

COUNTRY OF ORIGIN INFORMATION REPORT

ERITREA

22 OCTOBER 2007

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Preface

- i This Country of Origin Information Report (COI Report) has been produced by Research, Development and Statistics (RDS), Home Office, for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 30 September 2007. The 'latest news' section contains further brief information on events and reports accessed from 1 October to 22 October 2007.
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any Home Office opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the COI Report reflects the way it is used by Home Office caseworkers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.
- vi As noted above, the Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the Home Office upon request.
- ix COI Reports are published regularly on the top 20 asylum intake countries. COI Bulletins are produced on lower asylum intake countries according to operational need. Home Office officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, the Home Office has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to the Home Office as below.

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ADVISORY PANEL ON COUNTRY INFORMATION

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

proposal to designate a particular country for NSA, nor of the NSA process itself.

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Latest News

EVENTS IN ERITREA, FROM 1 OCTOBER TO XX OCTOBER 2007

- 22 October An Eritrean Christian gospel singer, Helen Berhane, who was tortured and detained without charge for two years in her homeland has been granted asylum in Denmark.
BBC, Asylum for Eritrean gospel singer
<http://news.bbc.co.uk/2/hi/africa/7056120.stm>
Date accessed 22 October 2007
- 15 October Colonel Simon Ghebredengel was shot four times on Friday evening. He is alive but in critical condition. Simon is the number two man in the Department of National Security, which is headed by Wedi Kassa. The gunmen fled immediately and Asmara is full of the military totting their guns and asking people for their ID cards. On Saturday and Sunday, [13,14 October 2007] all Asmara road blocks were tightly controlled and no one was able to pass without drivers and passengers showing their ID cards.
Awate.com, Colonel Ghebredengel Shot
<http://www.awate.com/portal/content/view/4642/3/>
Date accessed 22 October 2007
- 3 October "Scores" of Eritreans died at Wia's military and detention camps in the months of July and August. The dead are among thousands of national service members who had been recalled in June [2007] by the Eritrean Ministry of Defense for further training.
Awate.com , Scores of Eritreans Die At Wi'a, 3 October 2007
<http://www.awate.com/portal/content/view/4634/3/>
Date accessed 16 October 2007

Background information

GEOGRAPHY

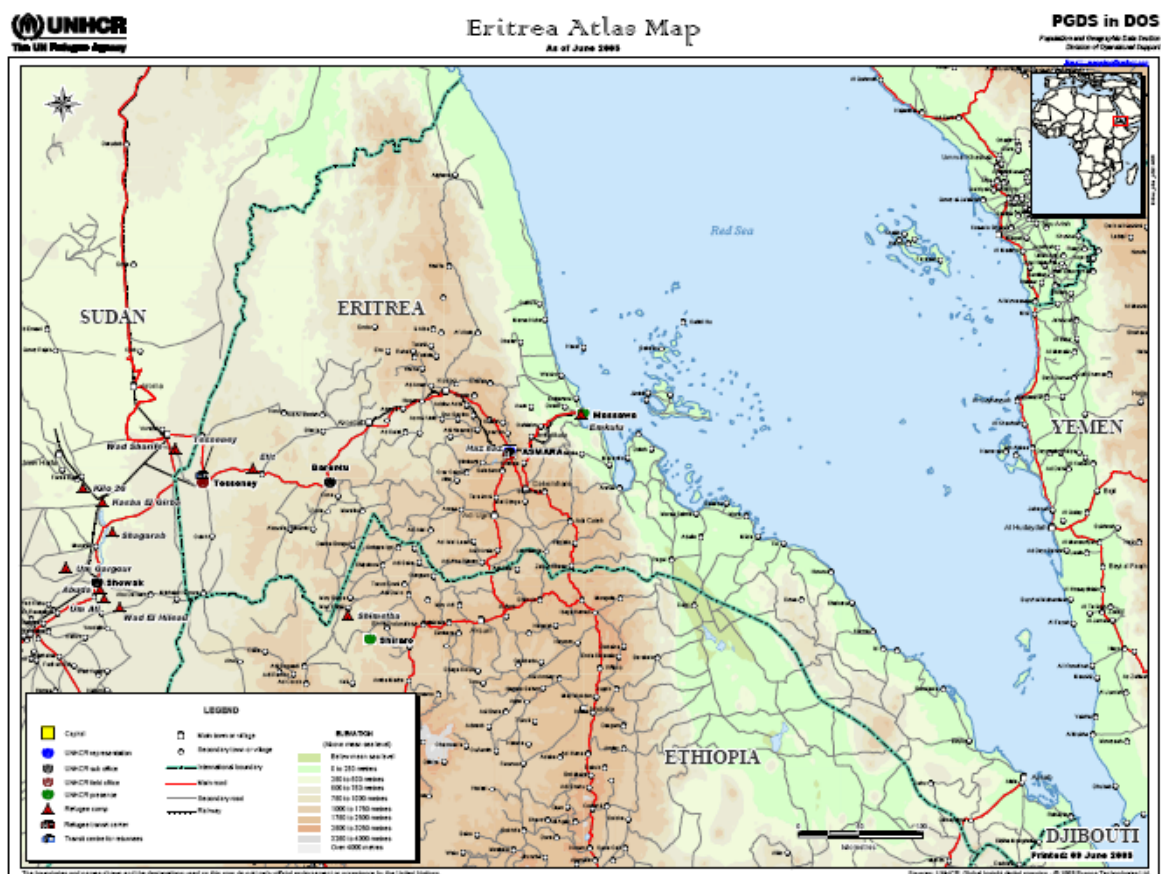
- 1.01 The State of Eritrea (Permanent Committee on Geographical Names) [81a] is a country in the Horn of Africa, bordered by Sudan to the west, and Ethiopia to the south. In area the country covers 117,400 sq km (45,300 sq miles). The capital city is Asmara, other main cities being the port of Massawa, Keren, and Barentu. [1a] (Eritrea) (EuropaOnline)
- 1.02 A 2005 estimate by the United Nations for the population of Eritrea stands at 4,401,000 people, with the 2002 census recording a population of 4,298,269. The UN estimate comprises 2,161,000 males to 2,241,000 females, with a median age of 17.4 years and a 3.06 per cent growth rate. [53a] The United States State Department report on country human rights practices for 2006, Eritrea report, published 6 March 2007, gives the population as “approximately 3.6 million”. [4k](p1) The CIA world factbook gives a July 2007 population estimate of 4,906,585. [28a](p2) There are 12 spoken languages: Ethnologue lists English, Standard Arabic, and Tigrinya as official languages. [59a]
- 1.03 There are nine main ethnic groupings in Eritrea. [25b] (Mebrat Tzehaie) There is one further ethnic grouping, the Djerberti, Muslims of the central highlands, but it is not recognised as an official ethnic group by the Eritrean government. [25b] (Mebrat Tzehaie)

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MAP

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

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



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

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ECONOMY

- 2.01 The International Monetary Fund, reported on 9 February 2005 that:
- “Eritrea remains one of the poorest countries in the world, with a per capita GDP of about \$130 and a Human Development Index ranking of 156 out of 177 countries. More than half of the population lives on less than US\$1 per day and about one third lives in extreme poverty (i.e., less than 2,000 calories per day). The authorities have produced an Interim Poverty Reduction Strategy Paper and a national food security strategy, which together set out plans aimed at increasing rural incomes and raising productivity”. [9a]
- 2.02 The CIA World Factbook notes that the Eritrean-Ethiopian war of 1998-2000 devastated the subsistence agricultural sector, on which 80 per cent of the population rely, with food production reduced by 62 per cent. “Erratic rainfall and the delayed demobilization of agriculturalists from the military kept cereal production well below normal, holding down growth in 2002-2006.” [28a]
- 2.03 The CIA World Factbook cites figures of 37,700 mainline (2005) and 58,000 (2006) mobile telephones in use. Most mainline phones are in Asmara. [28a]
- 2.04 The CIA World Factbook adds:
- “Even during the war, Eritrea developed its transportation infrastructure, asphaltting new roads, improving its ports, and repairing war-damaged roads and bridges. Since the war ended, the government has maintained a firm grip on the economy, expanding the use of the military and party-owned businesses to complete Eritrea’s development agenda.” [28a]
- 2.05 Dehai relayed a Shabait (State media) report of 22 November 2006 that reported the official establishment of a free trade zone (FTZ) programme the previous day. [11c] The FTZs will be exempt from all import / export taxes, with the Eritrean Government claiming only an administrative role. [11c]
- 2.06 Awate.com reported on 22 March 2007 that the economy had declined further in early 2007, with the closure of many light industry enterprises, and subsequent dependence upon imports, though in turn these are limited by an import ban. The article concludes “Since the regime declared an import ban, prices for basic commodities and staples have increased by 300 percent – assuming that they are available.” It then lists prices as of March 2007. [50u] A later Awate report, published 2 July 2007, mentions the shortages of basic foodstuffs, as well as beer and other bottled drinks. [50ab]

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HISTORY

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

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

INDEPENDENCE 1993 AND TRANSITIONAL GOVERNMENT

- 3.02 Europa World Online adds further:

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

- 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. [1a] (History) (EuropaOnline) 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. [1a] (History) (EuropaOnline)

THE PFDJ AND CONSTITUTIONAL DEVELOPMENTS

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

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

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

- 3.06 Europa continues:

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

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BORDER CONFLICT WITH ETHIOPIA 1998-2000

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

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

BORDER TENSIONS, 2005 ONWARDS

- 3.09 Tensions continued with large numbers of troops massed on the disputed border in early 2005. An UNMEE spokesperson urged both countries to remain calm and show restraint. [44b] (IRIN) Another crisis occurred at the end of October 2005 when Eritrea banned all UNMEE helicopter flights and vehicle movements on its side of the border [19] (IRIN 2 February 2006) 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 16 December 2005)
- 3.10 On 16 October 2006, 1,500 Eritrean troops and 14 tanks entered the demilitarised zone. [8e] (BBC, 17 October 2006); [8g] (BBC, 16 October 2006) The United Nations spokesman Stephane Dujarric said “This is a very worrying development, and he [the UN General Secretary Kofi Annan] calls clearly on the government of Eritrea to withdraw its troops from the zone immediately,” adding that “the incursion constituted ‘a major breach of the ceasefire’.” [8g] (BBC, 16 October 2006)
- 3.11 The Security Council of the UN, in its special report of 15 December 2006, describing the situation, stated that “Since these incursions, armed Eritrean personnel have stopped all movement of UNMEE patrols in the affected areas, further limiting the already restricted monitoring capacity of the Mission.” [35](p1)
- 3.12 The Security Council report of 15 December 2006 continued with four options for downsizing the numbers and role of the UNMEE, in face of “the prevailing unstable, tense and volatile situation in the Temporary Security Zone [which is] due to an accumulation of unresolved issues, in particular the stalemated demarcation process.” [35](p5) The report welcomed “the decision taken by the Eritrea-Ethiopia Boundary Commission on 27 November [2006], which will give the parties an additional 12 months, terminating at the end of November 2007, to reflect on their respective positions and to try to reach the necessary agreement on the emplacement of the boundary pillars.” [35](p8)
- 3.13 The USSD report for 2006 for Eritrea noted that:

“According to the Government Commission for Coordination with the UN Peacekeeping Mission, there were an estimated three million landmines and unexploded ordnance in the country left over from the country’s 30-year war of independence and the 1998-2000 conflict with Ethiopia. The Eritrean Islamic Jihad Movement and others laid some new mines during the year. The UN reported three deaths and eight injuries from landmine incidents during the year; at least two of the deaths and seven of the injuries involved newly laid landmines. It was probable that there were additional, unreported deaths in remote areas. The government’s demining program continued; however,

statistics from this program were unavailable at year's end. The UN demining programs continued throughout the year, although their effectiveness was limited by a government order in October 2005 grounding all UN helicopters (see section 2.d. [of the USSD 2006 Eritrea report]). As a result, UNMEE transferred most of the demining activities to Ethiopia." [4k](p1-2, section 1a)

- 3.14 Ethiopia has threatened to terminate the peace agreement that ended its border war with Eritrea. [107a] (*Voice of America*, 25 September 2007); War could resume between Ethiopia and Eritrea unless they accept a resolution of their border conflict, a former Horn of Africa UN envoy has warned [8w](BBC, 9 September 2007)

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

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DOMESTIC POLITICAL DEVELOPMENTS FROM SEPTEMBER 2001

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

"In September 2001, after several months in which a number of prominent PFDJ party members had gone public with a series of grievances against the government and in which they called for implementation of the constitution and the holding of elections, the government instituted a crackdown. Eleven prominent dissidents, members of what had come to be known as the Group of 15, were arrested and held without charge in an unknown location. At the same time, the government shut down the independent press and arrested its reporters and editors, holding them incommunicado and without charge. In subsequent weeks, the government arrested other individuals, including two Eritrean employees of the U.S. Embassy. All of these individuals remain held without charge and none are allowed visitors." [4a]

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

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 Other sources note that since 2003, the Government has proceeded to pull out of communication with major international organisations, with the act of withdrawing the Eritrean Ambassador from the African Union in November 2003; deteriorating relations with the European Union and the UN Security Council in early 2005; and difficult relations with the USA Government in 2005 and 2006. [1a] (History, p9-11) (EuropaOnline)
- 3.19 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. [106a](Reuters, 27 September 2007); Responding to US accusations that they have abetted terrorists in the volatile Horn of Africa, Eritrean officials have 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 [115] (International Herald Tribune, 18 September 2007); the US has issued Eritrea with its strongest warning yet over its alleged support for terrorism [8v](BBC, 8 September 2007).

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RECENT DEVELOPMENTS

- 4.01 Events in the period January to September 2007 concerning internal affairs in Eritrea have included reports of a worsening economic situation [50u](Awate, 22 March 2007), [50z](Awate, April 2007), [50ab](Awate, 2 July 2007); a renewed pressure on the registered religious groups including the Eritrean Orthodox Church [50w](Awate, 21 May 2007), [87f](VOM, 25 January 2007), [87h](VOM, 9 May 2007), [95a](WCC, 16 February 2007); detention and torture of Eritrean Christians [8u](BBC, 27 September 2007), [5f](Awate.com, 8 September 2007); a re-organisation of the military training facilities, moving away from centring on Sawa camp to Kiloma camp, with the development of a new camp at Me'erit for known absconders [50ab](Awate, 2 July 2007); and military service has been tightened up to include the rounding-up of women including mothers of military service age (Newspage above, Awate, 2 August 2007), of re-assessing medical exemptions [50x](Awate, 25 June 2007), and putting discharged National Service conscripts on alert for military re-training and deployment [50x](Awate, 25 June 2007). There has been a report on politically motivated extra-judicial killings by PFDJ [50ad](Awate, 22 September 2007); The tension between forces on the border between Eritrea and Ethiopia has increased over 2007. [8t](BBC, 28 June 2007), [8w](BBC, 7 September 2007)[107a] (Voice of America, 25 September 2007)The US has increased diplomatic pressure over alleged support for terrorism [8v](BBC, 10 September 2007)[115](International Herald Tribune, 26 September 2007); The Eritrean president has held talks with the WHO Regional Director [42e](Awate, 25 September 2007); a Declaration by the EU Presidency on behalf of the European Union on political prisoners in Eritrea was published on 18 September 2007. [105] (Presidency of the European Union).

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CONSTITUTION

- 5.01 The CIA World Factbook 2007, updated 10 May 2007, states: "The transitional constitution, decreed on 19 May 1993, was replaced by a new constitution adopted on 23 May 1997, but not yet implemented." [28a] Europa, Africa south of the Sahara 2005 stated that: "The outbreak of war in 1998 delayed the implementation of the Constitution, although government officials continued to insist that it would be implemented gradually, once peace returned." [1b] (p403) HRW, in its 2006 annual report, adds: "Using the excuse that Eritrea remains at war, the government has refused to implement the 1997 constitution, drafted by a constitutional assembly and ratified by referendum that respects civil and political rights." [29f]
- 5.02 A translation of the new constitution is available on the EDP opposition website, selfi-democracy.com. [72b]

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POLITICAL SYSTEM

- 6.01 The USSD report for 2006 notes: "The PFDJ has not allowed for a democratically elected government, and national elections, originally scheduled for 1997, were never held. The only authorized political party is the PFDJ; the government coerced membership in the PFDJ." [4k] (p10, Section 3) The CIA World Factbook 2007, updated 10 May 2007 adds detail:

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

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

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

POLITICAL OPPOSITION

- 6.03 There is no official opposition, and since September 2001, no effective political opposition within Eritrea. The USSD report for 2006 reported that "There were no confirmed reports of new political prisoners; however, there were numerous reports of persons detained for political reasons." [4k] (p5, section 1e)
- 6.04 As the FCO country profile on Eritrea recounts, "In 2001 there was criticism of the leadership within the PFDJ. President Isaias responded by arresting eleven senior government figures, who are still being detained without trial." [44a] The USSD report for 2006 notes that the G15/G11 group detainees were still in prison at the year end of 2006, adding, "At least four of these detainees, in addition to many detained in previous years, remained in prison without charge at year's end." [4k] (p4, section 1d)
- 6.05 Awate.com 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. [50m] It talks of the prison complex at Eiraeiro, between Asmara and Massawa, that was completed in June 2003, and houses these political prisoners. [50m] (p1-2) Prior to 2003, the G15/G11 group were held at Embatkala, a former Ethiopian-era navy facility. [50m] (p2) The G15/G11 group are listed along with other prisoners held in Eiraeiro, creating a group of 36 prisoners held by the article to be political prisoners.

[50m] (p2-3) Of the prisoners and of the G15 group prior to transfer to Eiraeiro, nine people are mentioned as having died in detention. [50m] (p3) The article claims food, clothing and hygiene are basic; the prisoners are held in solitary confinement, in chains, and totally *in communicado*. [50m] (p3,4) There have been slight relaxations in 2006. [50m] (p4) The prison guards are strictly vetted and monitored, and fearful of being killed once they have outlived the prisoners. [50m] (p4,5)

- 6.06 Declaration by the Presidency on behalf of the European Union on political prisoners in Eritrea, dated 18 September 2007, states that “The European Union remains extremely concerned with the situation of political prisoners in Eritrea.” [105] The full statement is published at:

http://www.ue2007.pt/UE/vEN/Noticias_Documentos/Declaracoes_PESC/20070828Mianmar.htm

- 6.07 Amnesty International, in a public statement, published 17 September 2007, called on “President Issayas Afewerki to explain the fate of prominent prisoners of conscience, held in secret since 2001 and possibly dead, including some of the president’s closest allies in the Eritrean liberation struggle, the Eritrean government remains impervious to human rights enquiries and appeals.” [5s] The full statement is published at:

<http://web.amnesty.org/library/Index/ENGAFR640092007>

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

Political pressure groups and leaders

- 6.08 CIA – The World Factbook, last updated 20 September 2007, lists the political pressure groups and leaders as follows:

“Eritrean Islamic Jihad or EIJ (also including 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 Iyob]; Eritrean Democratic Party (EDP) [HAGOS, Mesfin]” [109].

See [Annex B Political Organisations](#)

Opposition in exile

- 6.09 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*, on Awate.com, reporting that the Government of Sudan in June 2006 revoked permission for several Eritrean dissident organisations to host their congresses in Khartoum. On 28 August 2006, Awate.com published a follow-up report, ‘Update: state of the Eritrean opposition and Eritrean Government’, that filled in details about groups that the original June reports had no information on. [50a] (p5, section 1e)

- 6.10 An Awate.com article of 26 November 2006 outlined alleged moves against the opposition in exile in Sudan after the resumption of relations between the Eritrean and Sudanese Governments. [50r] The article states:

“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)

- 6.11 In Awate.com 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]

- 6.12 Eritrea Liberation Front – Revolutionary Council, ELF- RC Office for Information and Culture on 11 September 2007, notes in an article ‘We shall form a mass party founded on solid ground’, that:

“It is in harmonious tune with the call of the times for the enhancement of multiparty politics and democratic governance that the 6th Congress of ELF-RC a year ago decided on the formation of a mass party that opens its doors for others to join... On this basis, the Executive Committee has formed various committees throughout the world that were, for one full year, collecting information and assessing the basis for establishing a solid party... Individuals with... potential of contributing to this effort were contacted, and some organizations with similar vision and programme as the ELF-RC were made aware of the ongoing inclusive party formation process... The second regular meeting of the Revolutionary Council in August 2007 studied reports on the efforts so far made in the process and decided on guidelines for future action...” [110a]

- 6.13 The ELF- RC Office for Information and Culture in September 2007 article continues:

“It could be up to the Commission to draft and then in turn Congress to decide on the many specifics, but one would expect at least the following general requirements to be satisfied both by the party and the incoming members:

1. The party to allow to its membership any Eritrean national without distinction of his/her gender, religion, region or nationality.

2. The membership to be open to Eritreans without prejudice to one’s political membership to any organization during the period of national liberation or the past 16 years. However, the new party member should be one who supports and strives to realize in post-dictatorship Eritrea a system of governance that promotes democracy, peace, justice, human liberties, and development. In a word, the party should commit to be a forward looking institution and not one that dwells in past history.

3. A potential party should be one who cares and works to establish close relations with the common people, who is willing to understand people's concerns, talks their language and is committed to serve them.

4. A party member should accept the fact that our youth are the rightful inheritors of our past and our present, and thus encourage and contribute in their right upbringing and correct development.

5. A party member would have to believe in the unity of the land and the people, should be one who submits to the sovereignty of the public, the supremacy of the law, advocates human rights, and understands and respects the cultural values and traditions of our people.

6. A potential party member should be one who is ready to make compromises in the interest of the people and the party, and not be one who exposes public interests to high risk, and one carried away by selfish interests.

7. A party member should be one who strives to spread goodwill and make harmony prevail among party members and the people as a whole.

8. A party member should be one who values hard work and education which are the foundations of human progress." [110a]

- 6.14 Eritrea Liberation Front – Revolutionary Council, ELF- RC Office for Information and Culture on 11 September 2007, notes in an article Time to Forge Trustable Alliance, and Effective Functional Coalitions, that:

The second regular meeting of the Revolutionary Council of ELF-RC in August 2007 resolved as follows:

"1. [Urgent call for] the establishment of a cohesive strategic alliance by organizations that genuinely accept democracy, the unity of the land and the people of Eritrea and the formation of a secular [civil] state;

2. Organizations that do not share similar programmes and visions but agree in the removal of the dictatorial regime and the formation of a multi-party system to come under an all-inclusive umbrella organization to conduct joint common tasks in the struggle." [110b]

Kunama

- 6.15 A Writenet Report commissioned by United High Commissioner for Refugees, Status Determination and Protection Information Section (DIPS), Eritrea: Challenges and Crises of a New State, published 1 October 2006, explains:

"Some members of the Kunama ethnic group have been in prison for many years... Nonetheless, some attribute the presence about 7, 000 Kunama refugees in Ethiopia to the retaliatory acts of the government, which included the confiscation of Kunama lands for alleged Kunama collaboration with Ethiopian forces during the border war." [113](pp. 17-18)

- 6.16 The Writenet Report continues:

“The Kunama ethnic group owns a ‘vast and fertile homeland’ and has always had to contend against ‘continuous attempts of some other ethnic-groups [sic]... to infiltrate within its land and communities, increase their presence and domination ...’, and this has created long-lasting friction with other groups. Land Proclamation 58/1994 did not help either, because it made land state property. As a consequence, members of other groups were given traditionally Kunama land because, as indicated earlier, it is vast and fertile compared to other areas or perhaps because the Kunama, as a pastoral community, have not used the land efficiently. The proclamation may put the Kunama at a disadvantage and may even alter their ‘traditional egalitarian social system’, where land plays an important role. In response, they have now formed their own ethnic-based political movement to press for their rights. However, the government land policy, as some have suggested, does not appear to have been a calculated ethnic-based policy designed to dispossess the Kunama and other ethnic minorities. In fact, the Italians, the British, and the Ethiopians have always considered Kunama lands as state property, although they did not transfer the land to other individuals or groups within Eritrea.” [113](p.18)

See also [Kunama](#), [Ethnic groups](#)

Jeberty

- 6.17 A Writenet Report commissioned by United High Commissioner for Refugees, Status Determination and Protection Information Section (DIPS), Eritrea: Challenges and Crises of a New State, published 1 October 2006, states:

“The Jeberty, a Muslim Tigriygna- speaking group, which claim unique historical – religious antecedents, has been calling for recognition of the group as an ‘ethnic group, similar to the official recognition bestowed on the other nine groups, including Kunama and Afar. Pursuant to this, they have established the Eritrean al-Nhada Party.” [113](p.18)

See also [Afar](#), [Ethnic groups](#)

Afar

- 6.18 A Writenet Report commissioned by United High Commissioner for Refugees, Status Determination and Protection Information Section (DIPS), Eritrea: Challenges and Crises of a New State, published 1 October 2006, states:

“The Afars have also formed their own ethnic-based party to press for their communal rights. Therefore, the government is under pressure from such groups to devolve power. Although it cannot be ruled out, the alleged systematic, ethnic-based discrimination perpetrated by an intensely civic-nationalist group of leaders is hard to believe. However, a glance at government statistics may reveal the over-representation of the Tigriygna group in the government and in the bureaucracy. This may partly be a function of the large size of the group and other variables that are hardly the making of the PFDJ-government. Therefore, a prudent land policy that will not unduly affect specific ethnic groups, particularly pastoral communities such as the Afar and Kunama, will likely minimize the appearance of ethnic discrimination.

Absent of this, massive displacement of communal groups may result.”
[112](p.18)

See [Annex B Political Organisations](#)

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Human Rights

INTRODUCTION

- 7.01 The human rights situation in Eritrea is held by all sources to be very poor. [44a] (FCO profile, 18 November 2005); [4k] (p1, Introduction) (USSD Report for 2006); [36] (Freedom House); [5a] (AI annual report 2007) The Human Rights Watch world report 2007, dated 31 December 2006, summarised the situation in Eritrea as:

“Since 2001 the government of President Isayas Afewerki has carried out an unremitting attack on democratic institutions and civil society in Eritrea by arresting political opponents, destroying the private press, and incarcerating anyone thought to challenge the government’s policies. Almost no civil society institutions survive but the assault continued in 2006 on religious practitioners, military service evaders, and staff of international agencies.” [29h](p1)

- 7.02 The Foreign and Commonwealth Office Country Profile dated 18 November 2005 summarises the human rights concerns as: “Detention without charge is common. Freedom of expression is severely restricted and political critics and journalists have been held for long periods.” [44] The AI annual report for 2007 reported that “Suspected Government opponents and alleged supporters of exile opposition groups were tortured in security or military custody. Religious prisoners were tortured to force them to abandon their faith. Torture was also a long-established punishment for civilian prisoners held in army or security custody and conscripts accused of military offences.” [5a](p3) Global IDP in January 2005 added further detail:

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

- 7.03 Eritrea has been censored by the USA, designated, in the State Department’s International Religious Freedom Report 2005, as a ‘Country of Particular Concern’. [4g] (p1) The HRW annual report 2007 noted that, in January 2005, the African Union adopted a resolution that the 2001 arrests and continued detentions were in contravention of the African Charter on Human and People’s Rights. [29h]

- 7.04 The US State Department, in the country human rights practices report on Eritrea, for 2006, published 6 March 2007, summarises the human rights situation in Eritrea as:

“The government’s human rights record worsened, and it continued to commit numerous serious abuses, including: abridgement of citizens’ rights to change their government through a democratic process; unlawful killings by security forces; torture and beatings of prisoners, some resulting in death; harsh and life threatening prison conditions; arbitrary arrest and detention; executive interference in the judiciary and the use of a special court system to limit due process; government infringement on privacy rights; government roundups of

young men and women for national service; arrest, incarceration, and torture of family members of national service evaders, some of whom reportedly died of unknown causes while in detention; severe restrictions on basic civil liberties, including freedoms of speech, press, assembly, association, and religion, particularly for religious groups not approved by the government; restrictions on freedom of movement and travel for diplomats, humanitarian and development agencies, and UN Mission to Eritrea and Ethiopia (UNMEE) personnel; government circumscription of Non-governmental organization (NGO) activities; violence and societal discrimination against women and the widespread practice of female genital mutilation (FGM); governmental and societal discrimination against members of the Kunama ethnic group and homosexuals; and limitations on workers' rights." [4k](p1)

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SECURITY SITUATION

- 8.01 The security situation is dominated by the residual tension over boundaries between Eritrea and Ethiopia. The HRW annual report 2006 stated that “Using the excuse that Eritrea remains at war, the government has refused to implement the 1997 constitution, drafted by a constitutional assembly and ratified by referendum, that respects civil and political rights.” [29f] The UNHCR Writenet report of October 2006 notes that “... Eritrea has remained under de-facto emergency conditions for eight years.” [18h](p10)
- 8.02 In 2007, the security situation has been heightened with skirmishes on the Ethiopian / Eritrean border. The BBC reported on 28 June 2007 that Ethiopia had prepared for Eritrean aggression in ‘Ethiopia “ready for Eritrea war”’. [8d]
- 8.03 Asmarino.com reported on 12 December 2005 that:
- “Sources in Asmara have reported that a plot to assassinate President Isayas Afewerki was foiled. Quoting unnamed Eritrean government sources, the news report states that high ranking members of Eritrea’s only political party, the People’s Front for Democracy and Justice (PFDJ) – officers from the Eritrean Police and the Immigration Office – were behind the plot to assassinate President [sic]. Unconfirmed reports also say that Sudanese embassy officials were involved in the plot. As many as 80 people from Eritrea’s capital Asmara and Keren are reported to have been picked [sic] by government security forces in the last three days.” [49a]

BILATERAL RELATIONS

- 8.04 Jane’s Security Sentinel website, updated 17 May 2007, reports:
- “The ongoing conflict in Somalia risks the involvement of Ethiopia and Eritrea. Ethiopia has been a strong supporter of the Transitional Federal Government and the unrecognised territory of Somaliland, whereas Eritrea has emerged as a firm backer of the UIC. The fighting between Ethiopian troops and the militias of the UIC, which intensified during the latter part of 2006 following the extension of territorial and political control by the UIC within Somalia and in Mogadishu itself, led to an invasion by Ethiopia of Somali territory (backed by US air, ground and naval support) at the end of the year. The continuing conflict in Somalia during 2007 has not brought Eritrea into the fray, as yet, although it continues to support the UIC in principle.” [70b]
- 8.05 The Jane’s Security Sentinel continues:
- “Eritrea has, however, provided support in 2007 to UIC fighters, has provided refuge for a number of Islamists and has offered to host a ‘second’ Somali government. This will undoubtedly be seen as provocative by the Ethiopians and the US. In protest at Ethiopia’s intervention in Somalia, Eritrea withdrew from the Intergovernmental Authority on Development (IGAD), the Horn of Africa’s regional conflict-resolution body, in April 2007, a move that further isolates the country. The risk of a further extension of the conflict inside Somalia to the region as a whole remains a major risk.” [70b]

SUDAN

8.06 Jane's Security Sentinel website, updated 17 May 2007, states that:

"Sudan, with whom relations have often not been good, borders the west of Eritrea. Recent improvements in relations with Sudan are promising, however, with the sponsoring by Eritrea of talks between the Sudanese government and the rebel group, the Eastern Front, and the signing of a peace deal in October 2006." [70b]

YEMEN

8.07 Jane's Security Sentinel website, updated 17 May 2007, states that:

"Since independence from Ethiopia, traditional fishing rights have long been a source of friction with Yemen. However, with several bilateral meetings taking place in 2005 and 2006 and pledges to discuss the implementation of agreements already made, steady progress seems set to continue. The government is placing more emphasis on the role for fisheries as part of its effort at self-reliance and hopes to decrease dependence on international food aid by developing food security. Much more work is needed to strengthen the sector and the capacity of Eritrea's 3,000 coastal fisherman, a fact that probably lies behind moves to strengthen relations with Yemen." [70b]

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CRIME

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

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

- 9.02 The US OSAC report 2007, published 20 December 2006, adds:

"Violent crime generally is not a serious problem for visitors to Eritrea and reports of gratuitous violence associated with crimes is rare. Petty crime, however, is more common than in years past. According to local police sources and other security officials, street crimes, including such acts as pick-pocketing, residential burglary, vehicle break-ins and petty thefts, are occurring more frequently." [4j]

- 9.03 United Nations Office on Drugs and Crime, 'Eritrea: Country profile', updated 17 September 2007, explains that:

"Khat is grown in minimal quantities in the country and there is evidence of cannabis cultivation in Asmara, Keren and Tehambko. However, after Eritrea's independence young Eritrean nationals, brought up in Europe and North America, returned to their country and introduced drugs into the newly-developing society of Eritrea. Trafficking follows exactly this pattern and there are signs that drug abuse and illicit trafficking are on the increase." [104]

- 9.04 The UNODC report further explains that:

"Cannabis comes from Ethiopia and Sudan Khat comes from Ethiopia but is mostly in transit to Djibouti, Yemen and other Arab States through the ports of Massaba and Assab. There are at least 16 other harbours on the Red Sea coast, which is 1000 kms in length. Offshore there are 124 islands. Small amounts of heroin, cocaine and amphetamines are brought into the country by returning nationals mainly for their own use. The first cocaine seizure ever made in Eritrea occurred in the spring of 1998 along the border with Ethiopia. According to government information, the most common substances consumed in Eritrea are as follows: alcohol, cannabis, diazepam, khat, pethidine, cocaine and heroin. Amphetamine-type stimulants (ATS) consumption has not been noted to date. The number of drug abusers arrested and imprisoned more than doubled from 75 in 1995 to 169 in 1997." [104]

- 9.05 The UNODC report also states:

"Few if any drug abuse prevention activities exist in the country (there is only one trained psychiatrist in Eritrea, who is responsible for both mental health and drug abuse treatment) and there is lack of knowledge and know-how in drug abuse prevention other than severe legal control. Eritrea is not a party to any of the three international drug control conventions: 1961, 1972 and 1988

but used to be party when still a part of Ethiopia. In mid 1999, officials requested ROEA to provide information on how to accede to the conventions, but nothing has been done since. Eritrea is still enforcing the old Ethiopian legislation, but has undertaken the drafting of a new Penal Code, which is well underway. The actual stage of legislation is insufficient. If and when it will be revised it intends to make khat illegal.” [104]

9.06 The UNODC report also notes that:

“The Police and Customs were established in 1994, as was the Drug and Narcotics Law Enforcement Department (DNLE). The DNLE is part of the Ministry for Local Government, as are the Police, Customs and Internal Security. The DNLE takes in the role of co-ordination between all agencies involved in the field of drug control. The Customs Department is based on the Canadian Customs legislation drafted with the assistance of a Canadian consultant. The Customs Department is deployed at the four major harbours but represented to a lesser extent in smaller cities and ports.” [104]

9.07 The UNODC report concludes that:

“The Eritrean Government has recently restricted NGO presence in the country to reduce corruption and dependence on resources from international NGOs. Nevertheless, and since it appears that Eritrea is very much lacking of any ‘institutionalised’ structures so as to combat drug related crime, it is seems appropriate mentioning the two major national NGOs of interest to UNDCP. The National Union of Eritrean Youth (NUEYS) and the National Union of Eritrean Women (NUEW) are both very active in the field of drug abuse preventive education and rehabilitation/social integration.” [104]

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SECURITY FORCES

10.01 The USSD report for 2006 states:

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

POLICE

10.02 The OSAC report 2007, published 20 December 2006, states:

“The Eritrean police are competent despite limited training and equipment. The majority of the police and security personnel are former ‘fighters’ who have undergone military training that has given them self-discipline and respect for authority. Corruption is not tolerated and is dealt with harshly when uncovered.” [4j] (p3)

10.03 The USSD report for 2006, adds:

“Active duty police officers were in charge of key police divisions. The police force was adequate in enforcing traffic laws and combating petty crime. Generally the police did not have a role in cases involving national security, but beginning in 2005 the police became involved in the rounding up of individuals evading national service. During the year [2006] the police, the military, and internal security forces engaged in arrests and detentions. Police and security forces frequently used violent tactics, such as beating and shooting in the air to control crowds in social settings and during roundups.” [4k] (p3, section 1d)

Arbitrary arrest and detention

10.04 The USSD report for 2006 states:

“The law stipulates that detainees must be brought before a judge within 48 hours and may be held for a maximum of 28 days without being charged with a crime. In practice authorities often detained persons suspected of crimes for much longer periods. The law stipulates that, unless there is a ‘crime-in-process’, police must conduct an investigation and obtain a warrant prior to an arrest. In cases of national security, this process may be waived. In practice very few individuals were arrested with a warrant. Authorities often did not promptly inform detainees of the charges against them. Often detainees did not have access to legal counsel (see section 1.e.) or appear before a judge, and incommunicado detention was widespread. There was a functioning bail system, except for cases involving national security or for which capital punishment might be handed down.” [4k] (p3, section 1d)

Torture in police detention

10.05 The draft Constitution prohibits torture or cruel, inhuman or degrading treatment or punishment. [2] However, most sources point to the case of the G15/G11 political activists as possible instances of where torture and abuse

may have been used while in police detention, though hard to verify as political prisoners are held incommunicado. Amnesty International notes "Many prisoners are said to have died in custody as a result of torture or absence of medical treatment. There are no inquests into deaths of prisoners and families are reportedly not informed." [5c] (p16) (AI 19 May 2004) The USSD report for 2006 adds: "The law and unimplemented constitution prohibit torture; however, there were numerous reports that security forces resorted to torture and physical beatings of prisoners, particularly during interrogations. There were credible reports that several individuals, including young men and women rounded up for national service, died following torture or severe beatings by security forces." [4k] (p2, section 1c)

See [Torture in military detention](#)

ARMED FORCES

- 10.06 The number of military personnel as regular soldiers is not given in the Central Intelligence Agency's world factbook for 2006, though estimates given of the total number of military service reservists and current military conscripts is estimated at 1,684,000, of whom about 1,100,000 are fit for military service, and 100,000 teenagers reach the age of military service per annum. [28a] (p11) EuropaOnline estimated the army at 200,000 including conscripts and reported that: "Eritrea also has a navy of 1,400 and an air force of about 350." [1a] (Defence) An article posted on Dehai, on 28 December 2006, notes that Eritrea and Ethiopia have the biggest armies in sub-Saharan Africa, adding, "Both in percentage and in numbers, Eritrea tops the list. Of a population of 4.2 million, 202,000 are in the armed forces. One in every 20 Eritreans is a soldier." [11e]
- 10.07 The BBC profile of Eritrea, dated 9 March 2007, states: "... economic progress is hampered by the proportion of Eritreans who are in the army rather than the workforce." [8a] A IRIN News report of 19 May 2005 gives detail:
- "Woldai Futur, Eritrea's current minister for national development said that military spending was expected to consume about 17 percent of the 2005 national budget – a high figure compared with international standards, but still much lower than the 50 percent that was spent during the war in 2000.... Farmers in the southwestern province of Gash-Barka, Eritrea's main bread basket, told IRIN they could produce much more if their sons who were in the army could help them with irrigation and dam-building during the rainy season. The government argues that soldiers work in state-run and private farms during the agricultural season making up for manpower that otherwise would have been lost." [19j]
- 10.08 During the war for independence and for some time after, the armed forces of the EPLF operated without formal rankings and with improvised military clothing, equipment and weapons. The armed forces have had a hierarchy and standardised uniforms since 1995 (International encyclopedia of uniform insignia around the world). [78a] Jane's Infantry Weapons 2006-2007 gives information about the national inventory of arms, listing AKMs, as types of assault rifle held [70a]: photographs of Sawa military training camp parades show squads with older weapons, typically with fixed bayonets (Human Rights Watch). [29c]

- 10.09 An article in *African Studies Review*, April 2003 states “Tigrinya is the language of military training and communication.” [74a] (p8)

Arbitrary arrest and detention

- 10.10 “The military has the power to arrest and detain persons, and internal security forces and the military detained many persons during the year.” (USSD report for 2006) [4f] (p3, section 1d) The main application of these powers is to enforce recruitment roundups (*giffa*), with the USSD report for 2006 stating that “Security forces detained, generally for less than three days, many persons during searches for evaders of national service, even if they had valid papers showing that they had completed or were exempt from national service.” [4k] (p3, section 1d)

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

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

- 10.12 The USSD report for 2006 states that:

“Security forces continued the practice begun in 2005 of detaining and arresting parents of individuals who had evaded national service duties or fled the country, although there is nothing in the legal code to warrant such arrests.” [4k] (p3, section 1d)

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

- 10.13 The USSD report for 2006 regards arbitrary arrest and detention in Eritrea as “serious problems” adding:

“For example, on September 16-17 [2006], police reportedly arrested more than 2,000 persons at several nightclubs in Asmara. In one of the nightclubs, police reportedly surrounded the club, entered, and began to check the identification cards of those inside. After initially arresting only specific individuals, police changed their approach and arrested without charge everyone inside the club - approximately 250 persons - using sticks and threats to control the crowd. Most of those detained were subsequently released after posting bail. No trials were held in connection with the incident.” [4k] (p3, section 1d)

Torture in military detention

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

- 10.15 The USSD report for 2006 reported that there were accounts of "... Unlawful killings by security forces, including some resulting from torture [and] numerous reports of torture and physical beatings of prisoners, particularly draft evaders." [4f] (p1, Introduction) The USSD report for 2006 added that:
- "During the year [2006], security forces severely mistreated and beat army deserters, draft evaders, and members of particular religious groups ... Security forces subjected deserters and draft evaders to various disciplinary actions that included prolonged sun exposure in temperatures of up to 120 degrees Fahrenheit or the binding of the hands, elbows, and feet for extended periods." [4k] (p2, section 1c)
- 10.16 AI, in their report dated 19 May 2004, give the most comprehensive details of torture methods, some named, such as 'helicopter'; 'Otto'; 'Jesus Christ'; 'Ferro'; 'torch/number eight', and other forms of abuse. [5c] (p14-15) The USSD report for 2005 added information of a technique known as 'almaz' or 'diamond'. [4f] (p2, section 1c) Most forms operate on the principle of tying the prisoner up in an excruciating manner and leaving them exposed to extreme heat and cold for long periods of time. (AI, 19 May 2004) [5c] (p14)
- 10.17 The US International Religious Freedom report 2006 notes:
- "Some of the detainees reportedly have been rolled around in oil drums, abused by fellow prisoners, and the women sexually abused; some of the detainees reportedly suffer from partial paralysis and other physical injuries as a result of their torture. Other reports describe other individuals and groups in the military and national service who have been detained, harassed, and physically tortured for practicing non-sanctioned religions." [4e] (p4)

Extrajudicial killings

- 10.18 The USSD report for 2006 holds that there have been no politically motivated killings by the Government or its agents in 2006, but the Government still authorised the use of deadly force, particularly in border areas, where summary executions and shooting on sight incidents have occurred. The report notes other deaths have occurred during roundups of military draft evaders and their detention. [4k] (p1, section 1a)
- 10.19 Awate.com notes in an article on Eritrea's killing fields, dated 22 September, that:
- "Two weeks ago, on 8 September 2007, omaal.org reported the following: On September 1, [2007] a young Eritrea man, Mateos [no last name given], was executed in a public square in Tessenei. His body was then handed over to his family which lives in the town. The family was given a stern warning by the authorities not to hold a public mourning." [50ad]
- 10.20 The Awate report also states:
- "There were similar reports in 2006 about executions of people accused of involvement in the smuggling of persons across the border to Sudan. In March 2006, for example, adoulis.com (another Eritrean website, which was the first

to document - including by video – the influx of new refugees into Eastern Sudan) reported the following:

- Two young Eritrean men were executed by the government in Tessenei town. They were accused of helping people escape to Sudan. In a move that seems to have been designed to instigate terror among the population, the execution was carried out in public in the presence of members of the general public. [sic]
- The PFDJ security recently executed in Forto (near Sawa, Gash-Barka) [sic] the young man, Osman Idris Saleh Koy, a resident of Aqurdad town. [sic] He was arrested at a teashop in the city, and taken to Forto. The execution took place in the presence of security officials in the region. It is to be recalled that another resident of the city, Kateen [no last name], was publicly executed in Aqurdad. "
- On 16 May 2007 the government's border security executed, [sic] near the Sudanese border, three young soldiers who were, allegedly, captured while trying to escape to Sudan. The three national service members are: Dawoud Mansour, Isak Abrah, Mebrahtu Andai (omaal.org, 31 May 2007).
- The PFDJ thugs killed citizen Hamid Bilal, a resident of Mngula village south-east of Gulluj (Gash-Barka) and a father of several children. His family collected and buried his dead body which the killers had left in the open. The PFDJ authorities had accused Mr. Bilal of evading national service and of planning to escape to Sudan. (omaal.org, 8 May 2007)
- The dead bodies of a middle-aged man and his two sons, aged around 13 to 15, were found near the border with Sudan, south of abu Gamul. The Tigrinya-speaking family, was murdered by PFDJ's border security men while trying to cross the border to Sudan. (omaal.org, 22 March 2007)." [50ad]

AVENUES OF COMPLAINT

10.21 "There were no mechanisms to address allegations of abuse among police, internal security, or military forces." [4k] (p3, section 1d) (USSD for 2006) The USSD report for 2006 also notes that investigations were still pending by the end of 2005 in the cases of Timothy Butt, a British national, and two Mercy Corps International employees, all killed in 2003. [4f] (p2, section 1a)

10.22 The International Committee of the Red Cross (ICRC) noted in their 2005 annual report on Eritrea, published 1 June 2006, that:

"In 2004, the Eritrean armed forces agreed in principle to integrate IHL into all their training programmes. At a round-table with the ICRC in February 2005, the Ministry of Defence again acknowledged the importance of IHL training for the military, expressed its appreciation for the ICRC's IHL courses in 2004 and said that the armed forces had subsequently held introductory talks on IHL for recruits. In a new initiative, the ICRC was helping the armed forces to obtain and distribute identification tags to personnel.

- 27 officers trained as IHL instructors
- 25 officers attended an introductory IHL course

- with ICRC sponsorship, 2 colonels took part in an IHL course in San Remo
- the Defence Ministry and Sawa military college received standard sets of IHL reference materials
- 3,000 copies in Tigrinya of the ICRC's 'Essentials of the law of war' and 20,000 copies of 'Behaviour in combat' produced for use as teaching tools." [40a](p82)

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MILITARY SERVICE

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

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

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

- 11.03 Amnesty International reported on 7 December 2005 that:

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

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

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

- 11.05 The nineteenth round of 18-month national service draftees was reported to have graduated their six-month basic training on 9 December 2006, as reported by the state media Shabait [26e], with the graduation ceremony broadcast live on Eritrean TV and radio. (Shabait, 9 December 2006) [26e]; (Awate.com, 10 December 2006) [50p] The ceremony was held at Kiloma, 40 kilometers south of Assab which lead Awate.com to speculate that the ceremony was not held at Sawa, to deflect from desertion difficulties currently

being experienced by Sawa camp in relation to desertions to Sudan through Tessanie town. [50p]

See [Illegal exit from Eritrea](#)

- 11.06 The Awate article includes the information that the official number of desertions from the 18,000 graduates of Round 19 number eighteen, but speculates that, unofficially, the number of defections has been in the hundreds; that officially one death has occurred during basic training, but again, unofficially, the death toll is higher; and that the number of 18,000 draftees is suspect, and is much higher. [50p]

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DRAFT EVADERS

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

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

ROUNDUPS (GIFFA)

- 11.08 The AI report for 2005 stated that: “On 4 November [2004], Eritrea security forces in Asmara indiscriminately arrested thousands of people suspected of evading military conscription. People were arrested at places of work, in the street, at roadblocks and at home. Prisoners were taken to Adi Abeto army prison near Asmara. That night, a prison wall was apparently pushed over by some prisoners, killing four guards. Soldiers opened fire and shot dead at least a dozen prisoners and wounded many more”. [51]
- 11.09 The same report also stated that: “In July and again in November 2005 in the Debub region in the south, parents and other relatives of individuals who had evaded conscription or fled the country were arrested and accused of complicity. They were only released if they deposited a bond of between 10,000 and 50,000 nakfas (US\$660 – US\$3,000 equivalent) to produce the missing family member.” [51] Further details of the Debub arrests of parents are given in an account by Awate.com, dated 17 July 2005. [50i] The Awate account also reports that “... the government has also initiated targeted campaigns to apprehend female students who have completed 11th grade but opted to stay at home instead of reporting to Sawa... Last week [10 July 2005 onwards] the town of Dekemhare was the target. Similar campaigns are expected in Asmara and other major towns.” [50i]

- 11.10 Awate.com ran reports on 24 February 2006 that a new round of *giffa* had been launched in the Anseba region, which included the sweeping up of 17-year-olds from three high schools in Keren, transporting them to Wia (on the eastern coast). [50j] Other high schools in the northern Red Sea region were similarly cleared a few days previously. [50j]
- 11.11 Amnesty International (AI) reported on 24 December 2006 that over 500 relatives of young people missing from conscription were arrested in Asmara, as part of a *giffa* that started on 6 December 2006. [5e] AI add, "The authorities have stated that the detainees must either produce the missing conscripts or pay a fine of 50,000 nafka (approximately US\$1,200). Relatives who fail to do so will be forced to serve six months in the army in place of their missing family member." AI is concerned that this is a new development that cuts into the principle of individual penal responsibility. [5e] Dehai reported on 22 December 2006 that the Eritrean Government had refused to comment on the arrests, and the Government had stated that AI "don't have any right to intervene in our internal affairs" (Ali Abdu, Information Minister). [11d]

CONSCIENTIOUS OBJECTION

- 11.12 There is no provision for conscientious objection; groups such as the Jehovah's Witnesses and individuals are subject to extreme forms of military discipline when they do not comply with the demands of military service. Thus, as reported by the USSD report for 2006:

"According to the Office of General Counsel for the Jehovah's Witnesses, 27 Jehovah's Witnesses remained imprisoned without charge. Although the maximum penalty for refusing to perform national service is three years' imprisonment, three of the individuals have been detained for more than 11 years. Of the members of Jehovah's Witnesses detained, 12 were reportedly held at Sawa Military Camp and one was in prison in Asmara. At year's end, eight of the 40 Jehovah's Witnesses arrested during a home prayer meeting in 2004 remained incarcerated." [4k] (p8, section 2c)

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

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

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SCHOOL LEAVERS AND CONSCRIPTION

- 11.14 The restructuring of the education system for eleventh grade students and conscripts has continued in 2007, continuing a process that began in 2004 with the suspension of the University of Asmara, and development of the military training colleges. [50e] (Awate, 26 November 2004); [5m] (Amnesty International, 7 December 2005)
- 11.15 Awate.com reported on 28 March 2007 that a circular had been issued by the Government to the Sawa camp authorities outlining measures designed to curb desertion, that included limiting visits by parents, promoting "revolutionary and patriotic fervour", and the banning of mobile phones. [50v] (Awate, 28 March 2007)
- 11.16 The AI report of 7 December 2005 further states:
- "In January 2004, the UNICEF representative in Eritrea was reported to have expressed concern that the militarization of education was a violation of the African Charter on the Rights and Welfare of the Child, which aims to promote the best interests of the child, because it resulted in the separation of children from their families and forced them into a military environment". [5m]
- 11.17 The Awate.com report of the February 2006 *giffas* concludes, "One alarming aspect of this new wave of roundups is that it has affected young students under 18 years of age." [50j]

MILITARY TRAINING

- 11.18 Awate.com reported on 4 July 2007 that the graduating class of military training from Sawa, the twentieth round, had told their parents "harrowing stories" of the camp's conditions, stating:
- "The Sawa regiment, which is designed to build what the army calls *texawarnetn miximamn* (endurance and stamina), includes long *gu'ezo egri* (walks), idleness and a starvation diet. The students wake up at 4:30 AM and are given their first meal at noon. Their most bitter complaint is about the state of healthcare at Sawa. They report that no one is referred to the hospital even if his or her situation is very critical. Any one who is suffering from falciparum and plasmodium (malaria), pneumonia or a spasm is given a pain killer. Some report of avoidable deaths and delirium that occurred due to negligence and last-minute referrals to Keren hospital." [50aa]
- 11.19 The 10 December 2006 Awate reports previously noted that:
- "The 8-month military training consisted of long marches, requiring the conscripts to walk up to 40 kilometers per day in the harsh climate. The training is not designed to convert civilians into fighting machines but to break the spirit of a youth which daily plots to find a way to escape." [50p] (p2)

- 11.20 An Agence France Presse article of 1 March 2007 gives a figure for the recruits' pay: "Basic recruits are paid a salary of just 150 Nakfa (\$10) a month." [66d]
- 11.21 Awate.com previously reported on 25 June 2007 that National Service conscripts not on 'active' military duty were being called up for 'refresher' military training at Wi'a training camp, stating:
- "The call applies to all 'national service' members, known locally as *agegelot*, who are not in 'active' military duty. This means that the directive is applicable to recruits of the first round ('*zuria*') trained in 1995, all the way to the fourteenth round." [50aa]
- 11.22 Awate.com reported on 4 July 2007 that the twenty-first round of recruits "were sent from Asmara today to Sawa. Following the Government's decision to centralize the location of the 12th grade at Sawa, all students who completed 11th grade are sent, willingly or unwillingly, to Sawa." [50aa]

DETENTION

- 11.23 The USSD report for 2006 noted:
- "There were substantial reports that prison conditions for persons temporarily held for evading military service were also poor. Unconfirmed reports suggested there may be hundreds of such detainees. Draft evaders were typically held for 1 to 12 weeks before being reassigned to their units. At one detention facility outside Asmara, detainees reportedly were held in an underground hall with no access to light or ventilation, and in sometimes very crowded conditions. Some detainees reportedly suffered from severe mental and physical stress due to these conditions". [4k] (p2, section 1c)
- 11.24 The report added: "Several persons detained for evading national service died after harsh treatment by security forces, including the binding of hands and feet behind the head. In addition several detainees who suffered from ill health in prison died within days of their release from lack of medical care." [4k] (p2, section 1c)
- 11.25 The Amnesty International report "'You have no right to ask' – Government resists scrutiny on human rights", published on 19 May 2004, noted that women conscripts and draft evaders were subject to further possible problems in the form of sexual abuse:
- "There have been allegations from former conscripts of a pattern of sexual violence against female conscripts. Female conscripts are reported to have been subjected to sexual abuse including rape. Amnesty International has received reports that some of the new female recruits were selected by commanders for sex under duress, through being threatened with heavy military duties or being sent to the battle-front during the war or to a remote and harsh posting, or being denied home leave. In some cases, this may be termed rape or possibly sexual slavery because, although it may not have consisted of physical violence, it was coercive within a command and discipline system where women had little or no opportunity to resist. There was no mechanism for complaining to the military or civilian authorities, and when complaints were made, no action was known to have been taken to stop

and prevent this practice, which appears to have been widely known. In some cases the women became pregnant and were sent home to their families. They were then subject to extreme social dishonour in the community as unmarried mothers.” [5c](p26)

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DEMOBILISATION

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

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

- 11.27 The War Resisters’ International Global Report 2004 reported that:

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

- 11.28 The USSD, in its June 2006 Background Note, stated:

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

- 11.29 The United Nations Development Program (UNDP) produced a project fact sheet, dated April 2006, that outlined UNDP / USAID’s involvement in the demobilisation programme. [88a] Key points noted were that UNDP / USAID signed a Technical Assistance Programme (TAP) agreement in April 2002 with the authorities, in order to assist with the social and economic resettlement needs of Eritrean soldiers. The TAP has lead to an information resource that spans local and national programmes, and grants to demobilised

soldiers as part of a Transitional Safety Net (TSN). The project was begun in April 2002 and due to finish December 2006. The fact sheet stated that UNDP had assisted with the demobilisation of 104,000 former soldiers. [88a]

- 11.30 The Foreign Office, in a letter dated 1 February 2006, reported that: "... the World Bank has been leading on a large demobilisation and reintegration project with support from e.g. The Netherlands and Norway. An element of the demobilisation component was the provision of cards to those who were finally demobilised from military/national service... Anyone demobilised will have such a card and will be able to produce it to the military or police to prove their exemption. Progress on the whole project has been slow, with Eritrea saying that it cannot make better progress until its border with Ethiopia is demarcated." [10e]
- 11.31 Awate.com reported on 24 February 2006 that "... all demobilized soldiers and members of the national service to get ready for reporting to Sawa... Those called for 'national service' include athletes and other youngsters active in various sports, who had been given permit[s] to pursue their sporting activities. Demobilized soldiers and national service corps who had been discharged for medical reasons ('Medical Board cases') were also ordered to reregister." [50j]
- 11.32 A number of reports in 2007 have stated that demobilisation has ceased, reversed and that in 2007, veterans and those who have completed National Service are being recalled for (possible) service. [50x] (Awate, 25 June 2007)

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ABUSES BY NON-GOVERNMENT ARMED FORCES

12.01 Freedom House report 2005 states:

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

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

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

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JUDICIARY

ORGANISATION

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

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

- 13.02 The USSD report for 2006 adds that:

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

- 13.03 The USSD report for 2006 continues regarding the regular court system:

"Unlike the special court system, the law provides specific rights to defendants in the regular court system. Although defendants could hire a legal representative at their own expense, most detainees could not afford to do so and consequently did not have access to legal counsel. The government frequently assigned attorneys to represent defendants accused of serious crimes punishable by more than 10 years in prison and who could not afford legal counsel. Defendants have the right to confront and question witnesses, present evidence, have access to government held evidence, appeal a decision, and have presumption of innocence; it was unknown how well these rights were enforced in practice." [4k] (p5, section 1e)

- 13.04 Furthermore, it said: "Most citizens only had contact with the legal system through the traditional village courts. Elected village judges heard civil cases,

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

- 13.05 And then that: “Shari’a law for family and succession cases could be applied when both litigants in civil cases were Muslims. In these cases, the sentences imposed cannot involve physical punishment.” [4k] (p5, section 1e) A Shabait (state media) article of 26 December 2006 reported that the Eritrean Ministry of Justice had begun entering into discussions about integrating Eritrean customary laws into the formal legislative system. [26f]

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INDEPENDENCE

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

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

FAIR TRIAL

- 13.07 The USSD report for 2005 states: “The judicial system suffered from a lack of trained personnel, inadequate funding, and poor infrastructure that in practice limited the government’s ability to grant accused persons a speedy and fair trial.” [4f] (p4, section 1e) Likewise, the Freedom House 2006 report, “Worst of the world” states, “A low level of training and resources limits the courts’ efficiency. Constitutional guarantees are often ignored in cases relating to state security.” [36b] (p3)
- 13.08 The Amnesty International report 2007 summarised the whole court system, including military courts, as follows, stating:

“The few functioning courts failed to protect the constitutional rights not to be tortured or arbitrarily detained. Special Courts handed down prison sentences in secret summary trials for corruption and political offences where the accused had no right to legal defence representation or appeal. Secret administrative security committees reportedly imposed prison sentences without any semblance of trial. Military courts were not functioning. Military conscripts accused of a military offence such as desertion, attempted desertion or being absent without permission were arbitrarily imprisoned or punished with torture, or possibly executed in the most serious cases, on the order of their military commander.” [5a]

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PENAL CODE

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

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ARREST AND DETENTION – LEGAL RIGHTS

- 14.01 The USSD report for 2006 stated: “The law prohibits arbitrary arrest and detention; however, arbitrary arrest and detention were serious problems.” [4k] (p3, section 1d)
- 14.02 Many sources repeat that the statutory maximum detention period without being charged is 28 days. [4k] (p3, section 1d) (USSD report for 2006); [5c] (p27) (Amnesty International)
- 14.03 However, as the USSD report for 2006 recounts:
- “In practice, authorities often detained persons suspected of crimes for much longer periods, usually without warrants. Authorities often did not properly inform detainees of the charges against them. Often detainees did not have access to legal counsel or appear before a judge, and incommunicado detention was widespread. There was a functioning bail system for all cases, except those involving national security or for which capital punishment might be handed down.” [4k] (p3, section 1d)

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PRISON CONDITIONS

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

- Prison facilities are poor, overcrowded and use is often made of overflow and irregular accommodation. [29f] (HRW 2006) ; [45a] (Gondwe, July 2006); [91a](p2,3) (Human Rights Concern – Eritrea, 18 September 2006)
- Food is of a poor quality and often insufficient; healthcare, if provided, is insufficient and may be deliberately withheld. [50f] (Awate, 16 June 2006); [45a] (Gondwe, July 2006); [91a](p3) (Human Rights Concern – Eritrea, 18 September 2006) Water may also be scarce and undrinkable. [91a](p3) (Human Rights Concern – Eritrea, 18 September 2006)
- Use is made of accommodation that incorporates extreme physical discomfort with extreme temperatures, such as underground cells, and shipping cargo containers. [4k] (p2, section 1c) (USSD report for 2006); (AI May 2004) [5c] (p16); (HRW 2006) [29f]; [91a](p3) (Human Rights Concern – Eritrea, 18 September 2006) Also ‘Shella’ – 2 metre by 2 metre cells. [45a] (Gondwe, July 2006)
- Prisoners are often held incommunicado. [5h] (AI, 28 July 2005); [4k] (p2, section 1c) (USSD report for 2006); [29f] (HRW 2006); [91a](p3) (Human Rights Concern – Eritrea, 18 September 2006)
- Torture and general abuse are used against prisoners, and as standard military punishments. [29f] (HRW 2006); [91a](p3) (Human Rights Concern – Eritrea, 18 September 2006)
- Deaths have been reported as a direct result of punishment and torture, as well as subsequent deaths from lack of medical attention to injuries sustained. [4k] (p2, section 1c) (USSD report for 2006); [18f]; (UNHCR) One report suggests extra-judicial executions are carried out. (Gondwe, July 2006) [45a] (Gondwe, July 2006) Another source mentions “many lose hope and commit suicide.” [91a](p3) (Human Rights Concern – Eritrea, 18 September 2006)
- Forced labour routinely used. [76a] (Adai61.com, 6 May 2006); [45a] (Gondwe, July 2006)
- Refusal of the government to allow international NGO or other independent NGO monitoring or visiting of detention facilities. [4k] (p2, section 1c) (USSD report for 2006); [40a] (ICRC 2005)

15.02 The USSD report for 2006 notes:

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

15.03 The USSD report for 2006 also mentions the detention of military draft evaders:

“Unconfirmed reports suggested there may be hundreds of such [military] detainees. Draft evaders were typically held for one to 12 weeks before being reassigned to their units. At one detention facility outside Asmara, detainees

reportedly were held in an underground hall with no access to light or ventilation, and sometimes in very crowded conditions. Some detainees reportedly suffered from severe mental and physical stress due to these conditions. ... Several persons detained for evading national service died after harsh treatment by security forces, including the binding of hands and feet behind the head. In addition several detainees who suffered from ill health in prison died within days of their release from lack of medical care.” [4k] (p2, section 1c)

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

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

- 15.05 The AI report 2007 stated that:

“Suspected government opponents and alleged supporters of exile opposition groups were tortured in security or military custody. Religious prisoners were tortured to force them to abandon their faith. Torture was also a long-established punishment for civilian prisoners held in army or security custody and conscripts accused of military offences. Methods included being tied in painful positions for hours or days, particularly that known as "helicopter", and beatings. Religious and political prisoners were held in harsh conditions amounting to cruel, inhuman and degrading treatment. Many were held in metal shipping containers which were overcrowded, lacked sanitary facilities and were subject to extreme temperatures. Medical treatment was virtually non-existent and prisoners were only taken to hospital when they were almost dying.” [5a]

- 15.06 The AI report 2006 also mentions:

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

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MONITORING OF PRISONS

- 15.07 The USSD report for 2005 notes:

“Local groups and human rights organizations were not allowed to monitor prison conditions. The government prohibited the ICRC from visiting the

unknown number of Ethiopian soldiers who the government claimed were deserters from the Ethiopian army or to visit any Eritrean detainees or prisoners, although the ICRC was allowed to visit and register Ethiopian civilian detainees in police stations and prisons. Authorities generally permitted three visits per week by family members, except for detainees arrested for reasons of national security or for evading national service.” [4f] (p2-3, section 1c)

- 15.08 The International Committee of the Red Cross (ICRC), in its 2005 report, published 1 June 2006, noted that:

“[It] visited detention facilities countrywide, following up the cases of detainees of Ethiopian origin to ensure that their rights were being respected in accordance with international humanitarian norms and, where applicable, the Fourth Geneva Convention. The findings and recommendations were presented, in confidence, to the authorities. Inmates could use the tracing and RCM services and, where necessary, received blankets, clothing, shoes and hygiene kits to contribute to their health and welfare. During the visits, ICRC delegates briefed 160 police officers on the basic principles of IHL and the organization’s rationale and standard procedures for detention visits. 259 detainees followed up individually (19 of them women and 14 minors), including 146 newly registered, in 51 places of detention during 107 visits 248 RCMs delivered to detainees and 273 collected for delivery to their families 625 inmates received essential items.” [40a](p81)

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PLACES OF DETENTION

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

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

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

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

Agip, Asmara. The location, according to Reporters Without Borders, of eight of the nine state media journalists arrested in November 2006. [50s] (Awate, 3 December 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, Decamhare town. Shipping containers reported as being used as punishment blocks in this facility. [5c] (p16) (AI May 2004)

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

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

Eiraeiro, Filfil-Selomuna area north of the Asmara-Massawa road. A ‘secret’ prison for political prisoners (Awate.com, 31 August 2006) [50m]. It was purpose built in 2003, receiving the G15/G11 political prisoners from Embatkala in June 2003. It is reported to be comprised of 5 main blocks, with 2 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) One hundred and fifty guards and staff operate the prison; the guards are heavily vetted and monitored. [50m] (p4-5) Reporters Without Borders, as reported in an IRIN news article of 16 November 2006, adds: that “at least 62 political prisoners” are held at Eiraeiro; that nine detainees had died as a “result of ‘various illnesses, psychological pressure or suicide’.” and that three of the deaths were of journalists detained since September 2001. [19a]

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

Galaalo military camp, Red Sea coast. Deaths of conscripted students reported in August 2001 while performing forced labour. (AI May 2004) [5c] (p20) (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. (Ehrag section, Awate.com, 16 June 2006) [50h]

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

Mai Edaga, Decamhare town. Shipping containers reported as being used as punishment blocks in this facility. (AI May 2004) [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. (AI 28 July 2005) [5h] Human Rights Without Frontiers locates Mai Serwa as near Keren, with the initial query stating that it is three storeys high with the main prison built underground. (Canadian IRB 14 July 2003) [68a] AI reported in December 2005 that Helen Berhane, the Rema church gospel singer, "... is held at Mai Serwa military camp near Asmara, in a metal shipping container with little ventilation that alternates between hot and cold temperature extremes and has no washing or toilet facilities." A Release Eritrea briefing, posted 25 June 2006, adds that Helen Berhane had been caught listening to a radio and "As punishment she was transferred to an underground cell, where she was kept chained for two weeks." [31e] Helen Berhane was released from prison in October 2006 (Release-Eritrea, 2 November 2006) [31h] (AI, 3 November 2006) [5o] (CSW, 3 November 2006) [67c] 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]

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

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

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

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

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

"Tract B" military prison, Asmara. 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 prison, Asmara. "Mainly for EPLF veterans, held in underground cells." [5c] (p16) (AI May 2004)

Wengel Mermera (Wenjel Mirmera) investigation centre. Sources refer to this centre as being where most of the detainees of Asmara mass arrests are held, such as, according to Release Eritrea "... the dungeon-like inner prison in Asmara where many of Eritrea's prominent political prisoners are also believed to be incarcerated." [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. [47d](Compass Direct, July 2006)

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

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DEATH PENALTY

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

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POLITICAL AFFILIATION

- 17.01 The Constitution states that every citizen has the right to form organisations for political ends. [2a] “The government did not allow the formation of any political parties other than the PFDJ.” [4k] (p6, section 2a) (USSD report for 2006)

FREEDOM OF POLITICAL EXPRESSION

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

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

FREEDOM OF ASSOCIATION AND ASSEMBLY

- 17.03 The USSD report for 2006 states, “The law provides for freedom of assembly and association; however, the government did not permit freedom of assembly or association.” [4k] (p7, section 2b)

OPPOSITION GROUPS AND POLITICAL ACTIVISTS

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

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

- 17.05 Since late 2004, the opposition has continued to operate in exile. In 2005, an umbrella group, the Eritrean National Alliance (ENA) emerged. The ENA were reported by Awate.com in February 2005 as having been instrumental in setting up the conference of opposition groups in Khartoum, with Hiruy T Bairu confident of a solid agreement as the result. [50k]
- 17.06 Individual opposition groups have continued to operate in exile. For instance, the Eritrean Democratic Party (EDP) reported in June 2006 that it was to hold its second regular congress in Milan, Italy in July 2006. (No report of conference on EDP website to date). [72a] On 23 November 2005, the Eritrean opposition website Meskerem.com reported that the Eritrean government was using the medium of Sudanese opposition groups to make contact with Eritrean opposition groups in exile in Sudan. However, the Eritrean opposition groups found the government's conditions over 'conduct of talks' unacceptable. [71a]
- 17.07 Opposition groups have been active in lobbying outside bodies, such as the Network of Eritrean Civic Societies (NECS) approaching "since December 2006 for a meeting with all the offices in the European Council, the European Commission and also with the European Council on Refugees and Exiles (ECRE) Brussels". (NECS press release, 15 February 2007) [94a]

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FREEDOM OF SPEECH AND MEDIA

THE MEDIA

- 18.01 The 1997 Constitution (in the 1996 draft translation) provides for freedom of speech and of the press in Articles 19, s. 1 and 2. [2a]
- 18.02 However, the constitution is not applied in practice and the Government controls all media, summarised by the USSD report for 2006:
- “The government controlled all media, including three newspapers, two magazines, one radio station, and one television station. There was no private media in the country, the law does not allow private ownership of broadcast media or foreign influence or ownership of media, and the government also banned the import of foreign publications. The government had to approve publications distributed by religious or international organizations before their release, and the government continued to restrict the right of the religious media to comment on politics or government policies. The press law forbids reprinting of articles from banned publications”. [4k] (p5, section 2a)
- 18.03 The Government does not permit the private ownership of any media organisation, (USSD report for 2006) [4k] (p5, section 2a) (RWB 2005 Index) [17b] (CPJ September 2005) [30a] The BBC country profile for Eritrea, updated 9 March 2007, lists the state press agencies as: *Hadas Eritrea* (published three times 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 (2 radio networks, running programmes in 11 languages); *Radio Zara* (FM network); and *Erina* (Eritrean news agency). [8a] Reporters Without Borders (RWB) ranked Eritrea as one of the world’s ‘black holes’ for news, placing Eritrea 166 (out of 167 nations ranked) in its World Freedom Index for 2005. [17b]
- 18.04 Most sources point to events on 18 September 2001, when Government forces arrested journalists and closed all independent newspapers, as a defining moment of censorship in Eritrea. (CPJ September 2005 [30a], AI September 2002 [5d], RWB 2005 [17b])
- 18.05 The Committee to Protect Journalists (CPJ) stated in a report of 16 September 2005 that 15 journalists detained in September 2001 were still being held indefinitely, secretly, without charge, and without access to families or lawyers. [30a] The same report named the detainees. [30a] (See [Annex C](#)) The same CPJ report of September 2005 adds that three journalists arrested before the 2001 clampdown remain deprived of their liberty, with two said to be doing extended military service. Two journalists arrested in 2002 also remain in secret jails. [30a] Reporters Without Borders reported on 3 May 2006 that 13 journalists were still detained, whereabouts unknown. [17a] Reporters Without Borders (RWB) subsequently reported on 16 November 2006 that the group had heard of the possible deaths in detention of three of the 13 journalists whilst detained in Eiraeiro prison. [19a]
- 18.06 The CPJ report of 15 September 2005 also notes that Eritrean officials have refused to provide information on their health, whereabouts, or legal status. Some reports say they may have been tortured. The government’s monopoly

of news, and the families' fear of intimidation, make it extremely difficult to gather information about the detainees. [30a] For example, RWB reported on 16 November 2006 that the Eritrean Government declined to comment on the Eiraeiro prison deaths. [19a]

- 18.07 The jailed journalists are listed in [Annex C](#). They include Fesshaye 'Joshua' Yohannes, whom CPJ honored with an International Press Freedom Award in 2002 [30a] but who was reported by Amnesty International on 15 February 2007, in "Prominent journalist reported dead in secret prison", as having possibly died in prison. [5p]
- 18.08 On March 31, 2002, the ten jailed reporters began a hunger strike to protest their continued detention without charge, according to local and international sources. In a message smuggled from inside the Police Station One detention centre in Asmara, the journalists said they would refuse food until they were either released or charged and given a fair trial. Three days later, nine of the strikers were transferred to an undisclosed detention facility. According to CPJ sources, Swedish national Isaac, was sent to a hospital, where he was treated for post-traumatic stress disorder, a result of alleged torture while in police custody. [30a] Dawit Isaac has both Eritrean and Swedish citizenship; Sweden's repeated requests for his release have so far proved fruitless, and Swedish officials have not been allowed to visit him, according to CPJ sources. [30a] Awate.com reported on 5 December 2005 that: "The Committee to Protect Journalists is outraged by news that Eritrean journalist Dawit Isaac was returned to jail just two days after being released in mid-November... Isaac was sent back to jail on November 21 for reasons that were not explained...". [50c] AllAfrica.com reported on 8 December 2005 that: "Reporters Without Borders has written to the European Union's 25 foreign ministers asking them to raise the issue of Eritrea's imprisoned journalists at a meeting of the General Affairs and External Relations Council on 12 December in Brussels, which will focus on Africa, and calling for the EU to do everything possible to obtain their release." This also followed the reimprisonment of Dawit Isaac. [42a]
- 18.09 Thus, Reporters Sans Frontières conclude in their 2005 Annual Report that:
- "The situation in Eritrea is tragically simple: There is no longer any privately-owned press, no freedom of expression and no foreign correspondents....Ten journalists who had begun a hunger strike in protest were in April 2002 moved to unknown places of detention and nothing has been heard of them since. Their families are not allowed to visit them. The authorities have only confirmed that these 'traitors to the country' are still alive.... At the time of the 2001 roundup, the authorities had said that a parliamentary commission would be set up to study the conditions under which the independent media could resume operations. In October 2004, Information Minister Ali Abu Ahmed said that the report was still being prepared....The minister however insisted that the imprisoned journalists 'were not journalists either professionally or ethically' but 'enemy agents before and after the war' of 1998–2000.... Eritrean journalists who are not in prison or recruited into the state-run media are living in exile. The government media tamely relays official propaganda. The Eritreans only other source of news is that of the rare foreign radio stations that can be picked up in the country. But this has its risks, so tight is Eritrean police control...". [17a]

18.10 Freedom House in their 2005 report noted that:

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

18.11 The Eritrean Research and Documentation Center (ERDC) reported on 27 December 2006 that “A significant number of journalists have fled the country in recent months. The Eritrean government retaliated by rounding up about 10 state-owned media employees in November [2006]”. [92a] The 27 December 2006 report is specifically concerned with Biniam Simon “one of ERI-TV’s veteran editors and graphic designer, [who] has abandoned the regime as he failed to report back to work after a four month long training in Japan that ended in mid December [2006]”. [92a]

18.12 Awate.com, in an article dated 2 July 2007, claims the following insights into the operation of the Ministry of Information (Mol) and the media in Eritrea:

“The Mol is now overstaffed with novices from the *aghelghilot* (National Service conscripts), most of whom are young girls. Consequently, the Mol has found it difficult to allocate adequate work for all and single news items are now covered by three ‘reporters’ and most of the veteran reporters (those who haven’t escaped or been arrested) are disillusioned and frustrated at being sidelined. The Amharic and Oromo section staff at the Mol is being ordered to fabricate blatantly false news about Ethiopia. This has been fairly easy to accomplish for the print media (Hadas Ertra) and the radio (Voice of The Masses). However, finding video clips to support the fabrication has proven to be a difficult task and the state-owned TV station (Eri-TV) has been recycling the same video clips regardless of the content of the ‘news’.” [50ab]

18.13 The source Eritrean Media Guide [73a] and the BBC Country Profile [8a] list a wide variety of media agencies, from the official state agencies that Freedom House lists (above) to the unofficial and opposition news agencies operating outside Eritrea. Of particular note are mentions of Dehai.com, a diaspora website that is described by EMG as pro-government [73a] and a site that is the subject of an academic article, “Diaspora, cyberspace and political imagination: the Eritrean diaspora online” which follows the way the Eritrean state has been supported by, and has made use of, its diaspora links; and how the diaspora has shaped aspects of the nascent state. [77a]

18.14 An Afrol news report of 3 May 2006 adds that “Only a privileged few Eritreans have access to the Internet. The handful of foreign correspondents in the capital, Asmara, are subject to intensive monitoring by authorities.” [16a]

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HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

19.01 The USSD report for 2005 notes:

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

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

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

19.03 The USIRF report for 2006, published 15 September 2006, notes:

“Several international faith-based nongovernmental organizations (NGOs) provide humanitarian aid, including Caritas, Norwegian Church Aid, Lutheran World Federation, Samariatan’s Purse, Catholic Relief Services, and the Islamic Mufti’s Relief Organization.” [4e] (p2)

19.04 The BBC reported on 5 September 2005, in “Eritrea tells UN ‘spies’ to leave”, that the Government had expelled five United Nations staff from Eritrea. [8b] The account given by the Economist Intelligence Unit in its country report on Eritrea of November 2006 states:

“Relations between the UN and Eritrea have deteriorated further in recent months, following several allegations against UNMEE personnel. An UNMEE volunteer staff member was arrested on August 28th [2006] for allegedly trying to smuggle Eritrean nationals from Asmara to Adigrat, in Ethiopia, in an UNMEE truck. A week later five other UN employees – four UNMEE personnel and the former security co-ordinator for UN agencies in Eritrea – were accused of spying and given 24 hours to leave the country. The allegations drew an angry response from the UN staff council’s standing committee on the security and independence of the international civil service, which accused the government in Eritrea of harassing Eritrean-based UN staff. The UN committee said in mid-September [2006] that Eritrea’s actions against its employees were illegal under international law, a statement that followed a plea on September 7th [2006] by the UN secretary-general, Kofi Annan, for Eritrea to end its ‘pattern of hostility’ towards the UN.” [93a](p9)

19.05 The Eritrean Government continues to reject the appointment of Azouz Ennifar as the head of the UN Mission in Ethiopia and Eritrea (UNMEE), as stated in a letter to the UN Secretary General, Ban Ki-Moon dated 1 February 2007.

Azouz Ennifar has held the position since August 2006, but was obliged to leave Asmara in September 2006, and has since operated from Addis Ababa. [66c]

- 19.06 The BBC further reported on 6 November 2006 in “Eritrea expels more aid agencies”, that the Eritrean Government has expelled two more aid agencies, in addition to the nine previously expelled in 2006. International Rescue Committee and the Samaritan’s Purse, both organisations that worked in eastern Sudan, but based on the Eritrean side of the border, have been asked to leave. The BBC article states “The Eritrean government said their [the agencies’] work was no longer needed following a recent peace deal for eastern Sudan.” The article however adds “Correspondents say it [the Eritrean Government] is suspicious of the international community.” [8n]
- 19.07 “The government allowed one domestic human rights NGO – Citizens for Peace in Eritrea (CPE) – to operate, and its work was limited to advocacy on behalf of war victims. Government officials were cooperative and responsive to CPE’s views on these issues. ... The government did not permit international human rights organizations to operate within the country.” (USSD report 2006) [4k] (p8, section 4)

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CORRUPTION

20.01 The Freedom House report for 2006 states:

“Eritrea has long maintained a reputation for a relatively low level of corruption. In recent years, however, it appears to have increased somewhat. Eritrea was ranked 107 out of 159 countries surveyed in Transparency International’s 2005 Corruptions Perceptions Index.” [36b](p2)

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

20.03 However, Awate.com repoted that corruption had emerged with the decline of the economy in 2007 and its subsequent shortages of basic commodities, stating in a report dated 2 July 2007 that:

“Even officials who work in departments inside Asmara are competing in the market. The trick is to inflate the number of employees and ask for more than the allocated supply. For example, a department that overstates the number of its employees would get four quintals of sugar instead of 1 or 2 quintals. The bosses would then sell the ‘excess’ at the black market. The employees are aware of the fraud but do not report it for fear of being either fired or transferred to remote areas. From this ‘excess’, family members of the military elite can buy commodities at bargain prices—for example, a 50-kilo wheat of flour which sells for 1,000 nakfa is available to them at 500 nakfas.”[50ab]

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FREEDOM OF RELIGION

21.01 The religious demography of Eritrea is of an approximate half-and-half split between Christian groups living mainly in the highland areas, and Muslim groups living around the coast. [1a](Location)(Europa); [4k](p10)(USSD 2006) The Christian population is predominantly of the Eritrean Orthodox Church. [4k](p10)(USSD 2006) The Eritrean Orthodox Church is not a state church, but is an institution that the Government accords much respect (though reform movements within the church such as Medhane Alem are viewed with suspicion). (USIRF) [4g](p1) There are two other main Christian groups – the Roman Catholic Church and the Evangelical Church (Lutheran) – that are accepted by the Government. (Europa) [1a](Location) [4k](p10)(USSD 2006) (USIRF) [4g](p1) Besides the accepted Christian denominations are other Christian groupings (as well as minority non-Christian groupings) that are not accepted, and not tolerated, by the Government [4k](p10)(USSD 2006) (USIRF) [4g](p1).

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

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

REGISTRATION SCHEME

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

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

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

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

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

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

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

- 21.06 The US International Religious Freedom Report (USIRF) report for 2007 states:

“... Several other religious groups have complied partially with the registration requirements, and some have chosen not to submit any documentation. Registration requirements include a description of the history of the religious group in the country, an explanation of the ‘uniqueness’ or benefit that the group offers compared with other religious groups already present, names and personal information of religious leaders, detailed information on assets and property owned by the group, and sources of funding from abroad. A government committee reviews the applications, which in theory are to be approved only if they conform to local culture. The Government approved no registrations during the period covered by this report, despite repeated inquiries.” [4l] (p2)

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ARRESTS

- 21.07 The members of unregistered churches are subject to arrest periodically and on occasion by the authorities as a consequence of not being registered.

Details of arrests are documented in the AI December 2005 report [51]; in the HRWF for 2003 reports [61e]; and in the Release Eritrea report of 25 June 2005. [31e] The AI report December 2005 highlights:

“... 44 incidents of religious persecution which have been documented over the past three years [2003 to 2005] and are mainly the consequence of the government’s ban in 2002 on the minority religious groups... The sources for information for these arrests, numbering over 1,750 men, women and children altogether during this period, include international religious organizations monitoring the arrests and Eritrean diaspora faith groups, as well as Amnesty International’s own sources. Undoubtedly there have been many more cases not reported.” [51] (p9-10)

- 21.08 Since the AI December 2005 report, the following arrests, detentions and incidents have been reported. Release International, in an undated webpage but which refers to September 2005, states detentions as “up to 1800 Christians” [84a] (p1);: “Government restrictions make it difficult to determine the precise number of religious prisoners, but the number of long-term prisoners continues.” [4g] (p3); The USIRF 2007 report notes: “While many were ostensibly jailed for evasion of military conscription, significant numbers were being held solely for their religious beliefs, and some were held in harsh conditions that included extreme temperature fluctuations. There were reports of torture. Many were required to recant their religious beliefs as a precondition of release.” [41] (p3)
- 21.09 Recent reports of arrests have included an AI Urgent Action regarding “40 pastors, elders, and leading laymen from five of Eritrea’s banned Protestant churches” in late December 2005 (Voices of the Martyrs) [87a]; 75 Evangelicals detained on 17 February 2006 (Amnesty International) [5i]; and on 23 May 2006, 54 college students were arrested (Release-Eritrea). [31d] On 25 August 2006, Release-Eritrea filed a report stating that one in ten Eritreans are now in detention, and that arrests had continued throughout August 2006 adding “at least 29 Eritrean Christians” to the total detained. [31g] A Voice of the Martyrs article of 1 November 2006 adds 150 arrested in late October 2006, totalling 2,087 Eritreans arrested for their religious beliefs, mainly Christians but also some Muslims. [87e] The same source adds a report dated 25 January 2007 that notes a further 68 Christians arrested in early January 2007. [87f] VOM also reported on 26 February 2007 the death of a Christian in the Adi-Nefase military confinement facility, located just outside Assab: the third Christian to die in Government detention since October 2006, (also reported by VOM on 23 October 2006 [87d]) according to the source. [87g] CSW reported a new development on 8 June 2007, of children of Christians being detained as well as their parents in arrests in Decemhare on 27 May 2007. [67e] The USIRF report for 2007 states: “The Government did not excuse individuals who objected to military conscription for religious reasons or reasons of conscience, nor did it provide for alternative national service.” [41] (p3)
- 21.10 People detained as religious prisoners of conscience are reported to be subject to the same or similar abuses as other prisoners. The AI report December 2005 gives an account in Section 8 “Torture and ill-treatment of religious prisoners of conscience”. [51] (p17-18) The USSD report for 2005 summarises known practices:

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

21.11 The USIRF 2007 report notes the following incidents :

- “In Assab police arrested 25 members of unregistered churches. All 25 were reportedly being detained at the Wi’a Military Camp.
- In October 2006 police arrested 12 members of an unregistered church at a private home in Asmara. Two of the individuals reportedly died shortly after the arrests after being tortured and severely beaten. During October the Government also incarcerated two members of a different unregistered church.
- In August 2006 police arrested 29 members of unregistered churches during private ceremony in the bride’s home. The bridal couple was released. In August 2005 police arrested a bridal couple and 18 wedding guests from an unregistered church during the private wedding ceremony in the bride’s home. The bridal couple was released on bail and the 18 guests remained in detention.
- In Asmara the pastor of one of the unregistered churches was arrested. He remained in detention.” [4f](pp.5-6)

RELIGIOUS GROUPINGS OTHER THAN EVANGELICALS AND THE ERITREAN GOVERNMENT

21.12 The USSD report for 2005 notes:

“The government of Eritrea engages in particularly severe violations of freedom of religion or belief. It has banned public religious activities by all religious groups that are not officially recognized, closed their places of worship, inordinately delayed action on registration applications by religious groups, arrested participants at prayer meetings and other gatherings, detained members of unregistered churches and other religious activists indefinitely and without charge, mistreated or even tortured some religious detainees, and severely punished armed forces members and national service inductees for possession of religious literature, including Bibles.”

21.13 The USSD report for 2005 notes:

“Although there is no state religion, the government has close ties to the Orthodox Church and is suspicious of newer groups – in particular, Protestant Evangelical, Pentecostal, and other Christian denominations not traditional to Eritrea”. [4f] (p10, section 5)

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

The Orthodox Church of Eritrea

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

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

- 21.15 The AI report December 2005 adds “The Medhane Alem (‘Saviour of the World’) movement, a bible study group of the Eritrean Orthodox Church, centred around the Medhane Alem church in Asmara.” [5l] (p5) The Release Eritrea report dated 26 June 2005 added more detail about Medhane Alem:

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

- 21.16 The USIRF report for 2007 adds further detail about the difficulties between the Eritrean Orthodox Church and the Government:

“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.” [41] (p5)

- 21.17 *The Herald Express*, a UK local paper, reported on 28 April 2006 that a local Torquay pastor had been expelled from Eritrea after arriving in Asmara with bibles for the Eritrean Orthodox Church, a recognised church. [11a]; (also BBC report of 20 April 2006) [85a]; (USIRF report 2006, 15 September 2006) [4e] (p5) The UK pastor had seized an opportunity to speak with President Isaias about his concerns over the deposing of Patriarch Abune Antonios. [11a]; The USIRF report for 2007 explains that: “Abune Antonios remained essentially under house arrest and was not seen. In January 2007 there were credible reports that government officials raided his home and removed all of his patriarchal vestments and personal religious items. According to church officials, Dioscoros was the new patriarch of the Eritrean Orthodox Church, and he was officially voted in as the patriarch in April 2007.” [41] (p5)
- 21.18 Compass Direct News, a Christian campaigning organisation, reported on 14 December 2006 that relations between the Eritrean Orthodox Church and the Eritrean Government had worsened, with the Eritrean Government effectively wresting control over finance and personnel away from the Orthodox Church. [47c]

Roman Catholic Church

- 21.19 In 20 June 2006, AllAfrica carried a report, “Church fights military service for priests, seminarians”, that noted that the Roman Catholic Church was in dispute with the Eritrean Government about the Government’s insistence that priests under the age of 40 should do military service. [42d]
- 21.20 Amnesty International has reported in an article ‘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.” [5t]

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Evangelical Protestant / Orthodox Presbyterian Church

- 21.21 In 9 May 2007, it was reported by VOM Australia that 80 members of the Mehrete Yesus Evangelical Presbyterian Church (affiliated to the registered Orthodox Presbyterian Church) were arrested on 29 April 2007. [87h]
- 21.22 The USIFR 2007 report notes:
- “During the second week of November 2006, the Government orchestrated a large-scale campaign to arrest members of unregistered religious groups in Mendefera, in the heart of the predominately Christian central highlands. Initial reports claimed that the Government arrested more than 150 Protestant Christians from the Church of Living God, Kaile Hiwot, and other churches.” [41](p4)
- 21.23 Amnesty International has reported in an article *Pastor and Churchgoers Held in Detention at Risk of Torture*, dated 8 September 2007, that:
- “35-year-old Leul Gebreab is a pastor at the evangelical Apostolic Church and was arrested in the Eritrean capital, Asmara on 12 August. To date, there has been no news of his whereabouts... In a separate incident on 19 August, 10 men and women — who are members of the Full Gospel Church, a long — established evangelical church in Asmara — were arrested while worshipping privately in a home in the city, following the closure of their church by the authorities. They are believed to be detained incommunicado without charge or trial in the Karchele security prison, together with dozens of other pastors and members of banned evangelical churches... Amnesty considers Pastor Gebreab, and the 10 church members who were arrested in Asmara on 12 August, to be prisoners of conscience as they have been detained solely for the peaceful exercise of their religious beliefs.” [5t]

Jehovah's Witnesses

- 21.24 A British Fact Finding Mission reported in April 2003 that:
- “There are no Kingdom Halls [places of worship for the Jehovah's Witnesses] in Eritrea, nor have there been any since independence. The Government owns all land and as they do not recognise the faith it cannot get permission to set up Kingdom Halls. Worship ‘underground’ is illegal also. Meetings that are not sanctioned are not allowed to involve more than 5 persons. There exists an Eritrean Council of Elders but the branch office is in Nairobi (Kenya) and has been for many years. All witnesses in Eritrea know this. It is basic knowledge even to attendees.” [3] (p35)
- 21.25 The USIRF report for 2007 explains that:
- “The Government singled out Jehovah's Witnesses for particularly harsh treatment. According to credible sources, a total of 25 Jehovah's Witnesses were being held without charges or trial. Thirteen were being detained at Sawa, eight for allegedly failing to perform national military service. Detainees above the cut-off age for national service eligibility (48 for men and 27 for women) were reportedly held for attending religious meetings, preaching, or visiting families of escapees.” [41](p4)

21.26 The USIRF 2007 also notes:

“Jehovah's Witnesses were jailed in harsh conditions for varying periods; at least three individuals were detained for more than 12 years, reportedly for evading compulsory military service. However, the maximum legal penalty for refusing to perform national service is 2 years. In the past, Ministry of Justice officials have denied that any Jehovah's Witnesses were in detention without charge, although they acknowledged that some of them and a number of Muslims were jailed for evading national service.” [41](p4)

21.27 An estimated 250 Jehovah's Witness families had fled the country (Source: Al 7 December 2005) [5m]

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MUSLIMS

21.28 The USIRF report for 2006 states: “Islam and Orthodox Christianity are practiced widely and are for the most part tolerated, with persons allowed to worship freely” (4e) (p2) Awate.com published an article on 21 May 2007 that took issue with an American publication that attempted to portray the Eritrean Government as a Muslim government oppressing Christian citizens, in the wake of allegations of the Eritrean government assisting the union of Islamic Courts in Somalia in 2006. (50w) The USIRF report for 2007 states: “Throughout the reporting period there were unconfirmed reports that nearly 100 Muslims were arrested and detained. There were reports that 70 Muslims, who oppose the mufti appointed by the Government more than 10 years ago, continued to be detained as they refused to honor his presence.” (4l) (p5)

21.29 The Jubilee Campaign's overview of the lack of freedom of religion in Eritrea notes that there is still resentment within the Muslim community about arrests of protestors objecting to the Government's appointment of the new chief mufti in 2006. [47d] (p2)

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'EVANGELICALS' CHURCHES

General information

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

“The Mulu Wengel (Full Gospel) church grew out of the Heavenly Sunshine Bible study, begun by a group of high school students learning English and a Mennonite doctor, though it was also decisively influenced by the teachings of

the Finnish Pentecostal Mission, and has never had formal connections with any western mission. Meserete Kristos [another church] followed Mulu Wengel's lead in cultivating the charismatic gifts of the Holy Spirit... Both Meserete Kristos and Mulu Wengel churches practice faith healing, exorcism of demons, and glossolalia". [82a] (p2)

- 21.31 There is no information that these practices are practiced 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)

- 21.32 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. [89a] 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." [89a] (p81)

- 21.33 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". [89a](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. [89a](p91, footnotes 1, 3; p92, footnote 12)

- 21.34 With regards to the number of unregistered Pentecostal and charismatic churches in Eritrea, Human Rights Without Frontiers stated in a 26 November 2003 report that there were 12 independent churches so regarded by the Government in 2002 [61e] (p2); by 2005, "at least 36 evangelical and Pentecostal churches" is the AI December 2005 estimate. [51] (p1) 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 worshipers, and some two thousand *Otābā* (Orthodox *Tāwahdo Bētākerēstīyan*) church members who take part in Pentecostal services occasionally." [89a](p78)

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

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

- 21.36 The USIRF report for 2007 states "At the end of the period covered by this report, 28 leaders and pastors of the unregistered Pentecostal churches had been detained for more than 3 years without due process." [41](p4) BBC News has reported that: "During the past five years, 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 rounded up and detained en masse." [8u]

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Known groups

21.37 Church of the Living God

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

21.38 Dubre Bethel Church

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

21.39 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)

21.40 Hallelujah Church/Hallelujah Pentecostal Church

Arrests reported include a March 2004 report of Pastor Teweldemedhin and 55 members of the church arrested in Asmara on 12 February 2004 (Amnesty International) [5b]. In September 2005 after the Hallelujah and Philadelphia

churches arranged a wedding party in Asmara, 20 people were arrested and detained for one month. (USSD for 2005) Pastors are included in arrest lists: Pastor Mengist Teweldemedhin. [4f] (p6, section 2c)

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

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

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

Pastors mentioned in arrest reports – Pastor Isaac Mehari; Pastor Ogbamichael Haimanot (released January 2005 after becoming mentally ill); Pastor Issa Mekonnen (Release Eritrea) [31e] Pastor Simon Tsegay and Mr Gebremichael Yohanness 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) [31g](p2)

21.42 **Mensfesawyan**

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

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

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

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

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

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

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

21.45 **New Covenant Church**

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

21.46 **Philadelphia Church**

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

21.47 **Rema/Rhema**

Pastors of the church, from lists of arrests, include Pastor Habteab Ogbamichael; Pastor Tesfason Hagos. [8e] The case of Helen Berhane was widely reported in 2005 and 2006 (Amnesty International, Release-Eritrea, USSD for 2005). A gospel singer from the Rema Church, Helen Behane was arrested on 13 May 2004 (AI December 2005 report). [51] (p11) The Release Eritrea posting of 25 June 2005 goes into the detail of Helen Berhane's detention. [31e] (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. (Release-Eritrea, 2 November 2006) [31h];

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". [89a](p82) 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." [89a](p82) The Kileyesus article does not mention whether the deliverance rallies are still attempted after the September 2002 arrests and implementations of the curb on banned religious organisations.

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ETHNIC GROUPS

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

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

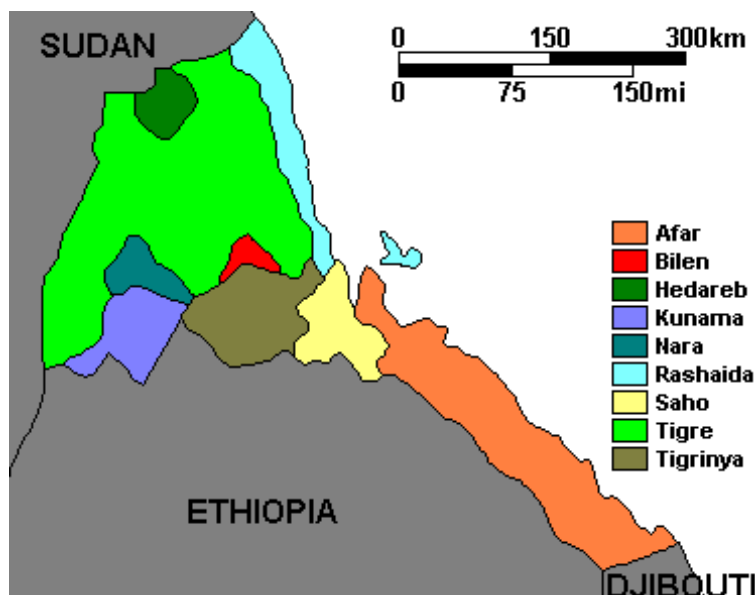
The Kushitic linguistic groups: Afar 4% (Denkalia), Bilin 2% (Keren area), Hedareb 2% (Tessenei), Saho 3% (Foro)

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

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

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

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



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

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

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Languages

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

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

- 22.04 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. [8m] The article 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, ie. 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)." (Ethnologue, 15th edition, 2005) [59]

- 22.05 Another aspect of the issue, namely language as part of Eritrean identity, is exemplified in an academic study conducted at the Western Cape University, South Africa (by Serebe Estifanos). The Estifanos study included an interview, "Literacy: an Eritrean perspective," with an Eritrean émigré who spoke and wrote English, Tigrinya, and Amharic. [90a] In the unravelling of usage, Amharic was characterised as an imposed language, and thus not willingly used in Eritrea, quoting the interviewee as saying:

"Though there were a lot of reading materials and requirements to write in Amharic as compared to Tigrigna [Tigrinya], I didn't want to use the language because it was forcefully imposed on us so that we (Eritreans) get assimilated to that language and culture. That is, due to the hatred we had towards the colonisers I didn't give too much attention to it." [90a](p6)

- 22.06 In the April 2003 *African Studies Review*, in the article "Language, education, and public policy", Tekle M Woldemikael has studied the development of the Eritrean government to promote one national language as a lingua franca, while also strengthening the use of the main indigenous languages as a medium of education in order to promote 'unity through cultural diversity'. [74a] (p3) The article notes that English, Arabic, and 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. [74a] (p4,5) The Estifanos study however notes that the language of instruction before 1993 was that of Amharic, at primary level and beyond. [90a](p3,5,6) Tekle M Woldemikael concludes that the policy of giving instruction in all

Eritrean languages may be abandoned by the government as resources grow scarce. [74a] (p12)

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MAIN ETHNIC GROUPS

Afar/Danakils

22.07 Lonely Planet stated that:

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

22.08 Orville Jenkins.Com, providing cultural profiles on people in Africa, explains that:

“The Afar are one of the people about whom little is available. Their inaccessibility makes it difficult to obtain reliable objective information... Through their myths of origin, the Afar claim Arab descent. Their language indicates the Afar share a history with neighbouring Cushite peoples.” [111]

22.09 The Orville Jenkins website also explains 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.” [111]

22.10 The OrvilleJenkins website continues:

“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.’” [111]

22.11 The Africa Guide explains that:

“There are only two hospitals in the region available to the Afar, the National Hospital and the Dubti Hospital. The Afar people in this area are usually found to be malnourished. Their diets consist mainly of bread and milk. There is no natural source of water for the Afar people. Water must be tanked in and as a result it is relatively expensive. Many of the Afar people have anamia and malaria, because of their inadequate diets.” [112]

22.12 The Africa Guide continues:

“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.” [112]

Baria/Nara

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

Hedareb/Beja/Beni Amber/Beni Amer

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

Bilen/Bogos

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

Kunama

- 22.17 Lonely Planet notes: “The Kunama are Nilotic in origin, and are very dark skinned. They are the original inhabitants of the region.” [32a] (p332) A UK Fact-

Finding Mission report of April 2003 adds that the Kunama are essentially nomads who have been forced to settle, but have retained through isolation and tenacity a cultural identity, which includes features such as matrilinear descent (where daughters inherit from mothers as the mode of inheritance). Women are therefore relatively privileged within Kumara society. [3] (p41)

- 22.18 The UK Fact Finding Mission reported in April 2003 that: "... the Kunama has traditionally relied on the Ethiopian Army when larger and more powerful ethnic neighbours attacked them. For historic reasons, although the majority of the Eritrean population strongly supported Eritrean independence, the Kunama still maintained their support for the Ethiopian army, although there was also support for independence and a number of Kunama fought on the side of the Eritrean Liberation Front (ELF). '...the Kunama people were in fact divided in opinion and had a great respect for the Ethiopians as well as many believed in Eritrea as a separate and independent nation. In the absence of a unifying Kunama political figure all conflicting opinions were heard', stated Gilkes [a consultant on the Horn of Africa]." [3] (p42)
- 22.19 It further stated that: "... there is a long history of conflict between the EPLF/PFDJ (People's Front for Democracy and Justice) and the Kunama... at least 55 Kunama, administrators and civil servants under the previous regime of Ethiopia, were arrested in 1991 when the EPLF took over for alleged human rights abuses under the Derg, and have not been seen since. None have been released and it is unclear if any have been charged or tried publicly." [3] (p44)
- 22.20 The UK fact-finding mission report notes land disputes between the government and the Kunama, whereby the Kunama are pushed into ever-diminishing tribal lands, as the non-Eritrean population expands to relieve pressure in the more densely populated parts of Eritrea. This is further complicated by a history of conflict between the Kunama and the EPLF/PFDJ (the ruling Eritrean party and its armed force precursor). 1994 Land Proclamation (Law No. 58/1994): This is the principal piece of legislation regulating land ownership, and stipulates that all land is the property of the state." [3] (p42) Dr Patrick Gilkes, a consultant on the Horn of Africa gave information to the UK fact-finding mission in its report on the 1991-1997 Tigrean migration in Barentu and other Kunama areas, their subsequent flight after the arrival of Ethiopian troops in 2000, and later return. [3] (p44)
- 22.21 The report further noted that Gilkes stated that probably the two best-known Kunama resistance groups are the "Democratic Movement for the Liberation of Eritrean Kunama (DMLEK) and the Eritrean Democratic Resistance Movement-Gash Setit (EDRM)." [3] (p44) "... the Eritrean Democratic Resistance Movement-Gash Setit (EDRM), which also calls itself 'Sawrawi Baito', is led by Ismail Nada and is reportedly close to the current ELF. Some expect them to merge with the ELF at some point. Nada is a former ELF fighter is said to think along similar lines to leading ELF-RC members." [3] (p44) "... the Democratic Movement for the Liberation of Eritrean Kunama (DMLEK) is led by Kerneolos Osman and is best known for the material it places on pro-opposition websites. The DMLEK is based in Addis Ababa." [3] (p44)
- 22.22 UNHCR comment that: "Those Kunama who were detained during 2004 were also released during 2004." [18b] Refugees International, in an article dated 18 February 2004, stated that:

“UNHCR has begun discussions with the governments of Ethiopia and Eritrea concerning the possible voluntary return of the Kunama to Eritrea. Repatriation would be the ideal, most durable solution for the refugees; however, there are no concrete plans in place at this time. Eritrean officials insist that the refugees would be welcomed back to Eritrea, but refugees are skeptical of this claim. Many of the Kunama refugees fled Eritrea to avoid having their sons conscripted into the army. ‘I came here to save myself and my family,’ one refugee told the UN. ‘Until things change I do not want to return.’ Resettlement in Ethiopia does not appear to be a viable option for the Kunama, and few of the refugees have made efforts to seek relocation in a third country.” [21] (p2)

Rashaida

22.23 The Lonely Planet guide to Eritrea states:

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

Saho

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

22.25 Lonely Planet added that:

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

Tigrinya

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

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

Jiberti / Djiberti / Jeberty

- 22.27 The Foreign and Commonwealth Office, in a letter dated 10 May 1996, that the Tigrinya Jiberti are “Muslims scattered throughout the Christian Highlands who practise Islam but also observe some customs of the Christians among whom they live.” The document also concludes that the Jiberti speak the Tigrinya language and some Arabic. [10] A Canadian Immigration and Refugee Board Response to Information Requests (RIR) ERI100844.e, dated 7 December 2005, adds:

“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]

- 22.28 The UNHCR Writenet report, published 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.” [18h](p18)

Tigre/Tegre

- 22.29 The World Directory of Minorities stated that: “The Tigre peoples, who represent about one-third of the country’s population, are dominant. Culturally and ethnically they are related to the Beja of Sudan. Claiming Arab origin, their language, Tigre, is Semitic.... Its use is declining under the impact of Tigrinya in Eritrea.” [6] (p410)
- 22.30 The Encyclopedia of the Peoples of the World stated that they also speak “Bedawiye and Arabic. They are Sunni Muslims or Ethiopian Orthodox Christians. A major shift from the latter to the former religion took place during the first half of the nineteenth century, which loosened Tigre links with the Ethiopians.” [53] (p600)
- 22.31 The World Directory of Minorities goes on to state that: “Their primary occupation is cattle herding. Most are nomadic, however, some have settled by rivers such as the Barka and on state cotton plantations.” [6] (p410)
- 22.32 The Encyclopedia of the Peoples of the World noted that: “The Tigre include ten major tribal units: Ad Sawra, Ad Sheikh, As Mu’allim, Aflenda, Bet Asgede, Bet Juk, Marya, Mensa, Meshalit and Sabdarat.” [53] (p600)
- 22.33 Lonely Planet stated that: “Tigrean society is traditionally hierarchical, with a small aristocracy known as ‘*shemagille*’ ruling the masses. When the village leader dies, his power passes to his offspring.” [32] (p330)
- 22.34 The Encyclopedia of the Peoples of the World stated that: “Historically ‘Tigre’ was used to denote a vassal to a ruling stratum claiming descent from the Beni Amer or Saho.” [53] (p600)

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LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

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

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

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

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

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

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

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

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

- 23.06 The above information is reiterated in the Canadian IRB’s reply to a request, dated 28 February 2007. [68e]

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DISABILITY

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

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WOMEN

LEGAL AND POLITICAL RIGHTS

25.01 USSD report for 2006 noted that:

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

25.02 The same report continued:

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

SOCIAL AND ECONOMIC RIGHTS

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

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

Gender role of women

25.05 Everyculture.com notes that:

“Since subsistence agriculture is the main production activity in Eritrea, the division of labor is influenced by custom. Women’s input in agricultural production is vital but certain tasks, such as ploughing and sowing, are conducted only by men. Animals are generally herded by young boys, while young girls assist in fetching water and firewood for the household.” [108]

25.06 Everyculture.com further explains that:

“Since Eritrean society is still highly influenced by customary principles, the status of women in many communities is inferior to that of men. The war of

liberation, where female fighters served side by side with men, was believed to have changed the status of women. The EPLF culture of gender equality, however, did not penetrate deeply into the Eritrean patriarchal culture. Nevertheless, with the government's policies of modernization and gender awareness, changes are slowly occurring in the status of Eritrean women." [108]

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

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

Marriage

- 25.08 Right to Education.org carries a profile on Eritrea stating:

"According to article 46 of proclamation No. 1, 1991 of the TCCE, marriage is solely based on the voluntary agreement of both partners. In general, persons have to attain the age of 18 years if they are going to marry. In spite of this, the Code in many articles talks of under-age marriage. But for an under age person to marry, he/she must voluntarily agree and get the permission from his/her parents (article 309/1 of the Transitional Penal Code of Eritrea (TPCE)). ... With regard to the minimum marriageable age, although the draft Civil Code of Eritrea states that the marriageable age is 18, this does not apply if the man and woman have both attained the full age of 16 years and the woman submits to the authority who will celebrate the marriage a declaration made by a doctor stating that the woman is pregnant or has already given birth to a child (article 581/2 of the draft Civil Code)." [115]

- 25.09 The profile continues:

"In many parts of the country, the male elders of the extended families pursue all marriage alliances - usually along religious, ethnic and linguistic lines. Girls are often betrothed between the ages of 8 and 14 and conclude the marriage between the ages of 13 and 15. Girls often have no choice in their marriage partner. However, in some ethnic groups, such as the Nara, marriage is not acceptable until the woman is 18 and the man 20 years of age." [115]

- 25.10 EveryCulture.com notes that:

"Customary rules of marriage vary among the ethnic groups. Generally, girls marry at an early age, sometimes as young as fourteen. A large share of the marriages in the rural areas are still arranged by the family groups of concern." [108]

Early Marriage

- 25.11 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." [117]

Abortion

- 25.12 Eritrea Penal Code, Proclamation No. 158 of 1957, section II. Offences against life unborn abortion states:

"Art. 528. Principle

(1) The deliberate termination of a pregnancy, at whatever stage or however effected, is punishable according to the following provisions, except as otherwise provided (Art. 534).

The nature and extent of the punishment awarded for intentional abortion shall be determined according to whether it is procured by the pregnant woman herself or by another, and in the latter case according to whether or not the pregnant woman gave her consent. Termination of pregnancy by imprudence or negligence does not come under the criminal law.

(2) The advertising for contraceptive or abortive means is punishable under the Code of petty offences (Art. 802).

Art. 529. Abortion procured by the pregnant woman

(1) A pregnant woman who procures her own abortion is punishable with simple imprisonment from three months to five years.

(2) Any other person who procures for her the means of, or aids her in the abortion shall be punished in accordance with the general provisions as an accomplice or co-offender.

In the latter case, the punishment is simple imprisonment from one to five years.

Art. 530. Abortion procured by another

(1) Whosoever performs an abortion on another, or assists in the commission of the offence, is punishable with rigorous imprisonment not exceeding five years.

(2) Rigorous imprisonment shall be from three to ten years, where the woman was incapable of giving her consent, or where such consent was extorted by threats, coercion or deceit, or where she was incapable of realizing the significance of her actions, or where the intervention was effected against her will.

Art. 531. Aggravated cases

(1) Where the offender has acted for gain, or where he has habitually made a profession of abortion within the meaning of Art. 90, the punishment prescribed in the preceding article shall apply and a fine shall be imposed in addition.

(2) Where the offender has improperly practised his or her profession, especially that of doctor, pharmacist, midwife or nurse, the Court shall, in addition, order prohibition of practice, either for a limited period, or, where the offence is repeatedly committed, for life (Art. 122).

Art. 532. Attempt to procure an abortion on a woman not with child

The general provisions relating to offences impossible of completion (Art. 29) apply in the case of attempt to procure an abortion on a woman wrongly supposed to be pregnant.

Art. 533. Extenuating circumstances

Apart from the general extenuating circumstances justifying ordinary mitigation of the punishment (Art. 79), the Court may mitigate it without restriction (Art. 185) where the pregnancy has been terminated on account of an exceptionally grave state of physical or mental distress, especially following rape or incest, or because of extreme poverty.

Art. 534. Termination of pregnancy on medical grounds

(1) Termination of pregnancy is not punishable where it is done to save the pregnant woman from grave and permanent danger to life or health which it is impossible to avert in any other way, provided that it is performed in conformity with the following legal requirements.

(2) Except where impossible, the danger shall be diagnosed, and certified in writing, by a registered medical practitioner, after examination of the applicant's state of health.

(3) The termination of the pregnancy shall be conditional upon:

(a) the findings and concurrent opinion, after a prior period of observation where necessary, of a second doctor qualified as a specialist in the alleged defect of health from which the pregnant woman is suffering, and empowered by the competent authority, either generally or in each specific case, to issue the necessary authorisation; and

(b) the duly substantiated consent of the pregnant woman, or where she is incapable under the provisions of civil law or on account of her physical condition of giving it, that of her next of kin or legal representative.

(4) The doctor terminating the pregnancy cannot evade these conditions by invoking his professional duty (Art. 65); where he terminates the pregnancy without observing the legal safeguards, he becomes liable to the provisions relating to abortion.

Art. 535. Required formalities and penalties for non-observance

(1) The doctor who confirms the state of health justifying the termination of the pregnancy and authorizes the intervention, shall keep a duplicate of the findings and decision and transmit them to the competent official department within the period of time fixed by law. The doctor terminating the pregnancy shall notify that department forthwith. No doctor may in such a case invoke professional secrecy (Art. 407).

(2) In the event of omission to comply with these obligatory formalities, the relevant penalties apply (Art. 790). In the event of repeated omissions, the offending doctor may be temporarily deprived of the right to exercise his profession (Art. 122).

Art. 536. Emergencies

(1) In the case of grave and imminent danger which can be averted only by an immediate intervention, the provisions relating to state of necessity apply (Art. 71).

(2) The prior consent of the pregnant woman or, in default thereof, that of her next of kin or legal representative where it is possible to secure it, and subsequent notification to the competent official department, are none the less required in all cases of termination of pregnancy, under pain of the penalties prescribed in the preceding article.” [116]

Pregnancy

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

Antenatal Care

- 25.14 UNFPA situation analysis on population, reproductive health and gender prepared by Margaret N. Thuo Adviser, Behaviour Change Communication and Advocacy UNFPA CST Addis Ababa, published in December 2005 reports that:

“According to 2002 EDHS, 70% of pregnant women in their recent pregnancies (within five years preceding the survey) received antenatal care from health professionals. Nurses and midwives provided care to 46% of pregnant mothers and doctors to 24% of women. Traditional Birth Attendants

played a negligible role (less than 1%). Younger and urban women are more likely to receive antenatal care compared to older and rural residents. The overall antenatal coverage has increased to 70% in 2002 compared to the 1995 EDHS of 50%.” [118]

Postnatal Care

25.15 UNFPA situation analysis, December 2005, continues:

“Postnatal care is rare in Eritrea. About 92% of women who have delivered do not receive postnatal care. Only 2% of women received postnatal care after delivery in the first two days, and 5% within 7-41 days after delivery. Thus little attention has been given to postnatal care in Eritrea (EDHS 2002). This is an area for concern because complications related to pregnancy also occur immediately after delivery up to 42 days after delivery.” [118]

Maternal Deaths

25.16 UNFPA situation analysis December 2005 states:

“The 1995 EDHS estimated maternal deaths to be 998 per 100,000 live births. The 2002 EDHS did not collect information on maternal mortality and so there is no comparable figure. However, UNICEF observes that pregnancy and childbirth in Eritrea are always risky. It estimates a lifetime risk for 1 in 14 Eritrean women to die from pregnancy-related causes. The condition is made worse by home delivery where the risks to the health of the mother and baby are higher. The immediate causes of maternal mortality include haemorrhagesepsis, obstructed labour, eclampsia, preclampsia, and unsafe abortions, which cannot often be treated in a proper and timely manner due to lack of emergency obstetric care and an effective referral system. Delays in reaching the care due to poor awareness by individuals and a lack of transportation facilities for the communities compound these complications.” [118]

25.17 The UNFPA report, December 2005, continues:

“Case fatality on facility-based data in the year 2002 was 250 per 100,000 live births at the national level. It was 1,546 per 100,000 live births (highest) in DKB and 501 per 100,000. Maternal health is affected by a host of factors: nutrition, education, access to health facilities, access to trained health workers etc. Of these factors, the one that is most likely to have a positive effect on maternal health is the rapid expansion of health facilities across the country, reducing distances travelled to access facilities and ensuring availability of trained personnel. On the other hand, because of cultural and religious factors, reinforced by illiteracy, many women still prefer home delivery. The constraints on improving maternal health in Eritrea include: malnutrition, high levels of adult female illiteracy and high proportion of births that are not assisted by skilled birth attendants. The Government intends to train more service providers and use adult literacy classes to motivate women to deliver at health facilities.” [118]

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VIOLENCE AGAINST WOMEN

- 25.18 The USSD report for 2005 states: "Violence against women was pervasive. Domestic violence is a crime; however, domestic violence, especially wife beating, was widespread. Women seldom openly discussed domestic violence because of societal pressures." [4f] (p9, section 5)." A Canadian IRB reply to a request, published 28 February 2007, adds 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]

Domestic Violence

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

"The government of Eritrea has yet to address domestic violence in a comprehensive way, although spousal abuse is considered a crime. The Eritrea Draft Penal Code also does not envision a legal scheme to outlaw domestic violence, favoring awareness raising campaigns instead. Victims of domestic violence can initiate a case against their perpetrators under the assault provisions of the Transitional Penal Code." [117]

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

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

Marital Rape

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

"Marital rape is not a crime under Eritrean law, as the Transitional Penal Code provides in Article 589 that rape, by definition, must occur outside of marriage. The Draft Penal Code foresees a slight change in this definition, recognizing rape between spouses where the spouses are separated and living in different households." [117]

Honour Crimes

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

“In the Gash-Barka region, pregnancy before marriage is viewed as a crime and pregnant girls may be kicked out of the home, beaten, stoned, or even killed. This type of violence is gender specific since only women and girls become pregnant and there is no report that the boys and men who impregnate the women are similarly treated.” [117]

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FEMALE GENITAL MUTILATION (FGM)

25.23 The USSD report for 2006 reported that:

“FGM was widespread, with some estimates as high as 89 percent frequency among girls. Almost all ethnic and religious groups in the country practiced FGM. In the lowlands, infibulation – the most severe form [sic] of FGM – was practiced. There is no law prohibiting FGM; however, the government worked to combat the practice. The government and other organizations, including the National Union of Eritrean Women and the National Union of Eritrean Youth and Students, sponsored education programs that discouraged the practice.” [4k](Section 3 – Women)

25.24 The Eritrean Government announced the banning of FGM in April 2007, as reported by IRIN on 5 April 2007 (and after the publication of the USSD report for 2006). [19d]

25.25 The Inter-Parliamentary Union adds further detail to the USSD account:

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

25.26 The UNICEF Eritrea FGM/C country factsheet dated 2002 states that there was a drop from 95 per cent prevalence to 89 percent in 2002, hence the variance between the USSD and IPA figures. [27b] It noted that 39 per cent of women had been subjected to infibulation, the most severe form of circumcision, with a further 46 per cent subject to clitoridectomy. [27b] The UNICEF data indicates that most circumcision occurs before the age of 12 years, with 84 per cent of circumcisions performed by local circumcision practitioners. [27b]

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

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CHILDREN

BASIC INFORMATION

26.01 The USSD report for 2006 states:

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

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

26.03 The effects of poverty in two main areas are seen in relation to the children of Eritrea: underage employment and sexual exploitation. The USSD report for 2006 noted that:

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

26.04 The Behind the Mask profile of Eritrea gives the age of consent as 18 years. [37a] The USSD report for 2006 further noted, on marriage and sexual exploitation:

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

26.05 The USSD report for 2006 also stated, “There are no laws against child abuse, and child abuse was not common.” It also noted, “FGM [female genital

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

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

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EDUCATION

26.06 Children’s Legal Centre, profile on Eritrea education system, undated, states:

“School enrolment is low as a little over half of children attend school and one in five girls make it into secondary schools. Duration of compulsory education: 7 years from the age of 7. Primary (basic) education: elementary school 5 years and middle school 2 years. Secondary education lasts for 4 years at the end of which students take the Eritrean Secondary Education Certificate Examinations. Since 2003, the last year must be taken at a boarding school near the Sawa military training facility.” [99]

Children’s Legal Centre in a profile of Eritrea also states:

“Basic level technical training, students enrol after completion of basic education. Technical schools: 3 years, students enrol upon successful completion of grade 10 and an entrance exam. At the end of year three students take the Eritrean Secondary Education Certificate Examinations.” [99]

26.07 International Network for Higher Education (INHE) in Africa reports that:

“The University of Asmara was founded in 1958. Originally named the Holy Family University Institute by the Camboni Sisters Missionary Congregation, the institute’s original goal was to prepare students for university study in Italy. Accredited by the Superior Council of the Institute of Italian Universities in 1960, the institution officially changed its name to the University of Asmara in 1964.” [100]

26.08 The INHE also reports that:

“In 1993, the university was shut for six months not only to be re-organized, but also to give administrators time to recruit qualified individuals, largely from the Eritrean Diaspora, to join the faculty. When the university re-opened its doors later that year, the formidable task of positioning the institution at the center of national development began in earnest.” [100]

26.09 The INHE report further continues:

“The university’s total student enrollment in degree programs increased from 2,836 in 1995-1996 to 3,912 in 1999-2000, an increase of 28% in 4 years. In addition, the university awards diplomas (432 students in 1999-2000) and certificates (125 students in 1999-2000) in select fields. In 1999 more than 800 students graduated from the university: 550 with degrees, 109 with diplomas, and 151 with certificates. In 1999-2000, total enrollment at the institution topped 4,500.” [100]

26.10 The INHE report notes:

"In 1991, only 8 (12.9%) of 62 faculty members held doctorates. In 1994, the university recruited over 50 new faculty members, 37 of whom held PhDs. By 1998, this figure had increased to 85 (38.1%) of 223. A larger percentage of faculty members with doctorates are expatriates. In 1999, 210 faculty members taught at the university; 90 held PhDs. Of these 90, only 38 (42%) were Eritreans. Because many faculty members are expatriates, their salary scale is not standardized. Teachers from India, for example, make up a large proportion of the expatriate faculty at the university. Many of them are provided with subsidized housing, in addition to higher salaries. There are only three "major" research themes currently being pursued: geophysics, medicinal plants, and materials science, all within the College of Science. Over the next 5 years, the university plans to expand its research activities and to initiate multi-disciplinary research projects." [100]

26.11 The INHE report states that:

"As in many African nations, female participation in higher education is a challenge. A quick look at enrollment figures reveals stark differences in male and female patterns of participation in Eritrean higher education. In 1991-92, female students accounted for 577 (19.6%) of 2,942 students enrolled in the university's day and evening programs. In 1998-99, they accounted for 540 (13.5%) of 3,994 students, a 6% decrease in a 7-year period." [100]

26.12 The USSD 2005 report noted that:

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

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

26.14 The USSD report for 2006 also states that:

"The government required that all students attend their final year of secondary school at a location adjacent to the Sawa military training facility in the western section of the country. Students who do not attend this final year of secondary school do not graduate and cannot sit for examinations to be eligible for advanced education. The remote location of this boarding school, concerns about security, and societal attitudes restricting the free movement of girls resulted in few female students 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 to avoid completing the 11th grade and being forced to go to Sawa. There were unconfirmed reports that the military conducted a roundup of these students in Keren in the spring [2006]." [4k] (p11, section 5)

26.15 The USSD report for 2006 added:

“The Government operated Mai Nafhi Technical Institute on the outskirts of Asmara. Students from the Sawa school who scored well on the university exams were admitted to Mai Nafhi and then could be eligible to attend the University of Asmara. Mai Nafhi offered a wide variety of classes, ranging from the sciences to business and technology. No new students were accepted at the University of Asmara in the last three years.” [4k] (p12, section 5)

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

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

“The United Nations children’s agency, UNICEF, says the north-east African country of Eritrea is breaking human rights regulations by making children complete the final year of their secondary education at ... Sawa – in the far west of the country near the Sudan border – ... Now to matriculate you must leave home and complete Grade 12 in Sawa – a move the government say was taken because they do not have the money to expand secondary schools around the country....Those who attend grade 12 in Sawa and matriculate will have the chance to pursue further educational opportunities. For those who choose not to go – their national service begins when they turn 18 and that usually starts with training in Sawa’s military camp.” [8b]

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

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CHILD CARE

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

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

- 26.19 The FFM April 2003 notes that the Eritrean government’s policy is to avoid institutionalising orphans, and instead of orphanages, the Government promotes reunification programmes, foster care, adoption, and a system of community based children’s homes (also known as group care). UNICEF (according to the UNICEF representative in Eritrea) regarded the alternative programmes as models of good practice for countries in similar situations. [3] (p73) Children’s homes of 10 to 12 children and two housemothers are the Government’s preferred option to institutional care, if the extended family

cannot be used. [3] (p72-73) The review of placements is undertaken by social workers of the Ministry of Labour and Human Welfare, with regular checks, though hampered by lack of guidelines and a lack of skilled staff. [3a] (p73)

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

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

- 26.21 The World Bank reported on 15 December 2004:

“Another promising approach which could be ‘scaled up’ and used in as an example in other countries is the Eritrea Integrated Early Childhood Development Project (ECD), the largest World Bank project to specifically help orphans. It reaches out to families with vulnerable children by giving them economic assets such as cows or donkeys which have generated extra money to pay for orphans to go to school. So far, this program, which is supported by the Italian government, has successfully helped 28,000 orphans in Eritrea.” [55]

- 26.22 The World Bank Social Protection Unit (WBSPU) reports in ‘Costs of Projects for Orphans and other Vulnerable Children: Case studies in Eritrea and Benin’, published in July 2004, that:

“The Eritrea Integrated Early Childhood Development Project (IECD)... expands delivery and improves the quality of basic services to young children. To achieve this, it delivers services in the areas of health care, nutrition, psychosocial stimulation, early childhood education and social protection. These services aim to benefit children under the age of 6, primary school – age children; and 32,000 children facing especially difficult conditions – mainly orphans.” [55c]

- 26.23 The WBSPU report continues:

“Following independence, many Eritrean families absorbed war orphans and this imposed an extra economic burden on the families. In response, the reunification and reintegration project promotes the reintegration of children with their close relatives by providing their host family with economic support. The terminology used may be misleading as most children are not ‘physically reunited’ within their extended families; most of them are already living with them when the families receive the economic support. (‘Tracing and reunification’ per se concerns essentially children placed in residential care). Under the program, host families choose between support in the form of livestock or an income – generated scheme.” [55c]

- 26.24 The United Nations Mission in Ethiopia and Eritrea (UNMEE) note 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.” [102]

26.25 The UNMEE article also notes:

“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.” [102]

26.26 The UNMEE article states 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 to providing homes for 132 orphans.” [102]

26.27 The UNMEE article explains 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 would be needed to address this issue.” [102]

26.28 The UNMEE article concludes 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.” [102]

HEALTH ISSUES

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

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

CHILD SOLDIERS

- 26.30 Child Soldiers Global Report, published in 2004 notes:

“The constitution states that all citizens must ‘be ready to defend the country’ and ‘complete... National Service’ (Article 25). Under the National Service Proclamation, No 82/95 of 23 October 1995, national service is obligatory for men and women between the ages of 18 and 40. Recruitment of children under 18 into the armed forces is prohibited under Proclamation 11/1991.” [97]

- 26.31 The report continues:

“Despite the December 2000 treaty, compulsory military service was extended repeatedly, with aggressive roundups of new recruits and evaders, forcible conscription, detentions and ill-treatment. Street children and other under – 18s were reportedly used as forced labour in military camps. In January 2005 UNICEF expressed concern at the requirement that all secondary school students must complete their final year at school near the main military training camp in Sawa if they wanted to graduate or attend university. Access to school was strictly controlled and an official was reported as saying he considered the students to be members of the armed forces.” [97]

- 26.32 The report further continues:

“In July 2002 the Eritrean National Commission for Demobilisation announced the completion of a pilot project for project for demoralization of 200,000 combatants already incorporated in the government armed forces were issued with demobilisation cards and asked to continue national service until January 2005. The World Bank, the principal funder recognised the need for a special

program for combatants under the age of 25. The UN Security Council called for Ethiopia and Eritrea to facilitate the sustainable reintegration of demobilized soldiers.” [97]

26.33 The report concludes:

“In October 2001 a handbook on child protection was distributed to UNMEE forces, and some UN peacekeepers received child protection training. Following visits to Ethiopia and Eritrea in 2002, the UN Special Representative of the Secretary-General for children and armed conflict called for child protection to be included in UNMEE’s mandate. A subsequent commitment by the Eritrean government to ratify the Optional Protocol had not been met by early 2004. In 2003 the UN Country Team in Eritrea set up a Child Protection Working Group to coordinate child protection strategies.” [97]

CHILD LABOUR

26.34 International Labour Organisation (ILO) has reported in a paper The Effective Abolition of Child Labour, published by Cornell University in 2004 that:

“In Eritrea, the principle of the effective abolition of child labour is recognised in articles 14(2), 16 and 22(3) of the Constitution, in articles 52, 53, 54, 548, 562, 565 and 567 of the Transitional Penal Code and articles 68, 69, 3.17(a) and (1) (2) of the Labour Proclamation of Eritrea no 118/2003, but not in judicial decisions and collective arguments.[Eritrea ratified in 2000 the Minimum Age Convention, 1973(No.138).] Macro Policy No. 13.1.2(a) which concerns basic schooling for children and No. 13.3.2(h) which concerns legal protection for economic and social forms of exploitation are aimed at ensuring the effective abolition of child labour. [Reference is made to the application of ratified Convention No. 138].” [101]

26.35 The ILO paper also explains that:

“Article 69(10) of the Labour Proclamation of Eritrea No. 118/2001 defines hazardous work as:

- (a) work in passengers’/goods’ transport by railway, air and sea in dock side and warehouse involving heavy weight lifting, pulling and pushing or any other related type of labour;
- (b) work connected with toxic chemicals, dangerous machines, electric power generation plants, transformers or transmission lines;
- (c) underground work, such as mines, quarries and similar work; and
- (d) working in sewers and tunnel digging.” [101]

26.36 The paper ILO concludes that:

“The minimum age for engaging in the abovementioned types of work is 18 for both boys and girls. Articles 548(1), 565 and 567 of the Transitional Penal Code of Eritrea and Articles 65 and 68 of Labour Proclamation of Eritrea No. 118/2001 are aimed at eliminating the worst forms of child labour. .. According to Public Prosecution Head Office there has not been single judgement given against child labour in Eritrea. Child labour in its worst forms (such as sale and/or trafficking; debt bondage, serfdom, forced or compulsory labour; forced

recruitment for armed conflict; prostitution; pornography; illicit activities, in particular production and trafficking of drugs, etc) does not exist in the country.” [101]

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TRAFFICKING

OVERVIEW

- 27.01 Anti-Slavery International in its paper 'Trafficking in women forced labour and domestic work in the context of the Middle East and Gulf region', Working paper 2006, states:

"Eritrea has approximately 59,000 internally displaced persons due to the border war with Ethiopia. UNHCR began repatriating about 150,000 Eritrean refugees from Sudan in 2000. Among international instruments relevant to our study, Eritrea has ratified the Universal Declaration of Human Rights and ILO Conventions No. 29 and 111, but has not ratified ILO Conventions No. 95 and No. 143. The ICCPR, the ICESCR and the International Convention on the Protection of the Right of all Migrant Workers and Members of their Families are not ratified, nor is the Convention relating to the Status of Refugees. The Ministry of Labour and Social Affairs is in principle responsible for implementing its labour laws and co-ordinating labour migration." [102]

- 27.02 The Protection Project reported on 26 January 2006 that:

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

- 27.03 The US State Department annual report on the trafficking of people, for 2007, published 12 June 2007, does not include a country narrative for Eritrea in its collection of country narratives. [4d]

TRAFFICKING OF WOMEN

- 27.04 Anti-Slavery International, in its paper 'Trafficking in women forced labour and domestic work in the context of the Middle East and Gulf region', Working paper 2006, states:

"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.” [102]

TRAFFICKING OF CHILDREN

- 27.05 Awate.com has reported in an article Eritrean Regime now Trafficking Children, 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.” [50ab]

- 27.06 The report continues:

“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.” [50ab]

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MEDICAL ISSUES

GENERAL

- 28.01 The World Bank produced a study on the health sector in Eritrea in 2004, mainly working on studies commissioned by the Eritrean Ministry of Health in 2001. One key finding was that the top five causes of in-patient mortality (in 2000) were malaria, HIV/AIDS, TB, ARI (Acute Respiratory Infection), and hypertension. [55b] (p11) Seventy-one per cent of Eritrea’s burden of disease and cause of death was directly related to communicable and preventable disease. [55a] (p11) The estimates given in this study of life expectancy is for 50 years at birth, rising to 57 years from the age of 15 years. [55a] (p6) The World Health Organisation in their most recent Country Summary for Eritrea stated that (on 2003 data), life expectancy is 58 years for males and 61 years for females; healthy life expectancy being 49.3 and 50.8 years respectively. [41b]
- 28.02 Reliefweb reported on 24 November 2005 that: “Despite the vaccination of over 400,000 children under five years in January to May this year, one case of wild polio was detected in Eritrea in July. A national house to house polio vaccination campaign was conducted 11-14 November [2005] targeting half a million children... UNICEF continues to support various nutrition programme areas. [52c]

- 28.03 Shabait (state news agency) reported on 13 February 2006 that: "The Ministry of Health branch office in Maekel region disclosed that promoting mother and child care, controlling blood pressure and diabetes, as well as preventing communicable diseases would be the Ministry's prior attention this year". [26a]
- 28.04 Europa World Online, accessed on 31 January 2006, reported that: Under 5 mortality rate (per 1,000 live births, 2003) is 85; HIV/AIDS (% of persons aged 15-49, 2003) is 2.70; physicians (per 1,000 head, 1996) is 0.03 [1a] (Health)
- 28.05 Afrol news, in an article dated 15 March 2005, reported that the Eritrean Ministry of Health announced the opening of the first medical school in Eritrea since independence, the Orotta School of Medicine, with an initial intake of 32 students. [16b] Asmera.nl states that: "Medical care is improving rapidly in Eritrea, new hospitals and health facilities are opened every year. Modern facilities may not always [be] available outside Asmara.... Basic non-prescription medicines are available in Asmara, but the selection is not large. Supplies of medicine can be irregular. Visitors should bring a supply of any necessary drugs and prescriptions." [25a] The same site has photographs posted of main hospitals and one of the pharmacies in Asmara. [25a]
- 28.06 AllAfrica, in an article President holds talks with WHO regional director, dated 25 September 2007, stated that:
- "President Isaias Afwerki today received and held talks with Dr. Luis G. Sambo, WHO Regional Director for Africa, in Massawa. In the meeting, the WHO official lauded Eritrea's efforts to ensure basic health services, provide basic health care to mothers and children, and on its disease prevention measures... Indicating that it is one of the government's top national development strategies to expand health services in all parts of the country, President Isaias noted that encouraging achievements have already been scored in this sphere... He informed Dr. Sambo that close cooperation of the WHO towards reinforcing Eritrea's health development programs is of major significance. The President also assured him that Eritrea is prepared to make good use of the WHO's recommendations to further strengthen the health sector... Meanwhile, the Eritrean Minister of Health today held talks with the WHO delegation headed by the Regional Director for Africa, Dr. Luis G. Sambo. Minister Saleh Meki explained to the delegation the current activities of his ministry, the achievements registered, the challenges encountered, and the endeavors to meet these challenges." [42e]

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SPECIALIST FACILITIES

- 28.07 Asmera.nl (no date) states that there are the following hospitals in Asmara: "Orota Referral Hospital...gives medical services to people from all over Eritrea with critical condition [sic]; Berhan Aini Eye hospital; St. Mary hospital; Sembel hospital; Hospitem – Ospedale Italiano Ente Morale; Mekane Hiwet hospital. Health centres in Asmara deal with vaccinations, wound dressing, anti-conception [sic], ante-natal care and minor ailments and surgery." [25a]

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

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

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

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

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

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HIV/AIDS

- 28.11 South of the Sahara 2005 stated that:

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

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

- 28.13 U.S Agency for International Development (USAID) Health Profile on Eritrea in 2005 reports that:

“Eritrea is Africa’s youngest independent nation. The first case of AIDS was reported in the port city of Assab in 1988 and, in 2003, an estimated 6,300 people died of AIDS-related illnesses. In addition, AIDS has risen from the tenth (in 1990) to the first cause of hospital inpatient deaths. Based on the latest round of HIV serosurveillance conducted among antenatal attendees in 2003, the overall national adult HIV seroprevalence is 2.4%. The cumulative number of AIDS cases reported in Eritrea exceeded 17,000 by the end of 2003. Approximately 70% of reported cases are among young adults aged 20 to 39 years, and approximately 5% are among children under age 15. The majority of AIDS cases are reported in urban centers, including Asmara (49%), Massawa (6%), and Keren (3%). Members of the Eritrean Defense Forces accounted for 26% of the reported AIDS cases in 2000.” [98]

28.14 The USAID profile continues:

“Whereas the overall prevalence of HIV in Eritrea appears to be stable or advancing slowly, there is considerable concern about young, unmarried people living in urban areas, where HIV prevalence is estimated to be between 5% and 10%. HIV prevalence is highest in the Southern Red Sea and Maekel regions, with rates of 7.2% and 3.6%, respectively. The epidemic appears to affect people living in urban areas considerably more than those in rural areas. In 2003, for example, HIV prevalence was 3.3% among urban pregnant women seeking care at antenatal clinics and 0.9% among women attending clinics in rural areas. Infection rates in 2003 were high among younger women (2.7% and 3.6% among women aged 20–24 and 25–29, respectively)”. [98]

28.15 The USAID profile further continues:

“According to the Joint United Nations Programme on HIV/AIDS (UNAIDS) and other sources, Eritrea faces the risk of a rapidly expanding HIV/AIDS epidemic in the next few years. Reasons for concern include the high proportion of Eritreans 18–40 years of age in the armed forces and the eventual demobilization of 200,000 national service recruits. UNAIDS also cites as concerns the internal population displacement, economic vulnerability, high levels of denial at all levels of the population, and significant stigma and discrimination against persons living with HIV/AIDS and their families.” [98]

28.16 The USAID profile notes that:

“In late 2002, the Ministry of Health (MOH) analyzed the HIV/AIDS/STI situation and led a multisectoral effort to develop the National Strategic Plan for HIV/AIDS/STIs for the period 2003–2007. The MOH reorganization in 2003 upgraded the National AIDS Control Program to the National HIV/AIDS/STI and Tuberculosis Control Division. The MOH, with its partners, has led a comprehensive response to the HIV/AIDS epidemic in Eritrea. Prevention activities have included behavior change communications, advocacy, counseling and testing, condom promotion and distribution through government outlets and social marketing, blood screening, and STI prevention and control.” [98]

28.17 The USAID profile also explains that:

“The MOH has led efforts to provide care, support, and counseling for persons living with HIV and AIDS and those affected by the epidemic, especially children and orphans. In addition, the MOH is working to improve the medical management of HIV/AIDS by training health care providers in HIV/AIDS/STI diagnosis and care. In 2003, the MOH piloted the introduction of antiretroviral drugs for the prevention of mother-to-child transmission of HIV, for post-exposure prophylaxis in health facilities, and for the treatment of HIV/AIDS in selected cases. The MOH is currently in the process of expanding these initiatives nationwide. In 2004, the MOH issued revised guidelines for the clinical management of HIV/AIDS, including new policy, implementation guidelines, and plans for making available antiretroviral treatment.” [98]

28.18 The USAID profile concludes that:

“Eritrea faces several challenges in stemming the HIV/AIDS epidemic while simultaneously struggling with other urgent issues, such as poverty, drought, and the effects of war. A significant proportion of its population has been displaced internally, and others fled to Ethiopia and Sudan. These populations and the national service and military recruits — estimated at approximately 250,000 mostly young people — may return to Eritrea when the border issue is resolved. Health experts fear these population shifts could fuel a rapid rise in HIV infection.” [98]

OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

28.19 The World Bank study of June 2004 notes:

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

CANCER TREATMENT

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

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

KIDNEY DIALYSIS

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

MENTAL HEALTH

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

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HUMANITARIAN ISSUES

- 29.01 The Amnesty International annual report 2007, published in May 2007, summarised the situation regarding humanitarian aid to Eritrea as:

“Two thirds of the population were dependent on international emergency aid. The government expelled several international NGOs delivering humanitarian assistance. Donors continued emergency humanitarian assistance but most had long suspended development aid because of the government’s failure to implement both the constitutional process of democratization and international human rights treaties it had ratified.” [5a]

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

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

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

- 29.04 The BBC in a report “EU mulls action against Eritrea”, dated 4 August 2006, notes that the European Commission is considering further action in protest of the Eritrean Government selling food aid through a cash-for-work scheme instituted by the Government in May 2006. The same report adds that the Eritrean Government has requisitioned about 100 vehicles belonging to aid agencies. [8i] An Awate.com article of 3 November 2006 adds further details of various Eritrean Government programmes. [50q] The Human Rights Watch annual report 2006, published January 2007, adds to information about NGO expulsions from Eritrea in 2006, stating that six Italian aid NGOs were expelled, and the Government confiscated their equipment. [29h](p5,6)

- 29.05 The BBC reported on 6 November 2006 that the Eritrean Government has expelled two more aid agencies, in addition to the nine previously expelled in 2006. International Rescue Committee and the Samaritan’s Purse, both organisations that worked in eastern Sudan, but based on the Eritrean side of the border, have been asked to leave. The BBC article states “The Eritrean government said their [the agencies’] work was no longer needed following a recent peace deal for eastern Sudan.” [8n] The article however adds “Correspondents say it [the Eritrean Government] is suspicious of the international community.” [8n]

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FREEDOM OF MOVEMENT

30.01 The USSD report for 2006 notes:

“While citizens could generally travel freely within the country and change their place of residence, the government restricted travel to some areas within the country, particularly along the border with Sudan and Ethiopia. Military police periodically set up roadblocks in Asmara and on roads between other cities to find draft evaders and deserters.” [4k](p8, section 2d)

30.02 An Awate.com article of 2 July 2007 noted that there were military checkpoints in operation on major roads leading out of the capital Asmara, stating:

“Asmara and its environs are undergoing through an extensive roundup. Armed soldiers are scattered in two’s and three’s in the streets of Asmara and have been stopping cars and even buses to search for koblelti [absent without leave] and demobilized aghelghilot [national service recruits.] Instead of stopping cars and buses at the usual roadblocks (Adiguadad, Kurbo Embeito and Adi Abeito), the security officials have set up new checkpoints at alternate locations in the city and its environs.” [50ab]

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INTERNALLY DISPLACED PEOPLE (IDPs)

31.01 The World Refugee Survey 2004 for Eritrea reported that:

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

31.02 IRINnews reported on 26 January 2006 that:

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

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

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RESETTLEMENT

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

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ERITREANS FROM ETHIOPIA

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

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

- 31.09 The ICRC 2005 report, published 1 June 2006, stated that:

"Telecommunication and postal services had not yet been re-established between Eritrea and Ethiopia and the border remained closed. This meant that thousands of people still relied on the tracing and RCM network to send family news to relatives across the border. When requested, the ICRC also reunited children, the elderly and infirm with relatives across the border. 11,777 RCMs delivered in Eritrea and 11,195 collected 41 people, including 34 children, in Eritrea reunited with family in Ethiopia, and 55, including 29 children, in Ethiopia reunited with family in Eritrea 94 people located at their families' request 382 requests to trace relatives, including 119 children, pending In accordance with the 1949 Geneva Conventions, the ICRC continued to advocate that the Eritrean and Ethiopian authorities establish mechanisms to provide families with news about relatives still unaccounted for in connection with the 1998–2000 war. In the meantime, many families approached the ICRC. In March, the organization presented the Eritrean and Ethiopian authorities respectively with the names of 200 such people of Ethiopian origin and 153 of Eritrean origin whom it could not trace." [40a](p81)

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ERITREANS RETURNING FROM SUDAN

- 31.10 The AI 2003 report stated that: "...over 100,000 Eritreans who had lived in Sudan for up to 25 years were offered voluntary repatriation, which many refused, or an alternative option of alien resident status in Sudan. Voluntary repatriation was suspended by the UNHCR in October 2002 for security reasons. The cessation of refugee status was widely misunderstood to mean that Eritrea was safe for all refugee returns, which was not the case. Many of the long-term refugees in Sudan feared persecution on return on account of their links with the Eritrean Liberation Front (ELF), a rival to the Eritrean People's Liberation Front (EPLF) which formed the independence government in 1991, or because of conscientious objection to military service. Army deserters during and after the Ethiopian war feared persecution on return. Over 10,000 refugees applied for exemption from the cessation." [5b]
- 31.11 In comments prepared for the Advisory Panel on Country Information meeting on 8 March 2005, UNHCR stated:

"There were approximately 190,000 Eritrean refugees in Sudan at the time when the cessation deadline was applied (31 December 2002). Out of the Eritrean refugee population in Sudan, 150,000 persons applied for refugee status in Sudan, while approximately 35,000 persons registered for voluntary repatriation. During 2003, 9,415 refugees returned from Sudan and

approximately 9,300 returned during 2004, bringing the recent figure of returns for the last 2 years to approximately 19,000 persons. The UNHCR organised voluntary repatriation operation from Sudan to Eritrea formally ended on 31 December 2004, in agreement with the Governments of Eritrea and Sudan.” [18g]

- 31.12 The UNHCR, in a Writenet report of 1 October 2006, “Eritrea: challenges and crises of a new state”, updates the figure of Eritrean refugees in Sudan, “... at the end of 2005 there remained an estimated 116,746 Eritrean refugees in Sudan, roughly 23 per cent of the total number of those who had sought refuge in this country [based on the UNHCR Statistical Yearbook for 2005].” [18h]

- 31.13 AI reported on 19 May 2004 that:

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

- 31.14 AI in their report of 19 May 2004 stated that:

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

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FOREIGN REFUGEES

REFUGEES IN ERITREA

- 32.01 The USSD report for 2006 states the basic situation regarding people seeking refuge in Eritrea:

“The law and unimplemented constitution do not provide for the granting of asylum or refugee status in accordance with the definition in the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has not established a system for providing protection to refugees. As a result the government cannot issue legal refugee or asylum status. However, in practice the government provided some protection against refoulement, the return of persons to a country where they feared persecution, and provided temporary protection to approximately 4,000 persons from Sudan and Somalia on a prima facie basis.” **[4k](p , section)**

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ETHIOPIANS IN ERITREA

- 32.02 The USSD report for 2005 reported that: “The government granted 19 Ethiopians who deserted the Ethiopian army, residency status.” **[4f]** BBC News reported on 1 December 2005 that: “At least seven Ethiopian soldiers have defected to Eritrea while on a private training course in Israel, the Israeli foreign ministry has confirmed. The Eritrean ambassador in Israel said the soldiers – reported to be of Eritrean descent – arrived at his house and asked for political asylum. **[8p]**”
- 32.03 The USSD report for 2006 adds: “Another 1,400 Ethiopians sought asylum with the UNHCR, but the government refused to issue them exit visas. ... The UNHCR was accommodating 1,100 Ethiopians in urban areas, an increase from only 5 cases in 2002. The government issued residency permits to Ethiopians living in the country for a fee; however, it did not issue them exit visas. Ethiopians unable to pay the residency permit fee were not legally eligible for employment. The government prohibited the ICRC from continuing its program of purchasing residency permits for Ethiopians unable to afford the annual fee.” **[4k](p9 , section 3 – protection of refugees)**
- 32.04 There are 16,000 Ethiopians estimated to have temporary residence in Eritrea, including 600 Ethiopians in the Gash Barka region “... to which the UNHCR had no access or responsibility” (USSD report for 2006) **[4k](p9 , section 3 – protection of refugees)** and the USSD report for 2006 continues “The Government issued residency permits to Ethiopians living in the country for a fee; however, it did not issue them exit visas.” **[4k] (p9 , section 3 – protection of refugees)**
- 32.05 The World Refugee Survey 2005 for Ethiopia reported that: “The [Ethiopian] Government did not have an agreement with Eritrea to receive rejected asylum seekers, and therefore granted status to some Eritreans who did not qualify as refugees... At the border, local authorities identified most Eritrean arrivals and referred them to the Administration for Refugee and Returnee

Affairs (ARRA) for status hearings, which then transferred them to a camp.” [51b]

32.06 A British Fact-Finding Mission of April 2003 reported that:

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

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

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

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

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

32.10 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 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]

32.11 In comments submitted to the Advisory Panel on Country Information on 8 March 2006, UNHCR stated: “Ethiopians must renew residency permits every year not [every] six months,” [18g], correcting a USSD report for 2005

statement, “Ethiopian nationals reportedly were singled out for arrest because they were unable to pay the necessary fees to renew their residency permits every six months.” [4f] (p)

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Prisoners of war

32.12 Europa 2005 stated that:

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

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

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

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

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REFUGEES OTHER THAN ETHIOPIANS IN ERITREA

32.16 The USSD report for 2006 noted:

“There were 720 Sudanese refugees at Elit camp in the West and 3,780 Somali refugees at Emkulu camp, near Massawa. There were also up to 30,000 Beja Sudanese and approximately 600 Ethiopians in the Gash Barka region to which the UNHCR had no access or responsibility. The UNHCR was accommodating approximately 1,900 Ethiopians in urban areas whose status has not yet been determined, an increase from only 100 cases in 2005. The Government issued residency permits to Ethiopians living in the country for a fee; however, it did not issue them exit visas.” [4k]

32.17 In comments submitted to the Advisory Panel on Country Information on 8 March 2006, UNHCR stated: “There were a very low number of arrivals in 2004 and only 41 persons in 2005. The total camp population for Sudan as of end of December 2005 is 748 persons. These include all the Sudanese who

were accommodated there since 1999.” [18g] The USSD report for 2005 had noted that: “The UNHCR reported that although it ended organized repatriation of refugees from Sudan on December 31, 2004, 18 refugees returned to the country spontaneously during the year [2005].” [4f]

CITIZENSHIP AND NATIONALITY

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

THREE WITNESSES

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

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

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THE 1993 REFERENDUM

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

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

- 33.08 The report further noted that:

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

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MIXED MARRIAGE AND MIXED BIRTH

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

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

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

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

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

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

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

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

- 33.13 This report also stated that:

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

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EXIT-ENTRY PROCEDURES

34.01 The USSD report for 2006 notes that “In general citizens had the right to return; however, citizens had to show proof that they paid the 2 percent tax on their income to the government while living abroad to be eligible for some government services, including exit visas, upon their return to the country.” [4k]

34.02 Exit permits are required by all travellers, both citizens and foreign nationals, to leave the country legally. The USSD report for 2006 recounts:

“There were numerous cases where foreign nationals were delayed in leaving for up to two months or initially denied permission to leave when they applied for an exit visa. Persons routinely denied exit visas included men under the age of 50, regardless of whether they had completed national service, women age 18 to 27, members of Jehovah’s Witnesses.” [4k]

The USSD report for 2006 adds:

“During the year [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 diasporal parents had not paid the 2 percent income tax required of all citizens residing abroad. Some citizens were given exit visas only after posting bonds of approximately \$6,600 (100,000 nakfa).” [4k]

34.03 The Human Rights Watch annual report for 2007, “Eritrea: events of 2006”, published 11 January 2007, notes: “In 2006 government officials and members of sports teams defected when abroad, as others had in previous years. To discourage defections, the government reportedly began requiring the posting of bonds equivalent to US\$7,000 for participants in sports teams traveling outside the country.” [29h](p4)

34.04 On 1 June 2006, new regulations were brought in by the Eritrean authorities regarding the entry into, and travel within Eritrea, by foreign nationals. The Government of Eritrea required all visitors and foreign residents to obtain travel permits for any travel outside Asmara city limits. (US OSAC)[4c] (*Eritrea Daily*, 31 May 2006) [38b] The OSAC travel warning continues: “The GSE [Government of the State of Eritrea] has cited security and safety concerns as the reasons for requiring travel permits for all travel outside Asmara.” [4c]

34.05 The Canadian IRB published a reply dated 27 February 2007 that describes in detail the different sorts of Eritrean passports, the Eritrean domestic identity card, the Eritrean driver’s licence, and notes that birth, death and military service certificates can only be obtained by Eritrean citizens within Eritrea. [68d]

34.06 Awate carried a report on 17 July 2006, “In tit-for-tat, Eritrea refuses entry visa to Americans” that reported that Eritreans holding dual American and Eritrean identity would only be accepted into Eritrea on the validity of their Eritrean identification papers. [50h] The report outlines the financial penalties of being

redocumented by the Eritrean authorities, and notes “The new directive would deny these Eritreans the safety net of their adopted countries...” [50h]

- 34.07 The USSD report for 2006 adds, “The law has no provisions concerning exile, and the government generally did not use exile.” [4k]

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ILLEGAL EXIT FROM ERITREA

- 34.08 Awate.com published an article on 26 November 2006 about the Eritrean opposition in Sudan, in which it mentions the issue of Eritrean youth leaving the country illegally. [50r] The article identified “three escape routes from Eritrea: via Senafe, to Ethiopia; via Tessenei to Sudan and via official visits in the Middle East to Europe.” [50r] (p2) Human Rights Watch (HRW) report 2007 adds, “Refugee agencies estimated that each month in 2006 about 700 Eritreans fled to Sudan and another 400 to Ethiopia.” [29h](p4)

- 34.09 The BBC added to the reporting of the Sudan border situation with the account of one escapee who was now (March 2007) living in Libya. [8c]

TREATMENT OF RETURNED FAILED ASYLUM SEEKERS

- 34.10 The USSD report for 2006 notes:

“Applications to return filed by citizens living abroad who had broken the law, contracted a serious contagious disease, or had been declared ineligible for political asylum by other governments were considered on a case by case basis.” [4k]

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

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

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

See [Prison conditions](#)

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THE RETURNS FROM MALTA

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

34.14 AI added in the same report that:

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

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

34.15 Malta Media reported on 23 May 2004:

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

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

"As Amnesty International learned later, women, children and those over the conscription age limit of 40 years were released after some weeks in Adi Abeto prison but the rest of the Malta deportees – mostly army deserters – were kept in incommunicado detention and tortured. Some EPLF veterans among them were sent separately to "Tract B" military prison in Asmara. The rest were transferred to the secret Dahlak Kebir island prison in December 2002. Later the civilians (about 95) were sent to secret mainland prisons in

July 2003, leaving behind about 85 conscript deserters in Dahlak Kebir. About 30 later escaped and fled again to Sudan, where they sought UNHCR protection. They gave testimonies of their detention and torture to Amnesty International.” [5c] (p23)

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

THE RETURNS FROM LIBYA

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

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

- 34.19 BBC News reported on 27 August 2004 that: “A plane has been hijacked and forced to land in Sudan, apparently by a group of Eritrean asylum seekers. The hijackers of the plane – which was deporting the Eritreans from Libya – later surrendered to security forces. No-one was badly hurt, reports said. One Sudanese official said the hijackers were hoping to find asylum in Sudan rather than return to Eritrea.” [8q] Amnesty International reported as a followup in AI’s 2005 annual report: “In August [2004] the Libyan authorities attempted to forcibly return a further 76 Eritrean asylum-seekers, including six children. However, some of them hijacked the plane carrying them and forced it to land in the Sudanese capital, Khartoum, where all the passengers, except the hijackers, were given refugee protection. The hijackers surrendered to the Sudanese authorities and were sentenced to four years’ imprisonment on appeal; their refugee status had not been determined by the end of 2004.” [5]
- 34.20 In September 2006, the 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. [29b] 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, chap vi – Detention conditions in Kufra]

- 34.21 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. [5q] The AI urgent alert 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.” [5q]

“... 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]

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UNHCR POSITION PAPERS

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

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

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

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

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

34.25 UNHCR in a letter dated 11 March 2005 stated that:

“Based on various reports, it appears that the human rights situation in Eritrea has seriously deteriorated in the past two years. Human rights violations continue to be reported, *inter alia*, with regard to the treatment of opposition political groups and movements, freedom of expression, freedom of religion, arbitrary detention and detention conditions (including reports of torture, ill-treatment and forced labor) and treatment of draft evaders/deserters. This is especially so in light of reports that many persons deported from Malta to Eritrea between September 2002 and October 2002 were reportedly arrested immediately on arrival in Asmara and taken to detention incommunicado where they faced persecution including being subjected to forced labor, interrogated and torture. Some detainees are believed to have died of diseases suffered as a result of the unsanitary conditions in which they were held and/or injuries sustained as a result of persecution and/or torture. At least one person was allegedly killed by shooting during an escape attempt...” [18f]

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

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

ERITREAN REFUGEES IN SUDAN

34.27 In a further letter, dated 11 April 2005, UNHCR stated that: “UNHCR Headquarters have kept the situation in Eritrea under close review during the past months and there has been no such change in the situation that would warrant a different position at this time. Therefore, our recommendation for complementary protection remains firmly in place until further notice.” [18e]

34.28 IRIN News stated on 12 March 2004 that: “After more than 30 years in exile, an estimated 1,700 Eritrean refugees left their camps in eastern Sudan to return home to Eritrea this week, in the biggest return convoy this year [2004]. On Wednesday, a convoy of 58 passenger buses and more than 30 luggage trucks carrying 1,770 refugees and their belongings crossed into Eritrea under the escort of officials from Sudan and the UN refugee agency.” [19x]

34.29 The article further stated that:

“Eritrea is one of several countries that has been chosen for UNHCR’s pilot testing of a new initiative dubbed the 4Rs – Repatriation, Reintegration, Rehabilitation and Reconstruction – which is already being tested in Sierra Leone, Sri Lanka and Afghanistan. The 4Rs project aims to ensure that the return of the refugees and their reintegration is backed by ‘solid rehabilitation and reconstruction programmes’, UNHCR reported.” [19x]

34.30 The article noted that: “The Sudanese government estimates the total number of Eritreans remaining in Sudan to be over 200,000. About 35,000 people have signed up for voluntary repatriation to Eritrea this year [2004], while over 29,000 families have applied to remain in Sudan as refugees.” [19x]

34.31 On 17 July 2007, Christian Solidarity Worldwide (CSW) reported that local sources in Khartoum had noted that “the Sudanese authorities have been conducting daily house to house arrests of Eritreans since Thursday 12 July 2007” marking 500 Eritreans for deportation. The sources claim that the majority detained have been granted refugee status by the local officers of the UNHCR. The article adds:

“The harassment and ‘disappearances’ of key Eritrean refugees occurred periodically in the past. However, the recent mass roundups are the most visible sign to date of a continuing rapprochement between the governments of Eritrea and Sudan, which has seen the Sudanese government progressively clamping down on the activities of the Eritrean diaspora. Several observers feel this may be part of a strategy agreed upon during a visit to Sudan in June by high ranking Eritrean security officials with an unannounced agenda.” [67d]

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EMPLOYMENT RIGHTS

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

“The government determines the wage scale for government employees in a nontransparent manner. In the small private sector, the wages are set independently.” [4k]

The USSD report for 2005 had previously stated:

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

- 35.02 The USSD report for 2006 notes: “The law allows unions to conduct their activities without interference; however, employees of the military, police, and other members of the essential services do not participate in union activity.” [4k] The HRW annual report 2006 adds that “The [Government] arrests continued in 2005 and included three leaders of government-affiliated labor unions, the only unions allowed to operate in the country.” [29f]

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Forced or compulsory labour

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

“It is said that at one time, tomatoes and other vegetables were being produced by Warsai Yekealo for export to Italy. As the farm was near Sawa, it was being flown from Sawa airport to Italy. The tomatoes were being sun dried and salted for export. The frustrated young Warsai Yekealo began to spray soil instead of salt on the tomatoes, resulting in large spoilage. There were

repercussions on the Warsai Yekealo. But the problem of slave labor didn't escape the Italian buyers who asked PFDJ to pay the Warsai Yekealo at the farm, but the government refused. The export business was shut down."
[76a] (p1)

- 35.04 The UNHCR Writenet report of October 2006 notes: "... the ongoing Warsai-Yikeallo development campaign, which aims to involve national service conscripts in development work and was first introduced after the border war ended, was intended to rehabilitate the war-devastated economy. It has itself become open-ended and this has generated discontent among the young. As a consequence, some have left." [18h](p21)

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Annex A: Chronology of Major Events

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 2006** **20 January:** The patriarch of the Eritrean Orthodox Church placed under arrest. [31]
- 24 February:** The Eritrea Government launched a recall of demobilised troops, along with launching a number of national service roundups. [50j]
- 1 June:** Travel restrictions into and within the country enforced by the Eritrean Government for foreign nationals and dual nationality holders. [4c] [4d] [50h]
- 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 eighteen months, who was abused and tortured, was confirmed as having been released from detention. [5o], [31h], [67c]
- 6 December:** *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. [49e]
- 5 April:** The Government bans the practice of FGM. [19d]
- 9 May:** 80 members of the Orthodox Presbyterian Church, a registered denomination, arrested in Asmara. [87h]
- 8 June:** Police raids in Asmara, detaining Pente Christians. [67e]
- 4 July:** The twenty first round of National Service conscripts called up. [50aa]
- 2 August:** Roundups and checks on the conscription status of women, including mothers (*Awate*, 2 August 2007)
- 8 September:** US gives stark warning to Eritrea. [8v](BBC, 8 September 2007)
- 18 September:** Declaration by the Presidency on behalf of the European Union on political prisoners in Eritrea. [105](Presidency of the European Union)
- 25 September:** Ethiopia threatens to terminate peace deal with Eritrea. [107a](Voice of America, 25 September 2007)

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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. [70c]

Afar National Liberation Movement (ANLM)

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

Alkhalas

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

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

Association of Eritrean Initiative (AEI)

The AEI 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. [70c]

Eritrean Democratic Party

Website given in an Awate.com 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; leader of political wing Sheikh Mohamed Arafa. [1b] (p419)

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. [70c]

Democratic Movement for the Liberation of Eritrea (DMLE)

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

Eritrean People's Liberation Front

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

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. [70c]

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. [70c]

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.com article of 15 February 2007 as <http://www.omaal.net> [50t]

Eritrean Liberation Front-Central Command (ELF-CC)

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

Eritrean Liberation Front-National Council (ELF-NC)

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

Eritrean Liberation Front-Revolutionary Council (ELF-RC)

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

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

Eritrean National Alliance (ENA)

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

Eritrean People's 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. [70c]

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. [1b] (p419)

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. [70c]

Islah

Website given in an Awate.com 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. [1b] (p419)

Popular Liberation Forces

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

Red Sea Afar Democratic Organisation

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

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Annex C: Prominent people: past and present

THE GOVERNMENT

Afewerki Isayas

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 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 [70c] (Jane's Security Sentinel, October 2007)

Mahmoud Ahmed Sherifo

Vice-President, former local government minister. [93b] (EIU Country Profile 2006)

Berhe Arefaine

Minister of Agriculture [70c]

Asfaha Abraha

Minister of Construction [70c]

Ephrem Sebhat

Minister of Defence [70c]

Rusom Semere

Minister of Education [70c]

Tesfai Gebreselassie

Minister of Energy and Mines [70c]

Abrehe Berhane

Minister of Finance [70c]

Salih Muhammad Uthman

Minister of Foreign Affairs [70c]

Dr Meki Saleh

Minister of Health [70c]

Ali Abdu

Minister of Information and Culture [70c]

Fozia Hashim

Minister of Justice [70c]

Askalu Menkerios

Minister of Labour and Human Welfare [70c]

Gebremariam Woldemikael

Minister of Land, Water and Environment [70c]

Haj Ali Ahmed

Minister of Maritime Resources and Fisheries [70c]

Futur Woldai

Minister of National Development [70c]

Nur Husayn Aminah

Minister of Tourism [70c]

POLITICAL PARTY LEADERS**Ahmed Nasser**

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

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

Alamin Mohamed Said

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

Amin Ahmmad

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

Hamid Turkey

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

Hassan Ali Assad

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

Hiruy Tedla Bairu

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

Issayas Afewerki

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

Mesfin Hagos

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

Sebhat Ephrem

Minister of Defence. [1a] (p418); (EIU Country Profile 2006) [93b]

Semere Kesete

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

Seyoum Ogbamichael

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

Sheikh Mohamed Arafa

Leader of EIJ. [1a] (p419)

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

THE G15/G11 POLITICAL PRISONERS**Ogbe Abraha**

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

Aster Fissehatsion

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

Berhane Gebregziabeher

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

Beraki Gebreselassie

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

Hamad Hamid Hamad

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

Saleh Kekiya

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

Germano Nati

Regional Administrator.

Estifanos Seyoum

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

Mahmoud Ahmed Sheriffo

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

Petros Solomon

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

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

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

IMPRISONED JOURNALISTS

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

Zemenfes Haile

Ghebrehiwet Keleta

Selamyinghes Beyene

Hamid Mohammed Said

Saleh Ajezeeri Said Abdulkadir

Yosuf Mohamed Ali

Amanuel Asrat

Temesgen Gebreysus

Mattewos Habteab

Dawit Habtemichael

Medhanie Haile

Dawit Isaac

Seyoum Tsehay

Fessaye Yohannes (“Joshua”) Reported by AI on 15 February 2007 as may have died in prison. [5p] IRIN reported on 16 November 2006 that three journalists of the 2001 arrests may have died in Eiraeiro prison in the intervening five years. [19a]

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Annex D: List of abbreviations

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

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