publicly voicing concerns about the human rights situation in the country in recent years, the authorities tried to suppress their influence and voice.³⁴¹ Besides closing the last two Catholic schools in the country, in October 2022, three senior Catholic clerics were also arrested and detained without charge in Adi-Abieto prison,³⁴² probably for calling attention to the human rights situation.³⁴³ One of these, Bishop Fikremariam Hagos, was arrested at Asmara airport on 15 October 2022 after a visit to Europe.³⁴⁴ He is reported to have been released in December 2022, along with Abba Mihretab Stefanos.³⁴⁵ The third priest, Abba Abreham, was reportedly released in November 2022.³⁴⁶

The former patriarch of the Orthodox Church, Abune Antonios, was under house arrest from 2007 until his death on 9 February 2022 for refusing to excommunicate three thousand political opponents.³⁴⁷ On 15 February 2023, Yeneta Ezra, an Orthodox monk and supporter of Antonios, was found dead under unclear circumstances.³⁴⁸ According to Christian Solidarity Worldwide (CSW), he was discovered with multiple stab wounds.³⁴⁹ 44 other monks were arrested in April 2023, all reportedly also supporters of Antonios.³⁵⁰

According to a CSW statement, 150 evangelical Christian individuals were arrested in Asmara in September 2022, 98 of whom were still detained in Mai Serwa prison in March 2023. In January 2023, 44 other evangelical Christians (39 women and 5 men) were reportedly arrested in Asmara and also sent to Mai Serwa prison.³⁵¹ On 19 March 2023, thirty Christians gathered in Keren were arrested.³⁵² In April 2023, Release International reported the arrest of 103 Christians, mostly students, who had gathered to pray and record religious videos for social media.³⁵³

Religious prisoners were also released during the reporting period. Fourteen Christians were reportedly released in March 2023, most of whom had been detained for more than nine years.³⁵⁴ The UN special rapporteur on human rights in Eritrea also received information about the release of eleven Christians between February and March 2023, some of whom had been detained for between two and ten years. Unconfirmed sources reported the release of five other Christians from

³⁴¹ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11.

³⁴² Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 159; CSW, *CSW and Human Rights Concern Eritrea call for release of arbitrarily detained clergymen*, 19 October 2022; US Commission on International Religious Freedom (USCIRF), *2023 Annual Report: Eritrea*, May 2023, p. 23; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11.

³⁴³ US Department of State (USDOS), *2022 Report on International Religious Freedom: Eritrea*, 15 May 2023.

³⁴⁴ CSW, *CSW and Human Rights Concern Eritrea call for release of arbitrarily detained clergymen*, 19 October 2022; BBC News, *Eritrean Catholic Bishop Fikremariam Hagos freed from detention*, 29 December 2022.

³⁴⁵ Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 159; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; BBC News, *Eritrean Catholic Bishop Fikremariam Hagos freed from detention*, 29 December 2022.

³⁴⁶ CSW, *Three Catholic clergymen released from arbitrary detention*, 5 January 2023.

³⁴⁷ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 36; Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 159.

³⁴⁸ CSW, *HRC52: Oral statement on the situation of human rights in Eritrea*, 6 March 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11.

³⁴⁹ CSW, *HRC52: Oral statement on the situation of human rights in Eritrea*, 6 March 2023.

³⁵⁰ CSW, *HRC52: Oral statement on the situation of human rights in Eritrea*, 6 March 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11.

³⁵¹ CSW, *HRC52: Oral statement on the situation of human rights in Eritrea*, 6 March 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11.

³⁵² OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11; Release International, *Eritrea - More Arrests, Some Christians Freed*, 22 March 2023.

³⁵³ Release International, *Eritrea Arrests 103 Christians*, 24 April 2023; Persecution.org, *103 Christian College Students Imprisoned in Eritrea*, 25 April 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11.

³⁵⁴ Release International, *Eritrea - More Arrests, Some Christians Freed*, 22 March 2023.

Assab prison.³⁵⁵ In early August 2023, thirteen Christians were released who had been in detention for more than ten years.³⁵⁶

3.2.2.2 Jehovah's Witnesses

In a proclamation of 25 October 1994, president Isaias stated that Jehovah's Witnesses, by refusing to participate in the referendum on Eritrea's independence, and refusing to perform compulsory national service, had renounced their nationality.³⁵⁷ As a result of this continuing presidential position, Jehovah's Witnesses were largely unable to obtain official identity documents, which meant they could not work for the government, study at government institutions, access government services, open bank accounts, or travel. Local authorities sometimes refused to provide food rations to Jehovah's Witnesses.³⁵⁸ Conscientious objectors, including Jehovah's Witnesses, were not exempted from compulsory military service.³⁵⁹ There were reportedly 20 to 27 Jehovah's Witnesses imprisoned without charge since 2014, including Tesfazion Gebremichael (80 years old) who has been imprisoned since 2011, 6 women, and 2 other men imprisoned for more than 17 years.³⁶⁰

The situation for Jehovah's Witnesses did not change during the current reporting period: as far as is known, no detained Jehovah's Witnesses were released and they still could not claim Eritrean citizenship.³⁶¹ Jehovah's Witnesses who did not possess identity papers often depended on their own economic activities to earn a living. The community purportedly also played a role in providing food or charity to them. The government reportedly turned a blind eye to this.³⁶²

As described in the introduction, the Eritrean government keeps itself closely informed about its citizens and is thought to know the identities of most Jehovah's Witnesses.³⁶³ According to one source, the authorities often learned this information based on a person's behaviour and position, such as refusing compulsory military service or a blood transfusion.³⁶⁴ Nevertheless, Jehovah's Witnesses avoided the attention of the authorities as much as possible. Most male Jehovah's Witnesses lived in hiding in Eritrea to avoid recruitment into compulsory national service.³⁶⁵ Converts in particular were therefore not always known to the authorities.³⁶⁶

3.2.3 Compulsory national service

³⁵⁵ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11.

³⁵⁶ Open Doors, *Eritrea laat dertien christenen vrij*, 8 August 2023.

³⁵⁷ Ministry of Foreign Affairs, *General Country of Origin Information report on Eritrea*, May 2022, p. 37.

³⁵⁸ US Department of State (USDoS), *2022 Report on International Religious Freedom: Eritrea*, 15 May 2023; confidential source, 21 August 2023.

³⁵⁹ Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 159; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 7; Confidential source, 15-16 June 2023.

³⁶⁰ Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; US Commission on International Religious Freedom (USCIRF), *2023 Annual Report: Eritrea*, May 2023, p. 23; US Department of State (USDoS), *2022 Report on International Religious Freedom: Eritrea*, 15 May 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 7.

³⁶¹ US Department of State (USDoS), *2022 Report on International Religious Freedom: Eritrea*, 15 May 2023; Freedom House, *Freedom in the World: Eritrea*, 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 11.

³⁶² Confidential source, 28 September 2023.

³⁶³ Confidential source, 28 September 2023; confidential source, 21 June 2023.

³⁶⁴ Confidential source, 21 August 2023.

³⁶⁵ OHCHR, *Information on Conscientious Objection to Military Service Involving Jehovah's Witnesses*, 21 March 2022, p. 5; confidential source, 29 June 2023.

³⁶⁶ Confidential source, 29 June 2023.

The authorities continued to employ Eritreans in indefinite military or civilian service during the reporting period, often under poor conditions and without the conscripts having a say in the nature or location of the deployment.³⁶⁷

Shortly before the country gained independence, in 1992, Eritrea introduced a compulsory national service period of eighteen months. Eritrea defined the objectives of compulsory national service in the 1995 National Service Proclamation. Since then, men and women have been subject to compulsory national service in either a military or civil role. The official service period is eighteen months, but it has been made indefinite since the border war with Ethiopia (1998-2000).³⁶⁸ In 2002, the Eritrean authorities launched the Warsay Yikaalo National Development Programme, which merged military and civilian service. A year later, the education system was also integrated into the programme, so that the final (twelfth) school year, which always takes place at the Sawa National Training and Education Centre (hereafter Sawa), started to coincide with military training.³⁶⁹ During military training in Sawa, students were classified based on study results. The recruits with the best results were eligible to pursue higher education (college).³⁷⁰ Those who scored average results could follow vocational training. The students with the lowest grades went into vocational training or immediately began their compulsory national service.³⁷¹

During the reporting period, compulsory national service continued to consist of military or civilian service, which both fell under the Ministry of Defence (as did secondary, higher and vocational education). In turn, this ministry fell directly under the authority of the PFDJ, Isaias' political party (and the only political party in Eritrea). This party also controlled several companies, including the Red Sea Trading Corporation, a group of the largest and most important companies in Eritrea, all owned by confidants of president Isaias.³⁷² These companies controlled by the political elite used conscripts for labour.³⁷³

Persons conscripted by local authorities – often school dropouts and people who evaded compulsory national service – were usually, but not exclusively, assigned to the military component of the national service. Their training did not usually take place in Sawa, but in smaller training camps, such as Wia or Met'r.³⁷⁴ These military training camps also partly served as prisons. Conditions in these camps were said to be worse than those in Sawa. They were situated in very remote areas with temperatures as high as around fifty degrees Celsius.³⁷⁵ The camps were reportedly

³⁶⁷ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 7; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 159; confidential source, 15-16 June 2023; confidential source, 29 June 2023.

³⁶⁸ Eritrea, *Proclamation on National Service No. 82/1995*, 23 October 1995; confidential source, 30 August 2023; The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023.

³⁶⁹ Freedom House, *Freedom in the World: Eritrea*, 2023; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; Confidential source, 13 July 2023; Confidential source, 30 August 2023.

³⁷⁰ The only university in Eritrea, the University of Asmara, closed its doors in 2006. The government has currently established seven colleges in different parts of the country where vocational training and higher education can be followed, but the quality of education is said to have deteriorated significantly since the closure of the university; source: confidential source, 30 August 2023; Nidos, 13. *Wat zijn de onderwijservaringen van Eritrese amv's*, 2 April 2018, p. 3.

³⁷¹ Confidential source, 23 August 2023; confidential source, 30 August 2023; confidential source, 21 August 2023.

³⁷² The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023; Van Reisen, M., Saba, M., & Smits, K. (2019). 'Sons of Isaias': *Slavery and indefinite national service in Eritrea*. In: Van Reisen, M., Mawere, M., Stokmans, M., & Gebre-Egziabher, K. A. (eds), *Mobile Africa: Human Trafficking and the Digital Divide*. Bamenda, Cameroon: Langaa Research & Publishing CIG, pp. 126-128.

³⁷³ Freedom House, *Freedom in the World: Eritrea*, 2023; Confidential source, 13 July 2023; Van Reisen, M., Saba, M., & Smits, K. (2019). 'Sons of Isaias': *Slavery and indefinite national service in Eritrea*. In: Van Reisen, M., Mawere, M., Stokmans, M., & Gebre-Egziabher, K. A. (eds), *Mobile Africa: Human Trafficking and the Digital Divide*. Bamenda, Cameroon: Langaa Research & Publishing CIG, pp. 126-128.

³⁷⁴ Confidential source, 13 July 2023; confidential source, 22 September 2023.

³⁷⁵ Confidential source, 30 August 2023.

smaller during the war in Tigray, because many conscripts with minimal military training had been sent to the front.³⁷⁶ According to one source, conditions in the camps had not improved during the current reporting period, and many persons, including the elderly, were placed in these camps during the forced recruitment round-ups (see also § 3.2.3.3 'Conscription practice').³⁷⁷ According to one source, it was not clear how the situation in the camps had evolved since the Tigray ceasefire.³⁷⁸

According to sources, conscripts were often subjected to beatings, sexual and gender-based violence, forced labour and other types of abuse.³⁷⁹ Conscripts were paid, but this pay was low and insufficient to make ends meet.³⁸⁰ They were also given little leave. Some were allowed to go home for a few days once every few months, others only every few years.³⁸¹ Conscripts who returned late from leave could face imprisonment or another punishment, such as having to work overtime, losing leave in subsequent years, or having part of their salary withheld.³⁸² The freedom of movement of conscripts was severely restricted (see also § 1.3 'Domestic freedom of movement'). During the Tigray conflict, women were reportedly more often deployed to do heavy labour, such as road construction, as the men had been sent to the front.³⁸³

As described in § 3.2.8 'Law enforcement and legal protection', Eritrea is not a constitutional state with rules that apply to everyone. Local and lower rulers have complete scope to use their discretionary power as long as they represent the president's interests. As a result, there is much arbitrariness and impunity, and conscripts were at the mercy of their commander or superior.

In the 2023 Global Slavery Index, Eritrea was ranked second place out of countries where modern slavery occurs, behind North Korea. According to the report, out of 1000 people, 90.3 were categorised as 'modern slaves', mainly due to the compulsory and indefinite duration of national service.³⁸⁴ Earlier, the UN Human Rights Council classified the compulsory national service as 'forced labour'³⁸⁵, and in 2020, the EU halted further funding of infrastructure projects in Eritrea after criticism that those projects used the 'forced labour of conscripts'.³⁸⁶ In November 2020, Canadian mining company Nevsun Resources Ltd settled with three Eritrean men. They had claimed compensation for 'severe physical and mental suffering' because they had been made to perform forced labour as conscripts 'under dangerous conditions'.³⁸⁷

3.2.3.1 Compulsory civilian service

As described above, compulsory national service consists of military and civilian service. In Sawa (see also § 3.2.3 'Compulsory national service'), students were

³⁷⁶ Confidential source, 21 June 2023.

³⁷⁷ Confidential source, 30 August 2023.

³⁷⁸ Confidential source, 21 June 2023.

³⁷⁹ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 7; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023.

³⁸⁰ Confidential source, 29 June 2023; confidential source, 13 July 2023.

³⁸¹ Confidential source, 29 June 2023; EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023; confidential source, 13 July 2023.

³⁸² Confidential source, 29 June 2023; confidential source, 13 July 2023.

³⁸³ Confidential source, 21 August 2023.

³⁸⁴ Walk Free, *Global Slavery Index*, 2023; confidential source, 25 May 2023.

³⁸⁵ UN Human Rights Council, *Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea*, 5 June 2015, p. 8; Freedom House, *Freedom in the World: Eritrea*, 2023.

³⁸⁶ EEPA, *The EU and its 'no more roads approach' in Eritrea*, 19 June 2020; Kennedy van der Laan and Foundation Human Rights for Eritreans, *Persbericht: Eritrese mensenrechtenorganisatie trekt vordering tegen EU in maar blijft waakzaam over dwangarbeid*, 22 September 2020.

³⁸⁷ Canadian Lawyer, *Nevsun settles with Eritrean plaintiffs in relation to landmark Supreme Court of Canada case*, 5 November 2020.

selected for military or civilian service based on their study results.³⁸⁸ Generally, after completing military training and education, students with good grades entered compulsory civilian service and got better jobs, for example as teachers or nurses, but this was not always necessarily the case.³⁸⁹ According to one source, most of them were trained at Sawa to be teachers, as there was said to be a huge shortage of these due to the brain drain.³⁹⁰ The tasks these individuals were assigned in compulsory civilian service varied enormously. Government officials, teachers and nurses all fell under the civilian service, but persons in national civilian service could also be employed as hotel cleaning staff, in agriculture, or as workers in state-owned enterprises, such as in the infrastructure sector.³⁹¹

These persons in civilian service still fell under the authority of the military hierarchy, even if they worked for other ministries such as Education or Foreign Affairs.³⁹² Partly because of this, the distinction between compulsory civilian and military service, which were merged in 2002, is not always clear.³⁹³ Persons in national service were assigned to all kinds of tasks without having a say in them.³⁹⁴ For example, persons in compulsory military service were sometimes assigned to civilian tasks, such as working on a farm.³⁹⁵ Persons in compulsory civilian service were also deployed for military tasks, could be assigned tasks with a military component, or had to perform work for the army or security forces.³⁹⁶ For example, people in civilian service (for instance in a commercial position) were deployed in the army, while others with civilian positions were employed in specific army stores or warehouses.³⁹⁷ Particularly if there was a need to reinforce the armed forces, such as during the Tigray conflict, people in compulsory civilian service, including teachers, could be deployed for military tasks.³⁹⁸

Some persons were conscripted into compulsory civilian service after they had completed their compulsory military service. The persons affected and the conditions and duration of service were arbitrary.³⁹⁹

Conditions in compulsory civilian service

Conscripts could be employed for personal interests, either economic or sexual, such as unpaid work in officers' personal businesses or as personal servants of officers.⁴⁰⁰ The incidence of coercion, inhuman treatment, sexual or other violence, or cruel disciplinary punishment in compulsory civilian service varied greatly depending on the deployment, and on where and under whom conscripts were deployed.⁴⁰¹ Another factor was that there were no controls of national (including civilian) service

³⁸⁸ Confidential source, 21 August 2023; confidential source, 22 September 2023.

³⁸⁹ Confidential source, 29 June 2023; confidential source, 13 July 2023; EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023; confidential source, 21 August 2023.

³⁹⁰ Confidential source, 30 August 2023.

³⁹¹ Confidential source, 21 June 2023; confidential source, 29 June 2023; confidential source, 30 August 2023.

³⁹² Confidential source, 30 August 2023; confidential source, 13 July 2023; confidential source, 22 September 2023.

³⁹³ Confidential source, 30 August 2023; confidential source, 21 June 2023; confidential source, 13 July 2023; confidential source, 21 August 2023.

³⁹⁴ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 7; confidential source, 30 August 2023; confidential source, 21 August 2023; Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, p. 9.

³⁹⁵ Confidential source, 29 June 2023; confidential source, 13 July 2023; confidential source, 21 August 2023.

³⁹⁶ Confidential source, 21 June 2023; confidential source, 13 July 2023; confidential source, 21 August 2023; confidential source, 29 June 2023; confidential source, 22 September 2023; Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, p. 9.

³⁹⁷ Confidential source, 21 June 2023.

³⁹⁸ Confidential source, 30 August 2023; confidential source, 29 June 2023; confidential source, 13 July 2023; confidential source, 21 August 2023; confidential source, 22 September 2023.

³⁹⁹ Confidential source, 21 June 2023; confidential source, 13 July 2023.

⁴⁰⁰ Confidential source, 21 June 2023; confidential source, 30 August 2023; confidential source, 21 August 2023.

⁴⁰¹ Confidential source, 21 June 2023; confidential source, 29 June 2023; confidential source, 30 August 2023.

deployments, and there was no access to legal protection for people in national service. As a result, supervisors (the vast majority of whom were members of the security service) had a free hand.⁴⁰² Conscripts had no say in the type of work they performed, nor where they were deployed.⁴⁰³ Many forms of exploitation occurred in compulsory civilian service in the context of this impunity. There were also other characteristics that could increase the likelihood of exploitation, such as belonging to a lower political or social class, or the age of the conscript (the younger, the more vulnerable).⁴⁰⁴

In Eritrea, it is very much taboo to discuss sexual topics, which made it difficult to ascertain the extent to which sexual abuse occurred during military training or compulsory civilian service (see also § 3.2.4 'Women').⁴⁰⁵ However, sources agreed that women were at risk of sexual violence even if they only performed compulsory civilian service.⁴⁰⁶ This risk, as discussed above, was very much dependent on where the person performed their compulsory civilian service and who the supervisor was.⁴⁰⁷ The sexual violence women faced is thought to have usually started during military training and mostly also occurred there.⁴⁰⁸ Students accused of minor offences at Warsei-Yikealo school and conscripts at Sawa training camp were subjected to physical punishments comparable to torture and other forms of ill-treatment.⁴⁰⁹ They had no means of claiming protection against such treatment.⁴¹⁰

Besides the conditions conscripts could face in compulsory civilian service, many of their other rights were also restricted, such as the right to start a family or begin a business.⁴¹¹ This caused many mental problems among conscripts.⁴¹²

3.2.3.2 Exemption and discharge from national service

Based on article 6 of the 1995 National Service Proclamation, all Eritreans between the ages of eighteen and forty are required to perform national service. Only people who fought in the liberation struggle against Ethiopia (article 12) and the disabled, visually impaired and mentally ill (article 15) are fully exempted. Those unfit for military service are exempted from the military programme, but must instead perform compulsory civilian service (article 13).⁴¹³ According to one source, people with severe medical problems, such as HIV, were also exempted from national service.⁴¹⁴

⁴⁰² Confidential source, 21 June 2023; confidential source, 30 August 2023; confidential source, 21 August 2023.

⁴⁰³ Confidential source, 29 June 2023; confidential source, 13 July 2023; confidential source, 12 September 2023.

⁴⁰⁴ Confidential source, 21 June 2023.

⁴⁰⁵ Confidential source, 13 July 2023; confidential source, 30 August 2023.

⁴⁰⁶ Confidential source, 29 June 2023; confidential source, 13 July 2023; confidential source, 30 August 2023; confidential source, 21 August 2023; Freedom House, *Freedom in the World: Eritrea*, 2023; confidential source, 22 September 2023.

⁴⁰⁷ Confidential source, 29 June 2023; confidential source, 30 August 2023.

⁴⁰⁸ Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 159; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 9; confidential source, 29 June 2023; confidential source, 13 July 2023; confidential source, 21 August 2023.

⁴⁰⁹ Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 159; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023.

⁴¹⁰ Confidential source, 29 June 2023; confidential source, 13 July 2023; confidential source, 30 August 2023; confidential source, 21 August 2023; Freedom House, *Freedom in the World: Eritrea*, 2023; confidential source, 22 September 2023.

⁴¹¹ Daniel Mekonnen and Sara Palacios Arapiles, *Expert report: Access to documents for Eritrean refugees in the context of family reunification*, April 2021, p. 9; confidential source, 21 June 2023; confidential source, 13 July 2023.

⁴¹² Confidential source, 13 July 2023.

⁴¹³ Eritrea, *Proclamation on National Service No. 82/1995*, 23 October 1995; confidential source, 13 July 2023.

⁴¹⁴ Confidential source, 13 July 2023.

In practice, these grounds for exceptions were strictly examined and only rarely approved.⁴¹⁵ The exemptions were issued following a review by the medical board in Sawa, which consisted of officers and medical experts. The result of this review could be that a person would be able to perform compulsory civilian service (partially or fully) if they were not fit for military service.⁴¹⁶

In addition to these de jure exemptions, de facto exemptions also applied to some categories of persons. Although these exemptions were generally respected by the responsible authorities, they were not legally obliged to do so, and sometimes alternative policies applied at the individual level. Women with a child were reportedly exempted from national service in most cases, but this was apparently not always the case and sometimes applied only temporarily.⁴¹⁷ Married women who had no children and were not pregnant were sometimes also exempted from national service, although this was applied inconsistently.⁴¹⁸

One source indicated that some persons whose nationality was disputed by the Eritrean authorities were only eligible for compulsory military service (and so not for compulsory civilian service). Individuals who belonged to a family that was widely known to have made certain sacrifices for the fatherland could be exempted from national service by the local district head, or allowed to perform some other (often lighter) form of service, such as agricultural work.⁴¹⁹ It is important to realise here that the context in which exemptions were requested – whether or not they were granted – was that of a country without rule of law. It was therefore difficult to obtain reliable and generally applicable information about how exemptions were applied. Because there is no rule of law, exemptions may have been easier to obtain for individual members of prominent families.⁴²⁰

The same applied to discharges from national service.⁴²¹ It was impossible to predict when someone would be discharged from national service, and such discharges generally occurred infrequently.⁴²² Since 2002, when the indefinite national service was introduced, hardly anyone has been officially discharged from service. Also, a discharge from service was never definite: anyone discharged could always be recalled.⁴²³ Since the Tigray conflict in November 2020, exemptions and discharges are said to have been even further curtailed. Alongside young people (including minors), people who had been discharged from military service or exempted were also rounded up and remobilised (see also § 3.2.3.3 'Conscription practice').⁴²⁴ Previously issued exemptions were then reevaluated.⁴²⁵

Documents

The lack of a functional legal system, including regarding national service, made it difficult to obtain a document of exemption. Such a document was reportedly still

⁴¹⁵ Confidential source, 21 August 2023; confidential source, 30 August 2023.

⁴¹⁶ Confidential source, 30 August 2023; confidential source, 13 July 2023.

⁴¹⁷ Confidential source, 29 June 2023; confidential source, 13 July 2023; confidential source, 21 August 2023.

⁴¹⁸ EASO, *Eritrea: National Service, Exit and Return*, September 2019, p. 32.

⁴¹⁹ Confidential source, 21 June 2023.

⁴²⁰ Confidential source, 30 August 2023; EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023; confidential source, 22 September 2023.

⁴²¹ EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023; confidential source, 29 June 2023; confidential source, 30 August 2023.

⁴²² Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; Confidential source, 21 June 2023; Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 159; confidential source, 21 August 2023.

⁴²³ Confidential source, 29 June 2023; confidential source, 30 August 2023; confidential source, 13 July 2023; confidential source, 5 September 2023; confidential source, 22 September 2023.

⁴²⁴ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 40; confidential source, 21 August 2023; confidential source, 30 August 2023; confidential source, 5 September 2023; confidential source, 21 June 2023.

⁴²⁵ Confidential source, 21 August 2023; Commissioner General for Refugees and Stateless Persons (CGRS), *Eritrea: Mobilisatie in het kader van de oorlog in het noorden van Ethiopië*, 10 January 2023, p. 14.

easier to obtain for those who had been exempted than for those who had been discharged, due to the indefinite duration of national service.⁴²⁶ A person who was exempt could obtain a document, that also stated the reason for the exemption, from the Ministry of Defence.⁴²⁷ Women with children could also request this document.⁴²⁸ The document did not guarantee that the person would not be called up for national service.⁴²⁹

3.2.3.3 Conscription practice

Recruitment for compulsory national service took place in various ways. School-going youths began their national service in Sawa, after which it was determined whether they would enter compulsory military or civilian service based on their school results (see also § 3.2.3 Compulsory national service). Non-school-going youths, people who evaded compulsory national service and deserters were apprehended during round-ups.⁴³⁰

The intensity of these round-ups has increased since the start of the conflict in Tigray. This intensity increased very sharply in the second half of 2022, to an unprecedented level in August and September 2022.⁴³¹ The campaign is said to have intensified further in October 2022.⁴³² Security forces went from door to door to identify people who evaded compulsory national service. In many areas, people were stopped in the street to check whether they were exempt from national service.⁴³³ The round-ups targeted increasingly younger minors, as well as the elderly and returned refugees.⁴³⁴ People who evaded compulsory national service sought refuge in forests.⁴³⁵

The number of round-ups was said to depend heavily on the specific conditions and whether the authorities needed more people (with or without a specific profile).⁴³⁶ Some sources reported that there was a certain regularity in the round-ups⁴³⁷; others doubted this.⁴³⁸ According to a source, the round-ups were also often a means to maintain Isaias' military ideology in Eritrea, and so their occurrence did not depend only on the conditions and the need for more people.⁴³⁹

It was also reported that round-ups would take place both announced and unannounced.⁴⁴⁰ Because they were aimed at rounding up as many conscripts as

⁴²⁶ Confidential source, 30 August 2023.

⁴²⁷ Confidential source, 13 July 2023; confidential source, 5 September 2023.

⁴²⁸ Confidential source, 13 July 2023.

⁴²⁹ Confidential source, 13 July 2023; confidential source, 5 September 2023.

⁴³⁰ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 8; Human Rights Watch (HRW), *Eritrea Crackdown on Draft Evaders' Families*, 9 February 2023; confidential source, 30 August 2023.

⁴³¹ Freedom House, *Freedom in the World: Eritrea*, 2023; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 7; confidential source, 21 June 2023.

⁴³² Confidential source, 17 August 2023; Human Rights Watch (HRW), *Eritrea Crackdown on Draft Evaders' Families*, 9 February 2023.

⁴³³ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 8; Human Rights Watch (HRW), *Eritrea Crackdown on Draft Evaders' Families*, 9 February 2023; confidential source, 30 August 2023; BBC News, *Security forces in many areas have been stopping people to check if they are exempt from military conscription*, 16 September 2022.

⁴³⁴ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 6; Human Rights Watch, *Eritrea: Crackdown on Draft Evaders' Families*, 9 February 2023; confidential source, 15-16 June 2023; confidential source, 30 August 2023; confidential source, 13 July 2023.

⁴³⁵ UN News, *Eritrea: human rights situation remains dire amid complete impunity*, 6 March 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 8; confidential source, 13 July 2023.

⁴³⁶ Confidential source, 21 June 2023; confidential source, 29 June 2023; confidential source, 17 August 2023; confidential source, 30 August 2023.

⁴³⁷ Confidential source, 21 June 2023; confidential source, 29 June 2023.

⁴³⁸ Confidential source, 17 August 2023; confidential source, 30 August 2023.

⁴³⁹ Confidential source, 30 August 2023.

⁴⁴⁰ Confidential source, 29 June 2023; confidential source, 21 June 2023.

possible, they mostly went unannounced.⁴⁴¹ People would quickly inform each other through informal channels when a round-up was taking place.⁴⁴² According to one source, there were also SMS groups in which round-ups would also be announced.⁴⁴³

3.2.3.4

Refusal to perform compulsory national service and desertion

Refusing to perform compulsory national service and desertion from service are punishable under the 1995 Proclamation on National Service in Eritrea. No clear pattern was evident in the way the authorities applied this proclamation and the punishments; the nature of the punishment for refusing to perform compulsory national service and desertion was arbitrary.⁴⁴⁴ According to one source, in the army, the military committee of the relevant division decided which disciplinary punishments to impose. In compulsory civilian service, disciplinary punishments were imposed by the head of the local branch of the responsible ministry.⁴⁴⁵

The situation and treatment of people who refused to perform compulsory national service and deserters allegedly worsened during the Tigray conflict.⁴⁴⁶ Sources indicated that they were generally detained and then sent back to their unit or to a military training camp.⁴⁴⁷ According to a confidential source, conscripts generally had to spend double the time they had been absent in detention.⁴⁴⁸ According to another source, detained conscripts were exposed to forced labour on state plantations and projects.⁴⁴⁹ Other punishments could also be imposed, from disciplinary measures and mistreatment to indefinite imprisonment.⁴⁵⁰

3.2.3.5

Repercussions for family members

The previous country report mentioned that the consequences for family members of people who refused to perform compulsory national service and deserters could include questioning (sometimes aggressive), threats and detention, as well as fines, denial of access to government services (such as the provision of documents or food stamps), or restricted access to agricultural land.⁴⁵¹ Such negative consequences for family members also occurred during the current reporting period.⁴⁵² These consequences are reported to have become much worse since the Tigray conflict, especially after the recruitment campaign intensified in September 2022.⁴⁵³ Relatives of people who evaded compulsory national service faced retaliatory measures such as arbitrary detention, confiscation of property, and evictions of family members, including children, pregnant women and the elderly.⁴⁵⁴ This was not limited to individual family members; collective punishment of entire families

⁴⁴¹ Confidential source, 30 August 2023.

⁴⁴² Confidential source, 5 September 2023; confidential source, 13 July 2023.

⁴⁴³ Confidential source, 5 September 2023.

⁴⁴⁴ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, pp. 40-41; EASO, *Eritrea National Service, exit and return*, September 2019, p. 41; Danish Immigration Service and Danish Refugee Council, *Eritrea National Service Exit and Entry*, January 2020, p. 28.

⁴⁴⁵ Confidential source, 13 July 2023.

⁴⁴⁶ Confidential source, 13 July 2023.

⁴⁴⁷ Confidential source, 13 July 2023; confidential source, 30 August 2023.

⁴⁴⁸ Confidential source, 29 June 2023.

⁴⁴⁹ Confidential source, 15-16 June 2023.

⁴⁵⁰ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, pp. 7, 9.

⁴⁵¹ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 41.

⁴⁵² Freedom House, *Freedom in the World: Eritrea*, 2023; confidential source, 13 July 2023.

⁴⁵³ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 8; Human Rights Watch (HRW), *Eritrea Crackdown on Draft Evaders' Families*, 9 February 2023; confidential source, 13 July 2023; confidential source, 30 August 2023.

⁴⁵⁴ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 7; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; Le Monde, *In Eritrea, the authorities punish the relatives of military deserters*, 4 September 2023; confidential source, 13 July 2023; confidential source, 30 August 2023.

was increasingly common.⁴⁵⁵ There were cases of entire families being evicted from their homes during the reporting period.⁴⁵⁶ Neighbours who helped or housed affected people were also threatened by the authorities, so evicted families had to survive on the streets.⁴⁵⁷ According to a report by HRW, relatives of people who evaded compulsory national service and deserters were denied food coupons by local authorities. In a few cases, shops belonging to family members were shut down.⁴⁵⁸

Round-ups still took place in Eritrea after the peace agreement was signed in November 2022, but according to a few sources this was to a lesser extent.⁴⁵⁹ Relatives of people who evaded compulsory national service and deserters purportedly also faced repercussions.⁴⁶⁰ One source reported that less pressure was put on families to send their children to compulsory military service, but that the population was still scared of being forced into military service as round-ups were still taking place.⁴⁶¹

3.2.3.6 People's Army

The People's Army (*Hizbawi Serawit*) was formed in March 2012 – after the Ethiopian incursion into the Afar region – and was reinforced after the Ethiopian army invaded the area around the town of Badme in June 2012. Civilians were given weapons such (such as AK47 rifles) and ammunition, and had to meet every Sunday morning to do exercises on sports fields. Both men and women aged between eighteen and seventy were required to participate in these exercises.⁴⁶² According to the 2019 EASO/EUAA report, the People's Army became part of the national reserve army in 2015. Since then, the activities of the People's Army have merged with those of the national army. All persons formally discharged from military service had to serve in the People's Army for a few days or weeks per year. The activities consisted of military training and work assignments.⁴⁶³

Little information was discovered about the People's Army and to what extent it was still active during the current reporting period. A few sources described the People's Army as reservists who were called up to serve in the national army. This would suggest it was part of the national army.⁴⁶⁴ People could not refuse to serve, but there was some flexibility to negotiate.⁴⁶⁵ Reservists who refused to join the national army/People's Army ran the risk of punishment.⁴⁶⁶

3.2.4 Women

3.2.4.1 FGM

⁴⁵⁵ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 8; Human Rights Watch (HRW), *Eritrea Crackdown on Draft Evaders' Families*, 9 February 2023; Confidential source, 13 July 2023.

⁴⁵⁶ UN News, *Eritrea: human rights situation remains dire amid complete impunity*, 6 March 2023; The Washington Post, *Peace deal ending Ethiopia's Tigray war yet to dispel fear of more atrocities*, 25 January 2023.

⁴⁵⁷ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 8; Human Rights Watch (HRW), *Eritrea Crackdown on Draft Evaders' Families*, 9 February 2023.

⁴⁵⁸ Human Rights Watch (HRW), *Eritrea Crackdown on Draft Evaders' Families*, 9 February 2023.

⁴⁵⁹ Confidential source, 5 September 2023; confidential source, 28 September 2023; confidential source, 17 August 2023; Human Rights Watch (HRW), *Eritrea Crackdown on Draft Evaders' Families*, 9 February 2023; confidential source, 22 September 2023; confidential source, 28 September 2023.

⁴⁶⁰ Confidential source, 28 September 2023.

⁴⁶¹ Confidential source, 5 September 2023.

⁴⁶² Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, February 2017, p. 69.

⁴⁶³ EASO, *Eritrea: National service and illegal exit*, September 2019, p. 26.

⁴⁶⁴ Confidential source, 30 August 2023; confidential source, 5 September 2023.

⁴⁶⁵ Danish Immigration Service and Danish Refugee Council, *Eritrea National Service, exit and return*, January 2020, p. 16; confidential source, 30 August 2023.

⁴⁶⁶ Confidential source, 15-16 June 2023; confidential source, 21 August 2023.

The government banned the practice of Female Genital Mutilation (FGM) in 2007 and launched public campaigns to reduce the practice.⁴⁶⁷ In 2020, the government formed a steering committee and adopted a national action plan to stop female genital mutilation and other forms of gender-based violence.⁴⁶⁸

Due to the limited access that independent inspectors and organisations have to the country, there is little information available on the prevalence of female genital mutilation.⁴⁶⁹ The practice is said to have declined sharply in Eritrea in recent years.⁴⁷⁰ The most recent official figures on this date from 2016-2018. Based on the survey responses of mothers about their daughters during this period, 3.5% of girls under 15 and 1% of girls under 5 underwent some form of female circumcision. It should be kept in mind that female circumcision in Eritrea generally occurs before the age of five. These figures show a sharp drop from 2010, when the numbers were at 18% and 6.9%, respectively.⁴⁷¹

3.2.4.2

Reporting and receiving protection from sexual violence

Only limited support was provided to victims of gender-based violence by organisations.⁴⁷² Reportedly, Eritrea has an official organisation that stands up for women's rights called the National Union of Eritrean Women (NUEW). Established by the EPLF in 1979, it had offices in all six zobas.⁴⁷³ In practice, however, victims purportedly only rarely, if ever, reported gender-based violence or sought protection from it. Domestic or gender-based violence was rarely discussed in Eritrea, as the subject is very much taboo. Furthermore, women who had been sexually abused usually kept this secret and dared not report it to avoid stigmatisation by the community.⁴⁷⁴

3.2.5

Minors and unaccompanied minors

The only statistical information found on minors was that from the Population and Health Survey of 2010. The Eritrean Ministry of Labour and Social Affairs is responsible for minors, including unaccompanied repatriates. The shelter facilities were managed by the Ministry of Labour and Social Affairs.⁴⁷⁵ There were very few orphanages for ages zero to five and very few communal homes for orphans aged six to sixteen.⁴⁷⁶ There was no official and reliable institution to track down family members who could take in minors. There were no special shelter facilities, including in-transit care, to shelter and care for repatriated children.⁴⁷⁷ Eritrea instead strongly emphasised family and community support.⁴⁷⁸ According to one source, unaccompanied minors who had no social safety net might be taken in by the orphanages, but mostly ended up on the street.⁴⁷⁹

⁴⁶⁷ BAMF, *Länderreport 60 Eritrea, Weibliche Genitalverstümmelung*, August 2023; Freedom House, *Freedom in the World: Eritrea*, 2023; confidential source, 23 August 2023.

⁴⁶⁸ Freedom House, *Freedom in the World: Eritrea*, 2023.

⁴⁶⁹ BAMF, *Länderreport 60 Eritrea, Weibliche Genitalverstümmelung*, August 2023.

⁴⁷⁰ Confidential source, 12 September 2023; confidential source, 23 August 2023; BAMF, *Länderreport 60 Eritrea, Weibliche Genitalverstümmelung*, August 2023.

⁴⁷¹ UNICEF, *Case Study on the ending of Female Genital Mutilation in the State of Eritrea*, 2021, pp. 3-4.

⁴⁷² Confidential source, 5 September 2023.

⁴⁷³ www.nuew.org, *National Union of Eritrean Women - About NUEW*, accessed 6 September 2023; confidential source, 5 September 2023.

⁴⁷⁴ Confidential source, 28 September 2023; confidential source, 13 July 2023; confidential source, 5 September 2023.

⁴⁷⁵ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, 15 November 2020, pp. 38-39.

⁴⁷⁶ Confidential source, 5 September 2023; confidential source, 23 August 2023; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, 15 November 2020, pp. 38-39.

⁴⁷⁷ Confidential source, 28 September 2023; confidential source, 23 August 2023.

⁴⁷⁸ Confidential source, 21 August 2023; confidential source, 23 August 2023; confidential source, 12 September 2023.

⁴⁷⁹ Confidential source, 5 September 2023.

3.2.6 *Members of opposition parties / political activists*

The PFDJ was the only political party in Eritrea and no other parties were allowed. No multi-party elections have been held since 1993. Opposition parties could not operate inside Eritrea.⁴⁸⁰ In the past, opposition groups were present among the diaspora in Ethiopia, but the Ethiopian authorities ordered these groups to cease activities following the improved relations between Ethiopia and Eritrea in 2018.⁴⁸¹

3.2.7 *Compliance and violations*

As in previous reporting periods, the current reporting period saw no changes in the areas of freedom of expression, freedom of the press, and freedom of assembly in Eritrea: all three were severely restricted.

There continued to be very limited freedom of expression. Anyone who expressed criticism of the authorities risked being intimidated by the security forces, losing entitlements to government services (such as food rations), and imprisonment.⁴⁸² Hundreds of prisoners of conscience, including former politicians, were arbitrarily detained without charge or access to lawyers or family members.⁴⁸³ Some of them have been in detention for two decades. In 2001, eleven politicians who belonged to the so-called G-15 (a group of fifteen former politicians who criticised the government), Swedish-Eritrean journalist Dawit Isaak and sixteen other individuals believed to be working with the G-15 were arrested. To date, nothing is known about their fate.⁴⁸⁴ Former finance minister Berhane Abrehe, who was arrested in 2018 after publishing a book calling for democratic reforms, is still imprisoned.⁴⁸⁵ The same applies to Ciham Ali Abdu, the daughter of former information minister Ali Abdu Ahmed. She was arrested in 2012, at the age of fifteen, while trying to flee to Sudan. This happened just after her father had fled the country after a failed military coup.⁴⁸⁶

There was very limited freedom of the press. Independent media outlets have been shut down in Eritrea since 2001, and journalists need a press licence.⁴⁸⁷ The authorities controlled all media, including a newspaper published in four languages, three radio stations and two television channels that were controlled by the Ministry of Information.⁴⁸⁸ Any publication by anyone without a press licence is prohibited, as is the printing and distribution of foreign publications. Government authorisation is

⁴⁸⁰ Freedom House, *Freedom in the World: Eritrea*, 2023; The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023; confidential source, 21 September 2023.

⁴⁸¹ Freedom House, *Freedom in the World: Eritrea*, 2023.

⁴⁸² OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 10; Al Jazeera, *Eritrea's 'diaspora tax' is funding violence and oppression*, 20 February 2023; Freedom House, *Freedom in the World: Eritrea*, 2023.

⁴⁸³ Freedom House, *Freedom in the World: Eritrea*, 2023; Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 159; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 10.

⁴⁸⁴ Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 159; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, pp. 10-11; The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023.

⁴⁸⁵ Freedom House, *Freedom in the World: Eritrea*, 2023; Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 159; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023.

⁴⁸⁶ Freedom House, *Freedom in the World: Eritrea*, 2023; Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 159; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; Amnesty International, *Eritrea: Ten years on, Ciham Ali's ongoing enforced disappearance 'a disgrace'*, 7 December 2022; UN News, *Eritrea: human rights situation remains dire amid complete impunity*, 6 March 2023.

⁴⁸⁷ Freedom House, *Freedom in the World: Eritrea*, 2023; Human Rights Watch (HRW), *World Report 2023 - Eritrea*, 12 January 2023; Reporters without Borders, *Eritrea*, accessed 12 June 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 10; The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023; US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023.

⁴⁸⁸ US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023; The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023.

required to distribute religious or international publications.⁴⁸⁹ According to the Committee to Protect Journalists (CPJ), sixteen journalists were imprisoned in Eritrea on 1 December 2022.⁴⁹⁰ In 2023, Reporters Without Borders ranked Eritrea 174th of 180 countries with the least press freedom.⁴⁹¹

During the current reporting period, there was no room for the activities of civil society organisations or human rights activists.⁴⁹² Government authorisation was required to hold public meetings of more than seven people. Protesters risked detention or lethal force by security forces.⁴⁹³

3.2.8 Law enforcement and legal protection

It was almost impossible to obtain the protection of the Eritrean authorities and there was very little due process protection.⁴⁹⁴ The Eritrean justice system was not independent and followed the guidelines set out by president Isaias.⁴⁹⁵ Eritrean judges were all appointed by him and controlled by the Ministry of Security.⁴⁹⁶

Security forces operated with impunity; there was very little protection against human rights violations by these troops.⁴⁹⁷ Arbitrary arrests and detentions were common in Eritrea, and the authorities continued to subject thousands of journalists, political dissidents, leaders and members of religious groups, artists, people who evaded compulsory national service, and returned asylum seekers to arbitrary detention during the current reporting period.⁴⁹⁸ Prisoners were often held incommunicado in detention indefinitely, without charge or trial and without access to a lawyer, with the authorities refusing to let family members know if the prisoner was still alive.⁴⁹⁹ Physical and psychological torture was systematically carried out in both civilian and military detention centres, resulting in death in a number of cases.⁵⁰⁰ The Freedom House report revealed that the authorities did not investigate such incidents.⁵⁰¹ According to one source, prisoners could be released in certain cases after paying large bribes and following the intervention by family members.⁵⁰² No independent bodies or mechanisms existed in Eritrea to prevent or punish corruption. Anti-corruption courts existed under army supervision, but these were often inactive.⁵⁰³

3.2.8.1 Internet access and monitoring

Access to information was highly regulated by the authorities. Eritrea is one of the countries with the least access to the internet, which severely impeded the

⁴⁸⁹ US Department of State (USDOS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023.

⁴⁹⁰ Committee to Protect Journalists (CPJ), *16 Journalists imprisoned in Eritrea as of 1 December 2022*, accessed 31 May 2023.

⁴⁹¹ Reporters Without Borders, *Eritrea*, accessed 12 June 2023.

⁴⁹² OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 10; Al Jazeera, *Eritrea's 'diaspora tax' is funding violence and oppression*, 20 February 2023.

⁴⁹³ Freedom House, *Freedom in the World: Eritrea*, 2023.

⁴⁹⁴ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, pp. 9-10; Freedom House, *Freedom in the World: Eritrea*, 2023.

⁴⁹⁵ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 10.

⁴⁹⁶ Freedom House, *Freedom in the World: Eritrea*, 2023.

⁴⁹⁷ UN News, *Eritrea: human rights situation remains dire amid complete impunity*, 6 March 2023.

⁴⁹⁸ Freedom House, *Freedom in the World: Eritrea*, 2023; Amnesty International, *Amnesty International Report 2022/23: The State of World's Human Rights*, 2023, p. 159; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 10.

⁴⁹⁹ Freedom House, *Freedom in the World: Eritrea*, 2023; OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 10.

⁵⁰⁰ US Commission on International Religious Freedom (USCIRF), *2023 Annual Report: Eritrea*, May 2023, p. 23; Freedom House, *Freedom in the World: Eritrea*, 2023.

⁵⁰¹ Freedom House, *Freedom in the World: Eritrea*, 2023.

⁵⁰² Confidential source, 15-16 June 2023.

⁵⁰³ Freedom House, *Freedom in the World: Eritrea*, 2023.

population from consulting alternative news sources.⁵⁰⁴ According to Internet World Stats, in December 2021, 6.8% of the population had access to the internet (248,199 users) and 0.3% used Facebook (9,100 users).⁵⁰⁵ People who wanted to use the internet had to go to an internet café.⁵⁰⁶ Access to social media was regularly blocked and internet cafés were often closed by the authorities.⁵⁰⁷ Also, the internet speed was very slow.⁵⁰⁸ Sources did not know whether it was possible to install a VPN connection. However, due to poor internet access and the slow internet speed, sources believed it would be difficult, if not impossible, to install a VPN connection.⁵⁰⁹ The government also closely monitored the population's internet usage.⁵¹⁰ Everyone who used an internet café (including journalists) had to identify themselves before they were allowed to connect to the internet.⁵¹¹

The authorities monitored publications on the internet and social media.⁵¹² This purportedly also applied to the diaspora: various sources said that Eritrea had built a sophisticated network of Eritrean security agents and regime supporters who reported on the activities and behaviour of Eritreans at home and abroad to the Eritrean government. This also applied to publications on the internet and social media.⁵¹³ This network was primarily led by the PFDJ and its youth wing, the Young People's Front for Democracy and Justice (YPFDJ). The network was believed to have offices in Europe and North America.⁵¹⁴

3.2.9

Diaspora

As far as is known, nothing changed regarding the position of the diaspora during the current reporting period. Eritreans residing abroad could obtain a special status through the Ministry of Immigration and Nationality, often referred to as 'diaspora status'. This status entitled them to a number of privileges, such as exemption from compulsory national service and greater freedom of movement to travel in and out of the country.⁵¹⁵ There were no clearly defined, publicly available guidelines or decrees governing how a person could obtain diaspora status.⁵¹⁶ To be eligible, Eritreans generally had to have resided outside Eritrea for at least two to three years, have a residence permit or foreign citizenship (so that they could leave Eritrea after a visit), have signed the 'regret form', and have paid the diaspora

⁵⁰⁴ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 10; Reporters without Borders, *Eritrea*, accessed 12 June 2023; US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023.

⁵⁰⁵ Internet World Stats, *Africa Internet User Stats and Population by Country*, accessed 22 June 2023.

⁵⁰⁶ EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023; confidential source, 21 August 2023; The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023.

⁵⁰⁷ Freedom House, *Freedom in the World: Eritrea*, 2023; EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023.

⁵⁰⁸ EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023; confidential source, 21 August 2023; The Economist, *The surprising triumph of "Africa's Kim Jong Un"*, 28 September 2023.

⁵⁰⁹ Confidential source, 29 June 2023; confidential source, 21 August 2023.

⁵¹⁰ Confidential source, 21 August 2023; EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023.

⁵¹¹ Reporters Without Borders, *Eritrea*, accessed 12 June 2023.

⁵¹² Reporters without Borders, *Eritrea*, accessed 12 June 2023; confidential source, 30 August 2023.

⁵¹³ Confidential source, 15-16 June 2023; Watson, *Spione aus Eritrea arbeiten für Schweizer Migrationsbehörde – Bund leitet Untersuchung ein*, 26 August 2023; Tagblatt, *Spione aus Eritrea versuchen Geld von Flüchtlingen zu erpressen – Betroffene haben Angst vor den Behörden*, 28 August 2023; confidential source, 30 August 2023; confidential source, 2020-2021; confidential source, 28 September 2023; Freedom House, *Freedom in the World: Eritrea*, 2023.

⁵¹⁴ Confidential source, 15-16 June 2023; confidential source, 2020-2021; confidential source, 28 September 2023.

⁵¹⁵ Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 135; Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022.

⁵¹⁶ Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022, p. 12.

tax.⁵¹⁷ See also the previous country report for more information on the procedure for applying for diaspora status.⁵¹⁸

Diaspora status was formally granted by means of a 'residence clearance form', called *tsaeda wereqet* in Tigrinya. As with all laws, rules and regulations in Eritrea, the period of validity of a residence clearance form was unpredictable; periods of between three and ten years have been reported.⁵¹⁹

Members of the diaspora were subjected to government monitoring and intimidation.⁵²⁰ In Switzerland, infiltrators were said to work as interpreters for asylum claims of Eritrean asylum seekers and report to the Eritrean government.⁵²¹ Signing the 'regret form' and paying the diaspora tax were considered important indicators of one's loyalty to the Eritrean authorities.⁵²² Diaspora members who refused to pay the two percent diaspora tax were denied access to all documents, certificates and basic services they and their families needed.⁵²³ Nor could they enter the country if they had not paid the diaspora tax.⁵²⁴

Family members of the diaspora who had not paid diaspora taxes could be put under pressure by the authorities, including through threats and intimidation.⁵²⁵ They could also be denied various rights, such as the right to apply for identity documents, inheritance rights, or the right to establish their own business.⁵²⁶ Family members of persons considered to be opponents, for example due to publications on the internet or social media, could expect to be treated poorly and face reprisals such as intimidation.⁵²⁷ There were also examples of relatives of people who were highly active in the opposition having their shop licences revoked or food rations withheld.⁵²⁸ As a result, most Eritreans in the diaspora who had relatives in Eritrea chose not to openly criticise the Eritrean government.⁵²⁹ For the same reasons, they also felt a lot of pressure to pay the diaspora tax and sign the 'regret form'.⁵³⁰

3.2.9.1 Payment of the diaspora tax

In principle, every Eritrean abroad had to pay the diaspora tax.⁵³¹ As mentioned in § 2.2 'Applying for an Eritrean passport abroad', consular staff of Eritrean embassies

⁵¹⁷ Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022, p. 12; Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 127; confidential source, 29 June 2023.

⁵¹⁸ Ministry of Foreign Affairs, *General Country of Origin Information report on Eritrea*, May 2022, pp. 44-45.

⁵¹⁹ Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022.

⁵²⁰ Freedom House, *Freedom in the World: Eritrea*, 2023; confidential source, 29 June 2023; Watson, *Spione aus Eritrea arbeiten für Schweizer Migrationsbehörde - Bund leitet Untersuchung ein*, 26 August 2023; Tagblatt, *Spione aus Eritrea versuchen Geld von Flüchtlingen zu erpressen - Betroffene haben Angst vor den Behörden*, 28 August 2023; confidential source, 30 August 2023.

⁵²¹ Watson, *Spione aus Eritrea arbeiten für Schweizer Migrationsbehörde - Bund leitet Untersuchung ein*, 26 August 2023.

⁵²² Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022, p. 13; confidential source, 29 June 2023.

⁵²³ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 15; The Independent, *Eritrean festivals have been attacked in Europe, North America. The government blames 'asylum scam'*, 9 August 2023.

⁵²⁴ Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 135; Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022; EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023.

⁵²⁵ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 15; Confidential source, 2020-2021; Confidential source, 28 September 2023; Confidential source, 29 June 2023.

⁵²⁶ Confidential source, 21 August 2023.

⁵²⁷ Confidential source, 2020-2021; confidential source, 28 September 2023; confidential source, 21 August 2023.

⁵²⁸ Confidential source, 30 August 2023.

⁵²⁹ Confidential source, 21 August 2023.

⁵³⁰ Confidential source, 29 June 2023; confidential source, 2020-2021; confidential source, 28 September 2023; confidential source, 30 August 2023.

⁵³¹ Confidential source, 29 June 2023; confidential source, 30 August 2023; confidential source, 28 September 2023.

had a large degree of discretion in determining the amount of the diaspora tax.⁵³² One source reported that exceptions could be made for students, who did not have to pay or paid less, or for persons with connections.⁵³³ There were several ways for Eritreans to pay diaspora tax; both abroad and in Eritrea.⁵³⁴ The way diaspora tax was paid depended heavily on the country and the instructions of the local Eritrean representation.⁵³⁵ For example, one source reported that the diaspora tax could be transferred to a bank account number that members of the diaspora received from the embassy. In other cases, the diaspora tax was collected in cash and taken to an office to be sent to Eritrea from there.⁵³⁶ The payment was also made during national festivals⁵³⁷ or through certain intermediaries in the relevant country.⁵³⁸ It was also possible for the embassy to share the reference number used by a relative in Eritrea to pay the diaspora tax.⁵³⁹

Sources were unaware of risks associated with paying diaspora tax in Eritrea for a family member abroad.⁵⁴⁰

3.2.9.2 Festivals

The current reporting period was characterised by high tensions within the Eritrean diaspora community.⁵⁴¹ Eritrean festivals in, among others, the Netherlands, Germany, Sweden and Canada culminated in clashes between supporters and opponents of the Eritrean authorities.⁵⁴² Violence at an Eritrean gathering in Tel Aviv led the Israeli parliament to plan the removal of all African migrants from the country.⁵⁴³

⁵³² Daniel Mekonnen and Sara Palacios Arapiles, *Expert report Eritrea: Access to documents by Eritrean refugees in the context of family reunion*, April 2021, p. 42; DSP and Tilburg University, *The 2% Tax for Eritreans in the diaspora: Facts, figures and experiences in seven European countries*, June 2017.

⁵³³ Confidential source, 29 June 2023.

⁵³⁴ Confidential source, 30 August 2023; confidential source, 21 August 2023.

⁵³⁵ Confidential source, 21 August 2023; confidential source, 29 June 2023; confidential source, 30 August 2023; Al Jazeera, *Eritrea's 'diaspora tax' is funding violence and oppression*, 20 February 2023.

⁵³⁶ Confidential source, 29 June 2023.

⁵³⁷ De Standaard, *Eritrese 'festivals' in Europa ontaarden wel vaker in geweld*, 4 April 2023; confidential source, 30 August 2023.

⁵³⁸ Confidential source, 30 August 2023.

⁵³⁹ Confidential source, 21 August 2023; confidential source, 30 August 2023.

⁵⁴⁰ Confidential source, 21 August 2023; confidential source, 30 August 2023; confidential source, 29 June 2023.

⁵⁴¹ EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023; confidential source, 2020-2021; confidential source, 28 September 2023; confidential source, 21 September 2023.

⁵⁴² EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023; The Independent, *Eritrean festivals have been attacked in Europe, North America. The government blames 'asylum scum'*, 9 August 2023; The New York Times, *Netanyahu Calls to Expel Unauthorized Immigrants After Eritreans Clash*, 3 September 2023.

⁵⁴³ BBC Monitoring, *Briefing: Clashes among Eritreans focus Israeli media attention on migrants*, 3 September 2023; Al Jazeera, *Why were Eritrean factions fighting on the streets of Israel's Tel Aviv?*, 4 September 2023; The New York Times, *Netanyahu Calls to Expel Unauthorized Immigrants After Eritreans Clash*, 3 September 2023; The Times of Israel, *Cabinet allocates NIS 20 million to encourage migrants to leave country*, 10 September 2023.

4 Refugees and displaced persons

From 2010-2020, Eritrea was in the top-ten countries of origin in terms of numbers of asylum seekers and refugees.⁵⁴⁴ According to UNHCR, in 2022, 508,000 Eritreans were registered as refugees and 79,000 as asylum seekers.⁵⁴⁵ In 2022, 38,000 Eritreans submitted their first asylum application in various countries around the world, an increase of 27% compared to 2021.⁵⁴⁶ Sudan and Ethiopia hosted the most Eritrean refugees in 2022, followed by Germany, Sweden and the Netherlands.⁵⁴⁷ No information is known about internally displaced persons in Eritrea or where they were accommodated. The main reason why people fled Eritrea was to avoid compulsory national service.⁵⁴⁸

4.1 Situation in Sudan

Before the conflict in Sudan erupted in April 2023, there were about 137,000 registered Eritrean asylum seekers and refugees in this country, the vast majority of whom resided in Kassala.⁵⁴⁹ After the outbreak of the conflict, there was a sharp decrease in the influx of Eritreans into Sudan.⁵⁵⁰ The refugee camps in Sudan were managed by the Sudanese government organisation Commission of Refugees (COR) and UNHCR.⁵⁵¹

Between August 2022 and March 2023, Sudanese police and security forces carried out more frequent and stringent checks on Eritreans in Khartoum, arresting and detaining hundreds of them. These included registered refugees, who were detained for allegedly not carrying the proper documents (such as identity documents, residence permits, or valid permits that allowed them to be outside the camps of eastern Sudan). They had to pay sums of 300,000 Sudanese pounds (about 500 euros) or more to be released.⁵⁵²

Since the conflict erupted in Sudan, many Eritreans have fled the violence in Khartoum and moved to neighbouring states such as Gedaref and Kassala.⁵⁵³ Staff of the UN and NGOs were evacuated and refugees were resettled in other states. As a result, the COR faced an even greater lack of capacity and an even heavier workload.

4.1.1 Eritreans in Gedaref

Eritreans in Khartoum went, among others, to the Um Gulja camp in Gedaref, a former refugee camp that closed its doors twenty years ago.⁵⁵⁴ Most Eritrean

⁵⁴⁴ UNHCR, *Global trends: Forced displacements in 2020*, June 2021.

⁵⁴⁵ UNHCR, *Refugee Statistics*, accessed 5 October 2023.

⁵⁴⁶ UNHCR, *Global trends: Forced displacement in 2022, 2023*, p. 32.

⁵⁴⁷ UNHCR, *Refugee Statistics*, accessed 5 October 2023.

⁵⁴⁸ OHCHR, *Enhanced Interactive Dialogue on Human Rights in Eritrea*, 6 March 2023; CMI, *Nowhere to run: The dilemmas of Eritrean refugees in war-wrecked Sudan*, August 2023.

⁵⁴⁹ UNHCR, *Overview of Refugees and Asylum Seekers Movements as of 30 July*; UNHCR, *Sudan Eritrean Refugees Overview in Sudan (as of 28 February 2023)*, 23 March 2023.

⁵⁵⁰ Confidential source, 30 August 2023.

⁵⁵¹ CMI, *Nowhere to run: The dilemmas of Eritrean refugees in war-wrecked Sudan*, August 2023; UNHCR, *Overview of Refugees and Asylum Seekers Movements as of 30 July*; EEPA, *Conditions of Eritreans in Kassala under the conflict in Sudan*, Special Briefing, 4 May 2023.

⁵⁵² OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 14; EEPA, *News Highlights: Crimes against humanity in Libya, Ethiopian and Eritrean connections with North Korea, CoE concern over UK migration bill*, 31 March 2023.

⁵⁵³ CMI, *Nowhere to run: The dilemmas of Eritrean refugees in war-wrecked Sudan*, August 2023; UNHCR, *Overview of Refugees and Asylum Seekers Movements as of 30 July*; EEPA, *Conditions of Eritreans in Kassala under the conflict in Sudan*, Special Briefing, 4 May 2023; UNHCR, *Sudan Situation, UNHCR External Update #6*, 9 May 2023.

⁵⁵⁴ UNHCR, *Sudan Situation, UNHCR External Update #6*, 9 May 2023.

refugees in the Um Gulja camp were women and children who needed basic necessities such as food, water, sanitation and protection. The Um Gulja camp suffered from a lack of basic facilities.⁵⁵⁵

4.1.2 *Eritreans in Kassala*

At the border between Sudan and Eritrea, four application centres carried out initial screenings of asylum seekers: Wad sharifi, Al-Qarqaf, Hamdayet and Shegarab. Asylum seekers were taken from these centres to the El Shagarab camp in Kassala. Conditions in these application centres were dire because of the lack of support, limited services (the camp was short of funds) and overcrowding.⁵⁵⁶

During the conflict in Sudan, there were reports of deportations of Eritreans from Sudan to Eritrea.⁵⁵⁷ For example, Eritreans on buses from Khartoum to Kassala were reportedly sent back to Tesenay (in Eritrea) by the Sudanese militia.⁵⁵⁸ According to a human rights activist quoted in The Guardian, 3,500 Eritreans were deported from Sudan to Eritrea in May 2023; 95 of these ended up in prison, including 8 women. According to the human rights activist, these 95 included a number of well-known political activists, but most were detained for fleeing compulsory military service. Little was known about the others as there had been no contact with them after their return. Others received permission from the Eritrean government to visit their families.⁵⁵⁹ UNHCR could not confirm these deportations.⁵⁶⁰ According to an EEPA report, Sudanese authorities dealt differently with Eritreans returning to Kassala on buses. Those with the right documents were taken to the El Shagarab camp in Kassala. Persons without the proper documents were further divided into two groups: one group was taken to the border with Eritrea and handed over to the Eritrean authorities; the second group was taken by the Sudanese authorities to the Wad Sharifi camp in Kassala.⁵⁶¹ Two other sources reported that people who returned after the outbreak of the conflict in Sudan were admitted to the country and given a six-month travel permit by the Eritrean authorities.⁵⁶² Other sources could not confirm this.⁵⁶³

4.1.3 *Eritreans in neighbouring countries*

During the conflict in Sudan, many Eritreans left Sudan for Ethiopia or South Sudan.⁵⁶⁴ Between 8,000⁵⁶⁵ and 9,500⁵⁶⁶ Eritreans have reportedly departed Sudan for Ethiopia since April 2023.⁵⁶⁷ There were reports that Eritreans fleeing Sudan were stopped at the Ethiopian town of Metema and asked to pay 2,000 dollars to go to Addis Ababa.⁵⁶⁸ According to HRW, the situation of Eritreans leaving for South

⁵⁵⁵ CMI, *Nowhere to run: The dilemmas of Eritrean refugees in war-wrecked Sudan*, August 2023.

⁵⁵⁶ EEPA, *Conditions of Eritreans in Kassala under the conflict in Sudan*, Special Briefing, 4 May 2023.

⁵⁵⁷ The Guardian, *Eritrea accused of forcibly repatriating civilians caught up in Sudan fighting*, 7 May 2023; confidential source, 29 June 2023; Al Jazeera, *Eritrean refugees caught between crisis at home, Sudan conflict*, 23 May 2023; EEPA, *Situation Report Horn of Africa No 422*, 2 May 2023.

⁵⁵⁸ Confidential source, 21 September 2023; The Guardian, *Eritrea accused of forcibly repatriating civilians caught up in Sudan fighting*, 7 May 2023.

⁵⁵⁹ The Guardian, *Eritrea accused of forcibly repatriating civilians caught up in Sudan fighting*, 7 May 2023.

⁵⁶⁰ The Guardian, *Eritrea accused of forcibly repatriating civilians caught up in Sudan fighting*, 7 May 2023; Al Jazeera, *Eritrean refugees caught between crisis at home, Sudan conflict*, 23 May 2023.

⁵⁶¹ EEPA, *Conditions of Eritreans in Kassala under the conflict in Sudan*, Special Briefing, 4 May 2023.

⁵⁶² Confidential source, 13 July 2023; confidential source, 28 September 2023.

⁵⁶³ Confidential source, 17 August 2023; confidential source, 30 August 2023.

⁵⁶⁴ Confidential source, 30 August 2023; confidential source, 22 September 2023; confidential source, 18 September 2023.

⁵⁶⁵ Confidential source, 30 August 2023.

⁵⁶⁶ Confidential source, 18 September 2023.

⁵⁶⁷ Confidential source, 22 September 2023; confidential source, 18 September 2023; confidential source, 30 August 2023.

⁵⁶⁸ EEPA, *News Highlights: Fighting surges in Sudan, Greek authorities criticised after disastrous shipwreck, Decline in support for refugees*, 23 June 2023.

Sudan was a cause of concern.⁵⁶⁹ South Sudanese authorities reportedly told them they could not stay in Juba and would be sent back to the border with Sudan.⁵⁷⁰

4.2 Situation in Ethiopia

Apart from Sudan, there were also many Eritreans in Ethiopia. By the end of May 2023, there were over 165,000 registered Eritrean refugees and asylum seekers there.⁵⁷¹ The majority were in northern Ethiopia, such as in the Alemwach camp in Amhara (29,000), in the Aysaita, Barhale and Serdo camps in Afar (58,000) and in Shire in Tigray (10,000). Another 70,000 were in Addis Ababa; these Eritreans in Addis Ababa had either travelled to Addis Ababa themselves or obtained an authorisation allowing them to live outside the camps.⁵⁷² In addition to these 70,000 registered Eritreans in Addis Ababa, 130,000 unregistered Eritreans are also said to reside in the city.⁵⁷³

Ethiopia was long an important host country for Eritreans. Persons crossing the border were automatically granted asylum and were largely accommodated in four refugee camps in Tigray.⁵⁷⁴ In January 2020, Ethiopia ended its policy of granting automatic asylum to Eritreans. No official announcement was made of this.⁵⁷⁵ In January 2021, the Ethiopian authorities announced that Eritrean refugees were no longer allowed to be outside the camps without an authorisation.⁵⁷⁶ In addition, in November 2021, the Ethiopian Refugees & Returnees Service (RRS) stopped registering Eritreans in the country, and RSS immigration offices in Tigray and Afar were closed.⁵⁷⁷ Eritreans entering the country could not register and were therefore hindered from obtaining refugee status.⁵⁷⁸

Prior to the conflict with the TPLF, there were four refugee camps with Eritrean refugees in Tigray: Hitsats and Shimelba in the north, and Mai Aini and Hadi Arush more to the south of the region.⁵⁷⁹ The Hitsats and Shimelba camps were completely destroyed in January 2021 (see also the previous country report).⁵⁸⁰ In 2022, the conflict led to the relocation of 22,000 Eritrean refugees from the Mai Aini and Hadi Arush camps to the Alemwach camp in Gondar in Amhara.⁵⁸¹ Many of the former inhabitants of the Mai Aini and Adi Harush camps – around 74,000 people – left the camps at the outbreak of the Tigray war. During the current reporting period, these camps were closed and uninhabited.⁵⁸² Despite a relative improvement in the situation of Eritrean refugees and asylum seekers in Tigray since the ceasefire was signed in November 2022, the need for aid remained high.⁵⁸³ By the end of the

⁵⁶⁹ Human Rights Watch, *Interview: Stories of Abuse, Suffering From People Fleeing Fighting in Sudan*, 2 June 2023.

⁵⁷⁰ Human Rights Watch, *Interview: Stories of Abuse, Suffering From People Fleeing Fighting in Sudan*, 2 June 2023; BBC News, *Sudan conflict: The Eritrean refugees caught between two crises*, 22 May 2023.

⁵⁷¹ UNHCR, *Ethiopia: Refugees and Asylum-seekers (As of May 31 2023)*, 30 June 2023; confidential source, 30 August 2023.

⁵⁷² Confidential source, 30 August 2023.

⁵⁷³ Confidential source, 21 September 2023; confidential source, 22 September 2023.

⁵⁷⁴ VOA, *Ethiopia ends blanket protection for Eritrean refugees*, 22 April 2020.

⁵⁷⁵ VOA, *Ethiopia ends blanket protection for Eritrean refugees*, 22 April 2020.

⁵⁷⁶ EEPA, *Situation report Horn 45*, 4 January 2021.

⁵⁷⁷ Confidential source, 30 August 2023.

⁵⁷⁸ OHCHR, *UN experts urge Ethiopia to halt mass deportation of Eritreans*, 13 July 2023; confidential source, 22 September 2023; confidential source, 21 September 2023.

⁵⁷⁹ UNHCR, *Tigray Situation Update*, 31 March 2021; Ministry of Foreign Affairs, *Thematic Country of Origin Information Report on Tigray*, August 2021, p. 54.

⁵⁸⁰ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, pp. 50-51; UNHCR, *UNHCR reached destroyed camps in northern Tigray*, 26 March 2021, p. 43; Bloomberg, *Satellite Images Show Ethiopia Carnage as Conflict Continues*, 9 January 2021; confidential source, 30 August 2023.

⁵⁸¹ Reliefweb, *Ethiopia Operation: Refugee Settlement Profile - Alemwach (updated on: 31 December 2022)*, 2 March 2023; confidential source, 30 August 2023; confidential source, 15-16 June 2023.

⁵⁸² Confidential source, 15-16 June 2023.

⁵⁸³ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 13.

current reporting period, refugees in the Alemwach camp were still waiting for identity cards and registration certificates to be issued (or reissued).⁵⁸⁴ Due to the conflict in Amhara, Alemwach was difficult to access and humanitarian aid was almost impossible. UNHCR and the UN World Food Programme (WFP) abandoned the camps, which resulted in a shortage of food, clean drinking water and medicine.⁵⁸⁵ Refugees were also hit hard by the suspension of food aid by WFP and USAID in Ethiopia.⁵⁸⁶ The UN special rapporteur on human rights in Eritrea had heard witnesses who expressed concern about the security situation in the camps in Afar, reporting that there had been several security incidents in the Aysaita camp.⁵⁸⁷

Since Eritreans could not apply for asylum, they were not entitled to shelter, food and medical care.⁵⁸⁸ In addition, many who lacked the valid documents were at a greater risk of detention and deportation to Eritrea.⁵⁸⁹ In late June 2023, hundreds of Eritrean refugees, asylum seekers and migrants were deported by Ethiopia to Eritrea.⁵⁹⁰ During the current reporting period, the Ethiopian authorities arrested hundreds of Eritreans who did not have the proper registration documents.⁵⁹¹ To avoid arrest, many Eritreans tried to obtain Ethiopian documents, legally or illegally.⁵⁹² For instance, Eritreans could buy Ethiopian identity cards from corrupt Ethiopian officers for prices ranging from nine hundred to four thousand dollars.⁵⁹³ Furthermore, Eritrean refugees in Tigray were reported to have been abducted and released only upon payment of a ransom of 1,500 to 2,000 dollars.⁵⁹⁴

⁵⁸⁴ Confidential source, 30 August 2023.

⁵⁸⁵ Frankfurter Allgemeine Zeitung, *Nahrungsmittel gegen Reformen*, 9 August 2023.

⁵⁸⁶ Confidential source, 23 October 2023; Reuters, *US resumes food aid to refugees in Ethiopia*, 5 October 2023.

⁵⁸⁷ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 13.

⁵⁸⁸ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 13.

⁵⁸⁹ Confidential source, 30 August 2023; confidential source, 22 September 2023; confidential source, 19 September 2023.

⁵⁹⁰ OHCHR, *UN experts urge Ethiopia to halt mass deportation of Eritreans*, 13 July 2023; BBC News, *Ethiopian watchdog concerned by 'forcible return' of Eritreans*, 25 June 2023.

⁵⁹¹ Confidential source, 30 August 2023; BBC Monitoring, *Radio says 'hundreds' of Eritreans arrested in Ethiopia*, 17 August 2023; BBC Monitoring, *Ethiopia rights body voices concern at Amhara unrest, arrests*, 15 August 2023; OHCHR, *UN experts urge Ethiopia to halt mass deportation of Eritreans*, 13 July 2023; BBC News, *Ethiopian watchdog concerned by 'forcible return' of Eritreans*, 25 June 2023.

⁵⁹² Confidential source, 22 September 2023; confidential source, 19 September 2023.

⁵⁹³ The New Humanitarian, *Sudan refugees struggle to exit to Ethiopia, while aid workers trying to enter are turned back*, 7 June 2023; confidential source, 17 August 2023.

⁵⁹⁴ EIPA, *News Highlights: Fighting surges in Sudan, Greek authorities criticised after disastrous shipwreck, Decline in support for refugees*, 23 June 2023.

5 Return

5.1 Risks of returning to Eritrea

According to EUAA, prior to the current reporting period, the following factors were relevant to how the Eritrean authorities treated returnees to Eritrea:

- the manner of return (voluntary or forced)
- the manner of departure from Eritrea (legally or illegally)
- the year the person left Eritrea (e.g. before or after independence, before or after the border war with Ethiopia)
- payment of the diaspora tax and signing of the 'regret form' (officially, form 4/4.2)
- political activities outside Eritrea (none, pro-government or anti-government)
- the status with regard to compulsory national service prior to leaving Eritrea
- the length of stay in Eritrea (short stay or permanent return)
- personal contacts with the responsible authorities
- arbitrariness⁵⁹⁵

As confirmed by sources, this situation continued in the current reporting period. In general, it was difficult to find out what the risks were for persons who returned, as the sources interviewed were not aware of many cases of persons who had returned.⁵⁹⁶ Nonetheless, sources confirmed that Eritrea had no institutions or mechanisms that could offer protection to returnees.⁵⁹⁷ As a result, returnees – even supporters of the regime – were subject to arbitrary and inconsistent treatment, just as all other Eritrean citizens.⁵⁹⁸

5.1.1 Diaspora status and loyalty

So, there were many factors that could influence how persons were treated on their return. However, sources reported that the risks persons faced upon their return primarily depended on their diaspora status and whether they had expressed negative views on the Eritrean government.⁵⁹⁹

An important distinction among returnees to Eritrea was whether they had diaspora status.⁶⁰⁰ This status was primarily intended for Eritreans who lived abroad and were visiting Eritrea for a short stay.⁶⁰¹ Eritreans with diaspora status (see also § 3.2.9 'Diaspora') could return for a fixed period, with relatively few restrictions on their freedom of movement, and without being called up for compulsory national service. However, if they stayed longer than the permitted period (generally twelve months), they were treated like any other Eritrean citizen.⁶⁰²

⁵⁹⁵ EASO, *Eritrea National Service, exit, and return*, September 2019, p. 55.

⁵⁹⁶ Confidential source, 17 August 2023; confidential source, 30 August 2023; confidential source, 29 June 2023.

⁵⁹⁷ Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 138; confidential source, 17 August 2023.

⁵⁹⁸ Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 138; confidential source, 21 August 2023; confidential source, 17 August 2023.

⁵⁹⁹ Confidential source, 29 June 2023; confidential source, 30 August 2023; EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023; confidential source, 17 August 2023; confidential source, 21 August 2023.

⁶⁰⁰ Confidential source, 30 August 2023; confidential source, 5 September 2023; Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 128.

⁶⁰¹ Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 137; confidential source, 12 September 2023; Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022.

⁶⁰² Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 128; confidential source, 30 August 2023; confidential source, 5 September 2023.

Diaspora status offered no protection against prosecution for political activities or insufficient loyalty to the Eritrean authorities (whether or not alleged).⁶⁰³ A past arrest, escape from prison, illegal exit, failure to pay the diaspora tax, or any association with an opposition group or banned religious group could be seen as a dissonant political opinion.⁶⁰⁴ According to an article that addresses the diaspora status, it was not uncommon for returnees with that status to be arrested or prosecuted. The article cited a few examples of this. One example concerned a man, born abroad to Eritrean parents and with diaspora status, who was arrested and questioned on his return because he did not possess an Eritrean identity card. According to the article, not having an Eritrean identity card could be seen by the Eritrean authorities as a form of political dissidence and failure to recognise the sovereign existence of the state of Eritrea. Another example in the article concerned a man who was abducted on arrival at the airport because of the controversy at the Al-Diae Community School in Asmara. The school leaders and students were actively involved in a short-lived anti-government protest in October 2017, during which numerous people were arrested by the authorities. The man in question had donated money to the Al-Diae school long before the October 2017 controversy. He had not been involved in any other political activities and purportedly had not been afraid when he returned to Eritrea.⁶⁰⁵

5.1.2 *Compulsory national service and return*

Persons who returned to Eritrea and were still subject to compulsory national service were still required to perform this national service on arrival if they did not have an exemption.⁶⁰⁶ As already mentioned, persons returning with diaspora status were exempted from compulsory national service, mostly for a period of twelve months.⁶⁰⁷ That period could be extended to twenty-four months in some cases.⁶⁰⁸ There were not many cases of Eritreans whose diaspora status expired, because they often deliberately left the country again before this happened.⁶⁰⁹ Persons who were subject to compulsory national service and forced to return risked detention or disappearance. The consequences for that person purportedly also depended on the relevant commander (for example whether the commander needed that person), and whether the family was able to buy the person's freedom.⁶¹⁰

5.1.3 *Forced versus voluntary returns*

The previous country report mentioned that Egypt deported Eritreans to Eritrea.⁶¹¹ The UN special rapporteur on human rights in Eritrea reported that this practice continued during the current reporting period.⁶¹² In addition, hundreds of both registered and unregistered Eritreans were forcibly returned by Ethiopia in June 2023.⁶¹³

⁶⁰³ Confidential source, 30 August 2023; confidential source, 5 September 2023; confidential source, 15-16 June 2023.

⁶⁰⁴ Confidential source, 15-16 June 2023.

⁶⁰⁵ Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022, p. 14.

⁶⁰⁶ EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023; Confidential source, 29 June 2023; Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 135; confidential source, 30 August 2023; confidential source, 17 August 2023.

⁶⁰⁷ EWMagazine.nl, *Welkom in Eritrea: het Noord-Korea van Afrika*, 28 July 2023; Confidential source, 5 September 2023; confidential source, 30 August 2023.

⁶⁰⁸ Confidential source, 30 August 2023.

⁶⁰⁹ Confidential source, 5 September 2023; Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 137.

⁶¹⁰ Confidential source, 22 September 2023.

⁶¹¹ Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 56.

⁶¹² OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, pp 13-4.

⁶¹³ OHCHR, *UN experts urge Ethiopia to halt mass deportation of Eritreans*, 13 July 2023; confidential source, 29 June 2023; confidential source, 22 September 2023; confidential source, 22 September 2023.

Those forcibly returned to Eritrea risked human rights violations, including arbitrary detention, ill-treatment, inhumane treatment, and being made to do compulsory national service.⁶¹⁴ There were reports that persons who returned to Tigray during the conflict were forced to participate in the war.⁶¹⁵ Nothing more was heard from many of those who had forcibly returned.⁶¹⁶ They faced many risks, for example because they had left the country illegally, fled compulsory national service, or had resisted the Eritrean government.⁶¹⁷

Sources indicated that voluntary returns could not always be considered voluntary. This was because Eritreans in certain countries sometimes signed up for voluntary return because no other options were available, for instance because they were in detention or had no chance of obtaining a residence permit.⁶¹⁸ If they did not have diaspora status, they were treated the same as people who had been forcibly returned, and could on their return be subjected to arbitrary detention, ill-treatment and compulsory national service.⁶¹⁹

5.1.4 *Legal versus illegal exit*

Eritrea deliberately made it difficult for its residents to leave the country legally. Due to this exit policy (see also § 1.4 'Exit restrictions'), the vast majority of Eritreans were unable to obtain passports and exit visas and could only leave the country illegally.⁶²⁰ According to a source, this was intended not only to strongly control the local Eritrean population, but also to demonstrate the state's control of the border and to restrict the future chances of people who left the country illegally; so as a form of punishment. According to the source, the stringent exit restrictions allowed the Eritrean government to control emigrants. Forcing them to apologise for leaving illegally (using the 'regret form') made it possible to politically neutralise them.⁶²¹

Eritrea considers leaving the country illegally as a crime, and those who left the country illegally were therefore considered disloyal.⁶²² Under Eritrean law, leaving (or trying to leave) Eritrea without a valid exit visa was punishable by up to five years in prison, a fine of 10,000 nakfa⁶²³ or a combination thereof.⁶²⁴ People who had left the country illegally could, in principle, return if they had obtained diaspora status.⁶²⁵ Persons who had left the country illegally and returned without diaspora

⁶¹⁴ OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 14; OHCHR, *UN experts urge Ethiopia to halt mass deportation of Eritreans*, 13 July 2023; confidential source, 21 August 2023; confidential source, 15-16 June 2023; confidential source, 29 June 2023.

⁶¹⁵ Confidential source, 30 August 2023.

⁶¹⁶ OHCHR, OHCHR, *Report of the Special Rapporteur on the Situation of Human Rights in Eritrea A/HRC/53/20*, 1 May 2023, p. 14; Confidential source, 21 August 2023; Confidential source, 30 August 2023; OHCHR, *UN experts urge Ethiopia to halt mass deportation of Eritreans*, 13 July 2023.

⁶¹⁷ Confidential source, 21 August 2023; confidential source, 30 August 2023; confidential source, 15-16 June 2023.

⁶¹⁸ Confidential source, 21 August 2023; Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 141; confidential source, 13 July 2023.

⁶¹⁹ Confidential source, 21 August 2023; Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 141; confidential source, 28 September 2023.

⁶²⁰ Confidential source, 30 August 2023; confidential source, 17 August 2023; Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022, p. 11.

⁶²¹ Milena, B. & Cole, G., 'The right to exit as national and transnational governance: The case of Eritrea', *International Migration*, 00, 1– 13, 2022, p. 10.

⁶²² Confidential source, 29 June 2023; Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 135; Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022, p. 17.

⁶²³ 10,000 nakfa is approximately 600 euros.

⁶²⁴ Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022, p. 17.

⁶²⁵ Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 135; Confidential source, 17 August 2023; Confidential source, 29 June 2023; US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023.

status risked detention, ill-treatment and being sent back into compulsory national service.⁶²⁶

5.1.5 *Connections*

Loyal supporters of the Eritrean authorities could be divided into those with connections within the Eritrean authorities and those without. Supporters with personal contacts with the authorities were less at risk on their return.⁶²⁷ According to a confidential source, if people in the second group had a reference (for example from the consulate or embassy of the country of residence), this could make a significant difference in how they were treated upon return.⁶²⁸ According to another confidential source, persons with certain profiles (such as members of the PFDJ who lived abroad and returned to Eritrea for the holidays) were also treated better by the Eritrean government.⁶²⁹

5.1.6 *Type of document*

Besides their diaspora status, loyalty, the manner in which they had left the country, and their connections, it was purportedly also easier for Eritreans to return if they held a passport of another nationality.⁶³⁰ However, whether this made a difference was said to be subject to arbitrariness. For instance, one source said they were aware of several cases of people with a second, non-Eritrean passport who were not allowed to leave Eritrea after a holiday or family visit because they had yet to do compulsory national service.⁶³¹

5.1.7 *The year of exit*

A separation could be made between the groups that left Eritrea before and after independence, and before or after the border war with Ethiopia.⁶³² The EPLF maintained strong political and economic ties with Eritreans abroad already before Eritrea gained formal independence in 1993. Those who left Eritrea during the war of independence and secured a stable, permanent status in the West have generally been able to return to Eritrea for shorter periods since then. This was typically because they had acquired a second nationality and fled under different circumstances from those who fled Eritrea after independence. The latter group generally had a more difficult and conditional relationship with the Eritrean government. Most of them had left the country illegally to evade compulsory national service, which was a criminal offence.⁶³³ Persons who left Eritrea while it was not at war (i.e. after the border conflict with Ethiopia between 1998 and 2000) also mostly did so illegally and were seen as disloyal to the Eritrean authorities.⁶³⁴ The fact that persons had signed the 'regret form' did not alter the fact that Eritrea considered leaving the country illegally a crime.⁶³⁵

5.1.8 *Access to government services*

⁶²⁶ Confidential source, 21 August 2023; confidential source, 30 August 2023.

⁶²⁷ Confidential source, 29 June 2023; confidential source, 17 August 2023.

⁶²⁸ Confidential source, 17 August 2023.

⁶²⁹ Confidential source, 21 August 2023.

⁶³⁰ Confidential source, 30 August 2023; confidential source, 17 August 2023; Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 134; confidential source, 21 August 2023.

⁶³¹ Confidential source, 21 August 2023.

⁶³² EASO, *Eritrea National Service, exit, and return*, September 2019, p. 55; Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 134.

⁶³³ Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 134.

⁶³⁴ Danish Immigration Service and Danish Refugee Council, Eritrea, *National service, exit and entry*, January 2020, p. 34; Ministry of Foreign Affairs, *General Country of Origin Information Report on Eritrea*, May 2022, p. 24.

⁶³⁵ Cole, G., & Belloni, M.; *Return and Retreat in a Transnational World: Insights from Eritrea. Refuge: Canada's Journal on Refugees*, 38(1), 2022, p. 138.

As mentioned earlier, little information was available on the position of returnees.⁶³⁶ Often, nothing more was heard from persons who had forcibly returned. As a result, sources were unable to say whether returnees were entitled to government services and whether those who were forcibly returned were treated differently to those who did so voluntarily.⁶³⁷

According to sources, in principle, every Eritrean citizen was entitled to access to government services, including returnees. However, this access could be restricted,⁶³⁸ for example in the case of people who were not considered 'good citizens', perhaps because they had not performed compulsory national service, or because they had made negative comments about the Eritrean government.⁶³⁹ In addition, government facilities such as healthcare and education could also be inaccessible to people who had never left the country.⁶⁴⁰ Upon their return, people who needed healthcare could purportedly go to a private hospital, although this was only accessible to those with sufficient financial means. Food coupons were restricted and not issued everywhere.⁶⁴¹

According to the USDoS annual human rights report, citizens had the right to return, but had to produce evidence that they had paid the diaspora tax to be able to claim government services and obtain documents, including for property and vehicle transactions.⁶⁴² An opinion article in Al Jazeera described how persons who did not pay the diaspora tax were not entitled to consular services and, as a result, could not sell property in Eritrea.⁶⁴³

5.1.9

Questioning on return

According to various sources, Eritrean immigration authorities usually screened and profiled all returning Eritreans on arrival at Asmara International Airport.⁶⁴⁴ This included checking which Eritrean and foreign identity documents the returnees possessed, whether they had paid the two percent diaspora tax and, if applicable, whether they had signed the 'regret form'. However, procedures at the airport were inconsistent. If the authorities distrusted someone, they could question them.⁶⁴⁵ Reasons for questioning could include incomplete documents (such as the lack of an Eritrean identity card), not having paid the diaspora tax, or evading compulsory national service.⁶⁴⁶ According to two confidential sources, persons with strong connections (including celebrities) faced fewer or no restrictions on arrival.⁶⁴⁷ Confidential sources reported that Eritreans who worked at embassies, civil servants, members of the Eritrean security service and members of diaspora communities that supported the government were also likely to be exempted from questioning at the airport.⁶⁴⁸

⁶³⁶ Confidential source, 17 August 2023; confidential source, 30 August 2023; confidential source, 29 June 2023.

⁶³⁷ Confidential source, 29 June 2023; confidential source, 21 August 2023.

⁶³⁸ Confidential source, 21 August 2023; confidential source, 5 September 2023; confidential source, 30 August 2023.

⁶³⁹ Confidential source, 30 August 2023; confidential source, 5 September 2023; confidential source, 21 August 2023.

⁶⁴⁰ Confidential source, 30 August 2023; confidential source, 17 August 2023.

⁶⁴¹ Confidential source, 30 August 2023.

⁶⁴² US Department of State (USDoS), *2022 Country Report on Human Rights Practices: Eritrea*, 20 March 2023.

⁶⁴³ Al Jazeera, *Eritrea's 'diaspora tax' is funding violence and oppression*, 20 February 2023.

⁶⁴⁴ EASO, *Eritrea National Service, exit, and return*, September 2019, p. 56; confidential source, 30 August 2023; Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022, p. 15.

⁶⁴⁵ Confidential source, 30 August 2023; EASO, *Eritrea National Service, exit, and return*, September 2019, p. 56; confidential source, 5 September 2023.

⁶⁴⁶ EASO, *Eritrea National Service, exit, and return*, September 2019, p. 56; Confidential source, 5 September 2023.

⁶⁴⁷ Confidential source, 29 June 2023; confidential source, 17 August 2023.

⁶⁴⁸ Confidential source, 30 August 2023; confidential source, 30 August 2023.

The online activities of both foreigners and Eritreans could be screened upon their arrival.⁶⁴⁹ If a person was publicly known to be a political dissident, they could be arrested immediately upon arrival. However, the assessment of returnees at the airport could also take several days, meaning they could still be arrested days after their arrival if the screening produced indications of political dissidence.⁶⁵⁰ Persons who had actively spoken out against the Eritrean government online mostly did not return because they were aware of the risks of being detained.⁶⁵¹

5.2 Opening of the border in 2018

After the peace agreement was signed between Eritrea and Ethiopia in 2018, the border between these countries was open for several months and people crossing the border were not registered. So, no details were recorded of these people at the border crossings, and it was possible to leave the country without an exit visa or passport. It was not illegal to cross the border with Ethiopia during this period, but because there was no customs infrastructure at the borders, no exit stamps were issued either. It was therefore almost impossible to prove to the Eritrean authorities that a person had legally left Eritrea during that period.⁶⁵²

So, Eritreans were allowed to leave the country legally during this period, unless they were still in compulsory national service (because this would have amounted to refusal to perform compulsory national service).⁶⁵³ Although the details of people leaving the country during this period were not recorded at the border crossings, the post where a conscript was stationed would keep a record that they had left the country, and so these exits were known to the authorities.⁶⁵⁴ According to a source, many conscripts who left the country during this period and returned were placed in detention for evading compulsory national service.⁶⁵⁵

The opening of the border with Ethiopia in September 2018 was announced by Eritrean authorities on national television, and Information minister Yemane Meskel published photos on Twitter of Abiy and Isaias opening the Bure and Serha-Zalambesa border posts.⁶⁵⁶ In addition, the informal channels of communication ensured that even people who did not have access to television or the internet were quickly informed that the border had been opened.⁶⁵⁷ This news spread particularly quickly because it was the first chance for many Eritreans to leave the country legally.⁶⁵⁸ One source indicated that no information was released other than that the border had been opened.⁶⁵⁹

⁶⁴⁹ Confidential source, 29 June 2023; confidential source, 21 August 2023; confidential source, 30 August 2023.

⁶⁵⁰ Mekonnen, D. & Yohannes, A., *Voraussetzungen und rechtliche Auswirkungen des eritreischen Diaspora-Status*, May 2022, p. 15.

⁶⁵¹ Confidential source, 21 August 2023; confidential source, 30 August 2023.

⁶⁵² Confidential source, 29 June 2023; confidential source, 15 May 2023.

⁶⁵³ Confidential source, 30 August 2023; confidential source, 15 May 2023.

⁶⁵⁴ Confidential source, 30 August 2023; confidential source, 13 July 2023.

⁶⁵⁵ Confidential source, 13 July 2023.

⁶⁵⁶ YouTube, *ERi-TV, #Eritrea - Arabic: Bure border officially opened by Pres. Isaias Afwerki & PM Abiy Ahmed*, 11 September 2018; Al Jazeera, *Ethiopia-Eritrea border opens for first time in 20 years*, 11 September 2018; The New York Times, *Ethiopia-Eritrea Border Opens for First Time in 20 Years*, 11 September 2018; DW, *Ethiopia, Eritrea withdraw border troops*, 11 September 2018; confidential source, 29 June 2023.

⁶⁵⁷ Confidential source, 30 August 2023; confidential source, 12 September 2023.

⁶⁵⁸ Confidential source, 30 August 2023; Milena, B. & Cole, G., *The right to exit as national and transnational governance: The case of Eritrea*, *International Migration*, 00, 1– 13, 2022, p. 10.

⁶⁵⁹ Confidential source, 29 June 2023.

6 Appendices

6.1 Abbreviations

ACHPR	African Charter on Human and Peoples' Rights
COR	Commission of Refugees
CPJ	Committee to Protect Journalists
CSW	Christian Solidarity Worldwide
ECHR	European Convention on Human Rights
EIU	Economist Intelligence Unit
ENDF	Ethiopian National Defence Force
EPLF	Eritrean People's Liberation Front
FGM	Female Genital Mutilation
HRW	Human Rights Watch
IGAD	Intergovernmental Authority for Development
MoU	Memorandum of Understanding
NCCE	New Civil Code of Eritrea
NEUW	National Union of Eritrean Women
NGO	Non-governmental organisation
PFDJ	People's Front for Democracy and Justice
RRS	Refugees & Returnees Service
RSF	Rapid Support Forces
TCC	Transitional Civil Code
ToR	Terms of Reference
TPLF	Tigray People's Liberation Front
UN	United Nations
USDoS	US Department of State
WFP	UN World Food Programme
YPFDJ	Young People's Front for Democracy and Justice

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6.3 Map of Eritrea

