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COI QUERY

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	2. <u>National service</u>
	3. Exit and return

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The target audience is caseworkers, COI researchers, policy makers, and decision making authorities. The answer was finalised on 19 April 2021. Any event taking place after this date is not included in this answer.



COI QUERY RESPONSE - ERITREA

Latest developments on political situation and national service between 1 January 2020 and 31 January 2021

The aim of this COI Query Response on Eritrea is to provide the latest developments on the political situation and national service in the country. The reporting period is from 1 January 2020 to 31 January 2021. Some of the selected topics below were previously addressed in detail in the <u>EASO COI Report – Eritrea</u>, <u>National service</u>, <u>exit in return</u>, <u>September 2019</u>. Whenever recent information on those selected topics could not be found, this will clearly be stated within the text of the query response and a cross-link to the relevant sections of the 2019 EASO Eritrea report will be provided.

1. Overview

1.1. Peace with Ethiopia

The Joint Declaration of Peace and Friendship between Eritrea and Ethiopia on 9 July 2018 gave an end to a border war between the two countries, that lasted 20 years, and the chain of events that followed aimed to normalise their relations. On 27 January 2020, the heads of state and government of Eritrea, Ethiopia and Somalia met in Asmara to discuss progress in their tripartite cooperation, as well as developments in the Horn of Africa region. A joint plan of action for 2020 was adopted aiming to consolidate peace, stability and security and promote economic and social development. For more detailed information on the peace with Ethiopia and development in Eritrea's foreign affairs between 2016 and 2019, see EASO COI Report - Eritrea, National service, exit in return, September 2019, Section 1.1.

Following the 2018 peace agreement, some positive steps towards the normalisation of relations have been noted, including the reopening of embassies, various high-level visits by the countries' leaders, the establishment of phone connections and of daily flights between Addis Abeba and Asmara.³ However, as of May 2020, the UN reported that 'progress towards full normalization of relations has been slow' and all the border crossing points remain closed on the Eritrean side.⁴ Trade routes also remain blocked and tension on the border is still present, as disputed areas remain heavily militarised.⁵

Moreover, tensions in Ethiopian Tigray regional state,⁶ bordering Eritrea, as well as unresolved animosity between Tigray and Eritrean leaders have been an ongoing problem and have led to an unsolved conflict.⁷ Since Eritrea's independence in 1993 there have been disputes in the specific area concerning the new international border between Ethiopia and Eritrea, which resulted into violent armed conflict between 1998 and 2000.⁸

¹Shabait, Joint Declaration of Peace and Friendship between Eritrea and Ethiopia, 9 July 20, <u>url</u>; CNN, People in Ethiopia are calling strangers in Eritrea as phone lines are opened after 20 years, 10 July 2, <u>url</u>; Reuters, Eritrea reopens embassy in Addis Ababa in fresh sign of thaw with Ethiopia, 16 July 201, <u>url</u>; Reuters, Ethiopia, Eritrea reopen border points for first time in 20 years, 11 September 2018, <u>url</u>

²Shabait, Head of State and Government meeting between Eritrea, Ethiopia and Somalia joint communique, 27 January 2020. url

³ISS, The Eritrea-Ethiopia peace deal is yet to show dividends, 11 September 2020, url

⁴UNHRC, Report of the Special Rapporteur on the situation of human rights in Eritrea, A/HRC/44/23, 11 May 2020, <u>url</u>, p.4 ⁵VOA, Since Ethiopia-Eritrea peace deal, little to show: Analysts, 16 September 2020, <u>url</u>

⁶UNHCR, Report of the Special Rapporteur on the situation of human rights in Eritrea, A/HRC/44/23, 11 May 2020, <u>url</u>, p.4 ⁷ ISS, The Eritrea-Ethiopia peace deal is yet to show dividends, 11 September 2020, <u>url</u>

⁸Ethiopia, Federal Democratic Republic of Ethiopia, Office of the Prime Minister, TPLF attacks Ethiopian National Defence Forces Base in Tigray, 4 November 2020, url; BBC, Tigray crisis: Eritrea's role in Ethiopian conflict, 28 December 2020, url

The town of Badme has long been one of the disputed border areas between Eritrea and Ethiopia. In 2002, the Eritrea-Ethiopia Boundary Commission (EEBC) decided that Badme should be part of Eritrea, however the decision was never implemented. In 2018, the leaders of the two countries committed to implement the EEBC decision, however the Tigray People's Liberation Front (TPLF), which also administered Badme, was reportedly not adequately consulted during the peace process.⁹

When Prime Minister of Ethiopia, Abiy Ahmed, declared a military offensive against Tigray region following an attack on an army base in the Tigray's capital, Mekelle, the conflict broke out in the area on multiple fronts and involving several different forces. ¹⁰ Eritrea was accused by TPLF of helping the Ethiopian government, and of sending soldiers in the area. UN and EU officials working in the region confirmed the presence of Eritrean troops in Tigray. TPLF reacted by conducting armed attacks against Eritrea. ¹¹ Several other sources indicate Eritrea's involvement in the conflict. ¹² At least two million people have been displaced by the conflict and more than 60 000 people have fled to Sudan as of mid-February 2021. ¹³ In the first three months of 2020, already before the crisis in Tigray, 9 463 Eritreans asylum seekers had fled to Ethiopia. ¹⁴

For more detailed information regarding the situation in Tigray Region, see <u>EASO COI Query</u> Response, Ethiopia - Security situation in Tigray region between 1 March 2020 – 28 February 2021, 30 March 2021.

1.2. Internal affairs

In February 2020, Eritrea participated to the 75th Session of the Committee on the Elimination of Discrimination against Women and to the 43rd session of the Human Rights Council.¹⁵

Human Rights Watch reports that during 2020 'Eritrea's government remains one of the world's most repressive'. ¹⁶ Reporters Without Borders 2020 Index, classifies Eritrea as the only country in Africa where the journalists are treated harshly. ¹⁷ The UN Special Rapporteur monitors 'severe restrictions on civil liberties and religious communities [...], while independent human rights defenders and independent journalists cannot work freely in the country'. ¹⁸

As of May 2020, the UN reported:

The Special Rapporteur remains concerned about the use of the practices of indefinite and arbitrary detention and enforced disappearance to suppress dissent, punish perceived opponents and restrict civil liberties. These practices significantly undermine progress in the rule of law. Scores of individuals continue to disappear in the Eritrean prison system. Basic due process rights are not guaranteed for all persons in custody, as many are not allowed

⁹ ISS, The Eritrea-Ethiopia peace deal is yet to show dividends, 11 September 2020, <u>url</u>

 $^{^{10}}$ BBC, Ethiopia's Tigray crisis: a rare view inside the conflict zone, 20 March 2021, $\underline{\text{url}}$

 $^{^{11}\}text{RULAC},$ A non-international armed conflict in Ethiopia's Tigray region, 21 January 2021, $\underline{\text{url}}$

¹²Guardian (The), Diplomats back claims Eritrean troops have joined Ethiopia conflict, 8 December 2020, <u>url</u>; Telegraph (The) Eritrea's brutal shadow war in Ethiopia laid bare, Eritrea's brutal shadow war in Ethiopia laid bare, 8 January 2021, <u>url</u>; Theafricareport, Eritrea's involvement in Ethiopia's Tigray conflict 'is a tragic but explainable option', 21 January 2021, <u>url</u>

¹³ BBC, Ethiopia and Eritrea peace agreement, 18 February 2021, url

¹⁴ UNCHR, Eritrean refuges in Ethiopia: Tigray and Afar regions: Situational Update (as of 30 April 2020), 26 May 2020, <u>url</u>
¹⁵UNHRC, Human Rights Situation in Eritrea, Report of the Special Rapporteur on the situation of human rights in Eritrea,

¹¹ May 2020, url, p.3

¹⁶HRW, World Report 2021: Eritrea, Events of 2020, 13 January 2021, url

¹⁷RSF, 2020 RSF Index: Future of African journalism under threat from all sides, n.d., url

¹⁸UN Meetings Coverage and Press Release, Independent Experts Denounce Rights Violations in Occupied Palestinian Territory, Iran, Eritrea as Third Committee Delegates Split over Questions of Bias, 26 October 2020, <u>url</u>

access to legal counsel, judicial review, family visits or medical attention. As described in the present report, during the reporting period, the Special Rapporteur received numerous reports of arbitrary arrests that targeted, among others, practitioners of various religious congregations, persons suspected of opposing the Government, and members of marginalized ethnic communities. In one incident in late November, security forces reportedly arrested at least 20 Muslim men in Mendefera and in neighbouring localities. Those arrested included local businessmen, religious teachers and community leaders. Many of these men remain unaccounted for, and the reasons for the arrests are not known.' 19

According to the USDOS report, during 2020, the conditions of the prisons were harsh resulting in health problems and sometimes in death.²⁰ Furthermore, the COVID-19 pandemic has exacerbated problems regarding the prison conditions in the country. Amnesty International describes unsanitary and overcrowded conditions of detainees, who are denied access to toilets and shower resulting in their exposure to COVID-19 and other infectious diseases.²¹

The USDOS Country Report on Human Rights Practises in Eritrea, covering the year 2020, recorded various violation on human rights, such as:

'Unlawful and arbitrary killings, forced disappearance; torture; and arbitrary detention, all committed by the government; harsh and life-threatening prison and detention center conditions; political prisoners; serious problems with judicial independence; arbitrary or unlawful interference with privacy; the worst forms of restrictions on free expression and the press, including censorship and the existence of criminal libel laws; substantial interference with the rights of peaceful assembly and freedom of association; severe restrictions on religious freedom; widespread restrictions on freedom of movement; inability of citizens to change their government peacefully through free and fair elections; restrictions on political participation; trafficking in persons; criminalization of consensual same-sex sexual conduct; and the worst forms of child labor'.²²

Christian Solidarity Worldwide reports the release of 27 Christian prisoners, who were held without charge or trial, on the 4 and 8 September 2020.²³ Furthermore, the Special Rapporteur on Human Rights in Eritrea, Daniela Kravetz, reports the release of a group of Muslims in August.²⁴

For more information on Eritrea's Internal Affairs between 2016-2019, please consult <u>EASO COI</u> report – Eritrea National Service, exit, and return, September 2019, Section 1.2.

2. National service

2.1. Recent developments

Despite the expectations of reforms in the national service system, which were raised after the peace declaration with Ethiopia on 9 July 2018, Eritrean Government didn't take any steps to limit the infinite duration of the national military service²⁵, which was established in 1998 due to the

¹⁹UNHRC, Human Rights Situation in Eritrea, Report of the Special Rapporteur on the situation of human rights in Eritrea, 11 May 2020, url, p. 6

²⁰USDOS, 2020 Country report on Human Rights, 20 March 2021, url

²¹Al, Eritrea: Detainees in overcrowded and unsanitary conditions defenceless against COVID-19, 21 May 2020, url

²²USDOS, 2020 Country report on Human Rights, 20 March 2021, url

²³CSW, Conditional release of 27 Christian prisoners, 11 September 2020, <u>url</u>

²⁴UN Meetings Coverage and Press Release, Independent Experts Denounce Rights Violations in Occupied Palestinian Territory, Iran, Eritrea as Third Committee Delegates Split over Questions of Bias, 26 October 2020, url

²⁵HRW, World Report 2021: Eritrea Events of 2020, 13 January 2021, <u>url</u>; UNHRC, Report of the Special Rapporteur on the situation of human rights in Eritrea, 11 May 2020, <u>url</u>, p. 7

country's border war with Ethiopia.²⁶ According to the UN Special Rapporteur no indication has been found till May 2020 of a reduction in the duration of the military service for those who have already served more than 18 months.²⁷ This is also confirmed by a 2020 USDOS report which indicates that the government has not rescinded the emergency rule and in some cases the extension of the duration of national service reached more than 20 years.²⁸ There were also no indications of improvement in military service conditions regarding salaries and new renumeration scheme, as it was announced by the Eritrean authorities in the twenty-fifth anniversary of the Sawa military camp in 2019.²⁹

According to the USDOS report covering April 2019 to March 2020, Eritrea's government 'continued to subject its nationals to forced labor in its compulsory national service and citizen militia'.³⁰ Secondary school students who wish to take entrance exams for institutions of higher education must complete their final year of high school at the government's Sawa National Training and Education Centre and a four-month military training program at Sawa.³¹ Round-ups by Eritrean authorities of young people for forced recruitment were reported in and around Asmara in January and February 2020.³² During the first week of September 2020 videos and photographs on social media showed buses in Eritrea's capital, Asmara, crowded with students, as they were sent off to a military training camp in the west part of the country. Human Rights Watch noted that the students were sent amid a lockdown, without wearing masks and despite the strict movement restrictions imposed by the government.³³ These students will have to complete their final year of education in the military camp and will be forced to take part in military training.³⁴ During their service, trainees often face abuse and they are channelled into the indefinite national service.³⁵

According to Laetitia Bader, Director of Human Rights Watch in Horn of Africa, 'Eritrea' s Government continues to severely restrict its population's fundamental rights. It refuses to reform its uniquely abusive indefinite national service system'.³⁶

For more information regarding the national service in Eritrea, see the <u>EASO COI Report – Eritrea</u>, <u>National service</u>, <u>exit in return</u>, <u>September 2019</u>, Chapter 2.

2.2. Exemptions

The UN reported that there was no indication of any changes regarding exemptions from conscription, as of May 2020. In April 2020, due the Covid-19 pandemic, several international appeals were made to the Eritrean authorities to exempt students from the training and allow them to return home in order to prevent the spread of the disease. Eritrean authorities did not heed the appeals.³⁷

No further information on exemptions within the reference period could be found within the time constraint of this COI query response. For detailed information in this topic, see <u>EASO COI Report – Eritrea</u>, National service, exit in return, September 2019, Section 2.3.3.

²⁶Norway, Landinfo, Eritrea: National Service, 20 May 2016, <u>url</u>, p. 10; Eritrea: Proclamation on National Service No. 82/1995, 23 October 1995, <u>url</u>, Art. 21

²⁷UNHCR, Report of the Special Rapporteur on the situation of human rights in Eritrea, 11 May 2020, url, p. 7

²⁸USDOS, 2020 Country report on Human Rights Practices: Eritrea, 30 March 2021, url

 $^{^{29}}$ UNHCR, Report of the Special Rapporteur on the situation of human rights in Eritrea, A/HRC/44/23, 11 May 2020, <u>url</u>, p. 7

³⁰USDOS, 2020 trafficking in persons report: Eritrea, 25 June 2020, url

³¹USDOS, 2020 Country reports on Human Rights Practices: Eritrea, 30 March 2021, url

³²UNHCR, Report of the Special Rapporteur on the situation of human rights in Eritrea, A/HRC/44/23, 11 May 2020, url p. 8

³³HRW, Eritrea busses thousands students to military camp, 11 September 2020, url

³⁴UN OHCHR, Statement of the Special Rapporteur on the situation of human in Eritrea, 26 October 2020, <u>url</u>

³⁵HRW, Eritrea: Lack of rights reforms highlight ongoing need for mandate renewal, 30 June 2020, url

³⁶HRW, African union shouldn't endorse Eritrea for UN rights body, 26 February 2021, url

³⁷UNHCR, Report of the Special Rapporteur on the situation of human rights in Eritrea, A/HRC/44/23, 11 May 2020, url, p.7

2.3. Treatment of conscripts

According to the USDOS report covering the year 2020, the law foresees that the person's capacity and profession will be taken into consideration for assignment to a job category, however this was not always applied in practice. Also, there is no provision for alternative service for conscientious objectors. In some cases, conscripts were forced to serve indefinitely in national service under threats of detention, torture, or punishment of their families.³⁸ According to the 2021 Human Rights Watch World Report, the Eritrean Government continued to conscript Eritreans in the national service in 2020 with low salaries and without giving them the right to choose their profession or their work location. During their service, 'conscripts are often subjected to inhuman and degrading punishment, including torture without recourse'.³⁹

The USDOS noted that in, some cases, the mandatory national service amounted to a form of forced labour. Some of the tasks performed by conscripts include standard patrols, border monitoring and labour, such as agricultural terracing, planting, road maintenance, hotel work, teaching, construction, and laying power lines. Also, many conscripts were working in office jobs in government ministries, agencies, and state-owned enterprises. There were reports that some conscripts received no overtime payment, despite they were asked to additionally perform manual labour on national service projects unrelated to their assignment. Even people who were demobilised, such as the elderly, and persons otherwise exempted from military service, were required by Eritrean authorities to attend civilian militia training and carry firearms, while failure to participate could result in detention. Militia duties mostly involved security-related activities, such as airport or neighborhood patrolling and militia training involved occasional marches and listening to patriotic lectures.⁴⁰

The UN Special Rapporteur on the situation of human rights in Eritrea raised concerns on the conditions in the Sawa military camp and their impact on the right to education. It is reported that approximately 60 to 65 per cent of students at Sawa are not provided with the proper qualifications needed for further studies and are either drafted directly into military service or sent to vocational training programmes. It is also alleged that students in Sawa are subjected to ill-treatment and harsh punishments by military officials, including corporal punishment, and students undertake forced labour.⁴¹

For more information regarding the treatment of conscripts, see <u>EASO COI Report – Eritrea, National service</u>, exit in return, September 2019, Section 2.6.

2.4. Situation of women in military

The UN Committee on the Elimination of Discrimination against Women declared that, despite the commitment of the Eritrean authorities to reducing the national service to 18 months and the recent signing of the peace agreement with Ethiopia, the duration the national service remains indefinite. The Committee also expressed its deep concerns about the serious impact of mandatory national service on women's rights. Specifically, 'the Committee remains concerned that:

- '(a) Women and girls continue to be forcibly recruited into national service for an indefinite period without formal pay, under conditions amounting to forced labour;
- (b) Women performing national service continue to be victims of sexual violence, including rape, committed with impunity by male officers and recruits;
- (c) The compulsory nature of national service has detrimental effects on women and girls,

³⁸USDOS, 2020 Country reports on Human Rights Practices: Eritrea, 30 March 2021, <u>url</u>

³⁹ HRWR, World Report 2021: Eritrea Events of 2020, 13 January 2021, url

⁴⁰USDOS, 2020 Country reports on Human Rights Practices: Eritrea, 30 March 2021, <u>url</u>

⁴¹UNHCR, Statement of the Special Rapporteur on the situation of human rights situation in Eritrea, 24 February 2021, <u>url</u>

who seek to avoid recruitment by dropping out of school, becoming pregnant, entering into child marriage or fleeing the country;

- (d) Women and girls attempting to leave the country are often shot at the border or fall into the hands of traffickers and smugglers who frequently subject them to gender-based violence, including torture and summary executions, and to arbitrary deprivation of liberty;
- (e) The requirement of completion of national service for the acquisition of nationality unduly constrains the possibility for women to enjoy full access to economic and social rights, including the right to employment and the right to access to land'. ⁴²

Also, according to the 2021 HRW World Report, female students have reported sexual harassment and exploitation during their training in Sawa camps.⁴³

For more information on the situation of women in military, see the <u>EASO COI Report – Eritrea</u>, <u>National service</u>, <u>exit in return</u>, <u>September 2019</u>, Section 2.6.3.

2.5. Treatment of deserters and draft evaders, including family members

According to the USDOS Report on human rights practices in Eritrea, an unknown number of persons disappeared during 2020 and among them there were persons suspected as evaders of national service and militia duties. An unknown number of detainees suspected of not completing national service or evading militia duty is still being hold without charge or trial. Former detainees held for evading national service and militia duties, as well as other sources, reported harsh detention conditions in police stations and in prisons. Suspicion of intention to evade national and militia service has been one of the reasons why security force personnel detained individuals. There were cases where people were arrested for not having paper in order; they were detained until they were able to provide evidence of their militia status or demobilisation from national service. Also, on some occasions, children alleged to be attempting to evade compulsory national service faced identity checks and imprisonment.⁴⁴

For more information on this topic, see the <u>EASO COI Report – Eritrea, National service, exit in</u> return, September 2019, Sections 2.7 and 2.7.1.⁴⁵

3. Exit and return

The USDOS report covering the year 2020 stated that 'Eritrean law provides freedom of internal movement, foreign travel, emigration, and repatriation, but the government restricted all these rights'. Similarly, Amensty International stated that during 2020 'the right to leave the country remained severely restricted and people were prevented from travelling abroad without government permission.'

In particular, the citizens must inform the local authorities when they change residence and provide justification, at the checkpoints, for any internal movement. For the noncitizens, the Eritrean government requires a 10-day in advance request for travelling 25 kilometers outside Asmara.⁴⁸ Travelling outside Eritrea faces various restrictions as the government requires citizens of Eritrea⁴⁹ to obtain exit visas but as the USDOS report states 'requirements for obtaining passports and exit visas

⁴²UN CEDAW, Concluding observations on the sixth periodic report of Eritrea, CEDAW/C/ERI/CO/6, 10 March 2020 <u>url</u> p. 3

⁴³HRW, World Report 2021: Eritrea Events of 2020, 13 January 2021, url

⁴⁴USDOS, 2020 Country reports on Human Rights Practices: Eritrea, 30 March 2021, url

⁴⁵EASO, Eritrea National service, exit and return, September 2019, <u>url</u>, pp. 40-41

⁴⁶USDOS, 2020 Country reports on Human Rights Practices: Eritrea, 30 March 2021, <u>url</u>

⁴⁷ Al, Amnesty International Report 2020/2021, The State of the Wold's Human Rights, 7 April 2021, url, p. 155

⁴⁸USDOS, 2020 Country reports on Human Rights Practices: Eritrea, 30 March 2021, url

⁴⁹Including citizens with dual nationality. See Eritrea, Consulate of The State of Eritrea (Melbourne-Australia), Information on Visas, n.d., <u>url</u>

were inconsistent and nontransparent'. 50 The same report informs that 'all the land borders are close preventing legal overland travel'. 51

According to the website of the Eritrean Consulate in Australia, for Eritrean people leaving aboard and who hold an Eritrean National ID card, an entry visa is not necessary, but an exit visa is required.⁵² Other types of visas are: tourist visa (for non-holders of Eritrean ID), family visit visa (for Eritrean and non-Eritrean Origin and wish to visit family or friends in Eritrea), business employment visa and official visa.⁵³

Although Eritrean citizen residing abroad have in general the right to return to the country, during 2020, they 'had to show proof they paid the two percent tax on foreign earned income to the Ministry of Foreign Affairs to be eligible for some future government services and documents, including exit permits, birth or marriage certificates, passport renewals, and real estate transactions. The government enforced this requirement inconsistently.' In addition, the USDOS stated that the Eritrean government in some cases 'denied passports or exit visas to students and faculty who wanted to study or do research abroad'.⁵⁴

The most important non-permanent measures adopted during 2020 are related to the COVID-19 situation. The Government of Eritrea implemented various guidelines⁵⁵ regarding border crossing and these are changing accordingly. The International Airport in Asmara is closed until further notice.⁵⁶

Among all sources consulted and within the time constraint of this COI Query Response, no further information could be found on this topic for the specific time frame. For detailed information on exit and return procedures and practices in Eritrea between 2016 and 2019, see the EASO COI Report - Eritrea, National service, exit in return, September 2019, Chapters 3 and 4.

3.1. Treatment of persons crossing the border illegally

Among all sources consulted and within the time constraint of this COI Query Response, no information could be found on this topic for the specific time frame. For detailed information on the treatment of persons crossing the border illegally between 2016 and 2019, see the <u>EASO COI Report – Eritrea</u>, <u>National service</u>, <u>exit in return</u>, <u>September 2019</u>, Chapters 3 and 4.

3.2. Treatment of returnees

An Euronews article states that any Eritrean person who left the country, upon their arrival, are forced to sign a form and admit their regret for leaving the country and 'committed an offense by not completing the national service' and that 'are ready to accept appropriate punishment in due course'.⁵⁷

Among all sources consulted and within the time constraint of this COI Query Response, no further information could be found on this topic for the specific time frame. For detailed information on treatment of returnees between 2016 and 2019, see the <u>EASO COI Report – Eritrea, National service, exit in return, September 2019</u>, Chapter 4.

⁵⁰USDOS, 2020 Country reports on Human Rights Practices: Eritrea, 30 March 2021, url

⁵¹USDOS, 2020 Country reports on Human Rights Practices: Eritrea, 30 March 2021, url

⁵²Eritrea, Consulate of The State of Eritrea (Melbourne-Australia), Information on Visas, n.d., url

⁵³Eritrea, Consulate of The State of Eritrea (Melbourne-Australia), Information on Visas, n.d., url

⁵⁴ USDOS, 2020 Country reports on Human Rights Practices: Eritrea, 30 March 2021, url

⁵⁵Eritrea, Ministry of Information, Guidelines from the High Level Task Force on Covid-19, 21 December 2020, <u>url</u>

⁵⁶Ireland, Department of Foreign Affairs, Eritrea, last updated: 19 November 2020, still current at 30 March 2021, url

⁵⁷ Euronews, Eritrean migrants in Libya claim EU-backed voluntary returns programme isn't so voluntary, 21 June 2020, url

3.3. Treatment of Eritrean returnees from Tigray region

On 4 November 2020, the conflict on Tigray region erupted. The UN Special Rapporteur who monitors the situation in Tigray region describes the situation for Eritrean refugees and asylum seekers as 'precarious and worrisome'.⁵⁸ For more information on the security situation in Tigray region, see the aforementioned <u>EASO COI Query</u> Response.

According to the UN Special Rapporteur, 96 000 Eritrean refugees were living in four camps (Hitsasts, Mai- Aini, Adi Harush, Shemelba)⁵⁹ before the fights of November 2020. During those fights, two camps were destroyed and 20 000 Eritrean refugees went missing.⁶⁰ The UN Special Rapporteur reports 'allegations of grave human rights and humanitarian law violations' for the Eritrean refugees in Tigray region,⁶¹ stating that he received reports on forced return of Eritrean refugees and asylum seekers by the Eritrean troops and their imprisonment in Eritrea.⁶² The USDOS 2020 report mentions 'unlawful and arbitrary killings in Tigray' by Eritrean soldiers who also engaged in 'forced disappearances and forced repatriation of Eritrean refugees from Tigray'.⁶³

Refugees International also monitored the forced return of Eritrean refugees by the Eritrean troops. According to the organisation, the Eritrean refugees upon their forced return to Eritrea are in danger of 'the ongoing threat of persecution'.⁶⁴

The UN High Commissioner for Refugees, Filippo Grandi also reported human rights abuses, killings, targeted abductions and forced return of refugees to Eritrea.⁶⁵ In December 2020, the UN said they were alarmed by the treatment of Eritrean refugees.⁶⁶ During the same month, Reuters reported that Eritrean refugees feared they would be taken back to Eritrea by bus, instead of being taken to Tigray as they were told by the Ethiopian government.⁶⁷

Information on Eritrea is limited due to the limited access by international media and actors.⁶⁸ Reuters news agency confirms that 'Reports from all sides are difficult to verify since the government has largely sealed off Tigray from media and foreign aid workers. Telecommunications in many areas are not working'.⁶⁹

 $^{^{58}}$ UNHCR, Statement of the Special Rapporteur on the situation of human rights situation in Eritrea, 24 February 2021, $\underline{\text{url}}$

⁵⁹UNHCR, Statement of the Special Rapporteur on the situation of human rights situation in Eritrea, 24 February 2021, <u>url</u>

⁶⁰Al Jazeera, Ethiopia: UN says 20,000 refugees missing in Tigray, 2 February 2021, url

⁶¹UNHCR, Statement of the Special Rapporteur on the situation of human rights situation in Eritrea, 24 February 2021, url

⁶²UNHCR, Statement of the Special Rapporteur on the situation of human rights situation in Eritrea, 24 February 2021, url

⁶³USDOS, 2020 Country reports on Human Rights Practices: Eritrea, 30 March 2021, url

⁶⁴ Refugees International, Reports of Forcible Return of Eritrean Refugees in Ethiopia Cause for Alarm, 16 December 2020, url

⁶⁵UNHCR, Statement attributable to the UN High Commissioner for Refugees Filippo Grandi on the situation of Eritrean refugees in Ethiopia's Tigray region, 14 January 2021, <u>url</u>

⁶⁶BBC, Ethiopia's Tigray crisis: UN 'alarmed' by treatment of Eritrean refugees, 11 December 2020, url

⁶⁷ Reuters, Ethiopia returning Eritrean refugees to Tigray camp; U.N. concerned over move, 11 December 2020, url

⁶⁸HRW, World Report 2021: Eritrea, Events of 2020, 13 January 2021, url

⁶⁹Al Jazeera, Ethiopia: UN says 20,000 refugees missing in Tigray, 2 February 2021, url

SOURCES USED

Al (Amnesty International), Eritrea: Detainees in overcrowded and unsanitary conditions defenceless against COVID-19, 21 May 2020, https://www.amnesty.org/en/latest/news/2020/05/eritrea-detainees-in-overcrowded-and-unsanitary-conditions-defenceless-against-covid19/, accessed 4 April 2021

Al Jazeera, Ethiopia: UN says 20,000 refugees missing in Tigray, 2 February 2021, https://www.aljazeera.com/news/2021/2/2/ethiopia-un-says-20000-refugees-missing-in-tigray, accessed 2 April 2021

BBC, Ethiopia 'accepts peace deal' to end Eritrea border war, 5 June 2018, www.bbc.com/news/world-africa-44376298, accessed 23 March 2021

BBC, Ethiopia's Tigray crisis: a rare view inside the conflict zone, 20 March 2021, https://www.bbc.com/news/world-africa-56456793, accessed 23 March 2021

BBC, Ethiopia and Eritrea peace agreement, 18 February 2021, https://www.bbc.com/news/topics/cen5x5l99w1t/ethiopia-and-eritrea-peace-agreement, accessed 24 March 2021

BBC, Tigray crisis: Eritrea's role in Ethiopian conflict, 28 December 2020, https://www.bbc.com/news/world-africa-55295650, accessed 29 March 2021

CNN, People in Ethiopia are calling strangers in Eritrea as phone lines are opened after 20 years, 10 July 2, https://edition.cnn.com/2018/07/10/africa/ethiopia-eritrea-phone-lines-open/index.html, accessed 23 March 2021

CSW (Christian Solidarity Worldwide), Conditional release of 27 Christian prisoners, 11 September 2020, https://www.csw.org.uk/2020/09/11/press/4799/article.htm, accessed 3 April 2021Eritrea, Consulate Of The State of Eritrea (Melbourne-Australia), Information on Visas, n.d., http://ericon.org.au/services/visa/, accessed 5 April 2021

CSW (Christian Solidarity Worldwide), Conditional release of 27 Christian prisoners, 11 September 2020, https://www.csw.org.uk/2020/09/11/press/4799/article.htm, accessed 3 April 2021

Ireland, Department of Foreign Affairs, Eritrea, last updated: 19 November 2020, still current at 30 March 2021, https://www.dfa.ie/travel/travel-advice/a-z-list-of-countries/eritrea/, accessed 2 April 2021

Eritrea, Ministry of Information, Guidelines from the High Level Task Force on Covid-19, 21 December 2020, https://shabait.com/2020/12/21/guidelines-from-the-high-level-task-force-on-covid-19-5/, accessed 3 April 2021

Eritrea: Proclamation on National Service No. 82/1995, 23 October 1995, , Art. 21, available at https://www.refworld.org/docid/3dd8d3af4.html, accessed 24 March 2021

Ethiopia, Federal Democratic Republic of Ethiopia, Office of the Prime Minister, TPLF attacks Ethiopian National Defence Forces Base in Tigray, 4 November 2020, https://www.pmo.gov.et/media/documents/November 4 Press Release .pdf, 29 March 2021

Euronews, Eritrean migrants in Libya claim EU-backed voluntary returns programme isn't so voluntary, 21 June 2020, https://www.euronews.com/2020/06/20/eritrean-migrants-in-libya-claim-eu-backed-voluntary-returns-programme-isn-t-so-voluntary, accessed 2 April 2021

Guardian (The), Diplomats back claims Eritrean troops have joined Ethiopia conflict, 8 December 2020, https://www.theguardian.com/world/2020/dec/08/diplomats-back-claims-eritrean-troops-have-joined-ethiopia-conflict, accessed 2 April 2021

HRW (Human Rights Watch), Eritrea busses thousands students to military camp, 11 September 2020, https://www.hrw.org/news/2020/09/11/eritrea-busses-thousands-students-military-camp, accessed 26 March 2021

HRW (Human Rights Watch), Eritrea: Lack of rights reforms highlight ongoing need for mandate renewal, 30 June 2020, https://www.hrw.org/news/2020/06/30/eritrea-lack-rights-reforms-highlight-ongoing-need-mandate-renewal, accessed 26 March 2021

HRW (Human Rights Watch), African union shouldn't endorse Eritrea for UN rights body, 26 February 2021, https://www.hrw.org/news/2021/02/26/african-union-shouldnt-endorse-eritrea-un-rights-body, accessed 29 March 2021

HRW (Human Rights Watch), World Report 2021: Eritrea Events of 2020, 13 January 2021, https://www.hrw.org/world-report/2021/country-chapters/eritrea#f6db14, accessed 24 March 2021

Ireland, Department of Foreign Affairs, Eritrea, last updated: 19 November 2020, still current at 30 March 2021, https://www.dfa.ie/travel/travel-advice/a-z-list-of-countries/eritrea/, accessed 2 April 2021

ISS (Institute for Security Studies), The Eritrea-Ethiopia peace deal is yet to show dividends, 11 September 2020, https://issafrica.org/iss-today/the-eritrea-ethiopia-peace-deal-is-yet-to-show-dividends, accessed 23 March 2021

Norway, Landinfo, Eritrea: National Service, 20 May 2016, https://landinfo.no/wp-content/uploads/2018/03/Eritrea-national-service.pdf, accessed 24 March 2021

RI (Refugees International), Reports of Forcible Return of Eritrean Refugees in Ethiopia Cause for Alarm, 16 December 2020, https://www.refugeesinternational.org/reports/2020/12/16/reports-of-forcible-return-of-eritrean-refugees-in-ethiopia-cause-for-alarm, accessed 2 April 2021

Reuters, Ethiopia, Eritrea reopen border points for first time in 20 years, 11 September 2018, https://www.reuters.com/article/idUSKCN1LR0FX, accessed 23 March 2021

Reuters, Eritrea reopens embassy in Addis Ababa in fresh sign of thaw with Ethiopia, 16 July 201, https://www.reuters.com/article/us-ethiopia-eritrea/eritrea-reopens-embassy-in-addis-ababa-in-fresh-sign-of-thaw-with-ethiopia-idUSKBN1K60NO, accessed 23 March 2021

Reuters, Ethiopia, Eritrea sign 'joint declaration of peace and friendship' in Asmara, 9 July 2018, https://www.reuters.com/article/idUSKBN1JZ112, accessed 30/3/2021

Reuters, Ethiopia returning Eritrean refugees to Tigray camp; U.N. concerned over move, 11 December 2020, https://www.reuters.com/article/ethiopia-conflict-idUSKBN28L0XC, accessed 2 April 2021

RULAC, A non-international armed conflict in Ethiopia's Tigray region, 21 January 2021, https://www.rulac.org/news/a-non-international-armed-conflict-in-ethiopias-tigray-region, accessed 29 March 2021

Shabait, Head of State and Government meeting between Eritrea, Ethiopia and Somalia joint communique, 27 January 2020, https://shabait.com/2020/01/27/heads-of-state-and-government-meeting-between-eritrea-ethiopia-and-somalia-joint-communique/, accessed 26 March 2021

Shabait, Joint Declaration of Peace and Friendship between Eritrea and Ethiopia, 9 July 2018, https://shabait.com/2018/07/09/joint-declaration-of-peace-and-friendship-between-eritrea-and-ethiopia/, accessed 23 March 2021

Telegraph (The) Eritrea's brutal shadow war in Ethiopia laid bare, Eritrea's brutal shadow war in Ethiopia laid bare, 8 January 2021, https://www.telegraph.co.uk/global-health/climate-and-people/eritreas-shadow-war-ethiopia-laid-bare-amid-accusations-eritrean/, accessed 2 April 2021

Theafricareport, Eritrea's involvement in Ethiopia's Tigray conflict 'is a tragic but explainable option', 21 January 2021, https://www.theafricareport.com/60435/eritreas-involvement-in-ethiopias-tigray-conflict-is-a-tragic-but-explainable-option/, accessed 2 April 2021

UN CEDAW (United Nations Convention on the Elimination of all forms of Discrimination Against Women), Concluding observations on the sixth periodic report of Eritrea, CEDAW/C/ERI/CO/6, 10 March 2020, https://undocs.org/en/CEDAW/C/ERI/CO/6, accessed 29 march 2021

UNHCR (United Nation High Commissioner for Refugees), Eritrean refugees in Ethiopia: Tigray and Afar regions: Situational Update (as of 30 April 2020), 26 May 2020, https://reliefweb.int/report/ethiopia/eritrean-refugees-ethiopia-tigray-afar-regions-situational-update-30-april-2020, accessed 23 March 2021

UNHCR (United Nations High Commissioner for Refugees), Statement attributable to the UN High Commissioner for Refugees Filippo Grandi on the situation of Eritrean refugees in Ethiopia's Tigray region, 14 January 2021, https://www.unhcr.org/news/press/2021/1/600052064/statement-attributable-un-high-commissioner-refugees-filippo-grandi-situation.html, accessed 2 April 2021

UN HRC (United Nations Human Rights Council), Human Rights Situation in Eritrea, Report of the Special Rapporteur on the situation of human rights in Eritrea, A/HRC/44/23, 11 May 2020, https://www.ecoi.net/en/file/local/2032537/A HRC 44 23 E.pdf, accessed 30 March 2021

UN OHCHR (United Nations Human Rights Office of the High Commissioner), Statement of the Special Rapporteur on the situation of human in Eritrea, 26 October 2020, https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26439&LangID=E, accesses 29 March 2021

UN HRC (United Nations Human Rights Council), Statement of the Special Rapporteur on the situation of human rights situation in Eritrea, 24 February 2021, https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26795&LangID=E, accessed 3 April 2021

UN Meetings Coverage and Press Release, Independent Experts Denounce Rights Violations in Occupied Palestinian Territory, Iran, Eritrea as Third Committee Delegates Split over Questions of Bias, GA/SHC/4302, 26 October 2020, https://www.un.org/press/en/2020/gashc4302.doc.htm, accessed 9 April 2021

USDOS (US Department of State), 2020 trafficking in persons report: Eritrea, 25 June 2020, https://www.state.gov/reports/2020-trafficking-in-persons-report/eritrea/, accessed 29 March 2021

USDOS (US Department of State), 2020 Country reports on Human Rights Practices: Eritrea, 30 March 2021, https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/eritrea/, accessed 7 March 2021

VOA (Voice of America), Since Ethiopia-Eritrea peace deal, little to show: Analysts, 16 September 2020, https://www.voanews.com/africa/ethiopia-eritrea-peace-deal-little-show-analysts, accessed 23 March 2021

SOURCES CONSULTED

EASO (European Asylum Support Office), Eritrea National service, exit and return, September 2019, https://coi.easo.europa.eu/administration/easo/PLib/2019_EASO_COI_Eritrea_National_service_exit_and_return.pdf

Al Jazeera, Eritrea, Tigray and Ethiopia's brewing civil war, 8 November 2020, https://www.aljazeera.com/news/2020/11/8/fears-on-eritreas-secret-role-in-ethiopias-brewing-civil-war, accessed 2 April 2021

Al Jazeera, Concern grows for safety of Eritrean refugees as Tigray war rages, 21 November 2020, https://www.aljazeera.com/news/2020/11/21/concern-grows-for-safety-of-eritrean-refugees-as-tigray-war-rages, accessed 2 April 2021

Reuters, Ethiopia closes camps housing Eritrean refugees in Tigray after reports of attacks, 12 February 2021, https://www.reuters.com/article/uk-ethiopia-conflict-idUSKBN2ACONG, accessed 2 April 2021

UK, GOV.UK., Foreign Travel Advice, Eritrea, updated on 25 February 2021, still current on 5 April 2021, https://www.gov.uk/foreign-travel-advice/eritrea, accessed 5 April 2021

US Embassy in Eritrea, Announcement from the Eritrean Government on Clarification of COVID-19 Guidelines, 26 December 2020, https://er.usembassy.gov/december-26-announcement-from-the-eritrean-government-on-clarification-of-covid-19-guidelines/, accessed 2 April 2021

VOA (Voice of America), UN Investigator Probes Alleged Forced Return of Eritrean Refugees from Ethiopia, 21 February 2021, https://www.voanews.com/africa/un-investigator-probes-alleged-forced-return-eritrean-refugees-ethiopia, accessed 2 April 2021

