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Home Office

Country Information and Guidance

Eritrea: Religious groups

20 October 2014

Preface

This document provides guidance to Home Office decision makers on handling claims made by nationals/residents of – as well as country of origin information (COI) about – Eritrea. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the guidance contained with this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Within this instruction, links to specific guidance are those on the Home Office’s internal system. Public versions of these documents are available at <https://www.gov.uk/immigration-operational-guidance/asylum-policy>.

Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the European Asylum Support Office’s research guidelines, [Country of Origin Information report methodology](#), dated July 2012.

Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please [e-mail us](#).

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

It is not the function of the IAGCI to endorse any Home Office material, procedures or policy.

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Section 1: Guidance

Date Updated: 20 October 2014

1.1 Basis of Claim

- 1.1.1 Fear of persecution/mistreatment by the state because of the person's religious faith or membership of a religious group.

1.2 Summary of Issues

- ▶ Is the person's account a credible one?
- ▶ Which religious groups are recognised by the government and which are not?
- ▶ Are members of state registered religions at risk of mistreatment or harm?
- ▶ Are unregistered religious groups at risk of mistreatment or harm in Eritrea?
- ▶ Are those at risk able to seek effective protection?
- ▶ Are those at risk able to internally relocate within Eritrea?
- ▶ If the person is found not to be at risk of persecution/mistreatment based on their religious faith or membership of a religious group, can they be safely returned to Eritrea?

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1.3 Consideration of Issues

Is the person's account a credible one?

- 1.3.1 Decision makers must consider whether the material facts relating to the person's account of their membership of a religious group and of their experiences as such is reasonably detailed, internally consistent (e.g. oral testimony, written statements) as well as being externally credible (i.e. consistent with generally known facts and the country information). Decision makers should take into account all mitigating reasons why a person is inconsistent or unable to provide details of material facts such as age; gender; mental or emotional trauma; fear and/or mistrust of authorities; education, feelings of shame; painful memories, particularly those of a sexual nature, and cultural implications.

See also the Asylum Instruction on:

- [Considering Protection \(Asylum\) Claims and Assessing Credibility](#)

Which religious groups are recognised by the government and which are not?

- 1.3.2 The government only recognises four officially registered religious groups: the Eritrean Orthodox Church, Sunni Islam, the Roman Catholic Church, and the Evangelical Lutheran Church of Eritrea.
- 1.3.3 Unregistered religious groups include Evangelicals, Baptists, Pentecostals, Presbyterians, Jehovah's Witnesses, Seventh-day Adventists and the Bahai.

Are members of state registered religious groups at risk of mistreatment or harm?

- 1.3.4 Members of the registered religious groups can worship openly and freely provided they comply with the government's directives and regulations that relate to religious activities. Individual members who have disobeyed government directives and

regulations, or who have openly opposed government interference in the internal affairs of their religious groups, however, have experienced surveillance, intimidation, arrest and detention. Some of these individuals who have been ill-treated have been well-known religious leaders but some have been ordinary members of their religious communities.

Are unregistered religious groups at risk of mistreatment or harm in Eritrea?

- 1.3.5 The government has banned religious activities of the unregistered groups and their religious places of worship have been closed. These groups and their members have experienced human rights violations including torture, ill-treatment, arbitrary arrests, detention without charge or due process, in severe conditions which are likely to breach the Article 3 threshold, and restrictions on the freedom of movement. Deaths of religious prisoners due to harsh treatment and a lack of medical care have also been reported.

Are those at risk able to seek effective protection?

- 1.3.6 The state cannot be considered to be willing or able to provide protection to individual members of the registered religions who are at risk of mistreatment or harm by state agents.
- 1.3.7 Members of unregistered religious groups face ill-treatment and persecution from state agents and are unable to seek protection from the state.

Are those at risk able to internally relocate within Eritrea?

- 1.3.8 Internal relocation to another part of the country is not a viable option where the risk of persecution is from the state and its agents.

If the person is found not to be at risk of persecution/mistreatment based on their religious faith or membership of a religious group, can they be safely returned to Eritrea?

- 1.3.9 MO (illegal exit - risk on return) Eritrea CG [2011] UKUT 190 (IAC) (27 May 2011) found that:

‘Whilst it also remains the position that failed asylum seekers as such are not generally at real risk of persecution or serious harm on return, on present evidence the great majority of such persons are likely to be perceived as having left illegally and this fact, save for very limited exceptions, will mean that on return they face a real risk of persecution or serious harm’.

See also

- sections 3.16 ‘Claimed Illegal Exit from Eritrea’ and 6. ‘Returns and treatment of refused asylum seekers’ in the February 2014 OGN on Eritrea.

And the Asylum Instructions on:

- Internal Relocation
- Considering Protection (Asylum) Claims and Assessing Credibility

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1.4 Policy Summary

- 1.4.1 **Members of the four registered religious groups are allowed to worship openly and freely and in general are not at risk of persecution. However, individual members of recognised religious groups who have openly opposed government interference in their internal affairs, or who have not complied with government directives and regulations relating to religious activities, have been subject to ill-treatment, surveillance, intimidation, arbitrary arrest and detention. Decision makers should consider each case on its facts and the individual circumstances of such a person. If it is accepted that they are likely to come to the adverse attention of the authorities, then a grant of asylum would be appropriate.**
- 1.4.2 **Members of unregistered religious groups who wish to worship openly and freely are likely to face harassment, arbitrary arrest, torture, and detention without charge or due process in severe conditions which are likely to breach the Article 3 threshold, and other forms of ill-treatment from state agents. Deaths of religious prisoners due to harsh treatment and a lack of medical care have also been reported. A member of such a group is likely to have a well-founded fear of persecution in Eritrea.**
- 1.4.3 **Effective state protection is not available to members of unregistered religious groups or members of recognised groups who are able to demonstrate that they are at risk of persecution.**
- 1.4.4 **There is no internal relocation option.**
- 1.4.5 **Where a claim falls to be refused, it is unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.**

See also the Asylum Instructions on:

- [Non-Suspensive Appeals: Certification Under Section 94 of the NIA Act 2002](#)
- [Humanitarian Protection](#)
- [Discretionary Leave](#)

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Section 2: Information

Date updated: 27 August 2014

2.1 Overview

- 2.1.1 The United States State Department 'International Religious Freedom Report for 2013', published on 28 July 2014, stated:

'The constitution and other laws and policies provide for religious freedom, but the government only partially implemented these laws and policies, and only for the four officially registered religious groups: the Eritrean Orthodox Church, Sunni Islam, the Roman Catholic Church, and the Evangelical Lutheran Church of Eritrea. The government's overall record on religious freedom was poor. The government continued to detain members of unregistered religious groups, with the number of reported detentions going up from last year, due in part to an increase in arrests of persons who refused to participate in the new citizen militia program because of conscientious objection to bearing arms. The government retained influence over the four registered religious groups...There are no reliable statistics on religious affiliation. The government reports 50 percent of the population is Christian and 50 percent Sunni Muslim. According to a 2010 estimate by the Pew Charitable Trust, an international nongovernmental organization (NGO), the population is 62 percent Christian and 36 percent Muslim. The same NGO states Orthodox Christians make up approximately 57 percent of the population, Roman Catholics 4 percent, and Protestants, including Evangelical Lutherans, Baptists, Presbyterians, Jehovah's Witnesses, Pentecostals, and others, 1 percent. The number of Muslims and Protestants reportedly has increased over the past 10 years.

'Some estimates suggest 2 percent of the population is animist, and there is a small Bahai community that constitutes less than 1 percent.'

¹

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2.2 Government restrictions on religious groups

- 2.2.1 The United States State Department 'International Religious Freedom Report for 2013', published on 28 July 2014, stated:

'By law religious groups must register with the government or cease activities. The Office of Religious Affairs reviews the applications of religious groups seeking official recognition...The government has registered only the four religious groups it officially recognizes – the Eritrean Orthodox Church, Sunni Islam, the Roman Catholic Church, and the Evangelical Lutheran Church of Eritrea...Official attitudes toward members of unregistered religious groups, who worshiped in homes or rented facilities, differed by location. Some local authorities tolerated unregistered groups, while others attempted to prevent them from meeting. The national government continued to disrupt home-based worship and arrested those who hosted prayer meetings. Local authorities sometimes denied community-based services to Jehovah's Witnesses and members of Pentecostal groups.

'The sole political party, the People's Front for Democracy and Justice (PFDJ), appointed both the mufti (head) of the Islamic community and the patriarch of the

¹ United States State Department, <http://www.state.gov/>, 'International Religious Freedom Report for 2013: Eritrea', 28 July 2014, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222047>, accessed on 11 August 2014

Eritrean Orthodox Church, as well as some individuals in lower-level religious positions. PFDJ-appointed lay administrators managed some operations of the Orthodox Church, including disposition of donations and seminarian participation in national service. Former Orthodox Patriarch Abune Antonios, appointed by the Orthodox Church leadership in Cairo and arrested in 2006 for protesting government interference in church affairs, remained under house arrest and was said to be in poor health.

'The government allowed Muslims to practice only Sunni Islam, but permitted Muslims to take part in the Hajj, travel abroad for religious study, and host some clerics from abroad. The government generally did not permit Islamic groups to receive funding from governments of nations where Islam was the dominant religion on grounds that such funding threatened to import foreign fundamentalist or extremist tendencies.

'The government sometimes permitted Catholic dioceses to host visiting clergy from Rome or other foreign locations. Catholic clergy were permitted to travel abroad for religious purposes and training, although not in numbers that Church officials considered adequate.

'Religious facilities not belonging to the four officially recognized religious groups remained closed. Several unoccupied religious structures formerly used by Jewish, Greek Orthodox, and Church of England groups still stood in Asmara. The government permitted foreigners to worship at these sites. Other structures belonging to unregistered groups, such as the Seventh-day Adventists, remained shuttered, although the government allowed the Bahai center to operate discreetly.

'Persons who acknowledged membership in unregistered religious groups generally had difficulty obtaining passports and exit visas.'²

2.2.2 The Eritrean government also controls and restricts the activities of the recognised religious groups, as noted in the United States Commission on International Religious Freedom (USCIRF) 'Annual Report 2014', published on 30 April 2014:

'The government dominates the internal affairs of the Orthodox Church of Eritrea, the country's largest Christian denomination, and suppresses Muslim religious activities and those opposed to the government-appointed head of the Muslim community... The government controls the internal affairs of the four recognized religions, including appointing religious leaders and controlling religious activities. The recognized groups are required to submit activity reports to the government every six months. Since December 2010, the Eritrean Department of Religious Affairs reportedly has instructed these groups to not accept funds from co-religionists abroad, an order with which the Eritrean Orthodox Church reportedly said it would not comply. Despite community protests, the Department of Religious Affairs also appoints the Mufti of the Eritrean Muslim community and hundreds of Muslims who protested this appointment remain imprisoned. In a reversal of policy, in 2010 the Eritrean government began requiring all religious workers and leaders, including those from registered religious communities, to participate in national military service. Many religious leaders from the Catholic and Orthodox communities have protested this new decision, stating that military service violates their religious tenets.'³ (pages 55-56)

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² United States State Department, <http://www.state.gov/>, 'International Religious Freedom Report for 2013: Eritrea', 28 July 2014, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222047>, accessed on 11 August 2014

³ United States Commission on International Religious Freedom, <http://www.uscifr.gov/>, 'Annual Report 2014: Eritrea', 30 April 2014, <http://www.uscifr.gov/reports-briefs/annual-report/2014-annual-report>, accessed on 19 August 2014

2.3 Arrests, detentions and ill-treatment

2.3.1 The United States Commission on International Religious Freedom (USCIRF) 'Annual Report 2014' stated:

'The government tortures and beats detainees imprisoned in violation of freedom of religion and related human rights. Released religious prisoners have reported to USCIRF and other human rights monitors of being confined in crowded conditions, such as in 20-foot metal shipping containers or underground barracks, and being subjected to extreme temperature fluctuations. Evangelicals and Pentecostals released from prison report being pressured to recant their faith in order to be freed. Persons detained for religious activities, in both short-term and long-term detentions, often are not formally charged, permitted access to legal counsel, accorded due process, or allowed family visits. Prisoners are not permitted to pray aloud, sing, or preach, and religious books are banned...The State Department, non-governmental human rights organizations, and Christian advocacy groups estimate that 2,000 to 3,000 persons remained imprisoned on religious grounds in Eritrea during this reporting period. Reports of torture of religious prisoners as described above continue. The vast majority are Evangelical or Pentecostal Christians...Other notable religious prisoners include: the government-deposed Eritrean Orthodox Patriarch Abune Antonios, who protested government interference in his church's affairs and has been under house arrest since 2007; 49 Jehovah's Witnesses detained without trial or administrative appeal, one-third of whom are over the age of 60 and three of whom have been imprisoned for more than 15 years (see prisoner list in appendix); more than 180 Muslims detained for opposing the state's appointment of the Mufti of the Eritrean Muslim community; and other reformist members of the Orthodox clergy. During the past year, there were reports of deaths of religious prisoners, who were denied medical care, or who were subjected to other ill treatment. Arbitrary arrests and short-term detentions of Evangelical and Pentecostal Christians continued in 2013. Those released continue to report being pressured to recant their faith.' ⁴ (pages 55-56)

2.3.2 The USCIRF 'Annual Report 2014', also stated:

'Systematic, ongoing, and egregious religious freedom violations continue in Eritrea under the regime of President Isaias Afwerki. Violations include torture or other ill-treatment of religious prisoners, arbitrary arrests and detentions without charges, a prolonged ban on public religious activities, and interference in the internal affairs of registered religious groups. The religious freedom situation is particularly grave for Evangelical and Pentecostal Christians and Jehovah's Witnesses...The government's campaign against religious activities by persons belonging to unregistered denominations frequently targets Evangelical and Pentecostal Christians and Jehovah's Witnesses, the latter of whom are denied citizenship by an October 1994 Presidential Decree. Eritrean security forces conduct mass arrests of followers of these faiths, including at clandestine prayer meetings and religious ceremonies.' ⁵ (page 55)

2.3.3 The United States State Department 'International Religious Freedom Report for 2013', published on 28 July 2014, stated:

'The government continued to detain members of unregistered religious groups, many of them because of refusal to participate in the militia program or national service due to conscientious objection to bearing arms. The government held persons associated with

⁴ United States Commission on International Religious Freedom, <http://www.uscifr.gov/>, 'Annual Report 2014: Eritrea', 30 April 2014, <http://www.uscifr.gov/reports-briefs/annual-report/2014-annual-report>, accessed on 19 August 2014

⁵ United States Commission on International Religious Freedom, <http://www.uscifr.gov/>, 'Annual Report 2014: Eritrea', 30 April 2014, <http://www.uscifr.gov/reports-briefs/annual-report/2014-annual-report>, accessed on 19 August 2014

unregistered religions in detention without due process, occasionally for long periods of time, sometimes by informally charging them with threatening national security. Prison conditions were reportedly harsh, but there was no independent confirmation because the government did not allow international monitoring.

‘Three persons detained for religious objections to military service were reported to have died in custody and some 300 individuals were reportedly arrested. At year’s end international faith-based NGOs estimated the population of those imprisoned because of their religious beliefs to be between 1,200 and 3,000.

‘Government secrecy and intimidation of sources made it impossible to determine the precise number of those imprisoned because of their religious beliefs. Releases and arrests were often unreported. Information from outside the capital was extremely limited.

‘There were unconfirmed reports that 12 participants at a New Year’s prayer event were arrested in Dekemhare. In March unconfirmed reports stated the government had arrested 125 Christians from an unregistered group in Barentu and another 17 in Keren. The same sources indicated one detained Christian had died at the Ala Military Camp.

‘In May 37 students at the College of Arts and Sciences in Adi Quiyeh who belonged to unregistered Christian groups were reported to have been arrested. Also in May authorities allegedly arrested five persons from the Church of the Living God in Asmara.

‘In July faith-based sources reported 39 high school students who belonged to an unregistered religious group had been arrested after completing training at the Sawa educational facility. Additionally, a recent convert to an unregistered Christian group was said to have died in Mendefera while in government detention during July.

‘In August government authorities were said to have arrested 30 members of the Church of the Living God who had gathered for an evening prayer outside Asmara.

‘According to Release Eritrea, a UK-based NGO, 150 adherents of an unregistered Christian faith found praying together in Maitemenai, a suburb to the north of Asmara, were arrested in October.

‘According to 2013 reports by Human Rights Watch and Amnesty International, 56 Jehovah’s Witnesses remained incarcerated, including a number of people in their 70s or 80s.

‘The government detained religious prisoners at Me’eter prison, near Nakfa. There continued to be reports that police forced some members of unregistered religious groups who were being held in detention to sign statements declaring they had recanted their religious beliefs. Authorities reportedly sometimes released detainees who promised to give up adherence to an unregistered religious group. Released prisoners who had been held for their religious beliefs reported harsh detention conditions, including solitary confinement... The government singled out Jehovah’s Witnesses for particularly harsh treatment because of their blanket conscientious objection to bearing arms. The government reportedly penalized Jehovah’s Witnesses and others who did not participate in military service on religious grounds by denying them government services and entitlements.’⁶

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

‘To Amnesty International’s knowledge, none of the people arrested in violation of the right to freedom of religion and belief have been charged with a crime or taken to court.

⁶ United States State Department, <http://www.state.gov/>, ‘International Religious Freedom Report for 2013: Eritrea’, 28 July 2014, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222047>, accessed on 21 August 2014

Some have been arbitrarily detained without charge or trial for nearly 20 years. [...] Arrests of individuals and groups continue to be regularly reported by international religious organisations and other sources. According to testimonies and reports received by Amnesty International, these arrests often take place during raids on prayer and worship meetings in private homes, and at weddings and funerals. National service conscripts have been detained after being caught reading the Bible or praying during their military training period at Sawa military camp. All of these prisoners have been arbitrarily detained without charge or trial or access to a lawyer. Countless of them have been held incommunicado, in unknown locations. [...] According to information received by Amnesty International, members of unrecognised religious groups, including Evangelical Christian groups and Jehovah's Witnesses have been subjected to torture and coercion by the security forces during detention, to force them to recant their religion. Some religious detainees have been offered release from detention on the condition that they recant their religion. These individuals were forced to sign a statement declaring they had recanted their religious beliefs and agreed to join an officially recognised religious group. Some have reportedly been pressurised to sign statements promising not to participate in religious activities outside the four recognised religions, or to join together with others practising religions not recognised by the state. Detainees who refuse to recant have been subjected to repeated torture. [...] Amnesty International has received a number of reports of deaths in detention of religion-based prisoners of conscience as a result of harsh treatment and lack of medical care.'⁷ (page 23)

- 2.3.5 A 2014 Bertelsmann Stiftung report highlighted that even representatives of the four officially accepted religions are subject to "surveillance, intimidation and arrests". It also noted that:

'...the government considers religion to be a highly politicized issue, and tries to keep strict control over religious practice. During the period under review, it continued to prosecute Christian and Muslim believers it considered to be "radical," by which it means the rejection of the PFDJ ideology prioritizing "martyrdom for the nation" over spiritual values. Among the faiths affected were Evangelical and Pentecostal churches, Jehovah's Witnesses and adherents of Wahhabi Islam. (...) Some Muslim religious leaders and Muslim community elders were also arrested and accused of not being loyal to the PFDJ [People's Front for Democracy and Justice]. They were often labeled as radical Muslim fundamentalists. Even the leaders of the January 21 mutiny were arbitrarily accused by the PFDJ's head of political affairs Yemane Gebreab of being Islamic fundamentalists and al-Qaeda members.'⁸

- 2.3.6 The May 2014 Report of the United Nations Special Rapporteur on the situation of human rights in Eritrea stated that:

'Members of certain non-recognized religious groups are subjected to persecution and discrimination as a means of coercion into military service. [...] The practice of one's religion while performing military service is prohibited, in violation of Eritrea's international obligations under article 18 of the Covenant. Those found reading religious books are punished by detention in conditions which can amount to torture. As indicated above, even clerics are required to perform national service and carry arms, a situation that has adversely affected religious institutions, both churches and mosques, and has

⁷ Amnesty International, <http://www.amnesty.org/>, 'Eritrea - 20 years of Independence, but still no freedom', 9 May 2013, <http://www.amnesty.org/fr/library/asset/AFR64/001/2013/en/64b58cdf-a431-499c-9830-f4d66542c8da/afr640012013en.pdf>, accessed on 21 August 2014

⁸ Bertelsmann Stiftung, <http://www.bti-project.de/bti-home/>, 'BTI 2014 — Eritrea Country Report'. Gütersloh: Bertelsmann Stiftung, 2014
<http://www.bti-project.de/fileadmin/Inhalte/reports/2014/pdf/BTI%202014%20Eritrea.pdf>, accessed on 19 September 2014

also proven to be a traumatizing experience for them. The conscription of clerics and laypersons has occasioned a personnel shortage for pastoral work.’⁹

2.3.7 The same report further highlighted that:

‘Political prisoners or prisoners of conscience are held without being informed of the reasons for their arrest and without an arrest warrant. They are not formally charged with a recognizable crime, nor brought before a court of law to review the legality of their detention nor tried, in contravention of article 9 of the International Covenant on Civil and Political Rights. [...] Torture and ill-treatment are prevalent, with prisoners being more vulnerable during the early days in custody, for example, during interrogation and investigation, if any.’¹⁰

2.3.8 The Freedom House ‘Freedom in the World 2014’ report, published in 2014, stated: ‘The government places strict limits on the exercise of religion...Members of Evangelical and Pentecostal churches face persecution, but the most severe treatment is reserved for Jehovah’s Witnesses, who are barred from government jobs and refused business permits or identity cards.’¹¹

2.3.9 There have also been arrests of members of the recognised religious groups, as reported in an International Christian Response article, ‘Eritrea Again Persecutes Christians of Officially Recognized Faith’, dated 1 May 2014:

‘Eritrea is again persecuting even officially recognized religious bodies with the arrest last week of five Christians set to be ordained in the Evangelical Lutheran Church, according to Open Doors.

‘The Christian support organization announced today that security officials in the capital, Asmara, arrested Petros Yosief, Bemnet Tesfay, Aklilu Tesfay, Ermias Hadgu and Aron Mehretu. The arrests came shortly after the church announced on April 20 that they would be ordained for pastoral ministry...Authorities in Eritrea, where an estimated 1,500 Christians are languishing in prison for their faith, are holding the would-be Evangelical Lutheran leaders at Police Station Number 2 in Asmara, according to an Open Doors press statement.

“The arrest of these pastoral candidates reminds us of one of the greatest challenges churches in Eritrea face,” said an Open Doors worker. “Due to the constant turnover of pastors due to arrest or threats, continuous and biblically consistent pastoral care for Christians is hampered.”¹²

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⁹ United Nations Human Rights Council, <http://www.ohchr.org/en/hrbodies/hrc/pages/hrcindex.aspx>, ‘Report of the Special Rapporteur on the situation of human rights in Eritrea’, Sheila B. Keetharuth, 13 May 2014, paras 48 and 62, http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Documents/A_HRC_26_45_ENG.DOC, accessed on 19 September 2014

¹⁰ United Nations Human Rights Council <http://www.ohchr.org/en/hrbodies/hrc/pages/hrcindex.aspx>, ‘Report of the Special Rapporteur on the situation of human rights in Eritrea’, Sheila B. Keetharuth, 13 May 2014, paras 80, 85, 86, 87, and 88 http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Documents/A_HRC_26_45_ENG.DOC, accessed on 19 September 2014

¹¹ Freedom House, <http://freedomhouse.org/>, ‘Freedom in the World 2014’, 23 January 2014, <http://freedomhouse.org/report/freedom-world/2014/eritrea-0>, accessed on 22 August 2014

¹² International Christian Response, <http://christianresponse.org/>, ‘Eritrea Again Persecutes Christians of Officially Recognized Faith’, 1 May 2014, <http://christianresponse.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=1440&cntnt01origid=63&cntnt01returnid=62>, accessed on 21 August 2014

2.4 Societal attitudes

- 2.4.1 The United States State Department 'International Religious Freedom Report for 2013', published on 28 July 2014, stated: 'There were no reports of societal discrimination based on religious affiliation, belief, or practice. Relations among members of the registered religious groups were good. Christians and Muslims in Asmara often celebrated their holidays jointly.'¹³

See also the 'UNHCR Eligibility Guidelines for Assessing the Needs of Asylum- Seekers from Eritrea', published on 20 April 2011, <http://www.refworld.org/docid/4d4fe0ec2.html>

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¹³ United States State Department, <http://www.state.gov/>, 'International Religious Freedom Report for 2013: Eritrea', 28 July 2014, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222047>, accessed on 21 August 2014

Annex A: Map

Map of Eritrea showing the main towns and cities - obtained from the United Nations, <http://web.archive.org/web/20030319134912/http://www.un.org/Depts/Cartographic/map/profile/eritrea.pdf>, November 2000, accessed on 22 August 2014.



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Annex B: Caselaw

MO (illegal exit – risk on return) Eritrea CG UKUT 00190 (IAC) [2011]

The Immigration Upper Tribunal allowed this appeal stating:

‘(i) The figures relating to UK entry clearance applications since 2006 – particularly since September 2008 – show a very significant change from those considered by the Tribunal in MA (Draft evaders-illegal departures-risk) Eritrea CG [2007] UKAIT 00059 and are among a number of indications that it has become more difficult for Eritreans to obtain lawful exit from Eritrea.

‘(ii) The Eritrean authorities continue to envisage lawful exit as being possible for those who are above national service age or children of 7 or younger. Otherwise, however, the potential categories of lawful exit are limited to two narrowly drawn medical categories and those who are either highly trusted government officials or their families or who are members of ministerial staff recommended by the department to attend studies abroad.

‘(iii) The general position concerning illegal exit remains as expressed in MA, namely that illegal exit by a person of or approaching draft age and not medically unfit cannot be assumed if they had been found wholly incredible. However, if such a person is found to have left Eritrea on or after August/September 2008, it may be, that inferences can be drawn from their health history or level of education or their skills profile as to whether legal exit on their part was feasible, provided that such inferences can be drawn in the light of the adverse credibility findings.

‘(iv) The general position adopted in MA, that a person of or approaching draft age (i.e. aged 8 or over and still not above the upper age limits for military service, being under 54 for men and under 47 for women) and not medically unfit who is accepted as having left Eritrea illegally is reasonably likely to be regarded with serious hostility on return, is reconfirmed, subject to limited exceptions in respect of (1) persons whom the regime’s military and political leadership perceives as having given them valuable service (either in Eritrea or abroad); (2) persons who are trusted family members of, or are themselves part of, the regime’s military or political leadership. A further possible exception, requiring a more case-specific analysis, is (3) persons (and their children born afterwards) who fled (what later became the territory of) Eritrea during the war of independence.

‘(v) Whilst it also remains the position that failed asylum seekers as such are not generally at real risk of persecution or serious harm on return, on present evidence the great majority of such persons are likely to be perceived as having left illegally and this fact, save for very limited exceptions, will mean that on return they face a real risk of persecution or serious harm.’

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1.0	20 October 2014	First version

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