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COUNTRY OF ORIGIN INFORMATION REPORT

ERITREA

21 SEPTEMBER 2006

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Preface

- i This Country of Origin Information Report (COI Report) has been produced by Research Development and Statistics (RDS), Home Office, for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. It includes information available up to 21 September 2006.
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any Home Office opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the COI Report reflects the way it is used by Home Office caseworkers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.
- vi As noted above, the Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.
- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more

recent documents. All sources contain information considered relevant at the time this Report was issued.

- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the Home Office upon request.
- ix COI Reports are published every six months on the top 20 asylum producing countries and on those countries for which there is deemed to be a specific operational need. Inevitably, information contained in COI Reports is sometimes overtaken by events that occur between publication dates. Home Office officials are informed of any significant changes in country conditions by means of Country of Origin Information Bulletins, which are also published on the RDS website. They also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, the Home Office has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to the Home Office as below.

Country of Origin Information Service

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Website: http://www.homeoffice.gov.uk/rds/country_reports.html

ADVISORY PANEL ON COUNTRY INFORMATION

- xi The independent Advisory Panel on Country Information was established under the Nationality, Immigration and Asylum Act 2002 to make recommendations to the Home Secretary about the content of the Home Office's country of origin information material. The Advisory Panel welcomes all feedback on the Home Office's COI Reports and other country of origin information material. Information about the Panel's work can be found on its website at www.apci.org.uk.
- xii It is not the function of the Advisory Panel to endorse any Home Office material or procedures. In the course of its work, the Advisory Panel directly reviews the content of selected individual Home Office COI Reports, but neither the fact that such a review has been undertaken, nor any comments made, should be taken to imply endorsement of the material. Some of the material examined by the Panel relates to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the

Panel's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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Latest News

EVENTS IN ERITREA, FROM 1 AUGUST 2006 TO 21 SEPTEMBER 2006

- 4 August Food aid given by the European Union (EU) is being misappropriated by the Eritrean Government, according to allegations lodged with the EU, and the European Commission is considering action against the Eritrean Government after discussions with them collapsed.
BBC News Online, EU mulls action against Eritrea, 4 August 2006
<http://news.bbc.co.uk/1/hi/business/5245998.stm>
Date accessed 4 August 2006
- 10 August An Ethiopian general has defected to Eritrea with 100 troops, to join the Oromo Liberation Front.
BBC News Online, Ethiopian commander joins rebels, 10 August 2006
<http://news.bbc.co.uk/1/hi/world/africa/4779189.stm>
Date accessed 11 August 2006
- 10 August Reporters Without Frontiers have launched a petition to remind the Eritrean Government to release the ten journalists held in detention since September 2001.
Reporters Without Frontiers online, Sign the petition for the release of ten Eritrean journalists, August 2006
http://www.rsf.org/article.php3?id_article=3789#sp3789
Date accessed 16 August 2006
- 25 August AI has taken up earlier reports posted on Awate.com of the Libyan authorities detaining 300 Eritrean nationals, including women and children, with a view to a mass deportation back to Eritrea.
Amnesty International, Urgent Action, 24 August 2006
http://www.awate.com/artman/publish/article_4573.shtml
Date accessed 29 August 2006
- 26 August Asmarino.com reported that a major roundup began on Saturday 26 August 2006 and was still in progress in Asmara and surrounding towns.
Asmarino.com, News page, 29 August 2006
<http://news9.asmarino.com/>
Date accessed 29 August 2006
- 28 August Updating of the Eritrean opposition groups in exile, their latest meetings and activities. The article also follows latest developments in the PFDJ and the Eritrean Government.
Gedab News, 28 August 2006
http://www.awate.com/artman/publish/article_4576.shtml
Date accessed 6 September 2006
- 5 September Eritrea expels five United Nations staff as 'spies'. The article notes that 2,000 UN are working in Eritrea.
BBC News Online, Eritrea tells UN 'spies' to leave, 5 September 2006
<http://news.bbc.co.uk/1/hi/world/africa/5317128.stm>
Date accessed 6 September 2006

REPORTS ON ERITREA PUBLISHED OR ACCESSED SINCE 1 AUGUST 2006

Christian Solidarity Worldwide (CSW)

Updated brief on religious persecution in Eritrea, May 2006

<http://www.csw.org.uk>

Date accessed 9 August 2006

[UK] Conservative Party Human Rights' Commission

Evidence given at inquiry held 12 July 2006

Evidence presented by Mr Noel Joseph, Executive Director, Eritreans for Human and Democratic Rights-UK (EHDR-UK)

"Persecution of Christians in Eritrea", Dr Berhane Asmelash, Director, Release-Eritrea,

Evidence of Selam Kidane, Coordinator, Release Eritrea,

Christian Solidarity Worldwide (CSW), Briefing, Eritrea, Prisoner statements for the Conservative Party Human Rights' Commission.

<http://www.conservativehumanrights.com>

Date accessed 25 August 2006

BBC Monitoring Research

Eritrea media guide – February 2006

(Via Lexis-Nexis)

Date accessed 14 August 2006

Awate

The obscure and tragic end of the G15

31 August 2006

www.awate.com/artman/publish/printer_4577.shtml

Date accessed 6 September 2006

Freedom House

Worst of the worse: the world's most repressive societies 2006

September 2006

http://www.awate.com/artman/publish/article_4581.shtml

Date accessed 11 September 2006

Human Rights Watch

Stemming the flow: abuses against migrants, asylum seekers and refugees

September 2006

<http://www.hrw.org/reports/2006/libya0906/>

Date accessed 13 September 2006

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Background information

GEOGRAPHY

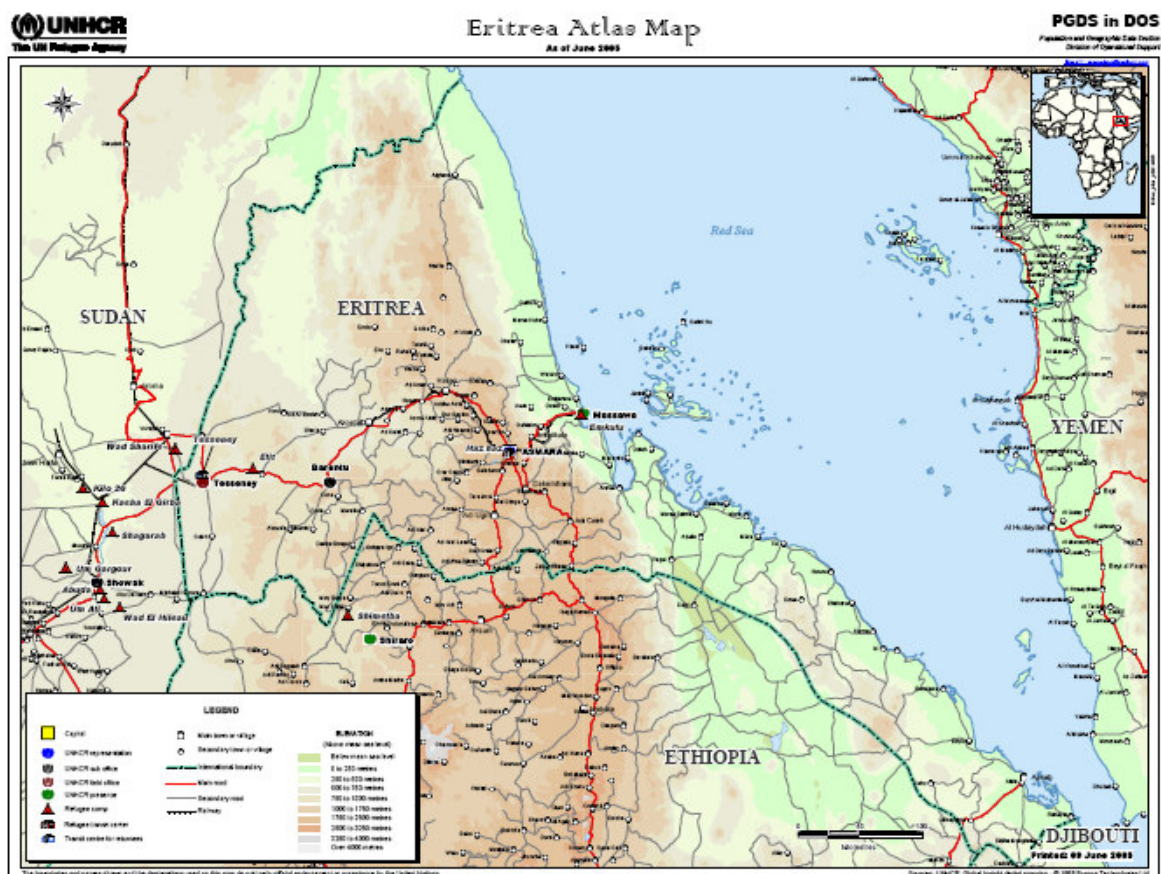
- 1.01 The State of Eritrea (Permanent Committee on Geographical Names) [81a] is a country in the Horn of Africa, bordered by Sudan to the west, and Ethiopia to the south. In area the country covers 117,400 sq km (45,300 sq miles). The capital city is Asmara, other main cities being the port of Massawa, Keren, and Barentu. (EuropaOnline)[1a] (Eritrea)
- 1.02 A 2005 estimate by the United Nations for the population of Eritrea stands at 4,401,000 people, with the 2002 census recording a population of 4,298,269. The UN estimate comprises 2,161,000 males to 2,241,000 females, with a median age of 17.4 years and a 3.06 per cent growth rate. [53a] There are 12 spoken languages: Ethnologue lists English, Standard Arabic, and Tigrinya as official languages. [59]
- 1.03 There are nine main ethnic groupings in Eritrea (Mebrat Tzehaie). [25b] There is one further ethnic grouping, the Djerberti, Muslims of the central highlands, but it not recognised as an official ethnic group by the Eritrean government (Mebrat Tzehaie). [25b]

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MAP

- 1.04 Eritrea, political map, June 2005, from the main United Nations Human Rights Commission (UNHCR) website at

<http://www.unhcr.org/cgi-bin/texis/vtx/publ/opendoc.pdf?tbl=PUBL&id=3dee2c620>



- 1.05 Further maps of Eritrea can be found via the Perry-Castaneda collection website, the University of Texas at <http://www.lib.utexas.edu/maps/eritrea.html>.

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ECONOMY

2.01 The International Monetary Fund, reported on 9 February 2005 that:

“Eritrea remains one of the poorest countries in the world, with a per capita GDP of about \$130 and a Human Development Index ranking of 156 out of 177 countries. More than half of the population lives on less than US\$1 per day and about one third lives in extreme poverty (i.e., less than 2,000 calories per day). The authorities have produced an Interim Poverty Reduction Strategy Paper and a national food security strategy, which together set out plans aimed at increasing rural incomes and raising productivity”. [9a]

2.02 The CIA world factbook notes that the Eritrean-Ethiopian war of 1998-2000 devastated the subsistence agricultural sector, on which 80 per cent of the population rely, with food production reduced by 62 per cent. “Erratic rainfall and the delayed demobilization of agriculturalists from the military kept cereal production well below normal, holding down growth in 2002-05.” [28a]

2.03 The CIA world factbook cites 2004 figures of 39,300 mainline and 20,000 mobile telephones in use. Most mainline phones are in Asmara. [28a]

2.04 The CIA world factbook adds:

“Even during the war, Eritrea developed its transportation infrastructure, asphaltting new roads, improving its ports, and repairing war-damaged roads and bridges. Since the war ended, the government has maintained a firm grip on the economy, expanding the use of the military and party-owned businesses to complete Eritrea’s development agenda.” [28a]

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HISTORY

- 3.01 Prior to independence in 1993, Eritrea was part of a federation with Ethiopia from 1952, until it was formally annexed as a province by Ethiopia in 1962. During Ethiopia's annexation of Eritrea, the Eritrean Liberation Front (ELF) began an armed struggle, splitting in the mid-1970s with a new group emerging, the Eritrean People's Liberation Front (EPLF) in 1977. The EPLF, after military defeats and reconstitution of its forces, launched an attack in 1989 that culminated in the taking of Asmara in May 1991. (EuropaOnline) [1a] (History)

Refer to Europa World Online for a more detailed history of events prior to 1991.

INDEPENDENCE 1993 AND TRANSITIONAL GOVERNMENT

- 3.02 **Europa World Online adds further:**

"Following the liberation of Asmara by the EPLF [in May 1991], and of Addis Ababa by the Ethiopian People's Revolutionary Democratic Front (EPRDF), a conference was convened in London, [at which] the Ethiopian delegation accepted the EPLF administration as the legitimate provisional Government of Eritrea, and the EPLF agreed to hold a referendum on independence in 1993. The provisional government, which was to administer Eritrea during the two years prior to the referendum, drew most of its members from the EPLF. The Government struggled to rehabilitate and develop Eritrea's war-torn economy and infrastructure, and to feed a population of whom 80% remained dependent on food aid. The agricultural sector had been severely disrupted by the war, and urban economic activity was almost non-existent." (EuropaOnline) [1a] (History)

- 3.03 The UN supervised a referendum on independence in April 1993, with a 99.8 per cent vote of Eritreans in favour of independence: the 24 May was declared Independence Day and on 28 May 1993, the state of Eritrea was formally granted international recognition (EuropaOnline). [1a] (History) Three institutions were set up to govern the state – the Consultative Council, the National Assembly, and the judiciary – with Isaias Afewerki, the leader of the EPLF, installed as President and Head of State. (EuropaOnline). [1a] (History)

THE PFDJ AND CONSTITUTIONAL DEVELOPMENTS

- 3.04 In February 1994, the EPLF reformed as a political party, the People's Front for Democracy and Justice (PFDJ); in March, the Consultative Council was replaced with a State Council; and the National Assembly reconstituted to include 75 members of the PFDJ Central Committee and 75 directly elected members, though no election mechanism was presented (EuropaOnline). [1a] (History) A Constitutional Committee of 58 members (50 of whom were government appointees) was established to reorganise the country administratively (EuropaOnline). [1a] (History) In July 1994 and January 1995, the Constitutional Committee discussed a draft Constitution, and in May 1995, the Constitutional Commission brought in a subdivision of six administrative

regions, with the National Assembly approving the regions' names in November 1995 (EuropaOnline). [1a] (History)

- 3.05 The EuropaOnline account summarises the changes in the National Assembly and other representative institutions in the late 1990s:

"In early 1997 the Government established a Constituent Assembly, comprising 527 members (150 from the National Assembly, with the remainder selected from representatives of Eritreans residing abroad or elected by regional assemblies), to discuss and ratify the draft constitution. On 23 May the Constituent Assembly adopted the Constitution, authorizing 'conditional' political pluralism and instituting a presidential regime, with a President elected for a maximum of two five-year terms. The President, as Head of State, would appoint a Prime Minister and judges of the Supreme Court; his or her mandate could be revoked should two-thirds of the members of the National Assembly so demand. The Constituent Assembly was disbanded, and a Transitional National Assembly (consisting of the 75 members of the PFDJ Central Committee, 60 members of the Constituent Assembly and 15 representatives of Eritreans residing abroad) was empowered to act as the legislature until the holding of elections to a new National Assembly." [1a] (History)

- 3.06 Europa continues:

"It was initially announced that Eritrea's first post-independence elections, which were scheduled to have been held in 1998, but were postponed indefinitely following the outbreak of hostilities with Ethiopia (see below), would take place in December 2001. However, during 2001 the likelihood of elections taking place in that year diminished, as President Afewerki assumed an increasingly authoritarian position". [1a] (History)

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BORDER CONFLICT WITH ETHIOPIA 1998 - 2000

- 3.07 In November 1997, Eritrea changed currency from the Ethiopian birr to the Eritrean nakfa. This effectively stopped cross-border trade between Ethiopia and Eritrea. In 1998, both countries accused the other's troops of border incursions and by May 1998, hostilities began in the border region. Various international attempts at mediation failed over 1998 and 1999, with intense fighting resuming in February 1999. A stalled mediation in April 1999 began a period of numerous border clashes until 31 May 2000, when the Ethiopians declared that the war was over and they were withdrawing from captured Eritrean territories. Fighting continued while a peace agreement was discussed in Algiers. The casualties of the 1998 to 2000 war have been estimated at between 70,000 and 100,000. On 18 June 2000, the Algiers agreement was signed, agreeing to an immediate ceasefire and the deployment of a UN peace-keeping force. The UN Mission in Ethiopia and Eritrea (UNMEE) of 4,200 members was deployed by the UN Security Council in September 2000. (FCO Profile) [44a] The formal peace agreement was signed on 12 December 2000 in Algiers, with the UN pledged to establish two separate independent commissions to settle border demarcations and compensation agreements. (EuropaOnline) [1a] (History)

- 3.08 The border demarcation is an on-going obstacle to peace between Eritrea and Ethiopia. The FCO Profile adds further detail:

“The Boundary Commission announced its decision on the border on 13 April 2002. Demarcation was due to follow in 2003. However, when it became clear that the town of Badme (where the hostilities started) had been awarded to Eritrea, Ethiopia challenged the BC’s conclusions. In November 2004 Ethiopia announced its acceptance ‘in principle’ of the Boundary Commission ruling but progress on demarcation remains stalled.” [44a]

BORDER TENSIONS, 2005 ONWARDS

- 3.09 Tensions continued with large numbers of troops massed on the disputed border in early 2005. An UNMEE spokesperson urged both countries to remain calm and show restraint. (IRIN) [44b] A statement issued by the Foreign Ministry in Asmara accused Ethiopia of ‘intransigence’, adding that Eritrea would not ‘accommodate Ethiopia’s forcible occupation of our territory’. (IRIN) 5 January 2005. [44b]
- 3.10 Tensions mounted again at the end of October 2005 when Eritrea banned all UNMEE helicopter flights and vehicle movements on its side of the border (IRIN 2 February 2006). [19] In December 2005, Eritrea ordered out Western UN troops serving in the UNMEE mission. However, most of UNMEE are from Asian and African countries and these remained (BBC 16 December 2005). [8s]
- 3.11 In February 2006, the witnesses to the Algiers Agreement met to discuss the impasse between Ethiopia and Eritrea. At their request, the Ethiopia Eritrea Boundary Commission convened a meeting in London on 10-11 March, attended by legal representatives of the two countries, to prepare to resume demarcation of the boundary. A further meeting was planned for April. [52e]
- 3.12 The USSD report for 2005 for Ethiopia noted that:

“At year’s end [2005] there were approximately two million landmines in the country, many dating from the 1998-2000 war with Eritrea. United Nations Mission in Eritrea and Ethiopia (UNMEE) officials reported that new landmines were planted on both sides of the Ethiopian Eritrean border during the year. The government and UNMEE engaged in demining activities in selected areas along the border and disseminated information on the whereabouts of suspected mined areas to local residents.” [4h]

See [Prisoners of war](#); [Internally displaced persons](#) and [Refugees](#)

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SEPTEMBER 2001

- 3.13 The period around September 2001 was a key crisis point in Eritrean history after the 1998 – 2000 war. The USSD Background Note, dated June 2006, summarises the situation:

“In September 2001, after several months in which a number of prominent PFDJ party members had gone public with a series of grievances against the

government and in which they called for implementation of the constitution and the holding of elections, the government instituted a crackdown. Eleven prominent dissidents, members of what had come to be known as the Group of 15, were arrested and held without charge in an unknown location. At the same time, the government shut down the independent press and arrested its reporters and editors, holding them incommunicado and without charge. In subsequent weeks, the government arrested other individuals, including two Eritrean employees of the U.S. Embassy.” [4a]

- 3.14 In April 2002, the Government effected 1995 legislation on the registration of religious groups, and closed down those groups that it held to be unregistered. Throughout 2003, and to date, there were reports of actions taken against church leaders and members, with mass arrests at unregistered weddings and meetings. (Europa, Africa south of the Sahara, 2005) [1b] (p403)

See [Freedom of religion](#)

- 3.15 In early 2005, it was reported that the Government was intensifying its efforts to curb opposition, as referred to in a UNHCR letter dated 11 March 2005, stating:

“Based on various reports, it appears that the human rights situation in Eritrea has seriously deteriorated in the past two years [2004-2005]. Human rights violations continue to be reported, *inter alia*, with regard to the treatment of opposition political groups and movements, freedom of expression, freedom of religion, arbitrary detention and detention conditions (including reports of torture, ill-treatment and forced labor) and treatment of draft evaders/deserters.” [18f]

- 3.16 Other sources note that since 2003, the Government has proceeded to pull out of communication with major international organisations, with the act of withdrawing the Eritrean Ambassador from the African Union in November 2003; deteriorating relations with the European Union and the UN Security Council in early 2005; and difficult relations with the USA Government in 2005 and 2006. (EuropaOnline) [1a] (History, p9-11)

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RECENT DEVELOPMENTS

- 4.01 Events in Eritrea in the period between March 2006 and the end of July 2006 have included the tightening of entry/exit regulations and a limiting of the movement of non-Eritrean nationals brought in on 1 June 2006 (Awate.com) [50h]; (US OSAC travel warning June 2006) [4c]; an increase of pressure on religious groups, both registered and not registered (AI December 2005) [5i], (CSW May 2006) [67], as part of greater drive towards increasing the number of people under-going national military training and service (Awate, 17 July 2005; Awate, 24 February 2006) [50i][50j]; and further distancing from outside agencies (USSD report for 2005) [4f] (p9, section 4) and governments with concerns about the distribution of food aid and the mounting economic emergency and possible famine (BBC, 7 May 2006) [8d]; (*Eritrea Daily*, 2 April 2006) [38e].
- 4.02 On an external front, driving the above developments, were further calls by the Eritrean Government for the UN boundary decisions to be enforced, along with increased tension on the Ethiopian border (Afrol, 24 February 2006) [16d]; (Afrol, 23 November 2005) [16e] having previously interfered with UN personnel deployment (Afrol, 3 March 2006) [16c]; (Afrol, 23 February 2006) [16f], and then again in May 2006 (*Eritrea Daily*, 26 May 2006)[38a]; and a reported agreement with the government of Sudan, pacifying the Sudan/Eritrea border. (*Eritrea Daily*, 19 June 2006)[38c]

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CONSTITUTION

- 5.01 The CIA World Factbook 2006, updated on 13 June 2006, states: "The transitional constitution, decreed on 19 May 1993, was replaced by a new constitution adopted on 23 May 1997, but not yet implemented." [28a] Europa, Africa south of the Sahara 2005 stated that: "The outbreak of war in 1998 delayed the implementation of the Constitution, although government officials continued to insist that it would be implemented gradually, once peace returned." [1a] (p403) HRW, in its 2006 annual report, adds: "Using the excuse that Eritrea remains at war, the government has refused to implement the 1997 constitution, drafted by a constitutional assembly and ratified by referendum that respects civil and political rights." [29f]

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POLITICAL SYSTEM

- 6.01 The USSD report for 2005 notes: “The PFDJ has not allowed for a democratically elected government, and national elections, originally scheduled for 1997, were never held. The only authorized party is the PFDJ.” [4f] (p8, Section 3) The CIA World Factbook 2006, updated on 13 June 2006, adds detail:

“Following a successful referendum on independence for the Autonomous Region of Eritrea on 23-25 April 1993, a National Assembly composed entirely of the People’s Front for Democracy and Justice or PFDJ, was established as a transitional legislature; a Constitutional Commission was also established to draft a Constitution; Isaias Afwerki was elected President by the transitional legislature; the constitution, ratified in May 1997, did not enter into effect, pending parliamentary and presidential elections; parliamentary elections had been scheduled in December 2001, but were postponed indefinitely; currently the sole legal party is the People’s Front for Democracy and Justice (PFDJ).” [28a] (p5)

- 6.02 Regarding elections other than parliamentary elections, EuropaOnline and an Economist Intelligence Unit report dated August 2004 note local government elections in 2003 and regional assembly elections in 2004. (EuropaOnline) [1a] (Political system); (EIU, August 2004) [20a] The EIU report adds:

“The elections were held in 178 administrative localities in Gash-Barka over a 37-day period, but few other details are available. Since the government still holds many of its main political opponents in detention, voters are likely to have been limited to choosing from among supporters of the administration.” [20a]

POLITICAL OPPOSITION

- 6.03 There is no official opposition, and since September 2001, no effective political opposition within Eritrea. The USSD report for 2005 reported that: “There were no reports of political prisoners; however, there were numerous reports of persons detained for political reasons.” [4f] (p5, section 1e)
- 6.04 As the FCO country profile on Eritrea recounts, “In 2001 there was criticism of the leadership within the PFDJ. President Isaias responded by arresting eleven senior government figures, who are still being detained without trial.” [44a] The USSD report for 2005 notes that the G15/G11 group detainees were still in prison at the year end of 2005. [4f] (p3, section 1d)

See [Annex C Prominent people](#) – G15/G11 political prisoners

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Human Rights

INTRODUCTION

7.01 The human rights situation in Eritrea is held by all sources to be very poor. (FCO profile, 18 November 2005) [44a] (USSD Report for 2005) [4f] (p1, Introduction) (Freedom House) [36] (AI annual report 2006) [5a]

7.02 The Foreign and Commonwealth Office Country Profile dated 18 November 2005 summarises the human rights concerns as: "Detention without charge is common. Freedom of expression is severely restricted and political critics and journalists have been held for long periods." [44] The AI annual report for 2005 reported that: "Torture continued to be used against many recent political prisoners and as a standard military punishment". [5a] Global IDP in January 2005 added further detail:

"Dissent, nongovernmental political, civic, social, and minority religious institutions largely forbidden.... Prison visits by international human rights organisations prohibited. Plagued by famine and heightened tensions with Ethiopia over their joint border, Eritrea has remained a highly repressive state in which dissent is suppressed and nongovernmental political, civic, social, and minority religious institutions are largely forbidden to function." [22a]

7.03 The Human Rights Watch 2006 annual report's summary elaborates:

"The government has arrested thousands of citizens for expressing dissenting views, practicing an 'unregistered' religion, avoiding endless military conscription, attempting to flee the country, or on suspicion of not fully supporting government policies. Mass arrests began in September 2001 with the detention of eleven leaders of the PFDJ who questioned President Isayas Afewerki's erratic and autocratic leadership. The government arrested publishers, editors and reporters and closed all independent newspapers and magazines. The arrests continued in 2005 and included three leaders of government-affiliated labor unions, the only unions allowed to operate in the country. Most of those arrested are held indefinitely in incommunicado [sic] detention. None are formally charged, given access to lawyers or brought to trial. Some prisoners are released but are warned not to talk about their imprisonment or treatment. Some manage to escape and flee the country." [29f]

7.04 Eritrea has been censored by the USA, designated, in the State Department's International Religious Freedom Report 2005, as a 'Country of Particular Concern'. [4g] (p1) The HRW annual report 2006 noted that, in January 2005, the African Union adopted that the 2001 arrests and continued detentions were in contravention of the African Charter on Human and Peoples' Rights. [29f]

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SECURITY SITUATION

- 8.01 The security situation is dominated by the residual tension over boundaries between Eritrea and Ethiopia. HRW annual report 2006 stated that: "Using the excuse that Eritrea remains at war, the government has refused to implement the 1997 constitution, drafted by a constitutional assembly and ratified by referendum, that respects civil and political rights." [29f]
- 8.02 Asmarino.com reported on 12 December 2005 that:
- "Sources in Asmara have reported that a plot to assassinate President Isayas Afewerki was foiled. Quoting unnamed Eritrean government sources, the news report states that high ranking members of Eritrea's only political party, the People's Front for Democracy and Justice (PFDJ) – officers from the Eritrean Police and the Immigration Office – were behind the plot to assassinate President [sic]. Unconfirmed reports also say that Sudanese embassy officials were involved in the plot. As many as 80 people from Eritrea's capital Asmara and Keren are reported to have been picked [sic] by government security forces in the last three days." [49a]

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CRIME

- 9.01 The US State Department, Overseas Security Advisory Council (OSAC), 'Asmara, Eritrea: 2006 crime and safety report', published 12 January 2006, notes that:

"The Eritrean police do not provide crime statistics. Public reporting, however, indicated that there was a 20 per cent increase in the total number of criminal complaints in 2004. The report was not broken down by crime category, but traffic-related violations are not included in the 20 per cent increase." [4b]

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SECURITY FORCES

10.01 The USSD report for 2005 states:

“Police are officially responsible for maintaining internal security, and the army is responsible for external security; however, the government can call on the armed forces, the reserves, and demobilized soldiers in response to both domestic and external security arrangements.” [4f] (p3, section 1d)

POLICE

10.02 The OSAC report of 12 January 2006 states:

“The Eritrean police are competent despite limited training and equipment. The majority of the police and security personnel are former ‘fighters’ who have undergone military training that has given them self-discipline and respect for authority. Corruption is not tolerated and is dealt with harshly when uncovered.” [4b] (p2)

10.03 “Active duty police officers are in charge of key police divisions. The police force was adequate in enforcing traffic laws and combating petty crime. Generally the police did not have a role in cases involving national security, but beginning in the fall, the police became involved in the rounding up of individuals evading national service.” (USSD report for 2005) [4f] (p3, section 1d)

Arbitrary arrest and detention

10.04 The USSD report for 2005 states:

“The law prohibits arbitrary arrest and detention; however, arbitrary arrest and detention were serious problems... The law stipulates that detainees may be held for a maximum of 30 days without being charged with a crime. In practice, authorities often detained persons suspected of crimes for much longer periods, usually without warrants. Authorities often did not properly inform detainees of the charges against them. Often detainees did not have access to legal counsel or appear before a judge, and incommunicado detention was widespread. There was a functioning bail system for all cases, except those involving national security or for which capital punishment might be handed down.” [4f] (p3, section 1d)

Torture in police detention

10.05 The draft Constitution prohibits torture or cruel, inhuman or degrading treatment or punishment. [2] However, most sources point to the case of the G15/G11 political activists as possible instances of where torture and abuse may have been used while in police detention, though hard to verify as political prisoners are held incommunicado. Amnesty International notes “Many prisoners are said to have died in custody as a result of torture or absence of medical treatment. There are no inquests into deaths of prisoners and families are reportedly not informed.” (AI 19 May 2004) [5c] (p16) The USSD report for 2005 adds: “The law prohibits torture; however, there were

numerous reports that security forces resorted to torture and physical beatings of prisoners, particularly during interrogations.” [4f] (p2, section 1c)

See [Torture in military detention](#)

ARMED FORCES

- 10.06 The number of military personnel as regular soldiers is not given in the Central Intelligence Agency’s world factbook for 2006, though estimates given of the total number of military service reservists and current military conscripts is estimated at 1,684,000, of whom about 1,100,000 are fit for military service, and 100,000 teenagers reach the age of military service per annum. [28a] (p11) EuropaOnline estimated the army at 200,000 including conscripts and reported that: “Eritrea also has a navy of 1,400 and an air force of about 350.” [1a] (Defence)
- 10.07 The BBC profile of Eritrea, dated 5 May 2006, states: “... economic progress is hampered by the proportion of Eritreans who are in the army rather than the workforce.” [8a] A IRIN News report of 19 May 2005 gives detail:
- “Woldai Futur, Eritrea’s current minister for national development said that military spending was expected to consume about 17 percent of the 2005 national budget – a high figure compared with international standards, but still much lower than the 50 percent that was spent during the war in 2000.... Farmers in the southwestern province of Gash-Barka, Eritrea’s main bread basket, told IRIN they could produce much more if their sons who were in the army could help them with irrigation and dam-building during the rainy season. The government argues that soldiers work in state-run and private farms during the agricultural season making up for manpower that otherwise would have been lost.” [19j]
- 10.08 During the war for independence and for some time after, the armed forces of the EPLF operated without formal rankings and with improvised military clothing, equipment and weapons. The armed forces have had a hierarchy and standardised uniforms since 1995 (International encyclopedia of uniform insignia around the world). [78a] Jane’s Infantry Weapons 2006-2007 gives information about the national inventory of arms, listing AKMs, as types of assault rifle held [70a]: photographs of Sawa military training camp parades show squads with older weapons, typically with fixed bayonets (Human Rights Watch). [29c]
- 10.09 An article in African Studies Review, April 2003 states “Tigrinya is the language of military training and communication.” [74a] (p8)

Arbitrary arrest and detention

- 10.10 “The military has the power to arrest and detain persons, and internal security forces and the military detained many persons during the year.” (USSD report for 2005) [4f] (p3, section 1d) The main application of these powers is to enforce recruitment roundups (*giffa*), with the USSD report for 2005 stating that “Security forces detained, generally for less than three days, many persons during searches for evaders of national service even if they had valid papers showing that they had completed or were exempt from national service.” [4f] (p3, section 1d)

- 10.11 The AI report of 19 May 2004 describes the *giffa*:

“Conscription is enforced by the regional administration through ‘round-ups’ (known as *giffa* in the Tigrinya language) where police search houses, work-places and streets and detain suspected evaders to check their identity documents, and at military road blocks on main roads. Shooting has been reported of people trying to escape conscription.” [5c] (p19)

See [Military service – Roundups \(Giffa\)](#)

Torture in military detention

- 10.12 The AI report of May 2004 states: “Torture is systematically practiced within the army for interrogation and punishment, particularly of conscription evaders, deserters and soldiers accused of military offences, and members of minority churches. Torture is also used against some political prisoners. Furthermore, the atrocious conditions under which many political prisoners are held amount to cruel, inhuman or degrading treatment.” [5c] (p2)

- 10.13 The USSD report for 2005 reported that there were accounts of “... Unlawful killings by security forces, including some resulting from torture [and] numerous reports of torture and physical beatings of prisoners, particularly draft evaders.” [4f] (p1, Introduction) The USSD report for 2005 added that:

“During the year [2005], security forces severely mistreated and beat army deserters, draft evaders, and members of particular religious groups ... Security forces subjected deserters and draft evaders to various disciplinary actions that included prolonged sun exposure in temperatures of up to 120 degrees Fahrenheit or the binding of the hands, elbows, and feet for extended periods.” [4f] (p2, section 1c)

- 10.14 AI, in their report dated 19 May 2004, give the most comprehensive details of torture methods, some named, such as ‘helicopter’; ‘Otto’; ‘Jesus Christ’; ‘Ferro’; ‘torch/number eight’, and other forms of abuse. [5c] (p14-15) The USSD report for 2005 added information of a technique known as ‘almaz’ or ‘diamond’. [4f] (p2, section 1c) Most forms operate on the principle of tying the prisoner up in an excruciating manner and leaving them exposed to extreme heat and cold for long periods of time. (AI, 19 May 2004) [5c] (p14)

- 10.15 The US International Religious Freedom report 2005 notes:

“Some of the detainees reportedly have been rolled around in oil drums, abused by fellow prisoners, and the women sexually abused; some of the detainees reportedly suffer from partial paralysis and other physical injuries as a result of their torture. Other reports describe other individuals and groups in the military and national service who have been detained, harassed, and physically tortured for practicing non-sanctioned religions.” [4c] (p4)

Extra-judicial killings

- 10.16 The USSD report for 2005 holds that there have been no politically motivated killings by the Government or its agents in 2005, but the Government still authorised the use of deadly force, and deaths had occurred, during roundups

of military draft evaders and their detention, most notably of the 161 youths who attempted to escape from Wi'a military camp on 10 June 2005. [4f] (p1, section 1a)

AVENUES OF COMPLAINT

- 10.17 “There were no mechanisms to address allegations of abuse among police, internal security, or military forces.” (USSD for 2005) [4f] (p3, section 1d) The USSD report for 2005 also notes that investigations were still pending by the end of 2005 in the cases of Timothy Butt, a British national, and two Mercy Corps International employees, all killed in 2003. [4f] (p2, section 1a)

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MILITARY SERVICE

- 11.01 Military and national service is firmly instituted in the state of Eritrea, the main piece of legislation governing military and national service being the National Service Proclamation (Proclamation No 82/1995) issued by the Government of Eritrea on 23 October 1995. Article 8 of the National Service Proclamation states the main requirement:

“In accordance with this proclamation all Eritrean citizens aged 18 to 50 have the duty to fulfil the ‘Active National Service’. Active National Service means the 6 month regular military training given at a base and the participation to a 12 consecutive months of active national service and development programmes under the Army Forces for a total service of 18 months. Those who cannot undertake military training and have to fulfil 18 months are included in this provision [sic].” [13]

- 11.02 Article 11 covers the issuing of the military service card at the recruitment centres. [13] Article 18 sets the period of military service at a total of 18 months, though Article 21 institutes a ‘special duty’ on length of service, extending it indefinitely if the country is under threat. [13]

- 11.03 Amnesty International reported on 7 December 2005 that:

“In late 2004 the upper age limit for female conscription was reportedly reduced to 27 years. There are also military reserve duties between the ages of 40 and 50 for former EPLF veterans and former conscripts. National service has been made more military in nature and extended indefinitely as a result of the failure of the border demarcation process and corresponding fears of renewed armed conflict with Ethiopia... Exemptions from national service include provision for the disabled, for mothers while they are breast feeding, on medical grounds, and for a family to retain a young person to remain at home when all other siblings have been conscripted.” [5m]

- 11.04 The Foreign Office, in a letter dated 1 February 2006, added further details regarding medical exemption:

“... if Eritreans are claiming exemption from military service on medical grounds, they are required to go before a medical board (which consists of military doctors at Sawa), who would then issue a certificate of medical condition assessment by the medical board. This certificate would then be given by the individual to the military authorities who would use it to issue the military exemption certificate. If the individual has attended a medical board at Sawa and subsequently been deemed exempt from military service on medical grounds they remain exempt indefinitely”. [10e]

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DRAFT EVADERS

- 11.05 Article 37 (Penalties) of the National Service Proclamation lists a range of sanctions which exist for avoiding national service:

“Any violation of this Proclamation may be punished under more severe penalties contained in Eritrea’s criminal law. Violations of the Proclamation can be punished by imprisonment of up to two years or up to 3,000 Nakfa pecuniary penalty or both. To avoid national service by deceit or self-inflicted injury the same penalties apply, followed by national service. If the self-inflicted injury precludes national service, the prison term is extended to three years. Those who travel abroad to avoid national service who return before they are 40 years of age must then undertake national service; those who return after that age, are punished by imprisonment of five years and lose rights to own a business license or apply for an exit visa, land ownership or a job. Those who assist others in avoiding national service can receive two years’ imprisonment and/or a fine.” [13]

Roundups (*Giffa*)

- 11.06 The AI report for 2005 stated that: “On 4 November [2004], Eritrea security forces in Asmara indiscriminately arrested thousands of people suspected of evading military conscription. People were arrested at places of work, in the street, at roadblocks and at home. Prisoners were taken to Adi Abeto army prison near Asmara. That night, a prison wall was apparently pushed over by some prisoners, killing four guards. Soldiers opened fire and shot dead at least a dozen prisoners and wounded many more”. [5i]
- 11.07 The same report also stated that: “In July and again in November 2005 in the Debub region in the south, parents and other relatives of individuals who had evaded conscription or fled the country were arrested and accused of complicity. They were only released if they deposited a bond of between 10,000 and 50,000 nakfas (US\$660 – US\$3,000 equivalent) to produce the missing family member.” [5i] Further details of the Debub arrests of parents are given in an account by Awate.com, dated 17 July 2005. [50i] The Awate account also reports that “... the government has also initiated targeted campaigns to apprehend female students who have completed 11th grade but opted to stay at home instead of reporting to Sawa... Last week [10 July 2005 onwards] the town of Dekemhare was the target. Similar campaigns are expected in Asmara and other major towns.” [50i]
- 11.08 Awate.com ran reports on 24 February 2006 that a new round of *giffa* had been launched in the Anseba region, which included the sweeping up of 17-year-olds from three high schools in Keren, transporting them to Wia (on the eastern coast). [50j] Other high schools in the northern Red Sea region were similarly cleared a few days previously. [50j]

Conscientious objection

- 11.09 There is no provision for conscientious objection; groups such as the Jehovah’s Witnesses and individuals are subject to extreme forms of military discipline when they do not comply with the demands of military service. Thus, as reported by the USSD report for 2005, “According to the Office of General Counsel for the Jehovah’s Witnesses, up to 22 Jehovah’s Witnesses remained imprisoned without charge, including 3 allegedly detained during the year [2005] for failing to participate in national service.” [4f] (p7, section 2c)
- 11.10 The Eritrean Anti-Militarism Initiative and Connection, affiliated to the German chapter of War Resisters’ International [23c], have collated both key reports on

military service in Eritrea, and the testimony of escapees from Eritrean military detention facilities.[23b] The testimonies include objection after suffering battlefield shock in 2000, leading to torture and punishment duties [23b] (p5); escape in 2000 of a female recruit who had been pushed into front-line service, and punished with illegal extended service, punishment duties, and sexual harassment by the unit commander [23b] (p6,7); a soldier, recruited in 1997, who was arrested for imputed political opinion in August 2002 and tortured [23b] (p8); a *koblenti* (military policeman) detailed as such from 2002, who had to pursue escapees and draft evaders, and then escaped himself after being called up for duty on the front line at the Ethiopian border during a tense period [23b] (p9); a recruit who objected after two years' military service, and was then subjected to punishment duties and torture in 1999 [23b] (p10); and a female recruit, forced into military service below age at Sawa in 2003, and who witnessed the torture and rape of female JW's and evangelicals. [23b] (p11)

See [Freedom of religion, Jehovah's Witnesses](#)

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School leavers and conscription

11.11 AI reported on 7 December 2005 that:

"National service is postponed for students, who must perform national service after their course. Graduation certificates are only presented on completion of national service. In addition, final year (11th grade) school students and all higher education students are required to do two to three months' summer vacation work service under military control. In 2003, an extra final school year (12th grade) was added for all children to be undertaken at Sawa military training centre under military authority and including military-type training. They are then selected for higher education or conscripted into the army. In 2003, the government stopped admitting undergraduate students to the University of Asmara, where students were reputed for dissent and opposition to national service or work-service, and allocated them to technical colleges instead." [5m]

11.12 Further details of the demise of the University of Asmara and the development of military technical colleges, primarily of Mai Nefhi, are given in an article dated 26 November 2004, "University of Asmara: demise by negligence", posted on Awate.com. [50e]

11.13 The AI report of 7 December 2005 further states:

"In January 2004, the UNICEF representative in Eritrea was reported to have expressed concern that the militarization of education was a violation of the African Charter on the Rights and Welfare of the Child, which aims to promote the best interests of the child, because it resulted in the separation of children from their families and forced them into a military environment". [5m]

11.14 The Awate.com report of the February 2006 *giffas* concludes, "One alarming aspect of this new wave of roundups is that it has affected young students under 18 years of age." [50j]

Detention

11.15 The USSD report for 2005 noted:

“There were substantial reports that prison conditions for persons temporarily held for evading military service were also poor. Unconfirmed reports suggested there may be hundreds of such detainees. Draft evaders were typically held for 1 to 12 weeks before being reassigned to their units. At one detention facility outside Asmara, detainees reportedly were held in an underground hall with no access to light or ventilation, and in sometimes very crowded conditions. Some detainees reportedly suffered from severe mental and physical stress due to these conditions”. [4f] (p2, section 1c)

11.16 The report added: “Several persons detained for evading national service died after harsh treatment by security forces, including the binding of hands and feet behind the head. In addition several detainees who suffered from ill health in prison died within days of their release from lack of medical care.” [4f] (p2, section 1c)

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Demobilisation

11.17 There is provision for demobilization from military service (Proclamation on National Service) [13a], (WRI 2004) [23a] but the Government is slow to enforce it, (USSD January 2006) [4a] (FCO, February 2006) [10e] and as of February 2006, may be rescinding it. (Awate.com) [50j] Article 20 of the National Service Proclamation, ‘Discharge from Active National Service’, states:

“Except for cases provided for in ART 21 (1) of this Proclamation citizens who conclude the Active National Service period are discharged from duty. On the basis of directives issued by the Ministry of Defence citizens on Active National Service may be discharged before their term is due. In accordance with this article the Ministry of Defence provides citizens who are discharged from Active National Service with discharge certification and their level of preparation.” [13]

11.18 The War Resisters’ International Global Report 2004 reported that:

“In July 2002 the Eritrean National Commission for Demobilization announced the completion of a pilot project for the demobilization of 200,000 combatants over the next two years. In March 2004 former combatants already incorporated in the government armed forces were issued with demobilization cards and asked to continue national service until January 2005. The World Bank, a principal funder, recognized the need for a special program for combatants under the age of 25. The UN Security Council called for Ethiopia and Eritrea to facilitate the sustainable reintegration of demobilized soldiers.” [23a]

11.19 The USSD, in its June 2006 Background Note, stated:

“The government has been slow to demobilize its military after the most recent conflict, although it recently formulated an ambitious demobilization plan with

the participation of the World Bank. A pilot demobilization program involving 5,000 soldiers began in November 2001 and was to be followed immediately thereafter by a first phase in which some 65,000 soldiers would be demobilized. This was delayed repeatedly. In 2003, the government began to demobilize some of those slated for the first phase. The demobilization program has not yet been approved by the World Bank, and funding for it from other donors is uncertain.” [4a]

- 11.20 The Foreign Office, in a letter dated 1 February 2006, reported that: “... the World Bank has been leading on a large demobilisation and reintegration project with support from eg The Netherlands and Norway. An element of the demobilisation component was the provision of cards to those who were finally demobilised from military/national service... Anyone demobilised will have such a card and will be able to produce it to the military or police to prove their exemption. Progress on the whole project has been slow, with Eritrea saying that it cannot make better progress until its border with Ethiopia is demarcated.” [10e]
- 11.21 Awate.com reported on 24 February 2006 that “... all demobilized soldiers and members of the national service to get ready for reporting to Sawa... Those called for ‘national service’ include athletes and other youngsters active in various sports, who had been given permit[s] to pursue their sporting activities. Demobilized soldiers and national service corps who had been discharged for medical reasons (‘Medical Board cases’) were also ordered to reregister.” [50j]

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ABUSES BY NON-GOVERNMENT ARMED FORCES

12.01 Freedom House report 2005 states:

“In 2004, more than 18 externally based factions opposed the PFDJ. Some define their separate identity by ideological orientation, but most are differentiated by their links to external powers, their regional or ethnic base, or the personalities who lead them. Most seek the ouster of the Isaias Afewerki regime by extralegal means and maintain military bases or offices in neighboring Ethiopia or Sudan.... In 2004, 13 such groups were affiliated with the Ethiopia-based Eritrean National Alliance (ENA), which is committed to the armed overthrow of the Isaias government. Its adherents are drawn mainly from among former ELF fighters and from refugees in Sudan and Ethiopia.” [36a]

12.02 The Library of Congress, Federal Research Division’s country profile of Eritrea, dated September 2005, adds further detail:

“Insurgent Forces: The Eritrean National Alliance (ENA) is a 3,000-strong organization of 10 opposition groups. It was established in Khartoum in 1999, in part as an attempt by Sudan to retaliate against Eritrean support for the National Democratic Alliance, a Sudanese opposition group. The following groups belong to the ENA: the Eritrean Liberation Front, the Eritrean People’s Conference, the Eritrean Islamic Salvation Movement, the Eritrean Liberation Front – Revolutionary Council, the Eritrean Liberation Front – National Council, the Eritrean People’s Democratic Liberation Front, the Eritrean Revolutionary Democratic Front, the Democratic Movement for the Liberation of Kunama/Eritrea, the Eritrean Democratic Resistance Movement Gash-Setit, and the Eritrean Initiative Group. These groups are a mix of liberation organizations marginalized during the struggle for independence, ethnically based groups, and the Sudan-sponsored Eritrean Islamic Salvation Movement (also known as Eritrean Islamic Jihad). All are based in Sudan, from where some stage occasional and mostly ineffectual raids into western Eritrea. The strength of another group operating in Eritrea, the Red Sea Afar Democratic Organization, currently is unknown.” [79a] (p16)

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JUDICIARY

ORGANISATION

- 13.01 Freedom House's entry on Eritrea in 'Freedom in the World' 2005, notes that the judiciary was formed by decree in 1993. [36] (p3) Europa 2005 states that:

"The judicial system operates on the basis of transitional laws which incorporate pre-independence laws of the Eritrean People's Liberation Front, revised Ethiopian laws, customary laws and post-independence enacted laws. The independence of the judiciary in the discharge of its functions is unequivocally stated in Decree No. 37, which defines the powers and duties of the Government. It is subject only to the law and to no other authority. The court structure is composed of first instance sub-zonal courts, appellate and first instance zonal courts, appellate and first instance high courts, a panel of high court judges, presided over by the President of the High Court, and a Supreme Court presided over by the Chief Justice, as a court of last resort. The judges of the Supreme Court are appointed by the President of the State, subject to confirmation by the National Assembly." [1b] (pp418-19)

- 13.02 The USSD report for 2005 adds that:

"The judicial system had two parts: civilian and special courts... The executive – controlled Special Court issues directives to other courts regarding administrative matters, although their domain was supposed to be restricted to criminal cases involving capital offenses, theft, embezzlement, and corruption. The Office of the Attorney General decides which cases are to be tried by a special court. No lawyers practice in the special courts. The judges serve as the prosecutors... The special courts, which do not permit defense counsel or the right of appeal, allowed the executive branch to mete out punishment without respect for due process. The judges...are senior military officers, with no formal legal training. They generally based their decisions 'on conscience', without reference to the law. There is no limitation on punishment, although the special courts did not hand down capital punishment sentences during the year." [4f] (p4, section 1e)

- 13.03 The USSD report for 2005 continues regarding the regular court system:

"Unlike the special court system, the law provides specific rights to defendants in the regular court system. Although defendants could hire a legal representative at their own expense, most detainees could not afford to do so and consequently did not have access to legal counsel. The government frequently assigned attorneys to represent defendants accused of serious crimes punishable by more than 10 years in prison and who could not afford legal counsel. Defendants have the right to confront and question witnesses, present evidence, have access to government held evidence, appeal a decision, and have presumption of innocence; it was unknown how well these rights were enforced in practice." [4f] (p4, section 1e)

- 13.04 Furthermore, it said: "Most citizens only had contact with the legal system through the traditional village courts. Elected village judges heard civil cases, while magistrates versed in criminal law heard criminal cases. Village courts

and local elders used customary law to adjudicate local problems such as property disputes and petty crimes. The Ministry of Justice offered training in alternative dispute resolution to handle some civil and criminal cases.” [4f] (p4, section 1e)

- 13.05 And then that: “Shari’a law could be applied when both litigants in civil cases were Muslims. Traditional courts cannot impose sentences involving physical punishment.” [4f] (p4, section 1e)

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INDEPENDENCE

- 13.06 Travel Document Systems 2005 supports the USSD view quoted above, stating:

“Nominally the judiciary operates independently of both the legislative and executive bodies, with a court system that extends from the village through to the district, provincial, and national levels. However, in practice, the independence of the judiciary is limited. In 2001, the president of the High Court was detained after criticizing the government for judicial interference.” [37a]

FAIR TRIAL

- 13.07 The USSD report for 2005 states: “The judicial system suffered from a lack of trained personnel, inadequate funding, and poor infrastructure that in practice limited the government’s ability to grant accused persons a speedy and fair trial.” [4f] (p4, section 1e)

PENAL CODE

- 13.08 A 2004 session report on forced labour by the International Labor Organization’s Committee of Experts on the Application of Conventions and Recommendations (CEACR), asking the Eritrean Government for clarification on practices, requested a copy of the Eritrean Penal Code, noted as still being in the draft form dating from the 1997 revision of the previous Transitional Ethiopian Penal Code. [75a] (p1)

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ARREST AND DETENTION – LEGAL RIGHTS

- 14.01 USSD report for 2005 stated: “The law prohibits arbitrary arrest and detention; however, arbitrary arrest and detention were serious problems.” [4f] (p3, section 1d)
- 14.02 Many sources repeat that the statutory maximum detention period without being charged is 28 days. (USSD report for 2005) [4f] (p3, section 1d); (Amnesty International) [5c] (p27)
- 14.03 However, as the USSD report for 2005 recounts:
- “In practice, authorities often detained persons suspected of crimes for much longer periods, usually without warrants. Authorities often did not properly inform detainees of the charges against them. Often detainees did not have access to legal counsel or appear before a judge, and incommunicado detention was widespread. There was a functioning bail system for all cases, except those involving national security or for which capital punishment might be handed down.” [4f] (p3, section 1d)

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PRISON CONDITIONS

15.01 Most sources corroborate the same features on detention in Eritrea.

- Prison facilities are poor, overcrowded and use is often made of overflow and irregular accommodation. (HRW 2006) [29f]; (Gondwe, July 2006) [45a]
- Food is of a poor quality and often insufficient; healthcare, if provided, is insufficient and may be deliberately withheld. (Awate, 16 June 2006) [50f]; (Gondwe, July 2006) [45a]
- Use is made of accommodation that incorporates extreme physical discomfort with extreme temperatures, such as underground cells, and shipping cargo containers. (USSD report for 2005) [4f] (p2, section 1c); (AI May 2004) [5c] (p16); (HRW 2006) [29f]; Also 'Shella' – 2 metre by 2 metre cells. (Gondwe, July 2006) [45a]
- Prisoners are often held incommunicado. (AI, 28 July 2005) [5h]; (USSD report for 2005) [4f] (p2, section 1c); (HRW 2006) [29f];
- Torture and general abuse are used against prisoners, and as standard military punishments. (HRW 2006) [29f];
- Deaths have been reported as a direct result of punishment and torture, as well as subsequent deaths from lack of medical attention to injuries sustained. (USSD report for 2005) [4f] (p2, section 1c); (UNHCR) [18f]; One report suggests extra-judicial executions are carried out. (Gondwe, July 2006) [45a]
- Forced labour routinely used. (Adai61.com, 6 May 2006) [76a]; (Gondwe, July 2006) [45a]
- Refusal of the government to allow international NGO or other independent NGO monitoring or visiting of detention facilities. (USSD report for 2005) [4f] (p2, section 1c); (ICRC 2004) [40a]

15.02 The USSD report for 2005 notes:

"... There were no juvenile detention centers or correction facilities, and juvenile offenders often were incarcerated with adults. Pretrial detainees generally were not held separately from convicted prisoners; however, in some cases, detainees were held separately. For example, 11 PFDJ and national assembly detainees and others detained on national security grounds in 2001 were believed to be held separately, although their whereabouts remained unknown. These political detainees continued to be denied visitors during the year." [4f] (p2, section 1c)

15.03 The USSD report for 2005 also mentions the detention of military draft evaders:

"Unconfirmed reports suggested there may be hundreds of such [military] detainees. Draft evaders were typically held for 1 to 12 weeks before being reassigned to their units. At one detention facility outside Asmara, detainees reportedly were held in an underground hall with no access to light or ventilation, and in sometimes [sic] very crowded conditions. Some detainees reportedly suffered from severe mental and physical stress due to these conditions. ... Several persons detained for evading national service died after harsh treatment by security forces, including the binding of hands and feet behind the head. In addition several detainees who suffered from ill health in

prison died within days of their release from lack of medical care.” [4f] (p2, section 1c)

- 15.04 AI commented in their report of 28 July 2005 in connection with the treatment of relatives of military conscription evaders and deserters after the *giffa* (military service roundup), that:

“None of those arrested has been charged with a criminal offence or taken to court within the 48 hours [as] stipulated by the Constitution and laws of Eritrea. They are held incommunicado in different prisons. Many held in Adi Keih town prison reportedly began a hunger strike in protest against their detention and have been moved to Mai Serwa military camp near the capital Asmara. Prison conditions are harsh, with many held in metal shipping containers or underground cells.” [5h]

- 15.05 The AI report 2006 stated that:

“Torture continued to be used against many recent political prisoners and as a standard military punishment. Army deserters, conscription evaders and forcibly returned asylum-seekers were held incommunicado and tortured in military custody. They were beaten, tied hand and foot in painful positions and left in the sun for lengthy periods (the ‘helicopter’ torture method) or were suspended from ropes from a tree or ceiling. Religious prisoners were among many detainees held in Sawa and other military camps, beaten and forced to crawl on sharp stones. Many prisoners were kept in overcrowded metal shipping containers in unventilated, hot and unhygienic conditions and denied adequate food and medical treatment. Conditions in military prisons around the country were extremely harsh.” [5a]

- 15.06 The AI report 2006 also mentions:

“On 4 November [2004], Eritrea security forces in Asmara indiscriminately arrested thousands of people suspected of evading military conscription. People were arrested at places of work, in the street, at roadblocks and at home. Prisoners were taken to Adi Abeto army prison near Asmara. That night, a prison wall was apparently pushed over by some prisoners, killing four guards. Soldiers opened fire and shot dead at least a dozen prisoners and wounded many more.” [5a]

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Monitoring of prisons

- 15.07 The USSD report for 2005 notes:

“Local groups and human rights organizations were not allowed to monitor prison conditions. The government prohibited the ICRC from visiting the unknown number of Ethiopian soldiers who the government claimed were deserters from the Ethiopian army or to visit any Eritrean detainees or prisoners, although the ICRC was allowed to visit and register Ethiopian civilian detainees in police stations and prisons. Authorities generally permitted three visits per week by family members, except for detainees arrested for reasons of national security or for evading national service.” [4f] (p2-3, section 1c)

- 15.08 The International Committee of the Red Cross (ICRC), in its 2004 report noted that:

“[It] visited detainees of Ethiopian origin in detention facilities countrywide, mainly prisons and police stations, to ensure that their rights were being respected in accordance with international humanitarian norms. After the visits, it reported its findings, in confidence, to the authorities....For the first time, the ICRC also held briefings for prison guards and police officers on the basic principles of IHL and the rationale and standard procedures for ICRC detention activities.” [40a]

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Places of detention

- 15.09 The following places of detention have been mentioned in reports accessed:

Aderser, near Sawa. Underground cells used. (USSD report for 2005) [4f] (p2, section 1c)

Adi Abeto army prison near Asmara. Incident of 4 November 2004, where prisoners were killed trying to escape after a wall was pushed over. (AI 2005) [5a]; (USSD report for 2004) [4e] (p1-2) AI reported that Adi Abeto was the initial detention facility for the Maltese returns of 2002: women, children and those over the military service age of 40 were detained for several weeks, but the military deserters were held incommunicado and tortured, before being transferred to Dahlek Kebir. [5c] (p23) Shipping containers reported as being used as punishment blocks in this facility. (AI May 2004) [5c] (p16)

Adi Keih town prison. AI has reported this prison was used as an initial detention facility for draft evaders. (AI 28 July 2005) [5h]

Alla, Decamhare town. Shipping containers reported as being used as punishment blocks in this facility. (AI May 2004) [5c] (p16)

Assab military prison, near the port of Assab. Human Rights Without Frontiers reported on 7 May 2003 that 74 soldiers were detained in Assab prison. [68a] The initial query claimed that the prison was known to house up to 5000 prisoners and that it held soldiers that “ran afoul of their government”. [68a]

Dahlek Kebir, Dahlak islands. Detention and prison facilities built on the main Dahlek island in the Red Sea, with a capacity for 800 prisoners, and comprising of eight large sheetmetal buildings. (AI May 2004). [5c] (p16) It is where many of the detainees from the returns by Malta and Libya are thought to be imprisoned (HRW 2005) [29c] AI reported that in December 2002, 95 civilians and 85 conscript deserters of the Maltese returns arrived in Dahlek Kebir, with the civilians transferred back to the mainland in July 2003. [5c] (p23)

Gahtoley military camp, reception centre for new recruits. (Awate article, 26 November 2004) [50e]

Galaalo military camp, Red Sea coast. Deaths of conscripted students reported in August 2001 while performing forced labour. (AI May 2004) [5c] (p20)

Gedem prison, 40 km south of Massawa. It is alleged to be the site of forced labour in 2004, with the construction of a naval base, numbering 400 prisoners who received minimal food and water, no medical attention after injury and the use of confinement in shipping containers in excessive temperatures as punishment. (Ehrag section, Awate.com, 16 June 2006) [50h]

Haddis Ma'askar. An army prison equipped with underground cells (AI May 2004) [5c] (p16)

Mai Edaga, Decamhare town. Shipping containers reported as being used as punishment blocks in this facility. (AI May 2004) [5c] (p16)

Mai Serwa military camp near Asmara. The camp is used for the detention of draft evaders, and uses metal shipping containers and underground cells. (AI 28 July 2005) [5h] Human Rights Without Frontiers locates Mai Serwa as near Keren, with the initial query stating that it is three storeys high with the main prison built underground. (Canadian IRB 14 July 2003) [68a] AI reported in December 2005 that Helen Berhane, the Rema church gospel singer, "... is held at Mai Serwa military camp near Asmara, in a metal shipping container with little ventilation that alternates between hot and cold temperature extremes and has no washing or toilet facilities." A Release Eritrea briefing, posted 25 June 2006, adds that Helen Berhane had been caught listening to a radio and "As punishment she was transferred to an underground cell, where she was kept chained for two weeks." [31e]

Mai Temenei. An army prison equipped with underground cells (AI May 2004) [5c] (p16)

Sawa Military Training Camp, near the Sudan border. The complex includes the prison camp of Brigade Six, comprising of temporary barracks built on a hilltop to the right of the main camp. According to the testimony of an ex-prisoner reproduced by Awate.com, "Sawa prison is made entirely of tin material" and thus insufferably hot in the day and cold at night. It comprises of twelve tin barrack blocks. Malnutrition, poor hygiene and lack of medical attention reported, with high levels of infections and diseases associated with poor living conditions. (Ehrag section, Awate.com, 25 April 2006) [50h] Photos of Sawa in 2000 and 2004 are to found in slide shows on the website of the National Union of Eritrean Youth Students (NUEYS) <http://www.denden.com/NUEYS/>. The USSD report for 2005 notes there were alleged cases of the rape and sexual abuse of female recruits by Sawa instructors. [4f] (p2, section 1c)

Semmel prison, Asmara. An officially-designated prison for political prisoners. (AI May 2004) [5c] (p16)

Tehadasso army prison. Shipping containers reported as being used as punishment blocks in this facility. (AI May 2004) [5c] (p16)

Tessenei military prison, classed as ‘rehabilitation centre’. Allegations of torture, beatings and general abuse reported in this facility. (AI May 2004) [5c] (p18)

“Tract B” military prison, Asmara. It comprises of a former US storage facility near Asmara airport. (AI May 2004) [5c] (p16) In late 2002, some EPLF veterans among the Maltese returnees were separated out at Adi Abeto and then sent to Tract B prison. [5c] (p23)

Tsererat prison, Asmara. “Mainly for EPLF veterans, held in underground cells.” (AI May 2004) [5c] (p16)

Wengel Mermera (Wenjel Mirmera) investigation centre. Sources refer to this centre as being where most of the detainees of Asmara mass arrests are held, such as, according to Release Eritrea “... the dungeon-like inner prison in Asmara where many of Eritrea’s prominent political prisoners are also believed to be incarcerated.” [31] The AI May 2004 report adds that it is a special security section in the 2nd police station, Asmara. [5c] (p16)

Wi’a/Wea detention centre. A desert detention camp built on the Red Sea coast. Temperatures in this area are often over 40 degrees centigrade. 121 men, arrested during the mass arrests on 28 May 2005 at the Meserete/Full Gospel wedding, are still reported as being in detention in Wi’a. [46b] (p2) The camp mainly processes youths detained in roundups; the reports of the February 2006 *giffa* indicate that the Anseba region high school students were sent to Wi’a. [50j] On 10 June 2005, a mass escape was attempted, and the authorities shot and killed 161 youths. (USSD report for 2005) [4f] (p1, section 1a)

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DEATH PENALTY

- 16.01 Hands off Cain, in their country status report on the death penalty, updated to 2 January 2006, stated that Eritrea is one of 62 countries that retain the death penalty. [39a]
- 16.02 In a factfile page updated in December 2005, the University of Westminster, London, Centre for Capital Punishment Studies states "Eritrea is a *de facto* abolitionist state, as the last execution took place in 1987." [64a] The same source notes the crimes that attract the death penalty are murder and acts threatening state security; and that execution is legally performed by either firing squad or hanging. [64a]

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POLITICAL AFFILIATION

- 17.01 The Constitution states that every citizen has the right to form organisations for political ends. [2a] “The government did not allow the formation of any political parties other than the PFDJ.” (USSD report for 2005) [4g] (p6)

FREEDOM OF POLITICAL EXPRESSION

- 17.02 The Freedom House report for 2005 notes that opposition groups are only active outside Eritrea’s borders:

“Three political parties – the EDP, the ELF-RC, and the ENA – beam weekly shortwave radio programs to Eritrea via satellite. These and other opposition groups also maintain active Web sites, as do several unaffiliated groups in Eritrea’s very active diaspora, most of them highly critical of the Isaias regime. The most prominent of those opposed to the current government are Awate.com and Asmarino.com. Government supporters in the diaspora also maintain a number of sites, the most prominent of which is Dehai.org.” [36]

FREEDOM OF ASSOCIATION AND ASSEMBLY

- 17.03 The USSD report for 2005 states, “The law provides for freedom of assembly and association; however, the government did not permit freedom of assembly or association.” [4g] (p6)

OPPOSITION GROUPS AND POLITICAL ACTIVISTS

- 17.04 BBC News reported on 15 August 2004 that the opposition to the President had met for the first time on a united front after the events of September 2001. [8c] The article gives detail about the opposition groups, stating:

“Many members of the PFDJ living abroad formed the Democratic Party, but have since then been attempting to come up with a strategy for resisting the president’s rule. Now the Democratic Party has agreed on a common set of objectives with two older parties, the ELF and the ELF-RC. At a meeting in Frankfurt, Germany, the parties agreed to work together to try to bring about what they called a ‘national dialogue’. An influential student grouping – the Movement for Democratic Change – led by the exiled former President of the University of Asmara student’s union, Semere Kessete, has decided to formally merge with the Democratic Party. This has left the Eritrean opposition in two clear camps. One camp – the Eritrean National Alliance – is based in Ethiopia and wishes to overthrow President Isaias by force. It has refused to take a stand on the contentious issue of where the border between Ethiopia and Eritrea lies – something the two countries went to war on in 1998. The other camp includes the Democratic Party, the ELF and ELF-RC. They resist Ethiopian intervention in Eritrean affairs. They also support the adjudication of an international tribunal, which ruled in Eritrea’s favour over key aspects of the border with Ethiopia. This grouping also appears willing to meet President Isaias – if that would lead to a democratic renewal in Eritrea. For the first time in many years, President Isaias now faces a more united and more determined opposition.” [8c]

- 17.05 Since late 2004, the opposition has continued to operate in exile. In 2005, an umbrella group, the Eritrean National Alliance (ENA) emerged. The ENA were reported by Awate.com in February 2005 as having been instrumental in setting up the conference of opposition groups in Khartoum, with Hiruy T Bairu confident of a solid agreement as the result. [50k]
- 17.06 Individual opposition groups have continued to operate in exile. For instance, the Eritrean Democratic Party (EDP) reported in June 2006 that it was to hold its second regular congress in Milan, Italy in July 2006. (No report of conference on EDP website to date). [72a] On 23 November 2005, the Eritrean opposition website Meskerem.com reported that the Eritrean government was using the medium of Sudanese opposition groups to make contact with Eritrean opposition groups in exile in Sudan. However, the Eritrean opposition groups found the government's conditions over 'conduct of talks' unacceptable. [71a]

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FREEDOM OF SPEECH AND MEDIA

THE MEDIA

- 18.01 The 1997 Constitution (in the 1996 draft translation) provides for freedom of speech and of the press in Articles 19, s. 1 and 2. [2a]
- 18.02 However, the constitution is not applied in practice and the Government controls all media, summarised by the USSD report for 2005:

“The government controlled all media, including three newspapers, two magazines, one radio station, and one television station. There was no private media in the country, the law does not allow private ownership of broadcast media or foreign influence or ownership of media, and the government also banned the import of foreign publications. The government had to approve publications distributed by religious or international organizations before their release, and the government continued to restrict the right of the religious media to comment on politics or government policies. The press law forbids reprinting of articles from banned publications”. [4f] (p5, section 2a)
- 18.03 The Government does not permit the private ownership of any media organisation, (USSD report for 2005) [4f] (p5, section 2a) (RWB 2005 Index) [17b] (CPJ September 2005) [30a] Reporters Without Borders (RWB) ranked Eritrea as one of the world’s ‘black holes’ for news, placing Eritrea 166 (out of 167 nations ranked) in its World Freedom Index for 2005. [17b]
- 18.04 Most sources point to events on 18 September 2001, when Government forces arrested journalists and closed all independent newspapers, as a defining moment of censorship in Eritrea. (CPJ September 2005 [30a], AI September 2002 [5d], RWB 2005 [17b])
- 18.05 The Committee to Protect Journalists (CPJ) stated in a report of 16 September 2005 that 15 journalists detained in September 2001 were still being held indefinitely, secretly, without charge, and without access to families or lawyers. [30a] The same report named the detainees. [30a] (See [Annex C](#)) The same CPJ report of September 2005 adds that three journalists arrested before the 2001 clampdown remain deprived of their liberty, with two said to be doing extended military service. Two journalists arrested in 2002 also remain in secret jails. [30a] Reporters Without Borders reported on 3 May 2006 that 13 journalists were still detained, whereabouts unknown. [17a]
- 18.06 The CPJ report of 15 September 2005 also notes that Eritrean officials have refused to provide information on their health, whereabouts, or legal status. Some reports say they may have been tortured. The government’s monopoly of news, and the families’ fear of intimidation, make it extremely difficult to gather information about the detainees. [30a]
- 18.07 The jailed journalists are listed in [Annex C](#). They include Fesshaye ‘Joshua’ Yohannes, whom CPJ honored with an International Press Freedom Award in 2002. [30a]
- 18.08 On March 31, 2002, the ten jailed reporters began a hunger strike to protest their continued detention without charge, according to local and international

sources. In a message smuggled from inside the Police Station One detention centre in Asmara, the journalists said they would refuse food until they were either released or charged and given a fair trial. Three days later, nine of the strikers were transferred to an undisclosed detention facility. According to CPJ sources, Swedish national Isaac, was sent to a hospital, where he was treated for post-traumatic stress disorder, a result of alleged torture while in police custody. [30a] Dawit Isaac has both Eritrean and Swedish citizenship; Sweden's repeated requests for his release have so far proved fruitless, and Swedish officials have not been allowed to visit him, according to CPJ sources. [30a] Awate.com reported on 5 December 2005 that: "The Committee to Protect Journalists is outraged by news that Eritrean journalist Dawit Isaac was returned to jail just two days after being released in mid-November... Isaac was sent back to jail on November 21 for reasons that were not explained...". [50c] AllAfrica.com reported on 8 December 2005 that: "Reporters Without Borders has written to the European Union's 25 foreign ministers asking them to raise the issue of Eritrea's imprisoned journalists at a meeting of the General Affairs and External Relations Council on 12 December in Brussels, which will focus on Africa, and calling for the EU to do everything possible to obtain their release." This also followed the reimprisonment of Dawit Isaac. [42a]

18.09 Thus, Reporters Sans Frontières conclude in their 2005 Annual Report that:

"The situation in Eritrea is tragically simple: There is no longer any privately-owned press, no freedom of expression and no foreign correspondents.... Ten journalists who had begun a hunger strike in protest were in April 2002 moved to unknown places of detention and nothing has been heard of them since. Their families are not allowed to visit them. The authorities have only confirmed that these 'traitors to the country' are still alive.... At the time of the 2001 roundup, the authorities had said that a parliamentary commission would be set up to study the conditions under which the independent media could resume operations. In October 2004, Information Minister Ali Abu Ahmed said that the report was still being prepared.... The minister however insisted that the imprisoned journalists 'were not journalists either professionally or ethically' but 'enemy agents before and after the war' of 1998–2000.... Eritrean journalists who are not in prison or recruited into the state-run media are living in exile. The government media tamely relays official propaganda. The Eritreans only other source of news is that of the rare foreign radio stations that can be picked up in the country. But this has its risks, so tight is Eritrean police control...". [17a]

18.10 Freedom House in their 2005 report noted that:

"The only media in Eritrea today are those controlled by the state: EriTV, which began broadcasting in Asmara in 1993; Dimtsi Hafash (Voice of the Masses radio), broadcasting in six languages with a transmission power of 1,000 kilowatts; three newspapers, one published in Tigrinya (Hadas Eritrea), one in Arabic (Eritrea al-Hadisa), and one in English (Eritrea Profile), all of which carry roughly the same information and opinion; and a government-run press service, the Eritrean News Service (EriNA). The Ministry of Information... uses the media to propagandize without permitting opposing views to be published or broadcast... What information and independent analysis of domestic and international issues reaches Eritreans does so largely through radio and Web-based media originating abroad." [36a]

- 18.11 The source Eritrean Media Guide [73a] and the BBC Country Profile [8a] list a wide variety of media agencies, from the official state agencies that Freedom House lists (above) to the unofficial and opposition news agencies operating outside Eritrea. Of particular note are mentions of Dehai.com, a diaspora website that is described by EMG as pro-government [73a] and a site that is the subject of an academic article, "Diaspora, cyberspace and political imagination: the Eritrean diaspora online" which follows the way the Eritrean state has been supported by, and has made use of, its diaspora links; and how the diaspora has shaped aspects of the nascent state. [77a]
- 18.12 An Afrol news report of 3 May 2006 adds that "Only a privileged few Eritreans have access to the Internet. The handful of foreign correspondents in the capital, Asmara, are subject to intensive monitoring by authorities." [16a]

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HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

19.01 The USSD report for 2005 notes:

“All NGOs, regardless of their scope of work, were required to register with the Ministry of Labor and Human Welfare. In May [2005] the government issued a law that requires all NGOs to register with the government for permission to continue operations in the country. It also requires international NGOs to have \$2 million (in US currency) in the local bank. Many NGOs were unable to register under the new law and were required to leave the country. As of year’s end [2005] there were 16 registered NGOs.” [4f] (p9, section 4)

19.02 Three non-human rights based international NGOs were expelled from Eritrea in 2005 (*Eritrea Daily*, 2 April 2006) [38e] (USSD report for 2005) [4f] (p9, section 4). An article in *Eritrea Daily*, dated 2 April 2006, argues:

“The common denominator in Eritrea’s moves to expel the NGOs: [sic] Eritrea claims the NGOs ‘favor Ethiopia in the on-going territorial dispute’ ... that tossing out international organizations will somehow force ‘the international community’ to compel Ethiopia to comply with the boundary commission decision.” [38e]

19.03 “The government allowed one domestic human rights NGO – Citizens for Peace in Eritrea (CPE) – to operate, and its work was limited to advocacy on behalf of war victims. Government officials were cooperative and responsive to CPE’s views on these issues. ...The government did not permit international human rights organizations to operate within the country.” [4f] (p8-9, section 4)

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CORRUPTION

20.01 The Freedom House report for 2005 noted that:

“Personal corruption among individuals has historically been low in Eritrea – and severely punished when uncovered – but the state and the ruling party have made extensive use of economic levers for political ends, often acting in concert. It is common, for example, for the PFDJ to pressure enterprises to include it as a partner in new ventures and to exact payment or a percentage of profits for its cooperation. Meanwhile, in recent years, strict controls on travel – both within the country and abroad – have generated a lucrative business in such documents as highly prized exit visas and, in the process, fostered a growing practice of graft and corruption among state bureaucrats.”
[36a]

20.02 However, the United States State Department 2005 report on Human Rights Practices reported that: “Corruption was not prevalent. There were no mechanisms to address allegations of abuse among the police, internal security, or military forces”. [4f] (p3, section 1d)

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FREEDOM OF RELIGION

21.01 The religious demography of Eritrea is of an approximate half-and-half split between Christian groups living mainly in the highland areas, and Muslim groups living around the coast. (Europa)[1a](Location) (USSD)[4f](p10) The Christian population is predominantly of the Eritrean Orthodox Church. (USSD) [4f](p10) The Eritrean Orthodox Church is not a state church, but is an institution that the Government accords much respect (though reform movements within the church such as Medhane Alem are viewed with suspicion). (USIRF) [4g](p1) There are two other main Christian groups – the Roman Catholic Church and the Evangelical Church (Lutheran) – that are accepted by the Government. (Europa) [1a](Location) (USSD) [4f](p10) (USIRF) [4g](p1) Besides the accepted Christian denominations are other Christian groupings (as well as minority non-Christian groupings) that are not accepted, and not tolerated, by the Government (USSD) [4f](p10) (USIRF) [4g](p1).

21.02 Amnesty International's summary in the December 2005 report adds numerical detail:

"Eritrea has a highly religious population, with some 98% of its 3.7 million people belonging to a long-established branch of a major world religion. Most Eritreans actively practice their faith... Of the other Christian denominations [than the Orthodox Church] ... about 2% are Protestants, of whom about half belong to a Lutheran church, and about half to smaller religious movements, such as the Jehovah's Witnesses and at least 36 evangelical and Pentecostal churches ... All religions in Eritrea are nationally organized faiths. Some are affiliated to national bodies". [5I] (p3)

Registration scheme

21.03 The UNHCR position paper of January 2004 (confirmed by UNHCR in August 2005 to still be their position, and repeated by AI in the December 2005 report) summarises the ban and initial period of the government action, citing the USSD report for 2002 and AI reports for 2003:

"In May 2002, the government reportedly ordered several minority churches, referred collectively as the 'Pentes' (including Born Again Christians, Pentecostals, Full Gospel and other small protestant groups) to close down. They were required to register with the new Department of Religious Affairs and receive authorization to reopen. Although the churches reportedly complied with the registration requirements, which included providing extensive details of members and funds, and were informally allowed to continue to worship, none of them were known to have been officially registered by 19 September 2003." [18c] (p5)

21.04 The Proclamation on Religious Organisations no. 73/1995 is the primary piece of legislation for the registration. (AI December 2005) [5I] (p4) The information required under registration is listed in an annex to a Release Eritrea posting, dated 25 June 2005. [31b] (p5-7) A registration exercise was originally planned in 1995, with the four main faith groups (Orthodox, Lutheran, Catholic and Muslim) registered quickly, but other groups' registration postponed until May

2002. (AI December 2005) [51] (p8) The Government had, meantime, in 1997, approved a Constitution which provides the freedom to practice any religion, though in practice, this provision has yet to be implemented. (United States International Religious Freedom report for 2005 – USIRF report for 2005) [4g] (p2) In May 2002, all unregistered religious groups were required to cease operation until they had been granted registration by the Government (USIRF report for 2005) [4g] (p2). (AI December 2005) [51] (p8) This edict affected 12 unregistered Christian churches at the time. The four recognised religious groups were not required to register (USIRF report for 2005). [4g] (p2)

- 21.05 Four unregistered churches have since completed registration formalities but, as of December 2005, were not accepted as registered by the Government. The United States State Department report on human rights practices in countries, Eritrea, for 2005, published on 8 March 2006 (USSD report for 2005) states:

“The Government approved no registrations during the period covered by this report, despite the fact that four religious groups fully complied with registration requirements over 3 years ago and continued to inquire with the concerned government offices. Several religious groups have complied partially with the registration requirements, and some have chosen not to submit any documentation. The country’s representative at the UN’s Commission on Human Rights state[d] on April 5 [5 April 2005] that the Seventh-day Adventist Church’s registration application would be ‘finalized in the near future.’ The Church’s application had not been approved by the end of the period covered by this report.”

“... Authorities generally have not hindered the four groups that filled out their registration applications in 2002 – the Orthodox Presbyterian Church, the Seventh-day Adventist Church, the Faith Mission Church, and the Baha’i Faith – in holding home prayer or private study meetings, although like other unregistered groups their houses of worship remain closed, and they are not permitted to meet in public settings.” [4f] (p2)

- 21.06 The USIRF report for 2005 states: “The Government closely monitors the activities and movements of unregistered religious groups and members, including nonreligious social functions attended by members.” [4g] (p2) “Some persons reportedly cooperated with government authorities by reporting on and harassing members of those groups.” [4g] (p5)

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ARRESTS

- 21.07 The members of unregistered churches are subject to arrest periodically and on occasion by the authorities as a consequence of not being registered. Details of arrests are documented in the AI December 2005 report [51]; in the HRWF for 2003 reports [61e]; and in the Release Eritrea report of 25 June 2005. [31e] The AI report December 2005 highlights:

“... 44 incidents of religious persecution which have been documented over the past three years [2003 to 2005] and are mainly the consequence of the government’s ban in 2002 on the minority religious groups... The sources for information for these arrests, numbering over 1,750 men, women and children

altogether during this period, include international religious organizations monitoring the arrests and Eritrean diaspora faith groups, as well as Amnesty International's own sources. Undoubtedly there have been many more cases not reported." [5i] (p9-10)

- 21.08 Since the AI December 2005 report, the following arrests, detentions and incidents have been reported. Release International, in an undated webpage but which refers to September 2005, states detentions as "up to 1800 Christians" [84a] (p1); the USIRF report for 2005 states: "Government restrictions make it difficult to determine the precise number of religious prisoners, but the number of long-term prisoners continues." [4g] (p3)

- 21.09 The USIRF report for 2005 summarises the detentions and arrests:

"During the reporting period [2005], there were reliable reports that authorities detained at least 500 members of unregistered religious groups without charges. Many were released after detentions of several days or less, but some spent longer periods in confinement without charges and without access to legal counsel." [4g] (p3)

- 21.10 Recent reports of arrests have included an AI Urgent Action regarding "40 pastors, elders, and leading laymen from five of Eritrea's banned Protestant churches" in late December 2005 (Voices of the Martyrs) [87a]; 75 Evangelicals detained on 17 February 2006 (Amnesty International) [5i]; and on 23 May 2006, 54 college students were arrested (Release-Eritrea). [31d]

- 21.11 The USIRF report for 2005 adds:

"Government violations of religious freedom are alleged to be particularly severe in the armed forces. During the war with Ethiopia, many Eritrean soldiers accepted various forms of Protestantism, reportedly alarming government officials and leading to the banning of prayer meetings among armed forces members. Attendance at such meetings is punishable by imprisonment. Moreover, armed forces members and national service inductees reportedly face severe punishment for possession of religious literature, including Bibles." [4g] (p95)

- 21.12 People detained as religious prisoners of conscience are reported to be subject to the same or similar abuses as other prisoners. The AI report December 2005 gives an account in Section 8 "Torture and ill-treatment of religious prisoners of conscience". [5i] (p17-18) The USSD report for 2005 summarises known practices:

"There were reliable reports that torture was widespread in an unknown number of detention facilities. In addition to psychological abuse, escapees reported the use of physical torture at a few prisons. Authorities suspended prisoners from trees with their arms tied behind their backs, a technique known as 'almaz' (diamond). Authorities also placed prisoners face down with their hands tied to their feet, a torture technique known as the 'helicopter.'" [4f] (p2, section 1c)

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BANNED RELIGIOUS GROUPINGS OTHER THAN EVANGELICALS

21.13 The USIRF report for 2005 reported that:

“The Government’s already poor record on freedom for minority religious groups continued to worsen during the period covered by this report. The Government harassed, arrested, and detained members of Pentecostal and other independent evangelical groups... There were also numerous reports of attempts to force recantations”. [4g] (p1)

21.14 The USSD report for 2005 notes:

“The government of Eritrea engages in particularly severe violations of freedom of religion or belief. It has banned public religious activities by all religious groups that are not officially recognized, closed their places of worship, inordinately delayed action on registration applications by religious groups, arrested participants at prayer meetings and other gatherings, detained members of unregistered churches and other religious activists indefinitely and without charge, mistreated or even tortured some religious detainees, and severely punished armed forces members and national service inductees for possession of religious literature, including Bibles... Although there is no state religion, the government has close ties to the Orthodox Church and is suspicious of newer groups – in particular, Protestant Evangelical, Pentecostal, and other Christian denominations not traditional to Eritrea”. [4f] (p10, section 5)

“... Relations among the four government-recognized religious communities are generally good. In recent years, however, Protestant Evangelical, charismatic, and Pentecostal churches have faced societal and government pressure. The Orthodox Church has publicly expressed concern about the growth of denominations it views as heretical, and the loss, particularly of its younger members, to them. The government has restricted foreign faith-based humanitarian organizations, apparently fearing the destabilizing effect of proselytism by outside groups, both Christian and Muslim. Government spokespersons have cited Pentecostals, along with extremist Islamist groups, as threats to national security”. [4f] (p10, section 5)

21.15 The BBC reported on 20 April 2006 that the campaign group Christian Solidarity Worldwide had stated that ‘permitted’ churches were facing repression from the Eritrean Government. [8k] The statement crystallises the finding of various reports from 2004 and 2005 which have noted that Medhane Alem, a group inside the Orthodox church has been targeted by the Government. The USSD report for 2005 summarises:

“In February [2005] the government shut down and arrested the organizers of a Sunday school organized by an Orthodox church group known as Medhane Alem, a group whose religious services the government did not approve. At year’s end [2005] the three organizers remained in jail. The three ministers led the Medhane Alem group and who were arrested in October 2004 remained imprisoned without charge at year’s end [2005][sic – repetition]” [4g] (p6, section)

- 21.16 The AI report December 2005 adds “The Medhane Alem (‘Saviour of the World’) movement, a bible study group of the Eritrean Orthodox Church, centred around the Medhane Alem church in Asmara.” [51] (p5) The Release Eritrea report dated 26 June 2005 added more detail about Medhane Alem:

“In December 2004 reports began to circulate indicating that three Orthodox priests had been detained during the third week of November 2004. Rev. Dr Futsum Gebrenegus, Eritrea’s only psychiatrist, Rev. Dr Tekleab Menghisteb, a highly respected physician, and Rev. Gebremedhin Gebregiorgis, an expert theologian, are all reported to have been involved in the renewal movement within the Orthodox Church, which was recently criticized by President Afwerki during his Independence Day speech on May 24 2005. According to local sources, the Patriarch of the Eritrean Orthodox Church objected to these arrests and accused the government of ‘interfering’ in church affairs. Following this intervention, for the first time ever the traditional Christmas message by the Patriarch was not aired on national media.” [31e]

- 21.17 *The Herald Express*, a UK local paper, reported on 28 April 2006 that a local Torquay pastor had been expelled from Eritrea after arriving in Asmara with bibles for the Eritrean Orthodox Church, a recognised church [11a]; (also BBC report of 20 April 2006). [85a]
- 21.18 On 20 June 2006, AllAfrica carried a report, “Church fights military service for priests, seminarians”, that noted that the Roman Catholic Church was in dispute with the Eritrean Government about the Government’s insistence that priests under the age of 40 should do military service. [42d]

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Jehovah’s Witnesses

- 21.19 A British Fact Finding Mission reported in April 2003 that:

“There are no Kingdom Halls [places of worship for the Jehovah’s Witnesses] in Eritrea, nor have there been any since independence. The Government owns all land and as they do not recognise the faith it cannot get permission to set up Kingdom Halls. Worship ‘underground’ is illegal also. Meetings that are not sanctioned are not allowed to involve more than 5 persons. There exists an Eritrean Council of Elders but the branch office is in Nairobi (Kenya) and has been for many years. All witnesses in Eritrea know this. It is basic knowledge even to attendees.” [3] (p35)

- 21.20 Jehovah’s Witnesses International Religious Freedom Report 2004 stated: “Approximately 250 families who are Jehovah’s Witnesses have fled Eritrea and sought asylum outside the country because of the hardships. At least 100 JWs lost their employment because of their religion, and this has affected at least 325 persons. Thirty – eight JWs were denied their business licences. JWs cannot be issued national identity cards, and thus they cannot purchase land for homes, legalize their marriages, and receive driver’s licenses, passports or other travel documents. At least 36 families have been expelled from their homes... Thirty – one children who are JEs were expelled from school”. [63]

- 21.21 The USSD International Religious Freedom 2005 reported that: “The Government does not excuse individuals who object to military conscription for religious reasons or reasons of conscience and does not allow alternative national service. Based on their religious beliefs, most members of Jehovah’s Witnesses have refused to participate in national military service or to vote.” [4g] (p3)
- 21.22 It continued: “Although members of several religious groups, including Muslims, reportedly have been imprisoned in past years for failure to participate in national military service, the Government has singled out Jehovah’s Witnesses for harsher treatment than that received by followers of other faiths for similar actions. Jehovah’s Witnesses who did not participate in national military service have been subject to dismissal from the civil service, revocation of their business licenses, eviction from government-owned housing, and denial of passports, identity cards, and exit visas. They are also prohibited from having their marriages legalized by the civil authorities.” [4g] (p3,4)
- 21.23 An estimated 250 Jehovah’s Witness families had fled the country (Source: AI 7 December 2005) [5m]

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MUSLIMS

- 21.24 The USSD International Religious Freedom report 2005 stated that: “Islam and Orthodox Christianity are practiced widely and are for the most part tolerated, with person allowed to worship freely... Some Muslims also have objected to universal national service because of the requirement that Muslim women must perform military duty.” It also said that a number of Muslims were jailed for evading national service. [4g] (p2,3)

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‘EVANGELICALS’ CHURCHES

GENERAL INFORMATION

- 21.25 The term ‘Pentes’ originates in Ethiopia, and is held to be a pejorative term originating from the Ethiopian Orthodox Church’s distrust of pentecostal churches and their practices (African Christianity) [82a] (p2), and in African Christianity’s account, “... a testimony to the influence of the Pentecostal movement on Ethiopian protestantism...” [82a] (p2) There is information on the practices of Pentes groups in Ethiopia on the webpage of Jörg Haustein, a theologian specialising in the Pentecostal churches, based at the University of Heidelberg. [83a] African Christianity website continues that in Ethiopia:

“The Mulu Wengel (Full Gospel) church grew out of the Heavenly Sunshine Bible study, begun by a group of high school students learning English and a Mennonite doctor, though it was also decisively influenced by the teachings of the Finnish Pentecostal Mission, and has never had formal connections with any western mission. Meserete Kristos [another church] followed Mulu Wengel’s lead in cultivating the charismatic gifts of the Holy Spirit... Both

Meserete Kristos and Mulu Wengel churches practice faith healing, exorcism of demons, and glossolalia". [82a] (p2)

- 21.26 There is no information that these practices are practiced in the churches of the same names in Eritrea. However, information from the AI December 2005 report shows similar societal prejudices against evangelical churches:

"Since then [May 2002], there has been a rapid growth of evangelical churches in Eritrea. This has often been a source of tension between them and the three main Christian churches, which were losing members to them. They had different doctrines, forms of worship and weddings, and 'fellowship' for prayer and study. They often proselytized (sought converts) or expressed their faith in new, 'charismatic' ways in public places, which attracted some disapproval from members of the main religious groups - Orthodox, Catholic, Lutheran and Islam." [51] (p8)

- 21.27 With regards to the number of unregistered Pentecostal and charismatic churches in Eritrea, Human Rights Without Frontiers stated in a 26 November 2003 report that there were 12 independent churches so regarded by the Government in 2002 [61e] (p2); by 2005, "at least 36 evangelical and Pentecostal churches" is the AI December 2005 estimate. [51] (p1)

- 21.28 Release Eritrea notes in a 17 December 2004 posting that:

"Some of these churches [all evangelical and Pentecostal required by the Government to re-register their churches in May 2002] are historically linked with the worldwide Protestant denominations, such as the Presbyterians, Pentecostals, Baptists, Mennonites, Methodists. Others are indigenous churches, which are not linked to international Protestant denominations, including the Rhema church, the Hallelujah church, the New Covenant church, the Philadelphia church, etc." [31b]

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KNOWN GROUPS

21.29 Church of the Living God

Members have been named in arrest reports: Semere Zaid, an agriculture lecturer at the University of Asmara (AI December 2005 report) [51] (p12); and 'Pastor Simon' – "Originally from one of the Medhane Alem revival groups within the [Eritrean] Orthodox Church, Pastor Simon is a minister in the Church of the Living God" (Voice of the Martyrs) [87a] Pastor Simon was arrested on 26 December 2005, but later reported as having escaped from detention and was in hiding, as of 6 January 2006 (Voice of the Martyrs). [87a]

21.30 Dubre Bethel Church

No information other than the church was located in Asmara in September 2003, when members were arrested, and then released unharmed after several days' detention. (AI Report December 2005) [51] (p10)

21.31 Faith of Christ Church

Arrest reports noted that members of the Faith of Christ Church were arrested in Adi-Kehey in December 2003 (AI Report December 2005). [5I] (p10)

21.32 **Hallelujah Church/Hallelujah Pentecostal Church**

Arrests reported include a March 2004 report of Pastor Teweldemedhin and 55 members of the church arrested in Asmara on 12 February 2004 (Amnesty International) [5b]. In September 2005 after the Hallelujah and Philadelphia churches arranged a wedding party in Asmara, 20 people were arrested and detained for one month. (USSD for 2005) Pastors are included in arrest lists: Pastor Mengist Teweldemedhin. [4f] (p6, section 2c)

21.33 **Kale Hiwot** (Word of Life)

The USIRF report for 2005 refers to the church as “the Kale Hiwot (Baptists)” and notes that it has complied with some, but not all, of the Government’s registration requirements. [4g] (p2) The AI report December 2005 adds the church is “a long-established Baptist church affiliated to the SIM, formerly the Sudan Interior Mission.” [5I] (p5) (also, African Christianity) [82a] (p1). On 13 October 2005, the operational headquarters of its development project were closed down by the Government (Release Eritrea) [31f]

Members named – In January 2005, Pastor Ogbamichael Haimanot of the Kale Hiwot church was detained in Asmara along with 115 evangelical church members (AI December 2005 report). [5I] (p12) Twenty (other) members’ whereabouts are still unknown at the end of 2005 after their arrest in March 2004 (USSD for 2005) [4f] (p6, section 2c); Amnesty International reported the release of ten members over October and November 2005 in an update dated 29 November 2005. [5g]

Pastors mentioned in arrest reports – Pastor Isaac Mehari; Pastor Ogbamichael Haimanot (released January 2005 after becoming mentally ill); Pastor Issa Mekonnen (Release Eritrea) [31e]

21.34 **Mensfesawyan**

The only mention of this church is that it was located in Barentu town in January 2005, and that some of its members were arrested at a wedding on 9 January 2005, along with Mullu Wongel (Full Gospel) church members. (AI December 2005 report) [5I] (p12); (Awate website) [50I]; (Indian Ocean Newsletter). [86a]

21.35 **Meserete Kristos** (Christ is the Foundation)

The USIRF report for 2006 refers to the church as “the Meserete Kristos (Mennonite) church” and notes that it has complied with some, but not all, of the Government’s registration requirements. [4i] (p2) AI report December 2005 adds “affiliated to the worldwide Mennonite Church, established for several decades.” [5I] (p5) A key arrest report was reported by Amnesty International in March 2006, of 200 guests being detained at a Meserete Kristos wedding ceremony on 28 May 2005; most were held for one month’s detention, but as many as 70 were detained for longer in Serwa army camp. [5j] (p3)

21.36 **Mulu Wengel/Mullu Wongel** (Full Gospel)

The main church building complex in Gaza Banda district, Asmara was seized by the Government on 15 October 2003 (HRWF, 3 November 2003). [61e] The church is described by the Release International report as, “Eritrea’s largest Pentecostal denomination.” [84a] African Christianity’s account of the church’s

Ethiopian roots however identifies it as a breakaway Mennonite church that has "... insisted on maintaining its independence from western ties." [82a] (p1)

Mr. Kidane Gebremeskel; Pastor Abraham Belay; Pastor Fanuel Mihreteab; Pastor Hagos Abraha; Rev. Haile Naizghe; Rev Dr. Kuflu Gebremeskel; Pastor Kidane Weldou; Pastor Tewelde Gebreab are all listed as arrested in June 2005 (Release Eritrea). [31e] Also, Pastor Hagos Toomey (AI report December 2005) [51] (p12) Further arrests were made in December 2005 (Voice of the Martyrs), including Pastor Jorjo Gebreab. [87a]

21.37 **New Covenant Church**

Pastor Yohannes Tesfamichael has been listed as having been arrested in June 2005 (Release Eritrea). [31e]

21.38 **Philadelphia Church**

Philadelphia church members were among those arrested at the September 2005 wedding party incident in Asmara, when 20 people were arrested and detained for one month. (USSD for 2005) [4f] (p6, section 2c)

21.39 **Rema/Rhema**

Pastors of the church, from lists of arrests, include Pastor Habteab Ogbamichael; Pastor Tesfasion Hagos. [8e] The case of Helen Berhane is widely reported (Amnesty International, Release-Eritrea, USSD for 2005). A gospel singer from the Rema Church, Helen Behane was arrested on 13 May 2004 and is still in detention (AI December 2005 report). [51] (p11) The Release Eritrea posting of 25 June 2005 goes into the detail of Helen Behane's detention. [31e] (p3)

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ETHNIC GROUPS

- 22.01 The Encyclopedia of the Peoples of the World, published in 1993, identifies "... nine ethno-linguistic groups: Rasha'ida, Baria, Kunama, Beja, Tigre, Tigray, Bilin, Saho and Afar." [53] (p195) The home page of Mebrat Tzehaie, updated with 2005 population figures, adds further detail:

"Eritrea has a mixed Afro-Asiatic population that is divided by religion and language. There are nine ethnic groups in Eritrea, which are:

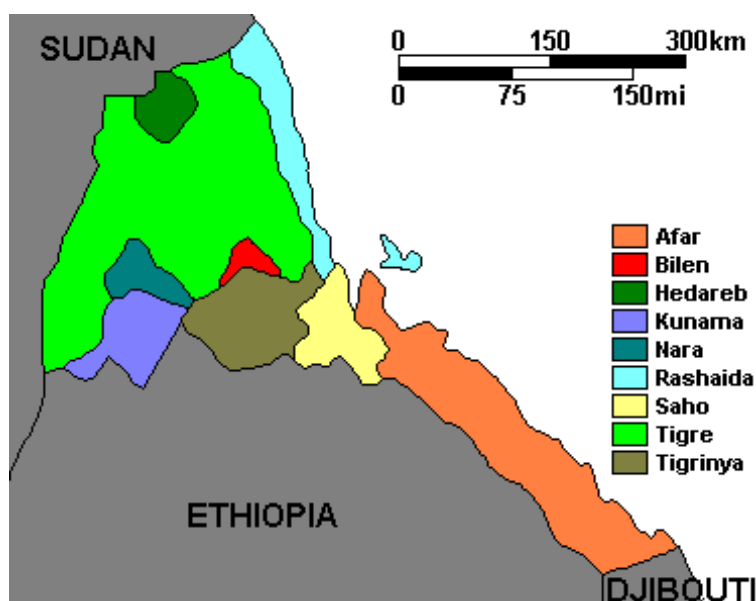
The Kushitic linguistic groups: Afar 4% (Denkalia), Bilin 2% (Keren area), Hedareb 2% (Tessenei), Saho 3% (Foro)

The Nilotic linguistic groups: Kunama 3% and Nara 2% (or Baria) (Western lowlands)

The Semitic linguistic groups: Tigre 35% (Sahel) and Tigrinya 48% (mainly in the highlands)

Groups of recent Arab origin: Rashaida 1% (near Massawa).

Jiberti Muslims regard themselves as an additional (tenth) nationality." [25b]



Map of ethnic group distribution – from <http://home.planet.nl/~hans.mebrat/eritrea-people.htm> [25b]

- 22.02 The Constitution (in the 1996 draft translation) prohibits discrimination on the grounds of race, ethnic origin, language, colour, sex, religion, disability, political belief or opinion, or social or economic status or any other factors (Article 14, s.2). [2] The USSD report for 2005, however, states that in practice, "There were reports of government and societal discrimination against the Kunama, one of nine ethnic groups, residing primarily in the west. Members of the Kunama ethnic group remained in detention without charges during the year [2005]." [4f] (p10, section 5)

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LANGUAGES

- 22.03 'The Languages of the World' 2005 edition, by Kevin Katzner, stated that: "The two main languages here [in Eritrea] are Tigrinya, with about 2 million speakers, and Tigre, with about one million. Others include Afar (150,000) and Beja (125,000)." [60a] Lonely Planet in its guide to Ethiopia, Eritrea and Djibouti, published November 2000, adds:

"In theory Tigrinya, Arabic and English are all the official languages of Eritrea. In practice Tigrinya is mainly confined to the highlands, Arabic to the coastal regions and along the Sudanese border and English to the educated urban populations (particularly in Asmara)....Each of the nine ethnic groups speaks its own language....Amharic, a legacy of Ethiopian rule is still widely spoken." [32a] (p334)

- 22.04 In the April 2003 *African Studies Review*, in the article "Language, education, and public policy", Tekle M Woldemikael has studied the development of the Eritrean government to promote one national language as a lingua franca, while also strengthening the use of the main indigenous languages as a medium of education in order to promote 'unity through cultural diversity'. [74a] (p3) The article notes that English, Arabic, and Tigringna were privileged over other languages for purposes of education, business and administration; and that the policy of 'mother-tongue education' has been only partially successful, with the integration of Tigre as the most successful of the projects. [74a] (p4,5) The author concludes that the policy of giving instruction in all Eritrean languages may be abandoned by the government as resources grow scarce. [74a] (p12)

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MAIN ETHNIC GROUPS

Afar/Danakils

- 22.05 Lonely Planet stated that:

"... the Afars also known as the Danakils, make up 5% and inhabit the long coastal strip stretching from the Gulf of Zula into Djibouti. Predominantly nomadic pastoralists, the people are Muslim, though elements of ancient ancestor-worship still persist." [32a] (p331)

Baria/Nara

- 22.06 Lonely Planet stated that: "The Nara, also known as the Baria, tribes make up 1.5% of the population and inhabit the Barka Valley near the Sudanese border." [32] (p333) The Encyclopedia of the Peoples of the World adds: "They speak Nara, a Nilotic language. The Baria are Sunni Muslims. They are sedentary agriculturalists. The academic ethnic label 'Baria' (Bareya) has in Amharic the literal meaning of 'slave', denoting the status of the Baria (and the adjacent Kunamas) in the eyes of their dominant neighbours." [53] (p97)

Hedareb/Beja/Beni Amber/Beni Amer

- 22.07 Lonely Planet states: "The Hedareb, along with their 'brother' tribes the Beni Amer and Beja, make up 2.5% of the population, and inhabit the north-western valleys of Eritrea, straddling the border with Sudan." [32] (p331) "... Most Hedareb are nomadic and travel great distances in search of pasture. The people are Cushitic in origin (probably directly descended from the ancient Beja tribe) and speak mainly Tigre and an ancient Beja language. The Beni Amer are a strongly patriarchal, socially stratified, almost feudal people. Their skills as camel drivers and in raising camels are legendary. Many of the men scarify their cheeks with three short, vertical strokes – the Italians called them the '111 tribe'." [32] (p331-32)

Bilen/Bogos

- 22.08 Lonely Planet stated that: "The Bilen inhabit the environs of Keren and make up 2.1% of the population. Cushitic in origin, the Bilen are either sedentary Christian farmers or Muslim cattle rearers." [32] (p332) The World Directory of Minorities adds: "The mostly agricultural people comprise two main tribes of about 15,000 each: Bet Teqwe and the Gebre Terge." [6] (p411) The Encyclopedia of the Peoples of the World notes: "They speak Bilin and Tigre, members of the central Cushitic language group. Until the second half of the nineteenth century, they were Ethiopian Orthodox Christians, but since then have shifted to Sunni Islam with a smaller number becoming Roman Catholics." [53] (p112)
- 22.09 Lonely Planet stated that: "Bilen traditional society is organised into kinship groups. The women are known for their brightly coloured clothes and their gold, silver or copper nose-rings which indicate their means and social status. Like the Beja language, Bilen is slowly being replaced by Tigre, Tigrinya and Arabic, due to intermarriage, economic interactions and because Arabic is taught in local schools." [32] (p332)

Kunama

- 22.10 Lonely Planet notes: "The Kunama are Nilotic in origin, and are very dark skinned. They are the original inhabitants of the region." [32a] (p332) A UK Fact-Finding Mission report of April 2003 adds that the Kunama are essentially nomads who have been forced to settle, but have retained through isolation and tenacity a cultural identity, which includes features such as matrilinear descent (where daughters inherit from mothers as the mode of inheritance). Women are therefore relatively privileged within Kumara society. [3] (p41)
- 22.11 The UK Fact Finding Mission reported in April 2003 that: "... the Kunama has traditionally relied on the Ethiopian Army when larger and more powerful ethnic neighbours attacked them. For historic reasons, although the majority of the Eritrean population strongly supported Eritrean independence, the Kunama still maintained their support for the Ethiopian army, although there was also support for independence and a number of Kunama fought on the side of the Eritrean Liberation Front (ELF). '...the Kunama people were in fact divided in opinion and had a great respect for the Ethiopians as well as many believed in Eritrea as a separate and independent nation. In the absence of a unifying Kunama political figure all conflicting opinions were heard', stated Gilkes [a consultant on the Horn of Africa]." [3] (p42)

- 22.12 It further stated that: "... there is a long history of conflict between the EPLF/PFDJ (People's Front for Democracy and Justice) and the Kunama... at least 55 Kunama, administrators and civil servants under the previous regime of Ethiopia, were arrested in 1991 when the EPLF took over for alleged human rights abuses under the Derg, and have not been seen since. None have been released and it is unclear if any have been charged or tried publicly." [3] (p44)
- 22.13 The UK fact-finding mission report notes land disputes between the government and the Kunama, whereby the Kunama are pushed into ever-diminishing tribal lands, as the non-Eritrean population expands to relieve pressure in the more densely populated parts of Eritrea. This is further complicated by a history of conflict between the Kunama and the EPLF/PFDJ (the ruling Eritrean party and its armed force precursor). 1994 Land Proclamation (Law No. 58/1994): This is the principal piece of legislation regulating land ownership, and stipulates that all land is the property of the state." [3] (p42) Dr Patrick Gilkes, a consultant on the Horn of Africa gave information to the UK fact-finding mission in its report on the 1991-1997 Tigrean migration in Barentu and other Kunama areas, their subsequent flight after the arrival of Ethiopian troops in 2000, and later return. [3] (p44)
- 22.14 The report further noted that Gilkes stated that probably the two best-known Kunama resistance groups are the "Democratic Movement for the Liberation of Eritrean Kunama (DMLEK) and the Eritrean Democratic Resistance Movement-Gash Setit (EDRM)." [3] (p44) "... the Eritrean Democratic Resistance Movement-Gash Setit (EDRM), which also calls itself 'Sawrawi Baito', is led by Ismail Nada and is reportedly close to the current ELF. Some expect them to merge with the ELF at some point. Nada is a former ELF fighter is said to think along similar lines to leading ELF-RC members." [3] (p44) "... the Democratic Movement for the Liberation of Eritrean Kunama (DMLEK) is led by Kerneolos Osman and is best known for the material it places on pro-opposition websites. The DMLEK is based in Addis Ababa." [3] (p44)
- 22.15 UNHCR comment that: "Those Kunama who were detained during 2004 were also released during 2004." [18b] Refugees International, in an article dated 18 February 2004, stated that:
- "UNHCR has begun discussions with the governments of Ethiopia and Eritrea concerning the possible voluntary return of the Kunama to Eritrea. Repatriation would be the ideal, most durable solution for the refugees; however, there are no concrete plans in place at this time. Eritrean officials insist that the refugees would be welcomed back to Eritrea, but refugees are skeptical of this claim. Many of the Kunama refugees fled Eritrea to avoid having their sons conscripted into the army. 'I came here to save myself and my family,' one refugee told the UN. 'Until things change I do not want to return.' Resettlement in Ethiopia does not appear to be a viable option for the Kunama, and few of the refugees have made efforts to seek relocation in a third country." [21] (p2)

Rashaida

22.16 The Lonely Planet guide to Eritrea states:

"The Rashaida are the only true Eritrean nomads. Making up just 0.5% of the population, they roam the northern coasts of Eritrea and Sudan, as well as the southern reaches of the Nubian desert. Like their neighbours the Beja (related to the Hedareb) they live by raising cattle and are Muslim.... Their language is Arabic. ... The Rashaida people are known for their great pride; marriage is only permitted within their own clan. The people are expert goat rearsers, as well as merchants and traders along the Red Sea coasts." [32] (p333)

Saho

22.17 The World Directory of Minorities stated that: "Sandwiched between Afar and Tigre are Saho nomads and semi-nomads.... Saho speak local languages but have also used Arabic in commercial dealings and have long been exposed to foreign influence in the form of trade with expanding empires." [6] (p411) The Encyclopedia of the Peoples of the World adds: "They are Sunni Muslims, with some Ethiopian Orthodox Christians." [53] (p509)

22.18 Lonely Planet added that:

"Many Saho children (up to the age of 16) wear little leather pouches around their neck, which are full of herbs and spices to ward off evil spirits.... The Saho are organised in patrilineal descent groups. The leaders, elected by the male assembly, are known as 'rezantos', and were formerly military chiefs in times of war." [32] (p331)

Tigrinya

22.19 The Lonely Planet Guide to Eritrea notes regarding the Tigrinya majority:

"The Tigrinya make up 50% of the Eritrean population and inhabit the densely populated central highlands, extending over the provinces of Seraye, Hamasien and Akele Guzay. The people are sedentary farmers and are overwhelmingly Orthodox Christian, with just a small minority of Muslims, who are better known as Jiberti." [32] (p330)

22.20 The Foreign and Commonwealth Office, in a letter dated 10 May 1996, that the Tigrinya Jiberti are "Muslims scattered throughout the Christian Highlands who practise Islam but also observe some customs of the Christians among whom they live." The document also concludes that the Jiberti speak the Tigrinya language and some Arabic. [10]

Tigre/Tegre

22.21 The World Directory of Minorities stated that: "The Tigre peoples, who represent about one-third of the country's population, are dominant. Culturally and ethnically they are related to the Beja of Sudan. Claiming Arab origin, their language, Tigre, is Semitic.... Its use is declining under the impact of Tigrinya in Eritrea." [6] (p410)

- 22.22 The Encyclopedia of the Peoples of the World stated that they also speak “Bedawiye and Arabic. They are Sunni Muslims or Ethiopian Orthodox Christians. A major shift from the latter to the former religion took place during the first half of the nineteenth century, which loosened Tigre links with the Ethiopians.” [53] (p600)
- 22.23 The World Directory of Minorities goes on to state that: “Their primary occupation is cattle herding. Most are nomadic, however, some have settled by rivers such as the Barka and on state cotton plantations.” [6] (p410)
- 22.24 The Encyclopedia of the Peoples of the World noted that: “The Tigre include ten major tribal units: Ad Sawra, Ad Sheikh, As Mu’allim, Aflenda, Bet Asgede, Bet Juk, Marya, Mensa, Meshalit and Sabdarat.” [53] (p600)
- 22.25 Lonely Planet stated that: “Tigrean society is traditionally hierarchical, with a small aristocracy known as ‘*shemagille*’ ruling the masses. When the village leader dies, his power passes to his offspring.” [32] (p330)
- 22.26 The Encyclopedia of the Peoples of the World stated that: “Historically ‘Tigre’ was used to denote a vassal to a ruling stratum claiming descent from the Beni Amer or Saho.” [53] (p600)

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LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

- 23.01 The website Behind the Mask, which surveys and monitors the situation of homosexuals in Africa, poses the initial problem regarding information on this issue:

“... some contradictory indications regarding Eritrea, despite the fact that ILGA (source La Semaine Gai) list the status of homosexuality in Eritrea as being legal, two gay men are known to have been granted asylum in 1995 by the US (IGLHRC AP). Eritrea appears to have no sodomy laws.” [37a]

- 23.02 The International Lesbian and Gay Association website states, as of 28 July 2006, that same-sex sexual activity is legal for men and women in Eritrea, though the association does note that much of the information is out of date. [12a]

- 23.03 According to the British Embassy in Asmara, in a letter to IND, dated 14 July 2003:

“Penal Code Proclamation of 1957 No. 158/1957 Book V Title IV Section II which is still in force in Eritrea strictly prohibits ‘Sexual Deviations’, among which is performing sexual acts with someone of the same sex.” Confirmation is given that people who commit “such an act are prosecuted and punished whenever found guilty.” [10f]

- 23.04 Further, the FCO, in a letter dated 9 September 2005, stated that:

“... homosexuality is dealt with severely in Eritrea and that anybody with a known history of this kind would find it very difficult to return and reside in the country. If the individual had previously come to the attention of the authorities in the context of his/her sexuality there could be problems in gaining entry to Eritrea and he/she would certainly be ‘ear-marked.’” [10c]

- 23.05 The USSD report for 2005 emphasises a societal non-acceptance: “Homosexuals faced severe societal discrimination, and there were reports that the government expelled several expatriates in 2004 due to their sexual orientation.” [4f] (p10, section 5) Behind the Mask carries another article, “Hotel employees expelled for ‘immorality’”, dated 8 October 2004, that illustrates the ambivalence, relating the arrest and expulsion of three Western employees working in a hotel in Asmara, on a ‘question of immorality’. An unnamed diplomat said “It is the first time such a reason is put forward [sic], homosexuality is not forbidden by the law, but it is not accepted by tradition.” [37b]

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DISABILITY

- 24.01 In comments prepared for the Advisory Panel on Country Information meeting on 8 March 2005, UNHCR stated: “The facilities for the disabled are not functioning and there is very limited assistance to disabled, despite the high numbers.” [18g]
- 24.02 AllAfrica.com reported on 31 January 2006 in an article that would indicate that facilities are functioning, though the information is dependent upon government sources:
- “Community-based rehabilitation programs for the disable [sic] in the Southern region are bearing fruitful outcome. Reports from the Ministry of Labour and Human Welfare indicated that out of 1,600 disabled nationals, 877 have made significant improvement in their standard of living in 2005 thanks to the rehabilitation program. Likewise, another 321 disabled persons received health services and were provided with job opportunities. Moreover, the Ministry extended over one million Nakfa interest-free loan that would be paid back after 3 years to 96 disabled citizens so as to help them improve their standard of living”. [42c]
- 24.03 The USSD report for 2005 likewise noted the government-stated commitment: “The government dedicated substantial resources to support and train the thousands of men and women with physical disabilities that resulted from the war for independence and the conflict with Ethiopia”. [4f] (p9, section 5)

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WOMEN

LEGAL AND POLITICAL RIGHTS

25.01 USSD report for 2005 noted that:

“Women have a legal right to equal educational opportunities, equal pay for equal work, and equal property rights; however, in practice men retained privileged access to education, employment, and control of economic resources, with greater disparities in rural areas than in cities. Women generally did not enjoy a social status equal to men.” [4f] (p9, section 5)

25.02 The same report continued:

“Laws exist prohibiting sexual harassment; however, cultural norms prevented women from reporting these types of incidents, and no one was charged or prosecuted for sexual harassment.” [4f] (p9, section 5)

SOCIAL AND ECONOMIC RIGHTS

25.03 AI reported on 19 May 2004 that: “Women played an important part in the EPLF’s liberation struggle in both military and civilian roles and there was an official commitment to gender equality in the EPLF and its social policies.” [5c] (p21)

25.04 AllAfrica.com reported on 30 January 2006 that: “The Chairperson of the National Union of Eritrean Women (NUEW), Ms. Leul Gebreab, attended the UN meeting in New York on putting an end to gender discrimination... In her briefing, Ms Leul said that the issue of gender equality in Eritrea was practiced as a significant aspect of the Liberation struggle before the adoption of gender equality at global level. She added that Eritrean women have taken [an] active role along with their male counterparts in all domains of life during the 30 year struggle.” [42b]

25.05 The Afrol Gender Profile for Eritrea, undated, however adds detail on the social situation of women in Eritrea:

“Much of society remains traditional and patriarchal, and most women have an inferior status to men in their homes and communities. The law provides a framework for improving the status of women, but laws are implemented unevenly, because of a lack of capacity in the legal system and ingrained cultural attitudes. In practice, males retain privileged access to education, employment, and control of economic resources, with more disparities in rural areas than in cities.” [16g]

25.06 IRIN News noted on 19 May 2005 that: “The economic decline that Eritrea is experiencing has also affected people’s health. According to the UN Children’s Fund (UNICEF), about 40 percent of all pregnant and lactating women are malnourished. The last country-wide nutrition survey was made in June 2004, and experts say that in the meantime the situation has worsened.” [19j]

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VIOLENCE AGAINST WOMEN

25.07 The USSD report for 2005 states: “Violence against women was pervasive. Domestic violence is a crime; however, domestic violence, especially wife beating, was widespread. Women seldom openly discussed domestic violence because of societal pressures.” [4f] (p9, section 5)

25.08 The Afrol Gender Profile for Eritrea, undated, states: “The Government has taken a firm public stance against domestic violence. Health, police, and judicial authorities report that no serious domestic violence problem exists.” [16g] This is in contrast with the assessment in the USSD report for 2005:

“Although the law prohibits domestic violence, the government did not effectively enforce the law. Such incidents were more commonly addressed, if at all, within families or by religious clergy. The government’s response to domestic violence was hindered by a lack of training, inadequate funding, and societal attitudes. Rape is a crime; however, it was unclear whether spousal rape is illegal. There was no specific information available on the prevalence of rape in the country. The government responded to reports of rape by encouraging the perpetrator to marry the victim.” [4f] (p9)

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FEMALE GENITAL MUTILATION (FGM)

25.09 The USSD report for 2005 reported that:

“FGM was widespread, with some estimates as high as 89 percent frequency among girls. Almost all ethnic and religious groups in the country practiced FGM. In the lowlands, infibulation – the most severe form of FGM – was practiced. There is no law prohibiting FGM; however, the government worked to combat the practice.” [4f]

25.10 The Inter-Parliamentary Union broadly supported the USSD position:

“Infibulation, excision and sunna are reportedly practised in Eritrea by Muslims and Christians. According to WHO, the prevalence was 97% in 1995 despite positions taken against FGM by the Eritrean People’s Liberation Front and the National Union of Eritrean Women.... In 1996, government policy was enunciated to eliminate FGM; to create and enforce legislation prohibiting practices such as FGM; to include in women’s health care the prevention of such practices as FGM; and to provide treatment, counselling and rehabilitation for women suffering from FGM-related complications. The Government includes information on FGM in its health and general education programmes. The Ministry of Health carries out government policy relating to FGM and provides training on the topic to primary health care coordinators throughout the country.” [54a]

25.11 The UNICEF Eritrea FGM/C country factsheet dated 2002 states that there was a drop from 95 per cent prevalence to 89 percent in 2002, hence the variance between the USSD and IPA figures. [27b] It noted that 39 per cent of women had been subjected to infibulation, the most severe form of circumcision, with a further 46 per cent subject to clitoridectomy. [27b] The

UNICEF data indicates that most circumcision occurs before the age of 12 years, with 84 per cent of circumcisions performed by local circumcision practitioners. [27b]

- 25.12 An Agence France Presse article of 19 March 2005 illustrates the Government's mobilisation to tackle the issue, relating how a National Union of Eritrean Youth and Students group presented a play tackling the issue in a village. [66a]

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CHILDREN

BASIC INFORMATION

26.01 The USSD report for 2005 states:

“Although the Government was generally committed to children’s rights and welfare, its programs were limited by resource constraints. The Ministry of Labor and Human Welfare is responsible for policies concerning children[’s] rights and welfare. The Children’s Affairs Division in the Ministry of Labor and Human Welfare covered childcare, counselling, and probation.” [4f] (p9, section 5)

26.02 The United Nations Children’s Fund (UNICEF) in a report dated 15 July 2004 expressed concern for children in rural areas affected by famine and drought, and also stated that: “Children living in urban poor families are also of prime concern to UNICEF, as street children and destitution become more evident. Vulnerable urban areas have received very little food aid....” [27a]

26.03 The effects of poverty in two main areas are seen in relation to the children of Eritrea: underage employment and sexual exploitation. The USSD report for 2005 noted that:

“Although the government has a national plan of action to protect children from exploitation in the workplace, it was not enforced effectively, and child labor occurred. The legal minimum age for employment is 18 years, although apprentices may be hired at age 14. The law bars children, young workers, and apprentices under age 18 from performing certain dangerous or unhealthy labor, including working in transport industries, working in jobs involving toxic chemicals or dangerous machines, and working underground such as in mines and sewers. It was common for rural children who did not attend school to work on family farms, fetching firewood and water and herding livestock, among other activities. In urban areas, some children worked as street vendors of cigarettes, newspapers, or chewing gum. Labor inspectors from the Ministry of Labor and Human Welfare are responsible for enforcing child labor laws, but inspections were infrequent.” [4f] (p11, section 6)

26.04 The Behind the Mask profile of Eritrea gives the age of consent as 18 years. [37a] The USSD report for 2005 further noted, on marriage and sexual exploitation:

“The minimum age for marriage for both men and women is 18, although religious entities may bless marriages at younger ages. UN Children’s Fund reported that in the west and in costal [sic] areas child marriage occurred. Within the Tigrinya and Tigre ethnic groups underage marriage was relatively rare. The law criminalizes child prostitution, pornography, and sexual exploitation; however, some children were involved in prostitution. The government had an aggressive program to identify these children and reintegrate them into their families and society.” [4f] (p10, section 6)

26.05 The USSD report for 2005 also stated, “There are no laws against child abuse, and child abuse was not common.” It also noted, “FGM [female genital

mutilation] was performed on an estimated 89 percent of young girls.” [4f] (p10, section 5)

See [section 25 Women – Female Genital Mutilation](#)

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EDUCATION

26.06 The USSD 2005 report noted that:

“Education through grade seven is compulsory, and tuition – free; however, students were responsible for uniforms, supplies, and transportation... There was a shortage of schools and teachers at all levels, remedied in part by holding morning and afternoon shifts at schools. According to Ministry of Education estimates, the net enrolment rate of school age children in the 2001-02 school year was approximately 38 percent. Approximately 75 percent of the population was illiterate. In rural areas, young girls usually left school early to work at home.” [4f] (p10, section 5)

26.07 The South of the Sahara 2005 report gives a different literacy rate, stating that the adult literacy rate in 2001, according to UNESCO estimates, was 56.7% for males and 45.6% for females. [1b] (p416)

26.08 The USSD report for 2005 also states that:

“The government required that all students attend their final year of secondary school at a location adjacent to the Sawa military training facility in the western section of the country. Students who do not attend this final year of secondary school do not graduate and cannot sit for examinations to be eligible for advanced education. The remote location of this boarding school, concerns about security, and societal attitudes restricting the free movement of girls resulted in few girl students enrolling for their final year; however, women may earn an alternative secondary school certificate by attending night school after completing national service. The Government operated Mai Nafhi Technical Institute on the outskirts of Asmara. Students from the Sawa school who scored well on the university exams were admitted to Mai Nafhi and then could be eligible to attend the University of Asmara. Mai Nafhi offered a wide variety of classes, ranging from the sciences to business and technology. No new students were accepted at the University of Asmara in the last three years.” [4f] (p10, section 5)

26.09 On the point of few female students enrolling in Sawa, Michaela Wrong noted in her contribution to a panel discussion at the Royal African Society’s 14 July 2005 conference on the UK Eritrean refugee experience, “Some of the girls going to Sawa had returned pregnant or deflowered. The perception amongst conservative Eritrean families of what might happen to their daughters could account for the high number of women applying for political asylum abroad.” [80a]

26.10 BBC News, in a report dated 11 January 2004, stated that:

“The United Nations children’s agency, UNICEF, says the north-east African country of Eritrea is breaking human rights regulations by making children

complete the final year of their secondary education at ... Sawa – in the far west of the country near the Sudan border – ... Now to matriculate you must leave home and complete Grade 12 in Sawa – a move the government say was taken because they do not have the money to expand secondary schools around the country....Those who attend grade 12 in Sawa and matriculate will have the chance to pursue further educational opportunities. For those who choose not to go – their national service begins when they turn 18 and that usually starts with training in Sawa's military camp." [8b]

See [Military service – School leavers and conscription](#)

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CHILD CARE

26.11 A British Fact Finding Mission reported in April 2003 (FFM April 2003) that:

"The number of orphans within Eritrea is identified by the MLHW [Ministry of Labour and Human Welfare] as one of the main social problems in Eritrea. In 1992–1993 a national survey identified approximately 90,000 orphans in the country. A survey conducted in 1999 - 2000 identified 51,000 in need of urgent support. A survey is presently underway to identify the number of AIDS orphans, as of October 2002 there were a total of 552 registered with the ministry on this basis. Within Eritrea the term orphan is defined as 'a child who lost either one or both parents or has been abandoned.'" [3] (p72)

26.12 The FFM April 2003 notes that the Eritrean government's policy is to avoid institutionalising orphans, and instead of orphanages, the Government promotes reunification programmes, foster care, adoption, and a system of community based children's homes (also known as group care). UNICEF (according to the UNICEF representative in Eritrea) regarded the alternative programmes as models of good practice for countries in similar situations. [3] (p73) Children's homes of 10 to 12 children and two housemothers are the Government's preferred option to institutional care, if the extended family cannot be used. [3] (p72-73) The review of placements is undertaken by social workers of the Ministry of Labour and Human Welfare, with regular checks, though hampered by lack of guidelines and a lack of skilled staff. [3a] (p73)

26.13 With regards to the formal orphanage system, the FFM report was informed that:

"There are several large orphanages within Eritrea adding that Asmara has one of the biggest. Orphanages are either run by the state or Christian NGOs in the country. They are considered by UNICEF to have satisfactory facilities such as adequate bedding, food and clothing provisions etc. Acceptability for entry to an orphanage is universal; there are no unacceptability rules that apply. Eritrea does all that it can for orphans, and the Eritrean public and expatriate community supports them in this policy." [3] (p73-74)

26.14 The World Bank reported on 15 December 2004:

"Another promising approach which could be 'scaled up' and used in as an example in other countries is the Eritrea Integrated Early Childhood Development Project (ECD), the largest World Bank project to specifically help

orphans. It reaches out to families with vulnerable children by giving them economic assets such as cows or donkeys which have generated extra money to pay for orphans to go to school. So far, this program, which is supported by the Italian government, has successfully helped 28,000 orphans in Eritrea.” [55]

HEALTH ISSUES

- 26.15 The World Bank study of the Eritrean health care system, published in 2004, and utilising data mainly taken from the Ministry of Health’s surveys of 2001, states:

“Eritrea’s child health care indicators show poor health conditions among children. Diarrhoeal diseases are still a major cause of morbidity (and sometimes mortality) among the under-5[s]. Yet less than half who fall sick are taken to a health facility or are seen by a health professional. Malnutrition among children remains high, and as many as 50 percent of children are anemic.” [55b] (p12)

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TRAFFICKING

27.01 The Protection Project reported on 26 January 2006 that:

“Children are reportedly trafficked within Eritrea, and perhaps to the Middle East... Trafficking in African women and children for forced prostitution or labor is exacerbated by war, poverty, and flawed or non-existent birth registration systems, according to a recent study by UNICEF... Several factors contribute to the existence of trafficking within Eritrea...widespread poverty and hunger...massive civilian displacement... the growing sex industry.... The presence of these [UNMEE] troops has worried many Eritreans, who are concerned about the spread of the HIV/AIDS virus... Foreign soldiers have been accused of purchasing sex from Eritrean children.” [57a]

27.02 The US State Department annual report 2005 on the trafficking of people does not include a country narrative for Eritrea in its collection of country narratives. [4d]

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MEDICAL ISSUES

GENERAL

- 28.01 The World Bank produced a study on the health sector in Eritrea in 2004, mainly working on studies commissioned by the Eritrean Ministry of Health in 2001. One key finding was that the top five causes of in-patient mortality (in 2000) were malaria, HIV/AIDS, TB, ARI (Acute Respiratory Infection), and hypertension. [55b] (p11) Seventy-one per cent of Eritrea's burden of disease and cause of death was directly related to communicable and preventable disease. [55a] (p11) The estimates given in this study of life expectancy is for 50 years at birth, rising to 57 years from the age of 15 years. [55a] (p6) The World Health Organisation in their most recent Country Summary for Eritrea stated that (on 2003 data), life expectancy is 58 years for males and 61 years for females; healthy life expectancy being 49.3 and 50.8 years respectively. [41b]
- 28.02 Reliefweb reported on 24 November 2005 that: "Despite the vaccination of over 400,000 children under five years in January to May this year, one case of wild polio was detected in Eritrea in July. A national house to house polio vaccination campaign was conducted 11-14 November [2005] targeting half a million children... UNICEF continues to support various nutrition programme areas. [52c]
- 28.03 Shabait (state news agency) reported on 13 February 2006 that: "The Ministry of Health branch office in Maekel region disclosed that promoting mother and child care, controlling blood pressure and diabetes, as well as preventing communicable diseases would be the Ministry's prior attention this year". [26a]
- 28.04 Europa World Online, accessed on 31 January 2006, reported that: Under 5 mortality rate (per 1,000 live births, 2003) is 85; HIV/AIDS (% of persons aged 15-49, 2003) is 2.70; physicians (per 1,000 head, 1996) is 0.03 [1a] (Health)
- 28.05 Afrol news, in an article dated 15 March 2005, reported that the Eritrean Ministry of Health announced the opening of the first medical school in Eritrea since independence, the Orotta School of Medicine, with an initial intake of 32 students. [16b] Asmera.nl states that: "Medical care is improving rapidly in Eritrea, new hospitals and health facilities are opened every year. Modern facilities may not always [be] available outside Asmara.... Basic non-prescription medicines are available in Asmara, but the selection is not large. Supplies of medicine can be irregular. Visitors should bring a supply of any necessary drugs and prescriptions." [25a] The same site has photographs posted of main hospitals and one of the pharmacies in Asmara. [25a]

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SPECIALIST FACILITIES

- 28.06 Asmera.nl (no date) states that there are the following hospitals in Asmara: "Orota Referral Hospital...gives medical services to people from all over Eritrea with critical condition [sic]; Berhan Aini Eye hospital; St. Mary hospital; Sembel hospital; Hospitem – Ospedale Italiano Ente Morale; Mekane Hiwet

hospital. Health centres in Asmara deal with vaccinations, wound dressing, anti-conception [sic], ante-natal care and minor ailments and surgery.” [25a]

- 28.07 In comments prepared for the Advisory Panel on Country Information meeting on 8 March 2005, UNHCR added:

“... the medical system suffers from an acute lack of resources which include medical personnel, medicines, facilities etc. There is no national cardiac treatment available, no burn unit and very limited trauma care facilities. Also, ongoing medical training is very limited and candidates for medical school may not travel abroad to accept scholarships.” [18g]

- 28.08 A British Fact-Finding Mission in April 2003 reported that:

“There is a single hospital for psychiatric care – the ‘St Mary’s Neuropsychiatric Hospital’ located in Asmara with a capacity of 240 beds. According to the MLHW [Ministry of Labour and Human Welfare] staff here include[s] one trained psychiatrist and seven psychiatric nurses. There is no specialist child psychiatrist in the country or dedicated facilities for children with psychiatric problems, where hospital admission is necessary children are placed in a ward alongside adult patients. The paediatric unit of the Mekane Hiwot Hospital, also located in Asmara, may also.... [treat] a small number of children with psychiatric conditions. However, as a result of poor community awareness children or adolescents with psychological problems are often believed to be either ‘bad kids’ or have their condition associated with ‘demons or other traditional beliefs’.” [3] (p89)

- 28.09 The Foreign Office in a letter dated 7 November 2005 conformed that insulin treatment for diabetes is generally available in Eritrea. [10d]

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HIV/AIDS

- 28.10 South of the Sahara 2005 stated that:

“Although the rate of HIV/AIDS infection is relatively low – prevalence among women aged 15-24 was 4.3% and among men of a similar age only 2.8% in 2001 – it is thought to have increased in recent years and is now judged to be the second leading cause of death in patients over 5 years old. The rate of infection among the adult population was recorded at 2.7% in 2003. In the early 2000s particular concern was being raised over the rates of infection in the military and the implications of the return of these men and women to their home communities after demobilization.” [1b] (p414)

- 28.11 IRINnews, giving greater detail on the availability of treatment, reported in January 2006 that there were five HIV treatment sites in the country; in October 2005, 560 people were on Anti-Retroviral Treatment (ART) (160 in the public sector and 300 in non-government programmes); 2,000 were expected to be on ART by the end of 2005. [19u]

OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

- 28.12 The World Bank study of June 2004 notes:

“Eritrea relies on imports for all its pharmaceutical needs. Drugs and medical supplies are imported through PHARMECOR, a parastatal agency, and private firms.” [55b] (p31)

CANCER TREATMENT

- 28.13 No information could be found regarding treatment of cancer in Eritrea. However, regarding cancer and Eritreans, the Washington University Harborview Medical Center website for collating cultural practices and attitudes towards medicine, EthnoMed.org, notes:

“If an Eritrean becomes ill with cancer or another life-threatening illness, they first follow the western medical plan. Eritreans strongly wish that the family be informed first of a diagnosis or poor prognosis rather than the patient. They often believe that if they return to Eritrea and are treated with plant roots or other modalities they will be healed. They feel that many treatments in Western medicine allow the disease to spread further in the body.” [69a]

KIDNEY DIALYSIS

- 28.14 Eritrean (state) radio announced on 11 January 2003 the building of a private facility in Asmara, stating, “Located at Sembel Housing Complex in Asmara, the hospital has 60 to 80 beds and is equipped with modern equipment to treat patients with intestinal, joint, gallstone, kidney and other diseases.” [26d]

MENTAL HEALTH

- 28.15 The WHO ‘Mental Health Atlas 2005’ (WHO Mental Health Atlas) states in its Eritrea country profile that though there is a mental health policy devised in 1997, there is no specific mental health legislation other than provisions in the Penal Code; there is no national mental health programme, nor budget allocations for mental health. [41a] (p1-2) On actual provision, the WHO Mental Health Atlas states: “Mental health is a part of the primary health care system. Actual treatment of severe mental disorders is available at the primary level. Severe mental disorders are primarily treated at the tertiary level (at St Mary’s Psychiatric Hospital). However, limited care is available at secondary and primary levels.” [41a] (p2) The only psychiatrist in Eritrea, Futsum Gebrenegus, was arrested during a major arrest of evangelical Christians in January 2005. (Amnesty International) [51] (p6); (Release Eritrea) [31e]
- 28.16 The WHO Mental Health Atlas notes that phenobarbital, chlorpromazine, and diazepam are available at the primary health care level. [41a] (p3)

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HUMANITARIAN ISSUES

- 29.01 Eritrea has received assistance in terms of food aid. (Eritrea Daily, 25 April 2006) [38d] The BBC reported on 7 May 2006, in 'Self-reliance could cost Eritrea dear', that:

"Last September [September 2005], the number of people receiving free food was cut by 94% to 72,000 out of a population of 3.6m. After a bad harvest, it was estimated in 2005 that at least one in three Eritreans needed food aid. Donors are concerned about the food sent since 2005, which is still in government warehouses, with the obvious risk of deterioration. 'We don't want to see 100,000 tonnes of food aid rot,' one aid official said." [8d]

- 29.02 The *Eritrea Daily* website carried a report on 2 April 2006 that claimed the President was seeking to curb the operation of NGOs within Eritrea, and particularly along the Ethiopia/Eritrea border. The article states, "Since mid-2005 Eritrea has ordered approximately two-dozen NGOs to leave the country." This includes anti-poverty and famine relief organisations, and cites the example of the expulsion of Concern and Mercy Corps. [38e]

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FREEDOM OF MOVEMENT

30.01 The USSD report for 2005 notes:

“While citizens could generally travel freely within the country and change their place of residence, the government restricted travel to some areas within the country particularly along the border with Sudan and Ethiopia. Military police periodically set up roadblocks in Asmara and on roads between other cities to find draft evaders and deserters.” [4f]

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INTERNALLY DISPLACED PEOPLE (IDPs)

31.01 The World Refugee Survey 2004 for Eritrea reported that:

“About 75,000 war-uprooted Eritreans remained displaced throughout the country at year’s end [2003]. The prevalence of landmines, poor security, and the widespread destruction of businesses, homes, and water and transportation systems within the Temporary Security Zone prevented the return of tens of thousands of internally displaced Eritreans. As in previous years, the absence of basic health care and education services in war-destroyed villages also impeded large-scale return. More than 55,000 internally displaced persons continued to live in camps in western Eritrea’s Gash Barka and Debub Zones. An additional 8,000 resided in makeshift camps and host communities. Eritrea’s displaced population also included some 15,000 people of Eritrean descent who Ethiopian authorities deported from Ethiopia during the war. Severe drought, food shortages, and Eritrea’s depressed economy compounded the already difficult lives of the country’s displaced population. Insufficient rainfall left rivers dry and dams and wells empty. Most war-uprooted internally displaced persons lacked alternative sources of income and continued to rely exclusively on relief organisations for their daily needs, including WFP food rations. ‘The emergency needs of internally displaced persons and expellees, living in and outside camps, has not improved,’ the UN reported. Most camp-based war-uprooted internally displaced persons continued to live in temporary shelters. Nearly 75% of tents sheltering internally displaced persons required urgent replacement, according to the UN Office for the Coordination of Humanitarian Affairs.” [51a]

31.02 IRINnews reported on 26 January 2006 that:

“Some 2,208 families who have been living in makeshift camps in the southern Mai-wurai and Senafe areas since the 1998 - 2000 border war with Ethiopia are preparing to return to their villages, the Eritrean government has said. Experts were setting up the necessary facilities for the IDPs in Hadish-Adi and Lahyo areas, and in villages located in the eastern escarpment, to which they would return, the Eritrean government said in a statement on Tuesday... the administrator of the southern region, said the government would extend all possible support to enable the IDPs to settle down and prepare their farms for the next rainy season. They would also be provided with health and education services, the government added.” [19v]

31.03 Relief Web reported on 17 June 2005 that: “As of May 2005, fewer than 45,400 persons remained displaced, out of which 38,000 lived in 16 camps in Gash-Barka, Debub and Northern Red Sea, and the rest outside camps in Gash-Barka... As the border demarcation is supposed to involve demining and transfer of territory as well as movement of people, the current deadlock blocks any incentive for the remaining IDPs to return home.... Indeed 20 per cent of IDP’s places of origin are impacted by landmines and 83 per cent of mine-impacted communities report blocked access to pastureland which severely affects food security... The worst affected area is the Gash-Barka region around Shilalo and Shambuko...”. [52b]

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RESETTLEMENT

- 31.04 The USSD report for 2005 notes: “Approximately 20 thousand IDPs from the conflict with Ethiopia were permanently resettled during the year. Approximately 51 thousand IDPs remained in 7 camps in the Debub and Gash Barka zones at year’s end.” [4f]
- 31.05 Relief Web reported on 17 June 2005 that: “The humanitarian conditions of the internally displaced remain critical as many of their emergency needs are still unaddressed... Replacement of temporary shelter is needed for 8,000 IDP households living in camps. Serious water shortages are also a cause for concern... The sanitary conditions are poor.... School materials are needed for 11,000 IDP children.” [52b]
- 31.06 The report continues: “In addition to IDPs, there are other categories of people to be reintegrated and whose livelihoods need to be reconstructed. Over one million Eritrean former IDPs, expellees from Ethiopia and refugees who have returned to their home villages since the end of the fighting are unable to resume their livelihoods and remain dependent on humanitarian assistance. These also include a total of 19,000 former IDPs and expellees of the Adi Keshi camp returned in early 2005 and returnees from Sudan who require different levels of continued support for their complete reintegration. Most of those who have returned are in communities located near Goluj, Haykota, Tesseney and Barentu in the regions of Gash-Barka and Northern Red Sea, areas suffering both severe drought and the consequences of war. Host communities, equally affected by the ramifications of war and drought, are struggling to cope with the added burden of returns...Eritrea’s capacity to cope with this unresolved situation has declined... Scarcity of resources has prevented the government from meeting the enormous needs of its people and the country remains heavily dependent on food and non-food assistance... The Eritrean Relief and Refugee Commission (ERREC) is the main government institution responsible for coordinating national and international humanitarian operations, including those targeting IDPs... Recently, the UN – as part of an ongoing programme supporting the return of IDPs and expellees – assisted the government in resettling over 14,000 IDPs and 4,600 expellees to 22 villages of origin within Gash-Barka”. [52b]

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ERITREANS FROM ETHIOPIA

- 31.07 HRW reported in January 2003 that: “Expellees were asked to fill out a detailed registration form and were issued the same type of registration card that Eritrean refugees returning from exile received. Once registered, the deportees were entitled to the standard government assistance for returning refugees: including short-term housing, food, and settlement aid; medical coverage; and job placement assistance.” [29e] (pp28-29)
- 31.08 The same report added that:
- “For the first year of the war, the ERREC issued the expellees an identification card known as a ‘green card’ or ‘Repatriated Refugees Card’. The card identified the expellee’s name, age, gender, level of education, native language, occupation, and dependents, as well as the date and location of the

individual's arrival. The card did not identify the citizenship of the holder. ERREC's clerks were instructed to note, under the heading 'remarks,' that the individual or individuals named on the card had been 'forcibly expelled from Ethiopia'. The cards were written in both Tigrigna and Arabic, the two languages of Eritrea. In mid-1999, the ERREC began issuing expellees from Ethiopia a new identification card, labeled 'Identification Card For Eritreans Expelled from Ethiopia,' and also known as the 'blue card'. The information on the card largely corresponded to that on the green card, although the blue card used English in addition to Tigrigna (sic) and Arabic." [29e] (p28 footnote)

31.09 The ICRC 2004 report stated that:

"The Eritrea – Ethiopia border was still closed, and telecommunications and postal services were not yet functioning between the two countries. The tracing and RCM [Red Cross Message] network was the only means of communication for thousands of relatives separated by the border....The ICRC also reunited vulnerable people, such as children, the elderly, sick or destitute, with relatives across the border who could care for them....The ICRC, with local Red Cross support, assisted in the voluntary repatriation of civilians to Eritrea and Ethiopia, organizing transport and providing basic supplies for the trip and short stay in a transit camp. It also helped those who were being repatriated to contact their families and retrieved and forwarded their official documents, mainly education certificates, so that they could continue their studies or apply for work." [40a]

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ERITREANS RETURNING FROM SUDAN

31.10 The AI 2003 report stated that: "...over 100,000 Eritreans who had lived in Sudan for up to 25 years were offered voluntary repatriation, which many refused, or an alternative option of alien resident status in Sudan. Voluntary repatriation was suspended by the UNHCR in October 2002 for security reasons. The cessation of refugee status was widely misunderstood to mean that Eritrea was safe for all refugee returns, which was not the case. Many of the long-term refugees in Sudan feared persecution on return on account of their links with the Eritrean Liberation Front (ELF), a rival to the Eritrean People's Liberation Front (EPLF) which formed the independence government in 1991, or because of conscientious objection to military service. Army deserters during and after the Ethiopian war feared persecution on return. Over 10,000 refugees applied for exemption from the cessation." [5b]

31.11 In comments prepared for the Advisory Panel on Country Information meeting on 8 March 2005, UNHCR stated:

"There were approximately 190,000 Eritrean refugees in Sudan at the time when the cessation deadline was applied (31 December 2002). Out of the Eritrean refugee population in Sudan, 150,000 persons applied for refugee status in Sudan, while approximately 35,000 persons registered for voluntary repatriation. During 2003, 9,415 refugees returned from Sudan and approximately 9,300 returned during 2004, bringing the recent figure of returns for the last 2 years to approximately 19,000 persons. The UNHCR organised voluntary repatriation operation from Sudan to Eritrea formally ended on 31

December 2004, in agreement with the Governments of Eritrea and Sudan.”
[18g]

31.12 AI reported on 19 May 2004 that:

“The majority of the refugees rejected the option of voluntary repatriation. Most long-term refugees, some of whom had been in Sudan for a generation, wished to remain in Sudan, either permanently (although Sudan had not officially agreed to accept them as citizens or provide them with permanent residence permits), or through retaining their refugee status. By early 2004 only a few thousand had voluntarily returned to Eritrea.” [5c] (p24)

31.13 AI in their report of 19 May 2004 stated that:

“Prior to independence there were hundreds of thousands of Eritrean refugees in many countries of the world, but most in Sudan who had fled from Ethiopian government attacks and repression of the liberation movement and its actual or suspected supporters. It was well-known that Eritrean refugees would face torture, arbitrary detention and extrajudicial execution if returned to Ethiopia, whichever opposition group they belonged to. Eritreans were usually granted asylum and in western countries many proceeded to naturalization after some years, though retaining their Eritrean identity in the large and increasing Eritrean diaspora....After the war with Ethiopia and the increase of political opposition, there were new flows of refugees, particularly army deserters and youths fleeing conscription, as well as supporters of the new reform movement, including defectors from the government, civil service or armed forces. In March 2001 the UNHCR declared a partial cessation (ending) of refugee status for Eritrean refugees who had fled before independence and those who had fled the fighting during the Ethiopia war. This was aimed at reducing the long-standing refugee camp population in Sudan, who were required to register for voluntary return or re-apply for asylum. However, the fact that the declaration was partial and did not cover all Eritrean refugees – numbering over 300,000 – was not clearly communicated by UNHCR, even though UNHCR recognized that there were new flows of Eritrean refugees to Sudan and elsewhere. The cessation created considerable insecurity among Eritrean refugees in Sudan, who feared the long-standing collaboration between elements of the Eritrean and Sudanese security, despite hostilities between Sudan and Eritrea which led to fighting in western Sudan near the Eritrean border for some months in mid-2002...”. [5c] (pp23-24)

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FOREIGN REFUGEES

REFUGEES IN ERITREA

- 32.01 The USSD report for 2005 states the basic situation regarding people seeking refuge in Eritrea:

“The law does not provide for the granting of asylum or refugee status in accordance with the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol and the government has not established a system for providing protection to refugees. As a result, the Government cannot issue legal refugee or asylum status. However, in practice the government provided some protection against refoulement, the return of persons to a country where they feared persecution and provided temporary protection to approximately four thousand persons from Sudan and Somalia on a prima facie basis.” [4f]

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ETHIOPIANS IN ERITREA

- 32.02 The USSD report for 2005 reported that: “The government granted 19 Ethiopians who deserted the Ethiopian army, residency status.” [4f] BBC News reported on 1 December 2005 that: “At least seven Ethiopian soldiers have defected to Eritrea while on a private training course in Israel, the Israeli foreign ministry has confirmed. The Eritrean ambassador in Israel said the soldiers – reported to be of Eritrean descent – arrived at his house and asked for political asylum. [8p]
- 32.03 The USSD report for 2005 adds: “Another 1,400 Ethiopians sought asylum with the UNHCR, but the government refused to issue them exit visas. ...The UNHCR was accommodating 1,100 Ethiopians in urban areas, an increase from only 5 cases in 2002. The government issued residency permits to Ethiopians living in the country for a fee; however, it did not issue them exit visas.” [4f]
- 32.04 There are 16,000 Ethiopians estimated to have temporary residence in Eritrea, including 600 Ethiopians in the Gash Barka region “... to which the UNHCR had no access or responsibility” (USSD report for 2005) [4f] and the USSD report for 2005 continues “The Government issued residency permits to Ethiopians living in the country for a fee; however, it did not issue them exit visas.” [4f]
- 32.05 The World Refugee Survey 2005 for Ethiopia reported that: “The [Ethiopian] Government did not have an agreement with Eritrea to receive rejected asylum seekers, and therefore granted status to some Eritreans who did not qualify as refugees... At the border, local authorities identified most Eritrean arrivals and referred them to the Administration for Refugee and Returnee Affairs (ARRA) for status hearings, which then transferred them to a camp.” [51b]
- 32.06 A British Fact-Finding Mission of April 2003 reported that:

“One international observer commented to the delegation that since 2000 the attitude towards Ethiopians had changed, not as a result of any Government led initiative but as a result of a shift in the attitude of the public and police towards them. The inability to earn a living had been a leading cause for those that chose to be repatriated. Without the possibility of work they have little option but to leave. The source added that since the end of the war not only have societal attitudes changed, but with so much of the potential workforce in the military it is possibly a lot easier to gain employment now if one is registered as a resident foreigner.” [3] (p45)

32.07 SPLMToday.com in an article dated 21 December 2004 stated that:

“The Eritrea-Ethiopia Claims Commission has found Eritrea liable for persistent and serious violations of international law for its mistreatment of Ethiopians in Eritrea during the war, the Ministry of Foreign Affairs told ENA (Ethiopian News Agency) on Monday. It rejected most of the claims made by Eritrea. The commission has determined that Eritrea committed frequent and serious violations of international law in its treatment of Ethiopian civilians in Eritrea.” [45a]

32.08 “Ethiopia expelled 70,000 Eritreans living in the country, a move strongly criticized by Amnesty International and other human rights organizations. Eritrea subsequently encouraged a similar number of Ethiopians to leave Eritrea.” (EuropaOnline) [1a] (History)

32.09 The Secretary General of the UN Security Council on 30 August 2005 reported that: “UNMEE monitored the repatriation of 298 persons of Ethiopian origin and 163 persons of Eritrean origin, under the auspices of the International Committee of the Red Cross. I received with concern reports from both countries of discrimination on the grounds of nationality, and of difficulties in accessing public social services, against each other’s nationals. I appeal to the parties to ensure that repatriations remain voluntary....” [35]

32.10 The International Committee for the Red Cross reported on 11 November 2005 that: “On 11 November 2005, 298 Ethiopian civilians were repatriated from Eritrea to Ethiopia under ICRC auspices. The group included 8 unaccompanied minors, 2 elderly persons and 2 sick persons who were returning home to their families. As part of the same operation, 15 Eritrean civilians were repatriated from Ethiopia to Eritrea. This group included 4 unaccompanied minors who were also returning home with their families.” [40]

32.11 In comments submitted to the Advisory Panel on Country Information on 8 March 2006, UNHCR stated: “Ethiopians must renew residency permits every year not [every] six months,” [18g], correcting a USSD report for 2005 statement, “Ethiopian nationals reportedly were singled out for arrest because they were unable to pay the necessary fees to renew their residency permits every six months.” [4f] (p)

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PRISONERS OF WAR

32.12 Europa 2005 stated that:

“The repatriation of prisoners of war began in December 2000. Despite a number of set-backs, all prisoners of war had been returned to their respective states by the end of November 2002. A total of 1,067 prisoners of war and 5,055 civilian internees were returned to Ethiopia, and 2,067 prisoners of war and 1,086 civilians were returned to Eritrea, under the auspices of the International Committee of the Red Cross.” [1a] (p405)

32.13 The USSD report for 2005 noted that: “The [Eritrean] government prohibited the ICRC from visiting the unknown number of Ethiopian soldiers who the government claimed were deserters from the Ethiopian army or to visit any Eritrean detainees or prisoners...”. [4f]

32.14 The Human Rights Watch 2003 report stated: “In late August 2002, Eritrea repatriated 279 Ethiopian prisoners of war (POWs), stating that it had thereby returned all POWs, but the Ethiopian government accused Eritrea of still holding prisoners in undisclosed locations.” [29]

32.15 The BBC reported on 29 November 2002 that more than 1,200 Eritrean prisoners of war held by Ethiopia for more than two years had returned home. The BBC reported that the International Committee of the Red Cross said it wants to work with the Ethiopian and Eritrean governments on the cases of some individual PoWs still being held by either country. However, the Red Cross said all registered prisoners from the conflict – which ended two years before – had now been repatriated. The last group of registered Ethiopian prisoners was sent home three months before the report. [4n]

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REFUGEES OTHER THAN ETHIOPIANS IN ERITREA

32.16 The USSD report for 2005 noted:

“The government cooperated with the office of the UNHCR in assisting refugees who were not from Ethiopia. There were 770 Sudanese refugees at Elit camp in the west and 3,500 Somali refugees at Emkulu camp, near Massawa. There were also up to 30,000 Beja Sudanese and approximately 600 Ethiopians in the Gash Barka region to which the UNHCR had no access or responsibility. The UNHCR was accommodating 1,100 Ethiopians in urban areas, an increase from only 5 cases in 2002. The Government issued residency permits to Ethiopians living in the country for a fee; however, it did not issue them exit visas.” [4f]

32.17 In comments submitted to the Advisory Panel on Country Information on 8 March 2006, UNHCR stated: “There were a very low number of arrivals in 2004 and only 41 persons in 2005. The total camp population for Sudan as of end of December 2005 is 748 persons. These include all the Sudanese who were accommodated there since 1999.” [18g] The USSD report for 2005 had noted that: “The UNHCR reported that although it ended organized repatriation of refugees from Sudan on December 31, 2004, 18 refugees returned to the country spontaneously during the year [2005].” [4f]

CITIZENSHIP AND NATIONALITY

- 33.01 The Eritrean Nationality Proclamation No.21/1992 published in April 1992 details the criteria and law as regarding Eritrean Nationality. [7a]
- 33.02 On 27 January 2004, the Home Office received a letter from the Eritrean Embassy in London clarifying certain points with regards to obtaining Eritrean nationality from the UK. The letter stated that:
- a A person who is with an Eritrean father/mother would be eligible for Eritrean nationality as long as the person provides three witnesses.
 - b The political views of the three witnesses are not relevant to establishing the nationality.
 - c The political views of the applicant for nationality are not relevant to establishing eligibility for nationality and obtaining an Eritrean passport.
 - d The voting in the 1993 Referendum is not a necessary precondition to establishing nationality.
 - e Paying a 2% tax on nationals overseas is not a precondition for eligibility for Eritrean nationality and obtaining a passport.
 - f Claiming refugee status overseas does not preclude eligibility for Eritrean nationality or obtaining an Eritrean passport.
 - g All application forms are filled in person by the applicant at the Embassy's consular section and has [sic] to be authorised by the Ministry of Foreign Affairs in Eritrea. No application forms out of the standard provided by the Embassy are accepted." [14]
- 33.03 A British Fact Finding Mission reported on 29 April 2003 that: "If a person's parents or grandparents were born in Eritrea you will certainly be entitled to Eritrean nationality but will have to prove this". It was also confirmed that applicants would not be asked about their views, political or otherwise. [3] (p46-48)

THREE WITNESSES

- 33.04 The British Fact-Finding Mission [FFM] published on 29 April 2003 contains the most detail about 'the three witnesses method'. [3] (p48) The FFM states "An applicant can call on any 'three witnesses' to verify that the applicant is an Eritrean national. The 'three witnesses' must be Eritreans who hold an Eritrean identification card or passport. Though every adult is supposed to have a national ID card and anyone holding an Eritrean passport would be in possession of that card, identity records are not centralised and it is often difficult to find information about an individual... while documentation can help a person to prove nationality the Eritrean government now relies on the 'three witness' rule." [3] (p48)
- 33.05 Furthermore, it noted that: "They [an applicant] can choose any three Eritreans in the world that they know personally. The person abroad will have to go to the Eritrean embassy of that country in order to answer questions. These are standard questions about how long they have known the person, relationship etc. They sign a piece of paper that is then faxed onwards." [3] (p48)
- 33.06 HRW, in a report dated January 2003, noted however that Ethiopian residents were treated differently, and states:

“The legal status of Ethiopian residents in Eritrea who had not sought Eritrean nationality at the time of the war’s outbreak does not appear to be in dispute. The Eritrean government as a rule considered them as aliens. It did not automatically issue the Eritrean national identity card or passport to these Ethiopians nor did it recruit them for employment reserved for nationals. Ethiopians were also not called up for military service in Eritrea. For the purposes of residency and departure procedures, the Eritrean government continued to deal with Ethiopian nationals under the normal institutions and procedures governing aliens residing in the country, i.e. they were required to acquire residency permits and obtain exit visas to leave the country.” [29a] (p31)

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THE 1993 REFERENDUM

- 33.07 The British Embassy in a letter dated 2 July 2001 noted that: “The Political Director of the Ministry of Foreign Affairs... was quite clear that the 1993 referendum plays no part in whether or not someone is entitled to Eritrean nationality.” [15] The FFM of April 2003 reiterated the point, adding:

“Participation had importance when Eritrea first achieved independence but now over a decade later this is no longer the case. The problem is that many people were not able to vote in the referendum for one reason or other and it would not be reasonable or logical to apply such criteria after a decade of independence. Some had been in inaccessible areas, some had been sick, some out of the country, some were too young.” [3] (p49)

- 33.08 The report further noted that:

“Over time such a criterion has lessened in importance to the point now where it is of little importance. ... the initial vote was conducted largely thanks to the machinery of the Ethiopian government. They held the central records. We [the Eritrean authorities] have most of the information now but since the border war, we can no longer check any discrepancies. Therefore we cannot always verify if a person voted in the referendum or not.” [3] (p49-50)

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MIXED MARRIAGE AND MIXED BIRTH

The following paragraphs relate to reunions of partners in mixed Eritrean and Ethiopian marriages.

- 33.09 A British Fact Finding Mission reported on 29 April 2003 that: “... in most cases a mixed marriage will prove to be no problem if both partners are already in Eritrea. If they are split between Eritrea and Ethiopia then the ICRC arranges visits and temporary reunions. ...if both partners are in Eritrea...the non-Eritrean would apply for a residence permit. This is also the situation if a person is unable to prove nationality. While a person attempts to prove their credentials, a person is given a residence permit, these are renewable every six-months. With most residence permits a person is allowed to work. ... in cases where a person is part of an expelled mixed marriage they will if at all

possible be dealt with faster... the Eritrean Government is very sympathetic to such cases.” [3] (p50)

- 33.10 This report also noted that: “... in the case of a mixed birth a person would generally not have too many problems as long as they can prove that they have Eritrean roots. This would make them eligible for Eritrean nationality under the normal procedures of the nationality proclamation.” [3] (p50)

- 33.11 In comments prepared for the Advisory Panel on Country Information meeting on 8 March 2005, UNHCR stated [regarding family reunion and the ICRC arranging visits between split families] that:

“In reality, this is extremely difficult for the majority of cases and not all are able to avail themselves of the ICRC mechanism, which is the only possibility for travel between the two countries. A person must decide to move permanently to the other country if they are to repatriate with ICRC and often, Ethiopia will not accept the arrival of an Eritrean spouse and vice versa.” [18b]

- 33.12 In comments prepared for the Advisory Panel on Country Information meeting on 8 March 2005, UNHCR stated [regarding nationality issues]:

“If a couple is in a mixed marriage, it is very difficult to acquire Eritrean nationality for the foreign spouse who wishes to do so. With regard to dual nationality, the person will only be regarded as an Eritrean citizen if s/he is in Eritrea and no consideration will be taken to the other nationality, an issue which has caused some friction between certain western diplomatic missions and the Government of Eritrea, especially with regard to detention cases.” [18b]

- 33.13 This report also stated that:

“There are over three million people in Eritrea, as well as hundreds of thousands in the Diaspora (Eritreans abroad)... even if they came from Ethiopia or Sudan they would have known many other Eritreans. It is a matter of history that those in Ethiopia kept close contact with family in Eritrea, even those that stayed in Ethiopia after independence. Most formed ‘clubs’ to celebrate and remember their culture. Those in the Sudan lived in ‘Eritrean communities and camps’...many tens of thousands of those returned from Ethiopia and Sudan had their stay regulated and have Eritrean passports....’ not only will we [the authorities] allow witnesses from all over the globe but we will follow up claims. So for example if someone claims to be from a certain village we will send word to that community so that they can get the witnesses to come forward.” [3] (p49)

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EXIT-ENTRY PROCEDURES

- 34.01 The USSD report for 2005 notes that “In general citizens had the right to return; however, citizens had to show proof that they paid the 2 percent tax on their income to the government while living abroad to be eligible for some government services, including exit visas, upon their return to the country.” [4f]
- 34.02 Exit permits are required by all travellers, both citizens and foreign nationals, to leave the country legally. The USSD report for 2005 recounts:
- “There were numerous cases where foreign nationals were delayed in leaving for up to two months or initially denied permission to leave when they applied for an exit visa. Men under the age of 50, regardless of whether they had completed national service; women ages 18 to 27; members of Jehovah’s Witnesses and others who were out of favor with or seen as critical of the government were routinely denied exit visas. In addition, the government often refused to issue exit visas to adolescents and children as young as 5 years of age, either on the grounds that they were approaching the age of eligibility for national service or because their diasporal parents had not paid the 2 percent income tax required of all citizens residing abroad. Some citizens were given exit visas only after posting bonds of approximately \$7,300 (100 thousand nakfa).” [4f]
- 34.03 On 1 June 2006, new regulations were brought in by the Eritrean authorities regarding the entry into, and travel within Eritrea, by foreign nationals. The Government of Eritrea required all visitors and foreign residents to obtain travel permits for any travel outside Asmara city limits. (US OSAC)[4c] (*Eritrea Daily*, 31 May 2006) [38b] The OSAC travel warning continues: “The GSE [Government of the State of Eritrea] has cited security and safety concerns as the reasons for requiring travel permits for all travel outside Asmara.” [4c]
- 34.04 Awate carried a report on 17 July 2006, “In tit-for-tat, Eritrea refuses entry visa to Americans” that reported that Eritreans holding dual American and Eritrean identity would only be accepted into Eritrea on the validity of their Eritrean identification papers. [50h] The report outlines the financial penalties of being redocumented by the Eritrean authorities, and notes “The new directive would deny these Eritreans the safety net of their adopted countries...” [50h]
- 34.05 The USSD report for 2005 adds, “The law has no provisions concerning exile, and the government generally did not use exile.” [4g] (p)

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TREATMENT OF RETURNED FAILED ASYLUM SEEKERS

- 34.06 The USSD report for 2005 notes, “Applications to return from citizens living abroad who had broken the law, contracted a serious contagious disease, or had been declared ineligible for political asylum by other governments were considered on a case-by-case basis.” [4g] (p)
- 34.07 The issue of treatment of failed asylum seekers (FAS) in Eritrea has been dominated by two types of return. There are firstly cases of detention and

disappearance that occur upon return of people returning voluntarily, not necessarily FAS, when they consider themselves to be safe from arbitrary arrest; and then there are the cases of the large scale forcible returns from Malta in September to November 2002 and from Libya in July 2004. The individuals who have been arrested or detained, having returned voluntarily and not as FAS, include Aster Yohannes, wife of one of the G15/G11 political detainees, and Saleh Ali Sheikh and his wife Saret Ramadhan, as reported by Amnesty International on 19 May 2004:

“Eritreans returning from abroad, like Aster Yohannes, risk arbitrary detention if they return to Eritrea and are suspected of opposing the government – even if they have a foreign passport. In May 2003 two Eritrean nationals, Saleh Ali Sheikh, and his wife, Saret Ramadhan, were reportedly detained on arrival from Saudi Arabia at Asmara airport and ‘disappeared’.” [5c] (p22)

- 34.08 The HRW 2005 report noted that: “Arbitrary arrests and prolonged imprisonment without trial have not been limited to political leaders and the press. The government detains about 350 refugees who fled Eritrea but were involuntarily repatriated in 2002 (from Malta) and in 2004 (from Libya). They are held incommunicado in detention centers on the Red Sea coast and in the Dahlak islands.” [29c]

See [Prison conditions](#)

THE RETURNS FROM MALTA

- 34.09 Two hundred and twenty Eritreans were returned by the Maltese Government in September and October 2002. Amnesty International’s report ‘You have no right to ask’, published on 19 May 2004, noted that the returnees “... [were] forcibly deported ... back to Eritrea, where they were immediately detained on arrival to Asmara and sent to nearby Adi Abeto military detention centre.” [5c] (p23)

- 34.10 AI added in the same report that:

“In response to Amnesty International’s concern about the deportations, the Maltese government said that it was “not in possession of any evidence that any ill-treatment was afforded to the Eritreans repatriated from Malta” and that the Eritrean Director for Refugees “was reported to have rejected any allegations of ill-treatment”.

“Some 200 other Eritreans – also mostly army deserters or conscription evaders – remained in detention in Malta in poor conditions, some appealing in court against the threat of deportation. The Maltese authorities were much criticized for their treatment of the Eritreans and other migrants and asylum-seekers, at a time when Malta was applying to join the European Union and therefore expected to comply with European Union asylum standards and establish refugee status determination procedures more in line with international standards. In December 2003 they released most of the remaining Eritrean asylum-seekers to a non-custodial hostel. The rest were released in February 2004 and resettlement was being considered for all 105 Eritrean asylum-seekers still in Malta. (29) More Eritreans reportedly arrived in Malta in April 2004 after encountering difficulties at sea.” [5c] (p23)

34.11 Malta Media reported on 23 May 2004:

“With reference to reports in some newspapers on the deportation of Eritrean citizens in 2002, the Ministry for Justice and Home Affairs insists that the United Nations High Commission for Refugees (UNHCR) did not oppose their repatriation. The Ministry also said that the Eritreans did not apply for refugee status in Malta and were illegal immigrants to all effects. The reaction was triggered by reports from Amnesty International that some of these Eritreans in question were imprisoned and tortured after their return from Malta.” [58]

34.12 Reports have filtered back on the treatment of the returnees from Malta. AI stated in the 19 May 2004 report:

“As Amnesty International learned later, women, children and those over the conscription age limit of 40 years were released after some weeks in Adi Abeto prison but the rest of the Malta deportees – mostly army deserters – were kept in incommunicado detention and tortured. Some EPLF veterans among them were sent separately to “Tract B” military prison in Asmara. The rest were transferred to the secret Dahlak Kebir island prison in December 2002. Later the civilians (about 95) were sent to secret mainland prisons in July 2003, leaving behind about 85 conscript deserters in Dahlak Kebir. About 30 later escaped and fled again to Sudan, where they sought UNHCR protection. They gave testimonies of their detention and torture to Amnesty International.” [5c] (p23)

34.13 The UNHCR, in its position paper of January 2004, also noted the treatment of the Malta returnees and concluded: “It appears that the deportees from Malta to Eritrea may have faced persecution owing to an imputed political opinion, conscientious objection or other reasons. It cannot be excluded that future deportees would face a similar risk.” [18c] (p7)

THE RETURNS FROM LIBYA

34.14 In the period July to August 2004, the Libyan Government returned over 110 people on 21 July 2004, followed by the attempted return of 76 in August 2004. (AI report for 2005) [5a] Awate.com reported on 28 July 2004 that:

“The Libyan authorities are reported to have forcibly returned over 110 people to Eritrea on 21 July [2004]. It is feared that they are now in secret, incommunicado detention in military camps, where they are at serious risk of torture. At least 200 Eritrean nationals currently detained in Libya are also feared to be in imminent danger of forcible return. All were reportedly hoping to travel on from Libya to seek asylum in Europe. It is feared that many Eritrean nationals held in detention centres in Kufra, Misrata, Tripoli and elsewhere, as well as others living in Libya, are at imminent risk of forcible return to Eritrea. This fear is compounded by reports that members of the Libyan security forces may have been searching for Eritrean nationals residing in the country, apparently with a view to arresting and deporting them. About 40 of those returned on 21 July were reportedly arrested in a street round-up in Tripoli in recent weeks. They were apparently convicted of drug and alcohol-related offences, which they denied, and deported the same day. At least another 40 had been detained for longer in detention centres in Misrata and Tripoli, apparently for illegal entry.” [50d]

- 34.15 BBC News reported on 27 August 2004 that: "A plane has been hijacked and forced to land in Sudan, apparently by a group of Eritrean asylum seekers. The hijackers of the plane – which was deporting the Eritreans from Libya – later surrendered to security forces. No-one was badly hurt, reports said. One Sudanese official said the hijackers were hoping to find asylum in Sudan rather than return to Eritrea." [8q] Amnesty International reported as a followup in AI's 2005 annual report: "In August [2004] the Libyan authorities attempted to forcibly return a further 76 Eritrean asylum-seekers, including six children. However, some of them hijacked the plane carrying them and forced it to land in the Sudanese capital, Khartoum, where all the passengers, except the hijackers, were given refugee protection. The hijackers surrendered to the Sudanese authorities and were sentenced to four years' imprisonment on appeal; their refugee status had not been determined by the end of 2004." [5]

UNHCR POSITION PAPERS

- 34.16 The UNHCR, in its position paper of January 2004, stated the following to clarify its position regarding cessation clauses:

"It is again emphasized that the scope of the cessation clauses for Eritrean refugees announced by UNHCR in May 2002 is limited to persons who fled their country as a result of the war of independence which ended in 1991, or the border conflict between Eritrea and Ethiopia which ended in June 2000. Other Eritrean refugees, i.e. those fleeing persecution, remained and continue to be unaffected by the cessation clauses. It is also underlined that the applicability of the cessation clauses is always rebuttable and, upon request, each individual case is to be examined on its merits. In this context, the possibility of a valid 'sur place' claim should not be excluded." [18c]

- 34.17 "... In the light of the above, UNHCR recommends that asylum claims submitted by Eritrean asylum seekers should undergo a careful assessment to determine their needs for international protection. It is also recommended that states refrain from all forced returns of rejected asylum seekers to Eritrea and grant them complementary forms of protection instead, until further notice. This position will be reviewed in the second half of 2004." [18c] (p7)

- 34.18 UNHCR, in its position paper of January 2004, stated that it had not noted any:

"... incidents of reprisals or persecution perpetuated by the Government of the State of Eritrea against refugees who voluntarily elected to return to their country, and did so under the auspices of UNHCR's voluntary repatriation programme". UNHCR add that: "... the voluntary repatriation programme continues and UNHCR hope to be able to assist as many refugees as possible to repatriate, including the remaining 35,000 refugees who are currently registered for voluntary repatriation in Sudan." [18c] (p6)

- 34.19 UNHCR in a letter dated 11 March 2005 stated that:

"Based on various reports, it appears that the human rights situation in Eritrea has seriously deteriorated in the past two years. Human rights violations continue to be reported, *inter alia*, with regard to the treatment of opposition political groups and movements, freedom of expression, freedom of religion,

arbitrary detention and detention conditions (including reports of torture, ill-treatment and forced labor) and treatment of draft evaders/deserters. This is especially so in light of reports that many persons deported from Malta to Eritrea between September 2002 and October 2002 were reportedly arrested immediately on arrival in Asmara and taken to detention incommunicado where they faced persecution including being subjected to forced labor, interrogated and torture. Some detainees are believed to have died of diseases suffered as a result of the unsanitary conditions in which they were held and/or injuries sustained as a result of persecution and/or torture. At least one person was allegedly killed by shooting during an escape attempt...". [18f]

- 34.20 UNHCR in a letter dated 10 April 2005 provided clarification of the validity of the January 2004 UNHCR position paper on the return of failed asylum seekers to Eritrea:

"UNHCR acknowledges that the final paragraph of the above paper states the following: 'It is also recommended that states refrain from all forced returns of rejected asylum seekers to Eritrea and grant them complementary forms of protection instead, until further notice. This position will be reviewed in the second half of 2004'. We would like to confirm that the January 2004 UNHCR position paper on the return of rejected asylum seekers to Eritrea remains valid in all parts." [18d]

Eritrean refugees in Sudan

- 34.21 In a further letter, dated 11 April 2005, UNHCR stated that: "UNHCR Headquarters have kept the situation in Eritrea under close review during the past months and there has been no such change in the situation that would warrant a different position at this time. Therefore, our recommendation for complementary protection remains firmly in place until further notice." [18e]
- 34.22 IRIN News stated on 12 March 2004 that: "After more than 30 years in exile, an estimated 1,700 Eritrean refugees left their camps in eastern Sudan to return home to Eritrea this week, in the biggest return convoy this year [2004]. On Wednesday, a convoy of 58 passenger buses and more than 30 luggage trucks carrying 1,770 refugees and their belongings crossed into Eritrea under the escort of officials from Sudan and the UN refugee agency." [19x]
- 34.23 The article further stated that:
- "Eritrea is one of several countries that has been chosen for UNHCR's pilot testing of a new initiative dubbed the 4Rs – Repatriation, Reintegration, Rehabilitation and Reconstruction – which is already being tested in Sierra Leone, Sri Lanka and Afghanistan. The 4Rs project aims to ensure that the return of the refugees and their reintegration is backed by 'solid rehabilitation and reconstruction programmes', UNHCR reported." [19x]
- 34.24 The article noted that: "The Sudanese government estimates the total number of Eritreans remaining in Sudan to be over 200,000. About 35,000 people have signed up for voluntary repatriation to Eritrea this year [2004], while over 29,000 families have applied to remain in Sudan as refugees." [19x]

EMPLOYMENT RIGHTS

- 35.01 The USSD report for 2005 states basic information about employment in Eritrea:

“The minimum wage in the civil service sector of \$24 (325 nakfa) per month did not provide a decent standard of living for a worker and family. Most people in national service and the service industry made even less than the minimum wage. The government did not enforce the minimum wage law. There is no legally mandated minimum wage in the private sector. The standard workweek is 44.5 hours, but many persons worked fewer hours. Workers are entitled to one rest day per week; most workers were allowed 1 to 1.5 days off per week. There are no prohibitions against excessive overtime. The government has instituted occupational health and safety standards, but inspection and enforcement varied widely among factories. In practice some workers were permitted to remove themselves from dangerous work sites without retaliation.” [4f]

- 35.02 The USSD report for 2005 notes: “The law provides workers with the legal right to form unions to protect their interests; however, some government policies restricted free association or prevented the formation of unions, including within the civil service, military, police, and other essential services.” [4f] The HRW annual report 2006 adds that “The [Government] arrests continued in 2005 and included three leaders of government-affiliated labor unions, the only unions allowed to operate in the country.” [29f]

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Forced or compulsory labour

- 35.03 The USSD report for 2005 states: “The law prohibits forced or compulsory labor, including by children; however, there were unconfirmed reports that it occurred during the year.” [4f] The Eritrean Government ratified in 2000 the Forced Labour Convention, 1930 (No.29), but has been held to account by the International Labor Organization as to whether it enforces the provisions. A particular issue is what is meant by ‘national service’, as the ILO noted that the Labour Proclamation of Eritrea (No.118/2001) excludes compulsory national service from ‘forced labour’ under section 3(17). [75a] (p1) The section is questioned in relation to Articles 2(2)(a,b,c, and e), and 25 of the Forced Labour Convention. [75a] (p3,4) A dissident activist, Berhan Hagos, writing on collective farming in Eritrea in an article posted on 6 May 2006 on the Adal61.com website, gave an illustration of national service as forced labour:

“It is said that at one time, tomatoes and other vegetables were being produced by Warsai Yekealo for export to Italy. As the farm was near Sawa, it was being flown from Sawa airport to Italy. The tomatoes were being sun dried and salted for export. The frustrated young Warsai Yekealo began to spray soil instead of salt on the tomatoes, resulting in large spoilage. There were repercussions on the Warsai Yekealo. But the problem of slave labor didn’t escape the Italian buyers who asked PFDJ to pay the Warsai Yekealo at the farm, but the government refused. The export business was shut down.” [76a] (p1)

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Annex A: Chronology of Major Events

- 1952** UN approves federation between Eritrea and Ethiopia; however, Ethiopian rule effectively stifles Eritrean autonomy. [1b] (p402)
- 1958** Eritrean Liberation Movement (ELM) founded. [1b] (p402)
- 1961** Eritrean Liberation Front (ELF), which had superseded ELM, begins armed campaign for Eritrean independence from Ethiopia. [1b] (p402)
- 1962** Eritrea's status reduced to that of an Ethiopian province. [1a] (History)
- 1972-1974** Civil war in Eritrea between ELF and breakaway Popular Liberation Forces (which went on to form the Eritrean People's Liberation Front [EPLF] in 1977). [1b] (p402)
- 1974** Revolution which brings hard-line Marxist 'Derg' regime to power. [1b] (p402)
- 1977-1978** Further splits within ELF. [1b] (p402)
- 1985** Second civil war between ELF and breakaway factions, leading to further splits from ELF, effectively neutralising it as an effective military force; EPLF now the main opposition force to Ethiopian rule. [1b] (p402)
- 1990** EPLF captures Massawa. [1b] (p402)
- 1991** **May:** EPLF captures Asmara; at same time Eritrean Peoples Revolutionary Defence Force (EPRDF) captures Addis Ababa and overthrows Derg; EPRDF recognises EPLF as government of Eritrea and agrees independence referendum for Eritrea in 1993. [1b] (p402, 426)
- 1993** **April:** UN-supervised referendum overwhelmingly approves independence from Ethiopia. [1b] (p403)
24 May: Independence proclaimed. [1b] (p403)
28 May: International recognition of independence of the State of Eritrea; EPLF establishes transitional government, with EPLF leader Issayas Afewerki becoming first President of Eritrea. [1b] (p403)
8 June: Issayas Afewerki elected first President of Eritrea by the National Assembly. [1b] (p403)
- 1994-1995** Conferences on constitutional reform held throughout Eritrea, but Government opponents not invited to participate. [1b] (p403)
- 1994** **February:** EPLF becomes the People's Front for Democracy & Justice (PFDJ) and espouses its support for a pluralistic political system. [1b] (p403)
- 1995** **May:** Government rationalisation programme cuts size of civil service and reorganises administrative regions. [1b] (p403)

- 1997** **May:** New Constitution adopted by Constituent Assembly but not fully implemented. Government officials continue to insist that the Constitution would be implemented gradually. [1b] (p403)
- 1998** **May:** Border conflict with Ethiopia erupts into heavy fighting; thousands of Eritreans expelled from Ethiopia and many Ethiopians leave Eritrea. [1b] (p404)
- 1999** **February:** Upsurge in fighting with Ethiopia. [1b] (p404)
March: Ten opposition groups based in Sudan form Alliance of Eritrean National Forces (AENF), led by ELF-CC's Chairman. [1b] (p408)
- 2000** **May:** Ethiopia launches all-out attack on Eritrea, capturing territory taken by Eritrea in May 1998. [1b] (p404)
June: Eritrea and Ethiopia sign cease-fire agreement and agree to UN monitoring force along border. [1b] (p404)
October: Eritrean professionals and academics meet in Berlin, Germany, and write a letter to President Issayas Afewerki, since known as the 'Berlin Manifesto', about the 'political and economic challenges that confront us as a new nation'. [1b] (p405)
December: Eritrea and Ethiopia sign peace agreement in Algeria establishing commissions to mark border, exchange prisoners, return displaced people and hear compensation claims. [1b] (p404-05)
- 2001** **February:** Eritrea accepts United Nations plans for a temporary demilitarised zone along its border with neighbouring Ethiopia. [1b] (History)
22 February: Ethiopia says it has completed its troop withdrawal from Eritrea in accordance with a United Nations-sponsored agreement to end the border war. [1a] (p406)
April: Eritrea announces that its forces have pulled out of the border zone with Ethiopia – a key provision of the peace agreement signed between the two countries. [1b] (History)
May: A dissident group at the centre of the PFDJ publicly expresses strong criticisms of the President. This group is known as the 'Group of 15' or 'G-15'. (In later sources as 'G11', thus referred to as 'G15/G11') [1b] (p405)
July: Semere Kesete, the student union president at the University of Asmara, makes a speech at the graduation ceremony criticising the Government. He was arrested shortly afterwards. [1b] (p406)
August: Hundreds of students protest about Kesete's arrest; police arrest 400 of them, two of whom die during hard labour in detention. [1b] (p406)
September: The Government closes all privately owned newspapers. Following this the police arrest ten leading journalists. [5c] (p6)
18 September: Security authorities detain 11 members of the G11/G15 group. Four members escape arrest. [1b] (p406)
- 2002** **February:** It was decided that the National Assembly would comprise 75 members of the PFDJ Central Committee and 75 directly elected members. All but eight of the 50-member Constitutional Commission were government appointees, and there was no provision for any opposition participation in the interim system. [1b] (p403)
31 March: The ten journalists arrested in September 2001 begin a hunger strike. Nine of the ten were moved from the 1st Police Station in Asmara to an unknown location. [5c] (p7)

13 April: The International Tribunal announces the border decision. Both Eritrea and Ethiopia declare victory. Confusion over which country controls Badme remains. [1b] (p405)

May: Roma Gebremichael, the wife of one of the G-15 detainees, is arrested. [5c] (p7)

May: The UN High Commissioner for Refugees (UNHCR) announces that by the end of the year Eritreans in Sudan would no longer automatically be entitled to refugee status. [5a] (p1)

August: Semere Kesete escapes prison and flees to Ethiopia. [8f]

October: Malta deports over 200 asylum seekers back to Eritrea. They are detained on arrival and held incommunicado without charge or further explanation. [5c] (p5)

29 November: 1,130 POWs and 95 civilian internees of Eritrean origin are released by the Ethiopian authorities and repatriated. [1b] (p405)

2003 March: The Boundary Commission categorically rules Badme to be in Eritrean territory. Ethiopia voices its opposition to the ruling. [1b] (p405)

August: The Government detained 57 students who were members of non-sanctioned religious groups; the students were arrested while at a mandatory three-month summer course at the Sawa Military Camp. [4b] (p8)

2004 January: UN Secretary-General Kofi Annan says in a report to the Security Council that the peace process between Ethiopia and Eritrea “remains difficult, even precarious”. He says he is “concerned that a minor miscalculation by either side could have serious consequences”. [19e]

February: Former Canadian Foreign Minister Lloyd Axworthy is named UN special envoy to help defuse the stand-off between Ethiopia and Eritrea. [1b] (p405)

May: The Security Council expresses deep concern over the “continued lack of progress” in resolving the border dispute between Ethiopia and Eritrea. It urges Eritrea to end restrictions imposed on UN peacekeepers in the region – including limits on their freedom of movement, saying the Council is concerned over deterioration in cooperation with UNMEE. [19f]

July: UN Secretary-General Kofi Annan visited the Horn of Africa in a new initiative to kick-start the stalled Ethiopian-Eritrean peace process. [19f]

September: UNMEE expresses disappointment after the Eritrean Government re-imposed restrictions of movement along a crucial supply route for its peacekeepers. [19f]

November: Prime Minister Zenawi announces a five-point plan to try to end the border stalemate with Eritrea, saying his country would accept, “in principle”, the April 2002 ruling of the independent Boundary Commission that was intended to end hostilities between the two neighbours. He, however, insists that the ruling is still illegal and unjust. Any attempt to implement the Hague-based decision, he adds, “might lead to a serious escalation of the tension between the two countries and thereby undermine the peace”. [19f]

December: Eritrea calls on Ethiopia to abide by the ruling of an independent commission that delineated their disputed border in 2002 and urges the international community to help secure peace and stability in the Horn of Africa. It demands Ethiopia’s “cooperation with the Boundary Commission to ensure expeditious demarcation of the boundary” and calls for “full and unconditional respect of the Algiers Agreement”. [19f]

2005 February: The United Nations noted a large number of troops being deployed at the border between Ethiopia and Eritrea. The troops remained on their own

soil, but Ethiopian soldiers had come within a 20–40 kilometre range of the frontier. [8h]

July: UNMEE expresses concern over ‘continuing incidents of violence’ along the disputed 1,000 km border between the neighbouring countries. [19w]

August: Martti Ahtisaari, UN special envoy for the humanitarian crisis in the Horn of Africa, conducted an eight day visit to the region to assess prospects for long-term food security. The government asks the US Agency for International Development (USAID) to cease its operations in the Horn of Africa country. [19w]

October: The Government imposes more restrictions on the movement of UN peacekeepers, days after grounding UN helicopter flights. [19w]

December: The Eritrean Government rejects a claim by Amnesty International that it engages in religious persecution. The UN relocates some UNMEE staff to Ethiopia following Eritrea’s decision to expel European and North American personnel. [19w]

2006 20 January: The patriarch of the Eritrean Orthodox Church placed under arrest. [31]

24 February: The Eritrea Government launched a recall of demobilised troops, along with launching a number of national service roundups. [50j]

1 June: Travel restrictions into and within the country enforced by the Eritrean Government for foreign nationals and dual nationality holders. [4c] [4d] [50h]

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Annex B: Political Organisations

Alliance of Eritrean National Forces (AENF) – see **Eritrean National Alliance**. [1a] (p419)

Democratic Movement for the Liberation of Eritrea (DMLE)

An organization opposed to the People's Front for Democracy and Justice (PFDJ). Leadership. Hamid Turkey

Eritrean Islamic Jihad (EIJ)

Radical opposition group; in August 1993 split into a military wing and political wing; leader of political wing Sheikh Mohamed Arafa. [1b] (p419)

Eritrean People's Liberation Front

After 1962, Eritreans who opposed union carried on sporadic guerilla warfare against Ethiopia, and the Eritrean Liberation Front (ELF) was founded. In 1972 a rival insurgent group, the Eritrean Popular Liberation Forces (EPLF), was formed and battled the ELF for supremacy. [1b] (p419)

Islamic Salvation Movement

Eritrean Islamic Jihad Movement (EIJM), Harakat al Jihad al Islami' – The Federation of American Scientists (statement last updated 1999) said:

"The Eritrean opposition group Harakat al Jihad al Islami (EIJM) changed its name to Harakat al Khalas al Islami (Islamic Salvation Movement) in September 1998. The Movement has been seeking the forceful overthrow of Eritrea's government and its replacement by an Islamic government. Sudanese authorities indicated their support of the Movement allowing the Movement's Secretary-General Sheikh Mohamed Amer to hold a news conference in Khartoum." [24]

Eritrean Liberation Front (ELF)

Mainly Muslim and formed in the late 1950s to pursue Eritrean autonomy. It initiated anti-Ethiopian guerilla activity in the early 1960s, but its influence later declined as it was increasingly marginalised by the breakaway Eritrean People's Liberation Front (which later became the People's Front for Democracy and Justice). Now split into numerous factions, the ELF opposed the PDFJ transitional government of Eritrea.

Eritrean Liberation Front-Central Command (ELF-CC)

Founded 1982; Chairman Abdella Idriss. [1b] (p419)

Eritrean Liberation Front-National Council (ELF-NC)

Leader Hassan Ali Assad. [1b] (p419)

Eritrean Liberation Front-Revolutionary Council (ELF-RC)

Established by former ELF members who remained outside EPLF; President Seyoum Ogbamichael; leader Ahmed Mohamed Nasser. [1b] (p419). Mr Ogbamichael died on 16 December 2005, as reported by Awate.com. [50d]

Eritrean National Alliance (ENA)

Formerly **Alliance of Eritrean National Forces (AENF)** and founded in 1999. Changed name in 2002 – Grouping of 13 opposition organisations (including EIJ, EIS, ELF, and a number of ELF factions). Military wing aimed set up in 2003; Chairman Hiruy Tedla Bairu; Secretary General Husayn Khalifa. [1b] (p419), [59]

Eritrean People's Liberation Front Democratic Party (EPLF-DP)

The first opposition organisation to be created from the membership of the PFDJ that now rules Eritrea. Established at the end of 2001 with a statement on the Internet, the EPLF/DPA aims to protest at President Afewerki's authoritarian rule. It is believed that one of its founding members is the former Defence Minister, Mesfin Hagos. [1b] (p419)

People's Front for Democracy and Justice (PFDJ)

Founded 1970 as the Eritrean Popular Liberation Forces (EPLF); following a split in the Eritrean Liberation Front, renamed the Eritrean People's Liberation Front in 1977; adopted present name in February 1994. Christian and Muslim support; in May 1991 took control of Eritrea and formed provisional Government; formed transitional Government in May 1993; Chair Isaias Afewerki, President of Eritrea; Secretary General Alamin Mohamed Said. [1b] (p419)

Popular Liberation Forces

Breakaway faction from ELF which went on to form EPLF in 1977. [1b] (p402)

Red Sea Afar Democratic Organisation

Afar opposition group; Secretary General Amin Ahmmad. [1b] (p419)

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Annex C: Prominent People: Past and Present

Ahmed Nasser

Leader of ELF-RC until 2003. [1a] (p403)

In its sixth regular meeting in Addis Ababa (October 2003), the ENA had resolved and appointed a committee for a national conference chaired by Ahmed Nasser, who had recently abandoned his official position in ELF-RC and later joined the ENA without assessment of his past withdrawal from it.

Alamin Mohamed Said

Secretary-General of PFDJ. [1a] (p419)

Ali Sayyid Abdullah

Minister of Foreign Affairs (died 28 August 2005). [1a] (p418)

Amin Ahmmad

Secretary General of Red Sea Afar Democratic Organisation. [1a] (p419)

Berhane Abrehe

Minister of Finance. [1a] (p418)

Hamid Turkey

Leader of Democratic Movement for the Liberation of Eritrea. [1a] (p418)

Hassan Ali Assad

Leader of ELF-NC. [1a] (p419)

Hiruy Tedla Bairu

Leader of the ENA; replaced Abdallah Idris in January 2005. [59]

Issayas Afewerki

Secretary-General of EPLF, Chairman of PFDJ and President of Eritrea June 1993 to present. [1a] (p403 & 419)

Mesfin Hagos

Former Defence Minister, member of G-15 group of dissenters. Hagos escaped arrest in September 2001 by being out of the country. Leader of EPLF-DP. [1a] (p419)

Sebhat Ephrem

Minister of Defence. [1a] (p418)

Semere Kesete

Once President of Students' Union at University of Asmara. [8f]

Seyoum Ogbamichael

President of ELF-RC. [1a] (p419)

Sheikh Mohamed Arafa

Leader of ELJ. [1a] (p419)

* It is more usual for people in Ethiopia and Eritrea to be addressed by their first name. This is reflected in this list and at times in the text of this report.

THE G15/G11 POLITICAL PRISONERS

Ogbe Abraha

Army General; formerly Chief of Staff of the Defence Force, Minister of Trade and Industry, and Minister of Labour and Social Welfare; he has chronic asthma.

Aster Fissehatsion

Director in the Ministry of Labour and Social Affairs; executive member of the official National Union of Eritrean Women; EPLF official since 1977; former wife of Mahmoud Ahmed Sheriffo, also detained in September 2001; she has stomach ulcers.

Berhane Gebregziabeher

Army Major-General; head of the National Reserve Force; EPLF political bureau member since 1977.

Beraki Gebreselassie

Former Ambassador to Germany (to May 2001); previously Minister of Education and Minister of Information and Culture.

Hamad Hamid Hamad

Head of the Arabic (Middle East) Department in the Ministry of Foreign Affairs; former Ambassador to Sudan.

Saleh Kekiya

Former Minister of Transport and Communication, Vice-Minister of Foreign Affairs and Head of the Office of the President.

Germano Nati

Regional Administrator.

Estifanos Seyoum

Army Brigadier General; former Head of the Inland Revenue Service (to August 2001).

Mahmoud Ahmed Sheriffo

Former Vice-President (dismissed in February 2001), Minister of Local Government, and Minister of Foreign Affairs; EPLF co-founder.

Petros Solomon

Former Minister of Maritime Resources; previously Minister of Foreign Affairs, EPLF military commander and intelligence chief, EPLF political bureau member since 1977.

Haile Woldetensae (or Weldensae, also known as "Durue")

Former Minister of Trade and Industry (until July 2001); previously Minister of Foreign Affairs during the war and the peace talks, and also Minister of Finance; former EPLF head of political affairs and political bureau member since 1977; he is diabetic." [5d] (p6)

IMPRISONED JOURNALISTS

Zemenfes Haile

Ghebrehiwet Keleta

Selamyinghes Beyene

Hamid Mohammed Said

Saleh Ajezeeri Said Abdulkadir

Yosuf Mohamed Ali
Amanuel Asrat
Temesgen Gebreysus
Mattewos Habteab
Dawit Habtemichael
Medhanie Haile
Dawit Isaac
Seyoum Tsehay
Fessaye Yohannes

(Committee to Protect Journalists) [30]

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Annex D: List of Abbreviations

AI	Amnesty International
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CPJ	Committee to Protect Journalists
EU	European Union
EBRD	European Bank for Reconstruction and Development
FCO	Foreign and Commonwealth Office (UK)
FGM	Female Genital Mutilation
FH	Freedom House
GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
IAG	Illegal Armed Group
ICG	International Crisis Group
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
IMF	International Monetary Fund
IOM	International Organisation for Migration
MSF	Médecins sans Frontières
NA	Northern Alliance
NATO	North Atlantic Treaty Organisation
NGO	Non Governmental Organisation
OCHA	Office for the Coordination of Humanitarian Affairs
ODIHR	Office for Democratic Institutions and Human Rights
ODPR	Office for Displaced Persons and Refugees
OECD	Organisation of Economic Cooperation and Development
OHCHR	Office of the High Commissioner for Human Rights
OSCE	Organisation for Security and Cooperation in Europe
RSF	Reporteurs sans Frontières
STD	Sexually Transmitted Disease
STC	Save The Children
TB	Tuberculosis
TI	Transparency International
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
USSD	United States State Department
WFP	World Food Programme
WHO	World Health Organization

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Annex E: References to Source Material

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

Numbering of source documents is not always consecutive because some older sources have been removed in the course of updating this document. (If applicable)

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