

ERITREA

RISK GROUPS AND PROTECTION-RELATED ISSUES

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1. Background

Eritrea is located in the Horn of Africa, bordered on the northeast and east by the Red Sea, on the west and north-west by Sudan, on the south by Ethiopia, and on the southeast by Djibouti. Eritrea's capital city is Asmara (Asmera) and the main port cities are Massawa (Mits'iwa) and Assab (Aseb). Airlines serve Mits'iwa, Asmara, and Assab, and a road system links Eritrea with the Sudan and with Ethiopia. Mits'iwa is the country's main port, while Assab is a major transshipment port for Ethiopia.

Eritrea's population is estimated at 3.8 million people. The population is fairly evenly divided between Tigrinya-speaking Christians in the southern highlands, Tigre-speaking Muslims in the northern highlands and on the eastern and western slopes, speakers of Saho and Afar in the coastal desert plain, and speakers of Beja and Nilotic languages on the western plain. Many inhabitants along the coast and the border with Sudan speak Arabic, and many of those around Asmara also speak Italian and some also speak Amharic.

Humanitarian Situation

In UNDP's *Human Development Report* of 2004, Eritrea ranked 156th among 177 countries evaluated, with an adult literacy rate of 43.3%, 54% of its population without access to clean water, and a malnutrition rate of 50% for children.

In addition to the continuing effects of the long independence war and the border disputes with Ethiopia, which still keeps a large part of the population mobilized, Eritrea presently suffers a major drought which has affected the food security situation. The lack of healthy water sources affects the quality of hygiene and sanitation in the country badly. According to UN sources, 2.2 million people (out of the estimated 3.8 million) require food assistance in 2005. Women and children are particularly affected, with 50% of children and 42% of pregnant women suffering malnutrition (UN OCHA, 31 December 2004).

The deteriorating humanitarian conditions increase the vulnerability of internally displaced persons (at least 70,000 IDPs in temporary camps by the end of 2004), those expelled from Ethiopia and the returnees from the neighbouring countries. According to UN sources, the Eritrean returnees and expellees from Ethiopia were unable to reintegrate and restore their livelihoods by the end of 2004. The main reasons for this situation were drought and the lack of socio-economic opportunities (UN OCHA, 31 December 2004). IDPs continue to suffer the

consequences of war and drought, resulting in inadequate fulfilment of basic needs such as food, water, health care, shelter and education (IRIN, 5 January 2005).

Land mines, especially in the border region between Eritrea and Ethiopia, is also a grave problem. According to UN sources, 650,000 people were affected by the fear of land mines, and at least 100,000 people were already disabled by land mines (UN OCHA, 31 December 2004). The U.N. reported 32 deaths from landmine incidents between January and September, compared with 85 deaths in 2002, and 197 in 2001 (USDOS, March 2004). De-mining was effectively suspended in June 2002 due to the government's suspicion of international NGOs.

History

By the 6th century Persian Empire destroyed the Axum Empire, Persian sovereignty lasted until the early 16th century. Eritrea was annexed by the Ottoman Empire around 1500's. Ottoman Empire's sovereignty lasted until 1890, when Eritrea became an Italian colony and named as Erythraeum, which means the "Red Sea" in Latin. Italian sovereignty lasted until the World War II. During this period, Italian administration developed Eritrea's infrastructure, building one of the best communication and transportation systems in Africa.

After the World War II extended to Africa, Eritrea was occupied by British forces. Eritrea became an important center for British and American operations in the region during the war. After 1949 Britain administered Eritrea as a United Nations trust territory.

In 1952, the United Nations decided to establish Eritrea as an autonomous entity federated with Ethiopia. This was a compromise between Ethiopian claims for sovereignty and Eritrean aspirations for independence. However, Ethiopia soon began to violate the federal arrangement. Eritrean political parties were banned and Eritrean newspapers were censored. In 1956, Tigrinya (spoken by Christians) and Arabic (spoken by Muslims) were forbidden as education languages, and replaced by Amharic language of the Ethiopian ruling elite. Student protests and boycotts ensued, which were repressed by the Ethiopian government.

Independence War

A number of Eritrean exiles founded the Eritrean Liberation Movement (ELM) in Port Sudan in 1958. The ELM engaged in clandestine political activities for fostering and organizing resistance against Ethiopia. Another organization, the Eritrean Liberation Front (ELF) was founded by the Eritrean exiles in Cairo in July 1960. ELF defined itself as a nationalist movement. ELF was initially a Muslim movement, which received support from Iraq and Syria. As urban Christians joined, the ELF became more radical. Beginning in 1961, the ELF launched armed struggle when a group of ELF fighters led by Hamid Idriss Awate fired the first shots in Barka region. ELF challenged Ethiopian authorities throughout Eritrea by 1966. This rapid growth of the ELF also created internal divisions between urban and rural elements, socialists and nationalists, and Christians and Muslims. In the meanwhile, the ELF forces eliminated the ELM.

In June 1970, Osman Salah Sabbe, former head of the Muslim League, broke away from the ELF and formed the Popular Liberation Forces (PLF). This led to the founding of the Eritrean People's Liberation Front (EPLF) in early 1972. The leadership of this multiethnic movement came to be dominated by leftist, Christian intellectuals who spoke Tigrinya. From 1972 to 1974, ELF and EPLF were engaged in sporadic armed conflict against each other. In January 1974, the EPLF forces defeated the Ethiopian army in Asmara. In this way, EPLF established itself as a powerful force in Eritrea.

In September 1974, Ethiopian Emperor Haile Sellassie was overthrown. EPLF laid siege to Nakfa (Nacfa) in September 1976. By 1977, opposition groups controlled the countryside and most of the urban centres (Karora, Afabet, Elaberet, Keren, Decemhare, Tessenei, Agordat and

Mendefera, also surrounding Asmara). The EPLF had approximately 15,000 troops in the field. The ELF, however still had numerical superiority, with about 20,000 troops in its ranks.

After massive participation into Eritrean opposition groups, particularly the EPLF, during and after the so-called "Red Terror" campaign of political repression by Ethiopia's Dergue regime, Eritrean forces were close to achieve their aims in May 1978. However, a 100,000 member Ethiopian force was deployed in a counteroffensive. As a result, the Ethiopian army reoccupied most towns and cities that had been taken by the EPLF and ELF in early 1978. The so-called second civil war between the ELF and EPLF in 1980-81 ended in the defeat of the former, which was driven to Sudan. The EPLF and a group of former ELF cadres who had reorganized themselves as the Eritrean Liberation Front – Revolutionary Council (ELF – RC) issued a joint statement indicating that they were "the sole representatives of the Eritrean people and the only legal spokesmen on all issues concerning the Eritrean people's struggle".

At the end of the 1976 Ethiopia signed a military assistance agreement with the Soviet Union. By 1980s, the Soviet Union informed Mengistu that it would not be renewing its Defense and Cooperation agreement with Ethiopia. With the withdrawal of Soviet support, the Ethiopian Army's morale plunged and the EPLF began to advance on Ethiopian positions. In 1988, the EPLF captured Afabet, headquarters of the Ethiopian Army in northeastern Eritrea, making the Ethiopian Army withdraw from its garrisons in Eritrea's western lowlands. EPLF strugglers then moved into positions around Keren, Eritrea's second largest city.

In 1990 the EPLF captured port of Massawa, and entered Asmara in 1991. Now a regular army, the EPLF allied with a coalition of Eritrean armed groups led by the Tigray Popular Liberation Front (TPLF). In May 1991 EPLF totally captured Asmara. Haile Mengistu's military-communist regime collapsed in Ethiopia in May 1991. After a referendum supervised by UN, Eritrea became formally independent on 24 May 1993. On 28 May 1993 Eritrea became the 182nd member of the UN.

Independence

With independence, Isaias Afewerki, the former Secretary-General of the EPLF, was elected as the country's first President by the new National Assembly, which was consisted fully of EPLF members. The Constitution of Eritrea was ratified in 1997 but not implemented. In 1997, Eritrea introduced a new currency, the Nakfa.

In May 1998, a conflict began with Ethiopia over disputed territories along the border. The conflict rose into a short war in 2000. On June 19, 2000 both sides agreed on a ceasefire and a peace agreement was signed on 12 December 2000. A 4200-strong multinational UN peacekeeping force (UNMEE) was deployed for de-mining and demarcation of the border.

On 13 April 2002 the Permanent Court of Arbitration in The Hague published the conclusions of the Eritrea-Ethiopia Boundary Commission. The lands bordering the Yirga Triangle, including Badme in the Central zone and Eastern Sector and border town Tserona have been awarded to Eritrea. The border towns Zalambessa and Alitena (Central Sector) and Bure (Danakil Depression) were awarded to Ethiopia.

In the mid-2003 boundary commission ruled that disputed border town of Badme lied in Eritrea. Ethiopia declared that ruling unacceptable. In 2003, physical demarcation of border delayed indefinitely.

2. State Structures

Eritrean transitional constitution, adopted on 19 May 1993, was replaced by a new constitution adopted on 23 May 1997. The Constitution came into force in May 1998. However, the plans for parliamentary elections and multi-party politics were delayed indefinitely, and a one-party state was formed.

Government

Following a successful referendum on independence for the Autonomous Region of Eritrea on April 23-25, 1993, a National Assembly, composed entirely of the People's Front for Democracy and Justice (PFDJ), was established as a transitional legislature. Isaias Afewerki was elected president by the transitional legislature. Afewerki is currently both the President and the chairman of the sole legal party, the PFDJ.

In Eritrea, the civilian courts system in Eritrea consists of village courts, sub-regional courts and the High Court. According to US Department of State, Eritrean judicial system suffered from a lack of trained personnel, inadequate funding, and poor infrastructure (USDOS, February 2004, section 1e).

Security

According to US Department of State, police are responsible for maintaining internal security and the army is responsible for external security. However, the Government is authorized to call on the armed forces, the reserves, and demobilized soldiers in response to both domestic and external security requirements. In addition to conflicts with Ethiopia, the army was engaged in conflict with the Eritrean Islamic Jihad (EIJ) and some other groups, and employed the army in internal security (USDOS, February 2004).

According to the same source, the police force is weak. During 2003, the police force was reorganized and active duty military officers were placed in charge of key police divisions. The military has the power to arrest and detain persons (USDOS, February 2004, section I. d). Security forces have been accused of gross and systematic human rights violations (USDOS, February 2004).

The National Service Program, announced on July 14, 1994 requires all women and men over 18 to undergo six months of military training and a year of work on national reconstruction (US, March 2002, section I. d). For persons with critical professional skills, there is an option to return to their civilian jobs, while nominally kept in the military (USDOS, February 2004, section 2).

Citizenship

According to US Citizenship and Immigration Services, "any person born to a father or a mother of Eritrean origin in Eritrea or abroad is an Eritrean national by birth." A person of "Eritrean origin" is anyone who was resident in Eritrea since 1933. Individuals who qualify for citizenship by birth but live abroad and possess foreign nationality must apply to the Department of Internal Affairs in order to renounce their foreign nationality and obtain Eritrean citizenship. An individual who is not of Eritrean origin but resided in Eritrea between 1934 and 1951 can apply for, and obtain citizenship from the Department of Internal Affairs. Requirements are more stringent for people who are not of Eritrean origin but who entered Eritrea after 1952. Such individuals must have resided in Eritrea for ten years before 1974 or for twenty years "while making periodic visits abroad," must understand and speak an Eritrean language, and must renounce the nationality of another country (Eritrean Nationality Proclamation No. 21/1992) (USCIS, 13 July 1999).

According to the UK Home Office, "An applicant may apply for naturalization through marriage to an Eritrean citizen provided s/he demonstrates three years of legal residence in Eritrea following the marriage and a renunciation of other nationality" (UK Home Office, April 2004, para.5.5).

In January 2004, Eritrean government made a declaration which clarifies certain points with regards to obtaining Eritrean nationality. According to that statement:

- "(a) A person who is with an Eritrean father/mother would be eligible for Eritrean nationality as long as the person provides three witnesses.
- (b) The political views of the three witnesses are not relevant establishing the nationality.
- (c) The political views of the applicant for nationality are not relevant to establishing eligibility for nationality and obtaining an Eritrean passport.
- (d) The voting in the 1993 Referendum is not a necessary precondition to establishing nationality.
- (e) Paying a 2% tax on nationals overseas is not a precondition for eligibility for Eritrean nationality and obtaining a passport.
- (f) Claiming refugee status overseas does not preclude eligibility for Eritrean nationality or obtaining an Eritrean passport.
- (g) All application forms are filled in person by the applicant at the Embassy's consular section and has [sic] to be authorised by the Ministry of Foreign Affairs in Eritrea. No application forms out of the standard provided by the Embassy are accepted" (UK Home Office, April 2004, para. 5.6).

3. Political Groups

The Eritrean government is dominated by the EPLF, the sole legal political party. There are no legal opposition political parties. The Government has stated its belief that public education, demobilisation of the armed forces and institutional structures are needed before multi-party democracy can be established. Although the new Constitution came into force in May 1998, the Government has still not fulfilled its commitment to the Constitution to move towards a democratically elected government (*US, March 2002 section 1 .d*). In the beginning of 2002 Eritrea's highest legislative body, the National Assembly, decided not to allow the creation of any political parties in the near future. Opposition groups are not allowed within Eritrea, they receive some support from Eritreans who live in abroad (*A.I., 18 September 2002*).

People's Front for Democracy and Justice (PFDJ)

The Eritrean Popular Liberation Forces (EPLF) was founded in 1972, following a split from the Eritrean Liberation Front (ELF) in June 1970. The new group, the Eritrean Popular Liberation Forces, was led by Osman Salah Sabe. Started as a multiethnic movement, it was soon dominated by Christian intellectuals and other urban activists. The EPLF fought the ELF between 1972-74. After considerable victories against Ethiopian forces, it established itself as a major Eritrean political force starting from 1974. It was renamed the Eritrean People's Liberation Front in 1977. In May 1991, the EPLF took control of Eritrea and formed a provisional Government, which was recognized by Ethiopia. The group renamed itself as PFDJ in 1994. The chairpersons of the party is President Afewerki, and Secretary General Alamin Mohamed Said.

Other political groups are described as follows:

Alliance of Eritrean National Forces (AENF) – Eritrean National Alliance (ENA)

AENF or ENA was founded in Sudan in March 1999 by a grouping of 10 Eritrean opposition organizations, under the leadership of the Eritrean Liberation Front – Central Command Chairman Abdellah Idris. The main objective of the alliance is to overthrow the government of Isayas Afewerki. It changed its name in 2002 as Eritrean National Alliance (ENA) (IRIN, 30 September 2002). The current leader of the ENA, now based in Ethiopia, is Heruy Tedla Biru.

Members of the Alliance include:

- Eritrean Democratic Resistance Movement (GashSetit)
- Eritrean Initiative Group
- Eritrean Islamic Salvation Movement
- Eritrean Kunama Democratic Movement
- Eritrean Liberation Front
- Eritrean Liberation Front - Revolutionary Council
- Eritrean People's Congress
- Eritrean Revolutionary Democratic Front
- Popular Democratic Front for the Liberation of Eritrea.

Eritrean Liberation Front (ELF)

The leader of the mainstream ELF is Abdullah Muhammed. It is founded in 1960, and drew its membership from the Tigre and Arabic-speaking Muslim clans of the coastal plains and cities. ELF launched began armed resistance to Ethiopian rule in 1961. Factional splits in ELF in 1970s led to formation of rival EPLF, with which ELF fought, and lost, two civil wars in the 1970s and 1980s. ELF is currently broken into several factions. Its principal factions are Eritrean Liberation Front – Central Command (ELF-CC), Eritrean Liberation Front – United Organisation (ELF-UO), Eritrean Liberation Front – Revolutionary Council (ELF-RC) (see UK Home Office, October 2003, Annex B). ELF-UO was dissolved in 1992, and several of its members joined the ruling PFDJ.

- Eritrean Liberation Front-Revolutionary Council (ELF-RC)

It is established by former ELF members who remained outside EPLF. The main difference of ELF-RC with the EPLF is the commitment of the former to pluralist democracy. Its chairman is Seyoum Ogba Michael who replaced Ahmed Mohamed Nasser in August 2002.

- Eritrean Liberation Front-Central Command (ELF-CC)

A Marxist oriented faction of ELF, it was founded in 1982, and its chairman is Abdallah Idriss.

Eritrean Islamic Jihad / Eritrean Islamic Salvation (EIS)

It is described as a radical armed Islamist opposition group formed by smaller Islamist factions who left ELF with the expulsion of Omar Hajj Idriss in 1975. The factions united as Eritrean Islamic Jihad under the leadership of Ahmed Arafa in 1988. Based in Sudan, the movement changed its name to Eritrean Islamic Salvation Movement in 1998. The Secretary-general of EIS is Sheikh Khalil Mohammed Amir.

Eritrean People's Liberation Front – Democratic Party (EPLF-DP)

It is described as the New Opposition group which was formed by reformists of the ruling PFDJ in January 2002. This new party has yet to disclose its membership or its manifesto (UK Home Office, October 2003, Annex B).

Red Sea Afar Democratic Organisation:

It is described as an Afar-based opposition group. Its Secretary General is Amin Ahmmad (UK Home Office, October 2003, Annex B).

Democratic Movement for the Liberation of Eritrea (DMFLE) or (DMLE)

The Democratic Movement for the Liberation of Eritrea (DMLE) is described by sources as a radical Marxist opposition party that was founded in the mid-1980s and is led by Hamid Turkey (ISN 1999; Europa 2002, 1501).

4. General Human Rights Situation

While the government commits itself to protecting the lives of its citizens, human rights groups and other monitors have reported disappearances and killing under torture. However, there are no safeguards against the arbitrary use of lethal force, and Eritrean government has been accused gross and systematic human rights violations. For instance, several Kunama civilians were reportedly detained in May and June 2003 in the context of the fight with Kunama insurgents. No charges were filed and their whereabouts were unknown by the end of 2003 (USDOS, February 2004, sec. 1 b).

Although banned by law, torture is reportedly widespread in Eritrea. It is widely reported that police resorted to torture and mistreatment of detainees during interrogations or as punishment (USDOS, February 2004, section I. e). There were reports that women drafted to the national service were subjected to sexual harassment and abuse. (USDOS, February 2004, sec. 1c)

Arbitrary detention is also prohibited. However, human rights monitors report that arbitrary and incommunicado detention is the most common problem in Eritrea. According to the Penal Code, detainees may be held for a maximum of 30 days without being charged with a crime. However, according to the US Department of State, "authorities reportedly often detained persons suspected of crimes for much longer periods. Detainees did not always have access to legal counsel, and incommunicado detention was widespread" (USDOS, 25 February 2004, sec. I. d).

Available information on the location of prisons is as follows.

- Adi Abito Military prison, outside Asmara (Asmera) (Human Rights Without Frontiers Int., 14 April 2003)
- Assab Military prison, near the southern port of Assab, (IRBC, 14 July 2003)
- Haz-Haz prison, in Asmara (Asmera), (A.I., 18 September 2002)
- Maiserwa Military prison, near Keren (IRBC, 14 July 2003)
- Sembel prison, in Asmara (Asmera), (A.I., 2003)
- Tsetsarat Military prison, in Asmara (Asmera), (A.I., 18 September 2002)
- Zone Four Military prison, near Assab (Human Rights Without Frontiers Int., 14 April 2003)
- A prison in Juffa, on the outskirts of Keren which is considered a modern prison and was three stories high, with its main prison being underground (IRBC, 14 July 2003).

Government control of political criticism involved a common pattern of arbitrary detentions directed at journalists. In September 2001, the government announced that all privately-owned newspapers, including *Meqaleh*, *Setit*, *Tiganay*, *Zemen*, *Keste*, *Debena*, *Wintana* and *Admas*, were shut down and that a parliamentary committee would examine conditions under which they would be permitted to re-open (AI, 18 September 2002). According to a joint statement by major human rights groups in September 2004, 17 journalists were in prison since then without formal charges (IRIN, 21 September 2004).

While the opponents of the ruling party are not able to operate inside Eritrea, a number of critiques from the ruling party itself have been imprisoned. According to Amnesty International, General Bitwedded Abraha, an EPLF founding member, was arrested in 1992 and detained without charge or trial for five years. He was re-arrested a few weeks after his release and is still detained, apparently for criticising the President's conduct of the war. While his whereabouts is

not known, he is thought to be held in the second police station in Asmara (Human Rights Watch, May 2004). According to Human Rights Watch eleven persons reportedly affiliated to a group known as "G-15," with reference to a group of fifteen founding members of the EPLF. The G-15 signed a public letter in 2001 criticizing President Afewerki for ruling in an "illegal and unconstitutional" manner, and calling on him to institute democratic reforms (Human Rights Watch, May 2002). There were at least 80 other known political prisoners in Eritrea in 2003 (USDOS, February 2004, sec. 1d). Several relatives of the G-15 detainees were also in detention in 2003 (USDOS, February 2004, sec. 1d).

Freedom of Movement

All Eritrean citizens should obtain permits for movement around the country, issued by an administrative authority. The government restrict travel into some areas based on security reasons. There are frequent checkpoints on the roads, where the citizens have to provide identity cards and prove that they are not to be recruited for national service.

Citizens are generally free to travel outside Eritrea, although there have been cases in which Jehovah's Witnesses, officials of the former Ethiopian Mengistu regime and those who have not completed national service have been denied passports or visas. The Government has also denied exit visas to young people to prevent draft evasion. Citizens have the right of return in theory. A returning Eritrean may be required to show proof that they have paid a two percent tax on their annual income while abroad to the Government of Eritrea in order to receive government services on their return (USDOS, March 2002, section 2.d).

5. Ethnic Groups

Tigrinya

They constitute 50% of the Eritrean population and inhabit the densely populated central highlands, extending over the provinces of Seraye, Hamasien and Akele Guzay. They are sedentary farmers and are overwhelmingly Orthodox Christian with a small majority of Muslims known as Jiberti (Lonely Planet, 2000).

Jiberti / Djiberti

The Tigrinya Jiberti are Muslims scattered throughout the Christian Highlands who practice Islam but also observe some customs of the Christians among whom they live. The Jiberti speak the Tigrinya language and some Arabic (UK Foreign and Commonwealth Office, 10 May 1996).

Tigre/Tegre

The Tigre represent about one third of Eritrea's population. Culturally and ethnically, they are related to the Beja of Sudan. They claim Arab origin, and their language, Tigre, is Semitic. The use of the Tigre language is declining under the impact of Tigrinya in Eritrea. They also speak Bedawiye and Arabic. The Tigre are divided between Sunni Muslims and Ethiopian Orthodox Christians. Most are nomadic but some have settled. The Tigre includes ten major tribal units: Ad Sawra, Ad Sheikh, As Mu'allim, Aflenda, Bet Asgeda, Bet Juk, Marya, Mensa, Meshalit and Sabdarat (World Directory of Minorities, 1997).

Tigrean society is traditionally hierarchical, with a small aristocracy known as the '*shemagille*'. When the village leader dies, his power passes to his offspring (Lonely Planet, 2000).

Afar / Danakils

They constitute approximately 5% of the Eritrean population. The Afars are generally Sunni Muslim. They speak Afar (an eastern Cushitic language) and Arabic. They are mainly pastoral nomads. The Afars have been involved in salt mining (Lonely Planet, 2000).

Distinction is made in Afar society between two ancestor related groups, the *Asaymara* ("red") and the *Adoymara* ("white"). The former is considered of higher status and lived mainly in the interior. Currently, both groups are dispersed over Afar territory and the status distinction is less marked (The Encyclopedia of Peoples of the World, 1993).

Afar leaders have been critical of the ruling EPLF/PFDJ but have been in favour of the freedom enjoyed by the regional assembly in their home areas and the support given by the Government to the Afar-based Front for Restoration of Unity and Democracy in neighbouring Djibouti (World Directory of Minorities, 1997).

Kunama

Kunama is presently the most significant risk group based on ethnicity. Tense relations between the government and Kunama is generally traced back into the Kunama support of the Ethiopian army during the independence war. The US. Immigration and Naturalization Service's report notes that:

Relations between the Kunama and the government of Eritrea have been tense since the country's independence in 1993. Kunamas have accused the Eritrean government of expropriating Kunama land for the resettlement of Eritrean refugees from Sudan (Eritrean-Kunama.de May 2002). There have been various incidents, including the killing of two Kunama brothers by a Tigrinya policeman in Shambakko in 1995 that have increased tensions between the Kunama and Eritrean authorities (USINS, May 2003).

According to the US State Department, the government's suspicions of Kunama support for a Kunama based opposition group operating from Ethiopia leads to official and societal discrimination against the Kunama. This included confiscation of land and property from Kunamas without compensation, which was given to other ethnic groups on the grounds that the land had not been efficiently exploited (USDOS, February 2004, sec. 5). In this context, the Kunama have suffered from extensive land take-overs. In Barentu, where 1991 and 1997 some 30,000 Tigreans were moved into the towns previously populated by Kunama and given land and houses by the government (UK Home Office, November 2002, para. 6.4.3).

This situation has led to some ethnic conflict between the Kunama and Tigreans and between the Kunama and Tigrinians. According to the US Immigration and Naturalization Service report the hostility between the Kunama and the Tigrinya was revived by the border conflict between Eritrea and Ethiopia in 1998 (May 2003).

The UK Fact Finding report on Eritrea noted two main armed Kunama opposition groups: the Democratic Movement for the Liberation of Eritrean Kunama (DMLEK) and the Eritrean Democratic Resistance Movement - Gash Setit (EDRM).

- The Eritrean Democratic Resistance Movement - Gash Setit (EDRM), which also calls itself "Sawrawi Baito" is led by Ismail Nada and is reportedly close to the current ELF. Some expect them to merge with the ELF at some point. Nada is a former ELF fighter is said to think along similar lines to leading ELF-RC members.

- The Democratic Movement for the Liberation of Eritrean Kunama (DMLEK) is led by Kerneolos Osman and is best known for the material it places on pro-opposition websites. The DMLEK is based in Addis Ababa (UK Home Office, November 2002, para. 6.4.13).

Baria (Bareya) / Nara

They constitute some 1.5% of the Eritrean population. They generally live around southern and western lowlands, north of the Gash River in southwest Eritrea (*Lonely Planet, 2000*). They are of Nilotic origin. They speak Nara, a Nilotic language. They are Sunni Muslim (*The Encyclopedia of Peoples of the World, 1993*).

Bilen / Bogos

They constitute 2.1 % of the Eritrean population (*Lonely Planet, 2000*), and generally live around the town of Keren (*World Directory of Minorities, 1997*). They are generally an agricultural people. They have two sub-clans; *Bet Teqwe* and the *Gebre Terqe*. They speak Bilin and Tigre, both members of the central Cushitic language group (*The Encyclopedia of Peoples of the World, 1993*).

Bilen traditional society is organised into kinship groups. The women are known for their brightly coloured clothes and their gold, silver or copper nose-rings which indicate their social status. Like the Beja language, Bilen is gradually being replaced by Tigre, Tigrinya and Arabic, due to intermarriage, economic interactions and because Arabic is taught in local schools (*Lonely Planet, 2000*).

Hedareb / Beja / Beni Amber / Beni Amer

They constitute around 2.5% of the Eritrean population. They generally live in the northwestern valleys of Eritrea, straddling the border with Sudan. The Hedareb is a branch of the Tigre people, Cushitic in origin, living in the lowland border areas of northern Eritrea and eastern Sudan. They speak Bedawiye and Arabic. They are Sunni Muslims (*The Encyclopedia of Peoples of the World, 1993; World Directory of Minorities, 1997*).

They are a strongly patriarchal, strongly stratified, almost feudal people. Many of the men scar their cheeks with three short, vertical strokes – Italians refer to them as the ‘111 tribe’ (*Lonely Planet, 2000*).

Rasha'ida

They are also nomads. They constitute 0.5% of the Eritrean population. They are living around the northern coasts of Eritrea and Sudan, as well as the southern reaches of the Nubian desert. They are largely Muslim. They speak Arabic. The Rasha'ida are known for their great pride; marriage is only permitted within their own clan (*Lonely Planet, 2000*).

Saho

They live between Afar and Tigre areas in the lowlands of south-central Eritrea, and are nomadic or semi-nomadic people (*World Directory of Minorities, 1997*). A large part of them are Sunni Muslims, and others are Ethiopian Orthodox Christians (*The Encyclopedia of Peoples of the World, 1993*). They speak local languages and Arabic (*World Directory of Minorities, 1997*).

The Saho are organised in patrilineal descent groups. The leaders, elected by the male assembly, are known as ‘*rezantos*’, and were formerly military chiefs in times of war (*Lonely Planet, 2000*).

6. Freedom of Religion and Religious Groups

It is estimated that approximately 50 percent of the population of Eritrea is Sunni Muslim while approximately 40 percent is Orthodox Christian. The population also includes a small number of Eastern Rite and Roman Catholics (5 percent), Protestants (2 percent), smaller numbers of

Seventh-day Adventists, and fewer than 1,500 Jehovah's Witnesses. Approximately 2 percent of the population practices traditional indigenous religions. There are reportedly also very small numbers of practicing Buddhists, Hindus, and Baha'is. The population in the eastern and western lowlands predominantly is Muslim while in the highlands the population is predominantly Christian (USDOS, December 2003, section 1).

According to the US State Department, while the Constitution provides for freedom of religion; the Government restricted this right in practice. There were only four government-sanctioned religious groups in the country--Orthodox Christians, Muslims, Catholics, and members of the Evangelical Church of Eritrea (USDOS, February 2004, section 2.c). Registration requirements include a description of the history of the religious group in the country, explanation of the benefit that the group offers compared to other religious groups already in the country, names and personal information of religious leaders, a list of group members, detailed information on assets and property owned by the group, and sources of funding from outside the country. A government committee reviews the applications, which in theory are to be approved only if they conform to local culture. Authorities also informed non-sanctioned religious groups that a standing law would be used to stop political or other gatherings in private homes of more than three or five persons. In practice, authorities enforced this law sporadically during the period covered by this report. Treatment of religious minorities often varied depending on local authorities. For example, some local authorities allow banned groups to worship quietly whereas others do not allow banned groups to meet at all (USDOS, December 2003, section 1).

Minority religious groups are generally considered by the Eritrean government as subversive groups. Amnesty International reports that discrimination against minority groups included cracking down on the minority churches, breaking into religious services in church premises or private homes, confiscating bibles and musical instruments, arresting and beating church members on the spot, and torturing them later in military detention centers. According to Amnesty International, "if they signed a document promising not to practice their faith, they were reportedly released" (Amnesty International, May 2004, page 15). Between 200 and 400 people have been detained or imprisoned on the basis of their religious beliefs, and they are reportedly tortured in many cases, especially those arrested for religious meeting or possession of non-sanctioned religious material during their military service. The police and military authorities reportedly forced the detainees to repudiate their belief as a condition of release (USDOS, September 2004).

Jehovah's Witnesses reportedly form a special group risking persecution on the basis of religious beliefs. They were also accused of not having joined the EPLF armed independence struggle and not respecting the national flag (Amnesty International, May 2004, page 14). According to Amnesty International,

In April 1997 the Government Labour Office issued a form to all employers in Asmara and the surrounding area requesting information on any government personnel who were Jehovah's Witnesses. In addition to these measures, Jehovah's Witnesses are at times denied identification cards, passports, exit visas, trading licenses, and government housing unless they hide their religion (AI, 16 July 2004).

According to the US State Department Report 2003 on Religious Freedom, members of other religious groups, including Muslims, have also been punished in past years for failure to participate in national service. Some Muslims, for example, objected to universal national service because of the requirement that women perform military duty (USDOS, December 2003, section 2).

According to Amnesty International,

Muslims, especially in the western areas bordering Sudan, have often been suspected of links with predominantly-Muslim armed Eritrean political opposition organizations based in Sudan which have received support from Sudan's National Islamic Front government and the Sudanese Muslim Brotherhood. In particular, the Sudan-based Eritrean National

Islamic Salvation Front (formerly the Eritrean Islamic Jihad Movement, EIJM) advocates an Islamic state and is part of the Eritrean National Alliance (ENA). According to reports, this Islamist group has been responsible for some violent incidents in Eritrea. Like the ELF, it has recruited fighters and supporters among Eritrean Muslim refugees in Sudan who had fled there many years previously but refused to return after independence when there was no reconciliation with the EPLF (Amnesty International, May 2004, page 17).

7. Women

Since independence, the situation of women has improved slightly due to their role in the independence war. However, draught and poverty counteract in terms of gender equality in society (OCHA, 31 December 2004). Women have had the legal right to equal educational opportunities, equal pay for equal work and legal sanctions against domestic violence. The Constitution and the transitional Civil Code prohibit discrimination against women (USDOS, March 2002, section 5).

However, in practice, women generally did not enjoy a social status equal to men. Laws were enforced unevenly, because of a lack of capacity in the legal system and long-standing cultural attitudes (USDOS, February 2004, section 5). 80% of Eritrean women live in rural communities, including villages and small towns, where equality of opportunity in education and labour market is minimal (UK Home Office, April 2003, para. 6.184).

Female Genital Mutilation

FGM is practised by all classes of society; irrespective of the level of education received by the parents. In many cases, pressure to carry out the procedure comes from the father. However, in recent years there has been a slight reduction in the percentage of girls subjected to some form of FGM. The Eritrean Demographic Health Survey (EDHS) of 2002 report states that in lowland regions where the population is predominately Muslim, infibulation (the most severe form of Female Genital Mutilation) is generally practised. In the highlands, excision and cliterodectomy procedures are the most widely used methods (UK Home Office, April 2003, para. 6.189).

Domestic Violence

Violence against women is reportedly pervasive in Eritrea. Spousal abuse is a crime under Eritrean law. However, spousal abuse, especially wife beating is widespread. While the government is committed to preventing criminalizing domestic violence, this is a neglected area (USDOS, February 2004, section 5).

Prostitution

Prostitution is illegal; however, as a result of war-related displacement and difficult economic conditions, prostitution is a serious problem in Eritrea. It is reported that national service members occasionally follow prostitutes and arrest those who had spent the night with a foreigner. The Ministry of Labor and Human Welfare maintains a National Plan of Action for the Prevention, Rehabilitation, and Reintegration of Commercial Sex Workers (USDOS, February 2004, section 5).

8. Children

Although the Government was generally committed to children's rights and welfare, its programs were limited by resource constraints (US, February 2004, section 5).

Education is provided free of charge in government schools and at the University of Asmara. Education is officially compulsory for children aged between seven and 13 years of age. Primary education begins at the age of seven and lasts for five years. Secondary education, normally beginning at 12 years of age, lasts for as much as six years, comprising a first cycle of two years and a second of four years (Europa, 2004, p.405).

The US Department of State stated that “The Government added an additional grade to secondary school during 2003 and required that all students attend their final year at a location adjacent to the Sawa military training facility” (US, 25 February 2004, section 5). Students who do not attend this final year of secondary school do not graduate and cannot sit for examinations to be admitted to university. The remote location of this boarding school, concern about security, and societal attitudes resulted in few girl students enrolling for their final year of high school. However, women may earn an alternative secondary school certificate by attending night school after completing national service (IRIN, 22 May 2003).

9. Return and Repatriation

In May 2002, the Office of the UN High Commissioner for Refugees (UNHCR) declared the cessation of refugee status for two categories of Eritreans who had fled during the 30-year independence struggle up to 1991, and those who fled during the war with Ethiopia from 1998 to 2000. (The cessation clause does not apply to other refugees who fled Eritrea on other grounds.) Nearly 290,000 Eritreans were refugees at the end of 2002, including some 280,000 in Sudan, nearly 5,000 in Ethiopia, fewer than 1,000 in Yemen, and more than 3,000 Eritrean asylum seekers in various Western countries (USCR, 2003)

Another category is the Eritrean returnees from Ethiopia, who were separated from their families when the war started in 1998. In 2004, the International Committee of the Red Cross (ICRC) stated that, over 42,000 Ethiopians and 5,500 Eritreans have returned to their countries of origin since June 2000 (IRIN, 1 September 2004).

In 2003, at least one Eritrean of Ethiopian origin was stripped of citizenship and expelled to Ethiopia (USDOS, March 2004, sec. 1d).

Eritreans from Sudan

Eritreans in Sudan represent one of the oldest groups of refugees on the African continent. This group of Eritrean refugees initially fled to Sudan in relation to the annexation of Eritrea in 1962 by Haile Selassie (USCR, 2001). The returnees, on arrival in Eritrea, are provided with land by the government as well as financial assistance, materials for building shelters, non-food items like cooking utensils and are exempted from military service for a year (IRIN, 2 August 2004).

Eritreans from Ethiopia

Expulsion of Eritreans from Ethiopia started in 12 June 1998, and the targeted people were publicly known Eritreans involved in business, politics and community

organisations, which later extended to persons who held “security sensitive jobs” or who were trained by Eritrean army (HRW January 2003, pp. 18-19). After June 1998, most expellees were ordinary people, and their status as persons of Eritrean origin had no explicit criterion. According to Human Rights Watch, the suspicion that a persons was of Eritrean origin was adequate. Sources of information were people like neighbours or other informants (HRW January 2003, p 19). In August 1999, Ethiopian government ordered the people of Eritrean origin to register themselves for alien residence permits (HRW January 2003, p. 20). In rural areas, people considered to be of Eritrean origin were arrested collectively by local police and local authorities (*kebele*), sometimes questioned for their links to Eritrea and attitudes toward Eritrean war. Their homes were searched and all identity documents confiscated, and they were interned before expulsion (HRW, January 2003, p. 21).

About 75,000 persons, out of an estimated Eritrean population of 600,000, have been deported to Eritrea from Ethiopia during 2001. After initial uncertainty about their nationalities, most have apparently been accepted as citizens in Eritrea. Ethiopian authorities claimed that the deportees were Eritrean citizens whose presence in Ethiopia posed a “security risk”. Most of the deportees had lived virtually their entire lives in Ethiopia and considered themselves to be Ethiopian citizens of Eritrean heritage. About one-quarter of the deportees, however, seemed to regard themselves as Eritrean citizens or possessed unclear documentation, according to interviews conducted by researchers in Eritrea (USCR, 2002).

10. Draft Evaders and Deserters

Under the 1995 Proclamation on National Service, all Eritrean citizens, men and women, aged between 18 and 40 are recruited for six months' military service, a further 12 months development service and military reserve obligations. This can be extended in case of a national emergency. Due to the current tensions with Ethiopia, it is alleged that the national service may be infinite, and that it is difficult to obtain certificate of fulfillment of national service.

Former EPLF fighters who fought during the independence war can be recalled for service at any time, and those who have completed national service can also be recalled for reserve duties (Amnesty International 18 September 2002).

The government authorizes the security forces to use lethal force against those evading or escaping from military service (USDOS, February 2004). The military authorities reportedly torture many draft evaders who are rounded up in streets or in their homes. They are usually kept in indefinite detention without charge or trial, and there is a significant risk of torture, including being locked in metal shipment containers under high degrees of temperature for prolonged periods of time.

Hundreds of Eritreans who fled the country were forcibly returned by Malta in 2002 and by Libya in July 2004. They were arrested on arrival back in Eritrea, reportedly tortured and sent to a secret prison on the main Dahlak island, where most are still detained incommunicado (AI, 9 November 2004). There are also unconfirmed reports that some of those returned by Malta were killed (USDOS, March 2004, sec. 1a).

Under the 1995 Proclamation on National Service, penalties imposed for violation of its provisions consisting of a fine, or a term of imprisonment of up to five years, or both. The maximum penalty of five years specifically applies to those who have escaped abroad in order to avoid national service. However, notwithstanding the penalties imposed under the 1995 Proclamation on National Service, in times of emergency, general mobilisation and war, the penalties stipulated in the Eritrean Transitional Penal Code (ETPC) may apply to draft evasion and desertion (ACCORD, 30 May 2003). These provisions provide for rigorous imprisonment of up to 10 years for draft evasion, and "rigorous imprisonment from five years to life, or, in the gravest cases, with death" for desertion from a unit, post or military duties or for failure to return to them after an authorised period of absence (ACCORD, 30 May 2003).

According to Amnesty International, , persons of recruitment age who try to leave the country or were to be returned to Eritrea, would be arrested and punished for draft evasion, desertion as well as illegal exit:

Those who refuse national service are forcibly conscripted, detained, beaten and ill-treated as punishment. Conscripts are subject to military law but no information is available to Amnesty International on any judicial processes against conscript offenders where the penalty for refusing national service is reported to be three years imprisonment. Prominent among those refusing conscription are members of the Jehovah's Witnesses (Watchtower) Christian sect, which opposes national military service on religious grounds. There have also been reports in the past year of defections of soldiers and young people fleeing the country to avoid military service. Desertion is harshly punished for. Those liable to conscription caught fleeing the country or forcibly returned to Eritrea after seeking to avoid conscription would be detained and punished for refusing conscription and leaving the country illegally without an exit visa. (AI 18. September 2002, Amnesty International 28 May 2003).

In November 2004, thousands of people were rounded up in Asmara on suspicion of evading conscription. They were held at Adi Abeto army prison incommunicado under harsh conditions, and at least two prisoners were reportedly killed under unknown conditions (AI, 9 November 2004).

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ABBREVIATIONS:

EHDS : Eritrean Demographic Health Survey
ELF : Eritrean Liberation Front
ELF – CC : Eritrean Liberation Front – Central Command
ELF – NC : Eritrean Liberation Front – National Council
ELF – RC : Eritrean Liberation Front – Revolutionary Council
EPF : Eritrean Public Forum
EPLF – DP : Eritrean People’s Liberation Front Democratic Party
EPLF : Eritrean People’s Liberation Forces
ERDF : The Eritrean Revolutionary Democratic Front
FGM : Female Genital Mutilation
PFDJ : People’s Front for Democracy and Justice
PFDJ : People’s Front for Democracy and Justice
PLF : Popular Liberation Forces
UNMEE : United Nations peacekeeping Mission in Ethiopia and Eritrea