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COUNTRY OF ORIGIN INFORMATION REPORT

ERITREA

8 JUNE 2010

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- Annex B - Political organisations**
- Annex C - Prominent people: past and present**
- Annex D - List of abbreviations**
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Preface

- i This Country of Origin Information Report (COI Report) has been produced by COI Service, United Kingdom Border Agency (UKBA), 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. The main body of the report includes information available up to 8 June 2010. The report was issued on 8 June 2010.
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA 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 a compilation of extracts 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 UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject 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 compilation of extracts 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 COI Service upon request.
- ix COI Reports are published regularly on the top 20 asylum intake countries. COI Key Documents are produced on lower asylum intake countries according to operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service 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 UKBA as below.

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INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's country of origin information material. The IAGCI welcomes feedback on UKBA's COI Reports, COI Key Documents and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://www.ociukba.homeoffice.gov.uk>
- xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at <http://www.ociukba.homeoffice.gov.uk/>
- xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group'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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Background Information

1. GEOGRAPHY

- 1.01 The State of Eritrea (Permanent Committee on Geographical Names) 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). [81]. The capital city is Asmara, other main cities being the port of Massawa, Keren, and Barentu. [1] (*Europa World* accessed on 12 May 2010)
 - 1.02 The *CIA World Factbook* section on Eritrea (27 May 2010 version) gives a July 2010 population estimate of 5,792,984. [28]. According to *Ethnologue* (accessed in April 2010), 12 languages are spoken in Eritrea. These are Afar, Arabic (standard and Hijazi), Bedawiyet, Bilen, English, Geez, Italian, Kunama, Nara, Saho, Tigre and Tigrigna (also known as Tigrinya). Of these languages, English, standard Arabic, and Tigrinya are Eritrea's official languages. [59]
 - 1.03 According to the *Encyclopedia of the Nations* (accessed in April 2010), Eritrea has nine ethnic groups - the Afar, Tigriny, Tigre, Saho, Bilen, Hadareb, Kunama, Nara and the Rashaida. The Tigrinya (50% of the population), Tigre and Kunama (40%), Afar (4%), and Saho (3%) are believed to be the most populous of all the Eritrean ethnic groups. [15]
 - 1.04 According to the *Encyclopedia of the Nations* (accessed in April 2010), Eritrea has nine ethnic groups - the Afar, Tigriny, Tigre, Saho, Bilen, Hadareb, Kunama, Nara and the Rashaida. The Tigrinya (50% of the population), Tigre and Kunama (40%), Afar (4%), and Saho (3%) are believed to be the most populous of all the Eritrean ethnic groups. [15]
- See [Ethnic groups](#)
- 1.05 According to the *World Travel Guide* (accessed on 12 April 2010), the following days in 2010 are public holidays in Eritrea: 1 January - New Year's Day; 6 January - Orthodox Epiphany; 10 February - Fenkil Day; 26 February - Birth of the Prophet (Muhammed); 8 March - Women's Day; 5 April - Orthodox Easter Monday; 1 May - May Day; 24 May - Independence Day; 20 June - Martyrs' Day; 1 September - Anniversary of the Start of the Armed Struggles; 11 September - Eid al-Fitr (End of Ramadan); 17 November - Eid ul-Adha (Feast of the Sacrifice); 25 December - Christmas Day. [57]

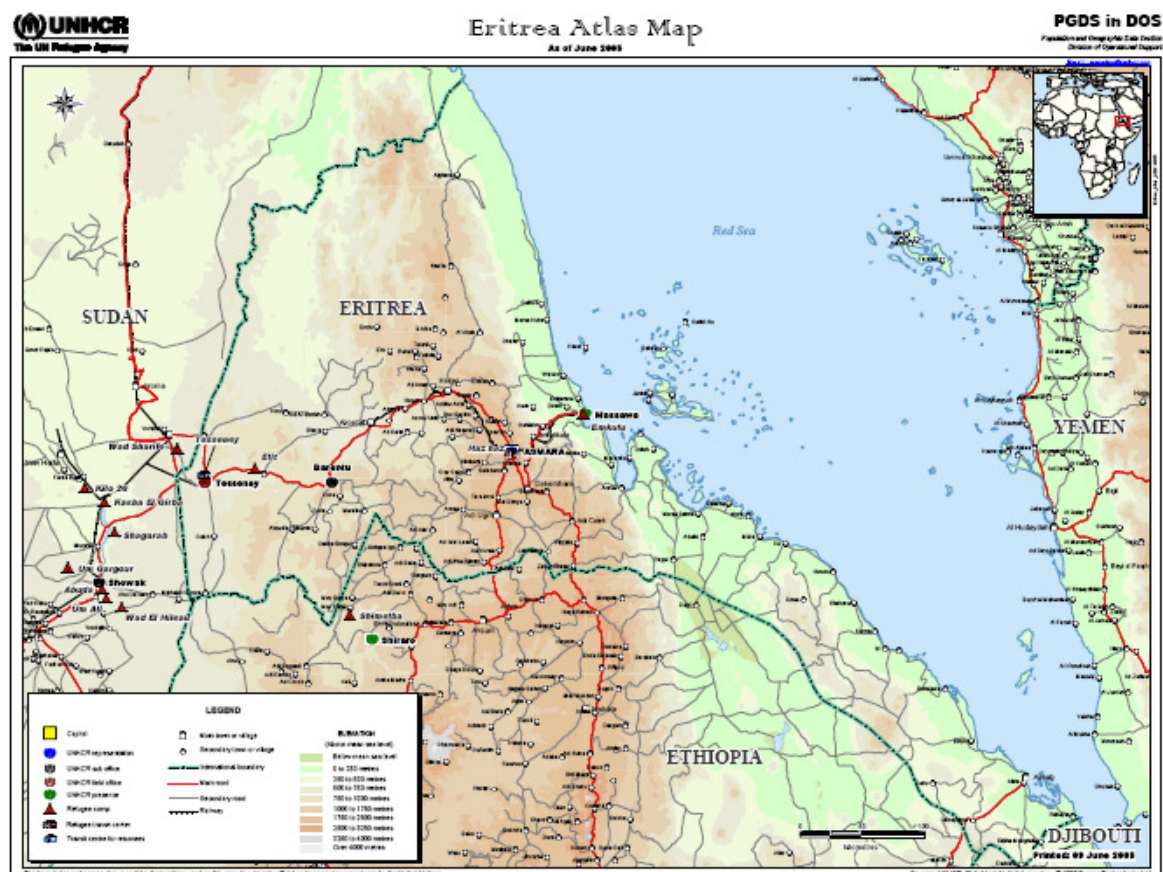
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MAPS

- 1.06 Political map of Eritrea, dated September 2006, from the main United Nations Human Rights Commission (UNHCR) website:

<http://www.unhcr.org/publ/PUBL/45.pdf>

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



- 1.07 Map of Eritrea including its provinces and main cities from the maps of world website:

<http://www.mapsofworld.com/eritrea/maps/eritrea-political-map.jpg>



- 1.08 Further maps of Eritrea can be found via the Perry-Castaneda collection website at:

<http://www.lib.utexas.edu/maps/eritrea.html>

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2. ECONOMY

- 2.01 Eritrea's economy is largely based on agriculture, which involves 80 per cent of the working population, but only contributes 12 per cent to the GDP; remittances from the Eritrean diaspora account for 32 per cent of GDP. [4a]. (US State Department Background Note on Eritrea, February 2010). Europa World stated that the national currency is the Nafka. [1]. As of 28 May 2010, one United States dollar was equivalent to 15 Nafkas; one Euro was equivalent to 18.6 Nafkas; and one United Kingdom pound was equivalent to 21.8 Nafkas. [34] (XE Universal Currency Converter)
- 2.02 The *CIA World Factbook* section on Eritrea (27 May 2010 version) noted that:
- “Since independence from Ethiopia in 1993, Eritrea has faced the economic problems of a small, desperately poor country, accentuated by the recent implementation of restrictive economic policies. Eritrea has a command economy under the control of the sole political party, the People's Front for Democracy and Justice (PFDJ)...the government strictly controls the use of foreign currency, limiting access and availability. Few private enterprises remain in Eritrea. Eritrea's economy depends heavily on taxes paid by members of the diaspora.” [28]
- 2.03 The United Nations High Commissioner for Refugees *Eligibility Guidelines for Assessing the International Protection Needs of Asylum Seekers from Eritrea* report, published in April 2009, added:
- “The country has practically no exports, while the cost of imports account for roughly 40 percent of the GDP. The cost of living, particularly in urban areas, is steadily increasing beyond the reach of most Eritreans. There is a growing scarcity of basic staples such as bread, sugar and fuel, and, despite Government programmes designed to ensure food security, two thirds of the population are still reliant on food aid. Social services in Eritrea remain basic and poverty is reportedly widespread.” [18c] (p8)
- 2.04 The *CIA World Factbook* (27 May 2010 version) cites figures of 40,400 mainline telephones (2008) and 108,600 (2008) mobile telephones in use. Most mainline telephones are in Asmara. Only about three people out of every 100 has a telephone (fixed line or mobile). [28]

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3. 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. [1] (*Europa World*, accessed on 12 May 2010)

INDEPENDENCE AND TRANSITIONAL GOVERNMENT 1991-1993

- 3.02 *Europa World* (accessed on 12 May 2010) added 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.” [1]

- 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. 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. [1] (*Europa World*, accessed on 12 May 2010)

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THE PEOPLE'S FRONT FOR DEMOCRACY AND JUSTICE AND CONSTITUTIONAL DEVELOPMENTS 1994-2001

3.04 According to *Europa World*, 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. A Constitutional Committee of 58 members (50 of whom were government appointees) was established to reorganise the country administratively. 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. [1] (*Europa World* accessed on 12 May 2010)

3.05 The *Europa World* 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." [1]

3.06 *Europa World* added:

"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." [1]

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BORDER CONFLICT WITH ETHIOPIA 1998-2000

- 3.07 Regarding Eritrea's border conflict with Ethiopia, the UK *Foreign and Commonwealth Office Country Profile on Eritrea* (8 October 2007) stated that:

"A dispute over the ill-defined border with Ethiopia flared into military conflict in May 1998. There were an estimated 100,000 casualties. Hostilities concluded with the signing of the Algiers Peace Agreement of December 2000. This established the Eritrea-Ethiopia Boundary Commission (EEBC) to delimit and demarcate the border and established a 25km Temporary Security Zone (TSZ) between the 2 countries. A UN peacekeeping force (UNMEE) has been deployed along the TSZ since 2001. India, Jordan and Kenya are the major troop contributors, though the size of the force was reduced from 4,000 to 2,300 in early 2006 following restrictions placed on UNMEE activities and staff by the Eritrean Government. In April 2007 UNMEE further reduced its presence from 2,300 to 1,000 military personnel. Under the Peace Agreement, UNMEE is to remain in place until the delimitation and demarcation of the border had been completed." [10d]

- 3.08 The *FCO Country Profile* added further detail:

"The EEBC 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 EEBC's conclusions. In November 2004 Ethiopia announced its acceptance 'in principle' of the EEBC ruling but progress on demarcation remains stalled." [10d]

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BORDER TENSIONS WITH NEIGHBOURING COUNTRIES, 2005-2009

- 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. [8h] (BBC News Online, 17 February 2005). 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. [8s] (BBC News Online, 16 December 2005)
- 3.10 On 16 October 2006, 1,500 Eritrean troops and 14 tanks entered the demilitarised zone, which constituted a breach of the peace deal made in 2000. According to the Eritrean government, they were there to harvest crops, which otherwise would have been wasted. A spokesman for the Ethiopian government stated that they would be monitoring the demilitarised zone very closely. [8e] (BBC News Online, 17 October 2006). In May and June 2008, the Eritrean Government undertook a similar venture with an incursion over a disputed area of the Eritrea/Djibouti border, with claims of two Djibouti soldiers killed and 17 wounded in exchanges. Eritrea denied that it was at war with Djibouti. [8i] (BBC News Online, 6 May 2008); [8d] (BBC News Online, 11 June 2008)

3.11 From December 2007, the work of UNMEE in Eritrea became difficult to maintain, as the Eritrean Government impounded and delayed supplies of fuel to the force. By mid-February 2008, the situation had reached crisis point as the Eritrean Government refused to permit the UNMEE force to move its supplies over to northern Ethiopia. [66] (Agence France Presse, 16 February 2008); [80] (BBC News Online, 16 February 2008)

3.12 The United Nations Security Council voted unanimously to withdraw the UNMEE from Eritrea in July 2008, as stated in a UN Security Council news release of 30 July 2008:

“The Security Council today [30 July 2008] terminated the mandate of the eight-year-old peacekeeping force monitoring the border dispute between Ethiopia and Eritrea and requested the UN Secretary-General Ban Ki-moon to explore further with two Horn of Africa countries the possibility of a United Nations presence in the area.

“Unanimously adopting resolution 1827 (2008), the Council decided to end the United Nations Mission in Ethiopia and Eritrea (UNMEE) when its mandate expires on Thursday, 31 July [2008], and called on the two sides to cooperate fully with the world body in the process of liquidating the operation.

“...expressing regret that Eritrea’s obstructions towards UNMEE had ‘reached a level so as to undermine the basis of the Mission’s mandate and compelled [it] to temporarily relocate from Eritrea’, the Council commended efforts by the Mission and its military and civilian personnel to accomplish their duties despite the difficult circumstances, and expressed also its deep appreciation for the contributions and dedication of troop-contributing countries to UNMEE’s work.” [35]

3.13 An Awate report dated 19 January 2009 stated that fighting between Djibouti and Eritrean troops had taken place in June 2008 at the Djibouti-Eritrea border. The report stated that the “battle came after weeks of complaint by Djibouti that Eritrea was occupying its territories since January [2008] and reinforcing its troops, a claim which was dismissed by Eritrea as ‘fabrication’.” [50h].

3.14 In January 2009, the UN Security Council gave Eritrea an ultimatum to withdraw its forces from a disputed border region with Djibouti within five weeks. The UN resolution also called for Eritrea to remove its military hardware from the Ras Doumeira region and the island of Doumeira. [8b] (BBC News Online report “UN in Eritrea pull-out ultimatum”, 14 January 2009). The UN Security Council resolution was rejected by the Eritrean government. In January 2009, the Eritrean Foreign Ministry issued a statement about the UN resolution which stated that the resolution was “unbalanced and unnecessary” and that “Eritrea has not occupied any land that belongs to Djibouti” and “cannot accept a resolution that demands the ‘withdrawal of its forces’ from its own territory”. [62a] (Sudan Tribune report “Eritrea rejects UN resolution on border dispute with Djibouti”, 16 January 2009)

See [Internally displaced persons](#) and [Foreign refugees](#)

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DOMESTIC POLITICAL DEVELOPMENTS FROM SEPTEMBER 2001 TO AUGUST 2009

- 3.15 The period around September 2001 was a key crisis point in Eritrean history after the 1998–2000 war. The US State Department *Background Note on Eritrea*, published in February 2010, summarised the situation:

“In September 2001, after several months in which a number of prominent PFDJ party members had publicly aired 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]

- 3.16 According to an Open Doors International (NGO) report, published in April 2009:

“In May 2002, the Eritrean government ordered all unregistered religious communities to close their places of worship and stop practicing their faith until they were registered. They had to apply for registration with the Department for Religious Affairs in the Office of the President in accordance with the 1995 *Proclamation regarding legally elucidating and regulating of religious activities and religions declaration NO 73/1995* [italics in text of source], the full implementation of which had been delayed.” [21]

See Freedom of religion

- 3.17 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]

- 3.18 A Reuters report dated 15 September 2007 stated that the “Eritrean President Isaias Afwerki has backed a new Somali opposition alliance, saying Ethiopia’s fight against insurgents in Mogadishu was doomed to fail, state media reported on Saturday. The formation of the group, including top Islamist leaders, in Asmara this week generated yet more friction between Ethiopia and Eritrea after their border war of 1998–2000.” [76a] (Reuters report, 15 September 2007). Responding to American accusations that they abetted terrorists in the volatile Horn of Africa, Eritrean officials defended their actions and said that while they would like to have better relations with the United States, they had no intention of bowing to its pressure. [53] (International Herald Tribune, 18 September 2007).

3.19 In June 2009, Awate reported that:

“Following a two-day congress which was held on June 18-19, 2009, the Red Sea Afar Democratic Organization (RSADO) and the Democratic Movement for the Liberation of Eritrean Kunama (DMLEK) have announced that they have created the Democratic Front of Eritrean Nationalities (DFEN).

“...the merger move by DMLEK and RSADO continues a trend that has emerged in the Eritrean arena recently. Last month [May 2009], four Eritrean opposition organizations (Eritrean Liberation Front, Islah, AlKhalas and the Eritrean Federal Democratic Movement) formed the Eritrean Solidarity Front. Also in May [2009], the Eritrean People’s Party (EPP), which is conducting merger talks with the Eritrean Democratic Party (EDP), announced that it had merged with the Democratic Movement of Gash-Setit. The Eritrean opposition landscape now is aligning into three blocks, with a number of opposition organizations now being wooed by the three blocks.” [50e]

See [Opposition groups in exile](#)

3.20 In August 2009, BBC News reported that an international tribunal in The Hague had ruled that the Eritrean government had to pay the Ethiopian government the equivalent of US\$174 million dollars as financial compensation for businesses and goods lost and villages destroyed during the 1998-2000 border war. The Ethiopian government is also required to pay financial compensation, and will have to pay the equivalent of US\$164 million to the Eritrean government. The Eritrean government stated that it has accepted the ruling. The BBC report ended by stating that the border dispute between the two countries is still an ongoing issue. [8c]

3.21 Assenna reported in August 2009 that President Afewerki had escaped an assassination attempt on 13 August. According to the report, members of the Eritrean Defence Forces tried to kill the president while he was travelling in his car but failed. A former freedom fighter, Daniel Habte Yihdego, who was involved in the assassination plot, was killed after an exchange of gunfire with the president’s bodyguards. [16b]

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4. RECENT DEVELOPMENTS (DECEMBER 2009 – JUNE 2010)

This section covers the period December 2009 to June 2010 and provides a selection of incidents as reported by a number of sources. The section is organised chronologically, from the oldest to most recent events.

4.01 In December 2009, Awate reported that:

“In a 13-1 vote, with China abstaining, and Libya opposed, the 15-member UN Security Council voted to impose sanctions on the Eritrean regime. The government of Eritrea quickly tried to classify this as a US-Ethiopia concocted punitive measure, but those who voted for the sanctions include the Russian Federation, France, the United Kingdom, Austria, Burkino Faso, Costa Rica, Croatia, Japan, Mexico, Turkey, Uganda and Vietnam.

“The sanctions place an arms embargo on Eritrea, an asset freeze on specific businesses and individuals, as well as a travel ban on political and military leaders who will be identified by a sanctions committee.

“The bases [sic] for the sanctions are the Eritrean regime’s alleged role in the destabilization of Somalia and its repeated refusal to deal with encroachment complaints filed by neighboring Djibouti. (The UN had passed a unanimous resolution on January 14, 2009 demanding of Eritrea to withdraw from Ras Doumeira and Doumeira Island and to submit to mediation.) The Eritrean regime entirely ignored the resolution, as it had ignored appeals by the African Union, the League of Arab States, and the Islamic Conference.” [50c]

4.02 In February 2010, Assenna reported that:

“An Eritrean rebel group said Tuesday [16 February 2010] [that] it [had] killed 17 [Eritrean] government soldiers and injured more than 20 others in an attack on military barracks.

" 'The attack was carried out in Fura in central Dankalia (region) at 5:00 am (0800 GMT) on February 15,' Yassin Mohammed, spokesman of the Red Sea Afars Democratic Organisation (RSADO), told AFP in a phone interview.

“Dankalia is located in Eritrea's desolate south-eastern province mainly inhabited by the nomadic Afars.

" 'Seventeen soldiers were killed and at least 20 others wounded,' he said, adding that the camp housed members of Eritrea's 28th brigade which he said was 'responsible for the incarceration and torture of citizens'.

“...the little known group has previously told AFP [Agence France-Presse] of similar operations, most recently being in December [2009] when it claimed to have killed 25 soldiers in a joint attack with a separate movement.

“...RSADO says the attacks are in response to Asmara's refusal to grant autonomy to the Afar, whose homeland straddles Eritrea, Ethiopia and Djibouti.” [16c]

- 4.03 In March 2010, France24 News reported that Egyptian police officers had shot dead two Eritreans on 27 March 2010 who were trying to enter Israel illegally across the Egyptian/Israeli border. Four other Eritreans were shot and wounded. Another Eritrean was arrested by the Egyptian police. The Egyptian government has recently stepped up security controls along the border with Israel, which is a major trafficking route for migrants from Africa. [52]
- 4.04 In April 2010, Y-net news (Israeli) reported that the Israeli Interior Minister had devised a plan whereby the Israeli Foreign Minister would approach the Eritrean government to facilitate the repatriation of Eritrean refugees. Both governments would have to work together to achieve this. There are around 13,000 Eritreans in Israel according to the report. [93]

See [Eritreans refugees in Israel](#)

USEFUL SOURCES FOR FURTHER INFORMATION

- 4.05 A list of sources with weblinks is provided below, which may be useful if additional up to date information is required to supplement that provided in this report. The full list of sources used in this report can be found in Annex E - References to Source Material:

BBC News Online - World Africa
<http://news.bbc.co.uk/1/hi/world/africa/default.stm>

Awate <http://www.awate.com/portal/>

Assenna <http://assenna.com/>

Dehai News <http://www.dehai.org/>

Walta <http://www.waltainfo.com/>

allafrica.com - Eritrea <http://allafrica.com/eritrea/>

United Nations IRIN - Eritrea <http://www.irinnews.org/Africa-Country.aspx?Country=ER>

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5. CONSTITUTION

- 5.01 The US State Department *Background Note on Eritrea*, published in February 2010, noted that the constitution of Eritrea was ratified on 24 May 1997 but has not yet been implemented. [4a]
- 5.02 A translation of the new constitution is available on the EDP opposition website, http://selfi-democracy.com/index.php?read=articles/documents/1137696360eritrean_e.htm (see also Draft Constitution of Eritrea source [2])

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6. POLITICAL SYSTEM

- 6.01 The US State Department *2009 Human Rights report on Eritrea*, published in March 2010, noted that:

“The government came to power in a 1993 popular referendum in which voters chose to have an independent country managed by a transitional government; however the transitional government did not permit the formation of a democratic system. The government twice scheduled elections in accordance with the Constitution but cancelled them without explanation. An official declaration in 2003, claimed that ‘in accordance with the prevailing wish of the people it is not the time to establish political parties, and discussion of the establishment has been postponed.’ Government officials also stated that implementation of the constitution was not possible until the border demarcation with Ethiopia was finalized...the country was a one-party state. Power rested with the PFDJ and its institutions. At times the government coerced membership in the PFDJ.” [41] (Section 3)

- 6.02 The *CIA World Factbook* section on Eritrea (27 May 2010 version) stated:

“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).” [28]

- 6.03 Regarding elections other than parliamentary elections, *Europa World* noted that local government elections took place in 2003 and regional assembly elections took place in 2004. [1]

- 6.04 The Eritrea section in the *Freedom in the World 2010* report, published in May 2010, stated that “Eritrea is not an electoral democracy”, and that “instead of moving toward a democratic [political] system, the PFDJ has taken significant steps backward since the end of the war with Ethiopia.” [36]

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Human Rights

7. INTRODUCTION

- 7.01 The Human Rights Watch *2010 World Report*, covering events in 2009, summarised the human rights situation in Eritrea:

“Eritrea remains a country in shackles. Arbitrary arrests and detention, torture, extrajudicial killings, severe restrictions on freedom of expression and worship, and forced labor are routine...thousands of people fled the country in 2009 due to Eritrea’s serious human rights violations and indefinite military conscription. [29d] (p1)

“Deaths in custody are common as a result of ill-treatment, torture, starvation, and denial of medical care. Many other detainees have ‘disappeared,’ their whereabouts unknown. In 2009 a reliable website reported the deaths of four prisoners held because of their religious beliefs; three died after torture, the fourth after denial of treatment for malaria. [29d] (p2)

“The Eritrean government is also responsible for extrajudicial killings. Some deliberate killings occurred during detention, others when prisoners attempted to escape confinement or flee the country. The government maintains a ‘shoot-to-kill’ policy for anyone caught trying to cross the country’s borders.” [29d] (p2)

- 7.02 The US State Department *Human Rights report for 2009*, published in March 2010, stated:

“Human rights abuses [in 2009] included abridgement of citizens’ right to change their government through a democratic process; unlawful killings by security forces; torture and beating of prisoners, sometimes resulting in death; abuse and torture of national service evaders, some of whom reportedly died of their injuries while in detention; harsh and life-threatening prison conditions; arbitrary arrest and detention, including of national service evaders and their family members; executive interference in the judiciary and the use of a special court system to limit due process; and infringement on privacy rights, including roundups of young men and women for national service and the arrest and detention of the family members of service evaders. The government severely restricted freedoms of speech, press, assembly, association, and religion. The government also limited freedom of movement and travel for citizens in the national service, foreign residents, employees of diplomatic missions, the UN, and humanitarian and development agencies. Restrictions continued on the activities of nongovernmental organizations (NGOs) and the International Committee of the Red Cross (ICRC). Female genital mutilation (FGM) was widespread, and societal abuse and discrimination against women, members of the Kunama ethnic group, homosexuals, and persons with HIV/AIDS were problems. There were limitations on worker rights including forced labor.” [4i] (Introduction)

7.03 An Awate report, dated 6 January 2009, provided additional information:

“The control of Eritrea by the ‘tegadelti’ in the ruling PFDJ party is total. All key ministries, the army, the press, trade unions, schools and even the churches and mosques are under a centralized hierarchic form of decision-making at the top of which is a party member, former combatant, or ‘Tegadalai’. Any and all who resist such control are considered threats to national unity and are forcefully dissolved, restricted, purged, and neutralised by the regime. Non-conformist ideas, political beliefs, religious beliefs, artistic and music styles are considered subversive, and adherents to these are punished accordingly... the country is divided into several administrative zones run by a group of generals elevated to the position of a kind of managerial board, answerable to no one except the president, and running each zone as if it is their fiefdom or private property.” [50b]

For details about specific human rights abuses, refer to:

Torture; Penalties for evading national service;
Freedom of religion - arrests and detention; Treatment of journalists ; Exit and return

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8. SECURITY FORCES

OVERVIEW

- 8.01 The US State Department *Human Rights report for 2009*, published in March 2010, stated that the:

“Police were officially responsible for maintaining internal security, and the army was responsible for external security; however, the government could call on the armed forces, the reserves, and demobilized soldiers to meet either domestic or external security requirements. Agents of the National Security Office, which reports to the Office of the President, were responsible for detaining persons suspected of threatening national security. The military had the authority to arrest and detain civilians. Generally [the] police did not have a role in cases involving national security, but they were heavily involved in rounding up individuals evading national service.” [4i] (section 1d)

POLICE

- 8.02 The US State Department *Human Rights report for 2009* stated:

“Police, who often were conscripted, were poorly paid, and corruption was a problem. During the year [2009] there were reports of police and other security forces committing crimes to supplement their income, including breaking into homes to confiscate jewelry, money, and food. Police typically used their influence as government officials to assist friends and family, such as in facilitating family members’ release from prison. There were reports that [the] police demanded bribes to release detainees and that military forces accepted money to smuggle citizens out of the country. There were no mechanisms to address allegations of official abuse, and impunity was a problem.” [4i] (section 1d)

ARMED FORCES

- 8.03 The number of military personnel as regular soldiers is not given in the *Central Intelligence Agency’s World Factbook* section on Eritrea (27 May 2010 version), though it estimates that of the 2.2 million military service reservists and current military conscripts, about 1.7 million are fit for military service. [28]. *Europa World* (accessed on 12 May 2010) estimated that Eritrea’s armed forces “were estimated to number 201,750, including an army of about 200,000, a navy of 1,400 and an air force of about 350; reserve forces numbered about 120,000.” [1]
- 8.04 The military chain of command is, according to Jane’s *Sentinel country risk assessment of Eritrea* (15 November 2007 version), to be one of the most powerful political structures in Eritrea. President Isaias Afewerki has acted as the Commander-in-Chief, since 2002, effectively by-passing the Defence Minister, Sibhat Efrem, and directly controlling operations through three top generals and the four regional military commanders. The President also has direct control of the National Security Office (the NSO), the security and intelligence service of Eritrea. [70b]

- 8.05 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. [78] (International Encyclopedia of Uniform Insignia Around the World). 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. [29c] (Human Rights Watch, 13 January 2005)
- 8.06 An article in *African Studies Review*, April 2003, states that "Tigrinya is the language of military training and communication." [74] (p8)

See [Languages](#)

HUMAN RIGHTS VIOLATIONS BY THE SECURITY FORCES

ARBITRARY ARREST AND DETENTION

- 8.07 The US State Department *Human Rights report for 2009* stated:
- "The law stipulates that detainees must be brought before a judge within 48 hours of their arrest and may not be held more than 28 days without being charged with a crime. In practice authorities often detained suspects for much longer periods. The law stipulates that unless there is a 'crime in progress', police must conduct an investigation and obtain a warrant prior to making an arrest. In cases involving national security, this process may be waived. In practice very few individuals were arrested with a warrant. Authorities did not promptly inform detainees of [the] charges against them and often changed the charges during detention. Detainees in prisons often did not have access to counsel or appear before a judge. Incommunicado detention was widespread, although detainees in police stations generally had access to legal representation and family members. Authorities provided indigent detainees with counsel on an irregular basis. There was a functioning bail system, except for persons charged with national security crimes or crimes that could carry the death penalty." [4i] (section 1d)
- 8.08 The main application of police powers to arrest and detain is to enforce recruitment round-ups (*giffa*), with the US State Department *Human Rights report for 2009* stating that "security force personnel detained individuals for evading national service and on other unspecified national security charges. In practice, most detainees were informally charged with issues relating to national service, effectively allowing authorities to incarcerate citizens indefinitely." The US State Department *Human Rights report* further stated that "security forces also continued to detain and arrest the parents and spouses of individuals who evaded national service or fled the country." [4i] (section 1d)

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Torture

- 8.09 The US State Department *Human Rights report for 2009* stated:

“The law and ratified but unimplemented constitution prohibit torture; however, there were numerous reports that security forces resorted to torture and beatings of prisoners, particularly during interrogations. There were credible reports that several military conscripts died following such treatment. Security forces severely mistreated and beat army deserters, draft evaders, persons attempting to flee the country without travel documents and exit permits, and members of certain religious groups...no known action was taken during the year to punish perpetrators of torture and abuse.” [4i] (section 1c)

- 8.10 The Amnesty International *2010 Annual Report*, published in May 2010, stated:

“The authorities interrogated, tortured and otherwise ill-treated critics of the government in an attempt to deter dissenting opinion. Prisoners were often whipped, kicked or tied with ropes in painful positions for prolonged periods.”

“Prison conditions were dire. Many prisoners were held in underground cells or shipping containers and denied access to daylight. Conditions were overcrowded, damp and unhygienic.

“Prisoners were frequently exposed to the sun for extended periods of time, or locked in metal shipping containers, which magnified extremes of heat and cold.” [5k]

- 8.11 The Human Rights Watch (HRW) 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report, published in April 2009, stated:

“According to eyewitness accounts gathered by Human Rights Watch, torture and cruel, inhuman, and degrading treatment or punishment by military officers and commanders are systematic and ‘normal’...in Eritrea, deaths in custody are common as a result of ill-treatment, torture, and denial of medical treatment.” [29e] (p29-30)

- 8.12 The HRW 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report describes the various torture methods used on prisoners in military detention. According to the report, the names of the known different types of torture are:

‘**Helicopter**’ - the victim’s hands and feet are tied together behind the back. The victim is left face down, often outside in the sun. According to former detainees, this form of torture is practiced in most of the prisons, in particular in Alla prison.

‘**Otto**’ (or ‘**eight**’) - the victim’s hands are tied together behind the back, and the victim has to lie on his or her stomach. According to former detainees, this was the most common form of torture, practiced in all the prisons, and also in Wi’a and Sawa military camps.

‘Ferro’ - the victim’s hands are placed behind the back and the wrists are bound together with handcuffs. The victim is made to lie on his or her stomach. The victim may also be left outside in the sun. According to a former army officer, ‘ferro’ was often the punishment for individuals suspected of being army deserters.

‘Jesus Christ’ - the victim is crucified by being tied up with rope to a tree or a cross and then left to hang in that position. Sometimes the victim is also beaten while in the hung position.

‘Goma’ - the victim is placed in a radial truck tyre in a double-bent position for long periods of time.

‘Mock drowning’ - the victim’s head is submerged in water as an act of ‘mock drowning’.

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

8.13 The US State Department *Human Rights report for 2009* reported that:

“Security forces subjected deserters and draft evaders to such disciplinary actions as prolonged sun exposure in temperatures of up to 120 degrees Fahrenheit and the binding of hands, elbows, and feet for extended periods; and suspension from trees for extended periods. No known action was taken during the year [2009] to punish perpetrators of torture and abuse.” [4i] (section 1c)

Extra-judicial killings

8.14 The US State Department *Human Rights report for 2009* stated that during 2009:

“The government continued to authorize the use of lethal force against individuals resisting or attempting to flee during military searches for deserters and draft evaders, and the practice reportedly resulted in deaths during the year [2009]. Several persons detained for evading national service died after harsh treatment by [the] security forces. There were reports that individuals were severely beaten and killed during roundups of young men and women for national service.” [4i] (section 1a)

AVENUES OF COMPLAINT

8.15 The US State Department *Human Rights report for 2009* stated that during 2008 “there were no mechanisms to address allegations of official abuse, and impunity was a problem.” [4i] (section 1d)

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9. MILITARY AND NATIONAL SERVICE

LEGISLATIVE BACKGROUND

The information in the “Military and National Service” section has been obtained from a number of sources which give differing information about national service and how it is implemented in practice. For example, the different sources used give different information regarding who is exempt from national service, how round-ups are organised, and at what age national service starts and ends for men and women.

- 9.01 The National Service Proclamation (Proclamation No 82/1995) issued by the Eritrean Government on 23 October 1995 sets out the national service requirements in full. Article 2 of the Proclamation defines what national service is and involves:

“ ‘National Service’ will mean the general service that a citizen will give in active national service and in reserve military service”. In other words, “national service” covers both conscripts and reservists.

“ ‘Active National Service’ will mean the training and service that a citizen [referred to as a “Trainee”] fit for national service under Art.8 of this proclamation will undergo for 18 months”. [13] (National Service Proclamation of 23 October 1995)

- 9.02 The National Service Proclamation also refers to “Reserve Military Service” and “Reserve Army”. The latter refers to military service in the regular armed forces in times of mobilization/emergency situations, and the former refers to further indefinite national service duties in mobilization/emergency situations, i.e. not necessarily as a combatant or with the armed forces. [13] (National Service Proclamation of 23 October 1995).

- 9.03 Article 6 of the Proclamation states:

“Under this Proclamation any Eritrean citizen from 18 to 50 years of age has the obligation of carrying out national service”, as in “Active National Service” and/or national service as in “Reserve Military Service”. [13] (National Service Proclamation of 23 October 1995)

- 9.04 Article 8 of the Proclamation sets out details of national service:

“Under this Proclamation all Eritrean citizens from the age of 18 to 40 years have the compulsory duty of performing Active National Service. Active National Service consists of six months of training in the National Service Training Center and 12 months of active military service and development tasks in military forces for a total of 18 months.” [13] (National Service Proclamation of 23 October 1995)

- 9.05 Article 9 states that “any Eritrean citizen from the age of 18 to 40 years called upon to undertake active national service has the compulsory duty of undertaking military training for six months in the National Service Military Training Center”. Article 13 (i) adds that anyone declared unfit for military training may be obliged to undertake 18 months of active national service in

“any public and Government organ according to their capacity and profession.”
[13] (National Service Proclamation of 23 October 1995)

9.06 Articles 10 and 11 deal with the registration procedures and issuing of registration cards associated with national service. Citizens have to register at a registration centre when called upon to do so by the Ministry of Defence. Youths who are 17 years old are expected to register for national service at a registration centre without being formally instructed to by the Ministry of Defence. [13] (National Service Proclamation of 23 October 1995)

9.07 Article 14 cover exemptions that are only valid for a limited period, and mainly affects students. These provisions have now been superceded by the restructuring of the education system. Article 15 deals with medical exemptions. Article 16 simply notes that the Ministry of Defence decides who is fit to serve as a trainee; where they go to undergo national service, and what type of national service they have to complete. Article 18 states that the Ministry of Defence has the responsibility to resolve problems individuals may have with the length and nature of national service they have to undergo. Article 15 deals with exemptions that are made on a more permanent basis. [13] (National Service Proclamation of 23 October 1995)

See Exemptions

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

See Demobilisation

9.09 Article 21(1) sets out the special obligation under a State of Emergency, stating:

“During a mobilization or war period anyone in Active National Service is under the obligation of remaining even beyond the prescribed period unless the concerned Authority allows him to leave officially.” [13] (National Service Proclamation of 23 October 1995)

9.10 Articles 33 to 39 relate to “various provisions”, which include:

- Art. 34(12) “The Ministry of Defence in cooperation with the Ministry of Foreign Affairs ensures the enforcement of the duty of National Service relating to citizens in foreign countries.” [13] (National Service Proclamation of 23 October 1995)
- Art. 37(3) sets a mandatory five-year imprisonment (or imprisonment to the age of 50) on national service evaders who escape abroad and do not return to Eritrea before the age of 40. Other rights relating to exit visas, land tenure and employment will also be suspended. [13] (National Service Proclamation of 23 October 1995)

See [Exemptions](#); [Exit and return](#)

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MILITARY AND NATIONAL SERVICE IN PRACTICE

9.11 The US State Department *Human Rights report for 2009* stated:

“The government required all men between the ages of 18 and 54 and women between the ages of 18 and 47 to participate in the national service program, which included military training and civilian work programs. However, the criteria for demobilization were unclear, and many were required to work indefinitely in any location or capacity chosen by the government. Reports indicated citizens were enlisted in the national service for many years below minimum-wage rates with no prospective end date, no promotion or salary increases, and restricted freedom of movement since those employed under national service were often denied passports or exit visas. The government justified its open-ended draft on the basis of the undemarcated border with Ethiopia. Some national service members were assigned to return to their civilian jobs while nominally kept in the military because their skills were deemed critical to the functioning of the government or the economy. These individuals continued to receive only their national service salary; the government required them to forfeit to the government any money they earned above and beyond that salary. Government employees generally were unable to leave their jobs or take new employment. Draft evaders often were used as laborers on government development projects.” [4i] (section 7)

9.12 The Human Rights Watch (HRW) 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report added:

“Although the war with Ethiopia ended in 2000, in May 2002 the government introduced the Warsai Yekalo Development Campaign (WYDC), a proclamation that indefinitely extended national service...the WYDC was a national effort in which the generation that had fought for independence would join with new recruits to build the nation. In effect, it meant the forced conscription of every adult male up to the age of 50, although some refugees claim 55 is now the upper limit, with other sources claiming up to 57 for men and 47 for women. [29e] (p43)

“...not all national service is military service, since many conscripts are not deployed in the army but on civilian projects, or are assigned to commercial enterprises with their salary paid to the Ministry of Defence. However, the Ministry of Defence is in control of the national service program and if someone working on a construction project were to abscond they are still be [sic] regarded as a deserter under military law. [29e] (p43-44)

“Refugees interviewed by Human Rights Watch emphasized that there was no difference between military and civilian national service - conscripts are equally at the mercy of the state...military duties are only one of a number of different assignments that conscripts can be tasked with, although it is the most common.” [29e] (p44)

- 9.13 According to information obtained from the British Embassy in Asmara in April 2010:

“Officially, the Eritrean Ministry of Defence runs the military/national service programme. However, in practice other ministries are involved in the assignment of people to national service positions in ministerial dependencies...when students finish school in the Sawa military/school camp, they are automatically assigned to either military service, another type of national service or further education, and are given the relevant documents to that effect at that time. Other Eritreans are forcefully brought into military/national service as a result of round-ups or house searches. Military service or national service call-up documents are not issued to these individuals and they are not informed in advance that they have to undergo military/national service...in principle, individuals have no choice about their military/national service assignment though some may be able to influence where (e.g Asmara). Individuals are generally arbitrarily transferred by their commanders or supervising officers. There are no standard rules with regard to such transfers.” [10e]

- 9.14 The HRW *Service for Life* report stated further:

“After six months of compulsory military training, national service conscripts are deployed indefinitely in one of several possible activities. Many conscripts are simply drafted into military service and are deployed in regular military units. One refugee interviewed by Human Rights Watch was sent to work as clerk in a court in Asmara, another was sent to work as a mechanic in a civilian garage repairing trucks in Asmara. Others described working on farms or mines owned by the state or the PFDJ ruling party, or building roads and bridges. Regular military units, conscripted military personnel, and prisoners are all also engaged in similar activities - building, mining, and farming.” [29e] (p51-2)

“...the projects on which conscripts are deployed are not just public works for the national good. They are often sent to work on private construction projects, building houses for military leaders, and working on private farms. Human Rights Watch and Amnesty International have both previously documented the use of conscript labor for the benefit of ranking members of the military and the government.” [29e] (p54)

“...it is not just conscripts who are providing cheap labor for the benefit of military leaders. Prisoners are regularly employed and school children are made to work during their school holidays. The national program for school children is called *Mahtot*.” [29e] (p56)

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PAYMENT FOR NATIONAL SERVICE

- 9.15 The Human Rights Watch (HRW) 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report stated:

“According to escaped conscripts, the normal ‘allowance’ during training is 50 Eritrean Nakfa per month (about US\$3). After 18 months training while on national service, this is increased to 150 Nakfa a month (\$9). This is the same amount paid to former soldiers recalled for service during the 1998-2000 war and still mobilized as well as for the over-50s who have been mobilized to serve in a reserve militia. Some of those conscripted prior to 1998 appear to have been incorporated into the regular army and receive salaries accordingly. Regular soldiers are paid a salary of 330 to 3,000 Nakfa (\$20 to \$183) depending on rank.” [29e] (p52)

“...for regular recruits on national service, 150 Nakfa does not constitute a living wage, nor is their labor given freely. Refugees interviewed by Human Rights Watch refused to refer to the money they were paid as a salary, preferring instead to call it ‘pocket money’. All complained that it was insufficient to live on and completely inadequate to feed a family. Western diplomats and UN officials confirmed that making ends meet on such amounts was impossible in Eritrea.” [29e] (p52-53)

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PENALTIES FOR EVADING NATIONAL SERVICE

- 9.16 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] (National Service Proclamation of 23 October 1995)

- 9.17 The Oslo Centre for Peace and Human Rights 2009 report, *The Lasting Struggle for Freedom in Eritrea - Human Rights and Political Development, 1991-2009*, stated:

“The legal penalty for evading conscription or assisting in it is two years’ imprisonment (as per the National Service Regulations of 1995). Amnesty International reports, however, that in practice offenders are being punished by their local commanding officers without any form of trial, legal recourse or

opportunity to appeal or redress. The forms of punishment may vary, but usually consist of torture and arbitrary detention for an indefinite period.” [92] (p94)

- 9.18 According to a letter from the British Embassy in Asmara, dated 13 June 2008:

“Eritreans will flee the country to avoid military and national service, with [a] mandatory prison [sentence] awaiting those who try and dodge it. Journalists and political opponents are especially harshly repressed and sometimes die in detention camps.

“...people caught fleeing will get at least two years in prison if they have completed military service. Those who have not done military service will be imprisoned for up to a month and then sent to military training camps.

“People with no papers for national service can be taken from [the] streets anytime to military camps with strong punishments. It is not uncommon for women to be taken from the streets – far more likely if you are male.” [10b]

- 9.19 Credible reports indicate that draft evaders have been ill-treated in detention centres, as noted in the US State Department *Human Rights report for 2009*:

“There were reports that detention center conditions for persons temporarily held for evading military service were also harsh and life threatening. Allegations from various sources suggested there may be hundreds of such detainees. Draft evaders were reportedly sent to the W’ia military camp, where typically they were beaten. Some were held for as long as two years before being reassigned to their units. At one detention facility outside Asmara, authorities continued to hold detainees in an underground hall with no access to light or ventilation and sometimes in very crowded conditions.” [4i] (section 1c)

- 9.20 An *Eritrea Daily* report, dated 18 December 2008, stated that mutinying Eritrean army units had freed 618 people from a prison located in the South administrative zone. The people released were the parents of children subject to military service. The report explained that:

“The parents were jailed for failing and in many cases even for simply refusing to pay an arbitrary punitive fine of 50,000 Nafka imposed on them for not disclosing the whereabouts of their children who were being sought out for conscription in the military.

“...according to local reports, the mutinying units used military force to free the jailed parents only after prison guards declined calls to let the prisoners go free voluntarily.” [38c]

- 9.21 The HRW 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report added:

“There are strict penalties for those who try and escape national service as well as for any Eritreans who leave the country without government authorization. Families are collectively punished if their relatives flee national service, usually by being jailed or forced to pay fines. [29e] (p45)

“...all of the deserters interviewed by Human Rights Watch were fearful for the safety of their families and anxious that they would face the crippling 50,000 Nakfa fines, detention, or some other retribution such as the denial of business permits or the forfeiting of land in lieu of a cash fine. Three former conscripts said their mothers had been imprisoned for four months, two months, and two weeks respectively because they could not afford to pay the 50,000 Nakfa fine.” [29e] (p46)

- 9.22 The Oslo Centre for Peace and Human Rights 2009 report *The Lasting Struggle for Freedom in Eritrea - Human Rights and Political Development, 1991-2009*, further stated:

“Since 2005, thousands of mothers and fathers, sisters and brothers, of draft evaders and escapees have been arrested throughout Eritrea. For instance, reportedly around 179 women and 26 men were detained on 24 October 2005 in the highland town of Dekemhare. The targets were parents whose children had fled the country over the last several years. If a parent was not found, the eldest available brother or the closest adult relative was detained. This wave of arrests followed earlier clamp-downs in the region. Furthermore, over 500 relatives, mostly parents, of young men and women who have avoided conscription or deserted the army, were reportedly arrested and held under harsh conditions in Asmara in late 2006. As the flight of Eritrea’s young men and women today has reached about 2000 per month, the regime has reportedly ceased the practice of arresting parents or relatives of the escapees, as this would have implicated an unmanageably large share of the population of the country.” [92] (p93)

- 9.23 The US State Department *Human Rights report for 2009* further stated:

“The government deployed military and police throughout the country [in 2009], using roadblocks, street sweeps, and house-to-house searches to find deserters and draft evaders. Security forces [in 2009] continued to detain and arrest parents of individuals who evaded national service duties or fled the country, along with their family members; there were reports that such parents were fined 50,000 nakfa (\$3,333) or forced to turn their children in to the government.” [4i] (section 1f)

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ROUND-UPS (GIFFA)

- 9.24 The enlistment of persons eligible for national service is carried out through the means of round-ups, which are known in Eritrea as “Giffa”. Round-ups involve house and workplace searches as well as road blocks, and are reportedly carried out by the police and the military. [68f] (Canadian IRB, Response to Information Request, 28 February 2007)
- 9.25 The HRW 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report noted:
- “Conscription is generally managed by local councils, the smallest units of local administration, sometimes referred to as *kebelle*, sometimes as *memehidar*, a general word meaning ‘administration’. These council officials maintain detailed records on the individual families in their area and ensure that those of age are conscripted. But in larger towns, the police or military also try to capture evaders or deserters through ad hoc round-ups. Round-ups of the population in towns and villages - known as *giffa* in Tigrinya - are common and constitute a kind of modern press-ganging. Anyone of age found without the relevant documents exempting them from national service is taken to the military camps of Sawa and Wi’a for training. [29e] (p48)
- “Even aside from evaders and deserters, any civilian who forgets their identification or travel documents is at particular risk of being rounded up in a *giffa* and arbitrarily detained.” [29e] (p49)
- 9.26 According to information obtained from the British Embassy in Asmara in April 2010:
- “It is important to note that there are no set government policies or standard procedures regarding how round-ups are organised. Military service round-ups take place usually around 4 to 5 times a year but can occur more frequently or less frequently, and usually coincide with public holidays when large numbers of people are out and about. They can occur in various parts of Eritrea and are not confined to one particular part of it. Once rounded up, people are sent from Asmara to the Adi Abeto camp for processing and onward assignment.” [10e]
- 9.27 On 22 May 2008, Awate reported that eight military brigades were brought into Asmara to conduct round-ups. The article states that two types of young people were being targeted: “the *koblelti* - those who are registered for national service but take a leave of absence without permission from their supervisors - and the *lieli Edme* - those who are over the age of conscription but have not voluntarily signed up.” The article also states: “In addition to the youth, the government of Eritrea is rounding up all Ethiopians, regardless of their age. Some of the Ethiopian women who were rounded up had to leave their dependent children unattended at their homes. Women and underage children are being held at the Enda Seal (TB Center) detention center at Maytemenay.” [50j]

- 9.28 A military round-up took place in May 2009, according to an Awate report, which stated that:

“In what has become an annual ritual since 2001, Eritrean government has rounded up thousands of Eritreans, mostly the youth, from the environs of Asmara. Eyewitnesses report that many youngsters who were fleeing from the military police (MPs) were beaten cruelly to the extent of being hospitalised...the odd thing about the annual roundups is that they occur during the Eritrean tourism season (May-August) and many devoted government supporters in the Disapora, having witnessed the cruelty of the roundups and the dire condition of their families, come back disillusioned with the government they support.” [50d]

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AUTHORISED LEAVE

- 9.29 According to information obtained from the British Embassy in Asmara in April 2010 regarding the granting of leave from military service:

“There are no standard rules with regard to leave. Individuals have no entitlement to leave, and cannot request it, but can be given it arbitrarily by local commanding officers. If a military commander authorises leave for an individual, documents are issued specifying where that person may travel to and for how long (usually one month maximum). We do not know whether leave papers are issued in a printed standard format or are handwritten.” [10e]

CONSCIENTIOUS OBJECTION

- 9.30 An Amnesty International press release, dated 13 June 2008, stated that there is “no limit on [the] length of [national] service. There is no exemption for conscientious objectors, and no alternative non-military service.” [5f]. The HRW 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report affirms the above by stating that the “National Service Proclamation of 1995 makes no provision for conscientious objection to military service.” [29e] (p47)

- 9.31 Groups such as the Jehovah’s Witnesses and other individuals who refuse to perform national service, have suffered human rights abuses, as reported in the US State Department *Human Rights report for 2009*:

“The government also continued to harass, detain, and discriminate against Jehovah’s Witnesses because of their refusal, on religious grounds, to vote in the independence referendum and the refusal of some to perform military duty. This discrimination persisted even though Jehovah’s Witnesses stated a willingness to perform non-military national service, such as working in hospitals.

“Although members of several religious groups, including Muslims, reportedly were imprisoned in past years for failure to participate in national military service, the government singled out Jehovah’s Witnesses for harsher treatment than that received by followers of other faiths for similar actions.” [4i] (section 2c)

See also [Jehovah's Witnesses](#)

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SCHOOL LEAVERS AND CONSCRIPTION

- 9.32 The HRW 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report stated:

“The preferred method of the Eritrean government is to conscript students into national service straight from school, unless they are continuing higher education. To this end, the final year of secondary school was moved to Sawa military camp in 2003. This 12th grade takes place only in Sawa, under military authority, and incorporating military training. Although many 12th grade students are 18 years old, or less, some are older because they take longer to finish high school. Each round or intake of students incorporates 8,000 to 9,000 students. [29e] (p50)

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

“National service is deeply unpopular, especially because new recruits know that there is no prospect of it ending. Students have started escaping from Sawa camp during their 12th grade year without completing school. Escape is no mean feat, because, as described above, Sawa is in effect a huge prison. Those who made it described braving machine gun fire, barbed wire fences, and several days of walking through the desert without food and water. [29e] (p50)

“Some students, aware of their fate once they reach 12th grade have begun to deliberately fail classes so that they can remain in the lower grades. Government awareness of this practice has been to simply pull anyone of military age - 18 and above - out of school altogether, even though it is normal for some students to take extra years to finish school because they are poor or work on family farms.” [29e] (p50-51)

- 9.33 The US State Department *Human Rights report for 2009* stated that:

“The government required all students who reached the final year of secondary school to attend school at a location adjacent to the Sawa military training facility in the western section of the country. Students who did not attend this final year did not graduate and could not take examinations that determined eligibility for advanced education. The remote location of this boarding school, security concerns, and societal attitudes reportedly resulted in many female students not enrolling for their final year; however, women could earn an alternative secondary school certificate by attending night school after completing national service. Many students elected to repeat grades or dropped out of high school after the 11th grade to avoid forced conscription into the Sawa military education.

“...all students spend their final year of high school at the military training camp at Sawa. Attendance at Sawa was compulsory and those who do not attend remain at risk of arrest. Students at Sawa are typically 18 or older, although a fair percentage are as young as 16. The initial three months of school were spent undergoing military training. Students who received poor grades in high school had in the past been sent to the Wi’a Military Training Camp in lieu of being allowed to complete the academic year.” [4i] (section 6)

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EXEMPTIONS

OVERVIEW

- 9.34 An Awate article of 23 October 2007 about national service stated that, according to the national service proclamation, there are only four classes of people exempted from national service:

“Only four classes of Eritreans are exempted from National Service: (1) Those who already gave national service prior to the promulgation of the law and (2) ‘fighters and armed peasants who have proved to have spent all their time in the liberation struggle’; (3) those who, for health reasons, are unable to participate in the national service (but are still required to participate in 18 months of public service.) and (4) those participating in an approved educational programme.” [50v] (Awate, 23 October 2007)

- 9.35 The Awate article of 23 October 2007 further stated that:

“National Service was presented as a noble duty on all citizens and only requiring 18 months of sacrifice. But the proclamation has an escape clause: 18 months of service unless [word underlined in text of source] Eritrea is facing mobilization or a state of emergency. And the nation, mostly due to the rash decision of its self-declared leaders, has been in an undeclared state of emergency for more than half of its existence now. Consequently, most of the National Service members have been pressed into service now for 5, 8 and 10 years.

“...the Proclamation speaks of non-existing institutions like the ‘ministry of local government’ and ‘board’ that is supposed to have oversight over the proclamation. But ever since the arrest of Mahmoud Sheriffo, the ministry of local government has been dissolved and its functions divided up among the military command zones and their ‘desks.’ The board was supposed to review applications for exemptions from applicants claiming exemption from the service. This is now done by the generals who require huge fees and bribes to bestow the ‘unfit’ certificate on the children of parents with means.” [50v] (Awate, 23 October 2007)

EXEMPTION OF WOMEN

- 9.36 Within the text of the National Service Proclamation, there is no reference to any gender differences in any of the provisions. [13] (National Service Proclamation of 23 October 1995).
- 9.37 The Amnesty International report, *You have no right to ask - Government resists scrutiny on human rights* report, published in May 2004, explains further:
- “This [gender equality in recruitment and military obligations] was reflected in the terms of national service after independence, which was established for men and women equally, although there is considerable resistance to female recruitment from Muslim communities, especially among the Afar of Dankalia region on the Red Sea coast. Resistance on the grounds of religious belief, cultural traditions of family honour, or protecting women from sexual harassment and violence in the army, sometimes led to violent confrontations during conscription round-ups. The government appears to have subsequently stopped forcible recruitment of young Muslim women in these areas.” [5c] (p21)
- 9.38 Amnesty International’s International Annual Report 2008, covering events in 2007, mentioned an age differential between male and female conscripts:
- “National military service, in the army or in civilian occupations under military conditions, was indefinite, and was justified by the government because of the military threat from Ethiopia. Military service was compulsory for all citizens aged 18 to 40, with few exemptions allowed. People aged 40 to 50 or who had been demobilized had reserve duties. Women over the age of 27 were informally exempted.” [5a]
- 9.39 More information on this issue comes from an AI report of December 2005:
- “Exemptions from national service include provisions for the disabled, for mothers while they are breast-feeding, on medical grounds, and for a family to retain a young person to remain to help at home when all other siblings have been conscripted. In Muslim areas in the east, female recruitment is said to have ceased on account of substantial opposition on grounds of customary and religious beliefs.” [5l] (p15)
- 9.40 The UK Foreign and Commonwealth Office, in a letter dated 13 June 2008, answered the question of female conscription directly, stating that “the age for military then national service is from 18 to 57 for men and 18 to 47 for women. ...women do routinely perform active national service over the age of 27.” Women over the age of 27 are unlikely to have to undergo military training if they had not done so already. The letter added “married women and mothers should be exempt from military service and able to leave Eritrea before the age of 47, although [this] is sometimes not the case.” [10b]

- 9.41 According to information obtained from the British Embassy in Asmara in April 2010:

“Generally speaking, single women are not treated very differently to men (though we have heard that their rations, for example, may be less meagre). Married women and women with children are exempt from military/national service. Single women who become formally engaged are also exempt. Muslims and Christians are treated the same (they are given no special allowances for prayers, etc) although it is believed that Muslim women in rural areas are rarely called up. This may be due to early marriages and the fact that those communities are made up of mostly poor, subsistence-farming families.” [10e]

- 9.42 A *Meftih* newspaper article that was published in the assenna.com website in March 2010 suggests that Eritreans, in general, do not approve of women being in the armed services, and also indicates that marriage and becoming a mother exempts women from national service obligations:

“In most Eritrean ethnic groups recruitment of women into the military is traditionally not accepted. Women thus recruited are therefore shunned as suitable wives and mothers. They are maltreated by the army and ostracised by the rest of Eritrean society. Paradoxically, childbirth provides the only release from national service into a socially and economically rejecting society. Some Eritrean women marry early simply to avoid the national service.” [16d]

- 9.43 The Canadian Immigration and Refugee Board provided further information about married women and national service, published in a Response to Information Request, dated 28 January 2008:

“During a meeting with the Research Directorate at the Eritrean embassy in Ottawa, a consular officer indicated that women in the military who marry are discharged (15 Jan. 2008). In such cases, women must provide their marriage certificate in order to obtain their discharge documents (Eritrea 15 Jan. 2008).” [68h]

EXEMPTIONS ON MEDICAL GROUNDS

- 9.44 According to information obtained from the British Embassy in Asmara in April 2010:

“People who are disabled or medically unfit for military/national service, and pregnant women can and have been exempted from military/national service. To be exempted, these individuals have to be medically certified by a doctor at a military base as disabled/medically unfit.

“...doctors produce the medical reports needed and then make a recommendation as to whether a particular individual should be exempted from military/national service. The military authorities make the decision regarding exemption and issue the relevant exemption documents.” [10e]

- 9.45 The HRW 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report added:

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

EXEMPTION OF RELIGIOUS CLERICS

- 9.46 Full-time religious clerics are not automatically exempt from national service, as noted in a report published by International Christian Concern in April 2008:

“The Eritrean officials are forcefully sending ministers of the Eritrean Orthodox Church to military training camps. As a consequence, Eritrean Orthodox churches throughout the country are losing their leaders.

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

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

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

“...the Eritrean government has usually directed its animosity for Christians against the ‘unregistered churches’, which are mainly evangelical. Over half a dozen denominations have been closed since May 2002.

“...however, in the last two years [2006-2008], the government has also turned its attention on the Eritrean Orthodox Church, the oldest and most established religious institution in Eritrea. Almost 45% of the Eritrean population belongs to the Eritrean Orthodox Church. Nearly four years ago, the government began a campaign against the leaders of the Orthodox Church, especially those who were attracting increasingly larger followings of young people.” [37]

- 9.47 According to information obtained from the British Embassy in Asmara in April 2010:

“Full-time religious clerics/nuns can be required to do military/national service although in previous years they have been exempt. It is believed that some churches or mosques are limited to having a minimum of serving religious members who are exempt from military/national service.” [10e]

- 9.48 The US State Department *2006 Human Rights report* stated:

“The government does not excuse individuals who object to national service for religious reasons or reasons of conscience, nor does the government allow for alternative service. In November [2006] the government decreed that church leaders from the four state-sanctioned religions were required to perform military and national service; previously, religious leaders such as priests and clerics were exempt from military and national service.” [4j] (2c)

- 9.49 The US State Department *2009 Human Rights report* stated:

“In May 2008 the government issued religious officials from the four recognized religious groups a set number of identity cards and exempted them from military service requirements. Officials who were not awarded a card were told to report immediately for military training. No such exemptions were provided during the year [2009].” [4i] (2c)

DETENTION OF NATIONAL SERVICE AND MILITARY SERVICE CONSCRIPTS

- 9.50 The HRW 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report stated:

“Deserting from the army or even expressing dissent over the indefinite military service is viewed as a political issue by the government. Therefore, most prisoners held for political reasons are detained without charge or trial for refusing or questioning national service or for offences punishable under military law. Even where detainees may have committed a potential crime under military law, numerous former detainees told Human Rights Watch that there was no system of military justice, that they were simply imprisoned on the orders of their commanders without any courts-martial or other procedure. [29e] (p27)

“Human Rights Watch spoke to over 40 deserters from the national service and the military who had fled the country, all of whom had been thrown in jail multiple times without due process. Their alleged offences ranged from questioning the educational curriculum to being caught in prayer meetings to being suspected of trying to leave national service. [29e] (p27)

“An officer in charge of a military prison who subsequently fled to Djibouti explained that sentencing was completely arbitrary and commanders decide how long people remain in jail. [29e] (p27-28)

“...detention of conscripts who try to practice unregistered religions is common. Several people who escaped from their military service told Human Rights Watch that they were arbitrarily thrown in jail for secretly reading the Bible in Sawa camp or being caught in prayer meetings.” [29e] (p28-29)

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DEMOBILISATION

- 9.51 The Proclamation on National Service allows for demobilisation. Article 20 of the Proclamation, which covers discharge from national service stated that:
- “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]
- 9.52 The Oslo Centre for Peace and Human Rights 2009 report *The Lasting Struggle for Freedom in Eritrea - Human Rights and Political Development, 1991-2009*, stated that “since the start of the Eritrea-Ethiopian war in 1998, national service recruits have been kept in the army for an indefinite period, as no demobilisation has taken place.” [92] (p94)
- 9.53 The US State Department *Background Note on Eritrea*, published in February 2010, stated:
- “The government has been slow to demobilize its military after the end of the conflict [1998-2000 war with Ethiopia], although it 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; however, the government maintains a ‘national service’ program, which includes most of the male population between 18-40 and the female population between 18-27.” [4a]

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10. JUDICIARY

ORGANISATION

- 10.01 The *Lasting Struggle for Freedom in Eritrea* report, published by the Oslo Centre for Peace and Human Rights in October 2009, contains information about the organisation of the judiciary in Eritrea:

"In principle, Eritrea has three types of courts, although their separate jurisdictions may at times be blurred: civil (three levels, including community and *shari'a* courts), military (two levels), and the special court. Furthermore, there are indications that there exists a parallel secret system of extra-judicial sentencing of political prisoners that is not anchored in any laws or presidential decrees. [92] (p40)

"The civil court structure in Eritrea has three levels of authority. The *Community Court* system was formally established in 2001 to ease the pressure on the higher courts. It has a single-judge bench system filled by elected judges who hold jurisdiction over cases relating to minor infractions of the law, involving sums of less than approximately US\$7300 (110,000 nakfa). The elected judges do not have any formal legal training, but base their decisions on traditions of customary law in the area in which they serve. It is reported, however, that magistrates versed in criminal law also hear criminal cases at the level of the community courts. All decisions made by the community courts may be appealed to provincial (*zoba*) courts. Most people's only contact with the legal system is with the traditional community courts. As the higher levels of the Eritrean judiciary are wholly inept and politically corrupted, the importance of the customary law-based village courts as providers of justice is increasing. [92] (p41)

"The *Zoba court* is generally the court of first instance. It has civil, criminal, and *shari'a* benches. All first instance cases are heard by a single-judge bench system, but the *Zoba Court* has a three-judge appellate bench that hears cases appealed from determinations made by the Labour Office on employer-employee relations. The *shari'a* bench adjudicates matters of personal status of followers of Islam only. Decisions rendered by any of the benches at the *zoba court* can be appealed to the appropriate benches at the High Court. [92] (p41)

"The *High Court*, although primarily an appellate court, is the court of first instance for a significant proportion of cases involving murder, rape, and other serious felonies. It has a three-judge bench system with jurisdiction in civil, criminal and commercial cases, and *shari'a* benches. Eritrea also has a five-judge bench that hears final appeals in lieu of a Supreme Court. Although at the same level of all other benches in the High Court, the final appeals panel functions much as a Supreme Court does and it is the bench of last resort. The president of this bench is the President of the High Court and four other judges from the other benches at the High Court. The President of the High Court functions as Chief Justice. [92] (p41)

“Although serving the civilian community, civil courts judges include former senior military officers with no formal legal training. Judges are routinely appointed and dismissed at the will of the government; despite the constitutional requirement that such actions are supposed to be based on the recommendations of an independent Judicial Service Commission (Articles 52 and 53 of the Constitution). Such a commission has yet to be established in the country. [92] (p41)

“The Military Court has jurisdiction over penal cases brought against members of the armed forces in addition to crimes committed by and against the members of the armed forces. The presiding judges in the Military Court are all senior military officers. The Court is structured in two levels (higher and lower); the jurisdiction of these two levels depends on the seriousness of the offences in question. Neither level, however, affords the right of appeal to the accused. The higher level of the Military Court is part of the Eritrean High Court. [92] (p41)

“...the Special Court was established in 1996 by President Isaias Afwerki, in the aftermath of Eritrea’s first publicly known corruption scandal in the mid 1990s, involving officials in the EPLF-owned Red Sea Trading Corporation. The statute or law for the establishment of the Special Court is not available, and no published records of its procedures or cases are available, as the court generally operates in secrecy. [92] (p42)

“...the judges of the Special Court are predominantly senior military officers and EPLF commanders hand-picked by the President and accountable to his office only. Their recruitment to the Court is likely to be based on personal affiliations and loyalty to the President, and their proven ‘toughness’ in disciplining their troops. There are no formal requirements of judicial training or competence, and many of the judges have little or no legal training whatsoever. It is not known how many ‘benches’ operate under the Special Court. [92] (p42)

“The Special Court is an executive-controlled separate jurisdiction, not under the authority of the President of the High Court. The Office of the Attorney-General decides which cases are to be tried by a Special Court. The Court primarily has jurisdiction over criminal cases involving capital offences, theft, embezzlement, and corruption, and other unspecified abuses by government, and party officials. The Special Courts also issues directives to other courts regarding administrative matters. [92] (p42)

“...individuals arrested under the Special Court are kept in detention incommunicado, usually in a secret location, and there is no time limit on pre-trial detention. After the Court has decided upon a case, the detainee is transferred to an official prison or one of the many detention camps scattered throughout Eritrea. All decisions passed by the court are final and binding, as there is no appellate court. However, reportedly, in rare instances, appeals made to the Office of the President have resulted in Special Courts rehearing certain cases.” [92] (p43)

INDEPENDENCE

10.02 The US State Department *Human Rights report for 2009* stated that:

“The law and unimplemented constitution provide for an independent judiciary; however, the judiciary was weak and subject to executive control [during 2009]. Judicial corruption remained a problem. The judicial process was influenced by patronage of former fighters who in many cases were judges themselves. Executive control of the judiciary continued; the Office of the President served as a clearinghouse for citizens' petitions to the courts or acted for the courts as arbitrators or facilitators in civil matters.” [4i] (section 1e)

FAIR TRIAL

10.03 The US State Department *Human Rights report for 2009* stated that:

“The judiciary suffered from a lack of trained personnel, inadequate funding, and poor infrastructure that limited the government's ability to grant accused persons a speedy and fair trial. Public trials were held, but no cases involving individuals detained for national security or political reasons were brought to trial. The drafting into national service of many civilian court administrators, defendants, judges, lawyers, and others involved in the legal system continued to have a significant negative impact on the judiciary. The government has not issued licenses to lawyers wishing to enter private practice for ten years.” [4i] (section 1e)

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11. ARREST AND DETENTION – LEGAL RIGHTS

11.01 The US State Department *Human Rights report for 2009* stated that:

“The law stipulates that detainees must be brought before a judge within 48 hours of their arrest and may not be held more than 28 days without being charged with a crime. In practice [the] authorities often detained suspects for much longer periods. The law stipulates that unless there is a ‘crime in progress,’ police must conduct an investigation and obtain a warrant prior to making an arrest. In cases involving national security, this process may be waived. In practice very few individuals were arrested with a warrant. Authorities did not promptly inform detainees of charges against them and often changed the charges during detention. Detainees in prisons often did not have access to counsel or appear before a judge. Incommunicado detention was widespread, although detainees in police stations generally had access to legal representation and family members. Authorities provided indigent detainees with counsel on an irregular basis. There was a functioning bail system, except for persons charged with national security crimes or crimes that could carry the death penalty.” [4i] (section 1d)

See also [Arbitrary Arrest and Detention](#)

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12. PRISON CONDITIONS

12.01 The Human Rights Watch *2010 World Report* stated that:

“Torture and ill-treatment in detention are routine in Eritrea. Former detainees told Human Rights Watch that detention almost always included severe beatings, often leading to permanent physical damage. In addition to beatings, punishment entailed being hung up by the arms from trees, tied up in the sun in contorted positions for hours or days, and subjected to mock drowning. [29d] (p2)

“Poor detention conditions often amount to cruel, inhuman, and degrading treatment. Prisoners were held in a variety of known and secret detention facilities. Medical care is minimum at best. In December 2008, 27 political prisoners, including three journalists arrested in 2001, were moved to the Dahlak archipelago in the Red Sea where prisoners were held in searing heat in subterranean isolation cells. In 2009 four prisoners held in underground cells for five years without access to daylight because they were ‘unrepentant’ for their religious beliefs were reportedly blinded by sudden glare when they were brought to the surface; over the years there have been similar reports about other prisoners released from underground cells.” [29d] (p2)

12.02 The Amnesty International report 2008, covering events in 2007, released May 2008, stated that:

“Torture by means of painful tying, known as ‘helicopter’ continued to be a routine punishment and means of interrogation for religious and political prisoners. Members of evangelical churches were tortured to try to make them abandon their faith. Military offenders were tortured. Many were young people who had tried to flee conscription or who had complained of harsh conditions and the indefinite extension of their national service. Prison conditions were extremely harsh and constituted cruel, inhuman and degrading treatment. Many prisoners were held in shipping containers, which were overcrowded and unhygienic with no toilet or washing facilities, and varied between extremes of heat and cold. Medical treatment was rarely provided.” [5a]

12.03 The US State Department *Human Rights report for 2009* stated that:

“Prison conditions remained harsh and in some cases life threatening [in 2009]. Severe overcrowding was common. There were reports that prisoners were held in underground cells or in shipping containers with little or no ventilation in extreme temperatures. The shipping containers were reportedly not large enough to allow all of those incarcerated together to lie down at the same time. Other prisoners were held in cement-lined underground bunkers with no ventilation. Up to 200 prisoners were held in each bunker, and some prisoners passed out from the extreme heat.

“...there were several unofficial detention centers, most located in military camps and used as overflow detention centers following mass arrests and roundups. There were reports that detention center conditions for persons temporarily held for evading military service were also harsh and life threatening. Allegations from various sources suggested there may be hundreds of such detainees. Draft evaders were reportedly sent to the Wi’a military camp, where typically they were beaten. Some were held as long as two years before being reassigned to their units. At one detention facility outside Asmara, authorities continued to hold detainees in an underground hall with no access to light or ventilation and sometimes in very crowded conditions.” [4i] (section 1c)

12.04 The HRW 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea*, report added:

“The total number of prisons in Eritrea is a mystery. Eritrea has a formidable network of detention facilities, some of which are well known, and others secret, some authorized, and others not. Many, if not most political prisoners and those detained for trying to flee the country or for practising ‘illegal’ religions are held incommunicado in appalling conditions, often underground or in metal shipping containers. [29e] (p34)

“Keeping track of all the detention facilities is extremely difficult because each town and administrative district in Eritrea has a jail; wherever there is a police post [there] is a cell; and each military division has its own prison. In addition, there are secret facilities about which many rumors exist, such as Eiraeiro, where members of the G15 are thought to be held. [29e] (p34)

“...apart from torture and routine punishment, detainees in Eritrea’s huge network of prisons endure terrible conditions, forced labor, and lethal starvation...the government appears completely unconcerned about detention facilities and the fate of the people in custody. Deaths in custody are common. Prison guards are often demoralized and appalled by what they are asked to do - some of them reportedly escape along with the inmates. [29e] (p35)

“...detainees described poor nutrition and starvation rations in most facilities. A man detained in Asmara’s Track B prison for a day before he was transferred said he received a single biscuit. Other told Human Rights Watch they received one cup of water a day despite hot and overcrowded conditions. [29e] (p37)

“...detaining people underground appears to be a typical practice of the Eritrean government - much of the liberation struggle was fought from underground bunkers, some of which, it appears, have now become jails for the some of the very people who fought for freedom. Underground facilities were reported at Sawa, Track B, Mai Serwa, Haddis Ma’asker, Aderser, Alla, and Dahlak, among others. There are multiple prisons in Camp Sawa, including several underground cells.” [29e] (p37)

- 12.05 The Suwera Centre for Human Rights report, *The State of Human Rights in Eritrea 2008*, published in August 2009, added:

“There are no health facilities in Eritrean prisons especially at the secret locations. Prisoners do not get any medical attention even if they suffered from serious diseases which caused many deaths which remained secret. The prisoners are made to sleep on the ground or on small thin mats of woven palm leaves. Many are not allowed to use a pillow or any cover and this causes back and muscular ailments and pain for a long time. [22] (p24)

“Provision of food to prisoners consists of two little meals served daily without meat or vegetables. This makes the prisoners prone to many diseases due to malnutrition in addition to the physical and mental torture they were systematically subjected to and the denial to see their families. Some of the prisoners are detained in solitary confinement which makes it worse, besides they do not know for how long they will be detained.” [22] (p25)

- 12.06 The US State Department *Human Rights report for 2009* noted:

“During the year [2009] the government did not permit the ICRC [International Committee of the Red Cross] or any local human rights organizations to monitor prison conditions. Since the shutdown of the repatriation program during the year [2009], the government also denied the ICRC access to Ethiopian prisoners of war detained in the country.

“...authorities generally permitted convicted criminals in prisons three visits per week by family members; however, persons detained, arrested, or convicted for reasons of national security or for evading national service were denied family visits.” [4i] (section 1c)

See Arbitrary arrest and detention; Children in judicial and penal systems

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PLACES OF DETENTION

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

Aderser. Military camp/training centre. Located 25 km from Sawa camp. [29e] (p93) (Human Rights Watch *Service for Life* report, April 2009).

Adi Abeto. Main prison for Asmara; also used as a processing centre to send prisoners elsewhere. 10 to 15 km north east of Asmara, off the road to Keren. [29e] (p93) (Human Rights Watch *Service for Life* report, April 2009). 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. [5c] (p16) (AI, May 2004). In April 2008, Awate reported "The two story building generally functions as a holding bin, a 'referral jail.' Nearly five hundred prisoners are held there: those who have the resources are able to buy their freedom by paying the penalty fee, which generally ends up in the pockets of a colonel or a general. Those who do not have the means are sent to other prisons, like Track B [Tract B], an underground prison or, if they are in the military, they are referred to the military units, where they serve their terms. There is no court hearing, no police case and no documentation." [50a] (Awate, 7 April 2008)

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

Adi Quala or Adi Qala. Military prison. Located 40 km north of Ethiopian border, off main road from Asmara through Mendefera. [29e] (p93) (Human Rights Watch *Service for Life* report, April 2009).

Agip, Asmara. The location, according to Reporters without Borders, of eight of the nine state media journalists arrested in November 2006. "Located behind the 'Capitol' cinema and opposite the presidential palace, this complex is 'where the police take detainees to torture them before transferring them to their final destination,' a former detainee told Reporters without Borders." [50s] (p2) (Awate, 3 December 2006)

Alla or Ala. Located 40 km from Asmara, near Dekemhare town. [29e] (p93) (Human Rights Watch *Service for Life* report, April 2009). Shipping containers reported as being used as punishment blocks in this facility. [5c] (p16) (AI, May 2004)

Assab Front (aka 'Gimbar'). Military prison in Assab. [29e] (p93) (Human Rights Watch *Service for Life* report, April 2009).

Baharia Naval Base. Military facility. Massawa. [29e] (p94) (Human Rights Watch *Service for Life* report, April 2009).

Barantu. Barantu. Civilian prison. [29e] (p94) (Human Rights Watch *Service for Life* report, April 2009).

Dahlek Kebir. Dahlak islands. Maximum security civilian prison. [29e] (p94) (Human Rights Watch *Service for Life* report, April 2009). Detention and prison facilities built on the main Dahlek island in the Red Sea, with a capacity for 800 prisoners, and comprising eight large sheet-metal buildings. [5c] (p16) (AI, May 2004). It is where many of the detainees from the returns by Malta and Libya are thought to be imprisoned. [29c] (HRW 2005).

Duarwa. Located south of Asmara, on the road to Adi Quala before Adi Ugri. [29e] (p94) (Human Rights Watch *Service for Life* report, April 2009).

Eiraeiro, Filfil-Selomuna area north of the Asmara-Massawa road. A 'secret' prison for political prisoners. [50m] (Awate, 31 August 2006). It was purpose built in 2003, receiving the G15/G11 political prisoners from Embatkala in June 2003. It is reported to be comprised of five main blocks, with two main cell blocks, and 62 rooms used as cells; the standard cell size is 3 x 3 meters. [50m] (p2). The article claims there are 36 political prisoners, and names most of them, giving their cell numbers. [50m] (p2,3). Conditions are basic, and prisoners are chained and in solitary confinement. [50m] (p3-4). A total of 150 guards and staff operate the prison. The guards are heavily vetted and monitored. [50m] (p4-5).

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

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. [50f] (Ehrag section, Awate, 16 June 2006)

Ghatelay (Ghatielay). Military labour camp. About 40 to 45 km north west of Asmara, off main road to Massawa. [29e] (p94) (Human Rights Watch *Service for Life* report, April 2009).

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

Halhalas. Sub-provincial prison. Located 45 km from Asmara. Specifically for persons caught trying to cross the border. [29e] (p94) (Human Rights Watch *Service for Life* report, April 2009).

Kambo Ndafurstale. Sanafe town. Military jail. [29e] (p94) (Human Rights Watch *Service for Life* report, April 2009).

Klima. Near Assab. [29e] (p94) (Human Rights Watch *Service for Life* report, April 2009).

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

Mai Serwa military camp near Asmara. The camp is used for the detention of draft evaders, and uses metal shipping containers and underground cells. [5h] (AI, 28 July 2005). 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. [68a] (Canadian IRB, 14 July 2003). 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.” [5i]. A Release Eritrea briefing, posted on 25 June 2005, 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.” Helen Berhane was released from prison in October 2006. [31g] (Release-Eritrea, 2 November 2006); [5o] (AI, 3 November 2006); [67b] (CSW, 3 November 2006). The AI report of 3 November 2006 notes that initially, Ms Berhane was hospitalised in Asmara, where she was confined to a wheelchair “due to the injuries she sustained to her feet and legs”. [5o]. On 22 October 2007, BBC News reported that Ms Berhane had been granted asylum in Denmark. [8n]

Mai Temenei. An army prison equipped with underground cells. [5c] (p16) (AI, May 2004). In May 2008, the camp was mentioned as a detention centre for Ethiopian women detained circa 21 May 2008, in a facility named as “the Enda Seal (TB Center)”. [50j] (Awate, 22 May 2008)

Metkelabet. Located between Massawa and Asmara. Military prison belonging to the 32 division. [29e] (p94) (Human Rights Watch *Service for Life* report, April 2009).

Meiter. Awate mentioned Meiter on 10 July 2008 as a detention centre stating: “Of all the prisons they have designed, Meiter is the most inaccessible locality so far. Anyone once taken to Meiter will never ever be able either to communicate with his kin or flee from the place. It is so far from the nearest towns and too arid that even if you are allowed to go on your own, you will come back for fear of death due to thirst. These returnees, even if allowed to meet with their family for a fraction of a second, will move to that place in due time. The PFDJ will try any means to hoodwink the public till those remaining in Libya and Egypt come back. After all of them arrive, Meiter will be full to capacity.” [50i] (Awate, 10 July 2008). Meiter was also mentioned in an Awate January 2008 report. [50i] (Awate, 3 January 2008)

Nakhura Island. Part of the Dahlak complex of prisons. Maximum security. [29e] (p95) (Human Rights Watch *Service for Life* report, April 2009).

Prima 1 +2. Military prison. [29e] (p95) (Human Rights Watch *Service for Life* report, April 2009).

Sawa Military Training Camp. Located along Sawa River, in far western Eritrea near the border with Sudan, about 10 km south of road midway between Sebderat and Hawashayt. [29e] (p95) (Human Rights Watch *Service for Life* report, April 2009). The complex includes the prison camp of Brigade Six, comprising temporary barracks built on a hilltop to the right of the main camp. According to the testimony of an ex-prisoner reproduced by Awate, “Sawa prison is made entirely of tin material” and thus insufferably hot in the day and cold at night. It comprises of 12 tin barrack blocks. Malnutrition, poor hygiene and lack of medical attention reported, with high levels of infections and diseases associated with poor living conditions. [50g] (Ehrag section, Awate, 25 April 2006). Photos of Sawa in 2000 and 2004 are found in slide shows on the website of the National Union of Eritrean Youth Students (NUEYS) <http://www.denden.com/NUEYS/>.

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

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

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

“Tract B”. Asmara. Military prison. It comprises of a former US storage facility near Asmara airport. [5c] (p16) (AI, May 2004). 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) (AI, May 2004)

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

Wengel Mermera (Wenjel Mirmera). 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.” [31c] (Release Eritrea, 25 June 2005). The AI May 2004 report adds that it is a special security section in the 2nd police station, Asmara. [5c] (p16) (AI, May 2004). Compass Direct, April 2006, maintains that the 70 muslims arrested for protesting about the Government’s imposition of a new chief mufti were detained in Wengel Mermera in one cell. [47a] (Compass Direct, July 2006)

Wi’ya/W’ia/Wieh. Military camp/training centre. Located on the Red Sea coast about 40 km south east of Massawa, off the road to Assab. [29e] (p95) (Human Rights Watch *Service for Life* report, April 2009). Temperatures in this area are often over 40 degrees centigrade. One hundred and twenty-one 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. [46] (p2). On 10 June 2005, a mass escape was attempted, and the authorities shot and killed 161 youths. [4f] (section 1a) (USSD report for 2005). In July and August 2007, the hot season, at least 16 people died from the effects of heat, and many dozens were hospitalised. [50p] (Awate, 3 October 2007).

The 3 October 2007 Awate report stated that there is a specific camp for detained teachers and added the details:

“Wia is not a single camp. It represents a cluster of several camps, including one used exclusively as a detention center. Among the commanders in Wia are: Lt. Col. Jemal, Lt. Col. Weddi Haile and Capt. Ramadan...it holds two large groups of Eritreans protesting unjust laws: military conscription escapees/evaders and members of banned churches.” [50p]

See also the Annex in the April 2009 HRW report, *Service for Life - State Repression and Indefinite Conscription in Eritrea*
http://www.hrw.org/sites/default/files/reports/eritrea0409web_0.pdf

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13. DEATH PENALTY

- 13.01 As regards the death penalty, the Amnesty International *Death Sentences and Executions 2009* report, published in March 2010, classed Eritrea as one those “countries which retain the death penalty for ordinary crimes such as murder but can be considered abolitionist in practice in that they have not executed anyone during the past 10 years and are believed to have a policy or established practice of not carrying out executions.” [5n]. In a factfile page updated in December 2005, the University of Westminster, London, Centre for Capital Punishment Studies noted that the crimes that attract the death penalty in Eritrea are murder and acts threatening state security; and that execution is legally performed by either firing squad or hanging. [64]

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14. POLITICAL AFFILIATION

- 14.01 The Constitution states that every citizen has the right to form organisations for political ends. [2]. However, the US State Department *Human Rights report for 2009* stated “the government did not allow the formation of any political parties other than the PFDJ. It also prohibited the formation of any associations or private organizations.” [4i] (section 2b)

FREEDOM OF POLITICAL EXPRESSION

- 14.02 The US State Department *Human Rights report for 2009* noted that “the law and unimplemented constitution provide citizens with the right to change their government peacefully; however, citizens were not allowed to exercise this right in practice.” [4i] (section 3)

FREEDOM OF ASSOCIATION AND ASSEMBLY

- 14.03 The US State Department *Human Rights report for 2009* stated “the law and unimplemented constitution provide for freedom of assembly and association; however, the government did not permit either. For gatherings of more than three persons, the government required those assembling to obtain a permit, although this requirement was enforced sporadically.” [4i] (section 2b)

OPPOSITION GROUPS AND POLITICAL ACTIVISTS

- 14.04 The US State Department *Human Rights report for 2009* reported that:
- “There were no confirmed reports of political prisoners; however, several hundred individuals were detained beginning in 2001 for political reasons. Many were perceived to have ties to political dissidents or were believed to have spoken against government actions. Most of these detainees had not been tried and did not have access to legal counsel. The ICRC was not authorized to visit these detainees, and no information was available of their condition or circumstances of detention.” [4i] (section 1e)
- 14.05 Awate published a report on 31 August 2006, ‘The obscure and tragic end of the G-15’, that claims to present information about the political prisoners since their arrest up to 2006. It talks of the prison complex at Eiraeiro, between Asmara and Massawa, that was completed in June 2003, and houses these political prisoners. Prior to 2003, the G15/G11 group were held at Embatkala, a former Ethiopian-era navy facility. The G15/G11 group were listed along with other prisoners held in Eiraeiro, creating a group of 36 political prisoners. Of the prisoners and of the G15 group prior to transfer to Eiraeiro, nine people are mentioned as having died in detention. The article claims food, clothing and hygiene are basic; the prisoners are held in solitary confinement, in chains, and totally *incommunicado*. There were slight relaxations in 2006. [50m]

See Annex C Prominent people – G15/G11 political prisoners

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OPPOSITION GROUPS IN EXILE

- 14.06 The United Nations High Commissioner for Refugees *Eligibility Guidelines for Assessing the International Protection Needs of Asylum Seekers from Eritrea* report, published in April 2009, stated:

“The unimplemented Eritrean Constitution guarantees to every citizen the right to form organizations for political ends. The People’s Front for Democracy and Justice (PFDJ), which came to power in 1993 by popular referendum, is however the only authorized political party. As a result, opposition groups have been driven out of the country and, since late 2004, operate only in exile.” [18c] (p20)

- 14.07 The *CIA World Factbook* section on Eritrea (27 May 2010 version) lists the names of various opposition groups:

“Eritrean Democratic Party (EDP) [HAGOS, Mesfin]; Eritrean Islamic Jihad or EIJ (includes Eritrean Islamic Jihad Movement or EIJM also known as the Abu Sihel Movement); Eritrean Islamic Salvation or EIS (also known as the Arafa Movement); Eritrean Liberation Front or ELF [ABDULLAH Muhammed]; Eritrean National Alliance or ENA (a coalition including EIJ, EIS, ELF, and a number of ELF factions) [HERUY Tedla Biru]; Eritrean Public Forum or EPF [ARADOM lyob]”. [28]

- 14.08 The UNHCR *Eligibility Guidelines for Assessing the International Protection Needs of Asylum Seekers from Eritrea* report added:

“Opposition groups abroad, most of which are based in neighbouring Ethiopia and Sudan, are split into two major affiliations, namely (i) the Democratic Party, which has agreed a common set of objectives with two older parties (the Eritrean Liberation Front (ELF) and the Eritrean Liberation Front - Revolutionary Council (ELF-RC), a splinter group of the ELF); and (ii) the Eritrean National Alliance (ENA), an umbrella organisation consisting of several and varied opposition groups. Some of these groups broadcast radio and television programmes to Eritrea via satellite, and maintain active websites highly critical of the Eritrean Government.” [18c] (p20-21)

- 14.09 The United States Library of Congress, Federal Research Division’s country profile of Eritrea, dated September 2005, adds further detail about the Eritrean National Alliance:

“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.” [79] (p16)

- 14.10 Reports in 2006 highlighted the way that the opposition parties in exile were affected by the Eritrean Government's change in relations with other states, with *Gedab News* reporting, via Awate, that the Government of Sudan in June 2006 revoked permission for several Eritrean dissident organisations to host their congresses in Khartoum. [50w]
- 14.11 An Awate article of 26 November 2006 stated:
- “Within days after the normalization of the Eritrea-Sudan relationship, the Eritrean regime was given intelligence on the military bases of the armed opposition group [sic], the Eritrean opposition activists in Eastern Sudan, particularly the refugee camps and the type of help given to the Eritrean opposition by the Sudanese government.
- “Since then, the political space for Eritrean opposition groups in Sudan has been getting increasingly restricted [sic]. Sudan first denied them a venue to conduct their long-scheduled congresses. A few months later, the powerful opposition radio, *Al Sharq*, broadcasting from Khartoum, with repeaters in Kassala, was shut down.” [50r] (p2)
- 14.12 A *Sudan Tribune* report, dated 1 June 2008, stated that:
- “Sudan has banned the activities of the Eritrean opposition in the country after years of support. The move indicates the level of good relations between Asmara and Khartoum.
- “The Sudanese government officially notified the representative[s?] of the Eritrean opposition in the Khartoum to stop political activities against Asmara government and close their venues.
- “According to [the] Islam Today website, which is well informed about Islamist movements in the Horn of Africa, the Sudanese government also ordered the Eritrean groups to [sur]render houses and vehicles granted by the Sudanese security service.” [62b]
- 14.13 A Dehai article of 9 June 2008 recounted the struggle between 13 Eritrean opposition groups and the Sudanese authorities after the Government of Sudan placed a ban on political activities by such groups. [11b]
- 14.14 The Awate article, ‘EDA will hold its congress’, of 15 February 2007, noted that the Eritrean Democratic Alliance (EDA) was permitted to hold its congress in Addis Ababa, Ethiopia on 15 February 2007. [50t]. By December 2007, Awate was reporting that the EDA had effectively split into two political camps, splitting on issues of national versus ethnic group representation of interests. [50aa]

See [Annex B Political Organisations](#)

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15. FREEDOM OF SPEECH AND MEDIA

OVERVIEW

- 15.01 The US State Department *Human Rights report for 2009* summarised the situation regarding freedom of speech and media in Eritrea:

“The law and unimplemented constitution provide for freedom of speech and of the press; however, the government severely restricted these rights in practice. Citizens did not have the right to criticize their government in public or in private, and some who did so were arrested or detained. The private press remained banned, and most independent journalists remained in detention or had fled the country, which effectively prevented any public and media criticism of the government. All journalists practiced self-censorship due to fear of government reprisal.

“The government attempted to impede criticism and took reprisals against persons who criticized government officials or policies. During the year [2009] persons were arrested for publicly complaining about poverty. The government monitored meetings within the country and abroad. The government also continued to forbid free speech. In an October [2009] interview with Reuters, the president stated that he would not allow independent media to operate in Eritrea.” [4i] (section 2a)

RESTRICTIONS ON THE BROADCASTING AND PRINT MEDIA

- 15.02 Regarding Eritrea's broadcasting and print media, the US State Department *Human Rights report for 2009* stated that:

“The government controlled all media, which included three newspapers, three radio stations, and two television stations. The law does not allow private ownership of broadcast or other media. The government banned the import of foreign publications; however, individuals were permitted to purchase satellite dishes and subscribe to international media. The government had to approve publications distributed by religious or international organizations before their release, and the government continued to restrict the right of religious media to comment on politics or government policies. The press law forbids reprinting of articles from banned publications. The government also required diplomatic missions to submit all press releases for approval before their publication in the government media.

“Unlike in 2008, the government permitted only one reporter representing a foreign news organization, Reuters, to operate in the country; however, the government did not grant permission for the reporter to travel outside the capital. In February 2008 the government created administrative obstacles for the Agence-France Presse (AFP) international journalist resulting in his forced departure. AFP had not been allowed to return to the country since. The president occasionally conducted interviews with foreign news agencies invited specifically for the interview.” [4i] (section 2a)

- 15.03 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. [30] (CPJ, September 2005); [5d] (AI, September 2002), [17b] (RWB, 2008)
- 15.04 The *Reporters without Borders 2009 World Report*, published in May 2009, added:
- “Eritrea, which has been led since independence by the highly authoritarian Issaias Afeworki, figures in last place on [the] Reporters Without Borders’ world press freedom index. The country has been cut off from the outside world since the terrible round-ups of September 2001 and at least four journalists have died in prison, unknown and forgotten, while the situation goes from bad to worse.
- “...the public media in Eritrea do nothing but relay the regime’s belligerent and ultra-nationalist discourse...no divergence is tolerated. Like scores of their fellow citizens who flee the country each month, many journalists working in the public media can no longer bear the gagging imposed on them by the government and go into exile. Most leave on foot at risk of being shot dead by border patrols who have received the order to shoot on sight. The very few foreign correspondents in the country have slowly been driven out as a result of harassment or intimidation, or simply through expulsion. Not a single one now lives in Asmara.” [17a]
- 15.05 The BBC *Eritrea Country Profile*, updated on 11 May 2010, lists the state press agencies as: *Hadas Eritrea* (published three days a week); *Eritrea Profile* (English language weekly paper); *Tigirta* (party youth weekly) and *Geled* (youth weekly); *Eri-TV* (state television); *Dimtsi Hafash* - Voice of the Broad Masses of Eritrea (two radio networks); *Radio Zara* (FM network); and *Erina* (Eritrean news agency). [8a]
- 15.06 The source Eritrean Media Guide (EMG), dated February 2006 [73], and the BBC *Eritrea Country Profile* of May 2010 [8a] list a wide variety of media agencies, from the official state agencies 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 [73] and a site that is the subject of an academic article, ‘Diaspora, cyberspace and political imagination: the Eritrean diaspora online’ (2006) 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. [77]

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RESTRICTIONS ON THE USE OF THE INTERNET

- 15.07 Regarding the use of the Internet, the US State Department *Human Rights report for 2009* stated:

“There were no official restrictions on the use of the Internet; however, the government monitored Internet communications. The government monitored e-mail without obtaining warrants as required by law. All Internet service users were required to use one of the three Internet service providers owned, either directly or through high-ranking PFDJ party members, by the government.

“The government also discouraged citizens from viewing Web sites known to be antigovernment by continuously labelling the sites and their developers as saboteurs of the government. Many citizens expressed fear of arrest if the government caught them viewing such sites.

“According to International Telecommunications Union statistics for 2008, approximately 1.8 percent of the country’s inhabitants used the Internet.”
[4i] (section 2a)

- 15.08 In December 2008, Assenna reported that three youths were arrested in Asmara on 26 December [2008] by the security forces for looking at websites run by the diaspora political opposition. After the arrests of the youths, Internet service providers in Asmara were warned by the authorities not to allow the public access to websites run by the diaspora political opposition. The report further stated that the Eritrean government is worried about the information produced by independent sources, and opposition websites abroad regarding current developments in Eritrea, and has taken measures to further suppress freedom of expression. [16a]

TREATMENT OF JOURNALISTS

- 15.09 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. The same report named the detainees (see Annex C). The same CPJ report 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. [30]. RWB reported in February 2008 that there was still no firm news as to what has happened to the journalists; though, again, “Prison guards, who fled abroad in 2006, revealed that at least three of the journalists who were arrested in 2001, died in prison between 2005 and 2006. And on 11 January [2007], Fessehayle Yohannes, known as ‘Joshua’ one of the most important figures in the country’s intellectual life, died from the effects of appalling prison conditions in Eiraeiro in the north-east of the country where the highest profile prisoners are held.” [17b]

15.10 The RWB 2008 annual report regarding foreign correspondents added:

“The very few foreign correspondents based in Asmara are directly accountable to the information minister, Ali Abdu, who has no hesitation in suspending their work permits at the slightest deviation. Those they interview are at risk of immediate imprisonment. Journalists wishing to travel to Eritrea have to wait for months, during which time they have to convince the Eritrean ambassadors in their home countries that the reporting they plan will be favourable to the government. Any who refer in their articles to the lamentable state of civil and political liberties in the country are expelled.” [17b]

15.11 In March 2009, Reporters without Borders reported that the:

“The [Eritrean] authorities on 22 February 2009, ordered a raid on the premises of Radio Bana, a small station in the heart of the capital that puts out educational programmes under the sponsorship of the education ministry. Its entire staff of around 50 journalists were arrested and taken without explanation to the Doboito detention centre on the edge of the city. Some of the staff were released but several of them remain in custody. Among them are Bereket Misghina, aka Wedi Misghina, a famous actor and playwright; journalist and essayist Yirgalem Asfha, former art critic for the newspaper Zemen; teacher Basilius Zemo, aka Wedi Zemo, and a young teacher Senait Habtu, working in the radio's production studio. Unconfirmed reports suggested they had been transferred to the military prison in Adi Abeito, north-west of Asmara on the road to Keren.” [17c]

15.12 A Reporters without Borders report dated 12 May 2010 stated:

“As World Press Freedom Day was being celebrated on 3 May [2010], Eritrea continued to be the world's worst country for journalists with around 30 currently held incommunicado in the most inhumane conditions and more arrests still being made, such as that of Said Abdulhai, one of the country's most famous journalists, in the last week of March [2010].

“...Eyob Bahta Habtemariam, a man who credibly claims to have been a guard at the notorious Eiraeiro prison camp in the desert of Northern Red Sea province, in northeastern Eritrea, fled the country last month [April 2010] and found refuge in neighbouring Ethiopia.

“According to him, Dawit Isaac, a journalist with Swedish and Eritrean dual citizenship who was arrested in 2001, is in Eiraeiro. He says Dawit is being kept in solitary confinement in a 12-square-metre windowless cell and is in very poor physical and mental health.

“This is the first time that a prison guard has claimed to know with such certainty where Dawit, the founder of the now closed daily Setit, is being held. Dawit has been transferred several times since his arrest. The authorities took him to the air force hospital in Asmara at one point last year [2009]. He was also admitted to Asmara's Kedeste Mariam (St. Mary) Hospital, a psychiatric clinic, twice in 2009.

“At least three other journalists who were arrested in the September 2001 round-ups are currently held in Eiraeiro. There are Amanuel Asrat, the editor of the privately-owned weekly Zemen, who is prisoner No. 25, freelance journalist Seyoum Tsehay, who is prisoner No. 10 and Dawit Habtemichael, the deputy editor and co-founder of the newspaper Meqaleh, who is prisoner No. 12.” [17d]

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16. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

- 16.01 The Eritrea section of Freedom House's *Freedom in the World 2010* report, published in May 2010, stated:

"The government maintains a hostile attitude toward civil society; independent NGOs are not allowed, and the legitimate role of human rights defenders is not recognized. In 2005, Eritrea enacted legislation to regulate the operations of all NGOs, requiring them to pay taxes on imported materials, submit project reports every three months, renew their licenses annually, and meet government-established target levels of financial resources. International human rights NGOs are barred from the country, and the government expelled three remaining development NGOs in 2006." [36]

- 16.02 The US State Department *Human Rights report for 2009* noted:

"No domestic human rights groups and only four international humanitarian NGOs (Oxfam, Lutheran World Federation, Catholic Relief Services, and Norwegian Church Aid) operated in the country [in 2009]; the government interfered with and restricted their work. Catholic Relief Services began the process of shutting down its office during the year [2009] after receiving notification it was not in compliance with government regulations.

"The government allowed three ruling party-aligned domestic rights NGOs - Citizens for Peace in Eritrea, Eritrea War Disabled Fighters Association, and Vision Eritrea, Inc - to operate [in 2009]. All NGOs were required to register with the Ministry of Labor and Human Welfare, but international NGOs were required to maintain 30 million nakfa (\$2 million) in a local bank. Many failed to receive government approval under the registration process and were required to leave the country.

"In 2008 the international NGOs CARE and Dutch Interchurch Aid closed operations and departed the country, citing obstruction and government harassment. In 2006 the government asked five NGOs - Mercy Corps, ACCORD, Samaritan's Purse, International Rescue Committee, and Concern - to close operations and depart the country, which they did.

"In previous years the government permitted only the ICRC to operate effectively, although it limited ICRC operations to repatriation, providing shelter to approximately 500 families displaced by the conflict with Ethiopia, visiting prisons and detention centers where Ethiopians were held, and providing assistance to IDPs. However, during the year [2009] the government severely restricted ICRC operations and prevented the organization from repatriating Ethiopians to Ethiopia and from monitoring the conditions of Ethiopian prisoners of war." [4i] (section 5)

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17. CORRUPTION

17.01 The US State Department *Human Rights report for 2009* noted that:

“The law does not provide criminal penalties for official corruption; however, the government often arrested many individuals it unofficially charged with corruption. Those arrested under these charges were never tried in court. The World Bank’s 2008 governance indicators reflected that corruption was a problem.

“There were reports of petty corruption within the executive branch, largely based on family connections. Judicial corruption was a problem. There were allegations of corruption among military leaders involving illicit trade, the appropriation of houses, and the black market selling of goods such as diesel and cement. Corruption was rife in the passport office, and individuals requesting exit visas or passports had to pay bribes.

“Public officials were not subject to financial disclosure laws, and there was no government agency responsible for combating government corruption.”
[4i] (section 4)

17.02 Transparency International’s 2009 Corruption Perceptions Index (CPI) of 180 countries, published in November 2009, ranks Eritrea as the 126th most corrupt country, with a CPI score of 2.6. (Somalia, which is number 180 in the 2009 CPI, is the worst country in terms of perceived corruption.) The CPI defines corruption as the abuse of public office for private gain, and measures the degree to which corruption is perceived to exist among a country’s public officials and politicians. The CPI is a composite index that draws on multiple expert opinion surveys. The CPI scores range from 10 (low level of corruption) to 0 (high level of corruption). [44]

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18. FREEDOM OF RELIGION

OVERVIEW

- 18.01 As regards the religious make-up of the Eritrean population, the US State Department *2009 International Religious Freedom report*, published in October 2009, stated that:

“Although reliable statistics are not available, it is estimated that 50 percent of the population is Sunni Muslim, 30 percent is Orthodox Christian, and 13 percent is Roman Catholic. Groups that constitute less than 5 percent of the population include Protestants, Seventh-day Adventists, Jehovah’s Witnesses, Buddhists, Hindus, and Baha’is. Approximately 2 percent of the population practices traditional indigenous religions.” [4g] (p1)

- 18.02 The US State Department *2009 International Religious Freedom report* added that:

“The Constitution, ratified by the National Assembly in 1997, provides for religious freedom; however, the Government has yet to implement the Constitution. Although the Government requires religious groups to register, since 2002 it has not approved any registrations beyond the country’s four principal religious groups: the Eritrean Orthodox Church, the Evangelical (Lutheran) Church of Eritrea, Islam, and the Roman Catholic Church.

“The Government’s record on religious freedom remained poor. The Government continued to harass and detain thousands of members of unapproved religious groups and retained substantial control over the four approved religious groups. The Government failed to approve religious groups that fulfilled the registration requirements and arrested persons during religious gatherings. The Government held religious prisoners in harsh conditions for long periods and without due process. There continued to be reports of forced recantations of faith and torture of religious detainees.

“Citizens generally were tolerant of one another in the practice of their religion, with the exception of societal attitudes towards Jehovah’s Witnesses and Pentecostal groups. Some individuals viewed failure to perform the required military service as a sign of disloyalty and encouraged harassment of religious groups, such as Jehovah’s Witnesses.” [4g] (p1)

- 18.03 There are two other main Christian groups - the Roman Catholic Church and the Evangelical Church (Lutheran) - that are accepted by the Government. [1] (*Europa World*); 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. [4g] (p1) (US State Department IRF report, 2009)

- 18.04 The US State Department *2009 International Religious Freedom report* added:

“Following a 2002 government decree that all religious groups must register or cease all religious activities, religious facilities not belonging to the four officially recognized religious groups were forced to close. Some local authorities allowed unregistered groups to worship in homes or rented spaces, whereas others did not allow them to meet at all. The Government continued to disrupt home-based worship and arrested those who hosted home prayer meetings, particularly if the gatherings consisted of more than five persons.”
[4g] (p2)

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ARRESTS AND DETENTIONS

- 18.05 The Human Rights Watch 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report stated:

“Human Rights Watch interviewed 13 Evangelical Christian refugees, all of whom had been imprisoned - and some tortured - for their faith. Evangelical Christians wishing to practice their faith must do so clandestinely. Even then they are not safe from government abuse. Several Christians described holding prayer meetings in private houses during 2006 and 2007 in Asmara, Tesseney, and Senafe. Police or military, possibly acting on information given by informers, disrupted the meetings and arrested those present. One elderly woman who has been a Pentecostal Christian for over 40 years said that because of the threat of informers she has taken to praying with different people, in different places, and different times. [29e] (p60)

“...according to Christian Solidarity Worldwide (CSW) by June 2007 over 2,000 Christians were in detention in Eritrea. In late 2008, CSW reported house to house searches and a wave of arrests in numerous Eritrean towns, including Asmara. According to the organization 100 people were arrested in the period leading up to December 12, 2008, and detained in military facilities, some of them dying in custody. Compass Direct, a Christian rights organization, estimated that by late 2008 nearly 3,000 Christians were in detention. Compass Direct reported that three Christians had died in custody in the latter part of 2008, and that in June eight others were transferred to medical facilities because they had been tortured in custody.” [29e] (p61)

- 18.06 A Voice of the Martyrs (VOM) news report, dated 5 January 2009, stated that:

“Since late November [2008], about 100 Christians, men, women and children, have been arrested by Eritrean authorities, VOM Canada reported. The wave of house arrests began in northern Eritrean cities and moved to southern regions before reaching the capital, Asmara, on Dec. 12 [2008]. Some of the detained Christians were reportedly transferred to a military facility and were severely mistreated. Local sources indicate that an unspecified number may have died due to untreated injuries sustained in detention.

“The Eritrean government persecutes Christians, often placing believers in metal containers that are extremely hot during the day and cold during the night. Nearly 1,800 Eritrean Christians are believed to be under arrest because of their religious beliefs. They are being held in police stations, military camps and prisons in 12 known locations across Eritrea. It is believed more than 28 clergymen are being held.

“Jailed Christians are routinely subjected to physical beatings and severe psychological pressure to deny their religious beliefs. Police and military authorities continue to demand the prisoners return to one of the three ‘official’ Christian denominations recognized by the government. But even the legally recognized denominations - the nation’s historic Orthodox, Catholic and Lutheran churches - have come under government disfavor in recent years, incurring threats and even imprisonment.” [87c]

18.07 The US State Department *Human Rights report for 2009* added:

“During the year [2009] there continued to be reports that security forces used extreme physical abuse such as bondage, heat exposure, and beatings to punish those detained for their religious beliefs. Numerous detainees were reportedly required to sign statements repudiating their faith or agreeing not to practice it as a condition for release. There also continued to be reports that relatives were asked to sign for detainees who refused to sign such documents.

“Authorities continued to detain, harass, and abuse hundreds of followers of various unregistered churches (mostly Protestant) during the year [2009]. Many of those detained were held in military prisons for not having performed required national military service. Some were held for refusing to belong to a specific religious group. Several pastors and dozens of women were among the imprisoned.” [4i] (section 2c)

18.08 Compass Direct News reported in July 2009:

“Another Christian imprisoned for his faith in Eritrea has died from authorities denying him medical treatment, according to a Christian support organization.

“Sources told Netherlands-based Open Doors that Yemane Kahasay Andom, 43, died Thursday (July 23) at Mitre Military Confinement Center.

“A member of the Kale-Hiwot church in Mendefera, Andom was said to be secretly buried in the camp.

“Weakened by continuous torture, Andom was suffering from a severe case of malaria, Open Doors reported in a statement today.

“ ‘He was allegedly further weakened by continuous physical torture and solitary confinement in an underground cell the two weeks prior to his death for his refusal to sign a recantation form,’ the organization said. ‘It is not clear what the contents of the recantation form were, but most Christians interpret the signing of such a form as the denouncement of their faith in Christ.’

“Andom is the third known Christian to die this year at the Mitire camp, located in northeastern Eritrea.” [47b]

- 18.09 The US State Department *2009 International Religious Freedom report* noted that:

“During the reporting period, there were reliable reports that [the] authorities detained several hundred members of unregistered groups without charges. Some were released after detentions of several days or less, while others spent longer periods in confinement without charge and without access to legal counsel. Government restrictions made it difficult to determine the precise number of religious prisoners at any one time, and releases sometimes went unreported; however, the number of long-term religious prisoners continued to grow. At the end of the reporting period, reports indicated there were more than 3,000 Christians from unregistered groups detained in prison. These reports included nearly 40 leaders and pastors of Pentecostal churches in detention, some for more than three years without due process.

“It is unknown how many of the 300 individuals detained during the previous reporting period remained incarcerated. Many of them were held in military prisons for not having performed [the] required national military service but most for simply belonging to unregistered religious groups. Many were held for not belonging to any specific religious group and were told they would be released after joining one of the four approved religious groups. Several pastors and dozens of women were among those imprisoned. Many refused to recant their faith and continued to be detained in civilian and military detention facilities across the country; however, some were released after recanting their faith. There were reports that some religious prisoners died due to lack of medical treatment.

“During the reporting period, the Government reportedly built a new camp in the desert town of Meiter specifically for religious detainees. The prison is isolated and does not allow visitors. The prison reportedly holds 150 to 200 prisoners, all held either for belonging to an unapproved religious group or for not belonging to a specific religious group.” [4g] (p3)

- 18.10 BBC News reported in December 2009 that:

“Thirty elderly women have been arrested in Eritrea while praying together, one of their relatives living in the United States has told the BBC.

“Requesting anonymity, she said she only found out about her mother when she phoned to speak to her this week.

“Most of the women belonged to an outlawed evangelical group.” [8r]

See [Arbitrary arrest and detention](#)

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MUSLIMS

18.11 According to Oxford Islamic Studies Online (accessed April 2010):

“Islam has been linked to Eritrea since the seventh century, when followers of the Prophet Muhammad sought refuge in the Aksumite Empire because of Meccan persecution. Today almost half of the population is Muslim, and Muslims have been central to recent Eritrean developments, including the 1961– 91 independence movement. Islam developed indigenously after the arrival of Arabs in the ninth century and under Imam Ahmed Gran in the sixteenth century. Nineteenth-century reformers changed Islamic practices and founded the first Islamic schools and courts in Eritrea.” [83]

18.12 Eritrean Muslims accept and abide by Shari’a law, as noted in the *Lasting Struggle for Freedom in Eritrea* report, published by the Oslo Centre for Peace and Human Rights in October 2009:

“The Muslim groups in Eritrea also follow *Shari’a law*. *Shari’a law* is recognised in Muslim areas of the country to regulate certain civil and family law matters, which are enforced through separate *Shari’a* chambers in the civil court system. Eritrean Muslims are Sunnis and overwhelmingly Sufis. Three out of the four Sunni schools are present in the country. *Shari’a law* has also been influenced by customary law and traditions, and the adherence to the religious law varies considerably between the Eritrean groups.” [92] (p31)

THE ORTHODOX CHURCH OF ERITREA

18.13 The BBC reported on 7 December 2005 that the campaign group Christian Solidarity Worldwide had stated that ‘permitted’ churches were facing repression from the Eritrean Government. [84]. 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.

18.14 The Release Eritrea report, dated 25 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 Menghisteab, 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.” [31d]

18.15 The US State Department *2008 International Religious Freedom report* stated:

“The Government continued to maintain a high degree of control over the operations of the Eritrean Orthodox Church, highlighting concerns regarding the independence and freedom of religious practice permitted within the Church by the Government. In August 2005, the Government appointed a lay administrator to manage and oversee church operations, in contravention to the Orthodox Church Constitution. Shortly after this appointment, the Holy Synod voted to remove church Patriarch Abune Antonios on putative charges that he had committed heresy and was no longer following church doctrine. A new patriarch, Abune Dioscoros, was selected by the synod. The deposed patriarch continued to be able to serve as a priest; however, he was forbidden to conduct church services. In January 2006, the deposed patriarch objected to his removal through a letter sent, and made public, to the Holy Synod. In the letter he denied the charges against him and excommunicated several synod members, as well as the lay administrator, stating that their actions, and those of the Government, violated the Constitution and bylaws of the Eritrean Orthodox Church.” [4e] (p5)

18.16 The US State Department *2009 International Religious Freedom report* added:

“The Government continued its involvement in the affairs of the four approved religious groups and required them to provide a list of religious leaders for enrollment in military/national service. The Government maintained control over the operations of the Eritrea Orthodox Church; a government-appointed lay administrator managed church operations and controlled all church donations.” [4g] (p3)

18.17 According to a Christian Solidarity Worldwide May 2009 report, *Demonstrators call for release of Eritrean Prisoners of Conscience*, a demonstration took place outside the Eritrean Embassy in London in May 2009. The CSW report stated that “over 80 supporters of Christian Solidarity Worldwide (CSW), Release Eritrea (RE), Church in Chains (Ireland), Open Doors and Release International took part in the demonstration, which culminated in the presentation of a letter calling for the release of all prisoners held without charge or trial, including up to 3000 Christians.” The report further stated that “as the protest took place, news emerged from Eritrea that Abune Antonios, the ordained patriarch of the Orthodox Church, had been briefly released from stringent house arrest for medical treatment.” Also concerning Antonios, the report stated that he had been deposed in 2006 from his position within the Orthodox Church and has been detained in a secret location since then. [67a]

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THE ROMAN CATHOLIC CHURCH

- 18.18 On 20 June 2006, the AllAfrica.com website carried a report, "Church fights military service for priests, seminarians", which 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. [42]
- 18.19 Amnesty International reported in an article entitled *Pastor and churchgoers held in detention at risk of torture*, dated 8 September 2007, that:
- "The Roman Catholic Church in Eritrea is currently appealing against an order to hand over all its social welfare organisations - schools, medical clinics, orphanages and women's training centres - to the Ministry of Social Welfare and Labour. It has also made repeated requests for exemption for priests from military service, which is compulsory and indefinite." [5m]
- 18.20 Concerning national service, the US State Department *2009 International Religious Freedom* report stated that the "Government continued to provide the Catholic Church with limited duration national service exemption cards for all religious workers and seminarians." [4g] (p3)

JEHOVAH'S WITNESSES

- 18.21 A Jehovah's Witnesses Office of Public Information news release, dated 18 August 2008, reported on police arrests of Jehovah's Witnesses that had taken place in July and August 2008. The news release stated that:
- "In what is the most open attempt in recent history to shut down a minority religion in Eritrea, police have systematically arrested 15 of Jehovah's Witnesses during July [2008] and August [2008]. Some of them are presently confirmed to be imprisoned, but the whereabouts of others have not been disclosed.
- "On Tuesday, July 8, 2008, authorities began conducting raids on the local residences of Jehovah's Witnesses. Long-time members of the congregations, men in their 50's, 60's and even 70's (sic), were subsequently rounded up in their homes or places of work. In most cases these are the breadwinners for their families." [63]
- 18.22 The US State Department *2009 International Religious Freedom* report added:
- "Although members of several religious groups were imprisoned in past years for failure to participate in required national military service, the Government singled out Jehovah's Witnesses for harsher treatment than that given to followers of other religious groups for similar actions. (Jehovah's Witnesses are normally willing to perform nonmilitary national service). At least three Jehovah's witnesses were detained for 15 years, reportedly for evading compulsory military service, far beyond the maximum legal penalty of two years for refusing to perform national service. In addition, Jehovah's Witnesses who did not participate in national military service were subject to dismissal from the civil service, revocation of business licenses, eviction from government-owned housing, and denial of passports, identity cards, and exit visas. They were also prohibited from having civil authorities legalize their marriages." [4g] (p6)

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'EVANGELICAL' CHURCHES

GENERAL INFORMATION

- 18.23 According to the African Christianity website (accessed on 6 May 2010), 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), and in African Christianity's account, "a testimony to the influence of the Pentecostal movement on Ethiopian Protestantism." [82] (p2)
- 18.24 The African Christianity website further stated:
- "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." [82] (p2)
- 18.25 There is no information that these practices are practised in the churches of the same names in Eritrea, though Abbebe Kileyesus's article below claims there are similarities. 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)
- 18.26 An article by Abbebe Kileyesus, entitled *Cosmologies in collision: Pentecostal conversion and Christian cults in Asmara*, that was published in the April 2006 edition of *African Studies Review*, examined Eritrean Pentecostalism as a religious phenomenon. [89]. Kileyesus notes that the Asmara Pentecostal community displays similar traits to the Ethiopian churches, stating:
- "Although the nature of Asmara Pentecostal public space is increasingly defined by Bible reading and group networking on a mass scale, Pentecostal evangelism in Asmara is also navigated increasingly through audio and videotapes as well as printed tracts...the media, both print and electronic, and usually in the Tigrinya language, play a central role in this new wave of Pentecostal proselytization or evangelization, in the consolidation of the congregation, and in the creation of a distinct group of born-again who are different from all others." [89] (p81)

- 18.27 Kileyesus argues in the article that “aims to contribute to a better understanding of the popularity of Pentecostalism and the formation of religious identity in an Eritrean city”, that Asmara has seen the growth of Pentecostal movements as being in competition with traditional Christian groups in Eritrea, particularly the Eritrean Orthodox Church, against a background of “rapid socioeconomic change”. [89] (p75). Pentecostal Christians are characterised as young, ambitious urbanites who seek prosperity over adherence to the traditional controls of the Orthodox Church. Difficulties with secular authorities are restricted in the article to Pentecostal opposition to the Ethiopian Derg rule prior to Eritrea’s independence in 1993. The date of the actual research is unclear from the article, possibly reflecting practice prior to September 2001. [89] (p91, footnotes 1, 3; p92, footnote 12)

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MENFESAWYAN “SPIRITUALS”

- 18.28 One article, posted on the Mission Network News website in November 2007, talks of evangelical Christians targeted by the Eritrean authorities as ‘*menfesawyan*’ which translates into English as ‘spirituals’ and equates to practitioners identified as charismatic Christians. The term *menfesawyan* more accurately describes targeted Christians than *Pentes*, encompassing revival movements that span all Christian denominations, including accepted, registered, unregistered and banned groups. [75]
- 18.29 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 [61] (p2); by 2005, “at least 36 evangelical and Pentecostal churches” was the AI December 2005 estimate. [51] (p1). Kileyesus, in “Cosmologies in collision”, April 2006, estimates that there are six main different ‘branches’ operating in Asmara - Mulu Wangel [Mulu Wengel], Kale Hiwat, Meserete Kristos, Rhema, Charisma, and Hallelujah - and that “Today there are around twelve thousand active participants, another two or three thousand Sunday service worshippers, and some two thousand *Otābā* (Orthodox *Tāwahdo Bētākərəstīyan*) church members who take part in Pentecostal services occasionally.” [89] (p78)
- 18.30 Release Eritrea noted 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]

- 18.31 A BBC News report, dated 27 September 2007, stated that “during the past five years [2002-2007], a brutal campaign has been waged in Eritrea against Christian minorities, focusing mainly on the evangelical and Pentecostal movements. Weddings, baptisms, church services and prayer meetings have been raided by security forces. Guests or congregation members have [been] rounded up and detained en masse.” [81]. The more recent US State Department 2009 *International Religious Freedom* report stated that “at the end of the reporting period [2008-09], reports indicated there were more than 3,000 Christians from unregistered groups detained in prison. These reports included nearly 40 leaders and pastors of Pentecostal churches in detention, some for more than three years without due process.” [4g] (p3)

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OTHER GROUPS

- 18.32 **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]
- 18.33 **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)
- 18.34 **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). [51] (p10)
- 18.35 **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 report for 2005) Pastors are included in arrest lists: Pastor Mengist Teweldemedhin. [4f] (section 2c)
- 18.36 **Kale Hiwoet (Word of Life)**
 The AI report *Eritrea - Religious Persecution*, dated 7 December 2005, stated that the church is “a long-established Baptist church affiliated to the SIM, formerly the Sudan Interior Mission.” [51] (p5) (also, African Christianity) [82] (p1). On 13 October 2005, the operational headquarters of its development project were closed down by the Government (Release-Eritrea). [31e]. Release-Eritrea reported on 25 August 2006 that Kale Hiwot had had its NGO status revoked by the Government, and all charitable ventures sequestered by the state. [31f] (p2-4)

Members named - In January 2005, Pastor Ogbamichael Haimanot of the Kale Hiwoet church was detained in Asmara along with 115 evangelical church members. [51] (p12) (AI December 2005 report). Twenty (other) members' whereabouts are still unknown at the end of 2005 after their arrest in March 2004. [4f] (section 2c) (USSD *Religious Freedom report for 2005*). 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) [31d]. Pastor Simon Tsegay and Mr Gebremichael Yohaness were arrested in March 2006 and “are believed to be in the crime investigation prison in the centre of Asmara.” (Release-Eritrea, 25 August 2006) [31f] (p2)

18.37 **“Mensfesawyan”**

This may be a spiritual movement rather than the name of an individual church or denomination: the only known 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 Mulu Wongel (Full Gospel) church members. [51] (p12) (AI December 2005 report); [86] (Indian Ocean Newsletter).

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

The AI report of December 2005 stated that Meserete Kristos is “affiliated to the worldwide Mennonite Church, established for several decades.” [51] (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)

18.39 **Mulu Wengel/Mulu Wongel/Muluwoengel** (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). [61]. 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.” [82] (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). [31d]. Further arrests were made in December 2005 (Voice of the Martyrs), including Pastor Jorjo Gebreab. [87a]

18.40 **New Covenant Church**

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

18.41 **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. [4f] (section 2c) (USSD *Human Rights report for 2005*)

18.42 **Rema/Rhema**

Pastors of the church, from lists of arrests, include Pastor Habteab Ogbamichael; Pastor Tesfasion Hagos. [8e]. The case of Helen Berhane was widely reported in 2005 and 2006 (Amnesty International, Release-Eritrea, USSD *report for 2005*). A gospel singer from the Rema Church, Helen Behane was arrested on 13 May 2004. [5i] (p11) (AI December 2005 report). The Release Eritrea posting of 25 June 2005 goes into the detail of Helen Berhane's detention. [31d] (p3). In November 2006, there were reports of Helen Berhane's removal to a hospital in Asmara in October 2006, and then of her full release from prison. [31g] (Release-Eritrea, 2 November 2006). In October 2007, the BBC reported that Ms Berhane was granted asylum in Denmark. [8n] The Kileyesus "cosmologies in collision" article, April 2006, noted that the Rhema church, prior to September 2001, was involved in exorcist practices collectively known as "deliverance". It was portrayed by Kileyesus's informants as a "long-term process" that involved "the need to continuously confront the devil by means of public prayer sessions and deliverance meetings." [89] (p82).

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19. ETHNIC GROUPS

OVERVIEW

- 19.01 Information published in the *Encyclopedia of the Nations* website (accessed in April 2010) stated that:

“Ethnologists classify Eritreans into nine language groups. The Afar live in the southeast, the Tigrinya in south central Eritrea, and the Tigre in the north. The Saho live in the south central/southeast. The Bilen live in central Eritrea, the Hadareb in the northwest, and the Kunama and Nara in the southwest. The ninth group, the Rashaida, inhabit the northwest. The Tigrinya (50% of the population), Tigre and Kunama (40%), Afar (4%), and Saho (3%) are believed to be the most populous ethnic groups.” [15]

LANGUAGES

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

“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: Afar, Arabic, Bilen, To Bedawi, Kunama, Nara, Saho, Tigre and Tigrinya. Amharic, a legacy of Ethiopian rule is still widely spoken.” [32] (p334)

- 19.03 An article published in the *Independent* (UK) newspaper in July 2000 stated that “there are so far no official languages in Eritrea but the two main working languages are Arabic and Tigrinya, with various other languages spoken, such as Afar, Bilien, Beja, Kunama, Nara, Saho and Tigre. English is commonly spoken as a foreign language, as is Italian.” [58]
- 19.04 Amharic, the main language of Ethiopia, is not an accepted language in post-independence Eritrea. The BBC reported on 6 January 2003 that the Eritrean Government had banned Amharic-language songs. The report held that this was problematic for part of the population, stating “During the war [the 1998–2000 border war with Ethiopia] thousands of people of Eritrean origin were deported from Ethiopia and many speak Amharic as their first language.” [8m]. The Ethnologue entry for Amharic states that the number of speakers of Amharic according to the 1998 census, i.e. before the border war displacements, were: “17,372,913 in Ethiopia (1998 census). 14,743,556 monolinguals. Population total all countries: 17,417,913. Ethnic population: 16,007,933 (1998 census).” [59] (Ethnologue, 15th edition, 2005)

- 19.05 In the April 2003 *African Studies Review*, in the article 'Language, education, and public policy', Tekle M Woldemikael has studied the Eritrean government's promotion of 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'. [74] (p3). The article notes that English, Arabic, and Tigrinya 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. [74] (p4, 5). Tekle M Woldemikael concludes that the policy of giving instruction in all Eritrean languages may be abandoned by the government as resources grow scarce. [74] (p12)

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AFAR/DANAKILS

- 19.06 The Oslo Centre for Peace and Human Rights 2009 report *The Lasting Struggle for Freedom in Eritrea - Human Rights and Political Development, 1991-2009*, stated:
- "The *Afar* [italics in text of source] is the largest of the Cushitic speaking groups in Eritrea, inhabiting the lowland coastal strip of Dankalia and they are also to be found in Ethiopia and Djibouti. The Afar are agro-pastoralists and are organised on a clan basis." [92] (p112)
- 19.07 The Orville Jenkins website also explained that:
- "The Afar are a distinct Eastern Cushite people, whose language and culture are related to the Somali and Oromo. They are very traditional in culture and belief; retaining many ancient Cushite animistic practices...they are a dark brown or black people with Caucasian features, similar to the darker Somali and Oromo. They are likewise distantly related to the ancient Beja group of peoples, who are Southern Cushites, and related in turn to the ancient Egyptian race." [85]
- 19.08 The Orville Jenkins website also stated that:
- "They are referred to by some sources as the Danakil, from the Arabic name of the Danakil Depression, or Desert, near the Red Sea in Ethiopia and Eritrea. The Amharic name for them is Adal. Adal was the name of an ancient Muslim empire that almost defeated the old Abyssinian Empire at one time. They call themselves Afar, which means in their language 'The Best' or 'First.'" [85]
- 19.09 Information in the *Africa Guide*, published in 2003, provided further information:
- "The Afar nomads have a very unique culture. Their daily life consists of tending to livestock including goats, camels, and a few cattle located in this region. The Afar people are very dependent on the livestock for the economy. Religion is also a part of the Afar way of life. The majority studies the Muslim religion. There is a small percentage that practices Orthodoxy." [65]

BARIA/NARA

- 19.10 The *Lonely Planet Guide to Eritrea* (2000 edition) 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.” [56] (p97)

HEDAREB/BEJA/BENI AMBER/BENI AMER

- 19.11 The *Lonely Planet Guide to Eritrea* stated that:

“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...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

- 19.12 The *Lonely Planet Guide* 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 Terqe.” [6]. 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.” [56] (p112)

- 19.13 The *Lonely Planet Guide* 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

- 19.14 The *Lasting Struggle for Freedom in Eritrea* report, published by the Oslo Centre for Peace and Human Rights in 2009, stated that:

“The Kunama is one of the smallest ethnic groups in Eritrea, and is estimated to number between 50,000 and 140,000 people. They live in small scattered communities in the areas around the Setit and Gash river basin (western lowlands), which extends up to and along the Eritrean and Sudanese border in Eritrea and the adjacent districts of Humera and Adi Abo in the Tigray regional state in north-western Ethiopia. The town of Barentu in the Gash-Setit area has traditionally been viewed as the Kunama ‘capital’. [92] (p119)

“...the Kunama people are today nominally divided into four main groups: Kunama Aimasa, living in the western part of the provincial capital town of Barentu; Kunama Barka, living along the river Gash in the south-eastern part of Barentu; Kunama Marda, residing in the north-eastern part of Barentu; and Kunama Tika, living along the river Gash in the southern part of Barentu. The traditional political structure was territorially defined, dividing the Kunama into six political divisions, which are divided in turn into three to four sections corresponding to well-defined localities.” [92] (p119)

- 19.15 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)

- 19.16 The UK fact-finding mission report noted that “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)

19.17 A UNHCR report, dated 5 July 2007, stated that:

“The UN refugee agency has begun the resettlement in the United States of some 700 ethnic Kunama refugees from Eritrea, flying out a first group of 29 from Addis Ababa after years of exile in northern Ethiopia.

“...the 700 due for resettlement in the United States were displaced by the 1998-2000 border war between their native Eritrea and Ethiopia. The UNHCR-assisted operation is due to last until September [2007] and the Kunamas will be flown to several US cities, including Atlanta, Orlando, Seattle and Las Vegas.

“The refugees are members of a largely rural ethnic group of about 100,000 people who reside on the disputed Ethiopia-Eritrea border. They crossed into Ethiopia complaining of alleged persecution and harassment by the Eritrean government.

“...today, almost 1,300 Kunama refugees are in Ethiopia, but not all of them want to be resettled in the United States.

“Several hundred withdrew their applications for resettlement, apparently due to their strong sense of kinship and a desire to remain close to their ancestral lands. They hope that one day a lasting political solution will be found and they will be able to return home.” [18a]

19.18 The US State Department *Human Rights report for 2009* added that “there were reports of government and societal discrimination against the Kunama, one of nine ethnic groups, residing primarily in the west.” [4i] (section 6)

RASHAIDA

19.19 The *Lonely Planet Guide to Eritrea* stated:

“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 rearers, as well as merchants and traders along the Red Sea coasts.” [32] (p333)

SAHO

19.20 Information published in 2007 in the *World Directory of Minorities* website indicates 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].

- 19.21 The Oslo Centre for Peace and Human Rights 2009 report *The Lasting Struggle for Freedom in Eritrea - Human Rights and Political Development, 1991-2009*, stated that the:

“*Saho* [italics in source of text] is more like a linguistic category, based on a shared East Cushitic language, than an ethnic group. The Saho inhabit the escarpment region between the eastern lowlands and the *kebessa* [italics in source of text]. They are clustered in small pastoral nomadic and semi-nomadic groups. It is believed that the origins of the diverse groups speaking Saho are mixed, including elements from the Afar, Tigrinya, Tigre, and others.” [92] (p112)

- 19.22 The *Lonely Planet Guide* 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

- 19.23 The Oslo Centre for Peace and Human Rights 2009 report *The Lasting Struggle for Freedom in Eritrea - Human Rights and Political Development, 1991-2009*, stated:

“*Tigrinya* [italics in text of source] is the language of the highland population, which is the largest population group in the country, possibly constituting around 50 per cent of the total population. They usually refer to themselves as ‘highlanders’ (*kebessa*) [italics in text of source], but the term describing their language (Tigrinya) is generally used to denote the ethnic group also. The Tigrinya speakers are also to be found in the urban centres of the lowlands and the ports of Massawa and Assab, and in [the] neighbouring Tigray regional state of Ethiopia. They are mostly sedentary agriculturists, and share a common tradition of Orthodox Christianity, but include also groups of Roman Catholics and a small minority of *Jeberti* [italics in text of source], Tigrinya-speaking Muslims. Muslims have traditionally been denied access to land in the Christian Orthodox highlands, thus today the Jeberti are mostly merchants and urban dwellers.” [92] (p111)

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JIBERTI/DJIBERTI/JEBERTY

- 19.24 A Canadian Immigration and Refugee Board (IRB) Response to Information Request, dated 7 December 2005, stated:

“In 26 November 2005 correspondence sent to the Research Directorate, a professor at the Department of History of the University of Durham, who conducted research on the recent conflict between Ethiopia and Eritrea, stated that the Eritrea Jiberti community is ‘small’ but ‘complex’. Without clarifying this statement, the professor of history described the relationship between the Jiberti community and the Eritrean government authorities as ‘uneasy’ (26 Nov. 2005).” [68b]

- 19.25 The UNHCR Writenet report, published in October 2006, 'Eritrea: challenges and crises of a new state', adds, regarding the Jiberti, "a Muslim Tigrigna-speaking group, which claims unique historical-religious antecedents, has been calling for recognition of the group as an 'ethnic' group,...pursuant to this, they have established the Eritrean al-Nhada Party." [18d] (p18)

TIGRE/TEGRE

- 19.26 The *World Directory of Minorities and Indigenous Peoples* publication stated that:
- "The Tigre (Tegre) 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. Mostly Muslim, their primary occupation is cattle herding. Most are nomadic, however, some have settled by rivers such as the Barka and on state cotton plantations...Tigre is used to describe the people who speak Tigre and the language itself. It shared origins with Tigrinya but is now very different. Its use is declining under the impact of Tigrinya in Eritrea." [6]
- 19.27 The Oslo Centre for Peace and Human Rights 2009 report *The Lasting Struggle for Freedom in Eritrea - Human Rights and Political Development, 1991-2009*, stated further:
- "The *Tigre* [italics in text of source] group is constituted of diverse peoples inhabiting parts of the western lowlands, the northern highlands, the northern coastal plains, and parts of the Dahlak islands. The ten or so different clans speaking the Tigre language, of which the largest is the Beni Amer, do not form a distinct ethnic entity, although they share a common adherence to Islam." [92]
- 19.28 The *Encyclopedia of the Peoples of the World* stated that the Tigre 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". The same Encyclopedia 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", and also noted that "historically 'Tigre' was used to denote a vassal to a ruling stratum claiming descent from the Beni Amer or Saho." [56] (p600). The *Lonely Planet Guide* 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).

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20. LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

- 20.01 The International Lesbian and Gay Association *State-sponsored Homophobia* report, published in May 2009, stated that in legislative terms, Eritrea follows the old Ethiopian law and homosexual acts (both male and female) are illegal. The punishment for homosexual acts is imprisonment. The actual prison sentence can be as short as ten days or as long as three years. [12]
- 20.02 The US State Department *Human Rights report for 2009* stated that:
- “Homosexuality is illegal, and homosexual persons faced severe societal discrimination. The government accused foreign governments of promoting the practice to undermine the government. There were no known official discriminatory practices against civilians, although there were uncorroborated reports that known homosexual persons in the military were subjected to severe abuse. There were no known lesbian, gay, bisexual, or transgender organizations in [the] country.” [4i] (section 6)
- 20.03 According to the UNHCR *Eligibility Guidelines for Assessing the International Protection Needs of Asylum Seekers from Eritrea* report, published in April 2009:
- “Homosexuality is illegal in Eritrea. Pursuant to the ETPC [Eritrean Transitional Penal Code], sexual, or any other ‘indecent’, act performed with a person of the same sex is prohibited, and offenders are prosecuted and punished. Those, who have previously come to the attention of the authorities due to their sexual orientation, may be targeted.
- “Homosexuals are reportedly arrested and detained in the same facilities as (suspected) political dissidents. Furthermore, homosexuals face severe societal discrimination.” [18c]
- 20.04 Most of the above information is reiterated in the Canadian IRB’s reply to a request, dated 28 February 2007.
<http://www.unhcr.org/refworld/docid/469cd6b815.html> [68e]

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21. DISABILITY

21.01 The US State Department *Human Rights report for 2009* noted that:

“The law and unimplemented constitution prohibit discrimination against persons with disabilities in employment, education, or in the provision of other state services, and there were no reports of discrimination in practice...there are no laws mandating access for persons with disabilities to public thoroughfares or public or private buildings, but many newly constructed buildings provided such access.” [4i] (section 5)

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22. WOMEN

LEGAL AND POLITICAL RIGHTS

22.01 The US State Department *Human Rights report for 2009* 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, particularly in rural areas. Women generally did not enjoy a social status equal to men.”

“...the National Union of Eritrean Women (NUEW), Ministry of Labor and Human Welfare, and Ministry of Health were the primary government offices responsible for ensuring legal rights of women.” [4i] (section 6)

22.02 As regards political rights, according to the US State Department *Human Rights report for 2009*, women as well as men cannot join opposition political parties in Eritrea or vote in free democratic elections, as Eritrea is a one-party state, and the Eritrean government does not permit free elections. [4i] (section 3). There are, however, women in government positions and government administration as noted in the same report: “Women held four ministerial positions in the government: justice, labor and human welfare, tourism, and health. Women also served in other senior government positions, such as mayors and regional administrators.” [4i] (section 6)

SOCIAL AND ECONOMIC RIGHTS

22.03 A Canadian IRB reply to a request, published on 28 February 2007, gave details of the work of the National Union of Eritrean Women, described as an Eritrean Government-sanctioned “non-governmental organization as well as a government mechanism concerned with equality”. [68g]

22.04 According to the Suwera Centre for Human Rights report, *The State of Human Rights in Eritrea 2008*, published in August 2009:

“Women receive low wages than men at a rate of 50-80% and they only constitute 7.4% of the skilled labour force in the country. However the low rate of the [sic] employment among females in the field of teaching, which is considered favourable to them, well demonstrates the big margin between males and females in the employment market. Women constituted only 11% of the teaching staff in the intermediate and secondary school stages in the school year 2002-2003.” [22] (p9)

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MARRIAGE

- 22.05 According to a 2008 Ohio University Centre for International Studies report on Eritrea:

“In most Eritrean ethnic group[s] marriage is a sacred institution because the family is believed to be a strong and solid building block of society. Marriage is one of the societal links between two partners that enhance the patriarchal system and the male dominant tradition where gender bias is highly perpetuated. The experience of marriage and divorce reveals that the marriage relationship in most Eritrean communities is highly influenced by inherited attitudes and traditional cultural practices. Customary rules of marriages vary among the ethnic groups. Generally, girls marry at an early age, sometimes as young as fourteen. A large share of marriages in the rural areas are still arranged by the family groups concerned. As a result traditional marriage practices within different areas may vary from one ethnic group to another, for example, betrothal arrangement, wedding day ceremony, the practice of dowry, the family life and the regulations with respect to divorce and child custody are as an example of the difference.

“In most Eritrean ethnic groups except the Kunama, women do not choose their partners. Whatever form of marriage is sanctioned in Eritrea, the arrangement require great care and participation of the communities among which the parents and partners live.” [48]

- 22.06 The World Organisation Against Torture (OMCT) has stated in a report published in 2003 entitled *Violence against Girls in Eritrea*, that:

"Eritrean civil law provides that the minimum age for marriage for both girls and boys is 18. Nevertheless, customary law carries great weight in Eritrean society and often girls are married at ages well below the legal limit.

“It is widely acknowledged in Eritrea that girls are married earlier than boys. The traditional view holds that the ideal age for marriage for a girl is between 12 and 18.”

“It is widely acknowledged in Eritrea that girls are married earlier than boys. The traditional view holds that the ideal age for marriage for a girl is between 12 and 18. In one study, the view was expressed that marrying girls at a young age was necessary to ensure their virginity before marriage and protect ‘the woman from sin.’ The ideal age for marriage for men is not correspondent with that of women. In the study mentioned above, many respondents claimed that men should wait until they are between at least 20 and 25, with some asserting that 25 be the minimum age, because of the many responsibilities a man assumes once he is married.” [43]

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VIOLENCE AGAINST WOMEN

22.07 The US State Department *Human Rights report for 2009* stated that:

“Violence against women was pervasive. Domestic violence is a crime; however, domestic violence cases were rarely brought to trial, and there were no legal penalties enshrined into law. Women seldom openly discussed domestic violence because of societal pressures. Such incidents were more commonly addressed, if at all, within families or by clergy. The authorities’ response to domestic violence was hindered by a lack of trained personnel, inadequate funding, and unsupportive societal attitudes.” [4i] (section 6)

22.08 A Canadian IRB reply to a request, published on 28 February 2007, added that “a May 2003 report published by the World Organization Against Torture (Organisation mondiale contre la torture, OMCT) in 2003 identifies dowry payments and honour crimes as contributing to violence against women.” [68g]

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

22.09 The United Nations High Commissioner for Refugees *Eligibility Guidelines for Assessing the International Protection Needs of Asylum Seekers from Eritrea* report, published in April 2009, added:

“Violence against women, including domestic violence and rape, is reportedly widespread in Eritrea, despite criminalization of such practices...furthermore, cases of domestic violence are rarely prosecuted and no legal penalties for such crimes are enshrined into law. Abortion is illegal and pregnancy out-of-wedlock is strongly condemned by the community, and could lead to physical and psychological violence, or even death.” [18f] (p27)

22.10 Regarding rape, the US State Department *Human Rights report for 2009* stated that:

“Rape is a crime punishable by up to 10 years’ imprisonment, while gang rape or rape of a minor or an invalid is punishable by up to 15 years in prison. Sexual assault is punishable by six months to eight years in prison. It was unclear whether spousal rape is illegal. No information was available on the prevalence of rape. Authorities often responded to reports of rape by encouraging the perpetrator to marry the victim.” [4i] (section 6)

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TRAFFICKING OF WOMEN

- 22.11 Anti-Slavery International, in its working paper *Trafficking in women forced labour and domestic work in the context of the Middle East and Gulf region*, published in 2006, stated:

“Eritrea is mainly a sending country of migrants. It is currently not possible to establish how many are possibly trafficked. Most information available suggests that Eritrean women migrate for employment to the Middle East and Gulf countries, some of them hoping that they will get to Europe. The use of smugglers is widespread, as it is often difficult to leave the country legally. There seem to be no efforts by the Eritrean authorities to address trafficking in persons. As far as the TPO was able to establish, there is no legislation on trafficking and embassies do not provide any services, nor do they help if a trafficked migrant worker is being repatriated. In fact, some of the migrant workers interviewed, made it clear that the repatriation back to Eritrea is the least desired scenario, as they claim to have reasonable grounds to fear compulsory military service and/or some form of punishment for having illegally emigrated from the country.” [33]

See also [Trafficking](#)

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23. CHILDREN

OVERVIEW

- 23.01 The *CIA World Factbook* section on Eritrea (27 May 2010 version) stated that it is estimated that 42.5 per cent of the population is below the age of 15 years, and of these, it is estimated that there are 1,235,457 males and 1,224,142 females. Infant mortality is high, with 42.33 deaths per 1,000 live births. There are no significant gender imbalances in the population at birth (1.03 male to 1 female), in the general child population (1.01 male to 1 female) or in the general adult population (0.96 male to 1 female). [28]
- 23.02 Eritrea is a signatory to the United Nations Convention on the Rights of the Child (CRC), the International Labour Organisation Minimum Age Convention 1973 (ILO 138) and the African Charter on the Rights and Welfare of the Child, and acceded on 16 February 2005 to the optional protocol. [80] (Child Soldiers Global Report 2008)

BASIC LEGAL INFORMATION

- 23.03 According to the United States Law Library of Congress “while the age of majority according to the [Eritrean] Civil Code is 18 years of age, the Civil Code also recognizes marriages between the age of 15 and 18 in recognition of Eritrean customary marriage practices.” [90]. The US State Department *Human Rights report for 2009* noted that the “legal minimum age for marriage for both men and women is 18, although religious entities may bless marriages at younger ages.” [4i] (section 6). This report also stated that the “the legal minimum age for employment is 14 years” and that the law prohibits minors from working in transport industries or working underground, such as in mines and sewers.” [4i] (section 7). According to the 2008 Child Soldiers Global Report, the legal voting age in Eritrea is 18 years of age and 18 is the minimum age for voluntary recruitment into the armed forces. [80]. Only persons over the age of 18 are required to undergo national service duties, including compulsory military service according to the National Service Proclamation. [13]

LEGAL RIGHTS

- 23.04 The Constitution only mentions children specifically in Article 22 in relation to the right to enjoy family life and that “parents have the right and duty to bring up their children with proper care and affection; and, in turn, children have the right and the duty to respect their parents and to sustain them in their old age.” [2] (Article 22)

JUDICIAL AND PENAL SYSTEMS

- 23.05 There have been reports that during mass detentions and *giffas*, children have been detained with families. [23] (Journal Chrétien, 9 June 2007). There have also been reports that detainees have been separated from dependent children.

See [Freedom of religion - arrests and detentions](#)

VIOLENCE AGAINST CHILDREN

- 23.06 The US State Department *Human Rights report for 2009* noted that there are “no laws against child abuse and no government programs to combat the problem. Physical punishment was widespread and socially accepted.” [4i] (section 6). The Committee on the Rights of the Child, in the ‘Treaty Body Report: Rights of the Child: Eritrea - 6 June 2003’ stated “the Committee is concerned at the lack of available data on ill-treatment of children, including child abuse and corporal punishment. It also notes with concern that corporal punishment is not expressly prohibited by law and is widely practiced in the home and in institutions.” [43] (section 31)

FEMALE GENITAL MUTILATION (FGM)

- 23.07 The US State Department *Human Rights report for 2009* reported that:
- “An estimated 94 percent of girls had undergone FGM. Almost all ethnic and religious groups in the country practiced FGM, despite extensive government efforts to curb the practice. In the lowlands, infibulation - the most severe form of FGM - was practiced. In 2007 the government issued a proclamation declaring FGM a crime and prohibiting its practice. The government and other organizations, including the NUEW [National Union of Eritrean Women] and the National Union of Eritrean Youth and Students, sponsored a variety of education programs during the year [2009] that discouraged the practice.” [4i] (Section 5)
- 23.08 The Inter-Parliamentary Union (information on Eritrea undated) added further detail:
- “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. However, the IPU has no first-hand official statistics or other details on this subject.
- “The IPU has no information on the existence of specific legislation.
- “...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.” [54]
- 23.09 According to the Suwera Centre for Human Rights report, *The State of Human Rights in Eritrea 2008*, published in August 2009:
- “On 20 March 2007 the Eritrean government issued Decree No. 2007/158 banning the circumcision of females or female genital mutilation (FGM). The decree includes five articles. Under the fourth article, it states that anyone who practices FGM shall be imprisoned from 2 to 3 years and pay the fine of 5,000 to 10,000 Nakfa (local currency). In cases where circumcision leads to death,

the imprisonment can be between 5 to 10 years. The Decree punishes anyone who seeks, instigates or encourages circumcision of females by providing tools or other means by imprisonment from 6 months to one year in addition to paying 3,000 Nakfa. And if the one practicing circumcision is working on [sic] the health services, the punishment is doubled, and the court may suspend professional licenses for a period of up to two years...however, since the issuance of the Decree, no one was reported to have been or put in custody under the stipulations made in this Decree. [22] (p10)

"The government to date hasn't published any statistics about the Decree's contribution in lessening the high rate of the practice of circumcision or FGM in Eritrea which reached 89% according to the Eritrean government's report to [the] CEDAW Committee in New York in 2006." [22] (p10)

TRAFFICKING

23.10 Awate reported in an article dated 24 August 2007, that:

"Through its connections with Sudan's Eastern Front, the Eritrean regime is now trafficking Eritrean children to the Gulf States to serve as camel jockeys. The 'legal' age for camel jockeys is 15 and it is not clear whether the children Eritrea is exporting are 15 or much younger. What is clear is that the Arab Gulf States prefer children who are 8-12 years old.

"According to our source, the children have been taken from the surrounding areas of Tessenei in Western Eritrea. The trafficking is said to be carried out in coordination with officials from the Eastern Front who carry Eritrean diplomatic passports. The cash-starved Eritrean regime has a long history of participating in any commercial activity that will raise money. Shortly after independence, it organized a maid export service charging the mostly young females exorbitant rates for exit visas and work permits in the Middle East." [50x]

See [Trafficking](#) for wider overview

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CHILDCARE AND PROTECTION

ORPHANS

23.11 The Home Office Fact-Finding Mission April 2003 report 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. [3] (p73)

- 23.12 With regards to the formal orphanage system, the fact-finding mission 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)

- 23.13 The United Nations Mission in Ethiopia and Eritrea (UNMEE) notes in an article *Orphans benefit from Eritrea’s strong family values*, dated 13 September 2007, that:

“Thanks to the Eritrean tradition of strong family values, the dedication and commitment of the country’s Ministry of Labour and Human Welfare and its close collaboration with UNICEF and other UN agencies, the number of orphans in the country has decreased significantly since 1992. Today Eritrea has 50,000 orphans compared to the 90,000 identified by a national survey in 1992.” [88]

- 23.14 The UNMEE article also noted:

“One of the projects that has helped to bring about this change is known as Mahzel which has been implemented in Gash Barka region. Ms Leila Blacking, Chief of UNICEF’s Communications Section explained that the project, which is named after a traditional baby carrier made of leather, addresses the problems of the most vulnerable orphans identified by community committees and then referred to a central committee for consideration. In most cases, the orphans are placed with their extended family and the assistance provided covers the cost of looking after the child, and the provision of a means of income for life for the child.” [88]

- 23.15 The UNMEE article stated that:

“According to the Social Welfare Department statistics more than 27,000 orphans were reunited with blood relatives or host families under the “Mahzel” project. Mr. Habtom Sium, Director of the Department said that one of the preferred options is to place orphans within their extended families. In collaboration with other stakeholders, the department has so far reunited 42,000 with either their extended families or with other families willing to take them in. However, Mr. Habtom also explained that the number of children who have been adopted has not been encouraging. For those orphans who cannot be reunited with their extended families or adopted, a community-based group care programme, which provides group homes, was started in 1996. To date, there are 19 group homes all over the country providing homes for 132 orphans.” [88]

23.16 The UNMEE article explained that:

“In Eritrea, Mr. Habtom said that institutional care for orphans remains a last resort and as a result, institutions in Keren and Mendefera have closed. Asmara Orphanage Centre, established in 1945, is still open but only cares for 278 orphans, compared to 10,000 in 1993. Shelter, food, schooling, counselling, vocational training, guidance, health, sport and recreation are the principal facilities provided by the orphanage. The children are aged between 1 up to 18 years old. Following the growing number of children that HIV/AIDS has orphaned, the Department offers 200 Nakfa a month, per child, to the care-taking family. UNICEF’s Child Protection Officer, Mr. Baerbel Hoefers, said that the Mahzel project deals partly with children who have lost parents to AIDS while stressing that additional fund[s] would be needed to address this issue.” [88]

23.17 The UNMEE article concluded that:

“ ‘Demobilisation of an orphan begins immediately after 18,’ said Mr. Habtom, ‘with all the counselling given to prepare the orphan to lead his future life. The orphan has to have completed high school and in the process of seeking further studies or getting a job.’ Because orphans are less likely to go to school than children within the family unit, education remains a top priority for all programmes involving these children. Mr. Habtom also mentioned a successful education programme, initiated in 1992, aimed at helping street children and young commercial sex workers. More than 9,000 street children have benefitted from the programme and Nakfa10 million has been invested in changing the lifestyle of young prostitutes.” [88]

See [Internally Displaced Persons \(IDPs\)](#)

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EDUCATION

23.18 *Europa World* (accessed on 12 May 2010) stated that

“Education is provided free of charge in government schools and at the University of Asmara. There are also some fee-paying private schools. Education is officially compulsory for children between seven and 13 years of age. Primary education begins at the age of seven and lasts for five years. Secondary education, beginning at 12 years of age, lasts for up to six years, comprising a first cycle of two years and a second of four years. According to UNESCO estimates, in 2005/06 primary enrolment included 46.5 percent of children in the relevant age-group (boys 49.8%; girls 43.2%), while the comparable ratio for secondary enrolment was only 25.1% (boys 30.1%; girls 20.1%).” [1]

23.19 The US State Department *Human Rights report for 2009* report noted that:

“Education through grade seven is compulsory, and tuition-free; however, students were responsible for uniforms, supplies, and transportation, which was prohibitively expensive for many families. Education above grade seven requires a nominal fee and was not compulsory. There was a shortage of

schools and teachers at all levels, remedied in part by holding morning and afternoon shifts at schools. In rural areas, young girls usually left school early to work at home.” [4i] (section 6)

23.20 *Europa World* (accessed on 12 May 2010) noted that:

“In 2004/2005 there were an estimated 5,500 students enrolled on bachelor degree courses at the University of Asmara. The University of Asmara was officially closed in September 2006. Higher education would henceforth be provided by six newly-established technical institutes, each associated with a relevant Government ministry. The institutes provide education in the fields of science, technology, business and economics, social sciences, agriculture and marine training.” [1]

See also School leavers and conscription

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HEALTH AND WELFARE

23.21 The health of Eritrean children has improved over the last few years according to an article published in the Shaebia website in December 2008:

“Eritrea is one of the few third world countries that are expected to achieve the Millennium Development Goals on the health sector in general and child health in particular. The country has registered remarkable progress in child mortality rate over the last 17 years.

“...while African children’s health care situation is at a low level, Eritrea has given a good lesson to the rest of the continent. Eritrea reduced child death rate by 50 percent and that makes it one of the few countries on track for achieving the Millennium Development Goals.

“According to the report of the Ministry of Health, the achievement is attributed to regular vaccination, public campaigns, dedication of health workers, high community participation, and above all the political commitment of the country. Consequently, Eritrean children are now free from polio, measles, tetanus and the malaria mortality rate has also dropped dramatically over the last few years.

“Community based child health care, one of the most effective measures, was established in 2005 in 17 villages, and in 2007 it reached 63. These centers played an important role in the provision of health services to remote areas of the country where the majority of the people live.

“The distribution of vitamin A to Eritrean children was also one of the main factors in the child health development. Every year, the Ministry of Health distributed and regularly followed the process. Health workers visited remote areas of the country where there are no health centers to provide children with vitamin A.” [51]

23.22 The United States Agency for International Development (USAID) has provided financial aid and other assistance to the Eritrean government to help

improve the health of Eritrean children, as noted in an article in its website (accessed on 27 April 2010):

“Having endured a thirty year struggle for independence and a recent border skirmish, Eritrea’s health system was inadequate with poor facilities, and lacking both supplies and skilled healthcare staff. In 1995, just 41% of children 12-23 months were fully vaccinated and 38% had received no vaccinations at all. Infant and child mortality rates were 72 and 136 per 1000, respectively.

“USAID provides approximately \$2.5 million annually to improve maternal and child health in Eritrea. As part of this larger assistance program, the Ministry of Health (MoH) identified several key areas in which USAID could make a contribution to improving immunization and child health. USAID, through a \$2.3 million grant, helped to supply both equipment and training in the implementation and management of an expanded program for immunization.

“USAID also assisted the MoH to begin the implementation of integrated management of childhood illness (IMCI). With USAID help, the MoH conducted a baseline survey to determine the ability of health facilities and health workers to implement IMCI. Over 500 health care providers at all levels of the health care system were trained in IMCI case management.

“A follow-up assessment of health facilities was completed in 2003 and showed tremendous improvement in the availability of equipment and drugs necessary to implement IMCI. Assessment practices of providers also improved – checking for the three danger signs increased from 0% to 37%; checking for cough, diarrhea and fever increased from 25% to 89%; and checking immunization status increased from 19% to 58%.

“Immunization coverage increased in fully vaccinated children 12-23 months from 41% in 1995 to 76% in 2002. According to the Demographic and Health Survey (DHS), this level of immunization coverage is the highest among sub-Saharan African countries in the past five years and the rate of improvement - 83% over 7 years - is remarkable at a time when immunization coverage has decreased in Africa on average.” [20]

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24. TRAFFICKING

- 24.01 The US State Department *2009 Trafficking in Persons report*, published in June 2009, stated:

“Eritrea is a source country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. In connection with a national service program in which men aged 18 to 54 and women aged 18 to 47 provide military and non-military service, there have been repeated reports that some Eritreans in military service are used as laborers on some commanding officers’ personal properties, as well as in the construction and agricultural sectors, functions outside the scope of the Proclamation of National Service (No. 82/1995)...reports concerning these workers also noted that, with the exception of a small stipend, pay for their work was remitted directly to the Eritrean government.” [4d]

GOVERNMENT EFFORTS TO TACKLE TRAFFICKING

- 24.02 The US State Department *2009 Trafficking in Persons report* stated:

“The Government of Eritrea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The Eritrean government does not operate with transparency and published neither data nor statistics regarding its efforts to combat human trafficking; it did not respond to requests to provide information for this report.

“...the Government of Eritrea made no known progress in prosecuting and punishing trafficking crimes over the reporting period. Articles 605 and 607 of the Eritrean Criminal Code prohibit trafficking in women and young persons for sexual exploitation; procuring women and children to engage in prostitution is punishable by up to five years’ imprisonment, which is not commensurate with punishments prescribed for other grave crimes. Forced labor and slavery are prohibited, except when authorized by law, under Article 16 of the ratified but suspended Eritrean Constitution, but there are no known laws or enabling proclamations specific to trafficking for labor exploitation. Proclamation 11/199 prohibits the recruitment of children under 18 years of age into the armed forces. The government did not publish information on investigations or prosecutions, if any, of human trafficking offenses during the reporting period.

“...the government made no known efforts to prevent future incidences of trafficking during the reporting period. Eritrean media, all state-owned, made neither public announcements nor media presentations regarding human trafficking during the reporting period...although the government does not publicly acknowledge human trafficking as a problem, an office exists within the Ministry of Labor to handle labor cases, including human trafficking; the accomplishments of this office during 2008 are unknown. Limited resources and a small number of inspectors impeded the ministry’s ability to conduct investigations; the government did not provide information on the number of child labor inspections it carried out in 2008. The government is implementing a national plan of action on child labor that primarily focuses on integrating or reintegrating children with families, communities, and schools as a means of preventing child labor, or rehabilitating children engaged in child labor... Eritrea has not ratified the 2000 UN TIP Protocol.” [4d]

PROTECTION AND SUPPORT SERVICES

24.03 The US State Department *2009 Trafficking in Persons report* stated:

“The government did not appear to provide any significant assistance to victims of trafficking during the reporting period. The Ministry of Labor and Human Welfare oversees the government’s trafficking portfolio, but individual cases of transnational human trafficking are reportedly handled by the Eritrean embassy in the country of destination; information regarding embassy efforts to assist trafficking victims was not provided. The government has no known facilities dedicated to trafficking victims and does not provide funding or other forms of support to NGOs for services to trafficking victims. The government severely limited the number of foreign NGOs permitted to operate in the country; of the few remaining NGOs, none operated anti-trafficking programs. During the reporting period, the government operated a program to identify children involved in commercial sexual exploitation and reintegrate them with their families. Nearly 300 children engaged in prostitution received support through this program in 2007; the government did not make available similar information on the programs’ accomplishments in 2008...the government did not ensure that victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked.” [4d]

See [Trafficking of children](#); [Trafficking of women](#)

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25. MEDICAL ISSUES

GENERAL

- 25.01 The World Health Organisation *Eritrea Country Cooperation Strategy* report published in August 2009 stated that:

“Since independence in 1991, Eritrea has made considerable progress in promoting equitable, accessible and affordable health services to the majority of its citizens with the support of its partners. This is demonstrated by the significant improvement of health indicators.

“...although there is a Primary Health Care Policy, the over all [sic] national health sector policy will soon be finalized and endorsed by the higher authorities. The country still experiences acute shortage of human resource at all levels of the Health Care delivery System. The health service is delivered in a three tier system in the country and an effort to improve the referral system is underway.” [41c]

- 25.02 Information [undated] published in the Asmera.nl website indicates 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.” The same site has photographs posted of main hospitals and one of the pharmacies in Asmara. [25a]

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OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

- 25.03 The World Health Organisation's *Eritrea Country Cooperation Strategy* report, published in August 2009, stated that:

“The health infrastructure has made considerable progress. Currently, there are 25 hospitals, 52 health centers, 180 health stations and 113 clinics. Over sixty different medicine products are locally produced; key medicines are available in 95% of health facilities and there is no shortage of supplies and equipment. There is a National Drug Laboratory that undertakes the quality control. Blood for transfusion is screened for transmissible infections including HIV/AIDS, Hepatitis and syphilis. Chronic diseases like Diabetes, Hypertension, Mental Health and infectious diseases like Tuberculosis, HIV/AIDS and other Sexually Transmitted Diseases are treated free of charge. The Government sustains the payment of all health professionals, maintenance of infrastructure and equipment and other running and capital investments.” [41c]

- 25.04 According to information published in the AmeriCares (NGO) website (accessed in April 2010):

“Ongoing violence, recurring droughts and a rural population in Eritrea pose great challenges for the new country's health care system. Eritrea gained its independence from neighboring Ethiopia in 1993. Ninety percent of the country's 5 million people are allowed to access free medical treatment at public hospitals and clinics.

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

“Strengthening the public health system is a priority. In recent years, significant investments have been made and several new hospitals and teaching facilities were opened to reach medically underserved communities.” [9]

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HIV/AIDS

- 25.05 The 2008 *United Nations General Assembly Special Session on HIV/AIDS (UNGASS)* report, produced by the Eritrean Ministry of Health, National AIDS and TB Control Division, gives background information on HIV/AIDS in Eritrea:

“Like in other developing countries, HIV/AIDS has become a major threat for Eritrea's socio-economic development as it affects its major productive labor force. The first AIDS case was reported in 1988. At present, the estimated number of people living with HIV is in the range of 70,000 – 100,000. According to the nationwide ANC sentinel surveillance conducted in 2005, the prevalence of HIV in pregnant women was 2.38%. There were variations between regions/zones, age groups and occupations. In 2006, special surveys were also conducted on the most-at-risk populations, namely CSWs in Asmara, Massawa and long distance truck drivers nationwide. The HIV prevalence rates were 8.08%, 14.67% and 7%, respectively. Another study that was conducted in TB patients in Asmara showed HIV prevalence of 34.33% indicating that co-infection rate was high. In comparison to the 2.38% prevalence in the general population HIV prevalence in the most at risk populations is very high and needs extensive targeted intervention.” [71] (p6)

- 25.06 The main government initiative to combat HIV/AIDS is the HAMSET project launched in 2001: “HAMSET stands for HIV/AIDS, Malaria, Sexually Transmitted Diseases and Tuberculosis. It is a World Bank supported multisectoral project which involves government ministries, civil society (Non Government Organizations, Faith based organizations, private sector and people living with HIV/AIDS).” (UNGASS 2008) [71] (p7)

25.07 The UNGASS report 2008, stated, regarding treatment:

“In Eritrea, the estimated number of adults and children with advanced HIV in 2006 were 12,600. Of these only 1,884 were receiving antiretroviral therapy in accordance with the country’s approved treatment protocol, constituting 15%. In 2007 the estimated number of adults and children with advanced HIV were 12,940, of which 3,062 were receiving antiretroviral therapy, constituting 24%. It is worth noting here that ART is provided freely to all who are medically eligible.

“The estimated population infected with HIV in the country lies in the range of 70, 000–100,000. The National Strategic Framework has the provision of treatment, care and support as one of its major goals. In line with this, the MOH has recently finalized a series of national ARV and clinical care guidelines and implementation plans. In 2006, the MOH prepared Eritrean HIV/AIDS Care Manual. The government has acknowledged that with the increase in the number of HIV infected people, they will rely on conversant compassionate providers of care to help them understand a complicated illness, to assist them in coping with HIV-related diseases, and to provide them with comfort and treatment needed to improve the quality and length of their life.

“In order to meet these goals, it would be essential to mobilize all available health care providers and resources in the country (NATCoD, 2006). Due to the relatively low prevalence and urban dominance of the epidemic, 63% of AIDS cases are reported from the hospitals in the capital city. Therefore, the antiretrovirals are provided in these hospitals and other hospitals located in the Zones. Officially ART was launched in the country in September 2005 in five designated sites in the capital city and other towns. Since its launching ART was expanded to the six Zones and by the end of 2007 at least one ART site exists in each Zone. As of 2007, 14 out of the 30 public, military and private hospitals are providing antiretrovirals, constituting 47% of these health facilities.” [71] (p35)

25.08 A report entitled *Relentless Endeavors Underway to Prevent HIV/Aids Infection*, published in the Shabait website in December 2009, about medical services for people with AIDS stated that:

“The number of visitors of the voluntary HIV/AIDS blood testing and counseling service is on the rise which in turn contributed to the reduction of HIV infection, stated Dr. Andeberhan Tesfatsion, director of HIV/AIDS and TB in the Ministry of Health.

“In a meeting held at Hotel Asmara Palace, he commended the encouraging endeavors of all institutions and partners in preventing the spread of the infection and uprooting the discriminatory attitude of the society towards persons living with HIV/AIDS.

“Dr. Andeberhan further pointed out that the Government is working diligently in introducing age prolonging medicine (ART- Antiretroviral Therapy) and distributing it to people living with HIV/AIDS free of charge, and thereby enable [sic] them become productive.

“He explained that although the spread of HIV/AIDS is at its lowest level in Eritrea compared to other countries in the region, concerted action is nonetheless needed as the country is located in high-risk zone.” [26b]

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KIDNEY DIALYSIS

- 25.09 Shabait reported in November 2008 that “dialysis treatment for patients suffering from kidney disease has been introduced in Eritrea. Accordingly, Orotta Referral Hospital has introduced four modern equipments [sic] to this end.” The report also stated that “Eritrean nurses have been trained to properly monitor the newly introduced equipments [sic]”, and also that “previously, patients who require dialysis treatment used to travel abroad for the treatment.” [26a]

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MENTAL HEALTH CARE

- 25.10 The World Health Organisation (WHO) *Mental Health Atlas 2005* stated 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 WHO Mental Health Atlas 2005 notes that phenobarbital, chlorpromazine, and diazepam are available at the primary health care level. [41a] (p3).

- 25.11 The WHO published a report in 2006 about the mental health care system in Eritrea. This report stated that:

“In 1971 the government built a special neuro-psychiatric hospital in southwest Asmara, called St. Mary’s Hospital. This hospital was planned to provide 120 beds, a number that increased significantly in time to a today’s number of 160 beds. The wards have since been changed from big sleeping hallways of 36 beds, to smaller compartments with 4 to 6 beds. The hospital now consists of several wards, which make up the inpatient department, as well as an outpatient department. [41b] (p6)

“...in 2005, the mental hospital staff consisted of one psychiatrist/director, one matron, one administrator, four head nurses, eight psychiatric nurses, one psychology graduate, eleven general nurses and twenty-two health assistants, supported by a laboratory and a pharmacy. [41b] (p6)

“...there are two wards for male patients (one for civilians and one for military patients) and one for female military and civilian patients. Until now, the only

way to restrain patients has been to chain them to their beds by their ankles. About one-third or more of all patients are chained. [41b] (p7)

“...the outpatient department is open 5.5 days a week. About 10 new patients are seen on a daily basis, which means about 2,700 new patients a year are served. Sometimes patients are referred, but the majority of patients refer themselves. Most patients (both in and outpatients) come from the Asmara region. [41b] (p7)

“...during the last few years the MoH [Ministry of Health] has been training around 60 primary care workers in basic mental health knowledge; physicians as well as nurses in one week training are trained to diagnose and treat the most frequent psychiatric disorders and to do follow up...although some of these professionals are able to apply their knowledge, the majority are not able to do this since there is not a good distribution system of psychotropic drugs and they do not have access to these drugs. [41b] (p7)

“...Eritrea’s mental health policy was last revised in 1998 and includes the following components: developing community health services, downsizing large mental hospitals, developing a mental health component in primary health care, human resources, involvement of users and families, advocacy and promotion, human rights protection of patients, equity of access across different groups, financing, quality improvement and a monitoring system. [41b] (p10)

“In addition, a list of essential medicines is present. These medicines include Antipsychotics, Anxiolytics, Antidepressants, Mood stabilizers and Antiepileptic drugs. [41b] (p10)

“...according to the data for the year 2004, the total number of human resources working in mental health facilities or private practice is 0.83 per 100,000 [of the] population. The breakdown per 100,000 [of the] population is as follows: 0.06 psychiatrists (2 psychiatrists), 0.06 other medical doctors (2 medical doctors not specialized in psychiatry), 0.33 nurses (12 nurses), 0.03 (1 psychologist), but no social workers or occupational therapists.” [41b] (p18)

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

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26. HUMANITARIAN ISSUES

26.01 In June 2009, United Nations IRIN reported that:

“Eritrea is facing a food crisis, but aid workers say they cannot fully determine its severity as they are unable to assess the situation because of travel restrictions and the government's policy of ‘self-reliance’.

“The rains have failed again this year, in what is one of the driest regions in Africa. One aid agency report said the country had produced only about 30 percent of its food requirements in 2008/09.

“According to a recent report by the UN Children's Fund (UNICEF), rates of acute malnutrition in the northern provinces of Gash Barka and Anseba were above the emergency threshold of 15 percent; by February 2009, admission rates to therapeutic feeding centres were already two to six times greater than in 2008.

“UNICEF warned that higher global food prices could be affecting up to 2 million Eritreans, more than half the population of 3.6 million. UN agencies have projected that the 1.3 million people living below the poverty line would suffer most.

“...the average family cannot afford the most popular staple grains, such as teff, which retails at \$8 per kg in Asmara, and is used to make injera, a pancake that is the mainstay of an Eritrean meal. A family of four would consume at least 25kg of teff a month, amounting to \$200, so teff has become a luxury rather than a staple.” [19c]

26.02 According to the UNICEF (United Nations Children's Fund) Humanitarian Action Report 2010:

“Poor and erratic rainfall characterized much of the first half of 2009 in Eritrea, a country located in one of the driest parts of Africa and where seasonal rains are vital for subsistence. The worsening situation has been compounded by the effects of high food prices which have impacted heavily on the coping mechanisms of many households, pushing an increasing number of people into displacements and forcing women and children to live or work on the streets. Malnutrition is on a stark rise as a result, with admissions to therapeutic feeding centres as much as six times higher in 2009 than last year. The presence of landmines in Eritrea remains a major threat, with children comprising around half of the casualties and fatalities caused by the detonation of unexploded ordnance.” [27]

- 26.03 A BBC News report, published in December 2009, indicated that the Eritrean government's policy on food distribution may have worsened the food shortage problem that exists in some parts of the country:

"Eritrea's drive for food self-sufficiency is opening it to allegations of grain confiscation - a charge the government denies, and which is difficult to verify.

"Nineteen million people in the Horn of Africa are expected by the UN to need food aid to survive after failing rains aggravated a drought which has already destroyed crops and starved livestock.

"However, Eritrea is turning down food aid.

"Girma Asmerom, Eritrea's ambassador to the European Union, told the BBC 'foreign food aid demonises the local people and makes them lazy'.

"He said the Eritrean government had its own strategy for dealing with the food shortage, including transporting grain from parts of the country which, he said, had enjoyed a bumper harvest.

"But Eritreans who have fled across the border to a refugee camp in northern Ethiopia told us their government's policy was causing widespread hunger.

"Farmers from Eritrea said the government had seized their harvest, paying them as little as 8% of the market value.

"...supporters of the policy say it keeps the price of basic food low.

"But the refugees told us that the quantity the government allows a family to buy is not enough and that police arrest anyone found selling extra grain at market value.

"When we contacted Girma Asmerom, he strongly denied that the government was seizing food from farmers." [8p]

See [Economy](#)

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27. FREEDOM OF MOVEMENT

27.01 The US State Department *Human Rights report for 2009* noted:

“The law and unimplemented constitution provide for freedom of movement, foreign travel, emigration, and repatriation; however, the government restricted some of these rights in practice.

“...while citizens could generally travel freely within the country and change their places of residence, the government restricted travel to some areas within the country, particularly along the border with Sudan and Ethiopia. The government continually modified its requirements to obtain passports and exit visas, sometimes suspending passport or exit visa services without prior warning. Citizens participating in national service were often denied internal travel permits, passports, and exit visas. Many persons who previously were issued passports were not allowed to renew them, nor were they granted exit visas. Military police periodically set up roadblocks in Asmara and on roads between other cities to find draft evaders and deserters. Police also stopped persons on the street and forcibly detained those who were unable to present identification documents or movement papers showing they had permission to be in that area.” [4i] (section 2d)

27.02 The Human Rights Watch 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report stated:

“Severe restrictions on freedom of movement are in place. As more and more of its citizens leave the country, the government’s methods to try and stem the exodus have become more brutal...within Eritrea, movement is equally circumscribed through a variety of mechanisms. [29e] (p62)

“...a visitor to Eritrea in late 2008 described buses being frequently stopped and passengers asked for ID cards: some possessed laminated cards showing that they had completed national service, others had letters authorizing travel to a specific place and for a limited period of time.” [29e] (p63)

27.03 Foreign nationals in Asmara need permission to travel outside the city, as noted in the *Travel Advice* (updated March 2010 version) section of the United Kingdom Foreign and Commonwealth Office website:

“All foreign nationals are required to have a travel permit to leave Asmara. This includes Embassy officials and other foreign nationals resident/working in Eritrea. Those working outside Asmara are also required to have a travel permit to leave their area of residence or work. Applications for such travel permits in Asmara are handled by the Department of Protocol of the Ministry of Foreign Affairs (or relevant ministry). Applications outside Asmara are handled by the local Zoba (Region) Administration Offices. Permission may take several days to be granted and is sometimes refused or delayed.” [10c]

See also [Round-ups \(Giffa\)](#)

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28. INTERNALLY DISPLACED PEOPLE (IDPs)

- 28.01 An Internal Displacement Monitoring Centre report *Eritrea: IDPs returned or resettled but border tensions remain*, published in February 2009 stated:

“In early 2006, the government stepped up its return and resettlement efforts with the goal of returning all IDPs to their home areas or moving them to resettlement villages. In March 2006, it estimated that there were almost 8,900 displaced households in the border regions of Gash Barka and Debub (Government of Eritrea, March 2006). This would correspond roughly to 45,000 individuals. Of those, over 30,000 people had returned to their areas of origin or resettled by September 2007, including an estimated 10,000 people who had been living with host communities.

“...various UN sources have reported that by mid-2008, all IDPs in Eritrea had either returned or been resettled...according to a UNDP source, some IDPs were still living with hosts at the beginning of 2009 (UNDP-Eritrea, January 2009).

“...on the political front, the continuing impasse over the demarcation of the border and the status of the town of Badme presents an ongoing serious risk of renewed conflict and a major source of instability in the Horn of Africa. Following the Ethiopian government’s refusal to accept the virtual demarcation of the border by the EEBC, the unilateral Eritrean implementation and expulsion of UNMEE peacekeepers significantly increased the risk of new conflict.” [84]

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29. FOREIGN REFUGEES

- 29.01 The US State Department *Human Rights report for 2009* described the situation regarding people seeking refuge in Eritrea:

“The country was not party to the 1951 [United Nations] Convention relating to the Status of Refugees and its 1967 Protocol, and was not party to the 1969 African Union Convention Governing the Specific Aspects of the Refugee Problem in Africa. As a result the government cannot provide legal refugee or asylum status; however, in practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group, or political opinion. The government provided temporary protection to approximately 135 persons from Sudan and 4,300 persons from Somalia on a prima facie basis. Reports indicated that the government provided resources to Ethiopian refugees only if the refugees joined Ethiopian opposition groups. Ethiopian refugees who did not join opposition groups reportedly were harassed by government officials.

“The government required noncitizens to pay an annual fee for a residency card; there was no discrimination regarding nationality. The fee was 500 Nakfa (\$34), which was used to demonstrate that a foreigner was not indigent. If the foreigner could not pay the fee he was first referred to the ICRC for repatriation. If he refused repatriation, he was incarcerated for 60 days, at which point the cycle began again.” [4i] (section 2d)

- 29.02 Awate reported on 24 March 2008 that Sudanese, Ethiopian and Somali opposition groups amongst refugee populations, who had formerly been welcomed by the Eritrean Government, were finding that they had become victims of the general economic collapse as the Eritrean Government was no longer able to financially support them. Thus, Sudanese, Ethiopian and Somali opposition groups are in the process of relocating from Eritrea. [50n]

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30. CITIZENSHIP AND NATIONALITY

- 30.01 The Eritrean Nationality Proclamation No.21/1992 published in April 1992 details the criteria and law regarding Eritrean Nationality. [7]
- 30.02 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]
- 30.03 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)

VERIFICATION OF NATIONALITY: THREE WITNESSES

- 30.04 The British fact-finding mission [FFM] report 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)
- 30.05 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)

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MIXED MARRIAGES AND MIXED BIRTH

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

- 30.06 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)
- 30.07 This 2003 FFM 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)
- 30.08 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]
- 30.09 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]

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STATUS OF ETHIOPIANS IN ERITREA

- 30.10 The Human Rights Watch report, *The Horn Of Africa War: Mass Expulsions and the Nationality Issue*, published in January 2003, noted that:

“The legal status of Ethiopian residents in Eritrea who had not sought Eritrean nationality at the time of the war’s outbreak [1998 – 2000 war between Ethiopia and Eritrea] 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)

- 30.11 The 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.” [3] (p45)

- 30.12 The Canadian IRB noted in a reply to a request dated 20 February 2007 that the ICRC had continued to assist with repatriations. The UNMEE had monitored the process and the reply added that:

“The UN Secretary-General noted that ‘persons of Ethiopian origin continue to face discriminatory practices in Eritrea, including the demand for payment or high ‘repatriation clearance fees’. He further noted that persons of Eritrean extraction were reportedly detained prior to their repatriation. In several of his reports to the UN Security Council, the Secretary-General reiterated appeals to the governments of Ethiopia and Eritrea ‘to ensure that the repatriations remain voluntary and that they are carried out in a proper and dignified manner’.” [68c]

- 30.13 An International Committee of the Red Cross report, published in August 2009, stated that “the Eritrean authorities have informed the International Committee of the Red Cross (ICRC) that it will no longer be involved in any repatriation of Ethiopians from the country. According to the authorities, this decision was motivated by the unilateral cancellation of two repatriation operations in late 2008 and early 2009 by Ethiopia”. The report further stated that since 2000, more than 43,000 Ethiopian and Eritrean civilians have been repatriated to their respective countries, and that “the decision of the Eritrean authorities to terminate the ICRC’s involvement in the repatriations does not affect the right of Ethiopian nationals to leave Eritrea if they wish to do so.” [40b]

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31. FORGED AND FRAUDULENTLY OBTAINED DOCUMENTS

31.01 According to information from a Response to Information Request, dated 8 July 2008, published by the Research Directorate of the Canadian Immigration and Refugee Board (IRB), the Eritrean government is aware that some Eritrean national identity cards have been fraudulently obtained but does not know how common this practice is. The Response to Information Request also refers to a report published by the “The Indian Ocean Newsletter” dated 3 March 2008, about Ethiopian refugees buying Eritrean national identity cards in ‘Khartoum from Eritrean intermediaries’. [68f] (p50)

31.02 Information dated 8 July 2008 from another IRB Response to Information Request, stated that:

“To obtain the [Eritrean] national identity card, a person has to prove that he/she is [of] Eritrean origin. A person is said to be [of] Eritrean origin, if he/she was a resident in Eritrea in 1933. Any one born from such a person (either father or mother, or both) is also considered [to be of] Eritrean origin.

- This can be proved:

- by presenting a certificate of birth,

- three witnesses, who are above the age of 40, or

- any other relevant document.” [68d]

31.03 According to the US State Department's *Visa reciprocity schedule* (accessed in April 2010):

“Eritrean passports do not show the applicant's nationality...posts [American diplomatic posts] may issue visas in the Eritrean passports, but should insist that another document indicating nationality...is also presented with the passport when possible. Eritrean National ID cards are only issued in Tigrinya and Arabic to those over 18 years of age and are easily alterable, making proof of Eritrean citizenship difficult to determine.” [4c]

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32. EXIT AND RETURN

PASSPORT APPLICATIONS

- 32.01 According to information obtained from the British Embassy in Asmara in April 2010:

“Individuals working in a government ministry or agency must obtain ministerial permission before applying for a passport. Other individuals must obtain authorisation from a local government administrator and present a birth certificate, any military/national service medical exemption documents, and an ID card. The administrator will then instruct the Department of Immigration (which has offices in regional capitals) to issue a passport. All of the Department of Immigration’s regional offices can issue passports. There is a fee for this service. For some time now, it has been very difficult to obtain first-issue passports. In practice, those individuals who are exempt from military/national service, such as people who are ill or old, as well as government officials who need to travel abroad on official business, will find it easier to obtain passports. Even in these cases, however, there is no guarantee that a passport application will be accepted. Passports, which are due to go biometric at some point, are printed in English, Tigrinya and Arabic.” [10e]

- 32.02 The US State Department *Human Rights report for 2009* noted that:

“The government does not recognize dual citizenship; therefore, all persons of Eritrean descent are citizens. In general citizens had the right to return; however, citizens had to show proof that they paid the 2 percent tax on foreign earned income to be eligible for some government services, including exit visas upon their departure from the country. Applications to return to the country filed by citizens living abroad were considered on a case-by-case basis if the applicant had broken the law, contracted a serious contagious disease, or was declared ineligible for political asylum by other governments.” [4i] (section 2d)

- 32.03 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. [4b] (US Overseas Security Advisory Council [OSAC], 19 March 2008); [38a] (*Eritrea Daily*, 31 May 2006). The OSAC travel warning stated that “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.” [4b]

See Freedom of Movement

EXIT VISAS

- 32.04 The Eritrean government requires Eritrean citizens to obtain exit visas before they are allowed to leave the country, which for many Eritreans are difficult to obtain, as noted in the US State Department *Human Rights report for 2009*:

“Citizens and some foreign nationals were required to obtain exit visas to depart the country. Persons routinely denied exit visas included men up to the age of 54, regardless of whether they had completed national service; women under the age of 47; members of Jehovah’s Witnesses; and other persons out of favour with, or seen as critical of, the government. In 2006 the government began refusing to issue exit visas to children 11 years and older. The government also refused to issue exit visas to children, some as young as five years of age, either on the grounds that they were approaching the age of eligibility for national service or because their expatriate 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 150,000 nakfa (\$10,000).” [4i] (section 2d)

- 32.05 According to information obtained from the British Embassy in Asmara in April 2010:

“Exit visas used to be issued in sticker form but following a 2009 alleged visa scam are now stamps. They are produced in a standard format, in English only.

“Exit visas are not issued free of charge. The cost is currently around £8 (GBP) for a single exit visa. If government officials are travelling on official business we assume, but cannot confirm, that they do not pay fees.

“Exit visas are issued by the Department of Immigration which has regional offices. All these regional offices have the authority to issue exit visas. Applicants must apply in person only.

“...in practice, the majority of Eritreans wishing to travel abroad are not issued with exit visas and therefore cannot leave the country legally. Government officials and ministers can certainly obtain exit visas provided they have been given authorisation to travel abroad on official business. People who need medical treatment abroad can also obtain exit visas. Businessmen will almost always have to satisfy the age limit. In other words, they would have to be over the age of 57 before they would be allowed to apply for an exit visa. Women are not given preferential treatment or dispensation. For example, we know of many Eritrean women who have undergone military service, or are married and have children, but have still been refused exit visas for bona fide journeys abroad. Religious ministers or clerics can obtain exit visas if they need to travel abroad to attend meetings or events in connection with their religious faith, but they would have to belong to one of the officially recognised religions, such as the Roman Catholic Church.”

“...multi-exit visas are not issued. Exit visas are valid for one month and for one journey only.” [10e]

- 32.06 The Awate report, *For PFDJ, Yesterday's Target is Today's Income Opportunity*, published in September 2008, alleged that there is a visa regime agreed by the Eritrean and the Sudanese Governments that targets all visa Eritreans leaving Eritrea via Sudan. The report stated that:

"In exchange for Euros and US dollars, the Eritrean embassy in Khartoum issues Eritrean passports to escapees who secure visas (mostly to the Arab Gulf states.) Ironically, the Eritrean citizens would have been shot on sight if the Eritrean government border patrol had spotted them days earlier. Once a visa is secured for a foreign country, they need to get an exit visa from Sudan's immigration office. Following its reconciliation with Eritrean officials, the Sudanese government has instructed its immigration office not to issue exit visas to Eritreans unless they bring a no-objection letter from the Eritrean embassy in Khartoum. Prior to issuing the no-objection letter, the Eritrean embassy requires the applicants to fill lengthy forms (their relatives, addresses, etc) and transfers the information to the Eritrea embassies in their destination country. This assures their loyalty once they arrive in the foreign land." [50y]

- 32.07 The Human Rights Watch 2009 report *Service for Life - State Repression and Indefinite Conscription in Eritrea*, added:

"Due to the large number of people fleeing or refusing to return after being allowed to leave, exit visas are routinely denied for young people who are eligible for national service. Children from the age of 14 are usually denied exit visas but the US State Department has reported exit visas refused for children as young as five. One older woman who had managed to travel to visit her children abroad described the signs in the Foreign Ministry as saying that only men over the age of 54 and women over 47 are eligible for exit visas, she said, 'only the old can travel.' " [29e] (p63-64)

- 32.08 Individuals who are close to Eritrean government ministers and other politicians may have more freedom to leave Eritrea than other Eritreans, as suggested in an Awate article of 21 May 2008:

"A small privileged group composed of the children and families of high government officials and ministers as well as of loyal cadres, some in need of specialised medical diagnosis and treatment, are allowed to travel via Asmara Airport and encouraged to acquire permanent residence permits in the West, posing as paperless political asylum seekers. When granted refugee status they travel frequently to Eritrea and remain ardent supporters of the regime from whom they have sought 'asylum'. Likewise, many of the perpetrators [sic] of human rights violations in Eritrea have their entire families transferred abroad and travel regularly to visit them." [50k]

- 32.09 According to information obtained by the British Embassy in Asmara in April 2010 regarding people who need exit visas to travel abroad for medical treatment:

“People wishing to travel overseas for medical treatment are required to have a medical certificate provided by a government medical panel. The medical panel is made up of doctors who have the authority to carry out a medical examination on the person concerned. Medical certificates are only issued after a medical examination has been carried out. Depending on the age of the person concerned and severity of the condition, the normal requirement for military/national service exemption papers may be waived. We do not believe that letters from foreign doctors are also required as it is local medical opinion that carries weight in these matters.” [10e]

- 32.10 Awate reported in May 2009 that:

“As of May 1, 2009, all exit visa permits for the unfit and people who leave the country permanently (after attesting, in writing, that they forfeit their right to return) are now prohibited. The prohibition against providing visas to those who haven’t ‘fulfilled their national duty’ (i.e. military service until the age of 50 or more) still stands.” [50d]

See [Freedom of Movement](#)

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REQUIREMENT FOR ERITREANS LIVING ABROAD TO PAY TAX

- 32.11 The Human Rights Watch 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report stated:

“There are a variety of ways in which the Eritrean government exerts pressure on exiles for both financial and political reasons. The government expects all Eritreans in the diaspora to pay a two percent tax on income. While taxing expatriates may be a legitimate state function, the manner in which the Eritrean government coerces individuals into paying this income [tax] presents serious human rights concerns. If refugees or other Eritrean expatriates do not pay the two percent tax then the government typically punishes family members in Eritrea by arbitrarily detaining them, extorting fines, and denying them the right to do business by revoking licenses or confiscating land. [29e] (p75)

“The two percent tax is not only a financial mechanism, however. The government also uses it to consolidate its control over the diaspora population by denying politically suspect individuals essential documents such as passports and requiring those who live in Eritrea to provide ‘clearance’ documents of their relatives who live abroad - essentially coercion to ensure that their relatives have paid the two percent expatriate income tax demanded by the government. [29e] (p75)

“... one man living in the UK, a known critic of the government, said that his family had been denied land that they had applied for in Eritrea, because of his refusal to pay the tax...clearance is a process whereby an embassy charges a fee to certify that Eritreans living abroad have paid their dues and are up to date with the two percent tax...a woman living in Eritrea described how several of her neighbors had had their business licenses revoked because their children, residents in the United States, had not paid the two percent [tax] and they could not provide clearance certificates. [29e] (p76)

“Embassies have particular leverage over many Eritrean immigrants and refugees who do not have travel documents, and those whose passports require renewing. A refugee living in Rome had his application for a new passport refused...‘if you don’t pay [the tax] they don’t renew your passport, with no passport, you have no permit to stay in Italy...so directly or indirectly you are obligated to pay.’ ” [29e] (p76)

See Freedom of Movement

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ILLEGAL EXIT FROM ERITREA

- 32.12 The Awate report, *No Legal Exit; No Limit On Exodus*, dated 25 September 2008, stated that:

“The exile to Ethiopia and Sudan, which was averaging about 300 a month, has nearly doubled in recent months...most of the embassies in Eritrea do not provide consular services. Consequently, Eritreans used to go to neighbouring Kenya, Sudan and Djibouti to get entry visas...most Eritreans under the age of 50 are supposed to be enlisted either in the armed forces or the reserve: the exit visas used to be granted only to senior citizens and Eritreans requesting to be re-united with expatriates. Now, Eritrea’s immigration office has issued a blanket denial for all passport and exit visa requests from Eritrea.” [50q]

- 32.13 Leaving Eritrea illegally can have serious consequences for the individuals who attempt to do so, as reflected in the Human Rights Watch 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report:

“Human Rights Watch were told by a number of sources that there is an official ‘shoot-to-kill’ policy in operation against all those trying to cross the border. A former officer in exile told Human Rights Watch that such an order was in effect: ‘Now the law is killing people for crossing the border. The law changed one year ago’. Another more senior officer, specified: ‘There was a circular. There has been such a large number of people [crossing] that there was an announcement that anyone who crosses the border will be shot.’ ” [29e] (p39)

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TREATMENT OF RETURNED FAILED ASYLUM SEEKERS

- 32.14 Individuals who have been arrested or detained, having returned voluntarily and not as failed asylum seekers, 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)

See Police - Arbitrary Arrest and Detention

33. ERITREAN REFUGEES ABROAD

OVERVIEW

- 33.01 The Human Rights Watch 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report stated:

“Eritrea is currently among the top refugee-producing nations in the world. Fleeing the country is truly a last resort because the conditions facing refugees abroad are appalling and the punishments inflicted on asylum seekers who are forcibly returned are terrible, including torture and death. The Eritrean government considers leaving the country without a valid exit visa a crime, and absconding from national service is viewed as tantamount to treason. [29e] (p65)

“Leaving Eritrea is not an easy undertaking. As described above, heavily patrolled borders, mine-fields, and a shoot-to-kill policy make escape from Eritrea difficult. Despite this, thousands of people are leaving the country. The majority of refugees end up in Ethiopia and Sudan in overcrowded refugee camps. An increasing number try to make it to Europe via Sudan and Libya. They face difficult conditions crossing the Sahara and risk detention and extortion at the hands of Libyan and Sudanese police. [29e] (p65)

“...the scale of the Eritrean outflux is increasing. In 2007 the US Committee for Refugees and Immigrants estimated around 600 Eritreans were crossing into Ethiopia every month. In January 2009 the Ethiopian government claimed the number had grown to 900 a month. In 2007 the UN said that at least 10,000 Eritrean refugees arrived in Sudan and by 2008 this had apparently increased to at least 13,000 known new arrivals, likely a conservative estimate given that many of them do not apply for refugee status and remain in Sudan illegally, in transit for Libya. According to UNHCR, in 2008 more than 3,000 Eritreans entered Italy, the main entry point for Eritrean asylum-seekers to the European Union, an increase of 50 percent over the 2,000 Eritreans who arrived in 2007.” [29e] (p65-66)

ERITREAN REFUGEES IN LIBYA

- 33.02 In September 2006, Human Rights Watch published *Stemming the flow: abuses against migrants, asylum seekers and refugees*, which includes information on the Libyan Government’s treatment of Eritrean refugees and migrants in Libya. In chapter VI, the report outlines the poor conditions that Eritrean refugees and migrants are detained in, such as in Kufra, with deaths, neglect and abuse reported. [29b]
- 33.03 Amnesty International (AI) issued an Urgent Alert dated 8 February 2007 that expressed concern over the possible forced return of 430 Eritrean nationals, at that moment held in detention by the Libyan authorities. It stated:
- “Reports suggest that the Libyan authorities may have beaten and raped or sexually abused some detainees, and some detainees may even have died in custody as a result of such torture or other ill-treatment. According to Amnesty International’s information, of the 430 detainees, 130 detainees, including several women and children, are detained at a detention centre in al-Marj,

1,000 km from the Libyan capital Tripoli, while the remaining 300 are detained in Misratah, about 200km from Tripoli.”

“...in August 2006, 300 Eritreans were detained in Libya and threatened with deportation. It however appears that they were not deported although the whereabouts of some of them remains unknown (see UA 225/06, MDE 19/004/2006, 24 August 2006).” [5q]

- 33.04 AI was further alarmed about returns to Eritrea in January 2008, with news of the Libyan Government’s programme for the deportation of over one million illegal immigrants. The BBC reported on 17 January 2008 that Human Rights Watch had roundly condemned the Libyan Government initiative. [8q]

- 33.05 The Human Rights Watch 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report added:

“Libya has a well-documented history of abuses against migrants including forcefully returning people to Eritrea. Conditions in detention are terrible, with detainees often subjected to beatings and other abuse and denied access to medical treatment or to the UNHCR. [29e] (p70)

“...in July 2008, Libya made plans to return 230 Eritreans, prompting Amnesty International to warn against their deportation. Amnesty reported that up to 700 Eritreans were being held in Misrata prison and were at risk of deportation. In late 2008 refugees who had spent time in Misrata before arriving in Italy told Human Rights Watch researchers of similar numbers of people in detention in Misrata in appalling conditions. They also said that Libya is holding hundreds of Eritrean and other asylum seekers in other locations for extended periods of time.” [29e] (p70)

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ERITREAN REFUGEES IN ISRAEL

- 33.06 The Human Rights Watch 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report added:

“Increasing numbers of Eritreans have arrived in Israel in recent years. Israel has provided many of the Eritrean asylum seekers who successfully entered the country with renewable work visas, but does not grant these individuals formal refugee status. Eritreans are also among the dozens of asylum-seekers who tried to enter Israel from Egypt but have been stopped, temporarily detained at the border, and then forcibly returned to Egypt by the Israeli Defence Forces. Israeli security forces returned hundreds to Egypt in such fashion during 2008 without assessing their claims for protection. Some of the Eritreans refused entry by Israel in 2008 were among those subsequently detained in the Sinai by Egyptian police and then forcibly deported to Eritrea.” [29e] (p69)

- 33.07 A United Nations IRIN article of 27 February 2008 mentioned that the Israeli Government was rounding up over 240 African asylum-seekers, primarily Eritreans, with a view to conducting mass returns. UNHCR has recorded an influx of over 7,400 claimants over the past three years. [19b]

- 33.08 The Reuters report, *Israel deports African migrants to Egypt in crackdown*, dated 31 August 2008, stated that:

“Israel has forcibly returned to Egypt dozens of African migrants who had slipped into the Jewish state, and rights activists say they fear some are refugees who risk torture if Egypt sends them home as expected.

“Egyptian security sources said Israel had returned 48 migrants of Eritrean, Sudanese and Senegalese nationality to Egypt this month [August 2008], and that Cairo planned to deport them all.

“...activists say Eritreans had surpassed [the] Sudanese as the largest group of African migrants in Israel. Nearly all arrive via Egypt and include Pentecostal Christians fleeing religious persecution and others trying to avoid military service.

“...Egypt for years tolerated tens of thousands of African migrants on its territory, but its attitude soured in recent months after it came under pressure to halt a rising flow of Africans across the sensitive Sinai border with Israel.” [76b]

- 33.09 According to a France24 News report, published in March 2010, the Egyptian government has recently stepped up security controls along its border with Israel, and some Eritreans who have recently tried to cross the Egyptian/Israeli border illegally have been shot dead. The report stated that “Egyptian police shot dead two Eritreans on Saturday [27 March 2010] as the would-be migrants tried to cross the border illegally into Israel, a security official told AFP [Agence France-Presse]. Four people were also wounded during the shooting, including one who was in a critical condition, and another person was arrested.” The report also stated that “earlier this month [March 2010], the United Nations urged Egyptian forces to stop shooting African migrants trying to enter Israel. Around 60 have been killed in such incidents in the past two and half years.” [52]

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ERITREAN REFUGEES IN EGYPT

- 33.10 On 1 July 2008, a total of 740 Eritrean nationals (655 male and 85 female) were returned *en masse* from Egypt. Shabait, the Eritrean State news agency, stated that the returnees “expressed satisfaction with the warm hospitality accorded them.” [11c]. Awate, on 10 July 2008, expressed reservations on how the returnees will eventually be treated. [50]. A Reuters report, dated 8 January 2009, stated that Egypt deported a group of 32 Eritreans in January 2009, most of whom had tried to flee across the Egyptian desert to Israel. The Eritreans were flown back to their country's capital Asmara. [76c]

- 33.11 The Human Rights Watch 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report added:

"In June 2008 Egypt returned to Eritrea up to 1,200 Eritreans who had crossed into Egypt from Sudan. As of late 2008, at least 740 of those returnees were still imprisoned in Wi'a, the military detention facility in Eritrea. [29e] (p68)

"In December 2008 and January 2009 the Egyptian authorities deported dozens more Eritreans who had been detained in the Nakhl detention center in North Sinai and police stations in the nearby city of al-Arish. Around 100 of the Eritreans detained in Nakhl had earlier been returned to Egypt by Israel. While detained in Nakhl the Eritreans were visited and registered by officials from the Eritrean embassy, but UNHCR was denied access to the facility." [29e] (p68)

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ERITREAN REFUGEES IN ETHIOPIA

- 33.12 According to the Suwera Centre for Human Rights 2009 report, *The State of Human Rights in Eritrea 2008*:

"The flow of Eritrean refugees to Ethiopia started at the end of the war between Eritrea and Ethiopia in 2000. The refugees were settled in the Shimelba camp in the Tigray region since 2004 when they were transferred from Wa'ala Nehbi camp due to its proximity to the Eritrean border. The Shimelba camp is located 33kms south of Sheraro town. Another camp has also been opened in Mai Ayni away from the Eritrean border as the first one was full to capacity." [22] (p27)

- 33.13 A new refugee camp has recently been opened in Ethiopia, as noted in a report published by the *Sudan Tribune* in April 2010:

"Ethiopian authorities said this week [12-17 April 2010] [that] they [had] opened a new [refugee] camp in the northern part of the country to meet the growing number of Eritrean refugees who arrive each month.

"The new center [refugee camp] located in Adi Harush in Tigray is the fourth to be established in the region since 2004.

"The first batch of 356 people arrived on Thursday [15 April 2010] at the camp[.] 80 per cent of this group is composed mainly of young people between 21 and 34, said a statement released by the [Ethiopian] Administration for Refugee and Returnee Affairs (ARRA).

"According to the ARRA, up to 2,000 mostly young men and women are now crossing the [Ethiopian/Eritrean] border each month to 'avoid excessive repression, gross human rights violations and forced conscription into the army.' " [62c]

33.14 The US State Department *Human Rights report for 2009 on Ethiopia* stated:

“As in the previous year [2008], an average of 800 to 1,000 new Eritrean refugees arrived monthly, while approximately 400 to 600 Eritrean refugees departed monthly on secondary migration through Egypt and Sudan to go to Europe and other final destinations. The UNHCR assisted in the reception and transportation back to My Ayni of more than 150 Eritrean refugees who had been detained in Egypt and deported by the Egyptian authorities.

“The government required all refugees to remain in designated camps, most of which were located near the borders with Eritrea, Somalia, and Sudan, unless granted permission to live elsewhere in the country. Such permission was given primarily to attend higher education institutions, undergo medical treatment, or avoid security threats at the camps. During the year [2009] the government expanded its policy of providing greater freedom of movement to some Eritrean refugees with family members living outside of the camps.” [4h]

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ERITREAN REFUGEES IN SUDAN

33.15 The Human Rights Watch 2009 *Service for Life - State Repression and Indefinite Conscription in Eritrea* report stated:

“Over the past five years the increasingly cordial relations between the Sudanese and Eritrean governments have resulted in increasing pressure from Sudanese authorities on Eritrean refugees to return to Eritrea, contrary to the longstanding Sudanese reception of Eritrean refugees over the previous decades. [29e] (p67)

“...currently most refugees who flee Eritrea to Sudan either settle in refugee camps in eastern Sudan or transit onward within the country or to other countries in search of a safer and more stable existence. Those not in camps in Sudan are extremely vulnerable to abuse, in particular extortion and forcible return by the Sudanese authorities - Sudanese security services have links to Eritrean security agents. [29e] (p67)

“...in Sudan, there are nearly 100,000 Eritreans living in open camps at Kassala, al-Gedaref, Gezira, and Sinar. About 30,000 are said to live in towns in these areas and at least another 30,000 or more are estimated to be living in Khartoum. At least 10,000 new arrivals arrived during 2007. According to a Sudanese official, 13,000 Eritreans arrived in Sudan in 2008. The government says it cannot cope and has asked the UN for help.” [29e] (p67)

- 33.16 An Awate article, dated 3 January 2008, provided details regarding what happens to Eritrean arrivals after being arrested by the Sudanese border patrols. The article stated:

“When they cross the border, they will be arrested by Sudanese border patrol and detained in the refugee camps which have hosted thousands of Eritreans since the 1960s. But before they arrive at the refugee camps, they will stop by at the detention centers. Here, they will be asked how much money they have, if they have a mobile phone or an address book that shows they have relatives abroad. They are dispossessed of their money and directed to call their family members abroad and ask them to send money. From the detention centers, they will be driven to Wed Sherifey refugee camp. There, the authorities will ask them to pay a fee (the equivalent of \$3 USD) to have their pictures taken. If they don’t have the money, and most won’t, they will be dumped in a shack at transit camp or deported back to Eritrea. If they do have the money to pay for the pictures, they are transported to Camp 26, where they will be asked to pay \$10 USD to receive a refugee ID card.” [50]

- 33.17 The same article continued, describing conditions in the transit camps and refugee camps as both overcrowded and poorly provisioned, with the added risk for females of sexual harassment by the Sudanese guards. It adds that Eritrean escapees are arrested if found in Kassala, as they move up to Khartoum or Port Sudan. The article also alleges that the Eritrean authorities are providing incentives for local East Sudan border officials to arrest and forcibly deport Eritrean escapees. [50]

- 33.18 A more recent United Nations IRIN report, dated 3 December 2009, stated:

“Eastern Sudan hosts more than 66,000 registered Eritrean refugees, the first of whom arrived in 1968 during the early years of Eritrea’s war of independence against Ethiopia. These days, Eritrea’s policy of indefinite military conscription, coupled with drought and poor economic opportunities, prompt some 1,800 people to cross into Sudan every month, according to the UN Refugee Agency, UNHCR.

“...as they planned for their big escape to Europe or Israel, asylum-seekers dreamed of a better life in Sudan. But instead, thousands woke up to the realities of the grim camp conditions, lacking food security or proper healthcare, and sharing scarce resources with Sudanese nationals. On arrival at the reception centre at Shagarab camp in Kassala state, near the Eritrean border, they are not immediately provided with proper shelter. Only when their refugee status is confirmed, which can take four to six weeks, are they able to move into tents or huts, which they often have to build themselves.

“...Shagarab, with the worst conditions among the three biggest camps in eastern Sudan, houses more than 21,000 mostly Eritrean refugees, in addition to some Ethiopians and Somalis. The 1,800 monthly arrivals also include young men who flee forced conscription in the Eritrean army.

“...the UN World Food Programme supplies the camps with food aid but refugees say it is not enough. Education opportunities for children are also inadequate. Out of 15,000 children in the 12 camps in the east, 6,000 do not get the chance for a primary education because schools lack the capacity to absorb them, UNHCR Africa Director George Okoth-Obbo said later in Khartoum.

“...some of the refugees move to other cities in Sudan looking for employment. The government says there are about 40,000 refugees living in urban centres, sharing services and job opportunities with Sudanese nationals. Although UNHCR says the government has not rejected any Eritrean asylum-seekers, it does try to reduce the pull of the refugee camps to potential ones.

“Refugees are allowed to work in Sudan, but government policy is to keep them inside the camps, said Abdallah Soliman Mohamed, deputy commissioner of refugees. With no access to better education for refugee children, and after international donors have supported the camps for more than 40 years, UNHCR says it is looking into other ways for the refugees to become self-reliant.” [19e]

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34. EMPLOYMENT RIGHTS

- 34.01 The US State Department *Human Rights Report for 2009* provided basic information about employment rights in Eritrea:

“The law provides workers with the legal right to form and join unions to protect their interests; however, some government policies restricted free association or prevented the formation of some unions, including within the civil service, military, police, and other organizations providing essential services. The government ran all unions, including the Teacher's Union, Women's Union, Youth's Union, and Worker's Union. Membership in these unions was required. The government did not encourage the formation of independent unions by employees of private businesses. Union leaders were typically government employees, and union activities were generally government sanctioned. The Ministry of Labor and Human Welfare must grant special approval for groups of 20 or more persons seeking to form a union. There were no reports that the government opposed the formation of labor associations during the year [2009]; however, the government did not approve the formation of any unions.

“The law allows strikes; however, all unions were closely aligned with the government and thus did not exercise or promote the right to strike.

“The law allows unions to conduct their activities without interference, and collective bargaining is allowed. In practice all unions are subservient to the government, which sets wages for union workers, employees of PFDJ-owned enterprises, and government employees. Wages are set independently in the small private sector, although workers are not allowed to organize independently.

“Since most businesses were government-owned, unions did not experience antiunion discrimination.” [4i] (section 7)

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FORCED OR COMPULSORY LABOUR

34.02 The US State Department *Human Rights report for 2009* stated:

“The law prohibits forced or compulsory labor, including by children; however, forced labor occurred, particularly in [the] national service program.

“The government required all men between the ages of 18 and 54 and women between the ages of 18 and 47 to participate in the national service program, which included military training and civilian work programs. However, the criteria for demobilization were unclear, and many were required to work indefinitely in any location or capacity chosen by the government. Reports indicated citizens were enlisted in the national service for many years below minimum-wage rates with no prospective end date, no promotion or salary increases, and restricted freedom of movement since those employed under national service were often denied passports and exit visas. The government justified its open-ended draft on the basis of the undemarcated border [dispute] with Ethiopia. Some national service members were assigned to return to their civilian jobs while nominally kept in the military because their skills were deemed critical to the functioning of the government or economy. These individuals continued to receive only their national service salary; the government required them to forfeit to the government any money they earned above and beyond that salary. Government employees generally were unable to leave their jobs or take new employment. Draft evaders often were used as laborers on government development projects.” [4i] (section 6)

34.03 Certain aspects of national service involve compulsory labour, as noted in the Human Rights Watch 2009 report *Service for Life - State Repression and Indefinite Conscription in Eritrea* report:

“In 2002, with the announcement of the Warsai Yekalo Development Campaign (WDYC), a national social and economic development effort, the statutory national service of 18 months was indefinitely extended so that all male and female adults must be available to work at the direction of the state in various capacities until the age of 40 - now often 50 or 55 in practice. Indefinite national service starts with six months of military training followed by 12 months’ deployment either in military service or working for some other government ministry at the direction of the Ministry of Defense. Some are also drafted to work for the companies owned and operated by the military or ruling party elites that dominate the economy.” [29e] (p3)

34.04 Regarding the distinction between national service and military service, the Human Rights Watch report quoted above explained that:

“Not all national service is military service, since many conscripts are not deployed in the army but on civilian development projects, or are assigned to commercial enterprises with their salary paid to the Ministry of Defence. However, the Ministry of Defence is in control of the national service program and if someone working on a construction project were to abscond they are still be [sic] regarded as a deserter under military law. [29e] (p43-44)

“Refugees interviewed by Human Rights Watch emphasized that there was no difference between military and civilian national service - conscripts are equally at the mercy of the state. One Eritrean academic notes that, ‘What people do not realise is that in Eritrea, there is no military service. There is only *Hagerawi Agelglot* (National Service) which is much more ambitious and broader than common Military Service.’ Military duties are only one of a number of different assignments that conscripts can be tasked with, although it is the most common.” [29e] (p44)

- 34.05 Freedom House’s *Freedom in the World 2010* report on Eritrea, published in May 2010, added that:

“Government policy is officially supportive of free enterprise, and citizens have the nominal freedom to choose their employment, establish private businesses, and operate them without government harassment. However, few private businesses remain in Eritrea. This is largely because of the conscription system, which ties most able-bodied men and women to an indefinite period of national service and can entail compulsory labor for enterprises controlled by the political elite. The 2009 Heritage Foundation Index of Economic Freedom cites other barriers to starting and operating a business in Eritrea, including burdensome regulations and the high cost of credit. It ranks Eritrea as the second-worst country in sub-Saharan Africa for economic freedom.” [36]

See Military and National Service; Trafficking

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Annex A: Chronology of Major Events

- 1952** Federation formed between Eritrea and Ethiopia [1]
- 1958** Eritrean Liberation Movement (ELM) founded. [1]
- 1961** Eritrean Liberation Front (ELF) begins armed campaign for Eritrean independence from Ethiopia. [1]
- 1962** Eritrea's status reduced to that of an Ethiopian province. [1]
- 1972-74** Civil war in Eritrea between ELF and breakaway Popular Liberation Forces (which went on to form the Eritrean People's Liberation Front [EPLF] in 1977). [1]
- 1974** Revolution which brings hard-line Marxist 'Derg' regime to power. [1]
- 1977-78** Further splits within ELF. [1]
- 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. [1]
- 1989** EPLF captures Massawa. [1]
- 1991** **May:** EPLF captures Asmara; at same time Eritrean People's Revolutionary Defence Force (EPRDF) captures Addis Ababa and overthrows Derg; EPRDF recognises EPLF as government of Eritrea and agrees independence referendum for Eritrea in 1993. [1]
- 1993** **April:** UN-supervised referendum overwhelmingly approves independence from Ethiopia. [1]
24 May: Independence proclaimed. [1]
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. [1]
June: Eritrea admitted to the Organization of African Unity (now the African Union).
8 June: Issayas Afewerki elected first President of Eritrea by the National Assembly. [8a] [39]
- 1994-95** Conferences on constitutional reform held throughout Eritrea, but Government opponents not invited to participate. [1]
- 1994** **February:** EPLF becomes the People's Front for Democracy and Justice (PFDJ) and espouses its support for a pluralistic political system. [1]
- 1995** **May:** The National Assembly approved proposals to create six administrative regions to replace the 10 regional divisions that had been in place since colonial rule. [1]
November: The Assembly approved new names for the regions and finalised details of their exact boundaries and sub-divisions. [1]

- 1997** **23 May:** New Constitution adopted by Constituent Assembly but not fully implemented. [1]
- 1998** **May:** Border conflict with Ethiopia erupts into heavy fighting; thousands of Eritreans expelled from Ethiopia and many Ethiopians leave Eritrea. This conflict lasts until 2000. [1]
- 1999** The border conflict started in 1998 between Eritrea and Ethiopia continues. Numerous clashes occur during 1999 between Eritrean and Ethiopian troops. [1]
- 2000** **April:** Peace talks in Algiers organised by the OAU fail.
May: Hostilities between Ethiopia and Eritrea resume. [1]
June: Eritrea and Ethiopia sign ceasefire agreement and agree to UN monitoring force along border. [1]
December: Eritrea and Ethiopia sign peace agreement in Algeria establishing commissions to mark border, exchange prisoners, return displaced people and hear compensation claims. [1]
- 2001** **February:** Eritrea accepts United Nations plans for a temporary demilitarised zone along its border with neighbouring Ethiopia. [1]
Ethiopia says it has completed its troop withdrawal from Eritrea in accordance with a United Nations-sponsored agreement to end the border war. [1]
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. [1]
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') [1]
September: The Government closes all privately owned newspapers. Following this the police arrest ten leading journalists. [5c] (p6)
Security authorities detain 11 members of the G11/G15 group. Four members escape arrest. [1]
- 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. [1]
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. [1]
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.
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. [1]
- 2003** **March:** The Boundary Commission categorically rules Badme to be in Eritrean territory. Ethiopia voices its opposition to the ruling. [1]
- 2004** **February:** Former Canadian Foreign Minister Lloyd Axworthy is named UN special envoy to help defuse the stand-off between Ethiopia and Eritrea. [1]
July: UN Secretary-General Kofi Annan visited the Horn of Africa in a new initiative to kick-start the stalled Ethiopian-Eritrean peace process. [19a]
September: UNMEE expresses disappointment after the Eritrean Government re-imposed restrictions of movement along a crucial supply route for its peacekeepers. [19a]
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”. [19a]
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”. [19a]
- 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]
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. [19d]
October: The Government imposes more restrictions on the movement of UN peacekeepers, days after grounding UN helicopter flights. [19d]
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. [19d]
- 2006** **20 January:** The patriarch of the Eritrean Orthodox Church is placed under arrest. [31a]
1 June: Travel restrictions into and within the country enforced by the Eritrean Government for foreign nationals and dual nationality holders. [4c]
16 October: The Eritrean army moves 1,500 troops and 14 tanks into the demilitarised zone of the Ethiopian/Eritrean border. The UN Security Council protests at the “flagrant” breach of the ceasefire. [8g]
3 November: Helen Berhane, a Rhema church member who had been detained without trial for 18 months, who was abused and tortured, was confirmed as having been released from detention. [5o] [31g] [67b]

- 6 December:** Military service round-up (Giffa) begins in Asmara; 500 parents and relatives of young people missing from official registers targeted for arrest, detention and fines. [5e]
- 2007**
- 25 January:** Further Government restrictions and impositions placed on the deposed patriarch of the Eritrean Orthodox Church. [49]
- 5 April:** The Government bans the practice of FGM. [19c]
- 9 May:** 80 members of the Orthodox Presbyterian Church, a registered denomination, arrested in Asmara. [87b]
- 8 June:** Police raids in Asmara, detaining Pente Christians. [67a]
- 15 October:** Attempted assassination of Col. Simon Ghebredengel. [50u]
- November:** Eritrea accepts border line demarcated by international boundary commission. Ethiopia rejects it. [8j]
- 2008**
- January:** UN extends mandate of peacekeepers on Ethiopia-Eritrea border for six months. UN Security Council demands Eritrea lift fuel restrictions imposed on UN peacekeepers at the Eritrea-Ethiopia border area. Eritrea declines, saying troops must leave border. [8j]
- 15/16 February:** UNMEE withdraws its force of 1,400 troops and 200 military observers as a “temporary withdrawal”, with the Ethiopian Government permitting withdrawal to northern Ethiopia. [66]. However, a dispute arose between the UN and the Eritrean Government about how much equipment the UN could leave, with the UN insisting on leaving with all its transport: the Eritrean Government prevented both fuel and food rations reaching the UN force. [8o]
- April:** UN Secretary-General Ban Ki Moon warns of likelihood of new war between Ethiopia and Eritrea if peacekeeping mission withdraws completely. Outlines options for the future of the UN mission in the two countries. Djibouti accuses Eritrean troops of digging trenches at disputed Ras Doumeira border area and infiltrating Djiboutian territory. Eritrea denies charge. [8j]
- May:** Eritrea calls on UN to terminate peacekeeping mission. [8j]
- June:** Fighting breaks out between Eritrean and Djiboutian troops in the disputed Ras Doumeira border area. [8j]
- September:** An Eritrean government intelligence camp in Molokhseito was reportedly attacked by armed units of the Eritrean National Salvation Front (ENSF) [50z]
- November:** The Eritrean government launched a fresh crackdown on Christians. At least 110 evangelical believers were detained. The Christians were arrested in all parts of the country apart from Asmara. Those detained included 65 members of the evangelical Kale Hiwot Church. [91]
- 2009**
- January:** The UN Security Council gave Eritrea an ultimatum to withdraw its forces from a disputed border region with Djibouti within five weeks. The UN resolution also called for Eritrea to remove its military hardware from the Ras Doumeira region and the island of Doumeira. [8b]
- February:** The Australian Broadcasting Corporation reported that a bomb explosion killed two people and wounded eight others at a restaurant in western Eritrea. The ABC report further stated that “Eritrea blamed Ethiopia for an earlier bomb attack in January 2008 that killed one person and wounded several others in another market town near the western border”. [55]
- April:** UN Secretary Council says Eritrea failed to fulfil its obligation to withdraw troops from disputed border area of Djibouti under an ultimatum issued in January [2009]. Eritrea denies having troops on Djiboutian soil. [8j]

June: United Nations IRIN reported that Eritrea was facing a food crisis caused by poor harvests, a lack of rain, and the high cost of food. [19c]

August: International tribunal ruling stipulates that Eritrea and Ethiopia have to pay one another financial compensation for war damages incurred in the 1998-2000 border war. [8c]. An assassination attempt on President Afewerki by members of the Eritrean Defence Forces reportedly fails. The president is reportedly unharmed in the incident. [16b]

December: The United Nations Security Council voted to impose sanctions on the Eritrean regime. The sanctions place an arms embargo on Eritrea, an asset freeze on specific businesses and individuals, as well as a travel ban on political and military leaders to be identified by a sanctions committee. [50c]

- 2010**
- February:** The Red Sea Afars Democratic Organisation (RSADO) stated that it had killed 17 Eritrean government soldiers and injured more than 20 others in an attack on military barracks. The attack was carried out in Fura in central Dankalia on 15 February according to a RSADO spokesman. [16c]
- March:** On 27 March, Egyptian police shot dead Eritreans trying to cross the Egyptian/Israeli border illegally. [52]

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Annex B: Political Organisations

Afar Revolutionary Democratic Unity Front (ARDUF)

The ARDUF is known locally as Ouguguma, which is a newly created Afar word for revolution. [70b]

Afar National Liberation Movement (ANLM)

The ANLM is a pro-Ethiopian Afar-based organisation. [70b]

Alkhalas

Website given in an Awate article of 15 February 2007 as <http://www.alkhalas.org/eng-home1.htm> [50t]

Association of Eritrean Initiative (AEI)

The AEI is also known as the Eritrean Initiative Group (EIG) and is led by Mhamed Medeni. It is a member of the AENF/EDA. Its popular support inside Eritrea is very limited. [70b]

Eritrean Democratic Party (EDP)

The website of the EDP was given in an Awate article of 15 February 2007 as: <http://www.selfi-democracy.com> [50t]

Eritrean Islamic Jihad (EIJ)

Radical opposition group; in August 1993 split into a military wing and political wing. [1]

Eritrean Islamic Salvation Movement (EISM)

Known until 1998 as Eritrean Islamic Jihad (EIJ), the EISM is led by Sheikh Khalil Mohammed Amer. The EIJ was allied to Sudan and had bases in that country. It is a member of the AENF/EDA and has Muslim support. [70b]

Democratic Movement for the Liberation of Eritrea (DMLE)

An organisation opposed to the People's Front for Democracy and Justice (PFDJ) Leadership Hamid Turkey. [70b]

Eritrean Democratic Resistance Movement (EDRM)

Led by Ismail Nada, the EDRM is based on the Nara and other ethnic minorities from the Gash-Setit zone. It is a member of the AENF/EDA. It is narrowly ethnic in make-up. [70b]

Eritrean Kunama Democratic Liberation Movement (EKDLM)

Led by Qernelyos, the EKDLM, which is based on the Kunama ethnic group, is allegedly supported by Ethiopia. It is a member of the AENF/EDA. [70b]

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. Website given in an Awate article of 15 February 2007 as <http://www.omaal.net> [50t]

Eritrean Liberation Front-Central Command (ELF-CC)

Founded 1982; Chairman Abdella Idriss. [1]

Eritrean Liberation Front-National Council (ELF-NC)

Leader Hassan Ali Assad. [1]

Eritrean Liberation Front-Revolutionary Council (ELF-RC)

Established by former ELF members who remained outside EPLF; President Seyoum Ogbamichael; leader Ahmed Mohamed Nasser. [1]. Awate reported that Ogbamichael died on 16 December 2005. [50o]

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 set up in 2003; Chairman Hiruy Tedla Bairu; Secretary General Husayn Khalifa. [1]

Eritrean People's Congress (EPC)

Led by Abu Siehel, the EPC is allegedly backed by Sudan. It is a member of the AENF/EDA with limited support from Muslim Eritreans. [70b]

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/DP 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. [1]

Eritrean Revolutionary Democratic Front (ERDF)

Led by Berhane Yemane, the ERDF, which is a member of the AENF/EDA, was close to Sagem and consequently friendly with Ethiopia. [70b]

Islah

Website given in an Awate article of 15 February 2007 as <http://www.islaher.org> [50t]

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]

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. [1]

Popular Liberation Forces

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

Red Sea Afar Democratic Organisation

Afar opposition group; Secretary General Amin Ahmmad. [1]

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Annex C: Prominent people: past and present

THE GOVERNMENT

Isaias Afewerki

President Isaias Afewerki is the dominant figure in Eritrean politics: head of state, government and ruling party. He was born in 1945 and joined the Eritrean Liberation Front (ELF) in 1966 after studying engineering at Addis Ababa University. He underwent military training in China and quickly rose up the ELF chain of command. He helped found the Eritrean People's Liberation Forces in 1970, which became the Eritrean People's Liberation Front (EPLF) at the 1st organisational congress of 1977 and became Secretary-General of the front in 1987. At independence he became chairman of the State Council of the National Assembly and later secretary general of the Provisional Government of Eritrea. Isaias has presided over the country since assuming power on the fall of the Dergue in May 1991 and was elected president by the National Assembly in June 1993. During 1997 and 1998, however, critics accused him of pursuing an overly aggressive foreign policy towards neighbours and of blocking the planned transition to democracy. Post-war, there appears to be no chance of Eritrea's government regaining this momentum under Isaias' authoritarian rule. Since late 2002, he has also assumed responsibility for most of the defence portfolio. [70b] (*Jane's Security Sentinel*, October 2007)

Arefaine Berhe

Minister of Agriculture [70b]

Abraha Asfaha

Minister of Construction [70b]

Sebhat Ephrem

Minister of Defence [70b]

Semere Rusom

Minister of Education [70b]

Tesfai Gebreselassie

Minister of Energy and Mines [70b]

Berhane Abrehe

Minister of Finance [70b]

Osman Salih Muhammad

Minister of Foreign Affairs [1]

Dr Salih Mekki

Minister of Health [1]

Ali Abdu

Minister of Information [1]

Fawzia Hashim

Minister of Justice [1]

Askalu Menkerios

Minister of Labour and Human Welfare [70b]

Woldemichael Gebremariam

Minister of Land, Water and Environment [1]

Ahmed Haj Ali

Minister of Maritime Resources [1]

Naizghi Kiflu

Minister of Local Government [1]

Dr Giorgis Teklemikael

Minister of Trade and Industry [1]

Amna Nur Hussein

Minister of Tourism [1]

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. [5d] (p6). Reportedly died in July 2002. [45]

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. [5d] (p6). Reportedly died in April 2003. [45]

Berhane Gebregziabeher

Army Major-General; head of the National Reserve Force; EPLF political bureau member since 1977. [5d] (p6). Reportedly died in June 2002. [45]

Beraki Gebreselassie

Former Ambassador to Germany (to May 2001); previously Minister of Education and Minister of Information and Culture. [5d] (p6). Reportedly died in July 2007. [45]

Hamad Hamid Hamad

Head of the Arabic (Middle East) Department in the Ministry of Foreign Affairs; former Ambassador to Sudan. [5d] (p6). Reportedly died in November 2005. [45]

Saleh Kekiya

Former Minister of Transport and Communication, Vice-Minister of Foreign Affairs and Head of the Office of the President. [5d] (p6). Reportedly died in August 2003. [45]

Germano Nati

Regional Administrator. [5d] (p6). Reportedly died in March 2008. [45]

Estifanos Seyoum

Army Brigadier General; former Head of the Inland Revenue Service (to August 2001). [5d] (p6). Reportedly died in September 2007. [45]

Mahmoud Ahmed Sheriffo

Former Vice-President (dismissed in February 2001), Minister of Local Government, and Minister of Foreign Affairs; EPLF co-founder. [5d] (p6). Reportedly died in December 2003. [93]

Petros Solomon

Former Minister of Maritime Resources; previously Minister of Foreign Affairs, EPLF military commander and intelligence chief, EPLF political bureau member since 1977. [5d] (p6)

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. [5d] (p6)

IMPRISONED JOURNALISTS

Compiled from the Committee to Protect Journalists’ list [30]

Zemenfes Haile**Ghebrehiwet Keleta****Selamyinghes Beyene****Hamid Mohammed Said**

Saleh Ajezeeri Said Abdulkadir (reportedly died in March 2004) [45]

Yosuf Mohamed Ali (reportedly died in June 2006) [45]

Amanuel Asrat**Temesgen Gebreysus****Mattewos Habteab****Dawit Habtemichael**

Medhanie Haile (reportedly died in February 2004) [45]

Dawit Isaac**Seyoum Tsehay**

Fessaye Yohannes (“Joshua”) Al reported on 15 February 2007 that he had died in prison. [5p]. RWB’s 2008 World Report also stated that he had died in prison. [17b]

See [Freedom of Speech and Media](#)

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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
CRC	Convention on the Rights of the Child
EU	European Union
FCO	Foreign and Commonwealth Office (UK government department)
FGM	Female Genital Mutilation
FH	Freedom House
GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
ICG	International Crisis Group
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
ILO	International Labour Organisation
NGO	Non-Governmental Organisation
OCHA	Office for the Coordination of Humanitarian Affairs
RSF	Reporters sans Frontières
STD	Sexually Transmitted Disease
TB	Tuberculosis
TI	Transparency International
UK	United Kingdom
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
UNMEE	United Nations Mission in Ethiopia and Eritrea
USAID	United States Agency for International Development
USSD	United States State Department
WFP	World Food Programme
WHO	World Health Organization

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

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