



Home Office

Country Information and Guidance

Eritrea: National (incl. Military) Service

Version 3.0
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Preface

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

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

Country Information

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

Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please email [the Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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Guidance

1. Introduction

1.1 Basis of claim

1.1.1 Fear of persecution or serious harm by the state because of the:

- (a) Treatment and/or conditions likely to be faced by person during national/military service; and/or
- (b) Open-ended nature of national service; and/or
- (c) Penalties likely to be faced by the person's refusal to undertake or their evasion or desertion from, national/military service.

1.2 Points to note

i. National service: terminology

1.2.1 An explanation of the terms used in this document:

- (a) 'National service' means the complete requirement that an Eritrean will serve in line with Article 2 of National Service Proclamation 82/1995 – i.e. compulsory military training followed by either military service and/or a civilian posting (see [Legal Framework](#) and [Duration of National Service](#)).
- (b) 'Military training' means the initial compulsory period of training of three to six months at Sawa or elsewhere that all Eritreans are required to undertake as part of national service.
- (c) 'Military service' means a posting to the military upon completion of compulsory military training.

1.2.2 However, sources sometimes conflate the above. Reports often refer to 'conscripts' in general without differentiating between military training and national service generally, or between national service in the military or civilian sectors. For example, the UN Commission on Inquiry's report of 2015 noted that witnesses did not differentiate between military service and national service more generally, including work in a civilian capacity.

ii. Illegal exit

1.2.3 In the country guidance case of [MO \(illegal exit - risk on return\) Eritrea CG \[2011\] UKUT 190 \(IAC\) \(27 May 2011\)](#) (hereafter referred to as 'MO') the Tribunal considered decision makers must note that compulsory national service is often linked to illegal exit from Eritrea. The Tribunal identified illegal exit as the reason a person may face a risk of serious harm / persecution on return to Eritrea. However, evidence which has become available since MO suggests that it is not illegal exit per se that places a person at risk **but the underlying reasons for the government's interest**, namely avoiding national service, that is the cause of any risk. For further guidance and information, see the country information and guidance on [Eritrea: Illegal Exit](#).

iii. Assessment of sources and country information

- 1.2.4 Accurate, reliable and up to date information is difficult to obtain about Eritrea generally and on national service in particular because of restrictions on local and international media, and limited access of international organisations to the country. Most sources including the UN Commission of Inquiry, Amnesty International and academics specialising on Eritrea, rely largely on information obtained outside of the country, usually sometime after the events have occurred and which originates from Eritrean migrants, including asylum seekers.
- 1.2.5 The Home Office and a number of European countries have undertaken fact finding missions to Eritrea to obtain first hand information. However the information obtained by these missions is limited by the fact that delegations have only been able to speak to a handful of independent persons and organisations providing largely anecdotal evidence, while information provided by government sources is unlikely to be generally impartial (see also [Limits of sources](#)).

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2. Consideration of issues

2.1 Credibility

- 2.1.1 For guidance on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also ensure that each asylum application has been checked to establish if there has been a previous UK visa or other application for leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Convention ground

- 2.2.1 Where a person is considered to be at risk of persecution or serious harm, decision makers must consider whether this is for a Refugee Convention (or other) reason.
- 2.2.2 The [Asylum Instruction on Military Service and Conscientious Objection](#) and paragraph 22 of the House of Lords judgment in the case of [Sepet & Another v. SSHD \[2003\] UKHL 15](#) explains that it is necessary to carefully examine the real reason for the persecution, looking at the real reason in the mind of the persecutor rather than the reason which the victim believes to be the reason for the persecution.
- 2.2.3 Sources do not agree on whether a person who refuses to undertake or abscond from military/national service is viewed as a traitor (or political opponent) by the government. The UN Commission of Inquiry's report of 2015, academics and international human rights organisations – based predominantly on the testimonies of Eritrean migrants who have left the

country in recent years – consider that draft evaders and deserters are perceived as traitors. However diplomatic sources, international organisations, members of the Eritrean government and returnees interviewed in Asmara by the Danish and UK fact finding missions in October 2014 and February 2016 respectively suggest that evaders/deserters are not generally seen as traitors or opposed to the government.

- 2.2.4 While there is no definitive data, the UN has estimated up to 5,000 people a month (or 60,000 people a year - approximately 1.7% of the estimated 3.5 million population) – leave Eritrea, with perhaps 6-10% of the total population having left the country. The scale of departure has meant that most households, including members of the government, have had someone leave or know of someone who has left (see country information and guidance on [Eritrea: illegal exit](#)).
- 2.2.5 Some sources indicate that people who have left the country before having started or completed national service have returned to Eritrea after paying the 2% Diaspora tax (albeit many of the returnees may have acquired nationality or status in a third country). Sources are, however, inconsistent on what punishment, if any, persons who avoid national service may face in practice, ranging from reassignment to further duties through to long periods of detention (see country information and guidance on [Eritrea: illegal exit](#)).
- 2.2.6 The evidence suggests that the government's attempts to limit those avoiding or leaving national service are in a large part down to a need to protect its economic interests. Given this and that the emigration is so widespread it is unlikely that avoiding national service, by itself, is now perceived to be a political act by the government. The perception will depend on the person's circumstances, the nature of their departure, activities outside of Eritrea and method of their return.
- 2.2.7 If persons are punished on return, it is likely to be for the criminal offence of evading or deserting national service, the nature and duration of punishment will depend on the person's circumstances.
- 2.2.8 Persons who have evaded or absconded from national service do not form a particular social group (PSG) within the meaning of the 1951 UN Refugee Convention. This is because they do not share an immutable (or innate) characteristic and have a distinct identity in their home society.
- 2.2.9 For guidance on convention grounds see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.3 Assessment of risk

i. General approach

- 2.3.1 Compulsory national service is a prerogative of sovereign states. Draft evasion and desertion may reasonably be criminal offences and punishable by law, see [UNHCR Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status](#) (paras 167-174), confirmed by the House of Lords in the case of [Sepet & Another v. SSHD \[2003\] UKHL 15](#).

- 2.3.2 A requirement to undergo compulsory national service – or punishment for failing to complete this duty – does not, in itself, constitute persecution. It will only do so where:
- (a) national service would involve acts, with which the person may be associated, which are contrary to the basic rules of human conduct,
 - (b) the conditions of national service would be so harsh as to amount to persecution or serious harm; or
 - (c) the punishment for draft evasion or desertion is disproportionately harsh or severe or applied in a discriminatory way which amounts to persecution.
- 2.3.3 For further information on this, see the [Asylum Instruction on Military Service and Conscientious Objection](#). For further information on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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ii. Requirement to undertake national service

- 2.3.4 National service is compulsory for all persons aged 18 to 50 in Eritrea. There are limited exemptions (see [Exemptions and alternatives](#)).
- 2.3.5 Sources estimate that between 10-20% of the population are conscripted, suggesting that the large majority of the country is not in national service (see [Size of the military](#) and [Size/capacity of Sawa](#)).
- 2.3.6 Decision makers must determine whether a person is required to perform national service based on the individual facts of their case. Those who are not likely to be required to undertake national service and therefore are not at real risk on return include those who are exempt:
- a. Those who have already completed (and been demobilized from) national service. This may also be evident from their ability to have obtained an exit visa and left the country legally, as conscripts are not granted exit visas.
 - b. Those who are above national service age.
 - c. Those who are disabled or medically unfit and therefore have been, or are reasonably likely to be, exempted from national service.

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iii. Acts contrary to the basic rules of human conduct

- 2.3.7 “Acts ... which are contrary to the basic rules of human conduct” means being required to act in a way that would bring that person within the scope of Article 1F of the Refugee Convention and/or Article 12 of Council Directive 2004/83/EC (‘the Qualification Directive’). For further information on this, see the [Asylum Instruction on Exclusion: Article 1F of the Refugee Convention](#).
- 2.3.8 Although Eritrea remains in a state of combat-readiness and relations with neighbouring countries remain tense, there is not a real risk that a person would be required to engage in actual military conflict, or be involved in acts which are contrary to the basic rules of human conduct.

- 2.3.9 There is some evidence to suggest that the Eritrean government is using or has used recruits to carry out round-ups (see [Round-Ups \(Giffas\)](#)). There is also some information that those leaving the country illegally have been shot at by conscripts under the order of the army, there is lack of evidence to indicate a 'shoot-to-kill' policy currently in place or, if such a policy exists, that it is systematically implemented in practice (Eritrean, [Country information and guidance: illegal exit](#), Shoot-to-kill).
- 2.3.10 However there is in general no real risk that a person doing national service would be required to act in a way contrary to the basic rules of human conduct, or that national service would involve such acts.

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iv. Punishment for draft evasion or desertion

- 2.3.11 The [Asylum Instruction on Military Service and Conscientious Objection](#) explains that it is legitimate for countries to require their citizens to perform compulsory military service and therefore punishment for failing to complete this duty will not automatically be regarded as persecution. A person will only be subject to serious harm where punishment for draft evasion or desertion is disproportionately harsh or severe.
- 2.3.12 According to Eritrean law, draft evasion or desertion is punishable by up to 5 years in prison. In practice punishment is variable. Sources including Amnesty, the UN Commission of Inquiry's report of 2015 and some academics, have reported that persons who evaded national service, particularly those who have repeatedly deserted or deserted / evaded a 'critical' post, may be detained in harsh conditions and subject to torture or other ill treatment. If detained, the length of detention may vary from a few days or weeks to, in some cases, years. Upon release from detention, national service conscripts are sent back to their military unit where they may be subjected to additional punishment. There is also some evidence that persons who evade or abscond from national service may be denied access to government services, such as business licenses, access to food coupons and passports or exit visas (see [Desertion and evasion in practice](#)).
- 2.3.13 However, sources interviewed in Asmara by the Danish Immigration Service in August 2014 and during the Home Office FFM in February 2016 indicated that the Eritrean government recognises that the impact of national service is leading a large number of Eritreans to leave the country. This is having a significant negative impact on Eritrea's economy and society leading, for example, to the army being under-manned (see [Laws on desertion and evasion](#) and [Desertion and evasion in practice](#)).
- 2.3.14 Some sources interviewed by the Danish and UK FFMs indicate that the Eritrean government is taking a more pragmatic approach to handling persons who avoid national service, with some individuals who leave illegally and have avoided national service being held only for a short period of time or are simply reassigned to national service duties. This may apply to those who work in professions which are in short supply. For example, the UN Commission of Inquiry's report of 2015 noted that teachers who had avoided national service and reported to the authorities were not punished but reassigned because of the shortage of teachers (see [Desertion and evasion](#)

[in practice](#)). There may be additional factors that reduce the likelihood of ill-treatment on return because of avoidance of national service.

- 2.3.15 In [MO](#), which considered risk faced by those who left Eritrea illegally, the Upper Tribunal held that persons whom the government's military and political leadership perceives as having given them valuable service (either in Eritrea or abroad) or persons who are trusted family members of, or are themselves part of, the regime's military or political leadership are less likely to be at risk of severe and disproportionate punishment are not at risk on return for having left illegally (see paragraph 134(iv)). There is no information to indicate that the situation for this category of persons has changed since MO was promulgated, and that these persons are likely to face punishment on return. Further, recent evidence suggests that it is not illegal exit per se that the Eritrean authorities penalise but the fact that a person has avoided national service. As such, persons who have evaded or absconded from national service **and** have a link to the government are not likely to face punishment on return (see also [Treatment of draft evaders](#)).
- 2.3.16 A number of sources have also reported that Eritreans who return to the country after 3 years or more abroad are regarded as members of the Diaspora, including those who left before or during their national service. After payment of the 2% Diaspora tax and signing an 'apology letter', they are considered to have fulfilled their national service requirements. The Home Office FFM of February 2016 met 47 people, most of whom stated that they left Eritrea illegally before or during national service who paid the 2% Diaspora tax, signed a letter of apology and returned to Eritrea without sanction. Given that the interviews were arranged by the Eritrean government and the circumstances of the interviews, this information by itself is not conclusive however it is consistent with information provided by independent sources that Eritreans who avoided doing national service and left the country illegally may be able, in some circumstances, to return without sanction (see Eritrea [country information and guidance: illegal exit](#), Diaspora tax; and [the UK's Fact-Finding Mission Report](#)).
- 2.3.17 In addition to punishment of persons who have avoided national service there have also been reports that the family members of persons avoiding national service may be required to pay a fine and / or face a, usually short, period of detention. However, more recent sources suggest that punishment of family members has become less common and widespread (see [Punishment of family members](#)).
- 2.3.18 Not all persons who have avoided national service and left Eritrea illegally will be subject to punishment on return that amounts to serious harm, in particular those working in the civilian sector who have skills that are in short supply, have links with the regime and who have paid the 2% tax and signed the 'apology' letter, are unlikely to be at risk of detention, or if so for a prolonged period (see [Desertion and Evasion in Practice](#)).
- 2.3.19 Persons, however, who have previously evaded or deserted from national service more than once and/or deserted a critical post, for example in the military, and have no other mitigating factors in their favour are likely to face a risk of serious harm but this will depend on their individual facts.

- 2.3.20 The onus is on the person to demonstrate that they will be subject to punishment that will be so severe that it will amount to serious harm (see [Detention conditions](#)).

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v. Conscientious objection

- 2.3.21 There is no civilian alternative to national service. However, the [Asylum Instruction on Military Service and Conscientious Objection](#), based on the House of Lords ruling in [Sepet & Another v. SSHD \[2003\] UKHL 15](#), sets out that there is no internationally recognised right to conscientious objection, such that failure to recognise this (by exempting a conscientious objector from punishment for draft evasion) would itself amount to persecution.
- 2.3.22 It is not sufficient for a person to show they would be penalised/punished for failing to comply with the law and that they happen to have particular religious, moral or other convictions.
- 2.3.23 Decision makers must determine whether a person would be reasonably likely to face a disproportionate penalty/punishment for draft evasion/desertion as a direct result of their deeply held convictions. This is likely to be particularly true for Jehovah's Witnesses and evangelical and Pentecostal Christians (see [Conscientious Objection](#) and [country information and guidance on Religious groups](#)). The rationale of the decision in [HJ \(Iran\) v Secretary of State for the Home Department \(Rev 1\) \[2010\] UKSC 31](#) (7 July 2010) applies and the person cannot be expected to conceal or modify their beliefs in order to avoid punishment or persecution.
- 2.3.24 Whilst the law provides that people can be detained for up to two years for desertion or evasion there is evidence that suggests Jehovah's Witnesses in particular have been detained/imprisoned for far longer than that in harsh conditions where they are at risk of torture (see [Law on Desertion and Evasion](#)).
- 2.3.25 The lack of a civilian alternative (or the compulsory requirement to perform military training) and the disproportionate penalties for those who refuse to undertake military service means that conscientious objectors – in particular Jehovah's Witnesses and evangelical and Pentecostal Christians – are likely to be at risk of persecution for a Refugee Convention reason.
- 2.3.26 For further information on this, see the country information and guidance on [Eritrea: Religious Groups](#).

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vi. Conditions of national service

- 2.3.27 Conditions include the general physical conditions and potential for mistreatment during military training and subsequent postings. Length of service is dealt with under a separate sub-section.
- 2.3.28 Conditions during military training and subsequent service in the military are generally harsh, irrespective of whether a person performs military or non-military tasks, though conditions vary. Dissent, attempted escape and disobedience during military training can be punished severely. Even minor transgressions against military discipline or any form of criticism may attract

severe punishments including ill-treatment and torture. Punishments appear to be meted out on an arbitrary basis (see [Treatment during military training](#) and [Conditions during national service](#)).

- 2.3.29 There have also been reports of widespread sexual violence against women/girls at Sawa, though sources are inconsistent and the evidence does not suggest this is systematic (see [Reports of gender- and sexual-based violence at Sawa](#)).
- 2.3.30 In general, conditions for people doing national service, including military training, are described as harsh but there are conflicting reports about how poor conditions are. Some sources report a lack of food and medicine and conscripts falling ill and dying or committing suicide due to the conditions. However, some sources report that conscripts are not overworked or ill-treated and that conditions vary. While conditions during military training at Sawa and postings in the military may be challenging they are not in general unduly harsh (see [Treatment during military training](#)).
- 2.3.31 There are limited data about where persons are allocated but sources have suggested between 50% to 85% of people are employed directly in the civilian sector during their national service. Conditions are generally better for those who after military training are posted to civilian roles, such as in the civil service (see [Conditions during national service](#)).
- 2.3.32 Those who obtain high grades in their matriculation exams have some choice over their field of study, in turn influencing where they may work, such as positions in government ministries or particular professions, such as the mining sector or medicine. Additionally, a person who is medically unfit and / or disabled, is, depending on the degree of their impairment, more likely to be assigned to a civilian post. However persons have limited choice or ability to influence where they may be deployed (see [National service postings after Sawa](#) and [the UK's Fact-Finding Mission Report](#)).
- 2.3.33 Unlike those undertaking their national service in the military those in the civil service are not provided with any food or accommodation by the government. As salaries are below the subsistence level, they face severe financial difficulties. In practice, many people take a second or third job or set up a small business to supplement their income whilst doing national service. However the Eritrean government stated in early 2016 that the salaries of conscripts would be raised to a living wage in line with civil service employees. This was effective from July 2015 for certain conscripts graduating from Sawa but is to be rolled out across all conscript groups over 2015 and 2016, and to be paid retroactively. There is some evidence that individuals have been paid the increased wages, although this appears to have been erratically implemented and not yet to applied across all conscript groups. However low pay, even at rates existing prior to proposed pay increases, is unlikely to be sufficient to constitute persecution or serious harm by itself (see [Military training: Sawa and other camps](#) and [Conditions during national service](#)).
- 2.3.34 Between 200,000 and 600,000 persons (out of a current population eligible for national service of approximately 1.5 to 2 million and a total population of 3.5 million) are estimated to have undertaken national service in recent

years. While a number of sources report human rights violations of persons during national service, the available evidence does not indicate that all persons are or have been subject to conditions which amount to serious harm (see [Size of the Military](#) and [Conditions during national service](#)).

- 2.3.35 Decision makers will need to take into account the person's individual account of national service and their background including their, gender, education, skills, profession, and allocated role within national service programme, with the onus on the person to demonstrate that there is a real risk that they will be subjected to treatment amounting to serious harm.

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vii. Length of service

- 2.3.36 The national service proclamation stipulates that active national service is 18 months, but may be extended in case of general mobilisation. The Eritrean Government extended this indefinitely as part of the Warsai Yikealo Development Campaign and this general mobilisation remains in place today.
- 2.3.37 National Service involves 3 to 6 months' basic military training. The remaining time is spent either in the military (which may include non-military work) or in a civilian post, such as in the civil service or as a teacher (see [Duration of National Service](#), [Military training: Sawa and other camps](#) and [National service postings after Sawa](#)).
- 2.3.38 In practice, the length of national service appears to be variable and arbitrary. Sources are not consistent on how long national service is likely to be or the factors that may affect this in any individual case. Sources reported periods of national service from two years to over a decade; while the UN Commission of Inquiry's reports of 2015 and 2016 refer to an indefinite period (or at least until the person left Eritrea, which based on the persons they interviewed frequently exceeded a decade) (see [Duration of national service](#)).
- 2.3.39 While in practice national service is open ended, there is evidence that it is possible for some persons to be demobilised or discharged. The likelihood of release from national service is influenced by the person's:
- gender - women who are over 27 years old and are, or will be getting, married, or pregnant, or have children are likely to be demobilised or likely able to successfully seek to be demobilised;
 - occupation – some sources indicate that professions in short supply (such as teachers, geologists and engineers) may find it easier to be demobilised;
 - area of work – sources indicate that different government ministries, such as the Ministry of Foreign Affairs, may be more willing to demobilise staff than other departments such as the Ministries of Health or Education;
 - good relations with the person's commander or reporting officer/manager may make the process easier.

- 2.3.40 Additionally persons who become medically unfit may also be temporarily or permanently discharged from national service (see [Discharge/demobilisation and dismissal](#)).
- 2.3.41 A person who is the sole breadwinner of a family may also be able to be demobilised. However, this is based on a single example provided by the UK Ambassador to Eritrea (see [the UK's Fact-Finding Mission Report](#)).
- 2.3.42 There may be additional factors that can increase the likelihood of a person being demobilised, such as the passage of time, those with contacts with government and/or those who are able to pay bribes, and those seeking discharge for economic or family reasons
- 2.3.43 Decision makers will need to give careful consideration to the length of national service that the person has already served and their prospects of being demobilised or discharged. A long period of national service, even if it is for a decade or more, is not by itself persecution or serious harm.
- 2.3.44 If it is considered that a person is not at risk of persecution or serious harm but will return to national service, decision makers will then need to consider if there may be a real risk of a flagrant breach of [Article 4 of the ECHR](#) which prohibits slavery and servitude and forced or compulsory labour.
- 2.3.45 Article 4(3)(b) states that forced or compulsory labour does not include: '... any service of a military character or, in case of conscientious objectors in countries where they are recognised, service exacted instead of compulsory military service'.
- 2.3.46 The onus will be on the person to show that the length and conditions of their national service on return amounts to a flagrant breach of Article 4. Working in the civilian sector in national service, is unlikely generally to amount to a real risk of a flagrant breach of Article 4. Where a person is able to demonstrate that as a result of the open-ended nature of their national service they will face a flagrant denial of their right not to be required to perform 'forced labour', they will be entitled to a grant of discretionary leave. Each case will need to be considered on its merits.
- 2.3.47 For guidance on discretionary leave, see the [Asylum Instruction on Discretionary Leave](#).

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viii. The Diaspora tax and signing the letter of 'apology'

- 2.3.48 Persons who have left the country illegally and evaded / absconded from national service are able to regularise their status with Eritrean authorities in a third country by paying the 2% Diaspora tax and signing a letter of 'regret' or 'apology'. Many persons do this so as to regularise their standing with the Eritrean government in order, for example, to obtain consular services and send money back to their families (see Eritrea [country information and guidance: illegal exit](#), Diaspora tax).
- 2.3.49 Decision makers will need to consider whether a person has paid the tax and signed the letter, or if they are willing to do so in order to regularise their status. Once a person has done this they are not likely to be treated as a draft evader / deserter on return. If a person refuses to pay the tax and sign

the letter, decision makers will need to explore the reasons why. Not doing so may, in some cases, be perceived as an act of opposition to the government and that person may face persecution on return to Eritrea.

- 2.3.50 Each case will need to be considered on its merits, taking into account the person's past behaviour and whether they have paid the tax and signed the letter, or are likely to do so.

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ix. People's Army/People's Militia

- 2.3.51 In approximately 2012/3, the Government of the State of Eritrea created the 'People's Army' (Hizbawi Serawit), which is made up of people aged between 18 and 70 both from within, and those released from, national service. Those in the People's Army/Militia are required to undertake weapons training, possess a weapon at their home and undertake occasional duties (such as guarding a bank or the airport) (see [People's Army/Militia](#)).

- 2.3.52 Given that the duties required of a member of the People's Army/Militia are occasional and given the absence of information to suggest that punishments are applied for failing to carry them out, or that if they are, they amount to persecution or serious harm it is not considered that the requirement to perform People's Army/Militia duties is enough to establish a need for international protection.

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2.4 Protection

- 2.4.1 As the person's fear is of ill treatment/persecution at the hands of the state, they will not be able to avail themselves of the protection of the authorities.
- 2.4.2 For further information on assessing the availability or not of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.5 Internal relocation

- 2.5.1 As the person's fear is of ill treatment/persecution at the hands of the state, they will not be able to relocate to escape that risk.
- 2.5.2 For further information on the factors to consider and considering internal relocation, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#) and the [Asylum Instruction on Internal Relocation](#).

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2.6 Certification

- 2.6.1 Where a claim falls to be refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.6.2 For further guidance on certification, see the [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

3. Policy summary

- 3.1.1 National service is compulsory for persons aged 18 to 50 under Eritrean law with limited exemptions. A requirement to undertake national/military service does not, in itself, constitute persecution or serious harm.
- 3.1.2 The lack of a civilian alternative to national service and the disproportionate penalties for those who refuse to undertake it means that conscientious objectors – in particular Jehovah’s Witnesses and evangelical and Pentecostals Christians – are likely to be at risk of persecution and qualify for asylum.
- 3.1.3 Evading or deserting from national service, by itself, is unlikely to be perceived as a political act by the government. This will, though, depend on the person’s circumstances, including their actions inside Eritrea and since leaving the country.
- 3.1.4 Eritrean law has provisions which punish those who evade or desert from national service with up to 5 years imprisonment. In practice, punishment can be arbitrary and may range from no punishment at all – simply reassignment to another national service post - to several years in prison, where conditions are likely to be harsh and may include ill-treatment. Persons able to demonstrate that they will face a prolonged period of detention are likely to be subject to serious harm.
- 3.1.5 Persons who have fled from national service and left Eritrea illegally may be able to regularise their status with the Eritrean government by paying the 2% Diaspora tax and signing the letter of apology. Decision makers will need to consider whether the person has or will pay the tax, sign the letter and return to Eritrea.
- 3.1.6 Conditions during national service (including the period of military training preceding a national service posting) are generally harsh, although better for the majority who are assigned to posts in the civilian sector, such as in the civil service and as teachers. Some persons, in particular women over 27 who are married and / or have children, may be able to be demobilised / discharged from national service. Persons who are required to do national service in a military posting may be subject to conditions that amount to serious harm. The circumstances of each case will be different and therefore need to be considered on its merits.
- 3.1.7 The length of national service in law is 18 months but in practice it can be significantly longer and in some cases is open-ended. Open-ended national service, by itself, may not amount to serious harm but where a person can demonstrate that they would face a real risk of a flagrant denial of their right not to be required to perform forced labour under Article 4 of the ECHR, then they may be entitled to a grant of Discretionary Leave. Each case will need to be considered on its merits.
- 3.1.8 In assessing a case, decision makers should consider if the person will face:
- A real risk that they will be punished on return for having evaded / absconded national service

- What is the likely punishment
- Will they be required to undertake national service
- What conditions they will face during national service if reassigned to a posting
- Have they paid or will they pay the Diaspora tax and sign the letter of apology

3.1.9 There may be persons who through a combination of personal factors, including past experience, gender, education and profession, and the person's link to the government, are not at risk of serious harm. Each case will therefore need to be considered carefully on its facts. Persons able to demonstrate a real risk of serious harm should be granted humanitarian protection unless they are able demonstrate that the risk of harm is for a Refugee Convention reason.

3.1.10 Those who are not at risk of persecution or serious harm may be able to demonstrate that there is a real risk that the length and conditions of their national service will be a flagrant breach of their right to protection from forced labour and, if so, they may be entitled to Discretionary Leave. demonstrate that

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Country Information

Updated: July 2016

4. Limits of sources

4.1.1 The question of reliability and accuracy of country information is particularly pertinent to Eritrea:

The European Asylum Support Office (EASO), in its focus report on Eritrea dated May 2015, explained that access to accurate and reliable information about human rights in Eritrea is difficult. This mainly to do with the restrictions on free press, the lack of access of human rights monitors to the country and limited research options for academics. Most available evidence from within the country is based government statements and anecdotal information obtained from western diplomats and representatives of international organisation. Additionally, EASO cautioned that because many 'established' sources such as the US State Department, Amnesty International and Human Rights Watch, do not always cite the source of information, there is a risk of round-tripping, i.e. these sources appear to provide corroborative information but in fact are citing the same source multiple times.¹

4.1.1 The Norwegian country of origin information centre 'Landinfo' also observed problems with information about the country, noting that it is either anecdotal from international sources in Asmara (who have limited scope to travel outside of the capital) or comes from individuals who have left the country. Landinfo further noted:

- 'The majority of our sources are anonymous at their request. The disadvantage of anonymous sources is unfortunately that readers cannot verify whether or not the source and information are reliable. In some countries, such as Eritrea, few citizens will speak out if their identity is made public, due to fear of reprisals from the government or difficulties in their work.'
- '... Several reputable international organisations point out that there has been serious abuse of people who evade or defect from National Service in Eritrea. Their reports are largely based on accounts from people who have come to the West and to other African countries as asylum seekers. None of the organisations in question have been in the country, as they have not been granted visas by the Eritrean government. It is therefore a paradox that criticism of the accuracy of sources has been relatively absent in the various reports published over the years. Challenges such as reliability, objectivity and accuracy are discussed only briefly. From this perspective, these sources do not necessarily have the most credible information. It is difficult to verify many of the allegations the exile

¹ EASO, 'Eritrea Country Focus' (introduction and source assessment), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 9 June 2016.

sources present and because of the lack of credible reporting from Eritrea on such matters, it is often tempting to draw general conclusions about torture and brutal attacks being used against anyone who avoids or deserts from service.’

- ‘Landinfo has no doubt that Eritrea has an authoritarian and militaristic government and that an unknown number of critics of the regime have been imprisoned or that human rights violations have been committed. However, we believe that it is necessary to discuss challenges and shortcomings regarding the information on this topic.’²

4.1.2 The observations made by EASO and Landinfo apply to material obtained by the Danish, Norwegian (Landinfo), UK and other country of origin information units’ respective fact finding missions to Eritrea as they do to recent reports produced by Amnesty International (Just Deserters, December 2015) and the UN Commission of Inquiry’s two reports (published in June 2015 and June 2016). Additionally, information obtained directly from the Eritrean government needs to be treated with caution, and considered against and corroborated with material obtained by other, independent sources.

4.1.3 The issue of assessing source material has become key to discussions over what is the actual human rights situation in Eritrea, with individual sources being subject to intense scrutiny. There has been in particular criticism of the Danish Immigration Service’s fact finding mission (DIS FFM) report of December 2014.^{3 4} However, the Danish Ombudsman’s investigation into what it described as ‘The Eritrea Case’⁵, found that there was no basis to assume that there has been a substantial breach of the applicable Danish law. The Home Office’s observations on the criticisms of the DIS FFM report are set out in detail in response to the Independent Advisory Group on Country Information’s reviews of the March and September 2015 country information and guidance (see paragraph below). There have also been criticisms of other sources’ methodologies and evidence, notably the UN Commission of Inquiry’s reports on the human rights situation in Eritrea.^{6 7 8 9 10 11}

² Landinfo, ‘Eritrea: National Service (Eritrea: Nasjonaltjeneste)’ (section 1.1: Background and quality of sources), March 2015, http://www.landinfo.no/asset/3235/1/3235_1.pdf. Date accessed: 29 April 2016.

³ UNHCR, ‘Fact Finding Mission Report of the Danish Immigration Service, “Eritrea – Drivers and Root Causes of Emigration, National Service and the Possibility of Return. Country of Origin Information for Use in the Asylum Determination Process”, UNHCR’s perspective’, December 2014, <http://www.ft.dk/samling/20141/almdel/uu/bilag/41/1435206.pdf>. Date accessed: 9 June 2016.

⁴ Human Rights Watch, ‘Denmark: Eritrea Immigration Report Deeply Flawed’, December 2014, <https://www.hrw.org/news/2014/12/17/denmark-eritrea-immigration-report-deeply-flawed>. Date accessed: 9 June 2016.

⁵ Folkjetings Ombudsmand/Danish Ombudsman, ‘Eritrea-sagen’/‘The Eritrea Case’, 15 September 2015, <http://www.ombudsmanden.dk/find/nyheder/alle/eritrea/redegoerelse/>. Date accessed: 13 June 2016. (English translation available on request).

⁶ Müller, Tanja R., ‘Media reporting from the global fringes – observations from Eritrea and beyond’, November 2015, <https://tanjarmueller.wordpress.com/2015/11/01/media-reporting-from-the-global-fringes-observations-from-eritrea-and-beyond/>. Date accessed: 9 June 2016.

4.1.4 In regard to the UN Commission of Inquiry reports, criticisms of these include:

- Almost all sources are anonymous (to preserve the identity of individuals who have provided the information because they fear reprisals) and appear to be, largely, Eritreans who have left the country. There is no way of assessing the sources' credibility
- Information from sources is provided in selected quotes or paraphrased, therefore is missing context and subject to interpretation
- Full transcripts are not provided, so it is not possible to determine what questions were asked to elicit information, (where selected quotes were provided) what follow-up questions were asked or what else may have been stated or whether the notes were approved by the source
- While the June 2016 report refers to 44,000 submissions critical of the first report, it largely discounts these as being without substance. The narrative contains almost exclusively cites negative information
- The June 2015 report covers a 24 year period, yet the time frame to which the observations relate is often unclear
- There are sources that the UNCol did not engage with – notably those who have visited Eritrea recently – including the Danish Immigration Service and Landinfo
- The Commission was not permitted to visit by the government, and was therefore unable to observe the country for itself.

4.1.5 The chair of the Independent Advisory Group on Country Information (IAGCI) conducted an ad hoc review of the March 2015 country information and guidance (CIG) on Eritrea in May 2015. The IAGCI subsequently commissioned a review of the September 2015 CIG, which was conducted by Dr John Campbell. The reviews address the issues of source reliability and use of sources, including detailed commentary of the DIS FFM report of December 2014.

⁷ Atlantic Council, 'What the UN Gets Wrong About Rights in Eritrea', 7 June 2016, <http://www.atlanticcouncil.org/blogs/new-atlanticist/what-the-un-gets-wrong-about-rights-in-eritrea>. Date accessed: 9 June 2016.

⁸ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 13.4, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

⁹ Müller, Tanja R., 'Human rights as a political tool: Eritrea and the 'crimes against humanity' narrative', 10 June 2016, <https://tanjarmueller.wordpress.com/2016/06/10/human-rights-as-a-political-tool-eritrea-and-the-crimes-against-humanity-narrative/>. Date accessed: 13 June 2016.

¹⁰ Landinfo, 'Eritrea: National Service (Eritrea: Nasjonaltjeneste)' (section 1.1), 20 May 2016, <http://www.landinfo.no/id/168.0>. Date accessed: 23 June 2016. (English translation available on request).

¹¹ Bruton, Bronwyn (opinion piece in the New York Times); 'It's bad in Eritrea, but not that bad', 23 June 2016, <http://mobile.nytimes.com/2016/06/24/opinion/its-bad-in-eritrea-but-not-that-bad.html>. Date accessed: 21 July 2016.

4.1.6 The reviews, the Home Office responses and the minutes of the December 2015 meeting discussing, amongst other things, Dr Campbell's review are available on the [Chief Inspector's website](#):

- [IAGCI review of March 2015 CIG plus Home Office responses](#), May/June 2016:
- [Review of the September 2015 CIG by Dr John Campbell on behalf of the IAGCI](#) (but not necessarily representing the views of the group – see minutes of meeting below), November 2015
- [Home Office responses to Dr Campbell's review of the September 2015 CIG](#), November 2015
- [The Home Office's covering response to the IAGCI reviews of Eritrea, Syria, Libya and Iraq](#), November 2015
- [IAGCI minutes of the meeting to discuss reviews including Eritrea](#), see the Addendum for comments by the IAGCI on the Home Office's CIG on Eritrea, December 2015.

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5. Legal framework

5.1 The National Service Proclamation

5.1.1 The table below sets out a note of the key requirements or provisions, which are taken from the National Service Proclamation No 82/1995 issued by the Eritrean government on 23 October 1995 which sets out the national service requirements in full¹².

Article (of Proclamation)	Requirement/Provision
Article 2	“National Service” will mean the general service that a citizen will give in active national service and in reserve military service, under the present proclamation ... “Active National Service” will mean the training and service that a citizen [referred to as a “Trainee”] fit for national service under Article 8 of this proclamation will undergo for 18 months.’
Article 6	‘...any Eritrean citizen from 18 to 50 years of age has the obligation of carrying out national service.’

¹² Government of the State of Eritrea, ‘Proclamation No 82/1995 - National Service Proclamation of 23 October 1995’, available via UNHCR’s RefWorld website, <http://www.unhcr.org/refworld/country,LEGAL,,LEGISLATION,ERI,,3dd8d3af4,0.html>. Date accessed: 19 November 2014.

Article 8	‘...all Eritrean citizens from the age of 18 to 40 years have the compulsory duty of performing Active National Service. Active National Service consists of six months of training in the National Service Training Center and 12 months of active military service and development tasks in military forces for a total of 18 months.’ The use of the term ‘active national service’ in the National Service Proclamation refers to military training and national service duties but does not include reserve military service
Article 9	‘...any Eritrean citizen from the age of 18 to 40 years called upon to undertake active national service has the compulsory duty of undertaking military training for six months in the National Service Military Training Center’.
Article 16	the Ministry of Defence decides what type of national service individuals have to complete.
Article 18	the Ministry of Defence has the responsibility to resolve problems individuals may have with the length and nature of national service they have to undergo.
Article 21(1)	‘during a mobilization or war period anyone in Active National Service is under the obligation of remaining even beyond the prescribed period unless the concerned Authority allows him to leave officially.’
Article 22	provides details of the rights and privileges of the individuals in national service. These include food, lodging, transport, uniform, medical services, and payment. Individuals who have completed active national service have the right to return to their previous employment - whether this is in the public sector or private sector.

5.2 The aim of national service

5.2.1 The EASO Eritrea Country Focus report on Eritrea of May 2015 (‘the May 2015 EASO Report’) stated:

‘Eritrea’s national service (Hagerawi Agelglot) differs from the defence forces of other countries in that its overall aim is not only to defend the country, but also to rebuild it following the war of independence and to propagate the

national ideology. National service is regarded as the 'school of the nation' in Eritrea.

According to the National Service Proclamation of 1995 its aims are:

- To establish a strong defence force ... [to] ensure a free and sovereign Eritrea.
- To preserve and entrust future generations with the courage, resoluteness and heroic episodes shown by our people in the past thirty years.
- To create a new generation characterised by love of work, discipline and a willingness to participate and serve in the reconstruction of the nation.
- To develop [...] the economy of the nation by investing in the development of our people as a potential wealth.
- To foster national unity among our people by eliminating sub-national feelings.¹³

5.2.2 In its 2016 report, the UN Commission on Inquiry concluded that '...despite the justifications for a military/national service programme advanced in 1995, the military/national service programmes today serve primarily to boost the economic development of the nation, profit state-endorsed enterprises, and maintain control over the Eritrean population ...'¹⁴ This is done, they state '...in a manner inconsistent with international law.'¹⁵

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6. Size of the military

6.1.1 The CIA World Factbook estimated Eritrea's population (as of July 2015) at over 6.5 million¹⁶ and that, the 'manpower reaching militarily significant age annually' is around 66,800 males and 66,700 females¹⁷. The CIA World Factbook also provides data on the age structure of Eritrea, estimated that

¹³ EASO, 'Eritrea Country Focus' (section 3), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 9 June 2016.

¹⁴ OHCHR, 'Detailed findings of the commission of inquiry on human rights in Eritrea' (para 234), 8 June 2016, http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColEritrea/A_HRC_32_CRP.1_read-only.pdf. Date accessed: 9 June 2016.

¹⁵ OHCHR, 'Detailed findings of the commission of inquiry on human rights in Eritrea' (para 234), 8 June 2016, http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColEritrea/A_HRC_32_CRP.1_read-only.pdf. Date accessed: 9 June 2016.

¹⁶ CIA World Factbook, 'Eritrea: Population and society', regularly updated, <https://www.cia.gov/library/publications/the-world-factbook/geos/er.html>. Date accessed: 16 June 2015.

¹⁷ CIA World Factbook, 'Eritrea: Military', regularly updated, <https://www.cia.gov/library/publications/the-world-factbook/geos/er.html>. Date Accessed: 23 June 2015.

around 52% of the population is between 15 to 54 years old, which roughly corresponds to the age of national service requirement.¹⁸

- 6.1.2 However the CIA Factbook's population figure may be an over-estimate. Sources on the UK Home Office fact finding mission to Eritrea, 7-20 February 2016, noted that diplomatic sources and the government itself considered the most accurate figure for the population to be 3.5 million.¹⁹ This would suggest that the numbers reaching military age annually are likely to be lower than estimated by the CIA Factbook.
- 6.1.3 The UN Commission of Inquiry's 2015 report, citing the International Institute of Strategic Studies, observed that, 'According to estimates, the majority of the estimated 201,750 current active members of the armed forces are national service conscripts. Exact figures are not available and it is unclear how many of these are women.'²⁰
- 6.1.4 The May 2015 EASO Report stated, 'No official data is available regarding the number of people engaged in national service but various estimates place the figure at between 200,000 and 600,000 in recent years, approximately half of whom are assigned to active military service. Deserters have reported that many army units are seriously undermanned and that the whole force numbers only 100,000.'²¹

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7. Exemptions and alternatives

7.1 General

- 7.1.1 Sources sometimes conflate exemptions with those persons who may be able to be demobilised on certain grounds. See: [Discharge/demobilisation and dismissal](#)
- 7.1.2 Article 12 of the Proclamation covers the categories of people who are exempt from 'Active National Service'. These are: "(1) The citizens who have performed National Service before the promulgation of this proclamation; (2) All Fighters and Armed peasants who have proved to have spent all their time in the liberation struggle".²²

¹⁸ CIA World Factbook, 'Eritrea: Population and society', regularly updated, <https://www.cia.gov/library/publications/the-world-factbook/geos/er.html>. Date accessed: 13 May 2016.

¹⁹ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 19: Size of the Eritrean population, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 1 May 2016.

²⁰ OHCHR, 'Advance version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1178), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 19 June 2015.

²¹ EASO, 'Eritrea Country Focus' (section 3.1), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 9 June 2016.

²² Government of the State of Eritrea, 'Proclamation No 82/1995 - National Service Proclamation of 23 October 1995', available via UNHCR's RefWorld website,

- 7.1.3 The May 2015 EASO report notes that ‘All of these exemptions (with the exception of that applying to former freedom fighters) apply only on a temporary basis and can be withdrawn at any time’.²³
- 7.1.4 See also sections on Law regulating national service, Exemptions and Demobilisation, in [the report of the UK Home Office fact finding mission to Eritrea, February 2016](#).
- 7.2 Medical
- 7.2.1 Article 13 of the Proclamation covers those who are unfit for military service. It states that:
- ‘(1) Those citizens who have been declared unfit for military [service] by the Board composed of the Ministry of Regional Administration of other Government Organs under the directives given by the Ministry of Defence will undertake 18 months of National Service in any public and Government organ according to their capacity and profession.
- ‘(2) After completing 18 months of service they will have the compulsory duty of serving according to their capacity until the expiry of 50 years of age under mobilization or emergency situation directives given by the Government.’²⁴
- 7.2.2 Article 15 of the Proclamation deals with medical exemptions and states that individuals who are disabled, blind or suffer from psychological derangement, can be given official exemption from all types of national service - not just military service.²⁵
- 7.2.3 The British Embassy in Asmara, in a letter dated 1 April 2010, based on information obtained from Eritrean sources, confirmed that people who are disabled or medically unfit for military/national service can and have been exempted from military/national service²⁶.
- 7.2.4 They also explained that:
- ‘To be exempted, these individuals have to be medically certified by a doctor at a military base as disabled/medically unfit...doctors produce the medical reports needed and then make a recommendation as to whether a particular individual should be exempted from military/national service. The military

<http://www.unhcr.org/refworld/country,LEGAL,,LEGISLATION,ERI,,3dd8d3af4,0.html>. Date accessed: 19 November 2014.

²³ EASO, ‘Eritrea Country Focus’ (section 3.2), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 9 June 2016.

²⁴ Government of the State of Eritrea, ‘Proclamation No 82/1995 - National Service Proclamation of 23 October 1995’, available via UNHCR’s RefWorld website, <http://www.unhcr.org/refworld/country,LEGAL,,LEGISLATION,ERI,,3dd8d3af4,0.html>. Date accessed: 19 November 2014.

²⁵ Government of the State of Eritrea, ‘Proclamation No 82/1995 - National Service Proclamation of 23 October 1995’, available via UNHCR’s RefWorld website, <http://www.unhcr.org/refworld/country,LEGAL,,LEGISLATION,ERI,,3dd8d3af4,0.html>. Date accessed: 19 November 2014.

²⁶ Letter from the British Embassy in Asmara, 1 April 2010, Letter from the British Embassy in Asmara, 11 October 2010. See [Eritrea: Illegal Exit](#), Annex A.

authorities make the decision regarding exemption and issue the relevant exemption documents.’²⁷

7.2.5 The Human Rights Watch ‘Service for Life - State Repression and Indefinite Conscription in Eritrea’ report, published in April 2009, stated: “Psychological derangement” (article 14, 5.1[of the National Service Proclamation]) is also a ground for exemption from military service, and this appears to be a popular way to try and evade service.’²⁸

7.2.6 The Commission of Inquiry’s 2015 report observed that:

‘The Commission documented cases of conscripts who had to participate in military training and subsequent service in the army despite severe injuries sustained during the military training or disabilities sustained during torture inflicted by prison guards or interrogators. The Commission is concerned that exemptions on health grounds are rarely granted, even though the state of health of the persons concerned prevents them from serving in the military.’²⁹

7.2.7 The Home Office’s February 2016 fact-finding mission to Eritrea, spoke to Amina Nurhussk, the Eritrean Minister of Health, about assessments for and exemptions from national service on the grounds of health, including mental health as well as the possibility of appeal and recall.

7.2.8 For the notes of that discussion see section 12 of [the report of UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016](#).

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7.3 Women

7.3.1 The British Embassy in Asmara, in a letter dated 1 April 2010, also confirmed that ‘...pregnant women can and have been exempted from military/national service ... Married women and women with children are exempt from military/national service. Single women who become formally engaged are also exempt.’³⁰

7.3.2 The British Embassy in Asmara, in a letter dated 3 October 2011, provided the following information, obtained from Eritrean sources:

‘Women are able to marry whilst on a national service work programme, but not during military service, which normally is the first six months of the national service programme.

‘Following her marriage, a woman may apply for demobilisation, a decision on whether to grant lies with the relevant dept/ministry. It is not standard

²⁷ Letter from the British Embassy in Asmara, 1 April 2010, Letter from the British Embassy in Asmara, 11 October 2010. See [Eritrea: Illegal Exit](#), Annex A.

²⁸ Human Rights Watch, ‘Service for Life - State Repression and Indefinite Conscription in Eritrea’ (p.48), 16 April 2009, <http://www.hrw.org/node/82284>. Date accessed: 19 November 2014.

²⁹ OHCHR, ‘Advance version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea’ (para 1196), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 19 June 2015.

³⁰ Letter from the British Embassy in Asmara, 1 April 2010, See [Eritrea: Illegal Exit](#), Annex A.

practice for a woman to be demobilised on marriage, some are expected to continue their national service for various reasons ... Women are not automatically exempt on marriage. They have to formally apply for demobilisation, if on national service, or exemption if national service has not yet started. Women who are discharged from national service duties are ... issued with a certificate releasing them from duty, followed by a demobilisation card.³¹

7.3.3 A presentation by Dr David Bozzini, given to the Swiss Federal Office for Migration on 16 February 2012, entitled 'National Service and State Structures in Eritrea', noted that:

'Women who left school and avoided the National Service are often in [a] clandestine situation. There are two main strategies for these objectors: Either they stay at home and work as housekeepers in their own families, or they search [for] employment in commerce (shops, bars, cafes)

'... After the age of 27 years, women in clandestine situations can regularize their status, i.e. they're demobilized without ever having joined the National Service. This possibility was introduced around 2005.

'...Women are able to travel more freely than men in Eritrea. They can often set up small businesses or even be active in the black market trade of items coming from Sudan to the western lowlands. However, it happens sometimes that they're recruited after a round-up. In some cases, people claimed that certain round ups were targeting young women. They believe that this happens when leaders of military units require new domestic workers.

'... Another way to avoid conscription is marriage or pregnancy. Many marriages are arranged for this goal. Especially in Sawa, women often get pregnant in order to be demobilized. In both cases, such demobilizations, are fragile: Women aren't promptly issued a demobilization paper, which makes them vulnerable during police controls. Mothers usually aren't re-mobilized, but given the general arbitrariness in Eritrea, such cases can't be categorically excluded. Some women with children were in the National Service. But there's certainly no systematic practice to remobilize mothers.'³²

7.3.4 The May 2015 EASO Report stated:

'In practice, women who are married or engaged and those who have children or are pregnant, as well as Muslim women from rural areas, are normally also granted an exemption from the military part of national service. They are, however, occasionally conscripted during a giffa (round-up), for example, or assigned to civilian service. Conscripts may marry during national service (with the exception of the six-month military training period) and apply for demobilisation, although this is not always granted. Women

³¹ Letter from the British Embassy in Asmara, 3 October 2011, See [Eritrea: Illegal Exit](#), Annex C.

³² Dr. David Bozzini, 'National Service and State Structures in Eritrea' (agreed minutes of presentation at the Federal Office for Migration, Bern) (p.8-9), 16 February 2012, <http://www.ejpd.admin.ch/dam/data/bfm/internationales/herkunftslander/afrika/eri/ERI-agreed-minutes-bozzini-e.pdf>. Date Accessed: 29 June 2015.

who give birth during national service are generally demobilised, however. Women who have not been issued with demobilisation papers frequently work either at home or in shops, although there is an element of risk that they will be recruited during a giffa. Women over the age of 27 can 'regularise' their status, i.e. be officially demobilised.'

'Women frequently marry or get pregnant in order to avoid national service, not least because they are afraid of being sexually assaulted.'³³

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

7.3.5 The UN Commission of Inquiry's 2015 report stated:

'Proclamation No.11/1991, which regulated the national service prior to the promulgation of the National Service Proclamation (No. 82/1995), provided for married women and single mothers to be exempt from national service. Although the 1995 National Service Proclamation removed these exemptions de jure for married women and mothers, many married women and single mothers continue to be de facto exempted, at the discretion of recruiting officers.

'... Reportedly, the exemption is, however, applied on an ad hoc basis, and women who are married or had children have been taken to national service against their will.

'... The Commission received recent reports indicating the Government of Eritrea is trying to restrict girls and women who have not completed national service from marrying. One report suggests the Government is prohibiting churches and mosques from officiating marriages of women and girls of conscription age without permission from the Government, which is only issued if the woman has completed national service. Such a prohibition would amount to a violation of the right to form a family.

'...Some women marry while in national service in order to be able to leave with the permission of the officers in charge. Women who become pregnant (by choice or otherwise) are also able to obtain permission to leave. Leaving the national service early due to marriage or motherhood, however, does not guarantee a woman will be officially discharged. The provision of a certificate of completion to a woman who is leaving national service also appears to be a non-standardised practice that is effectively at the discretion of a conscript's leader. The timing of release is also at the leader's discretion and women are not always permitted to leave directly after marrying, rather many must serve until they are visibly pregnant.'³⁴

7.3.6 The December 2015 Amnesty International Report, 'Just Deserters', noted, 'Exemption from National Service is usually granted to women and girls who

³³ EASO, 'Eritrea Country Focus' (section 3.2), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 13 June 2016.

³⁴ OHCHR, 'Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1201,1203, 1205 and 1256), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 19 June 2015.

are married, pregnant or have children. This is an unwritten policy and appears to be arbitrarily implemented.³⁵

7.3.7 The UK Home Office's fact finding mission to Eritrea, 7-20 February 2016, spoke to three representatives from the National Union of Eritrean Women (including the President of the NUEW), a state-sponsored civic group, and asked them about women and national service.

7.3.8 For the notes of that discussion see section 9: National service of [the report of the UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016](#).

7.3.9 The Landinfo report of 20 May 2016, Eritrea: National Service noted:

'Several sources within and outside Eritrea have in recent years claimed that more and more women are being either exempted or demobilized from national service if they can document marriage, pregnancy or care for children, or if they have contacts in the government apparatus.²⁵ Although the law does not distinguish between service time for women and men, the sources claim that the authorities have a more relaxed attitude to women's service, and it is thought that there is an "age limit" of between 25 and 27 years for women. Representatives of the Eritrean authorities went far in confirming to Landinfo in January/February 2016 that married women and mothers to a large extent are exempted from service (interviews in Asmara on 29 January 2016; 5 February 2016). Exemption is not a consequence of formal changes to regulations, but rather of practical and pragmatic considerations. The reason for the "age limit" is that the authorities realize that the majority of the country's women get married and have children when they are in their mid-twenties and are thus not eligible for the service. This practice may have led to temporary increases in early marriage. Parents take their daughters out of school at 15 so that they can get married and thus avoid the service.

'At the same time women, like others who do not perform national service, lose many privileges, such as the ability to get land assigned or get ration cards, exit visas or passports.

'It has also been argued that women are released from service if they can document a job offer or study position. Women are also given demobilization papers (Kibreab, interview in London, May 2010; Chyrum, interview in London, May 2010; leaders of Eritrean organization (1) and (2), interviews in Asmara, February 2011).

'In regards the so-called giffas or arrests of persons for enlistment in the service, which occurred relatively frequently in the early 2000's, mothers who had not completed national service risked being taken if they could not demonstrate that they had children. If they could submit the required documentation on care responsibilities, they were usually released in a matter of weeks.

³⁵ Amnesty International, 'Just Deserters' (page 28), December 2015, <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016

'Mothers who are exempt from service have generally not been recalled to service, but there may be exceptions, and Elsa Chyrum reported in 2010 that it was largely the military commanders who were responsible for such decisions (interview in London, May 2010). Women with children could instead be allocated to different tasks in the local community, such as cleaning public buildings or performing various services for local commanders.

'According to a well-informed diplomatic source in Asmara, as of April 2013 there were clear signs of personnel shortages at all levels in the army, and women with children were in some places ordered to serve (diplomatic source (1), email 2 April 2013). But none of the sources Landinfo has interviewed in Eritrea annually since the spring of 2014 discussed this. Although it is difficult to get an insight into what happens in the country, a large scale summoning of women with children for national service would probably have drawn attention, and the information would probably have reached the international community of Asmara.'³⁶

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7.4 Religious grounds

7.4.1 A letter from the British Embassy in Asmara, dated 1 April 2010, containing information obtained from Eritrean sources, stated that: 'Full-time religious clerics/nuns can be required to do military/national service although in previous years they have been exempt. It is believed that some churches or mosques are limited to having a minimum of serving religious members who are exempt from military/national service.'³⁷

7.4.2 The United States Commission on International Religious Freedom 'Annual Report 2014: Eritrea', published on 30 April 2015, repeated its note from the previous year that: 'In a reversal of policy, in 2010 the Eritrean government began requiring all clergy, including those from registered religious communities, to participate in national military service regardless of their conscientious objections to such service.'^{38 39}

7.4.3 The Landinfo report of 20 May 2016, Eritrea: National Service (the report is a composite of many sources, please see the full report for full details of the sources quoted):

'Neither ethnic nor religious affiliations are formal grounds for exemption from the national service. In practice, however, women from rural, Muslim areas where resistance to female military service is strong, are not forced to

³⁶ Landinfo, 'Eritrea: National Service (Eritrea: Nasjonaltjeneste)' (section 2.10.3), 20 May 2016, <http://www.landinfo.no/id/834>. Date accessed: 23 June 2016.

³⁷ Letter from the British Embassy in Asmara, 1 April 2010, see Home Office country information and guidance, [Eritrea: Illegal Exit](#), Annex A, Date accessed: 1 July 2016

³⁸ United States State Department, 'International Religious Freedom Report for 2013 - Eritrea', 28 July 2014, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>. Date accessed: 26 June 2016

³⁹ United States Commission on International Religious Freedom, 'Annual Report 2015: Eritrea', covering period 31 January 2014 to 31 January 2015, 30 April 2015, <http://www.uscifr.gov/countries/eritrea>. Date accessed: 16 June 2015.

serve (Chyrum, interview in London, May 2010; Kibreab, interview in Berne, November 2009).

‘Muslim women who grow up in the cities of Asmara, Keren and Mendefera, Barentu and Assab, however, are regarded as secularized and are recruited to the national service, in contrast to women from Akordat, which is a conservative Muslim city. Men are not exempted for religious reasons or on the basis of ethnic affiliation (Kibreab, interview in London, May 2010).’⁴⁰

See also [Women](#) and [Conscientious Objection](#).

7.5 Time-limited exemptions (students)

7.5.1 Article 14 of the Proclamation covers exemptions that are only valid for a limited period, and mainly affects students⁴¹.

7.5.2 The UN Commission of Inquiry’s 2015 report stated:

‘By law, temporary exemptions to the military service may be granted to students with a view to allowing them to complete their studies. Since the establishment of the 12th grade of high school in the Warsai Yikealo school in Sawa, the temporary exemption regime for students has been rendered irrelevant, as all students have to pass through active military training in Sawa for their final year of high school.

‘According to the National Service Proclamation, students who are temporarily exempted only get their diplomas once they have completed their active military service at the end of their studies. The principle of withholding diplomas is still being applied to students of higher education, who only receive their final diplomas once they have been formally released from national service, which does not happen as national service is indefinite. Those who have graduated are thus unable to apply for jobs for which they would require their diploma.’⁴²

7.6 Additional groups

7.6.1 Diplomatic source A told the UK Home Office’s fact finding mission (UK FFM) to Eritrea, 7-20 February 2016, in response to the question, “We’ve heard from other sources that doctors or teachers would be released from national service?”: ‘Government told us the same. Asmara teachers’ college: 2 years at college, then 2-3 months in military training. They do that near to Asmara.’⁴³

⁴⁰ Landinfo, ‘Eritrea: National Service (Eritrea: Nasjonaltjeneste)’ (section 2.10.2), 20 May 2016, <http://www.landinfo.no/id/834> Date accessed: 23 June 2016.

⁴¹ Government of Eritrea Proclamation No 82/1995 - National Service Proclamation of 23 October 1995, available via UNHCR’s RefWorld website, <http://www.unhcr.org/refworld/country,LEGAL,,LEGISLATION,ERI,,3dd8d3af4,0.html>. Date accessed: 19 November 2014.

⁴² OHCHR, ‘Advance version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea’, (para 1198-1199), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 19 June 2015.

⁴³ UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date

- 7.6.2 Another anonymous source spoke to the UK FFM about teacher training:
'Students [of teaching] will have 2 years at Asmara college. Students won't go to Sawa and only do 3 months military training. 700 students were selected [in the new teacher training programme] in 2015. Not sure will be able to do this in 2016. Length of training takes 2 years. **Q:** Will teachers be exempt from national service? **A:** Yes that has been said, but remains to be seen.'⁴⁴
- 7.6.3 Amina Nurhussk, Eritrea Minister for Health, told the fact finding mission that: 'Health Professionals do not do national service. They complete their national service, which is referred as community service working on their profession in the Zonal referral or other hospitals. During the community service doctors get their full salary and are provided with accommodation and other livelihood commodities.'⁴⁵
- 7.6.4 In response to the question "When a doctor/nurse completes the two years, can the person choose to leave the profession?" Ms Nurhussk replied:
'In principle and policy wise they are free to change the profession or leave the profession. However, at the moment due to scarcity of health professionals we do not encourage leaving the profession. We encourage people to learn more skills and upgrade their profession. We want more health professionals, including technicians, midwives etc. Each year, we send 300-400 students to upgrade their skills and their profession. We also send some people abroad for training. We are trying our best to retain our health professionals. All health training programs are free.'⁴⁶
- 7.6.5 The UK FFM also met with a group of Eritrean immigration officials who stated that once a person has left the country and stayed outside for three years they are considered a member of the diaspora and if they sign an apology letter and pay the 2% tax (of income) they can return, stay as long as they want and do not have to do national service.⁴⁷

See also [Discharge/demobilisation and dismissal](#).

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accessed: 13 July 2016.

⁴⁴ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.5, July 2016, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>, accessed: 13 July 2016.

⁴⁵ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.17, July 2016, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

⁴⁶ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.17, July 2016, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

⁴⁷ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 11.7), July 2016, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

7.7 Recall for reserve duties

7.7.1 The UN Commission of Inquiry's 2015 report stated:

'In theory, the holder of a certificate of completion of national service should not be subjected to call-up or arrest for service evasion. However, information received by the Commission indicates that people who have been formally released were recalled at a later point in time. For example, conscripts of the 1st to 4th rounds, who completed the statutory 18-months national service before 1997, were initially released and provided with certificates of completion. However, they were recalled ahead of the first round or during the border war with Ethiopia, without being discharged from national service once the war was over and indefinitely retained in the national service ...

'Reportedly, even persons who have documentary evidence that they have completed their active military service find themselves at risk of punishment as evaders of reserve responsibilities if they leave the country while still of military age.'⁴⁸

See also [People's Army/Militia](#).

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8. Conscientious objection

8.1.1 The Proclamation contains no explicit provision for conscientious objection⁴⁹ and various sources, for example the December 2015 Amnesty International report, 'Just Deserters'⁵⁰, the May 2015 United States State Department 'International Religious Freedom Report for 2014'⁵¹ and Freedom House's 2015 'Freedom in the World' report on Eritrea⁵² report that this remains the case in practice.

8.1.2 In its 2015 report on Eritrea, the US Commission on International Religious Freedom made the following key findings:

'Systematic, ongoing, and egregious religious freedom violations continue in Eritrea under the regime of President Isaias Afwerki. Violations include torture or other ill-treatment of religious prisoners, arbitrary arrests and

⁴⁸ OHCHR, 'Report Advance version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1257 and 1261), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 19 June 2015.

⁴⁹ Government of Eritrea Proclamation No 82/1995 - National Service Proclamation of 23 October 1995, available via UNHCR's RefWorld website, <http://www.unhcr.org/refworld/country.LEGAL,,LEGISLATION,ERI,,3dd8d3af4,0.html>. Date accessed: 19 November 2014.

⁵⁰ Amnesty International, 'Just Deserters', December 2015 <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

⁵¹ United States State Department, 'International Religious Freedom Report for 2014 - Eritrea', 30 April 2015, <http://www.uscirf.gov/sites/default/files/Eritrea%202015.pdf>. Date accessed: 1 July 2015.

⁵² Freedom House, 'Freedom in the World – Eritrea – 2015' (section G), 28 January 2015. https://freedomhouse.org/report/freedom-world/2015/eritrea#.VZEtB_IViko. Date accessed: 29 June 2015.

detentions without charges, a prolonged ban on public religious activities, and interference in the internal affairs of registered religious groups. The religious freedom situation is particularly grave for Evangelical and Pentecostal Christians and Jehovah's Witnesses.⁵³

- 8.1.3 While the UN Commission of Inquiry stated 'Eritrea does not recognise the right of conscientious objection to military service, neither in law nor in practice. Jehovah's Witnesses have been arrested and detained with [sic] a judicial process for their declared conscientious objection to military service.'⁵⁴
- 8.1.4 The December 2015 Amnesty International report, 'Just Deserters' noted: 'Those who refuse National Service conscription on conscientious grounds, such as Jehovah's Witnesses, continue to be indefinitely arbitrarily detained, without charge or trial, for refusing to undergo military training. The most recent arrest reported was that of Bereket Habteyesus, a 23 year old man, arrested in May 2014 for refusing to undertake military training on conscientious grounds as a Jehovah's Witness. At least 16 Jehovah's Witnesses are arbitrarily detained without charge or trial in Eritrea for conscientious objection, as of September 2015.'⁵⁵
- 8.1.5 Corroborating information could not be found to determine the number of Pentecostals or others detained specifically on the grounds of conscientious objection. See also the country information and guidance on [Eritrea: Religious Groups](#).

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9. Military training: Sawa and other camps

9.1 Location of training camps

- 9.1.1 Based on a range of sources, Landinfo's thematic report of May 2016 noted: 'The six months-long military part of the national service, according to the national service law, must be carried out at a training centre (§ 9). According to various sources, in the course of recent years military camps/training centres have been set up in all regions for those not attending the twelfth school year in Sawa (interviews with international representatives in Asmara March/April 2014). Yemane Gebreab claimed for his part in January 2016 to Landinfo that the military training only lasted three months. He claimed further that for some it was even shorter. A representative of the Eritrean Youth Organisation NUEYS in February 2016 reported that young people who do not come to Sawa have three-month military training in other camps

⁵³ US Commission on International Religious Freedom, '2015 Report: Eritrea', 30 April 2015, <http://www.uscirf.gov/sites/default/files/Eritrea%202015.pdf>. Date Accessed: 1 July 2015.

⁵⁴ OHCHR, 'Advance version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1208), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 19 June 2015.

⁵⁵ Amnesty International, 'Just Deserters', December 2015, <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

and then serving either in the civilian sector or in the army (interview in Asmara, 11 February 2016).'⁵⁶

- 9.1.2 The same source reported: 'Sawa, Kiloma and Wia are the most referred to training centres and have existed for a number of years.'⁵⁷

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9.2 Recruitment of persons under 18

- 9.2.1 The US State Department (in their Trafficking in Persons Report), add that those under 18 can and have occasionally been recruited, noting that: 'Though the government bans persons younger than 18 from military conscription, it was undetermined whether all compelled to enter Sawa had reached 18 years of age.'⁵⁸

- 9.2.2 The EASO report noted that

'Standard recruitment procedures operate on the basis of the education system, which means that pupils are called up to Sawa as soon as they have finished their 11th year at school, regardless of their age. Conscripts may therefore be 17 years old or even younger. According to a leaked Eritrean military report, one-third of those drafted during the 21st recruitment round in 2010 were under 18. The Eritrean government claimed that the under-age pupils attending Warsay-Yikealo school did not belong to the army. The conscription of minors for national service during giffas is also a frequent occurrence and age is often judged merely by appearance. Parents who submit identity papers proving their child's real age are often ignored. One report claims that kebab administrations conscript minors for national service partly to make up numbers but also for arbitrary reasons or as a reprisal against the child's family.'⁵⁹

- 9.2.3 The UN Human Rights Council Commission of Inquiry on Human Rights in Eritrea, published June 2015 stated, 'The testimony the Commission collected indicates that the mandatory enrolment in the Warsai Yikealo school for high-school students combined with the military training in Sawa constitute the first step of national service and hence forced conscription of children in violation of international human rights standards.'⁶⁰

- 9.2.4 Amnesty International, in their December 2015 Report 'Just Deserters', also reported that 'Some grade 12 students transferred to Sawa are 17 years old,

⁵⁶ Landinfo, 'Eritrea: National Service (Eritrea: Nasjonaltjeneste)' (section 2.5), 20 May 2016, http://www.landinfo.no/asset/3382/1/3382_1.pdf. Date accessed: 7 July 2016.

⁵⁷ Landinfo, 'Eritrea: National Service (Eritrea: Nasjonaltjeneste)' (section 2.6), 20 May 2016, http://www.landinfo.no/asset/3382/1/3382_1.pdf. Date accessed: 7 July 2016.

⁵⁸ United States State Department, 'Trafficking in Persons Report 2015- Eritrea', 27 July 2015, <http://www.refworld.org/docid/55b73bf3e.html>. Date accessed: 8 March 2016.

⁵⁹ EASO, 'Eritrea Country Focus' (section 3.3.3), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 9 June 2016.

⁶⁰ UN Human Rights Council, 'Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (page 342), June 2015 <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 27 January 2016.

occasionally younger' and that 'Grade 12 students are aged between late teens and early twenties, depending on the age at which they first joined school and on whether they had to repeat grades.'⁶¹

- 9.2.5 The Human Rights Watch 'World Report 2016: Eritrea' (covering events in 2015), stated that, 'Most Eritreans begin military training as part of the last year of high school, but children as young as 15 are sometimes conscripted.'⁶²

See also [From school to Sawa](#) and [Round-ups \(Giffas\)](#).

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9.3 From school to Sawa

- 9.3.1 Professor Gaim Kibreab, in a paper prepared for the October 2014 EASO Practical Cooperation Meeting on Eritrea, explained that: 'Currently, the main mechanism of conscription is through the Warsai School at Sawa in which all secondary school students at the end of 11th grade are automatically transferred to Sawa to complete 12th grade under military discipline in combination with military training.'⁶³
- 9.3.2 Other sources, such as the US State Department⁶⁴, Amnesty International⁶⁵, and the EASO report⁶⁶ confirm that, since 2003, 12th-grade students are required to complete their final year of education at Sawa. The May 2015 EASO report noted that the changes in 2003 meant that 'there is now only one recruitment round for secondary school pupils each year, in late July/early August.'⁶⁷
- 9.3.3 And that 'Eritrean pupils are called to register for the 12th school year by their local (kebab) administration during their 11th school year. Following registration, they are sent a letter telling them the time and location of their departure for Sawa. Recruitment via the 12th school year is primarily carried out in the Eritrean highlands, where the education system is on a

⁶¹ Amnesty International, 'Just Deserters', December 2015

<https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

⁶² Human Rights Watch, 'World Report 2016: Eritrea' (page 234), 21 January 2016, https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf. Date accessed: 3 February 2016.

⁶³ Kibreab, Gaim., 'The Open-Ended Eritrean National Service: The Driver of Forced Migration - Paper for the European Asylum Support Office Practical Cooperation Meeting on Eritrea' (page 5), 15 October 2014, http://www.ecoi.net/file_upload/90_1416473628_gaim-kibreab-the-open-ended-eritrean-national-service-the-driver-of-forced-migration.pdf. Date Accessed: 19 January 2015.

⁶⁴ United States State Department, 'Trafficking in Persons Report 2015- Eritrea', 27 July 2015, <http://www.refworld.org/docid/55b73bf3e.html>. Date accessed: 8 March 2016.

⁶⁵ Amnesty International, 'Just Deserters', December 2015, <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

⁶⁶ EASO, 'Eritrea Country Focus' (section 3.3.1), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 9 June 2016.

⁶⁷ EASO, 'Eritrea Country Focus' (section 3.3.1), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 9 June 2016.

significantly stronger footing than in the lowlands. This means that the Tigrinya are over-represented at Sawa.⁶⁸

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9.4 Size/capacity of Sawa

- 9.4.1 The Landinfo report of 23 March 2015, 'Eritrea: National Service' (English translation September 2015) noted that 'Sawa has primarily become an educational institution, rivalling the size of a city. It can reportedly house an estimated 30,000 people.'⁶⁹
- 9.4.2 The May 2015 EASO report stated that 'Between 10,000 and 25,000 pupils are conscripted for the 12th school year in each recruitment round'⁷⁰, whereas representatives of the National Union of Eritrean Youth and Students (NUEYS), when asked to confirm how many people go to Sawa by the UK Home Office's fact-finding mission to Eritrea answered that 'The head of the zoba in charge of Sawa explained that between 18,000-23,000 go to Sawa each year. It depends on the number of children in high school.'⁷¹
- 9.4.3 See also [Size of the military](#) and sections 9.9 and 9.10 of the UK Home Office, [Report of fact finding mission to Eritrea](#), June 2016.

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9.5 Non-attendance at Sawa

- 9.5.1 The Landinfo report of 23 March 2015, 'Eritrea: National Service' (English translation September 2015) noted that '...no other schools in Eritrea offer this [the 12th] school year, which must be completed in order to be admitted to a university.'⁷²
- 9.5.2 The USSD's Trafficking in Persons Report notes that 'those who refuse to attend cannot receive high school graduation certificates, attain higher education, or be offered some types of jobs.'⁷³ Despite this, Landinfo add that 'However, many young Eritreans leave school before their twelfth school year and thus avoid going to Sawa.'⁷⁴

⁶⁸ EASO, 'Eritrea Country Focus' (section 3.3.1), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 9 June 2016.

⁶⁹ Landinfo, 'Eritrea: National Service (Eritrea: Nasjonaltjeneste)' (page 9), 23 March 2015. <http://www.landinfo.no/id/834>. Date accessed: 3 March 2016.

⁷⁰ EASO, 'Eritrea Country Focus' (section 3.3.1), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 9 June 2016.

⁷¹ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 13.4, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

⁷² Landinfo, 'Eritrea: National Service (Eritrea: Nasjonaltjeneste)' (page 9), 23 March 2015. <http://www.landinfo.no/id/834>. Date accessed: 3 March 2016.

⁷³ United States State Department, 'Trafficking in Persons Report 2015- Eritrea', 27 July 2015, <http://www.refworld.org/docid/55b73bf3e.html>. Date accessed: 8 March 2016

⁷⁴ Landinfo, 'Eritrea: National Service (Eritrea: Nasjonaltjeneste)' (page 9), 23 March 2015.

9.5.3 The May 2015 EASO report explained:

‘There are many Eritrean teenagers who do not attend secondary school and accordingly fail to complete their 12th school year at Sawa. Other methods of recruitment are therefore used, particularly in rural areas. Anyone who drops out of school before their 11th school year can be conscripted for national service directly by the kebab administration once they reach the age of 18. Young people over the age of 18 who are still attending school are also sometimes conscripted by the administration, in particular if there are suspicions that they are delaying leaving school in order to avoid being recruited. This has a particularly strong impact on the children of poor families in lowland areas who rely on them to herd animals and assist with seasonal farming at locations remote from their homes.’⁷⁵

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9.6 Sawa: school year

9.6.1 The December 2015 Amnesty International report, ‘Just Deserters’ explained:

‘The year spent at Sawa consists of around six months of education during which students study for their final school exams, followed by four to five months of military training. Most of the instructors for both the grade 12 education and military training components are conscripts themselves. Former conscripts recounted that the military component involves physical fitness training, military discipline and procedures and training in the use and care of weapons and munitions. Students also undertake a two- to four-week ‘war simulation’ training in the bush away from the camp.’⁷⁶

9.6.2 Representatives of the National Union of Eritrean Youth and Students (NUEYS), speaking to the UK Home Office as part of our fact-finding mission to Eritrea provided further detail on the year at Sawa, including their own experiences. The broad timetable was:

- July-mid August = basic introduction to Sawa.
- Mid-August to mid-March = study.
- April – June = military training
- First week of July = graduation.
- Exams are in first week of March.

9.6.3 For the full notes of that discussion, see section 9.9 of [the report of the UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016](#).

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<http://www.landinfo.no/id/834>. Date accessed: 3 March 2016.

⁷⁵ EASO, ‘Eritrea Country Focus’ (section 3.3.2), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 9 June 2016.

⁷⁶ Amnesty International, ‘Just Deserters’, December 2015, <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

9.7 Physical conditions at Sawa

9.7.1 The Landinfo report of 23 March 2015, 'Eritrea: National Service' (English translation September 2015) noted: 'In winter 2013, Landinfo's sources in Asmara claimed that while Sawa has undoubtedly had a bad reputation in the past, it had improved in recent years. According to the source, Sawa has primarily become an educational institution.'⁷⁷

9.7.2 The May 2015 EASO Report on Eritrea pointed out that:

'Human rights monitors describe the conditions in the Eritrean military as highly problematic. According to these reports, recruits and soldiers are mostly subjected to the arbitrary decisions of their superiors and learn first and foremost to be fearful and obedient. Dissent, attempted escape and disobedience are punished severely and even minor transgressions against military discipline may attract draconian punishments including beatings and torture. The absence of functioning military courts means that punishments are meted out by military superiors on an arbitrary basis. Soldiers' living conditions are described as 'harsh'; neither their clothes nor their living quarters are adequate for the weather conditions and they lack food and medicine.'⁷⁸

9.7.3 In their December 2015 report, 'Just Deserters', Amnesty International allege that:

'Former students at Sawa described the living conditions and the training and treatment of students at the centre as harsh...

'The region where Sawa is located can experience high temperatures during the day. Students sleep in hangars, with 100 or 150 sharing a dormitory. Several former conscripts at Sawa told Amnesty International the food they were given was inadequate and of poor quality, mostly consisting of lentils and bread every day....'⁷⁹

9.7.4 The UK FFM team spoke to Anonymous source 1 who had visited Sawa, and knew others who had. We asked them about the conditions at Sawa:

'**Q:** What's the accommodation like? **A:** It was good. It was new house, neat. But quite crowded - there were about 10 in one room – in bunks. The good thing is they don't have shortage of water. They can wash whenever they like. **Q:** What about food? **A:** They don't really have enough. The family always support their children - sending food stuff for the whole year. They allow us to send anything individually any time if we get someone to go there.'⁸⁰

⁷⁷ Landinfo, 'Eritrea: National Service (Eritrea: Nasjonaltjeneste)' (page 9), 23 March 2015. <http://www.landinfo.no/id/834>. Date accessed: 3 March 2016.

⁷⁸ EASO, 'Eritrea Country Focus' (section 3.5), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 13 June 2016.

⁷⁹ Amnesty International, 'Just Deserters' (page 20), December 2015, <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

⁸⁰ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.10, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date

9.8 Treatment during military training

9.8.1 The UN Commission of Inquiry stated in June 2015 that:

'....Torture is widespread, routine and deliberate in the military. Many witnesses trained in various military training camps described being subjected to harsh punishment amounting to torture during military training. Conscripts are regularly punished and humiliated, often in front of other conscripts....Until today, punishment amounting to torture forms part of the conscripts' daily routine in Sawa and other military training camps. Punishment inflicted in Wi'a, however, seem to be applied with more cruelty, leading more frequently to death...'⁸¹

9.8.2 Further details of conditions at Sawa are set out in [paragraphs 1274-1293 of the Commission's report](#).

9.8.3 Military training is also reportedly undertaken at other camps, including Wi'a details about which are reported in paras 1294-1309 of the Commission's report.

9.8.4 In their December 2015 report, 'Just Deserters', Amnesty International allege that: 'Although students are purportedly there for education as well as military training, the whole ethos of Sawa is militarised. The students are subjected to military style discipline, presided over by military commanders.'⁸²

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9.9 Reports of gender- and sexual-based violence at Sawa

9.9.1 The United States State Department 'Trafficking in Persons Report 2014', published on 20 June 2014, cited media reports claiming that: 'male and female recruits at the Sawa military training camp were beaten, and female recruits reported being sexually abused and raped; however, the number of claims of abuse reportedly declined in the last year as parents put pressure on school administrators to correct abusive practices.'⁸³

9.9.2 The Landinfo report of 20 May 2016, Eritrea: National Service noted (the report is a composite of many sources, please see the full report for full details of the sources quoted):

'Rumours and stories of sexual abuse, in both Sawa and other training camps, were previously not uncommon. Kibreab (2009b, p. 60) points out that it is impossible to distinguish between allegations, rumours and truth because of censorship in the country. Thus, a number of unconfirmed stories

accessed: 13 July 2016.

⁸¹ OHCHR, 'Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1078-1080), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/CoIEritrea/Pages/ReportCoIEritrea.aspx>. Date Accessed: 16 June 2015.

⁸² Amnesty International, 'Just Deserters' (page 20), December 2015, <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

⁸³ United States State Department, 'Trafficking in Persons Report 2014', 20 June 2014, <http://www.state.gov/documents/organization/226846.pdf>. Date accessed: 19 November 2014.

about suicide, fatal malaria and sexual assaults during service have circulated. Boys and girls live in separate dormitories, but associate freely during the rest of the day. According to a diplomatic source (2) Landinfo met in Asmara in 2011, sexual abuse in Sawa occurred "as much as you can expect in a place like this." Another international representative (3) stated to Landinfo in 2014 that the claims of abuse were probably exaggerated (interview in Asmara, March 2014). None of the sources Landinfo interviewed in Asmara in January/February 2016 mentioned sexual assaults in Sawa as a relevant subject. The Commission, however, argues in its report that there is widespread sexual abuse of women in the training camps.⁸⁴

- 9.9.3 During the UK's fact-finding mission to Eritrea in February 2016, the team asked several sources about the allegations in human rights organisations' reporting about violence at Sawa, esp. gender based violence. Representatives from the National Union of Eritrean Women stated that 'It's not the case that violence in Eritrea takes place at Sawa', adding that 'Thes[e] stories are made up to get asylum. They know they have to say this and foreigners will believe it. They have to lie to get asylum. 'If it happens [violence against a woman], the punishment is harsh. Offenders will be punished. Even the people given the training there are given gender sensitivity training.'⁸⁵
- 9.9.4 Diplomatic source A told the UK FFM, in response to the question "Is there ill-treatment at Sawa?", 'Personally, I don't think that there is widespread abuse, but abuses may happen, as in many military services. Widespread is doubtful. I know of 1 case of a friend's daughter who came back to Eritrea voluntarily to do National Service. She wouldn't have done so if violence is common place.'⁸⁶
- 9.9.5 In response being asked about the allegations of sexual violence towards women in Sawa the same source replied: 'The Government may be tolerant to harsh treatment, but they would not tolerate sexual violence. Government would follow-up. It would undermine the credibility of the national service program from within. It is not in their interest: reduce their credibility and would be a disincentive for young people.'⁸⁷

⁸⁴ Landinfo, 'Eritrea: National Service (Eritrea: Nasjonaltjeneste)', section 2.6.1, 20 May 2016 <http://www.landinfo.no/id/168.0>, date Date accessed: 23 June 2016

⁸⁵ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.10), <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

⁸⁶ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.10), <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

⁸⁷ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.10), <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

- 9.9.6 A group of young professionals and a group of (mainly) young artists whom the UK FFM spoke to also strongly disputed the allegations of widespread sexual violence. A training manager at Bisha mine, in conversation with the UK FFM, said she thought claims of systematic sexual abuse were ridiculous and ‘doesn’t know of any such cases personally. If there are some isolated incidents, it’s nothing more than you would get at any large institution.’⁸⁸
- 9.9.7 For the full notes of those discussions, see section 9.10 of [the report of the UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016](#).
- 9.9.8 The UN Commission of Inquiry’s second report of June 2016 stated:
‘Sexual and gender-based violence persists in Eritrea. The Commission collected evidence that some cases of rape committed by men against women in local communities had been adjudicated by courts and that the perpetrators had been sentenced to terms of imprisonment.¹³⁶ However, rapes committed in military training centres, in the army, and in detention by military officials, trainers, as well as detention officials and guards continue to be committed with impunity.¹³⁷ The Commission also collected evidence about recent cases of domestic servitude imposed on some young women in the national service or in the army.¹³⁸ Similarly, evidence collected recently confirm that rape in the society, including by soldiers, continue to be committed without fear of prosecution.’⁸⁹

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10. National service postings after Sawa

- 10.1.1 Tanya Muller describing a visit to Eritrea in October 2011, in her report, ‘Beyond the siege state – tracing hybridity during a recent visit to Eritrea’ published on 12 September 2012, whilst visiting students at Mai Nefhi college observed:

‘Many come from families dispersed all over the world as has been the norm for many Eritrean families for decades, long before the current leadership came into power. A typical example is one of my informants who grew up in Assab, completed her matriculation and service in Sawa and is now studying at Mai Nefhi. She has two older siblings, one of whom graduated and completed national service and now works in Juba. A third is in the Democratic Republic of Congo, while her fourth sibling studies at the agricultural college near Keren. Thinking about her own future she is aware she will be given a job as a teacher, and “for a few years I would be happy to do this, then we will have to see”.

⁸⁸ UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.10), <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

⁸⁹ UN Commission of Inquiry, ‘Detailed findings of the Commission of Inquiry on Human Rights in Eritrea - A/HRC/32/CPR.1’ (para 120), 8 June 2016, http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColEritrea/A_HRC_32_CRP.1_read-only.pdf. Date accessed: 23 June 2016.

'This pragmatic attitude, prevalent among many students at Mai Nefhi, is not fundamentally different from attitudes among previous generations of students when the University of Asmara still existed: students always needed to find a way to navigate between government demands on their future and their own ambitions, and have done so in different ways...

'At the same time, students are being sent abroad again on scholarships for master's or PhD degrees, a programme that had all but stopped in the last decade. Main destinations are China, Dubai and South Africa, but it is also becoming possible again to arrange to study in a Western country or find a scholarship of one's own (I6, I14). This represents a considerable advance compared with 2006, and can almost be described as a return to the time before the 1998–2000 war with Ethiopia, in the aftermath of which the siege mentality took hold.

'Taken together, at least among those in higher education opportunities exist to lead a 'normal' life and at least partly fulfil important aspirations, even if a majority might eventually join those who have decided to leave the country.

'She has secured a fulfilling job, is married and has two children, and thus lives in many ways a satisfying life, according to her own judgement. Most of her former classmates who are now abroad – many of whom I know and am still in contact with – have left legally and after the completion of various national service demands that made them eligible to secure an exit visa.'⁹⁰

10.1.2 The same report went on to say:

'It is those who fail the matriculation examination for whom this option of normality does not seem to exist. Only around a maximum of 20% of those who complete their final year of secondary schooling in Sawa actually pass the matriculation examination – roughly the same percentage as when the University of Asmara was still in existence. Apart from those 20%, plus another 3000 students (out of yearly cohorts of between 20,000 and 25,000) who can continue their education at one of the country's technical schools, all other Sawa recruits are assigned straight to the military within the confines of the WYDC. It is predominately these people who try to flee the country, as the only future they can see is one of indefinite service, whether in military or civilian tasks.

'This poses the question of what this rather large population of youth would do otherwise. While a percentage might return to their villages and work the land as suggested by some (see Hirt 2010), for many no viable economic alternatives exist. Government officials acknowledge that a major grievance of the country's youth is this lack of a future perspective combined with the low standard of living that the national service 'wage' – in reality no more than a small handout – condemns them to.'⁹¹

⁹⁰ Müller, Tanja R., 'Beyond the siege state – tracing hybridity during a recent visit to Eritrea' (page 455), 12 September 2012, <http://dx.doi.org/10.1080/03056244.2012.710839>. Date accessed: 27 January 2016.

⁹¹ Müller, Tanja R., 'Beyond the siege state – tracing hybridity during a recent visit to Eritrea' (page 455), 12 September 2012, <http://dx.doi.org/10.1080/03056244.2012.710839>. Date accessed: 27

10.1.3 The sources consulted by Danish Immigration Service's Fact-Finding Mission (FFM) Report, 'Eritrea – Drivers and Root Causes of Emigration, National Service and the Possibility of Return', published in November 2014 and updated in December 2014, recorded the following observations on the recruitment into national service:

'International organisation (A) stated that "All young men and women are sent to the Sawa training center at completion of 11th grade in school. Based on the exam results, it is decided who qualifies and is allowed into the various institutions of higher education, or Military service. Others may be found more suitable for physical work, such as construction and farming, and attributed accordingly."⁹²

'International organisation (B) stated that "The Mission was able to establish, from generally available information, that all students go to Sawa to complete the last grade of secondary school. The students who successfully pass the matriculation exam in Sawa continue their education in various higher education institutions. Those who do not qualify for further education enter the National Service, unless they are exempted for other reasons, and they begin with approximately six months of military training. After the military training, some are selected for continuation of military-related duties in various parts of Eritrea and others continue to perform National Service as civilians"⁹³

10.1.4 A regional NGO in Asmara stated "Initially, everyone who is recruited to the National Service will be after attending Sawa camp." It was emphasized that "Sawa is not a military camp, but is basically the final two years of high school for students from all over the country with about 22 thousand students. The students receive academic classes, some physical training and they learn to march in formation, but they receive no training in using arms as such. Those who graduate with merits from the Sawa camp may take up university studies and they are exempted from National Service. Those who do less well in school continue with National Service and they will do their services at various government institutions, hotels, factories, garages, and as teachers in schools etc. or in the military."⁹⁴

'A Western embassy (C) stated that all Eritreans at the age of 17 years go to Sawa for the 11th and final year of schooling. For six months they receive some physical and military training as an integral part of the final year in school.' The same source went on to explain that 'when the exam results are ready after 11th grade in Sawa it is decided which students have qualified for

January 2016.

⁹² Danish Immigration Service, FFM Report (page 24), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date Accessed: 6 January 2015.

⁹³ Danish Immigration Service, FFM Report (page 28), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date Accessed: 6 January 2015.

⁹⁴ Danish Immigration Service, FFM Report (page 37), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date Accessed: 6 January 2015.

tertiary education. These students do not perform additional military training apart from the six months of physical and military training that is an integral part of the 11th year in school in Sawa. Instead, on completion of their higher or further education, they perform national service in a civilian capacity in a profession linked to their qualification – for example an engineer might work in the Department of Public Works, an accountant in a state-owned bank or financial institution.”⁹⁵

10.1.5 The May 2015 EASO report also stated that:

‘Conscripts engaged in civilian national service are deployed as follows:

- ‘Ministries’: this category covers work within national, regional or local administrative structures and in schools (Ministry of Education), hospitals (Ministry of Health), courts (Ministry of Justice) or hotels and restaurants (Ministry of Tourism), for example:

- Work on national development projects in one of the construction companies or agricultural companies under the control of the PFDJ or the army;

- According to reports, national service recruits are also sometimes deployed for the private benefit of army commanders and assigned to tasks in private-sector companies such as gold mines. ‘Civilian national service is predominantly reserved for those with special skills, post-school education or particular privileges. Academy (college) graduates are assigned to tasks appropriate to their area of specialty, and often initially sent to Sawa to work as 12th year teachers. Anyone who drops out of academy is conscripted for military service.’⁹⁶

10.1.6 The UN Commission of Inquiry concluded that:

‘According to article 8 of the National Service Proclamation, on completing their military training conscripts have the duty to undertake active military service and developmental works in a combat force for 12 months. In practice, after their initial military training, the Government assigns conscripts to continue higher education, to vocational training, to jobs outside of the army or positions within the army, without taking into account the choice of conscripts when making decisions concerning the rest of their adult life.’⁹⁷

10.1.7 It continued:

‘Conscripts who fail the exam in Sawa or undertake military training elsewhere, and who do not have any specific skills, are assigned to a

⁹⁵ Danish Immigration Service, FFM Report (page 48), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/ronlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date Accessed: 6 January 2015.

⁹⁶ EASO, ‘Eritrea Country Focus’ (section 3.6), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 13 June 2016.

⁹⁷ OHCHR, ‘Advance version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea’ (para 1334), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

military unit, such as the naval force or Mekanayz units, military units for heavy artillery. Generally, they are neither given the possibility to repeat the exam or finish high-school if they were recruited prior to the final school year. Reportedly, illiterate soldiers get assigned to remote areas.⁹⁸

10.1.8 Paragraphs 1335 to 1350 of the UN report provides information, based on testimonies of witnesses, of the roles undertaken by conscripts following completion of their military/educational training at Sawa and other camps.

10.1.9 The December 2015 Amnesty International report, 'Just Deserters', stated:

'At the end of the year at Sawa, students undertake their final Eritrean High School Leaving Certificate examination (matriculation). Interviewees told Amnesty International that, after the exams, students are given a month of home leave and then are required to return to Sawa for their exam results and their assignment to National Service.

'...Higher grade students are assigned to degree programmes and those with a lower pass mark are assigned to diploma programmes.

'Those who do not score a sufficiently high grade to be assigned to higher education are immediately assigned to National Service, either in the defence forces - military, naval and airforce - or in a civilian role. In some cases, those assigned to the defence forces are sent for further training, depending on the role they are assigned to.

'Those who pass the exam are assigned to one of seven government colleges.'⁹⁹

10.1.10 The report went on to explain what happened after training or graduation from college:

'At the end of training at Sawa or other camps or at the end of their further education in the colleges, conscripts are assigned to National Servic[e]. The information provided by interviewees on what roles they were assigned to within National Service indicates that a significant proportion are assigned to the Eritrean Defence Forces (EDF), which includes the airforce, the navy and the military, or to various roles in the military administrative infrastructure. Many conscripts are stationed on the border with Ethiopia, while others are responsible for military arsenals, guarding detention centres, ordnance, military communications and other roles. Some former conscripts said their unit had been hired out as construction labour to private individuals or companies.

'However, many other conscripts are assigned to a wide variety of civilian roles, including construction work of dams, roads, housing, military buildings and camp infrastructure, agricultural work in government-owned farms or

⁹⁸ OHCHR, 'Advance version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1346), 5 June 2015. <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

⁹⁹ Amnesty International, 'Just Deserters' (page 29), December 2015, <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

projects, teaching in schools, training of other conscripts, various posts within government ministries or local administrations and other civil service roles.

'The roles conscripts are assigned to are decided on a seemingly arbitrary basis and the conscripts themselves have no say over the nature of their work.'¹⁰⁰

10.1.11 Landinfo noted in its report of May 2016:

'Young people taking exams (and performing military training) in Sawa can probably be divided into three categories, which follow different subsequent tracks in the national service (representative of the Eritrean authorities, interview in Asmara, February 2011).

- Graduates with good grades and privileged Eritreans continue to one of the country's eight colleges, which offer study programs for two and four years. After finishing education, their national service consists mainly of civilian work tasks.
- Graduates with poorer grades are offered vocational training, both in and outside Sawa. The centre for vocational training in Sawa, which was established in 2007, is made up of five schools which offer training in construction, administration, technology and agriculture. The centre educates 3,000 students annually (Efrem 2010). After completing vocational training students will be transferred to either the civilian or military service.
- Graduates who attend neither university nor vocational training mostly go into service under military command.'¹⁰¹

10.1.12 The UK Ambassador to Eritrea told the UK Home Office's fact finding mission to Eritrea, 7-20 February 2016, 'In conversation with me on 7 September 2015, Yemane Gebreab, the Political Advisor to the President, told me that 85% of those in National Service were in civilian positions, and 15% in military positions.'¹⁰²

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11. Conditions during national service

11.1 General

11.1.1 The UN Commission of Inquiry's 2015 report concluded that:

'Torture is widespread throughout Eritrea. It is inflicted on detainees – in police stations, civil and military prisons, and in secret and unofficial

¹⁰⁰ Amnesty International, 'Just Deserters' (page 21), December 2015 <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

¹⁰¹ Landinfo, 'Eritrea: National Service (Eritrea: Nasjonaltjeneste)' (section 2.6.1), 20 May 2016, <http://www.landinfo.no/id/168.0>. Date accessed: 23 June 2016.

¹⁰² UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.3, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

detention facilities – but also on national service conscripts during their military training and throughout their life in the army. ...

‘...the recurrence and prevalence of certain torture methods constitute strong indications that torture is systemic and inflicted in a routine manner...’

‘Based on testimonies and confidential submissions received, the Commission finds that torture is used as a means to subjugate national service conscripts, instil fear among the population and silence opposition...’¹⁰³

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11.2 Physical conditions

11.2.1 The UN Commission of Inquiry’s 2015 report concluded that:

‘During active military service, conscripts perform various tasks, some of a purely military character, others related to prison management, policing and internal security. Often, conscripts also have to perform civil tasks, such as working in construction and agriculture. It is very common for Eritreans, who spend their life in the military, to perform both sets of tasks, military and non-military assignments, either interchangeably during the same period of time, or during alternating periods. Very few conscripts serving in the army perform purely military tasks, such as serving in the logistics department of the army, transportation staff or guarding the borders with neighbouring countries. .. It appears that the Government subjects conscripts to deliberately harsh conditions aimed at transmitting the values and the conditions experienced during the struggle. The various aspects of these conditions in the national service are described below, with the exception of severe forms of punishment to which conscripts are regularly subjected, as these are referred to in a separate chapter. ...’¹⁰⁴

11.2.2 In [paragraphs 1354 to 1382 of the Commission’s report](#), it also documents conditions in the Eritrean military based on testimonies of Eritrean migrants.

11.2.3 The US State Department’s ‘Trafficking in Persons Report 2015’ reported that ‘Working conditions are often harsh and sometimes involve physical abuse.’¹⁰⁵

11.2.4 The UN Commission of Inquiry’s 2015 report observed that:

‘The working and living conditions of conscripts assigned to perform non-military work within military units, such as military nurses and teachers, are

¹⁰³ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea’ (para 1006-7), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 16 June 2015.

¹⁰⁴ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea’ (para 1351-1353), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 16 June 2015.

¹⁰⁵ United States State Department, ‘Trafficking in Persons Report 2015- Eritrea, 27 July 2015, <http://www.refworld.org/docid/55b73bf3e.html>. Date accessed: 8 March 2016.

usually similar to the conditions of conscripts performing military tasks. ... The Commission finds that working conditions of conscripts assigned to construction and agricultural works are often harsh, similar to the conditions in the army...¹⁰⁶

11.2.5 However, it also noted that

‘General conditions for conscripts assigned to perform work of a civil nature are quite different from those of national service in the army. Shortly after finishing their studies, graduates get their first civil assignment, which can last up to two years. It is referred to as the “university service” or “pre-national service.” During the university service, they are paid on average 450 Nakfa per month. ...¹⁰⁷

11.2.6 And that:

‘Conditions in civil service are perceived to be far better than in the army because conscripts may lead a civilian life. They have regular office working hours. Outside working hours, their time is free and they usually have at least part of the weekend off. Only those conscripts assigned to certain public companies or ministries are reportedly requested to work during weekends. However, it seems that it is the exception rather than the rule.

‘Conscripts are free to live with their families, may attend religious services outside of working hours and can get married without restriction or prior authorisation. Some may get annual leave, but others have none. Conscripts in civil service are, however, subjected to the same restrictions on movement as those in the army. Their travel permits are limited to their area of service. They must obtain special permits to travel outside their areas, for example to visit relatives.

‘Unlike conscripts in the army, those in civil service are not provided with any food or accommodation by the Government. As their salaries are below the subsistence level, they face severe financial difficulties. This is particularly difficult for those assigned in Asmara, where a single room costs a minimum of 500 Nakfa per month. Some conscripts raised this issue directly with the Government, but it fell on deaf ears. The Government only provides accommodation for conscripts in civil service based in remote areas or for those who are former freedom fighters. Consequently, conscripts have to rely on accommodation or financial support from relatives, find a second job or “just need to be creative.” Former conscripts assigned to civil service told the Commission about their difficulties.’¹⁰⁸

¹⁰⁶ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea’ (paras 1427-8; 1440), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

¹⁰⁷ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea’ (paras 1427-8; 1440), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

¹⁰⁸ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on Eritrea’ (para 1443-4), 5 June 2015,

11.2.7 The academic Tanja Müller, following a visit to Eritrea in 2012, reported:

‘Taken together, at least among those in higher education opportunities exist to lead a ‘normal’ life and at least partly fulfil important aspirations, even if a majority might eventually join those who have decided to leave the country. In a conversation with one of my former students at the University of Asmara, the student told me how she recently watched the video of her graduation again ‘and all those with me there are not here now, I am the only one still in the country’. She has secured a fulfilling job, is married and has two children, and thus lives in many ways a satisfying life, according to her own judgement. Most of her former classmates who are now abroad – many of whom I know and am still in contact with – have left legally and after the completion of various national service demands that made them eligible to secure an exit visa.’¹⁰⁹

11.2.8 The difference in conditions between military and civilian postings was noted in an August 2015 Guardian article, in which it is said of an Eritrean source who spoke to the journalist outside Eritrea: ‘Kemal says his time doing compulsory national service was uneventful, working for a few months as a civil servant in the capital, and avoiding the hard labour and indefinite service that others have described’¹¹⁰ And that ‘.... Rather than political pressure, it was Eritrea’s crumbling economy that forced Kemal out.’¹¹¹

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11.3 Detention conditions

11.3.1 The UN Commission of Inquiry’s 2015 report observed:

‘...The Commission notes that women are generally kept separated from men, in accordance with international standards, but that they are not generally under the responsibility or attention of women officers. The Commission considers that lack of female officers responsible for and attending to female detainees puts them at increased risk of sexual and gender-based violence and causes unnecessary humiliation for the women detainees, who do not have their special needs taken care of.

‘...the rights of children in detention are systematically violated. Children are detained together with adults in the same inhumane conditions and without any specific care for their needs. As for the others, children are often held incommunicado, without any possibility to contact their parents or a legal guardian.

<http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

¹⁰⁹ Müller, Tanja R., ‘Beyond the siege state – tracing hybridity during a recent visit to Eritrea’ (page 456), 12 September 2012, <http://dx.doi.org/10.1080/03056244.2012.710839>. Date accessed: 27 January 2016.

¹¹⁰ The Guardian, ‘Tale of two Eritreans offers glimpse inside Africa’s most secretive state’, 17 August 2015, <http://www.theguardian.com/world/2015/aug/17/inside-eritrea-glimpse-africas-most-secretive-state-two-men>. Date accessed: 13 June 2016.

¹¹¹ The Guardian, ‘Tale of two Eritreans offers glimpse inside Africa’s most secretive state’, 17 August 2015, <http://www.theguardian.com/world/2015/aug/17/inside-eritrea-glimpse-africas-most-secretive-state-two-men>. Date accessed: 13 June 2016.

'The Commission finds that disciplinary sanctions and measures of punishment of detainees are usually carried out arbitrarily, without due procedure and safeguards and that the forms of sanctions amount to cruel, inhuman or degrading punishment and in some cases torture...'¹¹²

11.3.2 It also described the existence of secret prisons:

'Military, Military Intelligence and National Security have their separate prisons. These prisons are independent of the police and entirely out of the Eritrean judicial system. Throughout the country, military intelligence operates secret prisons for short or long-term incommunicado detention and for interrogation of detainees believed to be traitors or a threat to the country's "sovereignty" or security. Some appears (sic) to be located in remote or hidden locations, while others are villas in city centres converted into prisons, where bedrooms become cells and basements turn into underground detention facility.'¹¹³

11.3.3 It went on to say that the body of testimonies received by the Commission on the matter shows that incommunicado detention is almost the norm in Eritrea. Such detention occurs when a detainee is not permitted any contacts with the outside world, including his/her lawyer and family members:

'Families of soldiers arrested during their national service are never informed of the detention of their relatives, who can disappear without any knowledge by their families. Others just go missing because they have been arrested at work or on the street and their families do not know of their whereabouts unless an eye witness who knows the family informs them or a compassionate prison guard leaks the information. The Commission heard testimonies of family members following the car in which the suspect was forced in order to identify the place of detention.'¹¹⁴

11.3.4 The May 2015 EASO Report noted that:

'Human rights reports describe the conditions of detention in Eritrean prisons as precarious. Given the lack of access to Eritrea, the quoted human rights reports are based on a range of sources abroad. International observers such as the ICRC have not been allowed to visit Eritrean prisons since 2009. Therefore the information cannot be verified on-site.'

'The following problems are mentioned in human rights reports:

¹¹² OHCHR, 'Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 963-969), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>, Date Accessed: 16 June 2015.

¹¹³ OHCHR, 'Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 861), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>, Date Accessed: 16 March 2016.

¹¹⁴ OHCHR, 'Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 865 and 870), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>, Date Accessed: Date Accessed: 16 March 2016.

- Some prisons are located underground or in shipping containers, which can become extremely hot due to the climate in Eritrea.
- Prison cells are often overcrowded to the point that prisoners can only lie down in turns, if at all.
- Hygiene conditions are poor. Some prisons have only a hole in the ground or a bucket instead of a toilet. The prisoners are often not let out to exercise and medical care is limited.
- Food rations are small and non-nutritious, and access to drinking water is scarce.
- Some prisoners are mistreated or tortured or used for forced labour.
- Relatives are frequently unable to visit.
- Women are usually kept in cells separate from men but there are still reports of sexual assaults and rape, for example by guards
- Deaths have been reported a frequent occurrence due to the mentioned difficult circumstances.

'Many prisoners (in particular those imprisoned on political, religious or military grounds, including draft evaders or deserters) are kept in incommunicado detention; no criminal proceedings are initiated, no end date is set for their detention and their relatives are not informed. These prisoners are often mistreated or tortured. Prisoners are kept in incommunicado detention at Aderser and Tesseney prisons and in Track B at Asmara prison.'

¹¹⁵

11.3.5 And that:

'Reports on torture in Eritrea are based on the same mainly abroad-based sources as the reports on prison conditions, since visits to Eritrean prisons have not been possible for international observers such as ICRC since 2009.

'Torture is used for various purposes in Eritrean prisons, for example to force confessions, obtain information or as a means of punishment. There are reports of prisoners being tortured for criticising the government, for lack of discipline during national service, for insubordination and in case of other prisoners' escape. Members of religious minorities (including members of Pentecostal churches and Jehovah's Witnesses) have also been tortured as punishment for practising their faith or in an attempt to force them to abandon their religion.

'Methods of torture include being chained at the hands and feet for days or even weeks with ropes and handcuffs ('Helicopter', 'Ferro', 'Otto' or 'Jesus Christ' methods) and being kept in a lorry tyre ('Goma'). Prisoners have also been waterboarded or forced to walk barefoot over sharp objects or the scalding desert floor. Prisoners are also beaten.

¹¹⁵ EASO, 'Eritrea Country Focus' (section 4.1), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date Accessed: 16 June 2015.

'Eritrea acceded to the Convention against Torture in September 2014.'¹¹⁶

11.3.6 Edmund Blair, writing on 29 February 2016 for Reuters reported that:

'In February [2016], a delegation from the U.N. Office of the High Commissioner on Human Rights was allowed to visit Sembel prison, south of the capital, the first time a U.N. mission toured a jail after years of requests.

"We are engaging with them," Osman [Foreign Minister Osman Saleh Mohammed] said, giving the first official confirmation of the visit.

'A U.N. official acknowledged the visit took place without giving details. "That was a big deal," said a diplomat while another said he believed it was the first since about 2008.'¹¹⁷

11.3.7 The UN Commission on Inquiry's 2016 report noted "It noted that the visit [to Sembel Prison and Rehabilitation Centre in Asmara] was short and not in circumstances that allowed for a full human rights or technical assessment.' The same source also stated:

'Recent evidence confirms that Eritrea's widespread use of arbitrary arrest, enforced disappearance, and torture, continues despite the Transitional Penal Code provisions prohibiting such violations. On the issue of legal safeguards, a witness noted that pursuant to military rules, an officer who abused his authority to obtain sexual favours could be subject to a range of penalties but added that "punishment for this crime is never applied". As noted above, the Government has asserted that remedies are available for such violations, but the Commission has received no evidence indicating that any legal safeguards or available remedies are effective in practice.'¹¹⁸

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11.4 Redress for mistreatment

11.4.1 A Canadian IRB response to an information request, dated 4 September 2012, citing David Bozzini stated that: 'conscripts do not have recourse to any outside authority if they are mistreated during their service (16 Feb. 2012, 5).'¹¹⁹

11.4.2 Human Rights Watch's World Report 2016 also concluded that, 'There is no mechanism for redressing abuses'¹²⁰

¹¹⁶ EASO, 'Eritrea Country Focus' (section 4.2), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date Accessed: 16 June 2015.

¹¹⁷ Reuters, 'Insight - Crises give Eritrea routes for closer global engagement', 29 February 2016 <http://af.reuters.com/article/eritreanews/idAFL8N165230?sp=true>. Date accessed: 15 March 2016

¹¹⁸ OHCHR, 'Detailed findings of the commission of inquiry on human rights in Eritrea' (paras 65 and 105), 8 June 2016, http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColEritrea/A_HRC_32_CRP.1_read-only.pdf. Date accessed: 13 June 2016.

¹¹⁹ Immigration and Refugee Board of Canada, Response to Information Requests: Eritrea ERI104179.E, 4 September 2012, <http://www.irb-cisr.gc.ca/Eng/ResRec/RirRdi/Pages/index.aspx?doc=454152&pls=1>. Date Accessed: 19 November 2014.

¹²⁰ Human Rights Watch, 'World Report 2016: Eritrea' (page 234), 21 January 2016,

11.4.3 The UN Commission of Inquiry of June 2015 observed that

'The Commission has received numerous reports regarding the inability of victims of all types of violence, particularly sexual violence, to report the abuse within the national service structure. The first barrier faced by victims of sexual violence in the military training camps (and Eritrea generally) is cultural. According to cultural norms, it is not acceptable for a woman or girl to be known to be a victim of sexual violence. Such knowledge could lead to ostracism, inability to marry and other stigma related consequences for the victim. The second challenge to reporting the sexual and gender-based violence is the involvement of many, including high-ranking officials in the military camps in the abuse. Victims of the sexual and gender-based violence have reported that there is no one to whom they can complain as it is their direct superior abusing them. The third and most pressing barrier to reporting sexual and gender-based violence within the training camps is the lack of gender-sensitive, effective reporting mechanisms that can trigger impartial investigations of the complaints. Reporting sexual and gender based violence perpetrated by officials can lead to severe punishment for the complainants, as described above.'¹²¹

11.4.4 See also: [Reports of gender- and sexual-based violence at Sawa.](#)

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11.5 Pay / salary

11.5.1 The United States State Department 'Country Reports on Human Rights Practices for 2014,' published on 25 June 2015, stated that: 'The national minimum wage for employees of PFDJ-owned enterprises and government employees was 360 nakfa (\$24) per month. There was no national minimum wage for private sector workers. The government paid national service recruits according to a fixed scale, and the most common salary was 500 nakfa (\$33) per month.'¹²²

11.5.2 Edmund Blair, writing for Reuters, in an article of 25 February 2016 reported that finance minister Berhane Habtemariam outlined some new national service pay scales, including for graduates who would receive 4,000 nakfa a month instead of 1,400 nakfa. This was confirmed by Yemane Ghebremeskel who stated, ""The government is doing the utmost that it can do, under the circumstances," and said salaries would rise."¹²³

https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf. Date accessed: 3 February 2016.

¹²¹ OHCHR, 'Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1326), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/CoIEritrea/Pages/ReportCoIEritrea.aspx>. Date Accessed: 16 June 2015.

¹²² United States State Department, 'Country Reports on Human Rights Practices for 2014', Eritrea section, 25 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 8 March 2016.

¹²³ Reuters, 'Eritrea won't shorten national service despite migration fears', 25 February 2016. <http://www.reuters.com/article/us-eritrea-politics-insight-idUSKCN0VY0M5>. Date accessed: 8 March 2016.

11.5.3 In describing the reasons people emigrate from Eritrea, a UN Agency consulted as part of the Danish Immigration Service's Fact-Finding Mission (FFM) Report, 'Eritrea – Drivers and Root Causes of Emigration, National Service and the Possibility of Return', published in November 2014 and updated in December 2014, stated:

'Basically, the vast majority of the people who leave Eritrea do so for two reasons. The first reason is that the poor economic situation in Eritrea has led many to look to Europe for a better life. The second reason is the National Service program in Eritrea. The uncertainty concerning the duration of the service together with the low salary make many young people look for alternatives to spending several years working for a meager pay. Hardly anyone leaves Eritrea for political reasons.'¹²⁴

11.5.4 The May 2015 EASO Report considered that:

'Military service conscripts are paid very little. Exact figures vary but most sources agree that soldiers earn a monthly salary of about 500 nakfa after completing their training and much less (less than 100 nakfa per month) during the training. According to most sources, this is too little to live on or support a family, and is referred to as 'pocket money' in Proclamation 82/1995. Former fighters (tegadelti) and higher-ranking officers have better salaries of up to 3,000 nakfa per month. Soldiers engaged in military service sometimes carry out agricultural or industrial tasks or are deployed for the private benefit of their commanding officers.'¹²⁵

11.5.5 The same sources stated that, in regard to conscripts who work in civilian roles:

'Salaries vary depending on the work involved, but are generally between 700 and 1,000 nakfa per month (up to 1,500 nakfa for doctors), which is not a living wage. The minimum monthly wage is 360 nakfa. Critics often refer to civilian national service as forced labour; conscripts are subordinate to their civilian employers but must remain mobilisation-ready and can be re-conscripted to the military.'¹²⁶

See www.xe.com for currency conversion.

11.5.6 The December 2015 Amnesty International report, 'Just Deserters', stated:

'National Service salaries have not changed for many years, despite the fact that inflation has increased the price of basic goods and services. Without exception, every former conscript interviewed by Amnesty International said it is impossible to meet the basic needs of a family on the standard conscript

¹²⁴ Danish Immigration Service, FFM Report (page 33), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

¹²⁵ EASO, 'Eritrea Country Focus' (section 3.5), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date Accessed: 16 June 2015.

¹²⁶ EASO Eritrea Country Focus (section 3.5), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date Accessed: 16 June 2015.

salary or on the slightly higher salary some said they received. The basic conscript salary is 450-500 Nakfa per month (USD43-8), from which deductions are made. Some interviewees stated that rent for basic accommodation can be around 500 Nakfa per month. As a result, conscripts are often dependent on their parents or extended families and, particularly, on family members in the diaspora to survive.’¹²⁷

11.5.7 Diplomatic source A, talking to the UK Home Office’s fact finding mission to Eritrea, 7-20 February 2016 (UK FFM), about government plans to increase pay in national service, explaining that it would be ‘... 2,500 Nakfa for low qualified; 3,500 Nakfa for higher qualified’ and ‘That would not be such a bad salary in Eritrea and people would probably take the job voluntarily if they were released from national service.’¹²⁸

11.5.8 Various other sources the UK FFM team spoke to explained that they had heard about the pending pay rises and knew some of the detail but they had not been fully implemented. For the full notes of those discussions, see section 9.7 of [the report of the UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016](#).

11.5.9 The UN CoI of June 2016 concluded

‘The stipends paid to national service conscripts remained very low during the reporting period. In a February 2016 television interview, President Isaias Afwerki stated that pay increases had “started in mid-2015.”¹⁰¹ The general context of the discussion suggested that the President was referring to public service employees, and it was therefore unclear whether this included military or national service conscript labour. A number of witnesses said they had heard of plans to increase stipend payments to military/national service conscripts, and others had heard of individuals who had received such increases, but none had personally received an increase and some expressed fears about arbitrary implementation of any new stipend scheme.’¹²⁹

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11.6 Other entitlements

11.6.1 The December 2015 Amnesty International report, ‘Just Deserters’, considered leave allowance, claiming that:

‘There is no standard leave entitlement for conscripts. Those interviewed reported a leave allowance of one month per year. However, leave is granted at the discretion of the relevant commander and therefore varies.

¹²⁷ Amnesty International, ‘Just Deserters’ (page 31), December 2015

<https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

¹²⁸ UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.7), July 2016, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

¹²⁹ UN Commission of Inquiry, ‘Detailed findings of the Commission of Inquiry on Human Rights in Eritrea - A/HRC/32/CPR.1’ (paras 94-95), 8 June 2016, <http://www.ohchr.org/EN/HRBodies/HRC/CoIEritrea/Pages/2016ReportCoIEritrea.aspx>, Date accessed: 23 June 2016.

Some conscripts get leave more frequently - maybe twice per year or for shorter periods - a few days or one or two weeks. Some former conscripts told Amnesty International they had gone for several years without being granted any leave. Requests can be made for leave, for personal or family reasons, including the death of a relative or a marriage, but may not necessarily be granted.¹³⁰

11.6.2 And on access to health care:

'Former conscripts repeatedly told Amnesty International that access to health care in National Service is restricted, including at Sawa and including for children conscripted under the age of 18. Conscripts have to secure the permission of a commander to access even basic first aid, and this is reluctantly and infrequently granted. A number of former conscripts said only when people are visibly very ill might permission to seek health care be granted.'¹³¹

11.6.3 The UK Home Office's fact finding mission to Eritrea, 7-20 February 2016, spoke to Anonymous Source 2 about national service within the military:

'I know friend who has spent almost 20 years in national service now in Gash Barka Zone. Comes to Asmara after 3 – 4 months, then back to his place in the military. If he is late or needed urgently they call him, sometimes he switches his phone off, they send some of the military staff (sometimes his bosses) to tell him to go back although they do not force him by gun. But he says as far as he stays in the country he ha[s] to go back or leave the country if he can afford crossing the border which he always think about that but he could not afford the money to pay and other reasons.'¹³²

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12. Duration of national service

12.1 The Proclamation and the Warsai Yikealo Development Campaign

12.1.1 The National Service Proclamation stipulates that 'active national service' will last for 18 months and may be extended in case of general mobilisation. See section above on [The National Service Proclamation](#)

12.1.2 However, the with the Warsai Yikealo Development Campaign, the Government extended the statutory national service of 18 months to an indefinite period, effectively leading to a constant state of general mobilisation.¹³³ The Government cites the threat from Ethiopia and the "no war, no peace" situation as the justification for this extension.¹³⁴

¹³⁰ Amnesty International, 'Just Deserters' (page 31), December 2015, <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

¹³¹ Amnesty International, 'Just Deserters' (page 33), December 2015, <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

¹³² UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 11.7, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

¹³³ OHCHR, 'Advance version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1181), 5 June 2015,

- 12.1.3 Various sources, including the United States' State Department's 'Trafficking in Persons Report 2015'¹³⁵, Human Rights Watch's 'World Report 2016: Eritrea'¹³⁶, and information gathered from the Danish Immigration Service's¹³⁷ and the UK Home Office's¹³⁸ FFMs to Eritrea, point to the 18-month timeframe being arbitrary and unenforced, with recruits serving anywhere from 18 months but up to and over a decade.
- 12.1.4 However, during the Danish FFM, Western embassy (B) stated 'there are indications that young people are now released from National Service after a shorter period of service than was previously the case.'¹³⁹, Western embassy (C) stated that '... in general three to four years of National Service seemed to be norm today.'¹⁴⁰ and Western embassy (D) stated that 'Today it is easier to be released from the service and to young people today National Service seems to be limited to a couple of years.'¹⁴¹
- 12.1.5 The Landinfo report of 23 March 2015, 'Eritrea: National Service' (English translation September 2015) noted, 'In crisis situations, the upper age limit for military service is raised to age 50, but in practice the upper limit for going through National Service has increased in recent years to between 50 and 57 years old for men and 47 years old for women. However there is much indication that women serve for a shorter period than men.'¹⁴²

<http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 19 June 2015.

¹³⁴ OHCHR, 'Advance version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1257 and 1261), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 19 June 2015.

¹³⁵ United States State Department, 'Trafficking in Persons Report 2014', 20 June 2014, <http://www.state.gov/documents/organization/226846.pdf>. Date accessed: 19 November 2014.

¹³⁶ Human Rights Watch, 'World Report 2016: Eritrea' (page 233/4), 21 January 2016, https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf. Date accessed: 3 February 2016.

¹³⁷ Danish Immigration Service, FFM Report (page 23-103), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

¹³⁸ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 9 July 2016.

¹³⁹ Danish Immigration Service, FFM Report (page 44), <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date Accessed: 22 June 2015.

¹⁴⁰ Danish Immigration Service, FFM Report (page 48), <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date Accessed: 6 January 2015.

¹⁴¹ Danish Immigration Service, FFM Report, (page 52), <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date Accessed: 6 January 2015.

¹⁴² Landinfo, 'Eritrea: National Service (Eritrea: Nasjonaltjeneste)' (page 7), 23 March 2015. http://www.landinfo.no/asset/3235/1/3235_1.pdf. Date accessed: 3 March 2016.

- 12.1.6 The UK Ambassador to Eritrea told the UK FFM team, that (from anecdotal evidence) [there were] efforts to reduce further the general demobilisation age for women.¹⁴³
- 12.1.7 In an article on Eritrea in July 2016, Mary Harper, the BBC's Africa editor, reported '... young Eritreans... become locked into a system of obligatory national service, mainly in civilian roles, and have no idea when they will be released.' She provided an example of an individual she spoke to who had been in national service for 9 years. She also reported a conversation with another Eritrean: 'On the plane to Asmara, I meet a man who imports mobile phones, televisions and satellite dishes from Dubai. "I have been in national service for 12 years. But I sort of 'dropped out' to become a trader."¹⁴⁴

See also: [Women](#)

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12.2 Reform of length of national service

- 12.2.1 In spite of statements in late 2014 and early 2015 about returning national service to its mandated 18 month limit in the National Service Proclamation, there is no evidence of a policy move to achieve this.¹⁴⁵ Edmund Blair, writing for Reuters, reported that he had interviewed Information Minister Yemane Ghebremeskel in Eritrea who had told him that '...there were no plans to scrap or cut national service'.¹⁴⁶
- 12.2.2 Sources interviewed by the Home Office as part of the UK fact-finding mission to Eritrea in February 2016 pointed to wider reforms of national service¹⁴⁷. Diplomatic source A, for example, noted:
- 'The Government is trying to do something on national service. They don't refer to the 18 month limit now, but are trying to do something about pay. There are reforms under way, but you cannot reform national service overnight. Some reform but this is not clear cut. The government needs national service, large majority of those in national service are in the civil service. The country would come to a standstill if national service stopped.'¹⁴⁸

¹⁴³ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 9 July 2016.

¹⁴⁴ BBC News, 'Has Eritrea's self-reliant economy run out of puff?', 14 July 2016, <http://www.bbc.co.uk/news/world-africa-36786965>. Date accessed: 21 July 2016.

¹⁴⁵ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 9 July 2016.

¹⁴⁶ Reuters, 'Eritrea won't shorten national service despite migration fears', 25 February 2016, <http://www.reuters.com/article/us-eritrea-politics-insight-idUSKCN0VY0M5>. Date accessed: 8 March 2016.

¹⁴⁷ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 9 July 2016.

¹⁴⁸ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date

12.2.3 The UK Ambassador to Eritrea told the UK FFM team:

‘Though leading government and party figures gave political assurances, principally to foreign interlocutors, and on one occasion (at the Bruno Kreisky Forum) in public, I am not aware of any public announcement that the government made to this effect domestically. The same interlocutors gave assurances that they had briefed those individuals concerned and their families about the policy, but I know of no confirmed and reliable accounts that the government did so. Some interlocutors began to give indications in mid-2015 that it may not be possible to implement the commitment in full as we had understood it. These indications were generally also given in private, and since there had not to my knowledge ever been a public announcement that the eighteen month limit was to be observed, there was similarly no public announcement to change that. Instead, we have seen that reform of national service has taken a different form, including the raising of salaries to professional levels, the reported introduction of exemptions for at least one category of worker (those who undertook to do teacher training), and (from anecdotal evidence) efforts to reduce further the general demobilisation age for women’¹⁴⁹

12.2.4 The country analyst section of the Swiss Secretariat for Migration produced a report on Eritrea based on a range of public sources and information obtained in conversations with interlocutors in Asmara during its own fact finding mission in March 2016. The report is in German but provides an unsourced summary of its main findings including reform of national service:

‘Over the last few years, the Eritrean authorities have announced several reforms to the National Service. Most notably, they promised to limit the length of duty to 18 months starting from the 27th conscription round. This has not been fulfilled yet. National Service remains open-ended and conscription lasts for several years. It appears, though, that a growing number of conscripts who had been deployed in civilian roles are discharged once they have served for between 5 and 10 years. However, no reliable information is available on the demobilization and dismissal of conscripts assigned to the military part of National Service. However, in early 2016, the authorities announced a pay rise in the civilian part of National Service. Apparently, implementation has already started.’¹⁵⁰

See also: [Pay/Salary](#)

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accessed: 9 July 2016.

¹⁴⁹ UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date

accessed: 9 July 2016.

¹⁵⁰ Staatssekretariat für Migration (SEM), ‘Focus Eritrea: Update Nationaldienst und illegale Ausreise’ (p8), 22 June 2016, <https://www.sem.admin.ch/dam/data/sem/internationales/herkunftslander/afrika/eri/ERI-ber-easo-update-nationaldienst-d.pdf>, Date accessed: 21 July 2016.

13. Discharge/demobilisation and dismissal

13.1 Clarification of terms

- 13.1.1 Although the UN Commission of Inquiry's 2015 report concluded that the terminology to describe a conscript's separation from the military was unclear¹⁵¹, in the May 2015 EASO Report, it was highlighted that: 'a distinction should be made between demobilisations and dismissals; demobilisations follow wartime mobilisations, and dismissals take place on an individual basis after the discharge of national service obligations.'¹⁵²

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13.2 Procedure

- 13.2.1 The UN Commission of Inquiry's 2015 report concluded that the procedure for discharge from national service was unclear¹⁵³ and that the Commission had: '...not been able to access official documentation outlining rules and procedures in place guiding the process of release. Testimonies reveal a pattern of arbitrariness in this regard.'¹⁵⁴

- 13.2.2 The Commission also reported that:

'It appears from testimonies that conscript first needs to get released from their direct employer, which is certified a release paper. The release paper serves as a travel permit but not as a work permit. It is the precondition for getting a certificate of completion of national service, which is issued by the Ministry of Defence. This certificate indicates that the holders are discharged from national service and permits them to move around and to choose work freely. The Commission found that release was extremely rare and difficult to obtain. It can usually only be obtained through bribery or for medical reasons not on the basis of the number of years of service.'¹⁵⁵

- 13.2.3 The Commission went on to quote two "witnesses" from which it had obtained testimonies. The first stated "a certificate of completion of national

¹⁵¹ OHCHR, 'Advance version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1252), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 9 June 2016.

¹⁵² EASO, 'Eritrea Country Focus' (section 3.7.1), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 9 June 2016.

¹⁵³ OHCHR, 'Advance version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1252), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 9 June 2016.

¹⁵⁴ OHCHR, 'Advance version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1252), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 9 June 2016.

¹⁵⁵ OHCHR, 'Advance version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1254), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 9 June 2016.

service was extremely difficult to get without facilitation by a high-ranking employee of the Ministry of Defence”, while another witness “explained that those who could afford it were paying from 100,000 to 200,000 Nakfa [circa £6-12,000] for the much-sought after certificate of completion.” He also noted that certificates were occasionally issued until the 13th round, i.e. around 2000.¹⁵⁶

13.2.4 Sources consulted during the UK Home Office’s FFM to Eritrea in February 2016 also confirmed that the procedures for demobilisation were opaque and lacked transparency¹⁵⁷.

13.2.5 The British Ambassador to Eritrea, speaking to the UK FFM in February 2016, was asked if a person could apply to be discharged, to which he replied:

‘Yes. My understanding from conversations with local colleagues and external contacts of the Embassy, including private business-people who have either been through the demobilisation process themselves, or are parents of individuals who have done so, is that any individual is eligible to apply from demobilisation from National Service (either a civilian or a military position) once they have completed their eighteen month service.

‘They do so by submitting a written request to their commanding officer or manager (whichever is appropriate), who must first agree to support it. If the commanding officer or manager does support it, then he or she must forward it to a central authority, noting their support.

‘The central authority will consider the application against internal guidelines for approving requests for demobilisation. My understanding is that this internal guidance is issued [by the Ministry of Defence] and is subject to amendment from time to time, periodically setting out what are good reasons for being demobilised. But these are not publicised or published.

‘No one has reported to me that there is a limit on the number of times an individual may apply for demobilisation.’¹⁵⁸

13.2.6 The UK Ambassador also provided specific examples.¹⁵⁹

13.2.7 The May 2015 EASO Report recorded that: ‘Dismissals of national service conscripts take place to a limited extent but it is easier to be dismissed from

¹⁵⁶ OHCHR, ‘Advance version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea’ (para 1254), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 9 June 2016.

¹⁵⁷ UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 9 July 2016.

¹⁵⁸ UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 9 July 2016.

¹⁵⁹ UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 9 July 2016.

civilian national service than from military national service. Good relations with superiors may also make the process easier.¹⁶⁰

13.2.8 During the Home Office's FFM to Eritrea in February 2016, Anonymous source 2 explained that the process was that 'if you make application to be demobilised to your boss, say in Ministry of Education, then send to minister, who sends to Ministry of Defence.'¹⁶¹

13.2.9 They added that the situation varied by ministry:

'[the] same reasons for demobilisation in one ministry may not get demobilised in another. We hear that the Ministry of Defence are more generous. But reasons can be different across ministries. So a person can have the same reasons in different departments and they are treated differently. It depends on who your supervisor is; what your relationship is like with them.'¹⁶²

13.2.10 This was a point reiterated by other sources including Diplomatic source A, who 'believe[d] it depends on the institution.'¹⁶³

13.2.11 The UK FFM Team spoke with the training manager at Bisha mine who said 'Many people ask their bosses when they want to be demobilised.'¹⁶⁴ as well as meeting with representatives of the human resources department at the mine who explained that a person can apply for demobilisation and may or may not be accepted as well as providing further details about the process involved.¹⁶⁵

13.2.12 The UK FFM Team also spoke to a group of young entrepreneurs who explained the demobilisation process¹⁶⁶.

13.2.13 Many of the international organisations consulted during the Home Office's FFM to Eritrea in February 2016 confirmed that they employed varying

¹⁶⁰ EASO, 'Eritrea Country Focus' (section 3.7.1), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 16 June 2015.

¹⁶¹ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 9 July 2016.

¹⁶² UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 9 July 2016.

¹⁶³ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 9 July 2016.

¹⁶⁴ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 9 July 2016.

¹⁶⁵ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 9 July 2016.

¹⁶⁶ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 9 July 2016.

numbers of people who had been demobilised and that they would only employ those who had been.¹⁶⁷

13.2.14 The International Labour Organization's Committee of Experts concluded in its review of Eritrea in 2014 that:

'...the large-scale and systematic practice of imposing compulsory labour on the population for an indefinite period of time within the framework of the national service programme goes well beyond the exceptions provided for in the (Forced Labour) Convention. The extended obligations imposed on the population – as well as conscripts' lack of freedom to leave national service, as stated by the Government – are incompatible both with Conventions Nos 29 and 105, which prohibit the use of forced or compulsory labour as a method of mobilizing and using labour for purposes of economic development.'¹⁶⁸

13.2.15 Paragraphs 1398 to 1506 of the UN Commission of Inquiry report provides information on the nature and treatment of 'forced labour' in non-military national service. It states that the following areas of work may not be considered to be of purely military character and that conscripts should not be forced to work in any of these fields:

- Construction (including at Bisha mine); [n.b. this does not take into account the Nevsun response]
- Industries connected with the production or extraction of raw materials
Agriculture
- Manufacturing industries
- Transport, public works and building operations and public utility services that are not primarily or exclusively for military purposes
- 'Specialising fields', i.e. conscripts with specialist technical skills who undertake their national service in non military work at for, example, Bisha mine
- Military teachers and nurses
- Police and national security officers
- Civil service
- Domestic work
- Development programmes.¹⁶⁹

¹⁶⁷ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 9 July 2016

¹⁶⁸ ILO, Forced Labour Convention, 1930 (No. 29) - Eritrea (Ratification: 2000) Observation (CEACR), adopted 2014, published 104th ILC session (2015). http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3179325. Date Accessed: 1 July 2015.

¹⁶⁹ OHCHR, 'Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1498), 5 June 2015,

13.2.16 Landinfo in their thematic report on national service in Eritrea dated 20 May 2016 noted:

‘Between 48,000 and 54,000 former EPLF soldiers were demobilized until the start of the border war against Ethiopia in 1998. According to Eritrea expert David Pool they were recalled by the outbreak of war (Asylum and Immigration Tribunal 2007). Eritrean authorities promised after the peace agreement in 2000 (Algae Agreement) that 200,000 soldiers were to be demobilized in three separate phases. According to UNDP 104,000 Eritreans were demobilized up until 2005 (Asylum and Immigration Tribunal 2007). In 2006, the number of demobilized dropped to 65,000. Neither David Pool nor Gaim Kibreab, however, attribute particular importance to these numbers. Pool concludes that they have been given a demobilization card, but that they in reality have not been demobilized (Asylum and Immigration Tribunal 2007). Eritrean authorities claim that 70% of those who were in national service after the end of the war with Ethiopia in 2000, have been demobilized (Yemane Gebreab, interview in Asmara 19 January 2015).

‘Already in 2011 Landinfo received information that indicated that women were discharged from service for various reasons. This information has been confirmed by various sources at meetings with Landinfo in Asmara, most recently in January 2016. Although women are probably discharged in their mid-twenties, they can, in principle, be recalled to the service in line with the legislation on National Service. During crises and mobilization situations anyone can in principle be summoned to the service. At the same time several of sources emphasize that women do not get exit visas before the age of 47.

‘One of Landinfo's interviewees in Asmara in January 2016 believed that demobilization is possible for the resourceful segments of the population, and that the system often favors an individual who has a good relationship with his superiors. The system is structured so that the application for demobilization goes to the immediate superior, who forwards the application to the HR managers in the department. A refusal can also be appealed according to this source (diplomatic source (D), meeting in Asmara 28 January 2016).

‘Some have claimed that it is easier to be demobilized from the civilian part of national service than from the military (Eritrean who performed national service in public administration, meeting in Asmara, February 2011; diplomatic source (1), interview in Asmara, February 2011). In principle, both services are subject to the Defence Ministry, but in practice, military commanders, according to these sources, have significantly less influence over those who serve in the civil occupations. Gaim Kibreab underlined in an interview with Landinfo in November 2009 that it is possible to evade further service by using contacts and/or bribery. Several of the sources during Landinfo's mission in February 2011 and 2013 shared this point of view: Eritreans with connections with the authorities and former liberation soldiers

<http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015

can arrange for shorter service, have better service places and be demobilized earlier (meeting with, amongst others, diplomatic source (1)).¹⁷⁰

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14. Law on desertion and evasion

14.1.1 Article 17 of the Proclamation sets out the regulations that relate to exit from the country when either being eligible for the draft or performing national service. According to this Article, an Eritrean citizen eligible for national service may travel abroad 'upon giving evidence that he is exempted from National Service or that he has completed his service by producing a Certificate of Service' or, alternatively, by 'producing a registration card and entering into a bond of 60,000 Birr as security that he will return to resume his duty when called upon to do so.'¹⁷¹

14.1.2 Article 37 (Penalties) of the National Service Proclamation 82/1995 lists a range of sanctions which exist for evading national service, and is sub-divided into four sections.

- Article 37(1) states that any violation of the Proclamation is punishable by two years imprisonment or a fine, or both.
- Article 37(2) states that avoidance of national service by deceit or self-inflicted injury is punishable by up to two years imprisonment or a fine, followed by national service. If the self-inflicted injury precludes national service, the prison term is three years.
- Article 37(3) states that individuals who travel abroad to avoid national service and return before they are 40 years of age must undertake national service. The penalty for individuals who return after the age of 40, but are under 50, is imprisonment for five years; and they also lose the right to employment, to own a business licence, to be issued with an exit visa, and to own land.
- Article 37(4) states that the punishment for deliberately delaying being registered for national service or avoiding national service by deceit or the use of obstructive methods is two years imprisonment or a fine, or both.¹⁷²

14.1.3 The UN Commission of Inquiry explained that:

'Article 37 of National Service Proclamation provides for punishments for the non-performance of military service, without prejudice to more rigorous

¹⁷⁰ Landinfo, 'Eritrea: National Service (Eritrea: Nasjonaltjeneste)' (section 4.2), 20 May 2016, <http://www.landinfo.no/id/168.0>. Date accessed: 23 June 2016.

¹⁷¹ Government of the State of Eritrea, 'Proclamation No 82/1995 - National Service Proclamation of 23 October 1995', available via UNHCR's RefWorld website, <http://www.unhcr.org/refworld/country,LEGAL,,LEGISLATION,ERI,,3dd8d3af4,0.html>. Date Accessed: 19 November 2014.

¹⁷² Government of the State of Eritrea, 'Proclamation No 82/1995 - National Service Proclamation of 23 October 1995', available via UNHCR's RefWorld website, <http://www.unhcr.org/refworld/country,LEGAL,,LEGISLATION,ERI,,3dd8d3af4,0.html>. Date Accessed: 19 November 2014.

punishment under the 1991 Transitional Penal Code of Eritrea. Avoiding national service by mischief, deliberate infliction of bodily injury or by any other means (para 1); absconding from national service by leaving the country (para 2); and assisting to avoid national service or registration (para 3) are punishable with payment of a fine or imprisonment of up to five years. Under the Transitional Penal Code, these statutory offences can lead to imprisonment of longer periods of time, in the case of desertion in times of emergency, general mobilisation or war up to life imprisonment. Desertion from active service can be punished with the death penalty.¹⁷³

14.1.4 See also sections on Law regulating national service and Treatment for evading / absconding, [UK Home Office Fact Finding report, June 2016](#)

14.1.5 In his October 2014 paper, 'The Open-Ended Eritrean National Service: The Driver of Forced Migration', Professor Kibreab noted:

'In addition to the penalties imposed under the Proclamation on National Service, the penalties stipulated in the Eritrean Transitional Penal Code (ETPC) also cover military violations, including failure to enlist, or re-enlist, seeking fraudulent exemptions, desertion, absence without leave, refusal to perform military service and infliction of unfitness (injury to avoid service). The punishment ranges from six months' to 10 years' imprisonment depending on the gravity of the act. During emergencies or mobilizations, the penalties are significantly more severe. Desertion is the most severely sanctioned and entails imprisonment for up to five years, but in times of mobilization or emergency this can increase from five years to life, or, in the gravest cases, death, for desertion from a unit, post or military duties or for failure to return to them after an authorized period of absence. Since military courts are not operative, punishment for military offences is carried out extrajudicially.'¹⁷⁴

14.1.6 The May 2015 EASO Report, citing various sources, stated:

'According to Proclamation 82/1995, a deserter must pay a fine of 3,000 birr and/or serve a two-year prison sentence. The prison sentence rises to five years for those who leave the country after deserting. Deserters also lose their right to be employed or own land. Article 300 of the Criminal Code also stipulates that wartime desertions are punishable by prison sentences ranging in length from five years to life imprisonment, or even the death penalty in particularly severe cases. According to Article 297, wartime draft evasion is punishable by imprisonment of up to five years.'¹⁷⁵

¹⁷³ OHCHR, 'Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1234), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/CoIEritrea/Pages/ReportCoIEritrea.aspx>. Date Accessed: 16 June 2015.

¹⁷⁴ Kibreab, Gaim, 'The Open-Ended Eritrean National Service: The Driver of Forced Migration' (Penalties for Desertion or Draft Evasion), October 2014, https://www.ecoi.net/file_upload/90_1416473628_gaim-kibreab-the-open-ended-eritrean-national-service-the-driver-of-forced-migration.pdf. Date accessed: 16 March 2016.

¹⁷⁵ EASO, 'Eritrea Country Focus' (section 3.8.1), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf.

15. Desertion and evasion in practice

15.1 Round-ups (Giffas)

15.1.1 The British Embassy in Asmara, in a letter dated 1 April 2010, provided the following information, obtained from Eritrean sources:

‘Officially, the Eritrean Ministry of Defence runs the military/national service programme. However, in practice other ministries are involved in the assignment of people to national service positions in ministerial dependencies. It is impossible to confirm who decides when and where military service round-ups occur. However, it is assumed that the Eritrean Ministry of Defence decides this, possibly on instructions from the president ... It is important to note that there are no set government policies or standard procedures regarding how round-ups are organised. Military service round-ups take place usually around 4 to 5 times a year but can occur more frequently or less frequently, and usually coincide with public holidays when large numbers of people are out and about. They can occur in various parts of Eritrea and are not confined to one particular part of it. Once rounded up, people are sent from Asmara to the Adi Abeto camp for processing and onward assignment ...’¹⁷⁶

15.1.2 Freedom House reports that ‘The police frequently conduct round-ups of people thought to be evading national service; those who resist can be executed on the spot.’¹⁷⁷

15.1.3 The 2015 U.S. State Department report notes that ‘Round-ups of persons suspected of evading national service or militia duty occurred. Security personnel entered markets or towns and picked up men who could not prove they had completed or were excused from national service. There was a report that on August 30 [2014] that the army’s 22 Kefle-Serawit conducted a round-up in Enda-Kebti. Authorities reportedly took such persons to remote camps for training. Authorities sometimes arrested persons whose papers were not in order and detained them until they were able to provide evidence of their militia status or demobilization from national service. The government contacted places of employment and used informers to attempt to identify those unwilling to participate in the militia.’¹⁷⁸

15.1.4 In describing round-ups, sources consulted during the Danish Immigration Service’s Fact-Finding Mission (FFM) Report, ‘Eritrea – Drivers and Root Causes of Emigration, National Service and the Possibility of Return’,

Date Accessed: 16 June 2015.

¹⁷⁶ Letter from the British Embassy in Asmara, 1 April 2010. See [Eritrea: Illegal Exit](#), Annex A.

¹⁷⁷ Freedom House, Freedom in the World – Eritrea – 201’, 28 January 2015, https://freedomhouse.org/report/freedom-world/2015/eritrea#.VZEtB_IViko. Date Accessed: 29 June 2015.

¹⁷⁸ United States State Department, ‘Country Reports on Human Rights Practices 2014’ (section 1d), 26 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236356>. Date Accessed: 30 June 2015.

published in November 2014 and updated in December 2014, made the following observations:

- 15.1.5 International Organisation (B) stated that “In recent months, there was no visible evidence during day time of round-ups of suspected National Service evaders or deserters in Asmara. Due to travel restrictions on international organisations in the country, the International Organisation in Eritrea was unable to comment on round-ups outside of Asmara. There was also no verifiable information available on whether round-ups take place in the evenings or during the night.”¹⁷⁹
- 15.1.6 A Regional NGO based in Asmara stated that “one does not see soldiers undertaking round-ups of people into National Service any longer.”¹⁸⁰
- 15.1.7 Western embassy (A) stated that it ‘... had heard of such round-ups in villages out in the country.’¹⁸¹
- 15.1.8 Western embassy (E) stated that “the government needs the cheap national service work force, and rather than imprison evaders and deserters, the government choose to occasionally round them up and put them back to work.”¹⁸²
- 15.1.9 The May 2015 EASO Report, citing various sources, stated: ‘... giffas have taken place on a country-wide basis since approximately 2001. During these raids, checks are carried out to ascertain whether young people have completed their military service and those who have not are imprisoned (mostly in the Adi Abeito prison near Asmara) and then sent for military training. The army closes whole localities or urban districts for the purpose of these raids and demands proof of completed military service from anyone within the relevant area. According to some reports, giffas are now taking place less frequently than before but in October 2013 and January 2015 there were large-scale giffas in Asmara.’¹⁸³
- 15.1.10 The UN Commission of Inquiry provides information on giffas, and provides quotes from witnesses of their experiences up to 2011. However it is not clear from the data if the frequency and location of giffas has changed over time and by location (see paras 1211 to 1233):
- ‘Members of the Eritrean Defence Forces regularly conduct round-ups in search of citizens who have failed to respond to a national service call by the

¹⁷⁹ Danish Immigration Service, FFM Report (page 28), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

¹⁸⁰ Danish Immigration Service, FFM Report (page 37), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

¹⁸¹ Danish Immigration Service, FFM Report (page 41), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

¹⁸² Danish Immigration Service, FFM Report (page 56). Date accessed: 6 January 2015.

¹⁸³ EASO, ‘Eritrea Country Focus’ (section 3.3.2), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date Accessed: 16 June 2015.

Government to report for national service, have absented themselves from the army without leave or have otherwise attempted to evade conscription. In Eritrea, these round-ups are known as giffas in Tigrinya or raffas in Afari. While many people reported voluntarily to conscription calls in the early years of independence, the Commission has collected testimonies indicating that people have been forcefully recruited during round-ups from as early as 1995.

'Usually, round-ups are conducted by soldiers in cities and villages where draft evaders or deserters are suspected to be hiding. The number of soldiers participating in a giffa depends on the size of the village or the city. Often soldiers are deployed in regions far from their home town to avoid them coming across relatives and friends when conducting giffas. As a result, they do not know the age of people and arrest everyone without distinction...'¹⁸⁴

15.1.11 It continued:

'The order for a giffa is taken by the higher ranking officers, sometimes in coordination with the village administration. Soldiers refusing to participate in a round-up risk being arrested and detained or are threatened to be assigned to another military unit further away from their home town. The conduct of the soldiers during the round-up is controlled by their superiors and trainers.

'Giffas target almost everyone who is found on the streets and places of public gathering such as markets, weddings and classrooms. Soldiers arrive in a village and surround it so that no one can escape. Often, the round-ups take place at crossings during the times of the day when many people are moving around, namely in the morning or during market days. The soldiers gather the people they have arrested at the local police station, in a schoolyard, a town hall or in an open-space area where they are screened by the officers in charge.... In addition to giffas targeting everyone passing by, there are also house-to-house searches, as well as targeted round-ups, when soldiers receive a list with names of children who have dropped out of school or deserters who are suspected to be hiding at home.... Round-ups are also conducted at schools, with armed soldiers searching school buildings and indiscriminately rounding up students, often without checking the age.'¹⁸⁵

15.1.12 The same report also determined that:

'Giffas can also involve house-to-house searches during which soldiers enter houses without search warrants. If they suspect someone is hiding, they

¹⁸⁴ UN Human Rights Council, 'Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1211-1212), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

¹⁸⁵ UN Human Rights Council, 'Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1214-1215, 1220-1221), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

search each room, looking for possible hide-outs. The Commission heard many accounts of witnesses stating that giffas involving house searches are often conducted very early in the morning or at night, when people are sleeping...¹⁸⁶

15.1.13 The Commission collected a large number of testimonies regarding the round-up of children, both boys and girls. In some instances, the soldiers examined the student identification cards or birth certificates on the spot and refrained from arresting those who had a valid document. However, it is very common for soldiers to initially arrest any young persons who look tall and strong and in good physical condition for national service, without taking into account the fact that the children can prove they are going to school. Later, when their student cards are verified, these children may be released... On many occasions, however, children are rounded up and sent for military training despite the fact that they can produce a document indicating that they are under-age, such as a student card or a birth certificate.¹⁸⁷

15.1.14 It also concluded that:

‘Soldiers regularly apply excessive use of force when arresting people during the round-ups. When people try to escape during a round-up, soldiers frequently beat and handcuff them. Sometimes, the violence used is so severe that the victims need to be treated in hospital.

‘In several instances, people have been fatally wounded or shot dead during the round-ups. According to testimonies received, soldiers who apply lethal force do so in line with an order from their superiors to shoot those who resist or try to escape. Some were killed while trying to resist the giffa or refusing to comply with the order. Reportedly, others have been killed without any resistance. The Commission did not hear of any of these cases being investigated...¹⁸⁸

15.1.15 And that:

‘During these round-ups, every man and woman who appears to be of conscription age is a potential target. Soldiers round up people without distinction and irrespective of whether they are in possession of an identification paper. Once people are collected in a place, a screening takes place and those who can present a valid permit may get released. This applies to those with a menkesakesi, a travel permit, students with a valid

¹⁸⁶ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on Eritrea’ (para 1223), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

¹⁸⁷ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on Eritrea’ (para 1226-1227), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

¹⁸⁸ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on Eritrea’ (para 1229-30), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

documentation, children who can prove they are underage and serving military officers on leave, as well as occasionally married women and mothers. However, many remain in custody despite being able to present a document that shows they are either below conscription age or have already been discharged.

‘Reportedly, some people who are rounded up manage to get released after bribing the officers...

‘While the screening takes place, the people who have been rounded up remain under arrest. Once the process is finalised, those who are not released are loaded on trucks and taken to one of the military training centres, such as Sawa, Wi’a or Me’eter. Civilians are sent for military training, while deserters or recruits who were otherwise absent are sent back to their military unit or assignment. Depending on the number of people rounded up, they might be taken to a detention facility first, where they spend time in detention before onward transportation to the final destination is arranged. Frequently, people are detained for a longer period of time, be it for punishment or simply because the next round of military training has not yet started.’¹⁸⁹

- 15.1.16 A western embassy (E), discussing the issue with the Danish delegation stated ‘Just a week [prior to the interview in October 2014] a number of people in Asmara receive a notice to appear for some military training. The majority did not show up as requested by the authorities and the ones who did show up were told to go home because they were too few to go ahead with the training.’¹⁹⁰
- 15.1.17 An article on the Horn Affairs website, dated 26 October 2014, based on interviews with activists inside Eritrea the preceding day noted that: ‘... in recent weeks, many high-school graduates called for national service are no longer obe[y]ing the notices posted on the walls of the city ordering them to report to the barracks. Furthermore numerous members of the so-called “People’s Army”, civilians over 50 years who have been given a Kalashnikov and a basic military training by the government, no longer go out at night, as they are ordered by the government.’¹⁹¹
- 15.1.18 The same article suggested that ‘Civil disobedience is gaining ground and the arrival of “Demhit” around Asmara is raising concern: the city is preparing

¹⁸⁹ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea’ (para 1231-1233), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/CoIEritrea/Pages/ReportCoIEritrea.aspx>. Date Accessed: 16 June 2015.

¹⁹⁰ Danish Immigration Service. FFM Report (page 56), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

¹⁹¹ Horn Affairs, ‘Eritrea: Conversation with the resistance mov’t inside Asmara’, 26 October 2014, <http://hornaffairs.com/en/2014/10/26/eritrea-interview-resistance-activists/>. Date accessed: 19 January 2015.

for a massive “giffa”, these raids that have been terrorizing ordinary citizens for years.’¹⁹²

15.1.19 On 17 January 2015, the Asmarino website reported that

‘Asmara was this afternoon in the grips of the worst giffa (raids) that the city had seen for a long time. The raids weren’t carried out by Demhit (TPDM) but by Eritrean forces who mounted a well coordinated surprise attack at a time when many residents were out and about. There were power cuts for most of the evening, and power was restored only after the raids ended.

However there was a lot of cooperation among residents who were informing each other of the various hot spots and hiding places. The young people named the armed forces ‘the gunners’ or ‘Arsenal’ and were using footballing codes to keep each other informed.

The raids were targeting young men who should be at the National Service as well as older men between the ages of 40 and 60.’¹⁹³

15.1.20 The Landinfo report of 23 March 2015, ‘Eritrea: National Service’ (English translation September 2015) noted, ‘...in conversations with international representatives in Asmara in March/April 2014 and in January 2015, it was agreed that the number of giffas in Asmara had probably gone down considerably.’¹⁹⁴

15.1.21 Diplomatic source A told the UK Home Office’s fact finding mission (UK FFM) to Eritrea, 7-20 February 2016, in response to the question “Does the government rigorously pursue those for National] Service?”, ‘No but they do round-ups. But hardly anything is consistent, predictable.’¹⁹⁵

15.1.22 The UK FFM spoke to anonymous source 1 who responded to the following questions:

‘Q: Are you aware of any ‘giffas’/round-ups? [FFM Team explained what meant by ‘giffa’ = security service round-up] A: Armed people suddenly come to city and collect youngster on the street and from their homes. Sometimes they come during the night and sometimes during the day. Never know it when they do so. Especially during the Independence months it is getting worse. They do it randomly you say the define time.

‘Q: Do they come to houses? A: Sometimes they find people in the street. Sometimes they come house-to-house. They take young people. The students and others who have the permit papers, they come back home after

¹⁹² Horn Affairs. ‘Eritrea: Conversation with the resistance mov’t inside Asmara’, 26 October 2014, <http://hornaffairs.com/en/2014/10/26/eritrea-interview-resistance-activists/>. Date accessed: 19 January 2015.

¹⁹³ Asmarino Independent, ‘Eritrea: Amazing solidarity against gifa in Asmara’, 17 January 2015, <http://www.asmarino.com/news/155-breaking-news/4243-eritrea-amazing-solidarity-against-gifa-in-asmara>. Date Accessed: 13 July 2015.

¹⁹⁴ Landinfo, ‘Eritrea: National Service (Eritrea: Nasjonaltjeneste)’ (page 9), 23 March 2015. <http://www.landinfo.no/id/834>. Date accessed: 3 March 2016.

¹⁹⁵ UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

checking their identity. When come at night, knock on the door and look at every corner of the house.

‘Q: Do they come into the house? **A:** Yes. They even look at under the bed sometimes.

‘Q: When was the last one in Asmara? **A:** Three, maybe four months ago in my zoba administration. They don’t do the whole city in one go. They will come to one area for example in one week and the other week or month on the other administration zoba.’¹⁹⁶

15.1.23 In response to questions about round-ups, anonymous source 2 told the UK FFM:

These things [round ups] happen very frequently.

‘Q: Very frequently? **A:** Well, ok, not very frequently, but every year. I remember the last one happened around October 2015 [in my area] and people told me to be careful to go home.

‘Q: Do you know any people who haven’t done national service? **A:** In this country, people of my age cannot. I knew someone who tried not to but I knew how they were living – staying inside. In different years and in random period, they started searches of houses, especially in early 2000’s.

‘Q: Do they search houses now? **A:** No. I haven’t been aware of any here in Asmara for the past 7 years or so. But sometimes in villages. House search was mainly during the war and little years after that. The most common day is Independence Day [24 May]. Security is tight.’¹⁹⁷

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15.2 Treatment of draft evaders and deserters

15.2.1 The UN Commission of Inquiry’s report of June 2015 stated:

‘National service conscripts may be detained for a variety of reasons, including for desertion, unauthorised movement or absence, insubordination or for asking questions. The Commission documented many cases of detention in military training camps’ prisons and others for the reasons mentioned above, often accompanied by torture and ill-treatment. Upon release from prison, national service conscripts are sent back to their military unit where they may be subjected to additional punishment.

‘The Commission finds that detention of national service conscripts is more often accompanied with the use of constraints methods (i.e. tied up in various positions) than other detainees tortured and ill-treated in the course of their detention.’¹⁹⁸

¹⁹⁶ UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.16, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

¹⁹⁷ UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

¹⁹⁸ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on

- 15.2.2 Further material on the reported use of torture is included at paragraphs 1006 to 1131 of its report.
- 15.2.3 The UN Commission of Inquiry report also stated that ‘If caught, draft evaders and deserters are severely punished... Reportedly, people who have fled from the military several times may risk execution...’¹⁹⁹
- 15.2.4 However, it also added that
‘Despite the regular round-ups and tight controls, it appears that some Eritreans manage to slip under the radar screen and live outside of the national service without being detected by the Government. However, life outside of the system comes with a lot of sacrifices and is dominated by the fear of being reported by one of the numerous spies or uncovered during a military control. Moving from one place to the other becomes almost impossible and most people’s daily routines are limited to trying to cope with the situation.’²⁰⁰
- 15.2.5 And that ‘Reportedly, teachers who surrender after having deserted from the Ministry of Education can be reinstated as a teacher within the national service, without being punished. This is reportedly due to the shortage of teachers.’²⁰¹
- 15.2.6 The United States State Department ‘Country Reports on Human Rights Practices for 2013’, published on 27 February 2014, stated that:
‘Failure to participate in the [civilian] militia and its uncompensated public works efforts could result in detention or the government’s withholding of a person’s national identification card.’²⁰² The 2014 report adds that ‘Failure to participate in the militia or national service could result in detention’²⁰³
Amnesty International similarly notes that ‘Conscripts faced harsh penalties

Human Rights in Eritrea’ (para 1072-3), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

¹⁹⁹ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on Eritrea’ (para 1241), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

²⁰⁰ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on Eritrea’ (para 1242), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

²⁰¹ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on Eritrea’ (para 1243), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

²⁰² United States State Department, ‘Country Reports on Human Rights Practices for 2013’, 27 February 2014, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date Accessed: 19 November 2014.

²⁰³ United States State Department, ‘Country Reports on Human Rights Practices 2014’ (section 7b), 26 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dclid=236356>. Date Accessed: 30 June 2015.

for evasion, including arbitrary detention and torture and other ill-treatment.²⁰⁴

15.2.7 The United States' State Department 'Country Reports on Human Rights Practices for 2014,' published on 26 June 2015, also stated that:

'Disappeared persons included those ... individuals suspected of evading national service and militia duties. ... Security forces tortured and beat army deserters, national service and militia evaders, persons attempting to flee the country without travel documents, and members of certain religious groups. ... Data on the prevalence of death in prison and detention facilities were not available ...'²⁰⁵

15.2.8 The same report reported that 'Former detainees and other sources reported harsh detention center conditions, in police stations, and prisons for persons held for evading national service and militia duties. For example, the UN special rapporteur on the situation of human rights in Eritrea noted Wi'a prison camp as notoriously harsh. Authorities placed political prisoners in solitary confinement more often than other detainees.'²⁰⁶

15.2.9 Sources from the Danish Immigration Service's Fact-Finding Mission (FFM) Report made the following observations:

'A Western embassy (B) stated that "It is a fact that Eritrea has no capacity to take care of 10,000 prisoners irrespective of whether they are imprisoned for political or criminal reasons, not to mention draft evaders and deserters."

'International Organisation (A) said "It is very difficult to conclude anything about detention conditions in Eritrea. Currently, it is not possible to judge whether the prisons are bad or not as conditions are undocumented. No international observers have been granted access to prisons since 2009."

'Western embassy (E) also stated that "The judicial system is not well functioning and people are imprisoned and released without any announcements making it difficult to monitor the human rights situation in the country."

'A Western embassy based in Khartoum stated that "There is a significant number of political prisoners in Eritrea but it is difficult to ascertain how many they are or under what conditions they are kept."²⁰⁷

15.2.10 Sources referred to in the Danish Immigration Service's Fact-Finding Mission (FFM) Report, 'Eritrea – Drivers and Root Causes of Emigration, National

²⁰⁴ Amnesty International, Amnesty International Report 2014/15, 25 February 2015, <https://www.amnesty.org/en/countries/africa/eritrea/report-eritrea/>. Date Accessed: 30 June 2015.

²⁰⁵ USSD 'Country Reports on Human Rights Practices 2014' (section 1c), 26 June 2015 <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236356>. Date Accessed: 30 June 2015.

²⁰⁶ USSD 'Country Reports on Human Rights Practices 2014' (page 48), 26 June 2015 <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236356>. Date Accessed: 30 June 2015.

²⁰⁷ Danish Immigration Service, FFM Report (page 59), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/ronlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

Service and the Possibility of Return’, published in November 2014 and updated in December 2014, when discussing penalties for evasion and desertion made the following observations:

‘International Organisation (C) stated that “Lack of cooperation with the National Service will now and then be punished” and that “non-compliance with the recruitment process is considered a sign of disobedience. The punishment could be more serious depending on the specific circumstances, e.g. if a person has deserted from more important work in National Service”²⁰⁸

The same source added that “If a National Service evader or a deserter who has left Eritrea illegally returned to Eritrea, he or she would be detained for a short period of time, i.e. a couple of days or one week, and then re-enrolled in National Service. As an additional punishment, they could be sent off to duties at military posts near the Ethiopian border.”²⁰⁹

‘A UN Agency suggested that “National Service evaders and deserters are maybe penalized if apprehended but it was doubted that they are actually imprisoned. It was added that the government does not consider emigrants as traitors.”²¹⁰

‘A Regional NGO based in Asmara cautioned that “The penalty for desertion and evasion from National Service is not well documented, and there is no clear code of procedure or jurisprudence. The penalty may vary depending on who you are and where you are serving your National Service, i.e. desertion from critical sectors such as the fire brigade would probably be considered a more serious offence than deserting from work in a government run garage or the Ministry of Agriculture.” The same source added that “No-one will be killed or punished physically by beatings, rape or other forms of human rights violations. In recent years the most likely penalty for desertion from National Service would be detention for three to four months particularly for women.”²¹¹

‘A well-known Eritrean intellectual noted that “There are examples of deserters who have been arrested and imprisoned in Eritrea, but in general everyone knows what to do and not to do when it comes to National Service. The source added that he knows of a student who deserted the National Service and was arrested. The student was transferred to the Sawa camp to complete his National Service. After that he returned to his studies. Many

²⁰⁸ Danish Immigration Service, FFM Report (page 30), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

²⁰⁹ Danish Immigration Service, FFM Report (page 31), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

²¹⁰ Danish Immigration Service, FFM Report (page 33), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

²¹¹ Danish Immigration Service, FFM Report (page 38), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

government officials, teachers, nurses etc. are returning to their jobs after having served at the National Service.”²¹²

‘Western embassy (A) stated that “Evaders and deserters are not imprisoned for a protracted period of time and they are not exposed to physical harm”. The same source added that “Ordinary people who evade the National Service or desert from the service are not being prosecuted and imprisoned and they are not at risk of disappearances. That kind of treatment is reserved for people who have had some kind of oppositional activities i.e. political prisoners. It was emphasized that the government does not consider National Service evaders or deserters as political opponents”²¹³

‘Western embassy (B) would not exclude that a National Service evader or deserter would be detained, but this would be for symbolic reasons rather than for legal reasons. The authorities would prefer to state an example rather than detain evaders and deserters systematically. It was added that the authorities are turning a blind eye to many of those who for various reasons evade or desert National Service because they are needed during harvest time or for other reasons. Detention of individual National Service evaders and deserters is purely to show the people who is in charge in Eritrea, i.e. the ruling party. Detained evaders and deserters are normally released after a few days, and as an additional punishment they are sent off to duties at military posts near the Ethiopian border. It was added that many evaders and deserters would most likely have preferred to stay in detention rather than be deployed to the border areas. It was added that even if the government wanted to arrest and prosecute evaders and deserter, it does not have the capacity to do so.”²¹⁴

15.2.11 The same source also added that “The government’s interest is not to imprison evaders or deserters but to have them work for the country.”²¹⁵

‘Western embassy (D) stated that “People who have evaded National Service are at risk of being identified as such. In that case, they could be picked up and taken to the barracks to be enrolled in National Service. However, there is no information about severe penalties for trying to evade National Service.”²¹⁶

²¹² Danish Immigration Service, FFM Report (page 40), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

²¹³ Danish Immigration Service, FFM Report (page 41), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

²¹⁴ Danish Immigration Service, FFM Report (page 45), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

²¹⁵ Danish Immigration Service, FFM Report (page 45), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

²¹⁶ Danish Immigration Service, FFM Report (page 52), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

15.2.12 The UN Commission of Inquiry also reported that:

'Unlike those in the army, conscripts in civil service are usually not subjected to harsh punishment in the course of their work. When they leave work without authorisation, they are treated differently from conscripts in the army. Frequently, conscripts in civil service just stop going to work or are regularly absent because they are engaged in side activities to earn some income. The level of conscript absenteeism in civil service is high, particularly in public administrations and certain ministries, where only Ministers are reportedly present. It usually takes a few months before the missing conscripts are chased down by the administration. This might be due to the lack of capacity within the bureaucracy, as well as a certain tolerance by supervisors who allow conscripts to earn some extra money. During the first months of absence, the absentees' salaries are withheld. If only absent for a few months, conscripts generally receive only light punishment, or none at all when they resume work. However, if they are absent for more than a few months, they are usually sent to prison for some time before resuming work.'²¹⁷

15.2.13 It added

'All conscripts in the army are paid between 150 and 500 Nakfas per month. Conscripts assigned to physical tasks do not get additional remuneration for their work, including when the work is undertaken for the benefit of a private individual, or a foreign company that pays the Government for providing manpower. The exact terms for the use of conscripts provided by the Government to foreign companies or other private entities are not known. However, the Commission collected testimonies showing that the amounts disbursed by foreign companies through the Government to remunerate workers are kept by the Government, which continues paying low wages to conscripts.'²¹⁸

See [Pay/Salary](#)

15.2.14 The May 2015 EASO Report, citing various sources, stated:

'In practice, according to most sources, deserters and draft evaders are imprisoned if they are caught within the country before being able to leave, or at the airport after returning. They are frequently kept in incommunicado detention without charges, proceedings or fixed sentence, and sometimes even tortured. Periods of detention vary between several days and several years. According to one report, punishments are more severe in the case of deserters who have dropped out of military national service. However, for the punishment, it does not make a difference whether the desertion has taken

²¹⁷ OHCHR, 'Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1447), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/CoIEritrea/Pages/ReportCoIEritrea.aspx>. Date Accessed: 16 June 2015.

²¹⁸ OHCHR, 'Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (para 1431), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/CoIEritrea/Pages/ReportCoIEritrea.aspx>. Date Accessed: 16 June 2015.

place during the legally prescribed service period of 18 months or afterwards.²¹⁹

15.2.15 The same report also highlighted that:

‘The information on the treatment of returning deserters and draft evaders is based primarily on the experiences of failed asylum seekers repatriated to Eritrea between 2002 and 2008. There have been no new empirical findings since then on the treatment of repatriated deserters and draft evaders. Therefore, the punishment currently imposed on deserters and draft evaders is difficult to establish. However, most sources state that punishment is imposed arbitrarily on an extra-judicial basis without regard for the laws.

‘Eritreans were repatriated from Egypt in 2009 and 2011 and there have been many instances of overland repatriations from Sudan in recent years. No information is available on the fate of those repatriated after their return, however. Some of the respondents contacted in Eritrea during Denmark’s and Norway’s fact-finding missions in late 2014 and early 2015 believed that deserters and draft evaders were held in prison for several weeks or months and were then reassigned to national service. However, several of the Eritrean experts consulted in 2013 and 2014 by Norway, the Netherlands and Denmark believed that repatriated deserters and draft evaders may still be subjected to interrogations, punishments and mistreatment. Since human rights monitors have no access to Eritrea and the International Committee of the Red Cross (ICRC) is not allowed to visit prisons, it is impossible to verify such statements.²²⁰

15.2.16 The December 2015 Amnesty International report, ‘Just Deserters’, based on the interviews with 72 Eritreans who had fled the country, stated:

‘People arrested for evasion, desertion and attempting to flee the country are detained in police stations, prisons and detention facilities within military camps, bases and training centres. Many of these are unofficial places of detention...No-one interviewed by Amnesty International detained for evasion, desertion or attempting to flee the country had been charged with an offence, brought before a court to determine the lawfulness the detention, provided with access to a lawyer or permitted access to their family members while in detention.’²²¹

15.2.17 The same source stated:

‘Attempted desertion from National Service also appears to be a regular phenomenon, based on interviews with former conscripts. While some people attempt to run away from their posts, many desert by not returning to

²¹⁹ EASO, ‘Eritrea Country Focus’ (section 3.8.1), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date Accessed: 16 June 2015.

²²⁰ EASO, ‘Eritrea Country Focus’ (section 3.8.2), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date Accessed: 16 June 2015.

²²¹ Amnesty International, ‘Just Deserters’, December 2015 <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

their assigned posts after a period of leave. However, while some do this with an intention to desert completely, many interviewees told Amnesty International they intended to return to their posts and only overstayed their leave to do a variety of things they were otherwise unable to do because of the limited and irregular allowance of leave from National Service...In almost all cases reported to Amnesty International, the deserter was punished with arbitrary detention. Some also had their salary withheld for a period after the end of their detention. As with punishments for evasion of conscription or attempting to leave the country, the detention periods varied without any evident reason. Detention periods reported to Amnesty International in 2015 ranged between one and 16 months, with six to eight months being the duration most frequently reported. Those assigned to the military were likely to be held in the detention centre of their military division for some or all of their period of detention.’²²²

15.2.18 The country analyst section of the Swiss Secretariat for Migration produced a report on Eritrea based on a range of public sources and information obtained in conversations with interlocutors in Asmara during its own fact finding mission in March 2016. The report is in German but provides an unsourced summary of its main findings covering draft evasion, desertion, illegal exit and voluntary and enforced return. On draft evasion and desertion, the report stated:

‘Deserters apprehended within Eritrea are usually returned to their military unit or civilian duty and punished. These punishments are imposed extrajudicially by their superiors. There’s no possibility of appeal. However, the treatment of deserters appears to have become less harsh in recent years. Most sources report that first time offenders are now usually detained for several months. Punishment for deserters from the military part of National Service is reportedly more severe than punishment imposed on those deployed in the civilian part. As deserters are not tracked down systematically, a number of them effectively go unpunished.

‘Draft evaders are usually tracked down in round-ups (“giffas”). Those apprehended are usually detained for some time before starting a military training, which often takes place in camps with hazardous and detention-like conditions. A part of the draft evaders, however, manages to avoid these round-ups in the long run. Sporadically, military units try to individually track down certain draft evaders, particularly those who have been called up already.’²²³

15.2.19 There is a section on treatment of draft evaders and absconders in the report of a [Home Office fact finding mission to Eritrea of February 2016](#). The

²²² Amnesty International, Just Deserters, December 2015 (page 40), <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

²²³ Staatssekretariat für Migration (SEM), ‘Focus Eritrea: Update Nationaldienst und illegale Ausreise’ (p7), 22 June 2016, <https://www.sem.admin.ch/dam/data/sem/internationales/herkunftslander/afrika/eri/ERI-ber-easo-update-nationaldienst-d.pdf>. Date accessed: 21 July 2016.

following paragraphs are excerpts from this report but see that report for details:

- A UN staff member noted in response to the question, “How are evaders/deserters treated?” the source replied: ‘I don’t have hard evidence except what I observe. I have seen people coming for holidays and not being put in prison. If there are those in prison I don’t know. I attend weddings of people from diaspora; some of whom did not necessarily finish national service.’
- Anonymous source 2 responded to the following questions posed by the UK FFM:

‘Q: How long could someone be punished for not doing NS? **A:** Punishment is not uniform. Some are imprisoned for years. Some could be months. Then you get re-assigned to same place and in some situations to different [places]. Nowadays, they prefer not to imprison you because so many people are leaving the country and there is a shortage of people. So they prefer just to re-assign you back to what you were doing.

‘During Independence Day, they let people go from prisons even before completion of their sentences, which depends on the severity of your case and period stayed in prison.

‘Q: Is punishment different in different regions? **A:** It is not uniform. It varies all over. Punishments, even things like annual leave, varies a lot. They have to submit the number of people who are actively doing service, periodically, by the administration (personnel) staff in all the ministry offices. It also depends on the military commander for that region. There are many factors that affect this. The general in Assab is very strict.

‘Q: What about in Asmara? **A:** General may be more lenient than other areas (but it does not mean that all NS members in Asmara are administered by one general, as there are many ministries offices) but also depends on local supervisor. Also government moves people [generals / commanders] around.’²²⁴

- The UK FFM asked the UK Ambassador to Eritrea:

‘Q: What is the punishment for evading or absconding from military service? Aware of any specific examples? Are there patterns or factors – depends on what you were doing, where? **A:** Oral advice from my honorary legal advisor was that it varies from a few days’ detention to a few months’, even up to three years. There are also aggravating and mitigating factors provided for in law.

‘Aggravating factor e.g. repeated attempts. Mitigating e.g. only child

²²⁴ UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.14, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

'In practice, punishment is reportedly likely to be carried out outside of the formal judicial system, but unlikely to vary much from the punishment provided for in law. The person would then have to do National Service.'²²⁵

15.2.20 The UK FFM spoke to Anonymous Source 3 who stated that they had not done national service, 'My mother said I had to stay at home because my father died. At that time, they didn't ask everyone. The round-ups take boys mostly. But after a few years round-ups also take girls, [...] I had to stay at home [to avoid the round-up].'²²⁶

15.2.21 Diplomatic source A interviewed by the UK FFM of February 2016 noted: 'Nobody knows if persons will be punished for leaving illegally or evading national service. We've told Government officials that 18 months would help make national service predictable, but this is currently not under consideration.'²²⁷

15.2.22 Diplomatic Source A gave the FFM a particular example of a member of staff who had not done national service.²²⁸ Diplomatic Source E said, 'People get out. Not everyone is in national service.'²²⁹

15.2.23 The UK FFM also spoke to Yemane Gebreab, Head of Political Affairs, who said:

'There are 10,000s who have not done national service [NS]. During the war we actively tried to make everyone do NS. In the 5 years after the war we tried to make everyone do it. But since the change 9 years ago, essentially everyone goes to Sawa for 12th grade, receives military training, university education and then NS. This meant that persons who did not do 11th grade did not go to Sawa, did not do NS. Or people did go to Sawa but did not report for the NS. The Government made no attempt to pursue them.

'**Q:** What has happened to them? **A:** Nothing has happened and nothing will happen. If the government decides they are required to do it [NS], they will be called. But, there are certain rights and requirements in Eritrea that need you to have done NS, e.g. obtaining a business license, buying land; and travelling abroad/getting a passport/getting exit visas.

²²⁵ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.14, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

²²⁶ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.13, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

²²⁷ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.14, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

²²⁸ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 11.10, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

²²⁹ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 11.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

Q: Is there way to regularise status? **A:** Of course. They just need to say they want to do it [NS]. With group of Swedish visitors, I spoke to 3 waitresses who had not done NS. One got married. Even in public sector, people have not done NS.

Q: They said this in front of you? **A:** Yes. I know lots who have not done NS! If you go to the ministry of foreign affairs, the 2 ladies who bring you the tea haven't done it.

Q: Do women who reach 30 and married don't need to do NS? **A:** Yes. Or, if they get married or they have children. Here, the age is coming down – it is in discussion. It may be not 25 but coming down to 28 years.²³⁰

15.2.24 The CEO of a UK registered, EU-funded international NGO working in Eritrea noted

'It is widely known that thousands of Eritrean people, including the organisation's staff, who have left military service or left the country illegally do return to Eritrea and many are able to do their private business without harassment. This reality is attested to by resident Ambassadors and others. From our extensive discussions with Ambassadors and senior representatives of five European embassies, there is a wide gap in terms of hearing and understanding the reality of human rights concerns. For example one of our staff members left Eritrea illegally for Sudan for economic reason. After a couple of years he returned to start a business and faced no negative consequences. The organisation knows of a further three economic migrants who have since returned from the UK without fear or consequence.'²³¹

15.2.25 Landinfo's thematic report on national service of 20 May 2016 (the report is a composite of a range of sources, see the report for full details) observed:

'Factual information about in particular penalties against evaders or deserters is limited. As initially mentioned in the report most of the accounts which describe the penalties are largely based on accounts from asylum seekers in the West. Thus, in terms of of source criticism, the information has certain weaknesses, which is not to say that in general it is not credible.

'The general impression that is conveyed in recent years by international sources (which is based on Eritrean sources) is that evaders who are arrested, are taken into custody for a few weeks to a few months and, potentially, are reassigned to national service. Several of Landinfo's interviewees in January 2015 and in January/February 2016, believed that evaders were not likely to be given lengthy penalties and that those who evade national service, first and foremost, risk arbitrary, extrajudicial reactions from military superiors.³⁰ However, there is widespread

²³⁰ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.16, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

²³¹ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.14, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 May 2016.

uncertainty about the extent of what they are exposed to and the profile of those who are punished. Eritrean authorities point out that the service is an obligation, but they are unclear about the penalties against those who evade. Eritreans who perform the service in the civilian sector, according to some sources, have been less exposed to military punishments than those who are in the military sector (diplomatic source (1); Eritrean source in national service in the public sector, interviews in Asmara, February 2011). This information may be out of date, but the tendency that emerged at the time, was, according to these sources:

- 'Defection/evasion from national service and subsequent departure from Eritrea are considered as more serious than late return after leave of absence.
- 'There may be a distinction between those who evade the military part of the service and those who evade the civilian part. The former are regarded as deserters and are more frequently subjected to detention and physical abuse than defectors from the civilian service. Some believe that the latter can return to service, but then are likely to receive stricter working conditions and a less comfortable service.
- 'Persons with contacts and networks can get milder penalties.'²³²

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15.3 Perception as 'Traitors'

15.3.1 The May 2015 EASO Report, citing various sources, stated:

'Individuals who leave national service (military and civilian) without permission are regarded as deserters. Most deserters leave either the training centre at Sawa or other military bases without authorisation or fail to return from leave. They then either hide or attempt to leave the country illegally (cf. Chapter 6.4.3). Due to the political and ideological nature of national service, most sources claim that desertion or draft evasion may be regarded by the authorities as an expression of political opposition or treason. Due to the lack of empirical information on the punishment of deserters and draft evaders in the recent years (cf. Chapter 3.8.2), there is no recent information if this is still the case.

'The Eritrean leadership has stated on several occasions that those returning to the country will not be punished as long as they have not committed any offences but it has not yet been made clear whether desertion, draft evasion or illegal exits are regarded as offences. No amendments have been made to the country's laws and no other documents have been issued to substantiate these announcements.

'According to recent observations, however, it has apparently been possible for exiled Eritreans to enter the country for holidays and to visit family without suffering any consequences. In order to do so, they need to rehabilitate

²³² Landinfo, 'Eritrea: National Service (Eritrea: Nasjonaltjeneste)' (section 3.2.1)~, 20 May 2016, <http://www.landinfo.no/id/168.0>. Date accessed: 23 June 2016.

themselves vis-a-vis the Eritrean state by paying the diaspora tax (also known as 'reconstruction tax' or '2% tax') and signing a letter of repentance as well as abstain from any anti-government activities while abroad. These measures provide no guarantee against punishment, however; signing the letter of repentance implies directly confessing to an offence and declaring a willingness to accept the relevant punishment. It is important to note that most of those who have returned to Eritrea have visited the country rather than relocated for good.

'Also individuals of draft age, who have left Eritrea illegally, may be perceived as draft evaders upon return.'²³³

- 15.3.2 The Landinfo report of 23 March 2015, 'Eritrea: National Service' (English translation September 2015) noted:

'According to a local source, people who leave the country when they are of military age will be seen as deserters and will be punished (Eritrean lawyer, conversations in Asmara, February 2011). However, the source had not heard of any such criminal cases in the regular court system and none of the others Landinfo met in Eritrea had any knowledge of legal proceedings against Eritreans for violations of the National Service Act.'

- 15.3.3 The UK Home Office's fact finding mission to Eritrea, 7-20 February 2016, spoke to a UN staff member. In response to the question, "human rights organisations allege that people who leave without permission (leave illegally) and claim asylum are viewed as traitors. What are your thoughts on this?", the source said:

'Most people who leave do so illegally. However, people are coming back. I think that people pay the 2% tax, but others don't.

'If it were a taboo to ever come back to this country, people wouldn't come back – even if they had acquired nationality or refugee status abroad. If all of them thought they would end up in prison they would not come I think.

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15.4 Punishment of family members

- 15.4.1 The United States State Department 'Country Reports on Human Rights Practices for 2014', published on 25 June 2015, stated that: 'There were

²³³ EASO, 'Eritrea Country Focus' (section 3.8 and 3.8.2), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date Accessed: 16 June 2015.

²³⁴ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 11.10, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

occasional reports, particularly from rural areas, that security forces detained and interrogated the parents, spouses, or siblings of individuals who evaded national service or fled the country.²³⁵

- 15.4.2 Freedom House reports that ‘The government imposes collective punishment on the families of deserters, forcing them to pay heavy fines (approximately \$3,350) and putting them in prison if they cannot pay.’²³⁶
- 15.4.3 The UN Commission of Inquiry stated that: ‘Family members of draft evaders and deserters have been severely punished, by being arbitrarily detained without formal charges. In detention, they risk being tortured and only get released when the wanted person surrenders or a fine of up to 50,000 Nakfa is paid.’²³⁷
- 15.4.4 In their December 2015 report, ‘Just Deserters’ Amnesty International stated: ‘Seven interviewees reported that their spouse or parent had been arrested as a result of their attempted desertion. This action is intended to induce the conscript to return and to pressure the family member to “produce” them to ensure their return to duty. In a number of these cases, the arrested family member was released on the guarantee they would deliver or send the conscript back to National Service.’²³⁸
- 15.4.5 However, regarding reprisals against family members, the sources consulted as part of the Danish Immigration Service’s FFM Report, ‘Eritrea – Drivers and Root Causes of Emigration, National Service and the Possibility of Return’ made the following observations:
- A regional NGO based in Asmara noted that ‘There have been reports by international NGOs on relatives of National Service deserters or evaders having been forced to undertake National Service on behalf of deserters or evaders. However, such incidents are not documented and it is definitely not a government stand or policy to retaliate against parents or other family members of National Service evaders or deserters. If such treatment occurred relatives would tell about it.’²³⁹
 - A Western embassy (B) stated that “the authorities could apply some pressure on the family of a deserter in order to persuade him or her to

²³⁵ United States State Department, ‘Country Reports on Human Rights Practices for 2014’, 26 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236356> Date Accessed: 30 June 2015.

²³⁶ Freedom House, ‘Freedom in the World – Eritrea – 2014’, 28 January 2015 . https://freedomhouse.org/report/freedom-world/2015/eritrea#.VZEtB_IViko. Date Accessed: 29 June 2015.

²³⁷ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea’ (para 1244), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date Accessed: 16 June 2015.

²³⁸ Amnesty International, ‘Just Deserters’ (page 41), December 2015, <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

²³⁹ Danish Immigration Service. FFM Report (page 38), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

return to his work. This pressure applied could be too close the family's shop or rejection of some license e.g. to keep a shop."²⁴⁰

- 'A Western embassy (C) had never heard of any sort of retributions or reprisals by the Eritrean authorities against family members of National Service evaders or deserters.'²⁴¹
- 'Western embassy (D) stated that "For at least one year there have been no reports about relatives of National Service evaders or deserters being exposed to reprisals by the authorities. Before that there were reports that relatives of evaders and deserters were imprisoned or enrolled in National Service instead of the evader or deserter. This change could be attributed to either a policy change or because of the government's declining capacity to enforce the service. It would be technically difficult and politically unsustainable for the government to carry out reprisals in massive numbers against relatives of National Service evaders or deserters.'²⁴²

15.4.6 The May 2015 EASO Report, citing various sources, concluded that:

'In 2005, the Eritrean authorities began to impose a fine of 50,000 nakfa on the family members of deserters and draft evaders who had left the country illegally. Those who were unable to pay may have been imprisoned for a period and/or conscripted for national service in the place of the deserter. Business licences were also revoked and property seized. These punishments are not imposed consistently, however, and depend on the region (most instances have been reported in the city of Asmara and zoba Debub), the current situation and possibly also whether the deserter dropped out of civilian or military national service.

'Reports about the persecution of family members have become much less common in recent years, probably in part because the Eritrean army no longer has sufficient capacities given the high numbers of deserters. There is no more systematic persecution of family members. But, according to observers, it can still happen for a variety of reasons, particularly in rural areas, especially in the regions of zoba Debub which are close to the border.'²⁴³

15.4.7 Anonymous source 2 responded to the question, "Have you heard of anything happening to people's families if one of them leaves the country

²⁴⁰ Danish Immigration Service, FFM Report (page 45), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

²⁴¹ Danish Immigration Service, FFM Report (page 49), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015.

²⁴² Danish Immigration Service, FFM Report (page 52), published November 2014 and updated December 2014, <http://www.nyidanmark.dk/NR/rdonlyres/744EA210-A4F1-4D7B-8898-AB792907769C/0/EritreareportAnnexABFINAL15122014.pdf>. Date accessed: 6 January 2015..

²⁴³ EASO, 'Eritrea Country Focus' (section 3.8.3), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date Accessed: 16 June 2015.

illegally?” posed by the UK Home Office’s fact finding mission to Eritrea, 7-20 February 2016:

‘In mid 2000s district or administration officers were forcing families to pay money (it was 50,000.00 ERN if they do not pay), they detain one member of the family, this was obvious in the southern and Maekel region. This was mainly common for students who did not go to Sawa for high school completion, as they could easily be tracked in ministry of education records.

‘The whole focus is now on the currency, so that doesn’t happen now. But, I know that people have been called and asked to pay money before. But in other places it’s different. It’s random. Not so much now, but it has happened. But I have also heard that sometimes the MoD – soldiers – come and take the mother or father until the person comes. If they don’t, they let them out after a few months. But it is not the same everywhere.

‘In 2003-2007, when people were leaving the country illegally, they would come and take someone from the family. They didn’t torture people or anything like that. They would question them – where are they? Why aren’t they coming?’²⁴⁴

- 15.4.8 The UN CoI claimed it is report of June 2016: ‘... the Commission has heard ample evidence that punishment of third parties for alleged wrongful conduct of a family member or associate continues.’ The point is referenced with 10 anonymised sources, however only limited further details are provided it is difficult to assess this evidence and conclude if reflects the general situation.²⁴⁵

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16. People’s Army/Militia

- 16.1.1 The United States’ State Department, in its Eritrean ‘Trafficking in Persons Report 2015’ reported that, ‘In 2012 the government instituted a compulsory citizen militia, requiring medically fit adults up to the age of 70 and not currently in the military to carry firearms and attend military training or participate in national development programs such as soil and water conservation projects.’²⁴⁶
- 16.1.2 The Landinfo report of 20 May 2016, ‘Eritrea: National Service’ noted (the report is a composite of many sources, please see the full report for full details of the sources quoted):

²⁴⁴ UK Home Office’s Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.15, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

²⁴⁵ UN Commission of Inquiry, ‘Detailed findings of the Commission of Inquiry on Human Rights in Eritrea - A/HRC/32/CPR.1’ (para 110), 8 June 2016, http://www.ohchr.org/Documents/HRBodies/HRCouncil/CoIEritrea/A_HRC_32_CRP.1_read-only.pdf, Date accessed: 23 June 2016.

²⁴⁶ United States State Department, ‘Trafficking in Persons Report 2015- Eritrea, 27 July 2015, <http://www.refworld.org/docid/55b73bf3e.html>. Date accessed: 8 March 2016.

'The People's Army, which is comparable to an extended national guard, was introduced in March 2012 after the Ethiopian incursion in the Afar region, and increased in scope after the

'Ethiopian forces entered the Badme areas in June 2012. People were given weapons and ammunition and had to meet to exercise each Sunday morning. Both men and women between 18 and 70 are required to participate in training that takes place on sports pitches and similar sites, but those who in practice are taking part have been demobilised and discharged from National Service and persons over 50 who no longer form part of the reserve force.

'Some have claimed that the armament and training is in line with the Eritrean defence strategy, which focuses on a small but well trained army, and a population that can be mobilised at short notice. Others have said that the launch of the People's Army is due to the weakening of the army, both because of the lack of personnel and because of a lack of confidence in the political leadership.

'In the extension of the weekly training conducted until the winter of 2013 when it was brought to an end, there have at irregular intervals been requirements for training, and persons who have completed the training have been used as guards outside banks and government buildings and facilities (international representatives (1), (2), interviews in Asmara January/February 2013; international representative (3), interview in Asmara March/April 2014; international representative (4) , interview in Asmara 14 January 2015; diplomatic sources (3), (4), interviews in Asmara 14 and 15 January 2015). '

'The attendance at training in the People's Army was, according to representatives of the international community in Asmara, bad in the autumn of 2014. The relatively few who showed up were pretty much businessmen who could not risk losing their operating licences. The authorities issued a summons to a new training session on 12 January 2015, and it is rumored that the turnout was also low. The question therefore arises how the authorities would deal with this situation, but no information has been forthcoming about mass arrests or other reprisals against persons who did not appear (international representative (C) and (G), interview in Asmara 27 January 2016 and 28 January 2016).

'The training call up notice is issued as far as Landinfo is aware on house walls and lampposts in the neighbourhoods.'²⁴⁷

16.1.3 The December 2015 Amnesty International report, 'Just Deserters', stated:

'Around a dozen people interviewed by Amnesty International reported that their fathers had been remobilised through this system or that the interviewee had been assigned in National Service to be a commander of a People's Army unit. Interviewees considered that this re-conscription of older

²⁴⁷ Landinfo, 'Eritrea: National Service (Eritrea: Nasjonaltjeneste)' (section 5), 20 May 2016, <http://www.landinfo.no/id/168.0>. Date accessed: 20 May 2016.

people was separate from National Service. The upper age limits of reserve duties, as laid out in the National Service Proclamation of 1995, is 50 years. Yet Amnesty International received several reports of men in their late 60s being re-conscripted, which supports the indication that these militia are separate from National Service.’²⁴⁸

16.1.4 The May 2015 EASO Report, citing sources, stated: ‘Those who ignore the People’s Army conscription notices are at risk of losing their food coupons and identity documents or face imprisonment. Many people were nevertheless still ignoring them in late 2014 and early 2015. Reportedly, round-ups and detentions of such evaders occurred.’²⁴⁹

16.1.5 The UN Commission of Inquiry reported in June 2015 that:

‘The most frequent tasks that members of the People’s Army are requested to perform are security and police duties, such as patrolling the streets, guarding buildings, neighbourhoods or the border. These assignments are imposed on conscripts in civil service in addition to their official work. The members of the People’s Army do not receive any remuneration for their work, let alone compensation for the work they are prevented from doing on their own fields.

‘...There is no doubt for the Commission that the enrolment in the People’s Army and the work and service done are not provided voluntarily by the members but under the threat of a penalty. People who do not respond to the call are picked up individually and forced to join. Those who resist risk being sent to prison. Those who refuse to join are punished by being imprisoned, or through the cancellation of their coupons or the withdrawal of their business licences.’²⁵⁰

16.1.6 The UK Home Office’s fact finding mission to Eritrea, 7-20 February 2016, spoke to Anonymous Source 2 about the People’s Militia:

‘But, in late 2013 (?), the Government announced that people would have to do the People’s Militia training. This is for everyone from 18-60, but some up to 70 in some zobas.

‘Again, that varies by region. So you have to go guarding and training. I went for training in 2013. Then, in May 2015, we were called again [for certain employees / administrations]. Everyone went to militia training. You have to do training. We were then issued with the new card to show that you are registered [credit-card like document, shown to the FFM Team].

[The source explained checking of cards...]

²⁴⁸ Amnesty International, ‘Just Deserters’ (page 34), December 2015, <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>. Date accessed: 27 January 2016.

²⁴⁹ EASO, ‘Eritrea Country Focus’ (section 3.9), May 2015, https://coi.easo.europa.eu/administration/easo/PLib/EASO-Eritrea-CountryFocus_EN_May2015.pdf. Date accessed: 13 June 2016.

²⁵⁰ OHCHR, ‘Advance Version of the Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea’ (para 1460, 1463, 1465), 5 June 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>. Date accessed: 16 June 2015.

'It varies and is very inconsistent. The administration is not good, so sometimes you go home early to avoid being picked up when we heard people are questioned and we call each other from different places. Even though you have the correct paperwork the soldiers sometimes don't necessarily understand and can just take you. You will be taken off to prison then family come and get you, seek to prove your innocence (especially if you do not have your [card] with you).' ²⁵¹

16.1.7 Anonymous source 1 added:

Q: Do you know about older people being called up to do national service?

A: Not national service. Guarding the city when they take military training. I know a person [they are a security guard in the city], they had to go for one month and two weeks (six weeks, in March 2015) for military training near to Massawa. Then they have to be a security guard at night and during the day in different areas of the city they are living. **A:** They get a call from zoba administration and then tell them that they are on duty. **Q:** How often do they have to do this? **A:** Once a week. You get called by your administration head of security guarding. Sometimes they do it at night, and some times during the day. **Q:** What if the person doesn't report? **A:** They would take punishment action. They give additional guarding duties of three to five days extra on top of normal duties. This is light punishment and the worst is they arrest [the person] for one to three months. I was told this by my [spouse] who heard from [a] friend who experienced this situation.' ²⁵²

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²⁵¹ UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 9.18, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

²⁵² UK Home Office's Fact Finding Mission to Eritrea, 7-20 February 2016, section 10, <https://www.gov.uk/government/publications/eritrea-country-information-and-guidance>. Date accessed: 13 July 2016.

Version Control and Contacts

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email [the Country Policy and Information Team](#).

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email [the Guidance, Rules and Forms Team](#).

Clearance

Below is information on when this version of the guidance was cleared:

- version **3.0**
- valid from **4 August 2016**

Changes from last version of this guidance

1. Inclusion of updated reports in the country information section, notably: Amnesty International's December 2015 report "Just Deserters", the report of UK's fact-finding mission to Eritrea in February 2016; and the UN Commission on Inquiry's report of June 2016.
2. Inclusion of accepted suggestions from the IAGCI review in December 2015.
3. Revised guidance in light of the new/updated country information.

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