



Home Office

# **Report of a Home Office Fact-Finding Mission**

## **Eritrea: illegal exit and national service**

**Conducted 7–20 February 2016**

This project is part funded by the EU Asylum, Migration and Integration Fund. Making management of migration flows more efficient across the European Union.



# Contents

<b>Introduction .....</b>	<b>6</b>
Background .....	6
Purpose of the mission .....	6
Methodology .....	7
Identification of sources .....	7
Arranging and conducting Interviews .....	7
Notes of interviews/meetings .....	9
Structure of this report .....	9
Observations and photographs .....	10
<b>FFM team's observations .....</b>	<b>11</b>
1. Airport procedures .....	11
1.1 On arrival .....	11
1.2 On departure .....	11
2. Travel within Eritrea .....	11
2.1 Asmara .....	11
2.2 Gash Barka .....	12
3. General observations .....	15
3.1 Cost of items .....	15
3.2 Exchange rate .....	15
4. Access to information .....	16
4.1 Satellite television .....	16
4.2 Internet access .....	19
4.3 Mobile telephones .....	19
4.4 Power cuts .....	19
<b>Information provided by sources .....</b>	<b>20</b>
5. Political context .....	20
6. UN and engagement with the Eritrean government .....	21
7. Development context .....	24
8. Reasons for leaving Eritrea .....	26
9. National Service .....	32
9.1 Rationale for national service .....	32
9.2 Law regulating national service .....	33

9.3	Numbers in national service .....	37
9.4	Exemptions.....	37
9.5	Length of National Service .....	41
9.6	Pay .....	43
9.7	Reform of pay.....	44
9.8	Public announcements on length of national service and pay reform.....	50
9.9	Sawa: education and length of military training .....	52
9.10	Conditions at Sawa .....	53
9.11	Education after Sawa .....	59
9.12	Allocation to posts after Sawa .....	60
9.13	People who miss / avoid National Service.....	61
9.14	Treatment for evading / absconding .....	62
9.15	Treatment of family members of draft absconders / evaders.....	66
9.16	'Giffa' (round-ups).....	67
9.17	Conditions and careers in National Service.....	69
9.18	Demobilisation.....	72
9.19	Demobilisation papers .....	89
10.	People's Militia.....	91
11.	Migration to and from Eritrea .....	92
11.1	Exit visas .....	92
11.2	Exit checks .....	93
11.3	Entry checks.....	93
11.4	Shoot-to-kill policy .....	95
11.5	Numbers leaving Eritrea .....	96
11.6	Penalties for leaving illegally .....	98
11.7	Numbers and profile of people returning to Eritrea.....	99
11.8	Process of return .....	114
11.9	Documents used to return to Eritrea.....	118
11.10	Treatment of irregular migrants, including those who leave illegally and failed asylum seekers / refugees .....	118
12.	Healthcare .....	125
12.1	General healthcare.....	125
12.2	Mental healthcare.....	126
13.	Observations on reliability of source material .....	127
13.2	Diplomatic sources .....	127
13.3	Danish Immigration Service fact finding mission report.....	129
13.4	UN Commission of Inquiry reports.....	129

14. UNHCR statement.....	132
15. Languages spoken by Eritreans .....	132
16. Civil and penal codes.....	133
17. Women .....	137
17.1 Position of women .....	137
17.2 Female Genital Mutilation.....	137
18. Prisons and detention conditions .....	138
19. Size of the Eritrean population.....	139
<b>Annex A: Interview preamble .....</b>	<b>140</b>
<b>Annex B: Terms of reference .....</b>	<b>141</b>
<b>Annex C: List of sources .....</b>	<b>144</b>
<b>Annex D: Interview notes .....</b>	<b>145</b>
Anonymous source (1).....	145
Anonymous source (2).....	150
Anonymous source (3).....	156
Minister of Justice, plus legal experts .....	158
Minister of Health.....	161
Immigration officials.....	166
Diplomatic source A.....	170
Meeting with diplomatic sources B, C and D .....	175
UNHCR.....	178
A UN staff member .....	178
A source .....	184
Representatives of the National Union of Eritrean Youth and Students (NUEYS).....	185
Representatives of the National Union for Eritrean Women (NUEW) .....	191
Diplomatic source E.....	195
President of the National Confederation of Eritrean Workers (NCEW) .....	198
Yemane Gebreab, head of Political Affairs .....	201
Young people (1) .....	204
Entrepreneurs.....	211
Returnees (Asmara) .....	214
Artists.....	222
Regional governor of Gash Barka.....	226
Returnees (Tesseney) .....	228
Returnees (Barentu) .....	233
Returnees (Keren) .....	236

Training manager, Bisha Mine .....	242
Representatives of human resources department, Bisha mine .....	243
Young people (2) .....	247
Minister of Finance .....	251
UK Ambassador to Eritrea .....	254
Dr Seife Berhe, Director of Andiam Exploration Ltd.....	274
CEO of a UK registered, EU-funded international NGO working in Eritrea..	280

# Introduction

This document provides information obtained from the Home Office's fact-finding mission to Eritrea. It does **not** provide advice on handling particular types of protection and human rights claims. For this, see the Eritrea country information and guidance page on the [Gov.uk website](#).

[Back to Contents](#)

## Background

The fact finding mission (FFM) was conducted by 3 officials from the Country Policy and Information Team, Home Office, with support from the British Ambassador to Eritrea, Foreign and Commonwealth Office, between 7 and 20 February 2016. The team visited Asmara, as well as Keren in Anseba region, Barentu, Tesseney and Bisha mine in Gash Barka region.

The FFM team would like to thank the British Ambassador and his staff for their considerable assistance before, during and after the mission. The FFM team would also like to thank the Eritrean government for facilitating the visit and providing logistical support, including provision of a car and driver for travel in Anseba and Gash Barka regions, and an interpreter for interviews with returnees in Tesseney, Barentu and Keren.

[Back to Contents](#)

## Purpose of the mission

The purpose of the mission was to gather accurate and up-to-date information from a range of sources about national service, healthcare, and migration to and from Eritrea for use in the asylum decision making process. This information is to complement existing publicly available material, the majority of which has been obtained from sources outside of the country.

The areas of principal interest were:

- National service – number of conscripts; nature, length and conditions of service; and scope to be exempted and / or demobilised; penalties for evasion / absconding
- People's militia – conditions, exemptions and penalties for evasion / absconding
- Migration to and from Eritrea – numbers leaving and returning; penalties for leaving illegally
- Healthcare – facilities and treatment including mental health
- Observations on the accuracy of information obtained by sources outside of Eritrea, including UN Commission of Inquiry report of June 2015

A full terms of reference (ToRs) is available at [Annex B](#).

[Back to Contents](#)

## Methodology

The FFM was undertaken with reference to the [EU \[European Union\] common guidelines on \(Joint\) Fact Finding Missions: a practical tool to assist member states in organizing \(joint\) Fact Finding Missions](#), November 2010 (EU Guidelines 2010).

### Identification of sources

The Government of Eritrea restricts freedom of speech and information, and movement within Eritrea. There are no domestic independent media or civic groups, while only a handful of international organizations and western diplomatic missions operate in the country. There is also limited access for international media although during the visit the FFM Team met two journalists working for Reuters and Africa Report respectively. The independent sources that are able to operate in Eritrea are sometimes restricted in their movement and access to information. This makes it a challenge to obtain independent, accurate and reliable information about the human rights situation in Eritrea.

In this context, the FFM Team sought to interview a wide range of sources, including representatives of the government of Eritrea and state-sponsored civic groups, who would have informed views, based on their professional and personal experience which was relevant to the ToRs.

That a particular source was interviewed and the notes of that interview have been included should not be considered as the Home Office's endorsement of that source or the information provided. Rather, all sources and information provided needs to be critically assessed and considered against other publicly available material.

In identifying interlocutors, the FFM Team initially compiled a list of potential sources in the UK. The Team then consulted with the British Ambassador to Eritrea, as well as Landinfo in Norway and the State Secretariat for Migration, Division Analysis and Services, in Switzerland, before settling on a list of sources to contact.

The sources contacted and interviewed represent the sources that the FFM Team were able to identify as relevant to the mission. But, as with any fact finding mission, factors including time constraints and availability meant that the list of sources consulted and information provided are not exhaustive.

A list of sources interviewed is at [Annex C](#).

### Arranging and conducting Interviews

The FFM Team conducted 33 face-to-face interviews, which included 2 meetings with Dr Seife Berhe and a meeting with representatives of an international humanitarian organisation who asked that the notes of the meeting were not publicly disclosed.

The meetings also included focus-group style discussions with representatives of the National Union of Eritrean Youth and Students (NUEYS); Returnees; Artists; Entrepreneurs and Young people. Not every person who attended the focus group meetings contributed to the discussions.

On return to the UK, 1 of the Team held 2 telephone conversations with a CEO of a UK registered and EU-funded international NGO working in Eritrea who subsequently provided a written submission.

In total, the FFM Team met over 130 people during the interviews.

#### **How interviews were arranged:**

- The British Ambassador arranged the interviews with the diplomatic sources; the UN representatives; 'a source'; anonymous sources 1, 2 and 3; and the first meeting with Dr Seife Berhe. The Ambassador also arranged a meeting with representatives of an international humanitarian organisation in Asmara which asked that the information they provided was not be made publicly disclosable
- The Eritrean Ministry of Foreign Affairs (MFA) arranged meetings with government ministers and officials; representatives of the National Union Eritrean Youth and Students; representatives of the National Union for Eritrean Women; the President of the National Confederation of Eritrean Workers; entrepreneurs; artists; young people; and returnees
- The FFM Team arranged meetings with the staff at Bisha mine and the second meeting with Dr Seife Berhe
- The FFM Team also met the Chief Executive Officer (CEO) of a UK registered and EU-funded international NGO working in Eritrea during the visit but were unable to conduct an interview because of time restraints. However, on return to the UK the CEO provided a written statement having had sight of the FFM Interview preamble (see [Annex C](#)) and following 2 telephone conversations with 1 member of the FFM Team. The statement was submitted on 22 March 2016.

#### **Persons in attendance at interviews:**

- Only the Ambassador and the FFM Team were in attendance at meetings with the diplomatic sources; international organisations; the source; and the first interview with Seife Berhe
- A MFA representative attended meetings with government ministers and officials, Eritrean civic groups, and returnees
- Only members of the FFM Team were present when interviewing anonymous sources 1, 2, and 3; Dr Seife Berhe for his second interview; representatives of Bisha Mine; and with the CEO of a UK registered and EU-funded international NGO working in Eritrea
- All interviews were conducted in English, apart from those with returnees where translation was provided by the MFA representative and/or an interpreter provided by the MFA.

At the start of each interview the FFM Team and / or the British Ambassador explained the purpose of the mission including that the notes may be published in a report and that the sources would be able to review the notes before publication.

## Notes of interviews/meetings

The FFM Team made notes of all meetings with sources, which were sent by email either directly or via the British Ambassador to sources for review and approval. The Preamble to the mission at [Annex A](#) was also sent to sources.

21 of the sources approved the notes, with a number making amendments to the original drafts.

The notes of the meetings with returnees in Asmara, Tesseney, Barentu and Keren were returned unchanged – it is not clear if any or all the returnees saw the notes.

The following sources did not respond or approve the notes of meetings with the FFM Team: the Minister of Justice plus legal experts; Representatives of the National Union of Eritrean Youth and Students; Yemane Gebreab, head of Political Affairs; Young people (1); Young People (2); Entrepreneurs; and Artists.

All sources were asked how they would prefer to be referenced. A number of sources requested varying degrees of anonymity to protect their professional privacy or to protect their safety. In these cases, the FFM Team asked sources to provide a description of how they preferred to be referenced. All sources are described according to their own request where this was specifically made.

All the notes include the questions asked of the sources to provide transparency and context to the answers.

The notes of all interviews with sources are available at [Annex D](#).

## Structure of this report

The report is split into:

- A thematically arranged narrative following the terms of reference. It is composed of information from the notes of interviews, for the most part quoting the notes but in some instances using paraphrase. There is no attempt to summarise or analyse the information provided. Only information in the notes that is relevant to the ToRs has been included in the narrative.
- Annexes, including the Terms of Reference; Background preamble provided to sources; a list of sources; and notes of interviews

**Bold** has been used to highlight questions asked by the FFM Team which have been included in the notes and in the report narrative.

Square brackets have been used to:

- To indicate an observation made by the FFM Team during an interview, for example rephrasing a question or action such as ‘nodding of heads’
- To provide an explanatory comment subsequent to the interview
- To distinguish which individual provided a response where more than 1 person was interviewed
- To correct minor spelling / grammatical errors / missing words introduced / omitted by sources after having revised and approved the notes
- Indicate a spelling / grammatical error in the approved notes with [sic].

- For the anonymous sources after receiving the approved notes the FFM Team removed all reference to gender to protect individuals' identities

[Back to Contents](#)

## Observations and photographs

The report also includes the FFM Team's own observations and photographs relevant to the terms of reference covering:

- Entry and exit procedures at Asmara airport
- Checkpoints in Gash Barka and Anseba regions
- Daily life in Asmara

[Back to Contents](#)

# FFM team's observations

## 1. Airport procedures

### 1.1 On arrival

1.1.1 The FFM Team arrived on a Qatar Airways flight from Doha at around 01:00 local time. We understand from conversations with the Ambassador that all flights arrive and depart Asmara in the evening.

1.1.2 The FFM team noted that all arrivals on the same flight went to the same entry hall. There were no specific 'lanes' for Eritrean and non-Eritrean nationals.

1.1.3 The FFM team was each subjected to two sets of checks:

- a manual, visual check of the passport and visa (incl. stamping of the visa) plus a computerised check. This was conducted at the desk; and
- a manual, visual check of the passport. This second check was conducted after the initial check at the desk (and by a different person), but still in the arrivals hall prior to baggage reclaim. The check appeared largely cursory.

1.1.4 This procedure appeared to apply to all arrivals. Where a person had what appeared to be an Eritrean national ID card, these were also looked at as part of the second check.

1.1.5 Staff at the airport did not appear to be wearing any discernible uniforms, which made it difficult to determine which were the airport staff. However, each person was wearing a pass on a lanyard around their neck.

1.1.6 The flight the FFM arrived on consisted of around 30 persons. The majority of those were women.

### 1.2 On departure

1.2.1 The FFM Team's flight was scheduled to leave at 02:00 local time. The aircraft was fuller than the incoming flight, with around 40-50 people.

1.2.2 The FFM Team were required to show their passports on four occasions:

- at check-in
- Passing through immigration
- Before having their bags security checked
- Passing through the gate to the aircraft

[Back to Contents](#)

## 2. Travel within Eritrea

### 2.1 Asmara

2.1.1 During the visit, the FFM team went to a coffee shop in central Asmara during a weekday, staying for around one hour between 16:30–17:30. On arrival, there were around five tables filled with small groups of between two and four/five people inside; and the same outside. The FFM would estimate

the age ranges of those present to be mostly 18–30 year olds, though some were older. Over the course of the hour we were present, there was a steady stream of people to the point where, on departure, there were around eight–ten tables full of people outside and the same again inside.

- 2.1.2 There were many small businesses evident – small shops selling groceries along with a variety of other shops (including clothes, bridal wear, car spares, books, furniture, bike repairs, wood work and metal works).
- 2.1.3 People, often older women, were selling goods on small cloths on the pavement (sweet corn, eggs, chickens, sunglasses, trinkets, chewing gum, etc).
- 2.1.4 The streets were clean and busy with people of all ages walking (also in wheelchairs), cycling, on buses (and waiting in queues for), in cars, taxis and driving horse/donkey and carts. Men, women and children mingled and appeared to move freely.
- 2.1.5 Children of all ages were in the streets, we noted large numbers around at the end of the school day around 16:00–17:00. School children were identifiable by their brightly coloured shirts – including hibiscus pink, lime and orange.
- 2.1.6 A few children asked for money but otherwise few people approached or tried to sell items to the FFM Team, and there were few signs of begging.
- 2.1.7 The FFM Team drove through a large market north of Harnett Avenue (the main East-West thoroughfare in Asmara), where it saw a wide variety of goods sold at stalls, various food and spices, household items, furniture. The market was extremely busy on a Saturday afternoon.
- 2.1.8 People were observed playing basketball, football, cycling (attired in cycling clothing and helmets) and using the pool and gym (as members) at the Asmara Palace Hotel.
- 2.1.9 While in Asmara the FFM Team saw limited uniformed military or police presence. There were armed guards outside the Presidential compound but, during our time in Asmara, we noticed only one police vehicle.

## 2.2 Gash Barka

- 2.2.1 The FFM team travelled to Keren, Barentu, Tesseney and Bisha mine in the Gash Barka region. We were also scheduled to travel to Mei Nehfi technical college (outside of Asmara), Mendefera and the Eritrean-Sudanese border crossing. However, due to time constraints and competing meetings, we could not arrange to complete these.
- 2.2.2 When travelling out of Asmara, the team travelled in 2 cars: 1 of the team with the UK Ambassador in the Embassy’s official car (and driver); the 2 other team members in the Ministry of Foreign Affairs (MFA) car with a MFA driver and MFA representative.

### **Checkpoints**

- 2.2.3 While travelling outside of Asmara, the FFM team noticed and travelled through a number of checkpoints. We travelled only on the main road in

Gash Barka, apart from one excursion to Hamelmalo Agricultural College, outside of Keren.

2.2.4 Check points were usually placed at the entry and exit points of each main town. Between Asmara and around Gash Barka, we noted six checkpoints:

- Between Asmara and Keren;
- Between Keren and Hamelmalo Agricultural College;
- Between Keren and Hagaz;
- Between Hagaz and Akordat;
- Between Akordat and Barentu;
- Between Barentu and Tesseney.

2.2.5 The nature of the check points and number of staff manning them varied. Some checkpoints comprised a metal barrier, others simply a rope across the road. Typically there were between 2 to 5 people manning a checkpoint, sometimes armed.

2.2.6 The Ambassador's car was stopped on the way into Keren from Asmara and asked for a travel permit. Those travelling in the MFA car, which was ahead at the time, were not.

2.2.7 Below is a photograph taken by the FFM Team of the checkpoint just before Keren on the road from Asmara.



2.2.8 Below is a photograph of a checkpoint outside of Keren, on the road to Barentu.



2.2.9 Both the Ambassador's and the MFA car were stopped at this checkpoint leaving Keren for Hagaz (en route to Barentu and Tesseney and eventually the border crossing with Sudan) and asked to show their travel permits. We only saw one bus being searched.

2.2.10 In the background can be seen stacks of firewood, confiscated from previous vehicles. We were informed by the MFA representative accompanying us that those manning the checkpoint were searching for charcoal, firewood and diesel.

2.2.11 We were stopped at the same checkpoint on return. On this occasion, there were piles of firewood and large blue plastic containers stacked on the roadside. We were told that diesel is smuggled in from Sudan (there are strict controls on supply in Eritrea); charcoal is commonly used in coffee ceremonies in Asmara but is only licensed to be supplied by a single (or several) state producers.

### **Keren**

2.2.12 Whilst staying in Keren, the FFM Team spoke with a group of four female volunteers from the UK who informed us they had been travelling to Eritrea for many years. They raised money in the UK, generally stayed for two weeks and spent the money supporting a village in the area.

### 3. General observations

#### 3.1 Cost of items

3.1.1 The FFM team's experience of buying some "day-to-day" items included:

- A litre bottle of water – 25 NFK
- 1kg of bananas – 25 NFK
- 1kg of oranges – 25 NFK
- Four coffees plus two cakes at a coffee shop in central Asmara – 110 NFK
- A small bread roll – 4 NKF
- A 500ml bottle of Coke/Fanta – 25 NKF (if imported); 15 NKF (if local)

#### 3.2 Exchange rate

3.2.1 The official exchange for Nakfa and the main international currencies at the time the FFM Team left Asmara was listed at the Asmara Palace Hotel:

FOREIGN EXCHANGE		HOTEL EXCHANGE
14.55	U S D	15.00
14.55	T / C \$	15.00
3.88	S A R	4.00
15.08	C H F	15.54
11.51	C A D	11.86
21.52	U K	22.00
15.76	E U R O	16.24
15.76	T / C	16.24

PERSONAL CHEQUES ARE NOT ACCEPTED.

3.2.2 However, the team were informed from conversations with the UK Ambassador and his staff that the unofficial exchange rate was around 25 NFK to 1 US\$. We were informed that this was down from around 50-60 NKF to 1 US\$ prior to the recent currency/banknote exchange/withdrawal.

## 4. Access to information

### 4.1 Satellite television

4.1.1 The FFM Team had access satellite television channels at their hotel in Asmara (Asmara Palace), including BBC News and Euronews, as well as a series of Arabic and Turkish channels (around 10 in total).

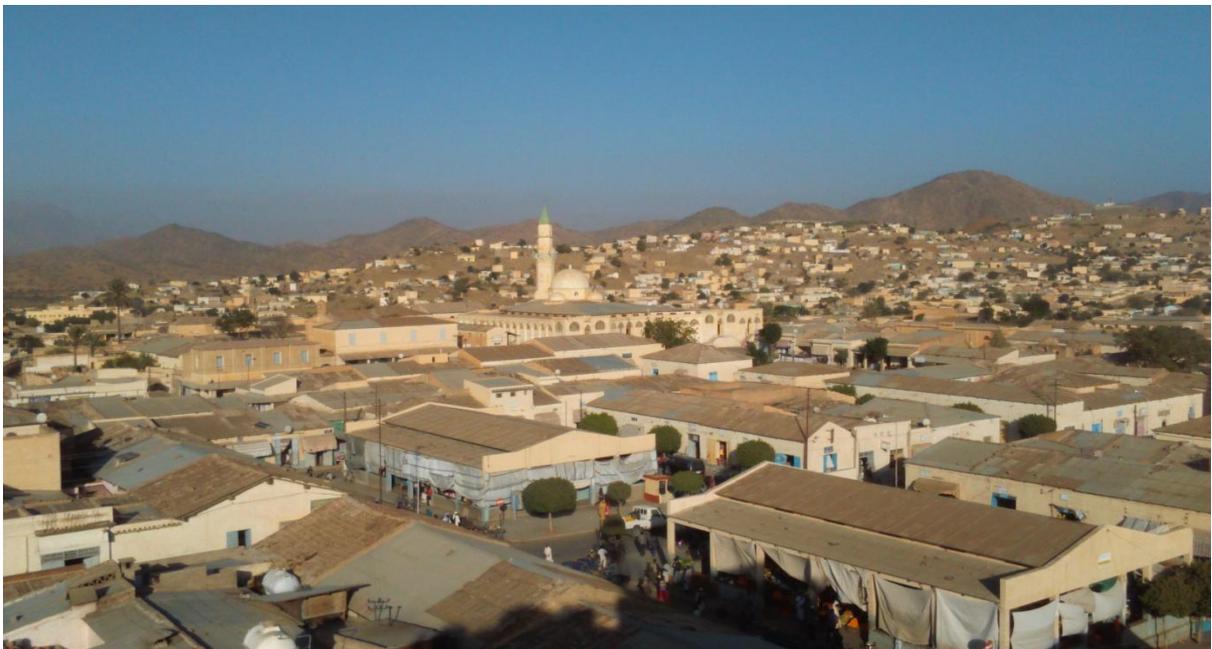
4.1.2 The Team noted that satellite dishes were commonplace in Asmara but also in Gash Barka, including Keren and Barentu.

4.1.3 The photographs below were taken from a scenic spot above Asmara on 13 February 2016 show satellite dishes on a number of buildings across the city:





4.1.4 The photographs below were taken from a hotel roof in Keren on 16 February 2016 show satellite dishes on a number of buildings across the town:





4.1.5 The photographs below were taken from the rooftop of the hotel the FFM Team stayed at in Barentu on 14 February 2016, and show satellite dishes on top of a number of buildings.



## 4.2 Internet access

4.2.1 During our time in Asmara, we were able to access the internet and experienced no apparent blocking of sites we looked at. The biggest problem we experienced was the extremely slow connection time.

## 4.3 Mobile telephones

4.3.1 The FFM team could not use UK-registered mobile phones whilst in Eritrea, although the UK Ambassador to Eritrea had advised us this was the case prior to our arrival. As non-residents, we were unable to purchase a phone for use in the country.

## 4.4 Power cuts

4.4.1 There were several power cuts in Asmara during our visit. In most cases, the power was restored within a few minutes and the FFM Team were largely unaffected as the hotel had its own generators which kicked in when the power cut off. We were also told that power is rationed and cut off in different areas at different times of the day.

4.4.2 The power cuts appeared more acute in Barentu where we were without power for most of the evening. The FFM team were informed that the problems with electricity were not apparent in Tesseney as they are connected to the Sudanese power grid.

[Back to Contents](#)

# Information provided by sources

## 5. Political context

### 5.1.1 [Diplomatic sources B, C and D](#) noted:

**‘Eritrea is often described as the “North Korea of Africa”. Is that comparison fair?** You can’t compare the two. It is a ridiculous comparison. It is a journalistic simplicity.

‘This country has two problems:

‘1. Powerful enemies, who are well financed, powerful and well organised. Other countries in Africa are smaller, but have no enemies, so difficult to know.

‘2. They haven’t played along with Western rules. We insist on elections, constitution, democracy. Other countries have a democracy where people are elected with 99% of the vote, over-and-over again; a judiciary that isn’t independent; but we don’t say anything. Eritrea could do the same thing and get the same result. But they don’t.

‘There are active forces within Eritrea which don’t help themselves. Things are not good, but it is not as bad as described. There are countries in Africa much worse than this. But we don’t say that.

‘This was true for the most part, but the comparison with other countries being worse had to be qualified slightly. In those countries, there is some semblance of civil society organised. In Eritrea, you don’t have that. You don’t even have things like independent sports clubs etc.

‘You can do a lot of things, but the Government has to control them. They have to have rules for that. To play along with the Government’s rules is possible, but it is so long and so complicated, that it is not worth it and people give up.

‘People in Eritrea are not used to anything different. Those who have a different opinion are either in prison or overseas.’<sup>1</sup>

### 5.1.2 [Diplomatic source E](#) noted in regard to whether the government likes remittances: ‘Of course. It’s a safety net. But it’s going to be tougher with the new banking regulations. **Is the Govt. really unhappy about people leaving the country?** Not really, up to a point. Diaspora provide a safety net.’<sup>2</sup>

### 5.1.3 Diplomatic source E also noted:

‘This isn’t North Korea. What would happen there if you came back having left – and what they would do to your family – just doesn’t happen here. Look at how many satellite dishes they are. The Government doesn’t control information. When people say “Eritrea is the North Korea of Africa” they

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<sup>1</sup> [Diplomatic sources B, C and D](#)

<sup>2</sup> [Diplomatic source E](#)

haven't been to North Korea; and haven't been to Eritrea. They see this phrase and repeat it.

'The Government controls people, but look around: there are satellite dishes everywhere, picking up TV and middle-eastern satellite channels; opposition sites aren't blocked; there are internet cafes on virtually every corner. Look at Singapore. They are not allowed to have satellite dishes. The reason given is they are 'unsightly', but it's because the Government want to control information.

**'Why the misconception?** There are things that go on here. There are banned religious groups, but they still hold meetings. There were Jehovah's Witnesses who were holding meetings and they got arrested – this was a few years ago. There are still allegedly 53 still in prison. But I don't think this goes on.'<sup>3</sup>

5.1.4 Diplomatic source E noted:

'No-one is looking over people's shoulders. And they're not arresting people for looking at opposition websites. I think there is a climate of fear about speaking openly about political issues here. They are not open. But not everyone is a spy.

'It's amazing how few policemen or military people you see. I assume there is plain clothes police. For an authoritarian state, it's the least authoritarian place I've ever seen. There may be security people around, but no-one really in uniform. There is limited security, even for the President.

'In any other African country I've been in, I've seen truck loads of men in military uniform. I see police extracting bribes at traffic stops. This happens in DRC, Togo, Nigeria, Ghana – but I've never seen this here. No-one pays bribes. In my experience, this is the safest capital in Africa.'<sup>4</sup>

[Back to Contents](#)

## 6. UN and engagement with the Eritrean government

6.1.1 [A UN staff member](#) noted:

'[I] Should start by setting out what the UN is doing collectively.

'As a [member of] staff of the UN I see that relations between the UN and government have improved although there were challenges in the beginning .This was about there [sic; the government's] own perceptions of how the UN sanctions and role in support to solve border conflict and guarantor of the Algiers agreement.

'In the view of the [Government of Eritrea] (GoSE), [the] UN has done nothing to enforce the border demarcation. On top of this, there is the UN Special Rapporteur and the UN Commission on Inquiry [UNCOI]. Our relationship is a bit tense.

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<sup>3</sup> [Diplomatic source E](#)

<sup>4</sup> [Diplomatic source E](#)

‘Our approach to bring back the relationship was to separate out political issues – and development issues. The GoSE needs to pursue political issues with the respective UN entities responsible and member states. It is always good for the government to keep engaging and keep their seat at the international fora. We are seeing signs of [the] government[’s] growing engagement. They are taking a much more active part in the UN general assembly, taking an active part in [the Africa Union] AU and other bodies including various international meetings. They could do more, but UN partnership growing.

‘We see it with other partners too. Many missions from [the African Development Bank] AfDB, Japan, Norway, Ge[r]man[y], Swiss, Finland, UK, Denmark, Sweden etc, have been visiting.

‘The one instrument that helped us to re-engage was the cooperation agreement [UN staff member provided a copy]. The principle is good. Will be producing another cooperation agreement.

‘This is the last year for this agreement, so busy trying to design an update.

‘There are 8 [UN] agencies resident here, plus four that are based here but not resident.

‘The GoSE have achieved three health [Millenium Development Goals] MDGs. This was based on evidence collected by the UN and government. This country has eliminated measles; is polio-free; they are 0.9% HIV; they are at pre elimination stage of malaria.

‘[UN] OCHA approves the approach, that humanitarian work is a stepping stone for development. We pull out key basic needs projects for our partners.

‘We have reviewed our approach to Eritrea, and agreed that we need to engage, engage and engage. We continue to work with the GoSE to enable the activities to be carried out especially the [Universal Periodic Review] UPR process to continue and help government to implement what the recommendations which were agreed

‘The two latest [UN] reports indicate there is no evidence of Eritrea supporting al-Shabaab. Essentially this should help to lift [sic; lift] the sanctions, but need a mechanism to unblock it. There are other procedural things to resolve before sanctions can be lifted, and GoSE needs to engage with member states and the [UN Security Council] UNSC needs to make a decision.

‘The government has not agreed to cooperate [with the] UNCOI and [the UN] Special Rapporteur, although they have been encouraged; what they explain to everyone is that they don’t like the country specific mandates and commissions.’<sup>5</sup>

6.1.2 The same source noted when asked to explain which countries put forward the Eritrea-specific mandates and commissions:

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<sup>5</sup> [A UN staff member](#)

'The government says there are big powers behind the push for special mandates and for that reason they have not heeded to the advice to cooperate with them. They don't understand why Somalia could be the one to table human rights issues in the [UN Human Rights] Council.

'We have encouraged them to cooperate and also to work with various [human rights] HR mechanisms including continuing to work on the UPR and getting support from [UN Office of the High Commissioner for Human Rights] OHCHR

'On the UPR process, they have accepted 92 recommendations, far more compared to the previous cycle and we have encouraged them to implement the recommendations that they agree with since a long time the GoSE allowed OHCHR to come and visit. They were also allowed to visit a prison. The last time they came, they weren't allowed to visit the countryside.

'Hopefully more engagement on HR can continue and more support from different partners to enable government deal with its capacity gap can continue.'<sup>6</sup>

6.1.3 The source also noted the OHCHR team visited Sembal prison, and that:

'The country is not completely cut-off on discussions around human rights. On the humanitarian side, we see needs – evident ones – but this is a society that doesn't like to show their vulnerability and don't like asking for help. They always try to solve their problems. If there is not good rain and not good harvest they try to buy food and cover the gap and feed their people. But this is a country in [a] drought zone and there a cyclical seasons sometimes giving good harvest and some times not. Whenever there are any gaps we are willing to help.

**'The rapprochement with the GoSE, what do you think their motivation(s) are?'** 'Partly because the partners are engaging; and the policy on GoSE engagement is more evident now. This is a good thing in my view because the economic situation [n]eeds improvement and partnership is important; migration is not an easy thing and the government needs to keep its people so anything that can be done to support the country would be good for the people and government

'The GoSE recognises it has challenges and needs some input from partners, but also the international community needs to respond with solutions.

'But it is all about building the trust. If they don't trust you, it's difficult to engage and I think this is true everywhere.

'They feel that the anti-Eritrea propaganda is so heavy and there is little they can do about it. They think more work in diplomacy is needed

'Human rights and political issues are challenges in all of Africa and other countries in the world. The "two-trunk" approach is the right way to engage. They need the things on the humanitarian and development side, so let's

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<sup>6</sup> [A UN staff member](#)

help them – we can still pursue the political/human rights side but not at the detriment of blocking support to women and children and generally the people who need the support we must continue to engage both countries. Many countries have an interest in Ethiopia and it is very good to work and support Ethiopia. Many people also engage Eritrea and it is good to support Eritrea... engaging one should not stop any partner to engage with the other. You have diplomatic missions in both countries and have different interests in both countries so keep engaging both depending on your interests.’<sup>7</sup>

6.1.4 [The UK Ambassador to Eritrea](#) noted:

‘I see a government that is trying to engage on human rights and economic reform. I see they are trying to normalise society – and then the national service – but these are gradual and not revolutionary developments.

‘Over the course of the last two years, I’ve seen consistent movement in the direction of greater engagement. For example, the government’s ratification of the Convention Against Torture in late 2014, its support for the first time of the annual UN General Assembly vote on a moratorium on the death penalty; the recent visits of OHCHR staff, including one visit in February 2016 which included a visit to a place of detention – first time in several years in which an independent body has been allowed to visit a place of detention. On national service too, salaries have been raised, and reports of easier demobilisation (for example, for women at a younger age), have become more common. Individually, these are small steps, but the direction of travel seems consistent.’<sup>8</sup>

[Back to Contents](#)

## 7. Development context

7.1.1 [The CEO of a EU-funded international NGO working in Eritrea](#) noted:

‘The organisation has observed the rapid improvement in health and social service as well as life expectancy in social development indicators. Through the 1990s and right up to the 1998 border conflict, Eritrea’s socio-economic landscape was improving rapidly with an expanding private sector and very considerable government investment in the physical and social infrastructure. The 1998-2000 border war was the biggest inter-state war in Africa’s history and imposed extraordinary damage and an ongoing enormous burden on the much smaller state of Eritrea. Not only were almost one third of the Eritrean population displaced but wholesale damage to property and livelihoods was incurred particularly in the southern parts of the country. Eritrea has always had to cope with a structural food deficit with chronic food insecurity imposing a heavy burden on government in terms of ensuring availability and affordability of food and avoiding acute malnutrition.

‘Since the cessation of hostilities in 2000, the humanitarian and economic burden on Eritrea has never relented, with spiking food and fuel prices, cyclical drought and general mobilisation of young people to national service

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<sup>7</sup> [A UN staff member](#)

<sup>8</sup> [The UK Ambassador to Eritrea](#)

creating ongoing crisis for national budgets, foreign exchange and economic management. The Government's perceived need to maintain an army in full readiness for hostilities which was numerically way beyond its financial means has been and continues to be utterly unsustainable.

'Notwithstanding, the development achievements in Eritrea since 2000 including attainment of three of the MDGs and progress towards others has been acknowledged by the UN, EU and others. We believe that these advancements in the human development of the Eritrean people, in the light of the above constraints, represents an exceptional achievement which must be given weight when considering compromises to internationally expected human rights standards.

'At this time, East Africa is suffering massive hunger brought about by drought and El Nino. While statistics are impossible to obtain, in the seven recent field visits our teams have made to five different regions of Eritrea and our work with communities and government, we have not observed acute levels of malnutrition. Given the substantial food deficit Eritrea faces, this is testament to the policy of storing and providing subsidised food. This perspective is shared by our development partners such as EU.

'Eritrea has a policy of bottom up development and social equity and focusing on remote and underdeveloped communities. The organisation has the privilege of working with such communities right through from 2000, through the border conflict from 1998-2000 until the present moment in 2016. Our work from 2011 supporting 45,000 households to construct improved cook stoves, plant three million trees and repair 48 village water has given us a rich and recent perspective on how the government engages with rural populations.

'We acknowledge that an acute shortage of financial and human resources poses serious constraints in terms of implementation. Notwithstanding the organisation believes that development policy and practice is based on firm principles of social equity and inclusion (particularly women, disabled and otherwise disadvantaged).

- We frequently engage with local government at household, village and local government level and can note the constant application of the principle of community participation in local development and their right to voice their needs.
- Through implementation of many projects with significant budgets, we can attest to the very low levels of corruption and self-interest of officials and we have constant reason to admire their commitment and approach to communities. We can also state contrary to popular perception that there is no unreasonable level of government interference in our activities.
- The organisation engages with a variety of the 32 civil society organisations. In particular we have cause to admire the work of the National Union of Eritrea Women and the Women in Agri-Business

Association which has grown from 5 to 130 members in ten years who have been able to deliver transformative change through strategic planning and entrepreneurship.<sup>9</sup>

7.1.2 The same noted:

‘Based on quite extensive interaction with Eritrean communities from 2000 up to this time, the organisation would like to make a number of general observations which we believe are materially important to any consideration of human rights abuses in Eritrea:

‘We put forward the assertion that the Eritrean Government has a fundamental and unwavering commitment to the human development of its people. We assert that since 2000 and in the light of the most extreme political and economic stress, the Eritrean government has continued to exhibit that commitment. We also put forward the assertion that the Eritrean ‘Government’s commitment to the social and economic empowerment of women is strong and consistent. The severity of the Eritrean government’s policy on civil liberties and human rights since 2000 should be views in the context of the colossal burden imposed by the border war and its aftermath.

‘The impact of the sanctions imposed by the UNSC in 2010 in terms of isolating Eritrea have decreased the space for civil liberties, civil society space and human development to improve.’<sup>10</sup>

[Back to Contents](#)

## 8. Reasons for leaving Eritrea

8.1.1 [Anonymous source \(1\)](#) stated ‘The indefinite time of national service with very low salaries, the way they have been treated, this means no future hope for salary increment and better treatment.’<sup>11</sup>

8.1.2 [Diplomatic source A](#) noted:

‘We opened with a broad discussion around migration and the drivers for it. There was doubt expressed as to the Eritrean Government’s willingness to do something at this stage that would be a game-changer. The return to an 18 month limit might have been it, but it appears they are rowing back on this. But don’t see this happening. We would like to have seen something such as a timetable set out with when the changes might take place. If they had, would have given young people an incentive not to leave and change asylum policies in Europe. No willingness to change.

‘Even if the Government did change, it can’t turn the ship around easily.

‘1,500 Eritreans entered Europe in 2011. Then it was 35,000 in 2014; and 40,000 in 2015. It is still going up, but the rate of increase had slowed down.

‘It was considered to be a well-organised business, with families involved. 30 years ago, the Freedom Fighter used to be the role model; having spoken to

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<sup>9</sup> [The CEO of a EU-funded international NGO working in Eritrea](#)

<sup>10</sup> [The CEO of a EU-funded international NGO working in Eritrea](#)

<sup>11</sup> [Anonymous source \(1\)](#)

families and young people, the successful migrant is now the role model. It is a change in attitude that will take time.

‘It was a positive move that the Government has co-operated on Valetta and on the Khartoum process, but not entirely convinced that they are serious about doing something.

‘Everyone in Eritrea knows that the country survives on remittances. Most families rely on remittances. Ministers also rely on remittances. Economic revival is needed. With time, the diaspora sends less – as they get settled and have their own concerns – so need to keep sending new migrants. 2<sup>nd</sup> generation of migrants less willing to send money. So government not serious about change.’<sup>12</sup>

8.1.3 [Diplomatic sources B, C and D](#) noted: ‘Why are people running away: they are not leaving because there is no parliament. They are running away because they want a better life. Some are being persecuted. We can’t say they are not. Some are fleeing for political reasons. Again, we can’t say they are not. But the bulk are economic migrants. Until we start addressing this, our asylum policies in Europe won’t change.’<sup>13</sup>

8.1.4 [The UN staff member](#) noted that:

‘Most young people say the economic situation is difficult and they look for greener pastures.

‘Some young people also say they would like to see the national service period limited to 18 months.

‘The government has said that they are deploying young people more in civilian services and are paying them now.

‘When you speak to the GoSE they say that they have to deploy them. Otherwise they would be redundant. The youth would be doing nothing. They are also looking at how they can pay them more. In some countries partners have created a fund to support such initiatives and this is something that can be discussed by government

‘So, yes, it’s an issue, but with increased modifications it will cease to be a major problem. Migration will not stop and there are people needing genuine asylum and it is up to the countries of destination to put up a system to know who is genuine and who is not.

‘Even in Africa, there is a perception that if you leave for Europe, tomorrow you will be driving a nice car. We need to do more to educate people on the reality.

‘Many African countries and have challenges and it is not different here.’<sup>14</sup>

8.1.5 The UN staff member noted:

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<sup>12</sup> [Diplomatic source A](#)

<sup>13</sup> [Diplomatic sources B, C and D](#)

<sup>14</sup> [The UN staff member](#)

'It is all about the open-ended nature of it. If people knew exactly how long to serve; national service as a principle is not bad and is practiced in many countries. Bigger plans in any country also in Eritrea are need to expand the economy so that there can be enough employment opportunities for the youth... The asylum policy should seek to investigate genuine asylum seekers and not give blanket asylum.

'I can't say it is based on evidence that I can give you, but it is based on what I see when I am visiting ministries, hospitals, out in the field; there is a lot happening but there is need for continued and increased support. Some evidence on progress on MDGs has been gathered and the information on progress about MDGs is based on proved numbers. In some areas data is difficult to get.

'We need to look at this, and provide support for the country. If we do this, if we can support the country in areas where we can support, the government will also grow more capacity to deal with national issues as their economy grows.

'In many post conflict countries there is a demobilization fund and program; but there are other recovery programs. Eritrea can benefit from such programs too.'<sup>15</sup>

#### 8.1.6 [A source](#) noted:

'Lack of opportunities. The international media flow on the refugee crisis is beginning to question the value in getting to Europe – beyond the journey itself.

'The source has heard about people trying to leave. One person has made three attempts and been imprisoned each time. They want to try again, although they are questioning it maybe.

'Everyone in Asmara seems to know someone who has left. Many are planning to leave. It is so mundane. But people may not talk about the bad things that happen. For educated middle class from Asmara it is a decision to stay [not whether to leave]. Been surprised by people's willingness to speak openly and criticise. It's not political opposition or doing it publicly, but still vocal.'<sup>16</sup>

#### 8.1.7 [Representatives of NUEYS](#) noted:

'Could be various reasons. There are some internal factors. It could be economic factors; the living standard is low. The social system also supports the most vulnerable.

'Globalisation also a factor. Some think the grass is greener. Some escape from national service. The situation Eritrea is in – the occupation of territory and the sanctions. Eritreans are cautious about sharing information. People hear about life abroad. The picture of Eritrea is not the right one.

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<sup>15</sup> [The UN staff member](#)

<sup>16</sup> [A source](#)

'External interventions are one of the main factors. They can also see the situation in, for example, Germany. They have announced they will receive 2.5m migrants from across the world. Once the young people see this, they decide they want this without knowing the price of getting there. If countries open their doors to young people in Eritrea, then the young people will take the opportunity. Also people from ETH, SDN etc. will take advantage.'<sup>17</sup>

8.1.8 [Diplomatic source E](#) noted:

'I think the major drivers for migration are economic. I don't share the views that 99% are economic migrants, but the majority are. What are the two major drivers:

'a. Indefinite national service, because people can't plan; and

'b. Lack of economic opportunity.

'And those two are linked. I don't see that it's due to harm or threat. I also don't see that people are yearning to set up an NGO or be political. It's not political repression.'<sup>18</sup>

8.1.9 Five [young people](#) [3], [4], [7], [8] and [9] interviewed by the FFM team noted:

**'So why do you think she would do this [lie to get asylum]?' [3]** it is for economic reasons. We have economic challenges. These are clear. We cannot hide these. People have a tendency to move to greener pastures. It is not just from Eritrea. People from Portugal and Italy move too. I have lots of friends in England. They are there for economic reasons, but they cannot say this.

**'How do you feel about people who go to Europe?' [3]** A bit betrayed. There are challenges here. All the youth should think about how to fix the situation here. We should look to develop the country, not looking at other people's plates, other people's food. It is embarrassing. Had the youth been here, they would have been useful to their family. If you go to Switzerland, Norway and you are waiting for your monthly social assistance, you are doing nothing to contribute. There are people making a life out of this misery [the refugee crisis]. Not just people who help them travel, but who also support their cases by criticising the country.

'[8] The people who come to the UK to ask for asylum, do you think they desert national service? These are people who haven't done it, they leave before 11<sup>th</sup> grade. They know what they have to say. They say national service is prolonged; they say that rape happens at Sawa; they say other issues about national service. They know they can't say they are going for economic reasons. National service is my choice. I know once I have been demobilised I can travel to other countries. But you need to understand what the motivations are.

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<sup>17</sup> [Representatives of NUEYS](#)

<sup>18</sup> [Diplomatic source E](#)

‘[4][8] the preferential treatment of Western governments towards Eritrea is a pull factor.

‘[7] I know from a guy in Cairo. He was saying I could go. He would process my paper. But I know he would just ask for more money and more money. I didn’t want to go. The root cause for migration is the war. The ‘no war, no peace’ is the reason. If this was settled, it would end.

‘[6] I would like to present a global phenomenon that is contributing. That is social media. It is giving too much information and giving false impressions. My younger brother uses it all the time. It is adding economic pressure. I tell him not to believe everything he sees and reads on social media.

‘[4] You have to understand the psyche of Eritrea. During the 30 year war, lots of people had emigrated. The fighters who stayed and fought, they were poor. When the people who had come back from USA, Europe, they were the ‘chosen ones’ – they had money – people would look to get their children married to them. So the economic reasons are important, there are other things. So people say that national service is prolonged, but if the international community had enforced the border ruling, we would have been able to demobilise. Instead of that, they come with more sanctions.’<sup>19</sup>

8.1.10 [Entrepreneurs](#) interviewed by the FFM team noted:

‘[6] there is no persecution on the grounds on religion. The challenge is economically. This is a big challenge for the young people. You asked about Sawa. I was teaching there. There is no violence there. It would be taken seriously.

‘[2] there are two things. (1) economic; and (2) dreams. You watch a film and people see that they need to be like him. People go to Europe and the expectation is big. The reality is different. I go to Europe twice a year. When you see the companies in Europe there are huge companies. For us small companies and entrepreneurs it is hard. However, here it is easier. People in Europe need to look successful.

‘[14] sometimes we have to look at the causes for the economic situation. We have had three wars with Ethiopia – three costly wars. The security of Eritrea is threatened by many sides: (1) Ethiopia has declared war on Eritrea; (2) the role of the UN and the international community including the UK to help resolve this,, and failure to get justice from them; and (3) the unexpected sanctions. The government is making attempts to improve the economy. Needs to address the root cause of the problem.

‘We are hoping to invest in this country and get foreigners to invest in Eritrea but the situation that is prevailing on Eritrea affects this. We are expecting justice to prevail, but justice delayed is justice denied. We shouldn’t look at the symptoms; we need to look at the cause. We want to be self-reliant but we want some assistance from the international community. [9] we know them. We also chat with them. We always ask why they migrate. They always say the pull factor from Europe. It is the social assistance in Europe.

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<sup>19</sup> [Young people \(1\)](#)

If they get that, they feel secure. The main problem is the pull factor. [why don't they come back?] I don't know. Maybe they don't have enough money.

**'Do people in Europe send money back?** [2] Yes. We have large families and this is our culture – to support family. [1] They go to Europe and get money and they send it back to help their families. When we ask them, they say they have to send the money back to help people. [8] The family in Eritrea are expecting it (the person to send money) because they are expecting the person to get money. They expect more money in Europe. They don't expect money from me, but expect money from my uncle who has gone abroad.'<sup>20</sup>

8.1.11 [Dr Seife Berhe](#) noted

**'Why do you think people are leaving in such volume?** I know one person, 38 years old, who left who was earning 20,000 NKF per month. He came one day and said he was leaving. I asked why? I mentioned that I was going to add 5,000 NKF to his monthly salary. He said it is not because my family want me to send money from abroad but was afraid that the re-training as a reserve army would take longer. I asked him to register his name at the Ministry so that his re-training duty would be reduced to 2-3 weeks and that I could ask the Ministry to include him in the special arrangement they were making for essential staff members. But he left illegally to Sudan.

Special arrangements were made to reduce training to 2 or 3 weeks for key personnel such as geologists, engineers or doctors. In other sectors, local government or if unemployed, you would probably have to do 2 months retraining and given other responsibilities or chores.

Age also matters – national service doesn't apply to those over 50 years old. If you are a dual national, and did not formally come back to Eritrea national service doesn't apply.

One of our employees who had left was demobilised, the other was a secondee from the Ministry. Even though he had a good salary, he left.

**'... So if you are a dual national, you don't have to do military service/duties?** It depends if you are coming for good and you are given a green card as a returnee you have to do National Service. If not, you don't. If you set up a business, and do 6 months military training the chances are that you would be allowed back to your business.'<sup>21</sup>

8.1.12 Dr Berhe also noted:

'Yes. It [National Service] is an issue. I don't like it equated to slavery. Same with a phrase I heard calling them 'conscript soldiers'. They are not conscripts; by law young people have to do their National Service. I don't like the word conscript – to me it means taking someone and forcing them to go

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<sup>20</sup> [Entrepreneurs](#)  
<sup>21</sup> [Dr Seife Berhe](#)

to a war area. Our staff members do NS, they are demobilised and only do refresher training for two weeks.<sup>22</sup>

8.1.13 The question of why persons left Eritrea arose in the focus-group interviews with entrepreneurs, young people, artists and returnees. A number of these persons referred to the economic situation in Eritrea as being a driver. Pull factors were also cited. For full details see the respective interviews in the annexes:

- [Young people \(1\)](#)
- [Entrepreneurs](#)
- [Returnees \(Asmara\)](#)
- [Artists](#)
- [Regional governor of Gash Barka](#)
- [Returnees \(Tesseney\)](#)
- [Returnees \(Barentu\)](#)
- [Returnees \(Keren\)](#)
- [Young people \(2\)](#)

[Back to Contents](#)

## 9. National service

### 9.1 Rationale for national service

#### 9.1.1 [Yemane Gebreab](#) explained:

'...National Service (NS) was introduced in 1994 for 18 months and is obligatory for those once reached 18.

'The reasons are that:

- i. Eritrea does not need and cannot afford a large standing army, but NS is a reserve army
- ii. Eritrea is a small but diverse country – about half Christian, Half Muslim with nine different ethnic groups – NS gives the youth a common shared experience and national identity.

'Any evading of NS is a offence in the law; the penalty is clear. Anyone who assists [evasion] is punished.

'NS worked well until 1998. 5 rounds did 18 months and left. 80% of army were in national service. The war was destructive. Ethiopia has not accepted the border ruling so we had to keep people beyond the 18 months. We are still at war, so forced to continue NS.

'While there is no need for them to be in the military, we put [conscripts] in the civilian sector.

'About 9 years ago we said people do military training but not go into military but into the civilian sector. They pass their exams, then most go into the civilian sector. They serve as teachers, etc. Lots go there (teaching) as there

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<sup>22</sup> [Dr Seife Berhe](#)

is a shortage. That happened until October 2014, when government said that NS to go back to 18 months but people would do military service. It was duly announced to the population and the youth. There were meetings, seminars – many that I led – explaining this. They were told explicitly about this. Less than a year later [circa July 2015] this changed: from then onwards anyone who had done military training people doing NS would get official salaries increased.<sup>23</sup>

[Back to Contents](#)

## 9.2 Law regulating national service

9.2.1 The Minister of Justice, plus legal experts noted, when asked, noted that:

**‘Article 119-120 of the penal code talks about offences relating to avoiding military service. Will these apply?’** The penal code refers in articles 119-120 to military service but these articles are not comprehensive, so the proclamation on national service applies.

‘All investigations should be conducted along the principles in the penal and criminal procedure codes.’<sup>24</sup>

9.2.2 The honorary legal counsel to the UK Embassy in Asmara in a letter dated 21 December 2015 noted:

‘A) The Concern on The Rules & Regulations of the National Service Proclamation No. 82/1995’<sup>25</sup>

‘(1) Citizens Subject to Obligatory National Service

‘For and in consideration of the Rules & Regulation of the said National Service Proclamation related to your concerns, it would be constructive to refer to the nature and objectives of said National Service Proclamation as follows.

‘Per the National Service Proclamation No-82/1995 it is provided in its Article 6 in that any Eritrean citizen as of the age of 18(Eighteen) years upto the age of 50(Fifty) years is legally bound and obliged to provide the required National Service. And to that effect, every citizen is, upon the call for registration for National Service by the Ministry of Defense, obliged to register and secure Certificate therefor, from the

‘Regional Registration Offices of every Regional Administration in accordance with the necessary requirements of the Ministry of Defence.

(2) Prime Objectives & Duration of National Service

‘In addition, it would be orderly to point out the prime objectives of the National Service so specified in Article 5 of the prime objectives of the National Service Proclamation. To that effect, the said objectives are-

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<sup>23</sup> [Yemane Gebreab, Head of Political Affairs](#)

<sup>24</sup> [Minister of Justice, plus legal experts](#)

<sup>25</sup> The Proclamation No.82/1995 is Issued only in Tigrigna National Language and not in English

'a) To establish and maintain the foundation of a public based strong national defence army to ensure the respect and existence of the sovereignty of the State of Eritrea;

'b) To ensure that the historical value of the 30(Thirty) years struggle and sacrifice of the Eritrean society for National independence is entrenched and maintained by successive generations of Eritrea;

'c) To introduce, establish, enhance and maintain the cultural discipline and value of national commitment for the new Eritrean generation toward the national sovereignty, socio-economic growth and development of Eritrea;

'd) To provide wholesome military training of 6 months to equip the new generation with professional military and physical capability, along with the actual military service for and during the subsequent 12 months following the 6 months training period;

'e) To provide the necessary training and performance for and toward the national public service and economic development of Eritrea, along with the actual performance and implementation of such required economic development services for and during the said 12 month following the 6 months training period;

'f) To enhance and reinforce the nationalism and unreserved commitment of the Eritrean society for and in all respects in the interest of their homeland

'In short, as provided for in Articles 6,8 and 9 of the said Proclamation, the required National Service period is 18 (Eighteen) months constituted of the 6(Six) months of Military Training and thereafter to join the National Defense Military units to engage in defence undertaking responsibilities and to continue with Services Toward The National Socio-Economic Growth.

### '(3) Right & Responsibilities of Citizens

'Further, it may be noted in that as so provided in Article 22(1-6) of said Proclamation, the following rights and responsibilities are attributable to the citizens during the National Service as under:-

'a) The provision of "food, residence, suits/dresses, medical services, transport services" and pocket money for free for the period of the 12 months of the National Service;

'b) Upon the completion of his 18 months of the National Service, regardless of his employer, the right of every citizen to return to his original employment prior to his commencement of his National Service;

'c) Any citizen who may have physical or mental illness while under National Service or consequential after his release from his National Service, is guaranteed with free medical treatment by the Government and in case of his death due to said illness the Government shall provide the necessary assistance to his successors;

'd) Any citizen who completes National Service shall, given that he satisfies the requisite standard requirements, is entitled with the priority consideration by the Government for Education or Employment be it abroad or within Eritrea;

'e) If any citizen who completes his 18 months National Service decides and applies to be and serve as a standing member of the soldiers of the Ministry of Defense of Eritrea he is, subject to the Ministry of Defense's qualification standard, entitled to be accepted as a member of the army; (fig the parents of an Eritrean citizen who is engaged in the National Service are, as a matter offatz helpless for survival without his financial support,the Government is bound to ensure to provide the necessary support to said parents.

#### '(4)The Prime Issues of Concern

'The Prime Issues of your concern on said National Service Rules and Regulations are:-(a) If there are Exemption Laws from National Service and h)) Clarification on the Demobilization process :-

- i) How does a person apply for demobilization
- ii) what reasons would be acceptable for demobilization
- iii) is there number of times for an application process.

#### '(5) Responses To The Issues of Concern

'For and in response to each of the said prime issues, herein below are, in consonance with the relevant provisions of Proclamation No.82/1995, the required responses on each aspect of the said issues of concern herein above.

a) Are There Exemption Laws From the National Service (1) Outright Exemptions

b) First and foremost, the sole and only Law for and on OUTRIGHT EXEMPTION FROM THE OBLIGATORY NATIONAL SERVICE are the provisions in Article 12(1) and (2J) of Proclamation No-82/1995. And to that effect, it is provided as under in said Article 1Z wherein it is clarified that the following Eritrean Citizens are exempted and totally free from the required National Service:-

- i. Those who have performed and implemented the required National Service before the issuance and publication of this present National Service publication, and,
- ii. All those whose full time commitment and actual participation for and during the Armed Strugelfor independence of Eritrea and those whose Militia Enrollment for and toward thestruggle for independence of Eritrea have been ascertained.

#### (2)Board Committee -Decision Related Exemptions

Per the provisions of Article 13 of the said National Service Proclamation, it is provided that a Board Committee constituted by representatives of various Government bodies and entities has been formed and established inconsonance with the needs and requirements of the Ministry of Defence of Eritrea to consider, assess and decide on certain factors of exemption as follows:

- i. In Article 13(1) of the Proclamation , it is provided in that, any citizen who is determined by the Board to be incapable to participate in Military Training would be assigned and provide his 18 months

National Service to such Public or Government bodies in accordance with his professional capability;

- ii. Per Article 14(1) of the Proclamation it is provided in that, if the Board Committee ascertains that a citizen who is, by virtue of whatever temporary illness, not fit to provide National Service, he shall be exempted from the National Service until or if his health is ascertained before the lapse of the time for his National Service;
- iii. If it is verified by the Board Committee that a citizen who is daily engaged as a student in Middle or High School or in a Special Professional Training or in University Education etc. he would be obliged to undertake his National Service obligation following and upon completion of his education; it being stressed that he would be provided with his degree diploma or whatever certificate after the completion of his National Service,

#### '(b) Clarification On Demobilization Process

'In consonance with the provisions of said Article 2(8) of the Proclamation, the only body entrusted to consider, approve and recommend demobilization process of a citizen to the Ministry of Defence is the Board Committee. And to that effect, as provided in Article 15 of the Proclamation, any citizen, who wants to be demobilized is entitled and obliged:-

'1) To submit An Application to the Board requesting that he be demobilized from the National Service, and

'2) To present credible causes and reasons for his alleged demobilization as, required for demobilization, as in "blindness and mental disability-- ----" so specified in said Article 15 for the Board's consideration, decision and whatever recommendation to the Ministry of Defence.

'For the sake of transparency, it may be noted that except the examples of "blindness and mental disability" for demobilization so noted in 15(1) of the Proclamation, no grounds or reasons for Demobilization justification are addressed and specified in the Proclamation.

'Hence the application causes and justification for demobilization are, subject to credibility, open and unlimited. In addition there are no limitations on number of applications to be submitted by anyone to the Board for Demobilization.

'In all events, the conclusive Board decisions are to be submitted to the Ministry of Defence and based on such decision, the Ministry is bound to grant Certificate of Demobilization or Reject the Application.'<sup>26</sup>

[Back to Contents](#)

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<sup>26</sup> Letter of honorary counsel date 21 December 2015, appended to note of meeting with [UK Ambassador to Eritrea](#)

### 9.3 Numbers in national service

#### 9.3.1 The UK Ambassador noted:

'The Government of Eritrea does not publish figures for the number of people in National Service. I have not been told an official number, but I understand intake to Sawa, the national educational facility for all final year high-school students, which is also the gateway to national service, to be around 15,000 per year, but it varies per year.

'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.'<sup>27</sup>

#### 9.3.2 Dr Berhe noted:

'Do you **have a sense for how many people are doing national service?** I guess 15-20,000 every year go to Sawa. Although I do not have exact figures when they graduate from Sawa after 1 year they are divided into 3:

- Those that join University
- Those who will be sent to attend Technical [vocational] schools
- Those who failed will be trained to acquire various skills such as mechanics, dozer, or excavator operators etc, others may stay and do more menial jobs.

'How many in the army? I don't know.

'**Doesn't army also need those who are better qualified?** Of course. They are more selective for air force and navy.

'**How long are persons in national service?** People are expected to do 18 month National service and do another year of community service: in most cases as teachers. There is a specific time. My impression is that it is getting shorter.

'**Is it open-ended, particularly for those in the army and menial jobs?** It may seem like that but is not open ended as it is getting slightly shorter. For instance the recently introduced pay rise is an indicator.

'**Given the numbers leaving, is the government going to be more relaxed about national service?** I don't know. But most probably in terms of the time. Unfortunately as long as the issue of occupied sovereign Eritrean territory by Ethiopia is not resolved the NS will continue.'<sup>28</sup>

[Back to Contents](#)

### 9.4 Exemptions

#### 9.4.1 The following sources do not always distinguish between exemptions – see [Law regulating national service](#) - and categories of persons who may be

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<sup>27</sup> [UK Ambassador to Eritrea](#)

<sup>28</sup> [Dr Seife Berhe](#)

demobilised. This section should therefore be read alongside the section on [Demobilisation](#).

9.4.2 [Anonymous source \(3\)](#) noted: ‘For girls, they get married – they don’t ask you to do NS. But even for them it is hard – as husbands leave to do NS. So wives with children of 2 to 3 years cross the border. We can have a business but government can ask us to do NS. People can’t do anything.’ The same source also noted ‘If a woman isn’t married, they can’t leave the country until they are 50. If a woman is 30, married and has children under 5 years old, then she can get a visa and leave the country.’<sup>29</sup>

9.4.3 The Minister of Health noted:

‘For most persons with profound illness, such as blindness, deafness etc, going to Sawa may be the easiest and sure way to get full exemption certificate. However, if a person's disability is so obvious he may not need the exemption certificate and may decide not need to go to Sawa.

‘There also options of completing military service, without going to Sawa by joining military training programs at the Zonal level. Such training programs may also be used for obtaining exemptions for such obvious cases.’<sup>30</sup>

9.4.4 The Minister of Health noted:

**‘[How is mental health assessed in relation to national service? Are people given an assessment before starting? If so, do they have another assessment during service?]** People have an assessment for all illness including mental illness before starting national service and can exempted if they have a mental illness or other illness that could impede them from providing the national service. Thereafter, they are examined whenever they have health problem, including mental health and if necessary get release from national service. (The Minister also explained that if a person passes the matriculation exam, they can go to the University for Higher Level Education including medicine).

**‘[If a doctor assesses someone has a mental health issue, will that person be sent to the Ministry of Defense [the FFM team recorded the question as ‘will that [i.e. the medical assessment’] get sent to the Ministry of defence’?]** Yes the person may go to the Ministry of Defense, however, not to provide national service but to obtain the exemption document. Depending on their mental health status, they may get full exemption from any national service or may get exemption from military service only. If they are capable of providing some level of national service, which may even be better for their mental health they get assigned to the Ministries other than Ministry of Defense. For example, if such persons are assigned to the Ministry of Health, we provide them with a job that may enhance their mental health status rather than aggravate their mental illness.

‘[FFM team notes in response to their version of the recorded question: ‘Yes. The doctor will the person the result of the assessment.’]

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<sup>29</sup> [Anonymous source \(3\)](#)

<sup>30</sup> [Minister of Health](#)

**[Is it the Ministry of Defense (MOD) who decides this?]** 'Yes, the medical doctors in the MOD decide this. However, they often refer such patients to the MOH national Psychiatry hospital for more thorough assessment.

'If the person needs any treatment, they can be taken to the hospital and get whatever treatment they need.

**'If a person has problems during the [military] training, can they approach a doctor?** 'Each sector in the training has a health workers and the training center has a referral hospital. If nay[sic] trainees faces a health problem he/she is first assessed by the health workers (usually a nurse in his sector and if necessary gets referred to Sawa the hospital i. If necessary, the hospital also referrers [sic] patients to other higher level hospitals or the national referral hospitals.

**'Can a person appeal against a decision of the doctor?** 'Treatment is seen as a right. Where ever he/she is, any person has the right to complain or appeal against his health service provider/doctor. However, not all people know about this right and may not use it or may not know how to use it.

**'If a person could recover, would they be recalled to National Service?** 'It depends on the type of release. If a person is provided with full exemption from national service or is released from national service he/she may not be recalled or reassessed. However, if a person is provided with a status of unfit for military service, he/she may be required to provide national service as a civil servant in ministries other than the Ministry of Defense. If a person is provided with sick leave due to temporary illness, he/she is required to resume national service after full recovery from his/her illness.

**'To clarify, when does a person receive their [medical] assessment - during the six months training prior to allocation [to national service posting]?** The first eight months is mostly academic training [at Sawa], which is followed by three months of military training. Throughout the year, a person is assessed when ever he/she complains of an illness. He/she will be first assessed by the health service provider in his/her section and if necessary will be referred to the hospital in Sawa. The person usually gets the necessary treatment and health care in the hospital. However, if it is beyond the diagnostic or treatment capacity of the hospital, the patient will be referred to more specialized centers at the Zonal Referral Hospitals and if necessary to the national referral hospitals.

'The fitness for military service/training is usually done at the beginning of the three months of military training. However, sometimes times the military training may begin before the assessment for fitness for military service. Under such circumstances, if a person thinks he/she is not fit for military training he/she has the option of not participating in the military training until he/she is assessed or reassessed.

**'Are the assessments at Sawa conducted by military doctors?** 'Yes. But we send our doctors to Sawa. We work hand-in-hand with the doctors at Sawa. This applies to all health services and medical assessments.

(However, the Minister also clarified that the national mental health referral hospital is under control of the MOH.)<sup>31</sup>

9.4.5 A source noted: ‘... 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. **Will teachers be exempt from national service?** Yes that has been said, but remains to be seen. **Will this be replicated across other professions?** I don’t know’.<sup>32</sup>

9.4.6 The UK Ambassador to Eritrea noted:

‘There is one written exemption provided for in law (in the 1994 decree introducing national service), for those who are veterans of the independence movement. I understand there are others written down in internal guidance but not published. The one I am most familiar with is ill-health, though there are others.

‘I do not know the details of the provisions, but if you are deaf, blind, or have a disability etc you will be exempted. Those with severe disabilities (such as amputees, or those with severely impaired sight or hearing) may apply to their District authorities for an exemption letter. Those with less severe disabilities must report to a Ministry of Defence doctor who will assess them for their fitness to take part. The doctors have a high discretion in making this judgement. There is no published list of medical conditions and their severity which would allow an exemption.

‘I am aware from discussions with sources of cases which help illustrate the process, both of those who are exempted or demobilised for medical reasons, and for some other reasons. The information below was obtained from conversations with Eritreans who I have met / work with during August and September 2015 based on their personal experience after 1998. All individuals asked not to be named:

- ‘Physical disabilities. I understand from conversation with local colleagues that those with a severe or visible disability can be given an exemption from national service by their municipality or local administration. Those with lesser disabilities are required to report for an assessment by a military doctor, who will either issue an exemption or not according to his or her judgement. The criteria a military doctor might use are not published to my knowledge. I know of one instance of a man of thirty who has a high degree of deafness, but is otherwise fit and healthy. He was given an exemption and has since worked as a gardener. He is not liable either for National Service, or for subsequent militia service.
- ‘Dependent relatives. I know of one case of a twenty-seven year old single man who was the sole source of financial support for his widowed mother and younger siblings, who was given a monthly exemption from National Service in order to pursue paid commercial

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<sup>31</sup> [Minister of Health](#)

<sup>32</sup> [A source](#)

employment in order to support his dependants, which he did by working as a security guard for a private company.

- 'Married women and mothers. Those women who are married or who have children are not required to perform national service (though if they have never performed it, and have not therefore been given demobilisation papers, they will not be able to take advantage of all government services available to those who have been demobilised until a later age, currently thirty).

'There is no provision for exemption from any aspect of National Service on grounds of conscientious objection.'<sup>33</sup>

- 9.4.7 The UK Ambassador also noted that: 'The government of Eritrea does not release statistics on the numbers of those who have been exempted from National Service nor publish clear reasons for the exemptions.'<sup>34</sup>

[Back to Contents](#)

## 9.5 Length of national service

- 9.5.1 Anonymous source 1 noted 'National Service is unlimited, many who have done 10 to 20 years, still receiving 400 to 700 NFA... In words, they are changing to 18months. But in practice, not happened yet. They said this before [sic, previous] years – that they will change it to 18 months; and they will be paid more – but this [has] not happened in practice.'<sup>35</sup>

- 9.5.2 Diplomatic source A noted: '**Any changes in the length of national service?** The Ministry of Foreign Affairs is releasing people. In practice, it's highly variable. I know of one person who has been in national service for 18 years, but others released after 2 to 3 years. It's easier for women. Women who get married may be released from national service. Men can't. There may have been sham marriages in order for women to get released.'<sup>36</sup>

- 9.5.3 Anonymous source 2 noted:

'... in national service, it is inconsistent to everybody. In different years, there have been different regulations. In law, it is clear – 1 ½ years; in practice, it is not. I went to national service (NS) in mid 1990s. Since 2004/5, the final year of high school is considered first year of NS. So, they go to Sawa for the 12<sup>th</sup> grade... NS for me is unlimited, you don't know what happens. It is unknown. Some people get demobilised; some do not... Now NS is unlimited unless one reason to get demobilised.'<sup>37</sup>

- 9.5.4 Anonymous source 3 noted: 'This government is not free. To go into national service (NS) anytime – but the most difficult thing is that you can't go out [leave]. You have an education: go to Sawa in 12<sup>th</sup> grade. [National Service]

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<sup>33</sup> [UK Ambassador to Eritrea](#)

<sup>34</sup> [UK Ambassador to Eritrea](#)

<sup>35</sup> [Anonymous source \(1\)](#)

<sup>36</sup> [Diplomatic source A](#)

<sup>37</sup> [Anonymous source 2](#)

NS should be 18 months, but it's endless. You can't have a plan for the future; you can't plan for your children.'<sup>38</sup>

- 9.5.5 A source noted 'The source has experienced someone who has done national service for twenty years. I have also experienced people who have been demobilised. The issue with people I speak to is that it is random and undefined.'<sup>39</sup>
- 9.5.6 Representatives of NUEW noted people: '... should do their national service. They should do their 18 months. It has been prolonged due to the situation with Ethiopia.'<sup>40</sup>
- 9.5.7 The President of the NCEW noted: '**Are you saying that those doing national service are not going to end in 18 months?** I[t] will depend on how soon the threat to national security is removed.'<sup>41</sup>
- 9.5.8 The regional governor of Gash Barka noted:  
**'What is the average length of national service in this region?** There is an intensive training program. Those with good grades go to university. Those without [good grades] go to Sawa for vocational skills training. They go to Government or quasi-Government companies. If you didn't go to university, you cannot go into the professions.  
**'Do you have any staff doing national service?** Yes.  
**'Have they been demobilised?** It's a periodic process. Women are more privileged than men; they get demobilised more easily [than men].'<sup>42</sup>
- 9.5.9 Dr Seife Berhe noted:  
**'How long, on average, do people stay in/on national service?** It depends. Sometimes, if they're good enough and relevant Ministry / organisation need them they can send them abroad for training or to represent the organisation or attend meetings. Then they get demobilised and carry on working in the ministries afterwards.  
'It depends. Everyone thinks they're in the army/military, on the contrary a sizeable number are in the ministries or para-statal companies.  
**'Some Ministries let them go?** Yes, that's fair to say. Usually if your are in the Ministry they may write a supporting letter to the Ministry of Defense based on special circumstances of their staff members. Based on the facts the MoD may then decide to demobilise the staff member. In special cases they may allow some of their members to do part-time jobs. For example I met a guy who said he was the only bread-winner and the only son and was allowed to do a part-time job for a limited period. However it was agreed that he had to stick strictly to the time limit otherwise he wouldn't be allowed to go

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<sup>38</sup> [Representatives of the National Union for Eritrean Women \(NUEW\)](#)

<sup>39</sup> A source

<sup>40</sup> [Representatives of the National Union for Eritrean Women \(NUEW\)](#)

<sup>41</sup> President of NCEW

<sup>42</sup> Regional governor of Gash Barka

again. But beforehand, one had to fill a form stating all family details, which are checked.<sup>43</sup>

9.5.10 In interviews with groups of Eritreans, a number provided details of when they started national service and when they had been demobilised. The length of time in National Service varied, with some doing their service, some having been in National Service for 10 or more years and others demobilised after a couple of years. See interviews notes of the following for further detail:

- [Young people \(1\)](#)
- [Entrepreneurs](#)
- [Returnees \(Asmara\)](#)
- [Artists](#)
- [Returnees \(Tesseney\)](#)
- [Returnees \(Barentu\)](#)
- [Returnees \(Keren\)](#)
- [Young people \(2\)](#)

[Back to Contents](#)

## 9.6 Pay

9.6.1 Anonymous source 1 noted that: 'Pay in national service at the beginning up to 18 months is 150 NKF after 18 months they give them 450 to 500 NKF.' The same source also noted: 'Others on national service for 10-15years paid 450-700NKF.'<sup>44</sup>

9.6.2 Anonymous source 2 noted:

'About ten years ago, national service was about 145 NKF. After you do 18months, you cannot leave but they allow you to work in that organisation at a higher salary. Well, payment, I wouldn't call it a salary. During my time it was increased to 500 NKF. This also depends on the ministry or where placed / area. There is nothing published on this. Some organisations pay more. Some don't, and some give you other things, like board and food (particularly those based outside of Asmara).'<sup>45</sup>

9.6.3 Anonymous source 3 noted: 'NS pay is very low (175 Nafka [per month]). In Asmara it is ok because you can stay with your family. Most problems are for those outside of Asmara.'<sup>46</sup>

9.6.4 The Minister of Finance noted:

'One of the accusations made by our enemies and so called opposition groups is that the terms of service of the national service youth are extended and that they are not paid a proper salary. These are two issues we keep hearing about.

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<sup>43</sup> [Dr Seife Berhe](#)

<sup>44</sup> [Anonymous source 1](#)

<sup>45</sup> [Anonymous source \(2\)](#)

<sup>46</sup> [Anonymous source \(3\)](#)

'It is not only those on national service who have not been paid a proper salary. It is the whole civil service. The civil service has not been paid a proper salary, so to say. The current pay was determined at the end of 1996 and took effect at the start of 1997. Those salaries have been frozen since then and there have not been any raise. It has therefore stood for c. 20 years. I am saying I could claim that I am not being paid a proper salary. The purchasing power of the civil service salaries has been eroded over the years due to inflation and may be equivalent to about 10% of what it was in 1997.

'This is true for the entire public sector including ministers. The whole public sector deserves a pay rise. I don't need to go back and explain the background as to how we were put to such a situation. I am sure it has been explained by others and I don't want to waste your time going through all the political issues.

'We are now going through some restructuring that started last year, i.e. in 2015. There has been a review of the pay in the public sector, including that of the defense forces that started the second half of last year. Government decided that salaries will be reviewed and, as far as possible, meet the basic standards that would give people a reasonable standard of life.'<sup>47</sup>

- 9.6.5 The Minister of Finance also stated that pay, prior to the reported pay increases from July 2015 (see Pay reform below) varied 'from ERN 500-800 per month. For those in the army it was ERN 800, but also food is provided.'<sup>48</sup>

[Back to Contents](#)

## 9.7 Reform of pay

### 9.7.1 The Minister of Finance noted:

'Effective July 1<sup>st</sup>, 2015 there will be a new salary for everyone. The starting point will be with the pay scale for new graduates. This has been established as follows:

- 'A certificate (two years after high school) will start with ERN 2,000 a month.
- 'A diploma holder (two years course) with ERN 2,500. Advanced diploma holder (three years tertiary education) with ERN 3000.
- 'A 4 year degree graduate ERN 3,500, and
- 'A 5 year degree graduate ERN 4,000, i.e. law, engineering etc. graduates.

'So that is where we have started. Those who graduated last July are already being paid these new salaries. Everyone else who has been in the public sector whether a NS or not will have their salaries adjusted. The level

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<sup>47</sup> [Minister of Finance](#)

<sup>48</sup> [Minister of Finance](#)

of education, the years of service, and the skills attained and levels of responsibility held will all be factored in determining what salary one gets.

'A body has been established, Human Resources Management Office, to work on this. The review process is ongoing. The older generation may be a bit frustrated as the new graduates are now being paid higher than them.

'Determining the appropriate salary for everyone will take time, but everyone will get paid a new salary retroactively to July 2015. Once the new salary is determined there will be an arrears pay.

'So the accusation has been that the National Service are not paid a salary. I say it is not only the NS that has not been paid a salary, it is every one of us that have not been paid a proper salary as I explained earlier. To put it into perspective, my son graduated from engineering college last year and is now earning ERN 4,000 per month. That is more than my basic salary now. We don't like talking about ourselves. I say this so that our guests [FFM Team] understand better the situation. I am 40 years older than my son. I have 40 years more life experience than him. I qualified in London as a chartered accountant in 1977. I am the finance minister. I also head the Eritrean National Mining Corporation (ENAMCO). I sit on 7 boards of mining companies and I don't get paid a fee for any of that. Any board fee that comes our way goes straight to the Corporation. Yet I am currently paid less than my son. That is the situation now, but we will have an adjusted salary soon.

**'How long do you think it will take to implement across the board? It is difficult for me to say. But it does not really matter so much as everyone will get paid backdated to July 2015... Those new higher salaries to new recruits; they are the same as professional civil servants?** Those who had gone through the NS system up to the 13th round were demobilized but were not released from the public sector and have been paid a salary. A degree graduate, for example, earns ERN 1420 a month. Now with the review, his starting point will be ERN 3,500 for 4 year degree holder and ERN 4,000 for a 5 year degree holder. But this will be reviewed upwards factoring the number of years of service, the skills he developed and the position held etc.

**'This seems like it amounts to a minimum 4-fold increase in the national wage bill: how are you going to afford the changes?** 'Through the policy review we expect the Government revenue to increase; we expect more development cooperation from international partners. A number of policy reviews are under consideration, investment, trade etc. We might face some budget deficit in the first year or two, but we expect economic growth to balance our budget eventually.

**'How long has the review been ongoing?** Since early 2015.'<sup>49</sup>

- 9.7.2 Anonymous source 1 noted '... this year, they say that they will get a normal salary. We'll see in the future if it really happens... 2,000–2,500 NKF- it is

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<sup>49</sup> [Minister of Finance](#)

new scale rumour.’ Anonymous source 1 had also heard about changes to pay: ‘Yes. They say so but not have done yet’. The source however, did know of someone who had received an increase, ‘Yes, one person who came back from Sawa last year was paid 2,000 NKF. But that was for one month. Then the next month they stopped it.’ The source also observed that ‘Others on national service for 10-15years paid 450-700NKF.’ Anonymous source 1 clarified which groups had received the increased pay ‘Yes. One group who stayed in Sawa for two years vocational training, then came back after completing the training and assigned in different places in/out side Asmara city.’<sup>50</sup>

9.7.3 Anonymous source 1 noted when asked how she found about the pay increase: ‘Rumour. One big rumour. The ones doing national service have already filled in the form saying how long they have worked in the ministry.’ **[Are you aware of any public announcements?]** ‘No, normally there are no such announcements but everyone is expecting better salary hoping the rumour becomes true.’<sup>51</sup>

9.7.4 Anonymous source 2 noted:

**‘Have you heard about any changes to national service recently or planned?’** I have heard about the payments. They always say – we always heard – that people will be demobilised. But recently, we heard that salary payments will be increased. We also heard that those who did Sawa and vocational training will get 2,000 NKF.

‘I also heard, though, that some people have been told they will get more money and haven’t. But others have had it.

**‘How did you hear that?’** I met someone [working in one of the ministries as national service]. They told me. They had been in Sawa last year (28<sup>th</sup> round). They said that some of their previous round colleagues have already received it for few months but she hadn’t, and that the others, including her, they have been promised, but not sure on the continuity and the promise being kept. But about demobilisation, it is a rumour but it is the same every year. The reasons for demobilisation also seem to change a bit each year. We know that the Ministry of Defence have criteria but sometimes changes. But not announced. You have to be able to know through someone working in the demobilisation department of MOD or some other informal way, although sometimes a circular is sent by MOD for some reasons.’<sup>52</sup>

9.7.5 Diplomatic source A noted: ‘Government talking about 2,500 Nakfa for low qualified; 3,500 Nakfa for higher qualified. 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.’<sup>53</sup>

9.7.6 Anonymous source 3 noted: **‘What is the main problem with NS – not knowing when it will end?’** Yes, it is not knowing. Endless. We heard that

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<sup>50</sup> [Anonymous source 1](#)

<sup>51</sup> [Anonymous source 1](#)

<sup>52</sup> [Anonymous source \(2\)](#)

<sup>53</sup> [Diplomatic source A](#)

there would be salary increases. The government pays 175 Nafka. The President said in an interview that pay will change to 2,000 Nafka but still the pay hasn't changed. People expect it – but nothing. Most people are demoralised.<sup>54</sup>

9.7.7 The Minister of Health noted:

**'How much are doctors paid?** At the moment the salary of civil servants, including medical doctors is nominal. However, the government has announced that the salaries of civil servants including those in national service will be substantially increased, with a back-pay starting from July 2015.

**'How much with the pay improved by?** 'We don't know, it is not yet finalized. We know it will be substantial and will be finalized soon.'<sup>55</sup>

9.7.8 Representatives of NUEYS noted:

**'Understand pay is increasing?** Yes. We have already had a salary increase. We are expecting soon to be demobilised. On salary, the salary is good. We expect to receive our salary backdated to the end of July 2015. For new recruits, they will get 2,000 NKF. The government is working to normalise national service and return it to 18 months.

**'Is the Govt. working towards that?** Yes.

**'Who will this affect?** It will start with the new recruits to normalise service. Then they will start demobilising.

**'What steps taken to do this?** Since February 2016 those going to a ministry get civil service pay [i.e. 2000 NKF +]. After 18 months, they will be salaried but not necessarily demobilised.

**'So all recruits will be paid 2,000 NKF from here on?** Yes, but it is more if you graduate or have a university degree.'<sup>56</sup>

9.7.9 **Diplomatic source E noted:** 'The rise in wages will help. It's not great, but 2,000 NKF is a living wage here. I think the commitment to increase wages is sincere. I've heard from enough places that it will happen.'<sup>57</sup>

9.7.10 The President of the NCEW noted:

**'We have been told that national service will go back to 18 months long. Do you know if that is the case?** We discuss this issue with the government. The more than 18 months national service was imposed by the occupation of the prolonged Eritrean territory. Since last year, the government has introduced proper salaries for the national services. For graduates from technical schools it is giving them Nakfa 2000. This salary scheme is expanding to other qualifications , e.g. engineers are getting NKF

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<sup>54</sup> [Anonymous source \(3\)](#)

<sup>55</sup> Minister of Health

<sup>56</sup> Representatives of NUEYS

<sup>57</sup> [Diplomatic source E](#)

3000 -4000 a month. This is expected to encourage the workers to stay in their country and do their services.

**'Are these salaries being paid? Yes, since last year.'**<sup>58</sup>

9.7.11 Yemane Gebreab noted:

'Those who had completed high school / vocational training would get 2,000 NKF [per calendar month] pcm; college graduates 3,500 NKF pcm; and engineering / medical graduates would get 4,000 NKF pcm. This means, essentially, that there is no NS. This is the change that has taken place. In NS there was [only] a 'stipend'.

'Those graduated from vocational training in July 2015, around 7,000, are being paid the above and went into the ministries.

'There are people who have done training, people in public sector, are going to get their pay backdated to July 2015.'<sup>59</sup>

9.7.12 Yemane Gebreab noted:

**'If it is not called NS, what are you calling it?'** Still very new. It started in July. Enabled 72 undergraduates students allowed to go to UAE on scholarships. First time we have done this. Part of government strategy to improve development. Another thing. Housing. Rent very high. People have a lot of problems to get housing. Sort these people will not feel an urgent need to leave.

'Change currency. Peg it. Less incentive to send remittances. Require growth. We are at the beginning of economic restructuring.

**'Will those doing 'civil service' will do a set time?'** What does that mean? Only issue is that they can't leave, or change to private sector. Can't get exit visa.

**'Can't people choose where work?'** .Yes, can change in public sector. Some in private sector now. Unless special release.

**'Someone can change within public sector?'** Yes, if better qualified. Even to private sector if ask. Relaxed about people who do not do NS.

**'Are there some posts that you are more strict?'** No.

**'The new system was introduced in July 2015?'** In July, graduation at Sawa:

- i) 2000 people
- ii) 28<sup>th</sup> round trainees graduated from military training and Sawa. If they got good grades they are in technical colleges

'Another group who finished in July who did vocational training do 2 months training outside Asmara – now getting salaries of 2,000NFA.

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<sup>58</sup> President of NCEW

<sup>59</sup> [Yemane Gebreab, Head of Political Affairs](#)

Everyone else will be paid the new salary backdated to July 2015, rolled out this year.’<sup>60</sup>

9.7.13 Young people interviewed by the FFM team noted:

**‘Do you know about people in your department(s) who are getting paid more now?’** [4] the new graduates are getting 3,500 NKF. I know some who are getting 3,500-4,000 NKF. I know a relative who is an engineer who is getting more.

‘[10] the Government is working out the metrics for those of us who have done 7 years, 10 years experience. We have been told we are going to get this, we are just waiting. But the new graduates have already had this. It is easy to start with them.

‘[9] for those with a degree, the pay was good before the war. It was 1,400 NKF. Now, with the exchange, it has got worse.

‘[3] the salary is for everyone. But there are a number of issues that should have been considered for the long-servers, but it is easier to start with the new graduates.

‘[7] salaries are one thing. But it is part of a bigger thing. The economy needs to manage this.’<sup>61</sup>

9.7.14 One of the entrepreneurs interviewed by the FFM team noted: **‘Have you heard about pay increase for national service?’** [2] I will give you the definition. The first one-and-a-half year is national service. Some of that is military training. When you do this, you get pocket money. After this time, you join the ministry or be a teacher, then you get the salary according to scale of the department.’<sup>62</sup>

9.7.15 **The UK Ambassador noted:** ‘The President made a very public commitment to ensure workers were properly rewarded in his annual New Year interview. Subsequently, individuals have reported that their salaries were being raised, and the Finance Minister briefed us on the detail.’<sup>63</sup>

9.7.16 **A returnee in Keren noted:**

**‘So has your pay been increased to the Government level? Has it changed at all in last 10 years?’** [5] I worked for five years on 500 NKF. Then I internally demobilised and changed to the government scale. That was 1,400 NKF. **Are you expecting a salary increase?** [5] I don’t know yet, but there is a rumour of 4,000 NKF. **Do you know anyone who has been paid this?** [5] this new year, I heard that others are being paid 4,000 NKF – the new national service.’<sup>64</sup>

9.7.17 Two young people ([2] and [10] interviewed by the FFM Team noted: **‘How much is your pay?’** 2,800 NKF. I got that after a month of my graduation,

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<sup>60</sup> [Yemane Gebreab, Head of Political Affairs](#)

<sup>61</sup> Young people (1)

<sup>62</sup> Entrepreneurs

<sup>63</sup> [UK Ambassador to Eritrea](#)

<sup>64</sup> Returnee (Keren)

around August [2015]... **Are you on new salary?** Yes. How much?3,200 NKF.'

[Back to Contents](#)

## 9.8 Public announcements on length of national service and pay reform

### 9.8.1 [Diplomatic source A](#) 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.'<sup>65</sup>

### 9.8.2 Diplomatic source A also noted:

**'Have there been announcements by the government?** The government has told people – but the government has not 'announced' it [reform of pay of those in National Service]. Although it was part of the President's New Year interview as part of the reform of the civil service. We also found out from other people [than government].

**'Was limit of 18 months in national service announced?** Government mentioned it consistently for a year but someone pulled the plug on the 18 month limit in July 2015. It's all part of a bigger reform now. It was felt this was largely two-fold:

1. The Government liking to control things; and
2. The Government needing people.'<sup>66</sup>

### 9.8.3 [Diplomatic source E](#) noted: **'What do you make of the announcement about the return to 18 months?** I don't think they will. [we had a discussion around what another source had told us that this was now happening]. I think we'll know more shortly – they are due to get out shortly, in February 2016. However, I think the Government has rowed back on this. We'll perhaps find out in the next few weeks.'<sup>67</sup>

### 9.8.4 The [Minister of Finance](#) noted in regard to the policy to increase National Service pay: 'Maybe there wasn't a public announcement but there was a circular from the office of the President explaining it is coming. **When did the President announce this?** A few weeks ago. **'How?** Through an interview. He conducts an interview annually on the occasion of the New Year. **'Was this publicly announced before the interview?** No.'<sup>68</sup>

### 9.8.5 [Yemane Gebreab](#) noted:

**'How announce new pay regime?** Yes. President announced 3 weeks ago in an interview in newspapers and on TV. Also announced in an internal

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<sup>65</sup> [Diplomatic source A](#)

<sup>66</sup> [Diplomatic source A](#)

<sup>67</sup> [Diplomatic source E](#)

<sup>68</sup> [Minister of Finance](#)

memo. We deserve a raise. We have no raise for 18 years. **'Is salary increases connected to the currency exchange?** If making the decision now, it may have been different **'Tell graduates?** Yes. The 7000 graduates were given their salaries were given their straightaway. They were expecting 500NFA. **'Why not say earlier?** We are not good at communicating. **'Whose idea?** It's been a long time coming. We've tried to support in kind, but not work.<sup>69</sup>

9.8.6 The [UK Ambassador to Eritrea](#) noted:

'On 8 April 2015 in a presentation to the Bruno Kreisky Forum for International Dialogue in Austria, Presidential Advisor Yemane Gebreab made a statement on National Service. That is available online.

'Eritrean Foreign Minister Osman Saleh told representatives of the resident Diplomatic Corps in Asmara that the government of Eritrea would inform members of the most recent cohort of National Service participants and their families of the decision to limit their National Service to a maximum of eighteen months at a series of public meetings with them.

'However, I am not aware of anything being announced publicly in Eritrea. The government have told us consistently that they will brief the parents of those affected in local town halls. I have not seen these happen personally, but then I would not have cause to.

'... 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.<sup>70</sup>

9.8.7 A [returnee in Keren](#) noted:

**'Do you know anyone who has been paid this?** [5] this new year, I heard that others are being paid 4,000 NKF – the new national service. **Have you/anyone heard about any other changes to national service?** [5] I hear that due to the dispute between ETH-ERI, after 2-3 years, the national

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<sup>69</sup> [Yemane Gebreab, Head of Political Affairs](#)

<sup>70</sup> [UK Ambassador to Eritrea](#)

service is being 18 months as normal. **How did you hear about this? Rumour? In newspaper?** [5] our diplomats are talking about different things on national service.<sup>71</sup>

- 9.8.8 The [UK Ambassador to Eritrea](#) noted: ‘The President made a very public commitment to ensure workers were properly rewarded in his annual New Year interview. Subsequently, individuals have reported that their salaries were being raised, and the Finance Minister briefed us on the detail. His briefing is the fullest explanation I have had of the new policy. I have seen no public announcement of it.’<sup>72</sup>

[Back to Contents](#)

## 9.9 Sawa: education and length of military training

- 9.9.1 Representatives of NUEYS noted: ‘... we don't have a compulsory [school] age. They start at 6. They finish their high school at 17-18. Compulsory up to end of 8th grade. Then high school starts at 9th grade. At 12th grade, they join Sawa. 4-5 year olds attend pre-school.’<sup>73</sup>

### 9.9.2 **Anonymous source 1 was asked how long is military training, noted**

‘I don't know exactly. They always have practical (military) training, even in the colleges. The military training happens after completed the secondary school and colleges, you never say it in definite time... No, even those who graduates and assigned in offices randomly told to do military training. But those who live in the city at least they have family support they have accommodation. The worst is for those who are in the military getting 500 [NKF] per month and having family expecting their salary.’<sup>74</sup>

- 9.9.3 Anonymous source 1 noted regarding the experience of the person she knew who went to Sawa that:

**‘Did they have to do military training?’** Yes. They did military training for one month before starting school, then started school, then did some more military training after completing their school. That is what everyone is doing. When you complete the 11<sup>th</sup> grade, you go to Sawa. You do military training and then do school. You start in early August and then finish in July, or sometimes in August.’<sup>75</sup>

- 9.9.4 Diplomatic source A noted: ‘In reality [currently] military training is short, not more than 6 months.’<sup>76</sup>

- 9.9.5 Anonymous source 2 noted: ‘So when you finish the school, you have to do military training at Sawa for 3-4 months – I can't remember...’<sup>77</sup>

- 9.9.6 Representatives of NUEYS noted that the time spent at Sawa included:

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<sup>71</sup> [Returnees \(Keren\)](#)

<sup>72</sup> [UK Ambassador to Eritrea](#)

<sup>73</sup> [Representatives of the National Union Eritrean Youth and Students \(NUEYS\)](#)

<sup>74</sup> [Anonymous source 1](#)

<sup>75</sup> [Anonymous source \(1\)](#)

<sup>76</sup> [Diplomatic source A](#)

<sup>77</sup> [Anonymous source \(2\)](#)

'9 months study, plus 3 months military training. A total of 1 year.

'... 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.'<sup>78</sup>

- 9.9.7 An entrepreneur who stated he taught at Sawa noted that Sawa is '[3] from August to March, it is a school. From April to July, it is a military camp. We leave and the military come in.' The same individual also noted: '**What is military training like?** [3] They run. They march. They shoot. Some elementary military science (tactics etc.). **Do you learn about the history of the country?** [3] yes.'<sup>79</sup>

[Back to Contents](#)

## 9.10 Conditions at Sawa

- 9.10.1 Representatives of NUEYS noted: '**Do all high school students go to Sawa?** Yes. Once they finish the 11<sup>th</sup> grade, they go to Sawa. It is the progression college. We also have technical high schools. Some will stay here for their 12<sup>th</sup> grade and go to Sawa for the three months of training. It is rare.'<sup>80</sup>

- 9.10.2 Representatives of NUEW noted that children of nomads in Gash Barka: '... have mobile school, but after that they are expected to go to Sawa like everyone else.'<sup>81</sup>

- 9.10.3 Representatives of NUEYS noted:

'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. Students do 12<sup>th</sup> grade there. They stay there for one year and complete the matriculation exam. The ones who pass join the colleges or technical schools. Some also join the national service and join the ministries. We support various activities. In their stay there, they join different courses.

'They eat together, sleep together, do activities together. They all know each other. They are from 6 zobas, 9 ethnic groups. After completion of the 12<sup>th</sup> grade, they do the military training.'<sup>82</sup>

- 9.10.4 The same source noted:

**'Can you leave to visit family? Can family visit you?** Yes, of course. There is a semester break – two weeks – where family can visit them. **What time of year?** In July. This is the end of year. The semester break is in

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<sup>78</sup> [Representatives of the National Union Eritrean Youth and Students \(NUEYS\)](#)

<sup>79</sup> Entrepreneurs

<sup>80</sup> [Representatives of the National Union Eritrean Youth and Students \(NUEYS\)](#)

<sup>81</sup> [Representatives of the National Union for Eritrean Women \(NUEW\)](#)

<sup>82</sup> [Representatives of the National Union Eritrean Youth and Students \(NUEYS\)](#)

December. This is family visit week. There is the Sawa festival of youth in July when anyone can go and visit.

**‘Can students leave Sawa?’** Only when they graduate. Some special cases can come back. Like marriage. Or health issues. It is a giant boarding school. With the financial limitations in the country, it is hard to mobilise that number of people three times each year, but it is hard.

**‘Is there a place for parents to stay?’** They stay with their children. They need ample time to spend time with children. They also have their mobiles. Not all the parents visit. Not all stay all the time. We try and manage the numbers. Three days is more than enough for a visit. Different zobas have different times to visit.

**‘Children stay in dorms. So where do parents stay?’** There are extra dorms. People also bring mattresses and sleep on the floor. At ‘festival’ (July), took 3,000 people from the diaspora, so 40 – 50,000 at Sawa. Like a vacation; families bring mattresses.’<sup>83</sup>

9.10.5 Representatives of NUEW noted:

**‘Do you do any work with the young women in Sawa?’** Yes, we have a branch at Sawa. It’s the continuation of secondary school there. The women here are from Sawa.

‘Those who pass the national exam go to colleges. Those who don’t, the government train them to pick up skills. After they finish their education at Sawa, then they do their three months military training. Depending on their results, they go to different vocational training.

9.10.6 Anonymous source 1 noted: ‘Young go to Sawa when completed 11<sup>th</sup> grade. They take their matriculation exams there, those who pass the national exam go to colleges/universities and do national service after graduation. Those who got [a] low mark stay at Sawa for two years vocational training those who failed [their matriculation exams are] disbursed to the military; across the country.’<sup>84</sup>

9.10.7 Anonymous source 1 knew of two examples of persons who had gone to Sawa. Person 1:

‘One was detained when they got to Sawa after three months and kept in prison for one year. After that, they came back to Asmara. Now in private college here.

**‘Why detained?’** I don’t know. They didn’t tell [the person] why detained. Still [-] has pain of it as [they] didn’t know the cause of detention and [the person] was seriously beaten and tortured Since then [the person] gets easily nervous when mentions about the detention in general and the treatment in particular.

**‘Did they finish studies in Sawa?’** No. Now in private college.

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<sup>83</sup> [Representatives of the National Union Eritrean Youth and Students \(NUEYS\)](#)

<sup>84</sup> [Anonymous source \(1\)](#)

**‘So have they completed national service?’**No. [The person stays at home] believing the current situation might change one day and will do [their] national service in the future.

**‘Where was the person detained?’** In Sawa.

**‘Did the person tell you how they were treated?’** [The person] was beaten, torture, but as they were underage [they] said it was ok comparing to those other people detained for many years there and so they were older than them so had suffered for a longer time than them.

**‘What happened?’** Their room was not enough space very small house consisting more than ten people. It was not clean. Not enough food. Not enough medical treatment for those seriously sick. Fortunately, the person was healthy but generally it was very bad situation to the detainees.

**‘How were person’s friends treated – detained too?’** To some of them the worst treatment and when they got chance to run away they left the country illegally. Almost all of them who were detained with [them] at Sawa left the country after they were released from prison.<sup>85</sup>

9.10.8 Anonymous source 1 also noted the experience of person 2:

**‘Do you know of others who went to Sawa?’** Yes. I know a person who went as a student and it was ok for [them]. They were there for one year, passed their exams and went to college. After completing their two years course they wanted them to go back to Sawa – they assigned him back to Sawa – so they left the country refused to go back to Sawa believing they keep [them an] unlimited time.

**‘... Are you allowed to go to Sawa?’** Yes, we are allowed. I went in November. I know someone who went in July. Parents allowed to go twice a year. Once in November, and at the end of school in July. Some schools organise it [transportation etc.] themselves and take the parents of the children from that school at other times.

**‘So they can go anytime?’** They can go once a year extra to that visit. Parents stay there two days and nights and come back.

**‘Where do you stay?’** With our children. The children are very happy when they see their parents. You don’t sleep for two days because you are so excited to see each other. Taking food stuff and others things for our children.

**‘What’s the accommodation like?’** 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.

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<sup>85</sup> [Anonymous source \(1\)](#)

**‘What about food?’** 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. <sup>86</sup>

9.10.9 Diplomatic source A noted:

‘Personally, I don’t think that there is widespread abuse [at Sawa], 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 NS. She wouldn’t have done so if violence is common place.’

**‘What about the allegations of sexual violence towards women at Sawa?’** 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. But it might tolerate harsh treatment, Eritreans consider themselves tougher than others. Knew example of a person during NS having a problem with civilian employer, asked for help from military hierarchy which stopped the problem.’ <sup>87</sup>

9.10.10 Representatives of NUEW noted:

9.10.11 ‘What are the facilities at Sawa like for a woman? If you go to any college, they are like that. If you see the college at Mai Nefhi, it is like that. All the rooms are there. The sanitation is there. It is the same like any college. Even Sawa has the same sufficient facilities as in the colleges. There is no fee for the students.

**‘Are men and women separated?’** Yes. They have their own blocks. But when you come to classes, they are mixed. As a Union, we go to Sawa to give seminars.

**‘The military service aspect: do you mind telling us what you do during this (the three months)?’** Marching. Parading. It is part of the discipline. Military has to be physically fit, so we do a lot of exercise. They learn discipline. They also learn the history of this country during that. There are some classroom parts to that as well. Learning about history, the struggle, the political situation etc.

**‘What about the allegations in human rights reporting about violence at Sawa, esp. gender based violence?’** Not at all. The President of the NUEW goes to Sawa to teach everyone about gender equality. It's not the case that violence in Eritrea takes place at Sawa. We also respect each other. There isn't any reported cases of violence there. If a woman has as problem there, they can complain to a representative. There is also counseling centres there, so a woman could report a case there.

‘The regulation is very strong. The President of the NUEW's child is there now. One person's sister is there.

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<sup>86</sup> [Anonymous source \(1\)](#)

<sup>87</sup> [Diplomatic source A](#)

'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.'<sup>88</sup>

9.10.12 Diplomatic source E noted that military training consisted of: 'Discipline. Parading. Learning about the Struggle.'<sup>89</sup>

9.10.13 One of the young people [3] interviewed by the FFM team noted:

'In 2002, after our graduation, we were assigned to Sawa because the secondary school was about to open. I stayed for around 6 months. It is a professional military training camp.

'Now, on one hand, it is a training camp but it is also a school. In 2008/9, I went to Sawa three times for specific training as a trainer. I stayed there for about 6-7 months on different times. I went from class-to-class talking to students. You learn about what your country is like. You learn about what your fellow country people are like. If you grow up in Asmara, you don't know what the Afar look like. I usually ask my students to write whatever they like about what they have learnt at Sawa, good or bad. The conclusion is that people find it hard – it is the first time they have been away from home, family, friends – but then they begin to enjoy it. You cannot say it is all rosy. I have been to the Netherlands, for example, for 16 months to pursue my masters degree. It is not always the same as it was in Sawa. I learnt about how to manage with hardship; I learnt how to be reliant; I learnt about what my country is like. It is the same as military life anywhere. There are different foreign teachers there. There are Indian teachers.

**'How do you manage with the numbers (c.20,000)?** [3] It was amazing for me. When you go there and you see the experience of the people there, it is amazing. There are student welfare offices there. There is counselling there [several of the group were nodding in agreement]. It is very structured. More structured than Asmara, even. Nowadays, Sawa is like a small city. We have health centres there also. If you get a chance to visit a college here, that is what it is like.

**'What about the allegations of violence, esp. sexual violence there?** [3] I think this is very important. When I was there, there was an allegation of that kind there. They complained to the office there. There are people/officers to deal with complaints there.

'In Sawa, the students are very strong. They have their own organisation. They know their rights. The NUEW has an office over there; and they have members there. NUEYS have an office over there. PFDJ has an office over there. Students are secure. Sawa has been a target for quite a while. The reason is that it is the means for us to defend the country. If you have to kill a snake, you have to hit it in the head. Hitting Sawa is a political motivation.

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<sup>88</sup> Representatives of NUEW

<sup>89</sup> [Diplomatic source E](#)

... My wife has done national service. If I believe what the UNCOI says, I would have to believe my wife has been raped. It is an insult. It is an insult to us all. I was speaking to a person in the Netherlands who was a refugee in Norway. I asked her what had happened. She said, quite bluntly, that I told them I had been raped by a group of soldiers. I told them that because it's an easy way to get asylum. It is an insult to the whole of society. It's an insult to my mother, my sister, my wife.'<sup>90</sup>

9.10.14 Another young person [4] interviewed by the FFM team noted: 'You cannot treat Sawa independently of the other politically motivated things we suffer. The first EPLF rule you learn from your military commanders is that, if you commit rape, you will get capital punishment. Rape is controlled. It is not systematic. It is not tolerated by the system. If I did that, I will be punished; severely. It's clearly in our laws.'<sup>91</sup>

9.10.15 While another young person [10] noted: '... if you did that [sexual violence], you would be in big trouble. This is not acceptable. Everyone knows this. Culturally, for a long time, rape is illegal. Family is strong. Not by law or by culture is it acceptable. I am from the countryside.'<sup>92</sup>

9.10.16 An entrepreneur interviewed by the FFM team noted:

'I taught twelve classes of 60 each. **How many students at Sawa altogether?** [3] When I was there, about 10,000. **What language do you teach in?** [3] I taught civic education in Tigrinya, but all the others are in English. I gave handouts to help people who were having difficulties understanding. Tigrinyan and Arabic are widely spoken.'<sup>93</sup>

9.10.17 The same entrepreneurs who had taught at Sawa noted: '**Can I ask about the allegations of violence, esp. sexual violence at Sawa?** [3] I have never seen that. They are very young. The girls and boys are separated. **If there was a problem, can the students go to someone for assistance?** [3] for the students, they have their supervisors. IT goes via their supervisors. For the teachers, they go via their department heads.'<sup>94</sup>

9.10.18 A training manager at Bisha mine noted their:

'... three sisters have all been through Sawa and she said they all enjoyed it, studied hard and got good grades in their High School Exit Exam. Then, they went to college and received their 1-Diploma and 2-Degrees for free. They enjoyed the military training discipline as they learned survival skills and tested their maximum potential for discipline. They are courageous and learned to handle guns. Their self-confidence had grown and they had learnt independence. They particularly liked moving to a place where boys and girls are equal and not having to do chores for men (cooking/washing) which they had done in their homes until then. Sawa gave them equal time

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<sup>90</sup> Young people (1)

<sup>91</sup> Young people (1)

<sup>92</sup> Young people (1)

<sup>93</sup> Entrepreneurs

<sup>94</sup> Entrepreneurs

with their peer boys to study and manage their time. They got a chance to meet nine ethnic groups in one place and taught them tolerance for diversity.

'[The source] 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.'<sup>95</sup>

9.10.19 Three Artists noted that:

**'Can I ask about the allegations of violence at Sawa, esp. sexual violence. Is this something you have heard of/aware of? No. [Laughter.]**

'[2] I was there for four years as a computer operator. I never saw anything like that. It's very military. You can't do things like that. Everyone knows Sawa. Those things don't happen. It's baseless.

'[10] I think the Home Office need to do a polygraph test. People come back here, in the summer. They come back, via Sudan. They tell you this to get their green card (asylum).

'[3] yes, I think it is a story to get asylum.

'[question to the FFM team about where that allegation comes from. FFM team explained it appears in human rights reporting, based on interviews with Eritreans who leave].

'[3] In order to get asylum, you need to say things about political problems and stories like this. They have to say this to stay there. There is also this concerted effort by the media to make it look bad here. Things like that could happen in any country, but not mass, not widespread.

'[8] seeing is believing. Look around for yourself.'<sup>96</sup>

[Back to Contents](#)

## 9.11 Education after Sawa

9.11.1 A source noted:

'Higher education is important to provide opportunity. Absent of opportunities youth will leave. There is frustration with the selection process, as students can't choose. [Selection for subjects is] based on performance: best go to law and medicine, education gets lowest performing students. Problems with teacher students in regard performance and attitude.

'Difficult to generalise, no laws, no statistics – everything is anecdotal.

General frustration amongst students and academia as can't choose. Some students adapt to and enjoy teacher training. 20 years ago teachers had high status. Now many teachers are in national service and there are problems with quality [and now low status].

'Many primary school teachers are in national service but are not trained as teachers.

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<sup>95</sup> Training manager, Bisha mine

<sup>96</sup> Artists

'How can [the government] get motivated, engaged and capable teachers? National service teachers in secondary and tertiary education [alongside those not in NS], lead to problems as inequality of pay.

**'Why is teaching not popular?**

- i) Random placement. Can be sent anywhere.
- ii) May not be able to speak language where placed
- iii) Frustration at lack of resources, may teach a class of 120 children

'The random placement is a structural issue. If you are not valued by or for the profession you are going to move on.

**'Need better pay and choice of employment in long term?** Yes. Concern over what happens to teachers once they are qualified. New national teacher recruitment. Last year the government advertised amongst grade 10 students to join a new teacher training programme. Selection process included tests in English. 700 grade 10 students passed both tests and interviews assessing motivation.

'Students 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.'<sup>97</sup>

9.11.2 Representatives of NUEYS noted:

**'How many pass the matriculation exam and go to technical colleges?**

It varies. 35-40% pass go to the tertiary education/university/colleges. The rest go for vocational skills training at Sawa and elsewhere. The one in Sawa can accommodate about 10,000.'

**'How many colleges are there?** 7. Medicine, agriculture, law, marine biology, science and technology (includes engineering), social sciences / art and literature, and business. These are spread around the country. Social services in all regions. Equal distribution of services.'<sup>98</sup>

[Back to Contents](#)

9.12 Allocation to posts after Sawa

9.12.1 Anonymous source 2 noted after military training people '.... go to the ministries or whatever they assign you to. Some stay in Sawa to do vocational training. Those who pass matriculation go to college. Those with low marks go to ministries or more vocational training at Sawa and some are retained for military.'<sup>99</sup>

9.12.2 Representatives of NUEYS noted:

**'How do people get allocated to their role/college? Can they pick what they want to do?** They get the chance to choose. The grades then matter.

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<sup>97</sup> A source

<sup>98</sup> Representatives of NUEYS

<sup>99</sup> [Anonymous source \(2\)](#)

**‘Are there particular fields you want to recruit to?** Yes. The science stream. If you do well and get good grades, you are likely to get that. If they come through the science stream, they will go to the science field. It depends what you studied in Sawa. At Sawa you choose social sciences or science, then there streamed to colleges.’<sup>100</sup>

#### 9.12.3 Representatives of NUEYS noted

**‘How many end up going into the army itself?** Very few. They have to be assigned to the ministries. I can’t say x amount go to the army, but the majority go to the ministries. All leave Sawa get vocational training for those who don’t go to college. Varies in length 1 to 2 years. They can also upgrade [their skills / training]. There is a policy from the ministry of education: education for all.’<sup>101</sup>

9.12.4 The same sourced noted: **‘Can you change your vocation?** Education is free. Once you are trained, you are expected stick to the stream that you studied. But if new fields or new departments are opened, even if you are from different streams, you can have the chance to move. But most of the time, you study and stay in the stream.’<sup>102</sup>

9.12.5 Representatives of NUEW noted: **‘Do any go straight into the army?** No, not really. They go to work in different services. We have many people working in the national service here. Afterwards, they go on to do what they want. Every Eritrean is a soldier. But we only do this when we are needed. In every normal situation, we are working in different sectors and contributing to the country.’<sup>103</sup>

[Back to Contents](#)

### 9.13 People who miss / avoid National Service

#### 9.13.1 Anonymous source (2) noted:

**‘Do you know any people who haven’t done national service?** 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.

**‘...So you know of others who are still doing national service?** Yes. I know one person who left their ministry by themselves. They applied on health grounds but it was rejected. So they left anyway. They are ok doing their job now but they haven’t left officially. They could be called back at any time.’<sup>104</sup>

#### 9.13.2 Anonymous source 3 noted:

**‘Any members of your family been to Sawa?** Yes. Brothers and sisters. My mother said I had to stay at home because my father died. At that time,

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<sup>100</sup> Representatives of NUEYS

<sup>101</sup> Representatives of NUEYS

<sup>102</sup> Representatives of NUEYS

<sup>103</sup> Representatives of NUEW

<sup>104</sup> [Anonymous source \(2\)](#)

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]....

**'Do you know anybody who has not done NS / or ran away?** Just to go out is more difficult. If you have 'abort' papers, you can move around. A lot of youngsters who have not done NS, they are in hiding. If they get caught they will go to prison and then do NS.'<sup>105</sup>

9.13.3 Diplomatic source A noted: 'I know some young people who have never done national service – [the source gave a particular example of a member of staff who had not done it].'<sup>106</sup>

9.13.4 Yemane Gebreab noted:

'There are 10,000s who have not done national service. 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 11<sup>th</sup> 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.

**'What has happened to them?** 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.

**'Is there way to regularise status?** 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.

**'They said this in front of you?** 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.'<sup>107</sup>

[Back to Contents](#)

9.14 [Treatment for evading / absconding](#)

9.14.1 Anonymous source 1 noted in regard to person they knew who was detained at Sawa:

**'[What said to the person on release from detention]** Nothing. They just said go back home. They didn't explain anything but they warned him not to tell any word about how he was treated.

**'What will they do now? Will they be asked to do national service?** 'If they know [the person] is in the country, they definitely come to the house and detained [the person] for months or could be years and then let [them]

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<sup>105</sup> [Anonymous source \(3\)](#)

<sup>106</sup> [Diplomatic source A](#)

<sup>107</sup> [Yemane Gebreab, Head of Political Affairs](#)

do the national service as others doing the unlimited national service. [Their] plan is to report when completed [their] education hoping the national service time might change to 18 months.

**'Who [will they report to]?** To the ministry of defence in Beleza, Ministry of Defence HQ. About 10km outside of Asmara. They will then punish them and when completed their punishment they will be assigned somewhere across the country. That could be in or around Asmara, but could be anywhere in the country. For example, to Sawa, around the border.

**'How feel about this?** They could come and get them at any point. The military will definitely punish them for not reporting within 2-3 months as they were told to. The Government don't know where they are now.

**'Government guess that person at home?** 'No, if they know so they definitely take him.

**'So nobody has been to look for them?** Not yet. No Ministry of Defence has come. If they do, they will detain them definitely. Could be for some months, maybe years. I don't know. Anyway things might change one day.

**'Has this happened to other people?** Yes. Definitely. Friends. Even if you report late, you will be detained for some months, may be years. That's obvious; we expect it.'<sup>108</sup>

9.14.2 Anonymous source 2 noted:

'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.

**'Is that more likely for some jobs than others?** Yes. Teachers, for example. They are in very short supply. They are very happy if you come back and say that you want to do it. if you've been away a while, maybe 5 years – but longer, 10 years, you couldn't do that. But it varies by job and by your supervisor. But they can also get you detained if they want to.

**'Is punishment different in different regions?** 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.

**'What about in Asmara?** 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

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<sup>108</sup> [Anonymous source 1](#)

supervisor. Also government moves people [generals / commanders] around.

**‘What would happen if a person who left illegally and not done national service came back to Eritrea?’** They would definitely be chased by the department they worked for especially those who had critical positions or had some bad records. But we know that people who have come back to the country. These people don’t go back to where they worked. But we don’t have a central collection of data, so immigration don’t know where they worked. Nor does the Ministry of Defence. No real way of checking, so people can come back [...?]

‘So people who come back will be questioned, maybe detained, some come and leave invisible, and some meet their previous bosses if they are sure they will not harm them it depends.

‘I know a friend from Middle East and someone from North America who left illegally. saying would be questioned [on return].’<sup>109</sup>

9.14.3 Diplomatic source A 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.’<sup>110</sup>

9.14.4 Anonymous source 3 noted: ‘The biggest problem is to get caught and then do NS. Now they have better records, anyone who does not go to Sawa, they go looking for them.’<sup>111</sup>

9.14.5 A UN Staff member noted:

**‘How are evaders/deserters treated?’** 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.

‘Possible people involved in politics may get a problem; but this is just a guess as I am no access to such information.’<sup>112</sup>

9.14.6 Diplomatic source E noted when asked about the sanctions for not doing national service: ‘It seems to be that it is all about accessing government services. So you won’t get the free land to build a house; you don’t get the food coupons; you can’t get a passport or exit visa.’<sup>113</sup>

9.14.7 The UK Ambassador noted:

‘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

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<sup>109</sup> [Anonymous source \(2\)](#)

<sup>110</sup> [Diplomatic source A](#)

<sup>111</sup> [Anonymous source \(3\)](#)

<sup>112</sup> [A UN staff member](#)

<sup>113</sup> [Diplomatic source E](#)

'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.

**'Any particular examples of people evading?** I know through being told. I have cited one example earlier.

**'Are you aware of other examples?** I am aware of examples, including one person who returned to Asmara and ran a business for ten years, but was unable to use government services, and took care to avoid coming to the attention of authorities.

'If you evade in a rural area and try to set up a business, or return to subsistence farming, you wouldn't be able to take advantage of Government services there either. They probably seek to avoid contact with the government, but it is possible that it happens. I can't think of specific examples.

**'Are you aware of any patterns or factors which might have influenced what happened to those who absconded?** Not really. The only thing I can say is that I have not heard anything to contradict what the Embassy's Honorary Legal Advisor has previously advised.

**'Do you have any sense of change in policy or practice to those who abscond illegally?** I haven't been here long enough to detect a change in approach. I think it depends on when and where they do it. If they run off from Sawa, the approach would likely be different to a person who, for example, just stops going in to their job after a period of time because they are fed up. I just think the government often doesn't bother coming after the latter sort.

**'Is it down to personalities (of a person's commanding / reporting officer) how they were punished for absconding?** Well, there is a lot of room for discretion so it is certainly possible.'<sup>114</sup>

9.14.8 Dr Seife Berhe noted:

**'If someone does not do national service, what happens?** They won't get access to some services

**'Will government pursue these people?** It is very difficult to avoid, as they have to go to Sawa. Some might abscond, generally women. In general, 100% of men go. At the start, that's the way.

**'And now – what happens?** If they haven't done it, they won't get a job. I am told that I shouldn't employ anyone who has not done national service. There is no chance that I will get anyone who is not demobilised. The Ministry strictly monitors our employment record. It isn't worth the hassle.

**'Will they get arrested?** When they are caught they are sent back to the national service units / areas.

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<sup>114</sup> [UK Ambassador to Eritrea](#)

**‘How do you know this?** I hear from others. I don’t have first-hand experience. I hear even from those who have been caught crossing the border and taken back to do NS.

**‘You mentioned that people used to want to go to Sawa, now they don’t? or maybe not so much Sawa, but into national service?** Yes. That’s fair. In the past, they tried to jump the queue. It’s that they don’t know when they will get out from National Service.’

9.14.1 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.’<sup>115</sup>

9.14.2 For information on treatment of those returning to Eritrea, including those who left illegally and avoided / absconded from National Service, see [Treatment of irregular migrants, including those who leave illegally and failed asylum seekers / refugees](#)

[Back to Contents](#)

9.15 Treatment of family members of draft absconders / evaders

9.15.1 [Anonymous source \(2\)](#) noted:

**‘Have you heard of anything happening to people’s families if one of them leaves the country illegally?** 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.

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<sup>115</sup> [CEO of a UK registered, EU-funded international NGO working in Eritrea](#)

'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?

**'Common in 2003 - so does it happen as much now?** No, not really. The Ministry of Defence has lost a lot of manpower. Lots of soldiers have left as they are near the border. If you are there at the border with no future you will definitely leave. At least if you are in the ministries you can stay in your own house, but still as you cannot support parents or set up family with the NS income or little Govt salary, youngsters have no option but to leave the country illegally.'<sup>116</sup>

9.15.2 Anonymous source (3) noted:

'My younger [sibling] has gone to Sawa. All [their] friends have left the country. My [sibling] tried to cross the border [to Sudan]. [The sibling] was caught and put in prison. The prison was very small; many people; not clean – diseases. [Sibling] was 6 months in prison, but things got better as [sibling] was [released from prison and] taken to an agricultural area for picking flowers / strawberries.

[Sibling] keeps quiet; [their] behaviour has changed: [sibling] is depressed. [Sibling] still wants to leave.'<sup>117</sup>

9.15.3 Anonymous source (3) also noted:

'They ask their family if the person is not there. They put them in prison until the children return. For example, a boy didn't want to go to Sawa, so ran away. Government came to ask mother where the boy was and detained her. Then boy turned himself in. Then son escaped from Sawa. Government came to mother. She said, 'I gave him to you'. **Did the government detain her again?** No.'<sup>118</sup>

[Back to Contents](#)

9.16 'Giffa' (round-ups)

9.16.1 Anonymous source 1 noted

'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.

**'Do they come to houses?** 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 checking their identity. When come at night, knock on the door and look at every corner of the house.

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<sup>116</sup> [Anonymous source \(2\)](#)

<sup>117</sup> [Anonymous source \(2\)](#)

<sup>118</sup> [Anonymous source \(3\)](#)

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

**‘When was the last one in Asmara?’** 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.<sup>119</sup>

9.16.2 Anonymous source 2 noted:

‘In different years and in random period, they started searches of houses, especially in early 2000`s.

**‘Do they search houses now?’** 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. I know of people who were working with me who have left without authorisation. For example one person had a bad back but that was rejected as a means for demobilisation so he stopped working and is now engaged in personal business. No one has come for him yet, but he is living illegally and can’t access all services etc.<sup>120</sup>

9.16.3 Anonymous source 2: ‘The last round-up I have heard about was 2 weeks ago, for a few hours. There are round-ups in different places at different times. People aren’t free. Protecting themselves, ready to run.’<sup>121</sup>

9.16.4 The UK Ambassador noted re round-ups:

‘I have never seen one. Local colleagues tell me that there have been at least two neighbourhood searches by security officials in Asmara in recent months, though not necessarily to identify absconders from national service, more probably, they told me they understood, for other security-related reasons.

**‘What visible evidence has there been of these round-ups?’** The round-ups reportedly take the form of security officials stopping men on the street in urban areas in late morning, and making house calls, asking for papers. Again reportedly, in the most recent round-ups, the security officials have asked all men to accompany them to their base while they check the validity of their papers, as forged demobilisation papers are not unusual.

**‘Have the round-ups been aimed at any group?’** Some sources report that these round-ups have been aimed to identify those who were avoiding National Service, and have targeted only men, and not women, though others have suggested they were for other unrelated security reasons. They reportedly target predominantly young men, but there is no precise age limit, leaving it to the discretion of the security officials to choose who to ask for their papers.’

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<sup>119</sup> [Anonymous source 1](#)

<sup>120</sup> [Anonymous source \(2\)](#)

<sup>121</sup> [Anonymous source \(2\)](#)

9.16.5 A returnee, a translator and Ministry of Foreign Affairs representative in Keren noted:

**‘Changing subject slightly, are you aware of any round-ups of people who haven’t done national service? [5] everywhere there are round-ups, but the aim is different. Some are** for illegal movements, smugglers – but when people say round-ups, they automatically assume it is national service. [Translator explained that it is normal.] **Can you describe what happens when they do one in Keren?** [Translator explained that they come, surround, stand in the road, ask people for papers, ask people what ministries they work in, take those who haven’t done it to Sawa]. **When did it last happen in Keren?** [Translator explained it is rare. They were usually done around the war. ] **In 2015?** [Translator said no, 2-3 years ago was the last.] **Do they knock on doors?** [5] No. [MOFA Rep explained that they also write a letter, usually to the family asking where the person is. When a person starts their national service, they have to register all their details, so the MoD know all the details.] **So if there was a round-up, you could just stay indoors?!** [5] yes.[MOFA Rep explained that they don’t just randomly approach people. They usually look for particular people they have suspicions about. But they can also ask anybody. But the local law enforcement people generally know people. Most of the time it is done on Independence Day. They are also there for security as there are a lot of people, celebrating. If you are illegal, you have to get worried; but if not, it is ok.’<sup>122</sup>

[Back to Contents](#)

## 9.17 Conditions and careers in national service

9.17.1 **Diplomatic source E noted:** ‘I know people who go to their office for a bit (as part of their national service) – they then go off to do their “real” job.’<sup>123</sup>

9.17.2 An entrepreneur interviewed by the team noted: **‘Are there many small companies in Eritrea? Yes. Is it common to do more than one job? [2] Yes. Depends on free time. Most of the professionals do two or three jobs. There is also lots of casual work.’**<sup>124</sup>

9.17.3 An Eritrean-US training manager at Bisha mine noted:

‘Many people have part-time jobs or businesses and they come to an arrangement with their bosses to work part-time at their national service job and spend the rest of their time working in another job or running their own business. For example, they arrange to work efficiently in half the day in their assigned place, then after lunch they will work in family business or tutoring to earn more money. [The source] volunteered in teaching Educational Administration in the College of Education for 4 years. Her colleague educators worked full time at the College and tutored part time to make 4000-7000 Nakfa a month. This is very common and she also cited her own

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<sup>122</sup> Returnees (Keren)

<sup>123</sup> [Diplomatic source E](#)

<sup>124</sup> Entrepreneurs

sister being proud of her national service job, teaching Biology, and finds tutoring as part-time to make additional income.

'[The source] showed me a photo from her sister's wedding three weeks' ago showing about 40 young people, all she said had done/are doing national service and are happy and wanted to stay in Eritrea. She suggested they are the future of the country.'<sup>125</sup>

## Medical profession

9.17.4 The Minister of Health noted:

**'How does a person pursue a career in medicine, post-Sawa?** 'Any person wanting to join medical school is free to apply. However, medicine is highly competitive field and usually one needs to get high score [in matriculation exams]. Those who want to study nursing also need to get high marks, because most of the training programs in the health field are highly competitive.

'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.

**'Do you have enough young people wanting to be doctors?** 'Yes. Many young people are very much interested to be a doctor or other health professional. That is why; joining the medical school or any other field in health is highly competitive.

**'How many graduate from the medical school?** 'The School of Medicine provides under graduate and graduate degree program in medicine, and the College of Health Sciences provides under graduate degree and diploma in nursing, pharmacy, clinical laboratory and public health. Moreover, there is also diploma program in Dental Therapy, Physiotherapy and Radiology, Laboratory (MLT), and Public Health in School of Allied Health Professions. Additionally, there are three Associate Nursing Schools run by the Ministry of Health namely the Mendefera in Zoba Debub, Barentu in Zoba Gash Barka and Ghindae in Zoba Semenawi Keyh Bahri (opened in 2007).

'On average annually, around 30 doctors and 20 dentists graduate from Orotta School of Medicine and Dentistry, and around 350 other health professionals from the Collage of Heath Sciences.

'We are also working with University of Liverpool, University of Dundee and University of London for distance learning. We have 156 students that have graduated from Dundee University...

**'When a doctor/nurse completes the two years, can the person choose to leave the profession?** 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

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<sup>125</sup> Training manager, Bisha mine

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.

‘It is important to bear in mind that the health workforce is a backbone of the public health system and central to its effective operation. We know, without investing on human resources adequately, it is difficult to improve quality of health services. Accordingly, we are investing a lot on our human resource for health.

‘Human resources for health are recognized as pillars but despite regular production and recruitment of new health workers, the staffing norms are not yet met, especially for specialists at hospital level, including surgeons, radiologists, internists, etc. Accordingly, at the moment it is difficult to release such professionals, unless there is acceptable reason.’

## **Mining**

### **9.17.5 Dr Seife Berhe noted:**

‘If you are doing business in mining, we get a lot of support. Fuel, for example, comes quick and easy. We are given people who are demobilised or staff members on secondment. We pay them full wages.

‘Graduates in geology or mining are demobilised to the Ministry of Energy and Mines once they have fulfilled their national service obligations.

‘Since the exploration/mining companies require staff and also because the Ministry wants their staff to be trained they send the geologists and mining engineers to all companies on a rota basis. In the early days they used to send them on secondment for few months which was counterproductive because it disrupted their training. After discussion with the Ministry it was decided for companies to keep them as long as they require their service or have finished a specific assignment.

‘If we say we don’t need them anymore, they are retruned back to the Ministry. If they are demobilised and released to the market from the Ministries, it is a case-by-case thing. If you are doing business in mining, we get a lot of support. Fuel, for example, comes quick and easy. We are given people who are demobilised or staff members on secondment. We pay them full wages.

‘Graduates in geology or mining are demobilised to the Ministry of Energy and Mines once they have fulfilled their national service obligations.

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'If we say we don't need them anymore, they are returned back to the Ministry. If they are demobilised and released to the market from the Ministries, it is a case-by-case thing.'

## Other professions

9.17.6 [Diplomatic source A](#) noted:

'Various colleges provided specific training. People do training then go into that specific field, for example as a teacher. Eritrea is a bit like Eastern Europe/East Germany before the collapse of the Soviet Union: everyone is employed. They are assigned by the state – you could manoeuvre a bit informally.

**'Can people move around from post-to-post?** May be some movement, but limited. There was a proposal from a development partner to pay for those who have been discharged from national service but government did not agree to this.

### **'Why not?**

- i. Not sustainable in the long run to pay these wages – though not meant to be, it was meant to be [a] bridging [solution].
- ii. Government doesn't want a foreign entity to pay wages...

**'Are there any types of professions where the government is more relaxed, e.g. judges?** No. There is a shortage of skilled professions everywhere. I speculate that shorter military training and increased pay will be rolled out across national service.'<sup>126</sup>

9.17.7 [Anonymous source \(2\)](#) noted:

**'Explained that we had heard that the way bosses operate national service can vary – they sometimes allow people do work for a bit and then leave in the afternoon, say, to do your own business.** Yes, that's true. But it depends on your boss. If you have a good relationship with your boss he may allow you to do extra work (because of the economy there is not a lot of work to do in the office). It also depends on where you are assigned for your national service (type of organization). Not much work at the moment in most government office[s].

'I know of an example of a person [who works in one of the ministries] who is into their seventh year. Their supervisor would not allow them to leave in all working hours. They couldn't do their job part-time or other issues.'<sup>127</sup>

[Back to Contents](#)

## 9.18 Demobilisation

9.18.1 This section should be read alongside [Law regulating national service](#) and [Exemptions](#).

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<sup>126</sup> [Diplomatic source A](#)

<sup>127</sup> [Anonymous source \(2\)](#)

9.18.2 The [UK Ambassador to Eritrea](#) noted:

‘The system changed in 1998 when war broke out between Eritrea and Ethiopia. Many of those who had already been demobilised from National Service, as well as those who had not yet enrolled, and also some former fighters from the war of independence, were all called up to serve in military roles. From this point on the process of demobilisation has been much less predictable and transparent than before. Also, many people performing National Service have been assigned to civilian bodies, including government ministries and state- and party-owned enterprises.

‘Since then, demobilisation has depended on the agreement of the assigned body and the Ministry of Defence Human Resources department. An individual who wishes to be demobilised must apply to their assigned body’s Human Resources Department with the support of their commanding officer (if military) or line manager (if civilian). If they support the application, the assigned body’s Human Resources Department will write to the Human Resources Department of the Ministry of Defence, which will issue final agreement.

‘The criteria for demobilisation are not consistent across government bodies or assigned agencies. They change over time, and are not published, but subject to a high degree of discretion by the individuals in charge. There is a little-known provision for an applicant who has not been able to get the agreement of their own assigned agency’s Human Resources Department to apply directly to the Human Resources Department of the Ministry of Defence. This provision is not well known, but I understand was posted in public view in the Ministry of Defence.

‘The Ministry of Education, for example, which has a high number of National Service participants working as teachers and is therefore more dependent on them for the provision of essential public services, has had a reputation of being more reluctant to release National Service staff than some other Ministries, including the Ministry of Defence itself.

‘Some provisions have changed over time. By the early 2000s, all women could apply successfully to be demobilised at the age of 30. Recent rumour reports that since summer 2015 it has been lowered to 25, though this has not been published.

‘Other provisions have also been introduced. Since 2010, an only child of deceased parents may seek demobilisation in order to continue the family line. Similarly, since the same date, if a whole family of siblings are in National Service, and have all completed at least eighteen months, then one of them may apply to be demobilised and his or her application is most likely to be approved. Families of siblings may use this system to ensure the maximum number of siblings is discharged: for example, if of a set of siblings, all of whom have completed eighteen months of National Service, one is a woman who is about to reach the demobilisation age for women, then one of her other siblings is likely to apply for demobilisation under this provision some time before the former is discharged, thus ensuring that two siblings are demobilised close together.

‘Demobilisation on medical grounds is also common.

'Demobilisation for other family reasons – for example, because the applicant is the sole source of support to elderly or infirm parents, is also common.

'Women who marry or give birth are also normally demobilised after completion of eighteen months service.

'The opacity and bureaucracy of the system do, however, favour the articulate, energetic and well-connected. The applicant must present their case to their own Human Resources Department of the organisation they work for [in the government department they work for], and, once they support it, also present it to the Ministry of Defence, taking their own assigned agency's letter with them. It is likely that those who are best able to pursue and present their case, or who have extensive networks of contacts, have the best chance of success in their application.'<sup>128</sup>

9.18.3 Anonymous source 1 noted: 'Only very sick people get the chance of that [demobilisation]'.<sup>129</sup>

9.18.4 Anonymous source 2 noted: 'If you are going to be demobilised, you need a special reason. One is the medical reason which should be approved by the medical board team appointed by government. But this is at the discretion of your supervisor and head of ministry. So, you get assigned to wherever for an unlimited amount of time.' The same source also noted:

'But about demobilisation, it is a rumour but it is the same every year. The reasons for demobilisation also seem to change a bit each year. We know that the Ministry of Defence have criteria but sometimes changes. But not announced. You have to be able to know through someone working in the demobilisation department of MOD or some other informal way, although sometimes a circular is sent by MOD for some reasons.'<sup>130</sup>

9.18.5 Anonymous source 2 noted:

'Another example [of someone getting demobilised], a woman who gets pregnant and gives birth. This doesn't matter whether they have done the time (18months), but it depends. She must do NS but sometimes demobilised after 3years, after 2 years or if have a good boss, maybe 1year. I know an example.

**'So if a woman had a baby but hadn't finished the 18months, what happens there?** She has to work. They stay home whilst they have the baby. Some then have to come back to the ministry. But some ministries just let them come in and sign – they don't work – but others don't. It varies. Depends on ministry, depends on boss.

**'So what happens after 18m?** Then their application is considered. So, if you are in the ministry of education, for example, you apply to them. They then send the letters to the Ministry of Defence. But we know that the

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<sup>128</sup> [UK Ambassador to Eritrea](#)

<sup>129</sup> [Anonymous source 1](#)

<sup>130</sup> [Anonymous source \(2\)](#)

Ministry of Education and Health doesn't really allow demobilisation because they are short of teachers and medical staff respectively.

**'Would that woman get demobilised?** After 18 months of NS, woman's application 'is considered. Ultimately decision is made by Ministry of Defence. So 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. Ministry of Education and Health do not allow demobilisation for to the minimum 3 to 4 years or more than that or never, (although a reason is considered legitimate in other ministries) due to shortage of staff. But different in other ministries.

**'Are you aware of what other Govt. Ministries are like?** 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.

'So, having a baby is one reason. There are others, but we don't know what they are all.

**'Do the Ministry of Defence have reasons?** I'm sure they do. But they don't say what it is publicly. We think the Ministry of Defence has a list of reasons, but we don't know all reasons officially announced, but informally from people who work there or whom themselves demobilised, we know at least common ones.

'So, in around 2003, the European Union funded a big demobilisation programme. This applied to the 1<sup>st</sup> to the 13<sup>th</sup> round. But, what happened was that people were kept in the ministry and paid by them (using the EU money) – got better salaries. But they couldn't really move/leave ministries. So it looked like demobilisation – and it was, sort of: people had demobilisation cards etc. – but it wasn't. People couldn't leave the organisation.

'Still know someone in 1<sup>st</sup> round has to work in a ministry but a government salary. Not NS pay but he cannot leave the job or country.'

**'Could they leave the country?** No. They couldn't even leave the organisation.'

**'To clarify: you cannot leave the ministry?** They get imprisoned. Or if they don't chase you, you will not get privileges, so can't work, set up business officially. Possible to set up a business in wife's name.

'Ok, if you have a certificate you can leave by yourself. But you get no benefit from the government and they own virtually everything. Even if you want to set up your own business, you need a licence. That is covered by the Government, so they would ask you what your national service status is; what your obligations are.'<sup>131</sup>

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<sup>131</sup> [Anonymous source \(2\)](#)

9.18.6 [Anonymous source \(2\)](#) was asked about their own experience of National Service:

**‘Did you pick your subject?’** Yes. It depends on your matriculation scores, but I picked the subject I wanted to study.

**‘How long working in the ministry?’** More than 10 years. I also know a person in the first round who hasn’t been demobilised.

**‘What happened next?’** After that, I had to apply for demobilisation. I had an opportunity. I found out from friends in the Ministry of Defence what reasons they would accept. I put in an application.

**‘Do you carry it [demobilisation card] around with you?’** Yes, in case questioned every body keeps copy to carry around the town or travel in the country. [Showed FFM team a copy – with details in Tigrinyan]

**‘So it’s not common to get demobilised?’** Well, it’s hard to get demobilised especially for men. But, to add something on demobilisation cards: the demobilisation card is very important for immigration purposes. 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].

‘[Explained checking of cards...] 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). These things happen very frequently.

**‘Very frequently?’** 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.’<sup>132</sup>

9.18.7 Anonymous source 3 noted:

**‘What was the experience of Sawa for people you know who attended?’** Most don’t like it. Most 17/18 years old – young and find it difficult to be away from their family. The policy there: get up early is difficult. They go to Sawa for military training, 6 months, then the other time is study. They said that it is very difficult the work they do. It can be difficult for girls. The punishment ...

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<sup>132</sup> [Anonymous source \(2\)](#)

**‘How are they punished?’** Take out small stones out of a hole and move them about.

**‘Why?’** Just for doing simple things, maybe they sleep too long.

**‘Heard of anyone ill-treated?’** Yes. Lots of young people take their own lives. Many study hard, but under pressure to do well.

**‘Do you know anyone?’** I heard about someone – a boy who was 21 years old – about 2 years ago who was waiting for exam results and did not get the results he expected who took his own life.

**‘Heard of people who were badly treated?’** Hear of people who have their legs tied for 24 hours as punishment. You hear about “number 8” or “otto”.<sup>133</sup>

9.18.8 Anonymous source (3): **‘Have you heard about people who have been demobilised, e.g. because they are sick, other reasons?’** Main reason is if you are sick. Most people can’t get out if on their list.<sup>134</sup>

9.18.9 Diplomatic source A noted: **‘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.<sup>135</sup>

9.18.10 Diplomatic source A noted:

**‘Is there a way to get demobilised?’** I don’t know. I believe it depends on the institution. **‘Can you pay a bribe?’** Not aware of bribes. Can’t say it categorically, but not likely. **‘Are you aware of people who have been demobilised?’** Yes. **Do you know numbers?’** We don’t know how many. The problem is the lack of access to information. People who work for the missions are demobilised, also at Bisha mine.

**‘Does the international community only employ demobilised people?’**  
Yes.

**‘Does the government rigorously pursue those for N[ational] S[ervice]?’**  
No but they do round-ups. But hardly anything is consistent, predictable.’<sup>136</sup>

9.18.11 A UN staff member noted:

**‘How many locally-engaged staff do you have?’** I think it’s the majority. The UN employ generally about 120 – and only about 25 are International. All the locally engaged staff are demobilised. There is little information published. It’s not easy to tell how many have been demobilized so far, when did they increase salaries and by how much; there is not a publication about it but one gets to know the information sometimes informally.<sup>137</sup>

9.18.12 Representatives of NUEYS noted:

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<sup>133</sup> Anonymous source (3)

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<sup>135</sup> [Diplomatic source A](#)

<sup>136</sup> [Diplomatic source A](#)

<sup>137</sup> [A UN staff member](#)

**‘Can you ask/apply to be demobilised?’** It's part of the national policy. It depends on the circumstances. They start to demobilise depending on need. After the 13<sup>th</sup> round until now, the demobilisation has been stopped unless on family, medical and special cases.

‘There has been demobilisation going on, not by round now. More by need.

‘...Say, women who get married. If he is the only man who can support the family. If disabled/injured. Permanent sickness.

**‘Understand first step is to ask your boss?’** [no answer provided].<sup>138</sup>

9.18.13 Three of the representatives of NUEYS were asked if they had been demobilised: 1 had, 2 had not:

**‘Are you still doing that as NS?’** Until the 13<sup>th</sup> round, we have been demobilised. I am working there with my full salary. Could work for a private firm. **When demobilised?** 2007. I just did 18 months.

**‘[We asked a different person] What year did you go to Sawa?’** I went in the 21<sup>st</sup> round. I passed matriculation. Studied economics. I graduated 2012. I started national service here (NUEYS). Still work here. **When do you expect to be demobilised?** Soon.

**‘[We asked a different person] What year did you go to Sawa?’** 2006. Graduated 2010. I was a teacher of ICT. I learnt computer science at Mei Nefhi. I am here doing NS here. I volunteered to move to NYES. **Are you demobilised?** No. **When do you expect to be demobilised?** Soon.<sup>139</sup>

9.18.14 Representatives of NUEW noted:

**‘Can people leave national service?’** Yes. There are many people who leave. People go and work in different areas. When they finish their national service in a ministry, they can they carry on being employed in that ministry. Or they can do other things, depending on their interest.

**‘How does a person get released from national service? Can you apply?’** As I said, it used to be prolonged. But now it has been returned to the 1994 Proclamation and the limit of 18 months. It depends. We need the border to be demarcated properly. Therefore, we may get called back - and we are ready for this. However, if we get peace, this will be changed. The 'no war, no peace' situation is harmful in this country.

**‘We have spoken to lots of people who say women can be exempted from national service due to marriage, children?’** Yes. If they get married. If they get children, how can they stay in national service? They can work for their children. But we encourage them to work in the public institution as civil employee. This protects them from being economically dependent.

**‘When can this happen in law?’** There is a declared circular regarding this exemption.

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<sup>138</sup> Representatives of NUEYS

<sup>139</sup> Representatives of NUEYS

**‘Does she have to apply for this?’** A woman who get[s] married doesn't automatically get exempted. But she can ask. She may need to earn income to support her family. If she leaves, she might have nothing and / or live on the dependency of her husband. However, if she chooses to be exempted, she doesn't have any problems getting to that. She can also carry on working in that ministry if she wants and she will be demobilized but employed in the same job. The national service in Eritrea is an opportunity to develop and acquire skills. When you join national service, you come straight from school. It is a chance to learn skills.<sup>140</sup>

9.18.15 Diplomatic source E noted: ‘Women find it easier to get out of national service. Marriage. Having children. Looking after elderly relatives. Men tougher, but if you look in downtown Asmara right now, there are loads of people of eligible national service age who are just going about their business, sitting around drinking a beer, having a coffee, watching a football game.’<sup>141</sup>

9.18.16 Diplomatic source E also noted in regard to National Service: ‘People get out. Not everyone is in national service. Lack of opportunity: absolutely: absolutely. Government not doing enough; overvalued exchange rate. People wouldn't choose to [do] national service.’<sup>142</sup>

9.18.17 The President of the NCEW noted:

**‘Can you explain how people leave national services and go into normal employment? Can people apply to be demobilized?’** The situation is dictated by the non-resolution of the border issue. Ethiopia continues to occupy Eritrean territory and refused to implement the ruling of the boundary commission. The international guarantors did not fulfill their mandate. This is the core of the problem. This root cause must be removed to address the problems associated with the prolongation of the national services. In 1998 when the border war broke out, most workers volunteered to defend their country. Many of them were demobilized.

‘Yes they can ask to be demobilized. But decisions are given on the study of case by case basis.’<sup>143</sup>

9.18.18 The President of NCEW noted:

**‘Of your 30.000 members, how many roughly are doing national service and how many are not/been demobilized?’** I don't have a figure now. I can give you next time.

**‘[FFM team] understand Bisha employs 1,500 people plus 500 sub-contractors. Are they members?’** This is under discussion.

**‘What about Zara mine? Has this opened?’** Yes it has opened. They employ about 600 workers.

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<sup>140</sup> Representatives of NUEW

<sup>141</sup> [Diplomatic source E](#)

<sup>142</sup> [Diplomatic source E](#)

<sup>143</sup> President of NCEW

**‘Are the workers Chinese or Eritreans?** Most are Eritreans.

**‘Are they demobilized?** They must be demobilized to be hired by private companies.’<sup>144</sup>

9.18.19 **Yemane Gebreab noted: ‘Do women who reach 30 and married don’t need to do NS?** 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.’<sup>145</sup>

9.18.20 **Yemane Gebreab also noted that:**

**‘How get [de]mobilised?** They apply. Applies to women with children, those with family problems, medical reasons, if several family members in NS. **[To clarify]**

**‘Are there rules on how to apply for demobilisation?** There are rules with criteria. We no longer have NS – it is in the past. They are paid a proper salary not a stipend. We are saying give us time to change. But as private sector grows, we have no choice but to allow people to go into private sector.

**‘Are they allowed to leave the country?** No, not now. We need teachers. Public service can’t employ all people.

**‘Is there a shortage of teachers?** Also shortage of doctors. But now paid wages. Medical school – they are taught for 7 years all free, room and board. We say, please stay 3 / 4 years.’<sup>146</sup>

9.18.21 A number of young people interviewed by the FFM team noted:

**‘The FFM Team explained that our issue is still that national service is open-ended.** [3] It is not open-ended. We are demobilised. People at the British Embassy are demobilised. Lots of people are demobilised. Women in national service know when they will finish. They know they won’t have to do more than three years. That is at the most.

**‘Why?’** [3] After 18 months, my wife got demobilised. Since 2004, after the big 100,000 demobilisation, there have been large numbers of people demobilised. People are demobilised as-and-when. Some people do more than 18 months, sure. People have to do it for a prolonged period. But it’s not open-ended. If you go to the Ministry of Defence, there are thousands of people sorting out their demobilisation every day.

‘[8] For the new graduates, they are only having to do the 18 months.

‘[4] They are also getting paid more than me!

‘[3] In some places, if a person is indispensable, then it might be difficult.

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<sup>144</sup> President of NCEW

<sup>145</sup> [Yemane Gebreab, Head of Political Affairs](#)

<sup>146</sup> [Yemane Gebreab, Head of Political Affairs](#)

[9] Its not everyone who wants to be demobilised. I work in the ministry. I get lots of opportunities there. I don't want to be demobilised. I want a chance to get my masters and study abroad.

[8] Not everyone is forced to do national service. People do private businesses instead.

**'If you don't do national service, what happens? [7]** Everyone has to do it. It's compulsory. [3] National service is compulsory, below 40 years. You find people who haven't done national service for several reasons, now they are applying/being asked to do it. It's also an opportunity. Nowadays, I don't want to exaggerate, but around 80% of our public services pass through national service. So [2] wanted to stay in the office so she was demobilised but stayed in the office so she could get access to different positions. It is also an opportunity to contribute to society. I am the deputy authorising officer for EU-Eritrean partnership agreements. I have probably two bosses: the minister and the president.

[4] I can also give you my experience of the army. When the people came to the army from the countryside, you can empower them. Some could not read or write. National service isn't all about military training; it is about empowering them and giving them the skills for life.

[9] Even if we were all demobilised, the economy is not good. It is a means of employment.

**'What is the difference between doing your job in national service and staying in your job after you finish? [3][7][8][9]**It's the same, you just get paid more.<sup>147</sup>

9.18.22 An entrepreneur interviewed by the FFM team noted: **'It seems that if you have a good reason, you can demobilise. Is that accurate? [8]** yes, if you have a good reason. If you have enough evidence to leave, if health problem. If you can work at a ministry, if you are teaching, any profession then assigned. If you have an idea for your own business, they give you a chance.<sup>148</sup>

9.18.23 The regional governor of Gash Barka noted:

**'Do you have any staff doing national service? Yes. 'Have they been demobilised?** It's a periodic process. Women are more privileged than men; they get demobilised more easily [than men]. **Can they ask or apply to be demobilised?** The MoD has a criteria for people to be demobilised. When the time comes, they apply and it depends on the criteria.

**“When the time comes” – is that the MoD or the individual who knows this?** Both. The longer you serve, the more eligible you are. They [the individual] don't know the number of years, but they have an idea.

'The criteria includes:

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<sup>147</sup> Young people (1)

<sup>148</sup> Entrepreneurs

- Family – can apply if you have family problems, for example they are the only one in the family; or the only child
- Health/is sick
- Women.

**‘How do they know the criteria?’** They may not know the criteria but they have an idea.’<sup>149</sup>

9.18.24 A US-Eritrean training manager at Bisha mine noted: ‘... people ask their bosses when they want to be demobilised.’<sup>150</sup>

9.18.25 The Chief Services Officer and Human Resources Department Superintendent at Bisha noted that:

- Bisha mine employs 1,203 Eritrean nationals
- Pre-condition for being employed at Bisha is completion of national service (and provision of release papers in making an application for a position)
- Bisha receives 10-15 applications for each post, with a 10-15% turnover of staff recruiting around 200 external staff each year since 2014
- The average age of Bisha staff is between 25-30years old
- Apply same standards to 220 sub-contractors<sup>151</sup>

9.18.26 The Chief Services Officer at Bisha mine noted:

‘National service started in 1994. It was meant to be reconstruction of the country and it was meant to be 12 months plus 6 months military training. This was smooth until 1998. After this, it was prolonged. Yes, you can apply. You might be accepted, you might not. You might be the only son in a family or the child of a martyred or disabled fighter

**‘Can you asked based on the number of years you’ve served?’**

Culturally, you don’t say that (I am tired etc.), but you can give reasons, excuses. Excuse has to be genuine.

**‘What about if you wanted to leave to start your own business?’** Not really. You can apply and be assisted. Everyone could do that. Maybe you could if you were minority ethnicity, an only child, if you had a problem at home, health problems or other reasons. They [MoD] will check (the genuineness of the papers, i.e. if it is supported by the administrative region) and, if confirmed, they will assist you to be demobilised.

**‘What if you aren’t any of the above – do you carry on in national service?’** Yes. Unfortunately, that is the situation. Some have been in national service for 10 years.

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<sup>149</sup> Regional governor of Gash Barka

<sup>150</sup> Training manager, Bisha mine

<sup>151</sup> Representatives of human resources department, Bisha mine

‘Let me give you my situation: I joined voluntarily as a fighter. There was no pay. But, as an Eritrean, that is what you do. After we inherited a devastated economy. The young have to participate. But this is for everyone. It is not those at the top. Everyone is working. But we are all working for a better tomorrow.

**‘Is it frustrating for young people not to be able to leave?** It depends on their situation. After, say, two years, you can try and change; finish. If you get released from the military, then work for the Ministry of Agriculture, public [sector] – so demobilised and work in government / public works.

**‘But you said you can’t switch or leave without a reason?** If you are released, you finish in one job and get a job in public works and go straight on the Government salary scale according to profession.

**‘Can we confirm what demobilisation means: do you mean from military training or national service completely?** Demobilization is the transfer from Military to the public or civil work based on one’s profession. National service is 2 years. National service salary is not sufficient, but it’s what the Government can afford to pay you. Better situation for you or next generation.’<sup>152</sup>

9.18.27 The Chief Services Officer also noted: ‘I should mention that another way of getting a release is getting an opportunity via university, then you get assigned to work for the Government or private business. You get a letter of support from your family / local area to ask the Ministry of Defences. It’s a responsibility of the Government to help family as well. Even people in Bisha leave for Sudan or Europe. They just want a better life.’<sup>153</sup>

9.18.28 The UK Ambassador noted in response to the question of whether a person can apply to be demobilised:

‘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.

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<sup>152</sup> Representatives of human resources department, Bisha mine

<sup>153</sup> Representatives of human resources department, Bisha mine

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

'See also the advice from our Honorary Legal Advisor - letter appended to the notes.

**'Do different zobas have different criteria?** I think that the criteria are centrally issued by the Ministry of Defence, but there is a lot of room for individual discretion and interpretation.

**'Are you aware of individuals who have been demobilised? If so, after how long?** The figures for those demobilised have not been made public. However, whilst I do not know specifically because I have never counted them, there are hundreds.

'I know of several large employers, both domestic and international, who will only employ those who have been demobilised from national service. Everyone who works at Bisha Mine, for example. Everyone who works at an Embassy. Everyone who works for an international organisation. Everyone who works legally in a private business.

'Many Embassies and international organisations represented in Asmara employ a local security contractor to provide their security services. The contractor only employs those who have been demobilised.

'The largest private sector employer in Eritrea, the Bisha Mining Share Company, only employs staff who can demonstrate that they have been demobilised from national service, and imposes a similar obligation on its contractors to employ only those who can demonstrate that they have been demobilised from national service. The Bisha Mine Shareholding Company employs around 1,500 staff directly as well as 500 permanent contract workers, including security and ancillary staff. The Independent Human Rights Impact Assessment of the Bisha Mine in Eritrea 2015 Audit (published 5 August 2015 by LKL International Consulting, commissioned by Nevsun Resources Ltd and the Eritrean National Mining Corporation) noted that "since 2009 the Bisha Mining Share Company has implemented screening procedures and dialogue with the management of its main suppliers, contractors and sub-contractors to implement the prohibition against national service at the Bisha mine." It noted that in auditing at two of the main suppliers to the Bisha Mine (Segen Construction and Transhorn Trucking), the Human Rights Impact Assessment found no evidence of national service workers at the Bisha Mine.

'Following the end of active hostilities in the Ethiopia/Eritrea border in the early 2000s, the World Bank financed a Demobilisation and Reintegration Program Project from 2002-2009 with a budget of US\$60 million, intended to finance the demobilisation and reintegration into the labour market of 60,000 soldiers. Their final report stated that 60,000 soldiers had been demobilised by 31 December 2005, and that by 2008, 85% of them were employed, of whom 52% were self-employed.

'I know directly many individuals who have been demobilised. Examples I know of personally:

- Women, especially those who have or are planning on getting married

- People who have been doing it [national service] a long time
- People who want to go abroad to live with family – though I have only heard of this but do not know of any specific cases
- People who are medically unfit
- People who are the only breadwinner. I know of one personally who was demobilised on the breadwinner criteria
- I have been told of an example – though don't know the individual personally – of a person who was the last son who was demobilised to start a family and continue the family name. I know of one person who fit the 'only son' criteria.

'The Ambassador provided the details of the following examples / case studies:

- 'Medical grounds. I know of one case of a man in his late twenties who was demobilised from national service after three months of training after suffering gastric illness from which he has since recovered following medical treatment, and has not been recalled
- 'A member of staff of an international organisation in Eritrea who applied to be demobilised after having been posted to a workplace as part of his National Service to which he could not afford to go owing to the costs of the daily commute. He did not report to the position, and instead applied and was appointed to a position with an international organisation in Asmara. In order to formalise his appointment he needed to be demobilised from national service, and so applied for it, and obtained the necessary demobilisation papers after presenting his case to his employers and the Ministry of Defence Human Resources Department. it.
- 'A staff member of a foreign employer in Asmara who was recruited in the first cohort of national service in the mid-1990s, and was demobilised after eighteen months. On the outbreak of Eritrea-Ethiopia war in 1998 he was recruited again. After three years service he applied to be demobilised on medical grounds and was demobilised in 2001. I do not know the nature of his medical justification: he suffers no visible disability.
- 'A man working for a foreign employer who was formally enrolled in national service for nineteen years before being demobilised, though for the bulk of this time he was in either higher education or working for international employers. For the first five years, he was in higher education; subsequently he worked for several years for an international NGO on their terms and conditions (the NGO was unaware he had not been demobilised, and the authorities did not raise the issue); later he did three years of military service, followed by several years of office work for the ruling party before applying successfully to be demobilised.
- 'A brother of an acquaintance served his National Service as a finance officer in a government finance office on the outskirts of

Asmara. Tired of this work, he decided to leave the country. He left his job in spring 2015, caught a bus to Keren (en route to Sudan), bought a forged travel pass there from a contact he had made by telephone, and used it to travel to Tesseney, the last town before the Sudanese border. There he intended to join a group and walk across the border. But at a checkpoint in Tesseney, his pass was detected as forged, and he was arrested. Security officials detained him at a prison outside Asmara. The conditions were overcrowded and insanitary. When his parents, with whom he still lived, posted the deeds of their house as surety against him not absconding, he was transferred to an open prison to complete his sentence. He reportedly does not know the duration of his sentence. He is able to work at an external employer during the day, and visit the family home at weekends. He understands that once his sentence is complete, he will return to his finance job, and the deeds of his parents' house will be returned to them.

- 'The older sister of an acquaintance, who was one of the cohort of the second round of National Service in 1995. She worked at the Headquarters of the Ministry of Defence. In 2002, she had ceased to report for National Service. As she had not been formally demobilised, she was unable to leave the country freely or take up other government services, such as importing a car. At the age of thirty, when she reached the the standard age for demobilisation by women, she was demobilised. She has since emigrated.
- 'The older brother of an acquaintance took part in the first round of National Service in 1994. He completed it after eighteen months, at which point he left the country legally in order to work in Ethiopia and then Italy. At that time, only those who had completed their National Service (with a few exceptions) were entitled to leave the country at will.
- 'An older sister of an acquaintance enrolled in National Service at the standard age [18]. At the age of twenty-five, she entered into a false marriage with a relative in order to justify an application for demobilisation. Her application was successful, she was demobilised, and she later legally divorced. She then left the country.
- 'An acquaintance of a person I know – an only child - performed National Service with a government-owned road construction company outside Asmara. After around eight years of National Service, both his parents had died. He asked to be demobilised on the grounds that as the only child of deceased parents, he needed to be discharged to continue the family line – a provision introduced in 2010. He asked his District authorities to certify his status as the only child of deceased parents, which he then presented to his assigned authority, the road construction company, and he was then demobilised. He is free to travel internationally.

**'If demobilisation is refused, are reasons given?** I don't know.

**'This is based on direct conversation?** Yes.

**‘Any discernible profile to those demobilised?’** No. They include men, women, different ages and religious and ethnic background.

**‘Does education have an impact?’** Perhaps to a degree. But almost everyone I know is an educated highlander, so my circle of acquaintances may not be a representative sample of the population.

**‘Can women be demobilised?’** I don’t think it’s a case that women have to have a child or be married. Most get demobilised once they get to 30; and that age is reportedly coming down.

**‘Do you know whether women who get pregnant during their national service have to go back and complete this?’** I don’t know of any specific examples. The ones I am aware of and the people I have spoken to say that they don’t have to.’

9.18.29 Dr Seife Berhe noted:

**‘So you can get demobilised if you are the only bread-winner?’** Yes, it depends on a case-by-case basis. However, then they changed to make demobilisation fair(er).

**‘Who makes the decision on someone being demobilised?’** There were complaints that it was unfair for respective Ministries / military to make demobilisation decisions. Then the government decided to ensure fairness and has made it mandatory that the final decision to get a white card (which is a permit for demobilisation) comes only from the Ministry of Defence.

**‘Was that change recent?’** I guess it is over the last 10 years.

**‘[The FFM team clarified what was meant by ‘white card’]** In the early days, if you had fulfilled your obligations (military training and civilian duties – 18 months plus 1 year in national service) then you were demobilised to a Ministry then you were given a yellow card, similar to a credit card. But you are not completely demobilised until you get your white card to be 100% demobilised and work in the private sector. I.e. if you have fulfilled your national obligations.

**‘When we advertise for a job, we always ask for a person who is demobilised. It is a requirement.**

**‘How do you get the final white card?’** The Ministry of Defence have their own criteria for demobilising people. From what I heard if the person is disabled, or seriously sick such as diabetes or high blood pressure, they were eventually demobilised. Or if you are in a strategic industry such as mining then there is a possibility to get a government release. Limited in number but has happened.’

**‘Dr Berhe also referred to demobilisation as being working permanently with a ministry:**

**‘How many Eritrean staff?’** 22 permanent demobilised staff; and 3 on secondment, who were demobilised from the Military to the Ministry.

**‘What does that mean – demobilised to the ministry?’** They have being demobilised from the military and allowed to work in the Ministry of Energy

and Mines. They have completed their National Service and are now permanent employees of the Ministry.

'We can't find skilled people in the market, so we ask the ministry for skilled staff. So the Ministry has created a rota system for ministry staff to work in mining companies on secondment for an agreed period.

'The Ministry primarily uses the secondment program as a training project for their staff and as a result there are highly qualified earth science and mining engineers in country.

**'Who pays?** We do, when on secondment we pay the company rate.

**'Do the secondees choose?** We ask for what we want – we specify the skills required and experience needed – and the ministry send us a list of who meet that criteria, though the company has input on who we need for secondment. Sometimes we ask only for senior staff, however the ministry may ask us to take a mix of senior and junior staff so that they get a chance to be trained.

**'Why secondees?** Because of shortage in the market, otherwise we bring in expats, but they are too expensive. We have full-time expat but can't afford many expats. Besides the Eritrean geologists are highly skilled because they have worked with many exploration / mining companies but also have acquired considerable knowledge about the geology of Eritrea compared to expats.

**'Are you able to ask for secondees to be demobilised so you can offer them a job?** Indeed. The Ministry want allocation to be fair amongst companies.

**'Is the government fair?** It is fair. We always have a say in a fair distribution.

**'Is the mining industry more 'privileged'?** Yes in some respects because it's one of the main industry in Eritrea. The ministry has specialised staff similar to the Ministry of Health.

**'Are you ever sent people who don't want to work with you?** No. After all they all want to work with companies. It's a great experience for them. We have technology, work experience, training etc. They are experienced professionals, are paid well and get good resources so they are unlikely to say no.

**'What about less qualified?** It depends where they go. They may go to a para-statal firm or factory or other sectors, which may not be that good. But it is better than sitting and doing nothing. Doctors go to hospitals, whereas an economist might be sent to different ministries.

**'If work in other 'privileged' industries, is someone able to get demobilised?** Of course. But they go according to their profession. A medic would go to a hospital. But if you do other things, you could go anywhere. Refresher training is kept short.

**'Are they able to get demobilised more quickly / earlier?** Yes, it helps and depends case by case. Doctors who are senior are more likely to be demobilised earlier. Juniors have to wait longer. Not many get demobilised

but there are some. If they get a medical assessment – high blood pressure, diabetes – there is no question asked. A medical doctor has to assess and certify about the status of health of the person and sends a report. Or women. They are not strict on women – used to be, but not now. The policy changed. They tend to get demobilised.

**‘How do you know this?** There are no published rules. But hear from individuals that have being demobilised. It makes a difference when the institution writes a letter of support.

**‘Does demobilisation depend on zoba / location?** There are broad guidelines. But I do not think there are differences. A case may be made by senior officials but they cannot simply demobilise.’<sup>154</sup>

9.18.30 A female returnee interviewed in Asmara noted: **‘Had you finished [National Service] NS? Been demobilised? [16] Yes. How? [16] Had a child.’**<sup>155</sup>

9.18.31 A returnee from Keren described how he was demobilised:

**‘Did you apply to be demobilised?** [10] yes, I had to ask. **Who did you ask? What is the process involved?** [10] when I finished my national service, I had to bring some reasons to be demobilised. I had a knee problem. They accepted this. [Translator explained that you ask your boss. They ask the zoba office. Then it goes to the Ministry of Defence.] **How long did that process take?** [10] two months. **Did you have to show any evidence/medical report?** [10] yes. **Why not apply earlier? i.e. before leaving for Sudan?** [10] I was healthy before.’

9.18.32 The FFM team were provided with examples of those who had been demobilised in the meeting with:

- [Young People \(1\)](#), of whom 1 out of 11 present was still in National Service;<sup>156</sup>
- [Entrepreneurs](#), all 14 stated that they had been demobilised and also that some of their staff had also been demobilised;<sup>157</sup>
- [Artists](#);<sup>158</sup>
- Returnees ([Asmara](#), [Tesseney](#), [Barentu](#) and [Keren](#))

[Back to Contents](#)

## 9.19 Demobilisation papers

9.19.1 Returnees from Tesseney noted:

**‘Do you have a paper or document for that [demobilisation]?’** [1] I don’t have the formal papers with me, but I have a passport so I can come and go when I want. Passports are only permitted to those who have completed national service. But I don’t have the papers with me.

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<sup>154</sup> [Dr Seife Berhe](#)

<sup>155</sup> [Returnees \(Asmara\)](#)

<sup>156</sup> [Young people \(1\)](#)

<sup>157</sup> [Entrepreneurs](#)

<sup>158</sup> [Artists](#)

**'If someone is demobilised do they get a card?'** [[1][2][5][6] all clarified with the interpreter. The small card you get is for those who are living here. That shows you are free of your obligations. But for those who don't, the 2% tax shows you are demobilised. Those who are part of diaspora can use a passport and payment.<sup>159</sup>

9.19.2 A returnee in Keren showed the FFM team his demobilisation papers, described below:

**'Where get the papers from?'** [[10] showed us a copy of the demobilisation paper. It was about passport-sized piece of white, laminated paper/card with the crest of the Ministry of Defence. All writing on it was in Tigrinya. MOFA Rep explained that it has the following details:

- From the MoD Staff Administration
- A date
- A reference number
- A line stating "This is the form for demobilisation from national service"
- Administration place/region
- Person's Eritrean ID Number
- Person's Eritrean Military Number
- Full Name
- Mother's Name
- Place of Service
- Round (of service)
- [a gap]
- Providing the dates of service
- Official stamp (in bottom right-hand corner)]

'Do they get sent here, or do you have to go to Asmara for that? [10] you have to go to Asmara.'<sup>160</sup>

9.19.3 Dr Seife Berhe noted:

'[The FFM team clarified what was meant by 'white card'] In the early days, if you had fulfilled your obligations (military training and civilian duties – 18 months plus 1 year in national service) then you were demobilised to a Ministry then you were given a yellow card, similar to a credit card. But you are not completely demobilised until you get your white card to be 100% demobilised and work in the private sector. I.e. if you have fulfilled your national obligations... **'How do you get the final white card?'** The Ministry

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<sup>159</sup> [Returnees \(Tesseneay\)](#)

<sup>160</sup> Returnees (Keren)

of Defence have their own criteria for demobilising people. From what I heard if the person is disabled, or seriously sick such as diabetes or high blood pressure, they were eventually demobilised. Or if you are in a strategic industry such as mining then there is a possibility to get a government release. Limited in number but has happened.<sup>161</sup>

[Back to Contents](#)

## 10. People's Militia

10.1.1 Anonymous source (1) noted when asked do you know about older people being called up to do national service:

'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.

'They get a call from zoba administration and then tell them that they are on duty.

**'How often do they have to do this?'** '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.

**'What if the person doesn't report?'** 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.

**'Do they have a gun?'** Yes. They are required to keep it at home.<sup>162</sup>

10.1.2 Anonymous source 2 noted:

'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].'<sup>163</sup>

10.1.3 Anonymous source 3 noted: **'Do you know anything about the People's Militia?'** A father and his 2 daughters all have to do militia training. The

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<sup>161</sup> [Dr Seife Berhe](#)

<sup>162</sup> [Anonymous source \(1\)](#)

<sup>163</sup> [Anonymous source \(2\)](#)

daughters didn't want their father to do the training. Everyone has to do it, if they are cold or sick.'<sup>164</sup>

[Back to Contents](#)

## 11. Migration to and from Eritrea

### 11.1 Exit visas

11.1.1 Immigration officials stated that it is illegal to leave Eritrea without an exit visa. Exit visas cost 200NKF and that visas are required from the age of 5 years onward: 'Unless below the age of 5, they don't need an exit visa. Above, they do. This is because we want to encourage people to stay. There may be exceptions, but in general this is the rule. We don't allow children to leave the country. They must complete their studies here.'<sup>165</sup>

11.1.2 The same source explained the process for getting an exit visa: '... First- they approach administration officers in their zone. They get a letter showing they are eligible. After examining ID etc., then they can go... If all documents are correct, can be done within one day.'<sup>166</sup>

11.1.3 The officials noted when asked how many visas are issued each year:

'It varies. Generally 60-80,000 exit visas are issued each year. **Are there different ones?** No. There is only one type of visa: exit visa. The only difference is that they can be for either single- or multiple-exit, but not different visas for different reasons/purposes of travel. E.g. a business man who travels regularly would apply for a multiple exit visa.

'Those who have nationality of another country (Diaspora), they don't need an exit visa. The 60-80,000 is only for residents.

**'What evidence/documents does a person have to show to get an exit visa?** A person needs to confirm that they are Eritrean — if they are over 18 years old, they need an ID card. They also need a passport. Then they are free to go abroad, subject to one condition: this is the rights and obligations of citizens to do national service.

'To show they have fulfilled this obligation, the person either has permission/consent from the Ministry of Defense, or demobilization papers, or an exemption certificate must be shown.'

**'What does an Eri[trean] need to show to get a passport?** If he is 18 years or older then he has to show his National ID. Under the age of 18 he/she has to prove that his/hers parents are Eritreans.'<sup>167</sup>

11.1.4 The same source also noted that: 'We have bilateral agreements with Sudan, Uganda and Kenya. To go to these places, you don't need an entry visa, but still need to have an exit visa.'<sup>168</sup>

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<sup>164</sup> [Anonymous source \(3\)](#)

<sup>165</sup> [Immigration officials](#)

<sup>166</sup> [Immigration officials](#)

<sup>167</sup> [Immigration officials](#)

<sup>168</sup> [Immigration officials](#)

- 11.1.5 Diplomatic source A noted: ‘Not hard to get one [an exit visa] after national service.’<sup>169</sup>
- 11.1.6 On of the young people [6] interviewed by the FFM observed that: ‘**You have to be demobilised to get an exit visa?** [6] Technically, yes. But it is a very easy process. It’s purely paperwork. **Can you get a visa if you are working for the ministry whilst doing national service?** [6] Yes, I can get out through the government. I fill in the paperwork. It is ok because I am getting training.’<sup>170</sup>
- 11.1.7 Another young person [4] interviewed by the team noted:  
 ‘...I studied diplomacy and international relations. We had the Warsai Yikaelo so all professionals were dispatched to many fields. I was sent to the military. I was doing some things there, not for this meeting, but I was demobilised and came back to the MOFA. In the ministry, I had lots of chances to travel abroad.  
 ‘In 2003/4, there was a huge demobilisation process by the government. There were more than 100,000 people demobilised.  
 ‘In 2013, I went to South Korea and studied my MA for one year. So there is inward migration, not only outwards to Eritrea! I studied development policy. Now I am quite busy contributing to the economy and my people and my country.’<sup>171</sup>

[Back to Contents](#)

## 11.2 Exit checks

- 11.2.1 Immigration officials noted there are exit checks at the airport: ‘Yes. The main checks are to ensure that the person is leaving the country legally. We check for (1) an exit visa from Eritrea; and (2) a proper visa to enter the country they are going to. And there are also the same checks at the land borders.’<sup>172</sup>
- 11.2.2 The immigration officials noted that: ‘**What happens if the checks at the airport reveal the person doesn't have the right documentation to leave?** We just refuse to leave and tell them to go back and Get the right paperwork.’<sup>173</sup>

## 11.3 Entry checks

- 11.3.1 Immigration officials and the Ministry of Foreign Affairs representative noted:  
 ‘**Do you check whether a person has signed that letter at the airport?** That is filled [sic; filed] at the Embassy. We have a copy of the letter, so we know who has paid. However, all Eritreans are free to enter the country. Sometimes they might not have the letter. But when they seek to leave the

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<sup>169</sup> [Diplomatic source A](#)

<sup>170</sup> Young people (1)

<sup>171</sup> Young people (1)

<sup>172</sup> [Immigration officials](#)

<sup>173</sup> [Immigration officials](#)

country, they need to apply for an exit visa. [The FFM team asked for clarification as it was a little unclear]

'We can check on the computer at the airport for the signing of the letter. A person can sign the letter either at an embassy overseas; or at the headquarters here. But they need to apply for an exit visa, so they need to complete it at some time.'

11.3.2 In the interview with returnees in Tesseney, 4 of the individuals described their return to Eritrea:

**'What happened at Asmara Airport?** [1] I was there for sometime to make sure the things I said were correct, but I left that day. **Released within a day?** [1] Yes

**'How enter Eritrea?** [8] came back via plane to Asmara. They asked me who I was and for permission slip to move around [Eritrea]. Legal and free to move...

**'How come back to Eritrea?** [3] I was very curious to come back, so my Mum came on the bus (legally). **Did you have a passport?** [3] no. My mum got a letter. **So what did the border guards ask for?** [3] My mother came with a letter from the Government which I used to cross the border. I wrote a letter of apology...

**'How come back?** [4] with airline and passport. **Did you have a passport?** [4] yes. got passport in 2014 **Where did you get it?** [4] Eritrean Embassy in Israel. **What did you have to do to get the passport?** [4] I wrote a letter [clarified this meant sign the letter of apology], had to pay the 2% tax. **But if you had done your national service, why did you have to sign the letter of apology?** [4] I was in national service – I was obliged – but I just hadn't done it. **So you were avoiding national service?** [4] exactly. **Have you had to do national service since?** [4] no. **What happened at [Asmara] Airport?** [4] they sent 33 people from Israel altogether, 3 of us were from Gash Barka. They were asking questions like which way we went out, what we were doing... **How long at the airport?** [4] 2½ hours. **Who was asking the questions?** [4] national security. **Not immigration?** [4] no. Immigration look at the passport. But the person asking the questions was national security. We were showed the office in central Asmara and told to go there at 16:00. [1][2][6] all agreed with description of process. **Which office?** [4] national security office. They were asking questions. We didn't fill any forms.

**'To clarify... You got off the plane and went to the airport terminal?** [4] yes at 2 am.

1) **Went to immigration?** [4] yes. Then after this, we went through and were put in a vehicle and showed an office we had to come back to at 16:00.

2) **And you went there to answer questions at 16:00?** [4] we went through immigration, taken on a bus (in the morning) and then told to come back.

**'Did all 33 come back at 16:00?** [4] the three from Gash Barka. Priority over others from different regions. **What happened to the others?** [4] I don't know. They arrived on Saturday. People from faraway given priority.

[all flights into Asmara arrive in the early hours of the morning, therefore the office was closed on arrival]. **How long they ask questions for?** [4] around 1 ½ hours. ... **and then they let everyone go?** [4] Everyone go who was with him. Didn't know what happened to those from other areas who asked to come back later.'<sup>174</sup>

11.3.3 The same returnee ([7]) from Barentu plus 3 others ([2], [3] and [5]) noted:

**'What happened at Asmara Airport?** [7] After I arrived in the airport, the national security people asked me questions like: how I left ,which countries I'd been to, then after that they gave me a piece of paper [interpreter unsure how to name it in English – travel permit?] which said I'd been abroad and could move about, and paid tax.

**'They asked you this at the airport?** [7] First, after I got back, they gathered us from my sub-zoba and told us to come back in two days' others from different sub-zoba came back different days. Then we got separated to ask questions. I came back and they asked them.

**'How long did they ask the questions for?** [7] the time depends on the history you give them. For others, they simply went and interviewed them and it was quick. At most, it took one hour.

**'Did they let everyone go, post-questioning?** [7] everyone who completed the questions was let go. From Asmara sent to Gash Barka, then got papers.

**'Did anyone else who went to Israel have to go to the National Security Office?** [5] yes. Everyone went through this process.

**'So go through immigration – passport stamped, then questioned by national security?** Some come through different way... arrived on Air Egypt at 3am. [Nodding] [3] Arrived at airport at 2am. Security took them and kept until 9am. Then started process of questioning.

**'Do they ask about national service?** [2][5] they ask if you have completed it; which round you were in.... **and if you haven't done it, what do they ask?** [2][5] same.'<sup>175</sup>

See also section on [Number and profile of people returning to Eritrea](#)

[Back to Contents](#)

## 11.4 Shoot-to-kill policy

11.4.1 Diplomatic source A noted:

**'Are you aware of whether the Government operates a 'shoot-to-kill' policy?** There is no evidence of the recent application of 'shoot-to-kill'. It could not be ruled out completely that it might happen on the border with Ethiopia, but it doesn't happen on the border with Sudan.

'We visited the Sudan border at Tessenei [sic] – saw no border control. If it happened regularly as Eritrea is a small place, we would hear of it.

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<sup>174</sup> Returnees (Tesseney)

<sup>175</sup> Returnees (Barentu)

'There was an example of a case reported on the internet that people were killed en-route to Sudan via shoot-to-kill. But we had done some research with the people's family and it turned out they had broken down in their car on the way, had then tried to walk to Port Sudan but did not have enough water and died of heat exhaustion.

'If shootings happened, opposition websites would report this.'<sup>176</sup>

11.4.2 A returnee interviewed in Asmara noted:

**'For those crossing the border into SDN, were any of you shot at? [14]** I just crossed the border in 2008. I stayed for 1 year and 8 months. I came back in 2010. There is nothing like that that happened to me. There is no shoot-to-kill policy or anything like that. I was in Asmara, working in the Dept. Of Energy and Mines. I crossed the border via Tesseney (and X?) by foot. I had no problems.'<sup>177</sup>

11.4.3 A returnee interviewed in Asmara noted:

'[10] I was in the 6th round. stayed for 13 years in NS. On the shoot-to-kill policy, my job was the border guard on the Sudan border. I can say that never happened. In 2010, I left for SDN. I went to Camp Sudan. I went to ISR the same year (2010). Stayed for 5 years and came back. The allegation of this shoot-to-kill policy is a blackmail. It has never happened. The Govt. has also done everything it can to help me get back to my family. Nobody has forced me to go back to my unit.'<sup>178</sup>

11.4.4 The Ambassador to Eritrea, in discussion of the UN Commission of Inquiry report of June 2015, noted:

'So difficult to know whether events described in the report are ongoing or not, e.g. [the] shoot-to-kill [policy for those trying to leave the country illegally]. I am not aware of any reliable example of anyone being shot at while crossing the border since my arrival at post in mid-2014, though one diplomatic colleague has reported hearing of a single, isolated incident in 2014.'<sup>179</sup>

[Back to Contents](#)

## 11.5 Numbers leaving Eritrea

11.5.1 Diplomatic source A noted: '5,000 per month sounds about right. Look at the figures of arrivals into Europe of Eritreans. There may also be a few non-Eritreans being registered as Eritrean. The Foreign Minister estimated 60% of applicants not Eritrean – but seems too high.'<sup>180</sup>

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<sup>176</sup> [Diplomatic source A](#)

<sup>177</sup> Returnees (Asmara)

<sup>178</sup> Returnees (Asmara)

<sup>179</sup> [UK Ambassador to Eritrea](#)

<sup>180</sup> [Diplomatic source A](#)

- 11.5.2 Diplomatic sources B, C and D noted: ‘The figure of around 50,000 per year leaving sounds about right.’<sup>181</sup>
- 11.5.3 A UN staff member noted:  
 ‘On migration, this is a key issue. It’s true that so many people are leaving. there are estimate , but you can feel the impact On the country and this is true to any country. It is not healthy to have your young generation leaving the country. All efforts to help the youth stay will be good. **Do you have a feel for numbers of those leaving?** You would need to talk to UNHCR.’<sup>182</sup>
- 11.5.4 Representatives of NUEYS noted: ‘Yes, we all know people who have left. Many families, friends. Migration from Eritrea is not new. But after independence, it was reverse migration – people moved back to Eritrea. Then situations changes, then people hear about the situation in Europe. If we didn’t have a war, need people for the war, then may be people not leave.’<sup>183</sup>
- 11.5.5 A representative of NUEYS noted: ‘... I am trusted to go, travel around – 7/8 times to Africa, worldwide, implement what I want to do. I have been free to travel. All of us, as part of the organisation, are free to travel several times. More than 100 members of the youth have travelled.’<sup>184</sup>
- 11.5.6 Two young people interviewed by the FFM team noted: ‘[4] I think 5,000 per month is inflated. [3] look at how many Ethiopians leave. It is very small, especially comparing the population. How do you [FFM team] differentiate between ETH and ERI?’<sup>185</sup>
- 11.5.7 Entrepreneurs interviewed by the FFM team noted:  
**‘Do you know people who have gone to Europe?** Lots of yes. [8] We all know people. 7 of my employees have gone to Europe and America. There is more opportunities in Europe. They can get asylum in Europe. There is a rumour in the country that you can get anything easily in Europe. There is no opportunity like that here. If you stay, you have to work hard and there are challenges here. But you go there, you get house, you get money. They don’t want to work here. They want to go to Europe and get social security... **‘Have any of them come back?** [Many yeses.] [8] yes. I know someone who went to USA. He is in Asmara now. He paid the 2% and is here on vacation now. **‘Is this common (for people to come back)?** It is a common phenomenon.’<sup>186</sup>
- 11.5.8 The FFM team in four groups sessions interviewed 46 persons who claimed to have left Eritrea, usually illegally, travelled by land and / or by sea, to Sudan, Egypt, Israel, Saudi Arabia and, in one instance, Norway (via Libya and Italy). Full details of individuals’ experiences are in the interview notes:

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<sup>181</sup> [Diplomatic sources B, C and D](#)

<sup>182</sup> [A UN staff member](#)

<sup>183</sup> Representatives of NUEYS

<sup>184</sup> Representatives of NUEYS

<sup>185</sup> Young people 1

<sup>186</sup> Entrepreneurs

- [Returnees \(Asmara\)](#)
- [Returnees \(Tesseneay\)](#)
- [Returnees \(Barentu\)](#)
- [Returnees \(Keren\)](#)

[Back to Contents](#)

## 11.6 Penalties for leaving illegally

### 11.6.1 Eritrean government legal experts noted:

**‘Do the [civil and penal] codes apply to those leave the country illegally?’** There is legislation on acquiring entry / exit visas, specific legislation for immigration. Article 5 (of the criminal procedure code) states general principles applicable to other laws, and immigrations laws have specific penalties. If a person violates the law they will be punished in accordance with the law.

‘More generally, there are 177 proclamations above the Criminal Procedure Code and 144 regulations on civil and criminal laws. The civil and penal codes set out general principles which apply to these laws.’<sup>187</sup>

### 11.6.2 The honorary legal counsel to the UK Embassy in Asmara in a letter dated 21 December 2015 noted:

‘B) The Rules & Regulation of The Eritrean Immigration Proclamation No 24/1992 & The Legal Notice No.24/1991<sup>188</sup>

(1) The Captioned Eritrean Immigration Proclamation & Legal Notice No 24/1992

When considered within the context of the global immigration process and practice of the terms and conditions of such immigration service rules and regulations of any State, which are inclusive of contents, purposes, validity and related checking and verification process of issues of concerns, I believe that the Eritrean Immigration Rules & Regulations of said Proclamation, & Legal Notice herein above are in line with the said global immigration standards, practices and processes of services.

‘However, there are no legal provisions in the said Eritrean Proclamation & Legal Notice on your prime concern on the issue of Dual -Nationality, as in that of a possible example of a British National of Dual-Nationality of an Eritrean National and related services in Eritrea by the British Embassy in Eritrea. Nevertheless, the fact of no dual-nationality provisions in said 1992 Proclamation & Legal Notice of Eritrean Immigration Rules & Regulation, is provided in Article 5 of the Citizenship Proclamation No-21/1992 in that any Eritrean by birth who resides outside Eritrea with the nationality of another country is :

- i. entitled to formally reject his foreign nationality to be granted with Eritrean nationality or

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<sup>187</sup> [Minister of Justice, plus legal experts](#)

<sup>188</sup> Both the Proclamation & the Legal Notice are Published in Tigrigna and not in English

- ii. obliged to submit to the Ministry of Interior of Eritrea of acceptable justification for maintenance of his Foreign nationality so as to Ensure the Grant of his Eritrean nationality as well

'In short, if the Eritrean Ministry of Interior accepts the said justification by the Eritrean by birth for his British Nationalism, he would be entitled to Dual-Nationality.

'In view of the above, the factual and legal cause for legalization Process of Dual-Nationality being subject to the consideration and decision of the said department of the Ministry of Interior, any Eritrean who resides abroad with any Foreign nationality must comply with the required justification under the provisions of Article 5 of the Citizenship Proclamation No-21/1992.

'Eritrean Ministry of Interior and Granting of Eritrean Nationality, I have had a meeting with the concerned officers of said Ministry. And in essence, they assured me in that; said process, consideration and acceptance of said foreign Nationality and granting of Eritrean Nationality is in accordance with Said ArticleS of the Citizenship Proclamation No.21/1992, a simple routine process to ascertain authenticity of all related documents and that in principle, they have no objection to Dual-Nationality and any legitimate actions or steps by an Embassy of an accepted Foreign Nationality of an Eritrean Nationality are, subject to the relevant Laws of Eritrea acceptable.

#### (2) The Eritrean Immigration Legal Notice No.4/1992

'Likewise the concept of Dual- Nationality is not mentioned in this legal Notice. Being so, its contents are Limited to minor amendments on the Immigration Proclamation No.24/1992 as in the specification of the points of Entrance to Eritrea under:-

- a. By air -Via Asmara, Aseb or Massawa;  
By Sea- Via Massawa,Aseb or Tio;  
By land -Via Grimayka, Teiata-Asher, Shelalo,Omhager, Adiquala,Tsorane,Zala-Ambao,A.seb or Kaarora.
- b. The issuance of Laissez- Passer
- c. The specification of visas to be of 5(five) categories as under:  
Entry Visa,  
Exit &Entry Visa,  
Tourist Visa,  
Transit Visa,  
Exit Visa.<sup>189</sup>

[Back to Contents](#)

## 11.7 Numbers and profile of people returning to Eritrea

11.7.1 Immigration officials and a representative of the Ministry of Foreign Affairs noted: 'But thousands of Eritreans, including those who left the country

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<sup>189</sup> Letter to the [UK Ambassador to Eritrea](#) from honorary legal counsel, dated 21 December 2015

illegally, come back to visit, especially in summer, to see family, etc... **Any examples of asylum seekers being returned?** Yes, thousands. In 2014, 1,538 males and 389 females returned to Eritrea. These had left illegally and been away for three years.<sup>190</sup>

11.7.2 Diplomatic source A noted that ‘A number of people [have returned]. I’ve met quite a number of diaspora Eritreans who are definitely of age for national service but who are not bothered by the government. Dozens or hundreds, I can’t say.’ The same source noted: ‘We have four airlines flying into Eritrea. Qatar Airlines flies daily. Also they go by bus to Sudan. Many are foreigners on aeroplanes – but only a few hundred ‘internationals’ in Eritrea.’<sup>191</sup>

11.7.3 Diplomatic sources B, C and D noted:

‘It is believed that refugees are returning to Eritrea. But not permanently. One case of a person who came to Eritrea on a refugee passport which expired whilst in Eritrea. They came to the Embassy asking how to facilitate a return to the EU country.

**‘Have you seen increasing numbers of people coming to the Embassies?** No. It is too early. Most of the cases are family reunion cases. Refugees who come back to Eritrea don’t come to the Embassies. Refugees don’t have the right to get consular assistance. Thousands come back to Eritrea to visit and spend money. Many wealthy Eritreans are seen here in the summer. Eritreans come back to Eritrea but avoid getting a stamp in their passport because they don’t want to get asked on return to the EU country why they have returned home.

‘Deserters are not imprisoned or persecuted. What is strange is the willingness of the [Government of Eritrea] GoSE to assist those who want to come back to Eritrea. They have to sign the letter of apology and pay the 2% tax.’<sup>192</sup>

11.7.4 When asked how many were returning the Diplomatic sources B, C and D noted:

‘It is many more than hundreds. People will be happy to talk to you. They are not scared of us. They are scared of their own authorities and yet if they are willingly coming back, they will talk to you. It should be easy to get some specific examples. But it would not be possible to give the whole picture. But they are indicative. It won’t be big in numbers, but we can help give you specific examples.

‘Anecdotal evidence from the US Embassy is that around 85% of people of their consular cases are Americans of Eritrean descent travelling on an Eritrean passport or identity document. Specific examples from our own consular cases are the same.

‘All the flights coming in the summer are full. There are around 15 [flights] per week. At the moment, it is a bit more quiet. This is not the real Asmara.

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<sup>190</sup> [Immigration officials](#)

<sup>191</sup> [Diplomatic source A](#)

<sup>192</sup> [Diplomatic sources B, C and D](#)

In August, it is too unreal – too much money from the diaspora. However, at the moment it is too quiet. This is partly due to the currency issues [the Government has replaced all bank notes in circulation which has caused a shortfall in currency available].

‘It is no wonder that people are leaving for economic reasons, given the economic policies of the state. It’s good that they want to focus on water supply and electricity. However, when they then tell the people what to do with that water and electricity, that is when it begins to fail.’<sup>193</sup>

11.7.5 A UN staff member noted:

‘I don’t know for sure, people come with different flights all the time from Europe, America and others from Sudan etc. The number of flights and airlines operating are also increasing. Egypt Air; Qatar; FlyDubai; Turkish [Airways].

‘I know that people who were sent back from Israel. There is no systematic approach to return and reintegration. We haven’t heard any outcry of people being returned, but equally we haven’t been able to track those returning.

‘I know that people who are coming back were voluntarily. The GoSE don’t look at the context. People who are coming back are people who are coming back. Not sure whether there is a special treatment for those returning voluntarily and those not returning voluntarist [sic].

‘I don’t know large numbers of people are being put in prison, I have no information. I don’t know for sure as I don’t have the evidence, but based on anecdotal evidence, I think if everyone returning [sic] was put in prison we should not see any one coming.’

11.7.6 Representatives of NUEYS noted:

‘Every year you see the Eritrea diaspora coming back to help their family and the country. Some summers, around 100,000 members of the diaspora come back. Even the ones who migrate illegally come back.

‘The Government had to make some tough measures to prevent people from leaving and taking those journeys across the Mediterranean. In 2007/8 it was tough, but since then the rules have changed. Now, anyone can come back provided they pay the 2% tax.

‘Many of my friends, college-mates, they come back to visit, get married etc.’<sup>194</sup>

11.7.7 Diplomatic source E noted: ‘We also know lots of the diaspora coming back here, especially for weddings. I know of particular examples of this. USA has forcibly returned two Eritrean nationals recently. Sent via Egypt. Israel also returning people.’<sup>195</sup>

11.7.8 The President of NCEW noted:

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<sup>193</sup> [Diplomatic sources B, C and D](#)

<sup>194</sup> Representatives of NUEYS

<sup>195</sup> [Diplomatic source E](#)

**‘Do your members include diaspora returnees?** Yes. We encourage them. They were associate members abroad. When they return we support them, because we have a list of their names from their previous membership in NUEW. We had some 20.000 diaspora members during the struggle.  
**When did they come back?** After independence. Some continue to slowly return. There are some who recently returned.<sup>196</sup>

11.7.9 The President of the NCEW also noted that:

**‘You mentioned diaspora coming back to set up businesses. Do you have also just people coming back to work (as employees)?** It is common. But many come to open businesses as well.

**‘How many people a year do you think?** Many people that I know do some small farms. Some operate bakeries. Some work in factories, in water department, in hotels. Some employ WAS workers. It is not big, but it is happening. Many cafes in town are owned by people who returned from the diaspora.

**‘Do the young people who left recently come back to work?** Yes. When they found that their dream abroad was not met, they decide to come back. Many returned from Israel after spending 2-3 years. People also come back from Europe and the Sudan. But many who went to Europe and America are staying because they get asylum, settled with families. But even then, there are some that come back.<sup>197</sup>

11.7.10 Yemane Gebreab noted ‘ 80-90,000 last year [diaspora returns]. About 1,300 left illegally returned from Israel. Free to come and go.<sup>198</sup>

11.7.11 Young people interviewed by the FFM team noted:

**‘Do the people you know come back to Eritrea?** [Lots of nodding of heads.]

[3] People come back from London, from all over. I know of a person who comes back but he goes to Sudan because he knows that it will affect his case if he comes direct to Asmara. So he goes to Sudan and crosses the border from there. They have to safeguard their status. They come back, get married and then head back to London.

[4] Sure, we know this. There are also people who come back from Israel.

[10] I know someone who came back. He was calling and calling, asking what the GoSE had been saying. He was grade 9 when he left the country.<sup>199</sup>

11.7.12 Anonymous sources 1 when asked if they knew of any Eritreans coming back to Eritrea:

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<sup>196</sup> President of NCEW

<sup>197</sup> President of NCEW

<sup>198</sup> [Yemane Gebreab, Head of Political Affairs](#)

<sup>199</sup> Young people (1)

'Yes, to visit their parents but only those who are living abroad before the national service starts. Do you mean those left illegally? No.

**'So who are the people coming back?** Those who were living abroad who left before the national service situation. Or those who left legally to visit their family and return . They are also some who left illegally, but I never met those. Those who left illegally, after some years, they pay 2% of their income, and they come back legally. They come back to see their family and then they go back the country where they come from.

**'How long have they been away?** After 5/6, could be more, years, those who had been in Juba or Europe.

**'Do they have to do national service?** They have done national service before but not demobilised, they left in between, They left the country maybe 5, 6 years ago. Then they pay 2% tax and come back to see their families and sometimes the go back the country where they come from.

**'To confirm: they had finished national service, but they still left illegally? Why?** Not finished the national service doing the unlimited national service and the Government wouldn't give them a permit to do their private life or no hope of demobilisation. So they think the only solution is leaving the country. They very much fad [sic] up doing the unlimited National service.

**'So they were not demobilised?** Yes. Some had been away 4 years, 5 maybe. Then they paid 2% of their income and they come back legally. Then they get a passport.

**'To confirm: people leave illegally, stay in another country 4-5 years, then pay 2% tax, come back to Eritrea, then return to country they have come from, using Eritrean passport? Yes.'**<sup>200</sup>

11.7.13 Anonymous source 2:

**'Do you know people who have come back having left illegally?** Yes, but I also know many people who left illegally who don't want to come back here.

**'What if a person signs the letter of apology and pays the 2% tax? Are they ok?** I have know about that. I talked to people from abroad who left illegally although they know about that they do not want to take that risk. They were afraid to come back here, and some do not want to go to the Embassy and pay the 2% tax as it is [giving] support to embassy.

'I also know people who pay 2% tax although they do not want to come back due to fear or other reason, but they need it, for example licence renewals of their parents, as their parents (living in Eritrea) will be asked for that and also if they have any other property to sell and related activities which involves government.

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<sup>200</sup> [Anonymous source 1](#)

'Many years ago, people were detained. So people are afraid that will happen if they come back. I have heard that people have come back safely, but I think that some people, they haven't seen people from their previous department [place of work].

**'So these people just come back for short visits, or permanently?** Just for visits. If you come back and stay permanently, you have to go into People's Militia. If you are resident here, you would have to do it.

**'Would they have to do national service?** They would have to do the People's Militia even though they will not detain you or force you to do NS, but for youngsters who left before joining the NS and want to be residents it is highly likely to force them do NS, but I don't know anyone who has come back and stayed, lived here. So I don't really know and I am sure people would not want to do that.'<sup>201</sup>

11.7.14 Anonymous source 2 also noted:

'For now, we know that you have to pay the 2% tax and sign the apology, we know that people come and live here but it depends if you are free from anything, on what you have been doing here before, then free to come back. Depends on various factors. Those who want to stay for long time, have to leave the country even for short period away at least every year, to proof they are non residents. I know many people close to me who have left.

'I know friend who has spent almost 20 years in NS 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.'<sup>202</sup>

11.7.15 Anonymous source 3 noted: 'People cross the border, stay 5 years then government accept them back. They pay 2% tax, inside or outside Eritrea, then live here. They can go out. **Do they have to do NS?** No. They don't have any problems. They get married. **Do you know anyone who has returned?** Yes, a few. From others.'<sup>203</sup>

11.7.16 Immigration officials and the Ministry of Foreign Affairs representative noted:

'If a person obtains another nationality, we still consider them Eritrean. Many hold passports of the country where they live and we recognize it and allow them to have dual nationality. They have to have an ID card if they are dual nationals.

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<sup>201</sup> [Anonymous source 2](#)

<sup>202</sup> [Anonymous source 2](#)

<sup>203</sup> Anonymous source 3

**‘Do you have many people who are Eritreans who also hold GBR nationality?’** Yes, thousands. We recognize the other nationality and allow dual nationality. But they must also have ID card and show this when entering the country.

‘If they surrender their Eritrean nationality, then we no longer consider them to be Eritrean. But it's not a hindrance to have another nationality... All must pay [Diaspora tax] whether they left legally or illegally. The 2% tax is not related to migration, it's an obligation of an Eritrean who lives abroad.

**‘What if they don't pay?’** Ministry of Foreign Affairs (MOFA) representative: the 2% rehabilitation and recovery (RPP) tax is [an] obligation and right of every Eritrean living abroad, for that matter when everyone is expecting services from the government must pay RPP tax. And it is collected on the basis of Proclamation no 17/1991 and no 67/1995.

**‘Do you check whether a person has signed that letter at the airport?’** That is filled [sic; filed] at the Embassy. We have a copy of the letter, so we know who has paid. However, all Eritreans are free to enter the country. Sometimes they might not have the letter. But when they seek to leave the country, they need to apply for an exit visa. [The FFM team asked for clarification as it was a little unclear]

‘We can check on the computer at the airport for the signing of the letter. A person can sign the letter either at an embassy overseas; or at the headquarters here. But they need to apply for an exit visa, so they need to complete it at some time.

**‘The FFM team has seen a version of this letter. It says they must complete their national service. Do you tell the ministry of defense they haven't done it?’** No. Once the person left the country and stay outside the country for three years, we consider them a member of the Diaspora. If they want to come back to visit, they must sign the letter. They can stay in the country for as long as they want. Then they must apply for an exit visa. To obtain this, they need to have signed the letter.

**‘A member of the Diaspora is not required to fulfill their national service. How does a person show they have lived overseas for three years?’** One method is payment of the 2% tax. Another is when a person acquired another passport. The embassy in a foreign country may also help.

**‘How is the 2% tax calculated?’** ‘MOFA Rep; from net income. The person needs to bring salary papers. At the moment they are only paying here; not in embassies abroad due to sanctions.

**‘What if a person can't prove how long they've been away?’** They know they have to prove this.

**‘What if someone has been away for less than three years?’** They are considered a citizen and have to fulfill their obligations.’

11.7.17 Immigration officials also noted that:

**‘If someone comes back within the three years, do you notify anyone?’** No, immigration allows them to enter. Problems come when they want to leave.

**‘Why three years?’** We don't encourage people to leave, particularly with the open border with Sudan. It used to be shorter: 1 year. But people would leave to avoid national service and promote this. So to discourage this, the limit was upped to three years.’<sup>204</sup>

11.7.18 Diplomatic source A noted:

**‘How long have they [returnees] been away?’** Initially 2 years then come back. More recently it could be almost straight away. The people I've met are fairly young, not waited 10 years.

**‘Had these people got asylum?’** To my knowledge, they had all got asylum.

**‘Does the government view them as Eritreans?’** Yes. Government population figures refer to a ‘resident’ population of 3.5 million, so government considers people Eritreans wherever they are.

**‘Are there problems with exit?’** You need an exit visa. If you are on national service you don't get an exit visa.’<sup>205</sup>

11.7.19 Diplomatic source A noted: ‘No recent forced returns. I know of people who have returned from overseas by choice. Just one from Saudi Arabia a few years ago.’<sup>206</sup>

11.7.20 A UN staff member noted:

**‘Is it a particular class or type of person [who leave]?’** It is mostly the young. I know of two examples of people who just left. A night guard and a children's nanny. They just went.

‘I am sure migration of young people affects productivity in many sectors. Our approach is to discuss, with partners, what we can do to stop the bleeding of the nation by losing its young people. It's not an easy fix. It will be quite long term. Development partners need to engage countries of origin to find a solution – and we need to work in consultation on both sides to find a common approach. But it is a responsibility to support nations building and resilience.’<sup>207</sup>

11.7.21 The immigration officials noted:

**‘Has there been any example of recent returns of failed asylum seekers (enforced returns, rather than voluntary)?’** Immigration Officials: if a person is forcibly returned they must stay within the country. **MOFA Rep:** our policy is to prefer voluntary returns. But if a host country decides to repatriate them by force, we will accept them. But we should negotiate this first.

**‘In Gash-Barka, there are semi-nomadic people, what happens if they cross the border accidentally?’** Nothing. We don't treat them as living in the center of the country. They have the right to come and go.’<sup>208</sup>

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<sup>204</sup> [Immigration officials](#)

<sup>205</sup> [Diplomatic source A](#)

<sup>206</sup> [Diplomatic source A](#)

<sup>207</sup> [A UN staff member](#)

<sup>208</sup> [Immigration officials](#)

11.7.22 The UK Ambassador noted: ‘**Are you aware of any who were previous asylum seekers/refugees?** Yes. I don’t know the total numbers, but I believe it to be large... **Do you know of anyone coming back on a Refugee Status travel document?** Only the one you heard about [from a diplomatic source].’

11.7.23 Dr Seife Berhe noted:

‘**Do you see Eritreans come back?** Very few. Professionals like me. Those with academic excellence may come back. There is an Eritrean-British Association, around 30 members – we provide advice, self-help and give information to the diaspora.

‘Very few who crossed illegally to Sudan or elsewhere come back. Actually someone working in the Mining industry came back, now working at Zara mine. He left illegally. I don’t know his circumstances. I heard he can go to an Embassy and ask for amnesty and come back.’

11.7.24 The FFM Team interviewed groups of returnees in Asmara, Tesseneay, Barentu and Keren. In total, there were 46 persons (returnees present at the meetings) although the FFM Team did not hear the accounts of departure and return of all these persons. As a result only partial information about some persons is available and the notes of the meetings should be referred to for full details.

11.7.25 In summary, of those persons:

- 39 men
- 7 women
- 30 returned from Israel
- 10 from Sudan
- 2 from Yemen
- 2 from Saudi Arabia
- 1 from Egypt; and
- 1 from Norway<sup>209 210 211 212</sup>

11.7.26 The table below sets information provided by individual returnees (17 in total: 1 woman; 16 men) in Asmara. See [interview notes](#) for full details:

Asmara	Where go	How leave	How long	How return	National Service status
1	Israel via Ethiopia, Sudan	Illegally	5years	Obtained Eritrean passport	N/K

<sup>209</sup> Returnees (Asmara)

<sup>210</sup> Returnees (Tesseneay)

<sup>211</sup> Returnees (Barentu)

<sup>212</sup> Returnees (Keren)

	and Egypt			(Eritrea entry stamp, 5 February 2016)	
2	N/K	N/K	N/K	N/K	N/K
3	N/K	N/K	N/K	N/K	N/K
4	N/K	N/K	N/K	N/K	N/K
5	N/K	N/K	N/K	N/K	N/K
6	Israel, via Egypt and Sudan	Illegally	N/K	Signed letter and paid tax	N/K
7	N/K	N/K	N/K	N/K	N/K
8	Norway	Illegally (claimed asylum in Norway – got humanitarian leave)	6-7 years (10 months in Sudan; 10 months in Libya)  Returned from Norway in 2009	Returned using Norwegian travel document and Eritrean ID card.  Signed document stating left Eritrea illegally and 'take the consequences'. Had to pay 'something' on return to Eritrea	Not doing NS
9	N/K	N/K	N/K	N/K	N/K
10	Israel via Sudan	N/K	5years	Went to Eritrean Embassy. Paid tax, obtained passport (showed receipt for passport – US\$210)	13 years in NS before departure.  Current situation: N/K
11	Israel via Ethiopia	Illegally (exit visas weren't being given out at the time)	5 years in Israel	Went to Eritrean Embassy.  Paid 1 year's worth of tax (of 18 months)	No. Demobilised before left Eritrea.
12	Israel via Ethiopia,	Illegally (claimed	5 years in	Signed letter of apology, came	In NS for 11 years. No

	Sudan and Egypt	asylum in Israel)	Israel	back with passport; paid 2% tax (not pay for all years abroad)	longer in NS
13	Yemen	No visa mentioned	18months	Not clear	Yes, in NS
14	Sudan		18months	Got Eritrean passport in Sudan	No. Demobilised before leaving. Showed FFM Team demobilisation card
15	N/K	N/K	N/K	N/K	N/K
16 (female)	Israel via Sudan	Legally	3years 7months	Went to Eritrean Embassy and paid 2% tax	Yes. Demobilised before leave (as had a child)
17	Yemen	N/K	N/K	N/K	Not doing NS

11.7.27 The table below provides information provided by individual returnees (12 in total; 1 woman, 11 men) in each of the discussions in Tesseney: 2 were from Sudan, the rest from Israel – all had had paid 2% tax. See [interview notes](#) for full details:

	Where go	How leave	How long	How return	National Service status
1	Israel, via Sudan	Not stated, but implicit by description of departure and return left illegally	Circa 2years in Sudan, N/K period in Israel – returned to Eritrea circa December 2015/January 2016	Obtained passport from Eritrean Embassy in Israel, paid 2% tax. 'Embassy wrote a letter to immigration, pay 2% tax the government gave a passport'. Returned by plane – Israeli	Before leaving, interviewee was soldier in NS. No person 'assume' NS completed - 'I am considered finished'

				government gave him US\$3,500	
2	N/K	Not stated, but implicit by description of departure and return left illegally	N/K	Paid 2% tax	N/K
3 (female)	Sudan	Not stated, but implicit by description of departure and return left illegally	Circa 2years	'Mum got a letter'; wrote a letter of apology. Paid 2% tax	16 when left – before Sawa. Not been asked to go to Sawa since return or do NS. Going to go to high school
4	Israel	Not stated, but implicit by description of departure and return left illegally	5years	Obtained passport from Eritrean Embassy in Israel in 2014; signed letter of apology; paid 2% tax	Evaded NS; not done NS since return
5	N/K	Not stated, but implicit by description of departure and return left illegally	N/K	Paid 2% tax	N/K
6	N/K	Not stated, but implicit by description of departure and return left illegally	N/K	Paid 2% tax	N/K
7	N/K	Not stated, but implicit by description of departure and return	N/K	Paid 2% tax	N/K

		left illegally			
8	Sudan and Egypt	Not stated, but implicit by description of departure and return left illegally	N/K	Came back by plane – had a 'permission slip' to move around Eritrea. Paid 2% tax	Not been asked to NS since return.
9	N/K	Not stated, but implicit by description of departure and return left illegally	N/K	Paid 2% tax	N/K
10	N/K	Not stated, but implicit by description of departure and return left illegally	N/K	Paid 2% tax	N/K
11	N/K	Not stated, but implicit by description of departure and return left illegally	N/K	Paid 2% tax	N/K
12	N/K	Not stated, but implicit by description of departure and return left illegally	N/K	Paid 2% tax	N/K

11.7.28 The table below sets information provided by individual returnees (8 in total: all men) in Barentu. All went to Sudan, then Israel where they remained between 4-5years, signed the 'apology' letter, paid 2% tax and used Eritrean passport to return. See [interview notes](#) for full details:

Barentu	Where go	How leave	How long	How return	National Service status
1	Israel, via	Not stated, but implicitly by description	4-5years	Signed apology letter, paid 2% tax and used	'Since we have been here shortly, we are not clear. I

	Sudan	of departure and return left illegally		Eritrean passport to return  Showed FFM Team passport – no entry stamp into Eritrea	think that, because we have paid the 2% tax, that will be our national contribution, but I don't know.'
2	Israel, via Sudan	Not stated, but implicitly by description of departure and return left illegally	4-5years	Signed apology letter, paid 2% tax and used Eritrean passport to return	See comments of [1]
3	Israel, via Sudan	Not stated, but implicitly by description of departure and return left illegally	4-5years	Signed apology letter, paid 2% tax and used Eritrean passport to return	See comments of [1] Visited Sudan 3 times with a permit since return
4	Israel, via Sudan	Not stated, but implicitly by description of departure and return left illegally	4-5years	Signed apology letter, paid 2% tax and used Eritrean passport to return	See comments of [1] Visited Sudan once with a permit since return
5	Israel, via Sudan	Not stated, but implicitly by description of departure and return left illegally	4-5years	Signed apology letter, paid 2% tax and used Eritrean passport to return	See comments of [1] Visited Sudan once with a permit since return
6	Israel, via Sudan	Not stated, but implicitly by description of departure and return left illegally	4-5years	Signed apology letter, paid 2% tax and used Eritrean passport to return	See comments of [1]
7	Israel, via Sudan	Not stated, but implicitly by description of departure and return left illegally	Circa 5years	Back by plane through Asmara. Obtained document stating returnee had been abroad, could move about in Eritrea and had paid	See comments of [1] Not completed when left. Not done NS since return – has passport, been to Sudan twice since return

				'tax'. Signed apology letter, paid 2% tax and used Eritrean passport to return. Showed FFM passport	
8	Israel, via Sudan	Not stated, but implicitly by description of departure and return left illegally	4-5years	Signed apology letter, paid 2% tax and used Eritrean passport to return	See comments of [1]

11.7.29 The table below sets information provided by individual returnees (4 women; 6 men) in Keren. See [interview notes](#) for full details:

<b>Keren</b>	Where go	How leave	How long	How return	National Service status
1	Sudan	N/K	15months	N/K	N/K
2 (female)	Sudan	Illegally	Circa 2+ years	Went to Embassy, got travel document/passport. Filled in form but not pay 2% tax or apology letter	Yes
3 (female)	Saudi Arabia	Legally	Circa 7 years	N/K	N/K
4 (female)	Saudi Arabia	Legally	3/4 months	N/K	N/K
5	Egypt	Illegally	Circa 1 year	Contacted Embassy, obtained papers	No
6	Sudan	N/K	3 months	N/K	N/K
7	Sudan	N/K	Born in Sudan	N/K	N/K
8	Sudan	N/K	Circa 6 years	N/K	N/K
9	Sudan	N/K	2 months	N/K	N/K
10	Sudan	Illegally	2 months	Went to Embassy, got papers and 1,000KF. Obtained a letter from Eritrean Embassy used to	Demobilised, on health grounds

				enter Eritrea.	
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11.7.30 A returnee interviewed in Barentu who returned from Israel noted: **‘Come back by plane? [7] Yes. I flew through Egypt and then Eritrea. Just [7] or were there others coming back? [7] There were others – 23 others; 24 altogether.’**<sup>213</sup> N.B. It is not clear how many those present at the meeting were also returned on the same flight.

11.7.31 In the interview with returnees in Tesseneay, 1 of the individuals described their return to Eritrea: ‘... [4] they sent 33 people from Israel altogether, 3 of us were from Gash Barka. They were asking questions like which way we went out, what we were doing...’<sup>214</sup> N.B. It is not clear how many those present at the meeting were also returned on the same flight.

11.7.32 A returnee who had returned from Israel interviewed in Asmara noted: **‘Did [11] and [12] come back together? [11] came back in a group. 40 people. Are they here today? Only two.’**<sup>215</sup>

[Back to Contents](#)

## 11.8 Process of return

11.8.1 The immigration officials and a representative of the Ministry of Foreign Affairs noted:

‘... All must pay [Diaspora tax] whether they left legally or illegally. The 2% tax is not related to migration, it's an obligation of an Eritrean who lives abroad. **What if they don't pay?** Ministry of Foreign Affairs (MOFA) representative: the 2% rehabilitation and recovery (RPP) tax is [an] obligation and right of every Eritrean living abroad, for that matter when everyone is expecting services from the government must pay RPP tax. And it is collected on the basis of Proclamation no 17/1991 and no 67/1995.’<sup>216</sup>

11.8.2 Diplomatic source E noted:

‘The US taxes citizens overseas. It's not illegal. They are quite harsh about it. Under the **Foreign Account Tax Compliance Act (FATCA)** regulation, they require banks to disclose who is due to pay the tax. Eritrea doesn't have the capacity to enforce this against Eritreans. They don't ask people on entry whether they've paid the 2% tax. I also have specific examples from foreign –based Eritreans who say this hasn't happened.’<sup>217</sup>

11.8.3 Yemane Gebreab noted that 2% tax:

‘Started in 1992. Everyone worked without salaries for 4 years. Ethiopian Government nationalised properties. So the government gave back the

<sup>213</sup> [Returnees \(Barentu\)](#)

<sup>214</sup> [Returnees \(Tesseneay\)](#)

<sup>215</sup> [Returnees \(Asmara\)](#)

<sup>216</sup> [Immigration officials](#)

<sup>217</sup> [Diplomatic source E](#)

properties but ask people to pay 2% tax on net income to help with rehabilitation. Requirement of every citizen in and out of Eritrea must pay 2% tax. Eritrean nationality law states that everyone who has a mother or father is an Eritrean, including those abroad. Have same rights as Eritreans in Eritrea but must pay 2% tax. And you can vote and get land.

**'Can you pay 2% tax in Eritrea?** Yes. Many countries make it difficult, including the UK, so can pay in Eritrea.'<sup>218</sup>

- 11.8.4 A young person interviewed by the FFM team noted: '[3] there are two processes you have to follow. (a) go to the embassy and fill in the form; (b) pay the tax. Even if you can't pay, you can come to Eritrea and there is no harm. I was speaking to the guy last week and said he has to do it that way [going via Sudan] to protect his status. He had lied to get asylum in the UK.'<sup>219</sup>
- 11.8.5 Two returnees who had come back from Israel interviewed in Asmara noted: **'Got a passport from ERI Embassy in ISR?** [11] yes. You can see if you want. [11] and [12] both showed passports issued by Embassy in ISR. [12] has an exit visa in the passport already and a visa for Saudi. [14] [sic] passport issued in July 2014.'<sup>220</sup>
- 11.8.6 A returnee who returned from Sudan interviewed in Asmara noted: **'Did you pay the [Diaspora] tax?** [14] I have paid the one year, but not the 8 months. **How get back?** [14] by bus. **What happened?** [14] nothing. I gave them the paper. **What paper did you have?** [14] ERI passport, which I got in SDN, and an ERI ID card. **Then ...?** [14] I went back to the Ministry, showed them the letter and got my job back. **So you have a passport and exit visa now?** [14] yes, I can go wherever I want now. [[14] also showed his demobilisation card].'<sup>221</sup>
- 11.8.7 Returnees in Barentu noted: **'Has anyone come back without signing the letter of apology?** No. Everybody signed one. And everybody paid the 2% tax? Yes. **All same process?** Yes. All arrived in last 6 months? No. [3] came back in March 2014. **Same process for you?** [3] same.'<sup>222</sup>
- 11.8.8 Returnees in Barentu noted: **'Did the Israeli government give you any assistance?** I was given US\$3,500. It's given, but because we've paid to get there ... In Israel, don't have any rights. Have to work. **Did the Israelis pay for the flights back?** Yes. [7] the air ticket was paid from ISR-EGY. From EGY-ERI was paid by Government of Eritrea.'<sup>223</sup>
- 11.8.9 A female returnee interviewed in Keren noted: **'What about [2] – how did you get to Sudan?** [2] on foot, illegally. **Where did you start walking?** [2] from Agordat. [HMA mentioned that is a long

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<sup>218</sup> [Yemane Gebreab, Head of Political Affairs](#)

<sup>219</sup> Young people (1)

<sup>220</sup> Returnees (Asmara)

<sup>221</sup> Returnees (Asmara)

<sup>222</sup> Returnees (Barentu)

<sup>223</sup> Returnees (Barentu)

way]. Yes, it was about 200-300km. There was thirst and hunger. **Why did you leave?** [2] I didn't finish my national service, so I left illegally. **How long stay in Sudan?** [2] 2 years. **Why come back?** [2] I was hoping to change my life, but it was more terrible there. **How come back?** [2] I went to the Embassy and ask – said I was willing – to come back.

**'What assistance did the Embassy give you?** [2] They gave me a travel document. [MOFA Rep explained that this is not a passport. A passport takes around 40 days, whereas a travel document is much quicker. It is a piece of paper – a one-page (A4 sized) travel document confirming identity with a photo and embassy stamp.]

**'What did the Embassy ask you to do?** [2] am I really willing to come back to Eritrea. **Pay any tax?** [2] no. **Sign a letter about national service?** [2] no. I was already in the middle of my national service. **So no letter of apology?** [2] actually there is a form filled by the Embassy that you have to fill to come back, but it didn't say anything about national service. [translator explained that women are not pressed into national service.] **What is in the form?** [2] just a form about coming back. **Are you doing national service now?** [2] I went to the military office – the national service office – in Asmara. They said stay with my family until you are called. [MOFA Rep stated that the President made an announcement that those who want to come back can fill the form in and after that they start the process.] **When did you first go to the Embassy in Sudan?** [2] when I planned to come back – after two years. I filled in a form to confirm my identity, but I didn't fill in a letter about my national service. I wrote an application that I was willing to come back. **So that is separate to the confirmation of identity?** [MOFA Rep explained the process. HMA Asmara stated that we are not interested in the process; we are interested in the person's experience of the process.]

**'So they only asked [2] to fill in one form? Or one letter? Or one form and one letter?** [2] First you have to apply. Then they give you directions on how to come back. Then they give you the form. **What form?** [2] all the details of my background – where I am from, why I am leaving, how I am leaving, why I am coming back. **Then they gave you a passport?** [2] yes.

**'And how get back?** [2] by bus. **What happened at the border?** [2] nothing. It was normal, as if coming in and going back. [HMA explained that if you travel on an ETD in the UK, Immigration take it from you, as it's valid for one journey only]. [9] showed a copy of their travel document. It was one piece of A6 [?] card, folded in half, horizontally, to form two postcard-sized halves. HMA stated that this has an exit visa for Sudan. Translator explained that these are one-way documents specifically issued for travel to Sudan. [2] explained that her document is not like [9]'s document.] **Which office in Asmara did you go to?** [2] the head office of the MoD.<sup>224</sup>

11.8.10 A returnee from Keren [10] noted:

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<sup>224</sup> Returnees (Keren)

**'How come back?** [10] I went to the Embassy, they gave me the papers and they gave me 1,000 NKF to come back. **What papers did they give you?** [10] They wrote me a letter in the consular at Kassala. At the border, they saw this paper. They ask me if I am willing to continue my national service, so they wrote me a letter. **At the border, what did you show the officials?** [10] it was a letter, I showed it to them. They gave me another letter and I came back to Keren (home). **Did you have to go to the MoD in Asmara?** [10] no. **Did you have to start your NS again?** [10] I took a vacation for one month, then I started again. In fact, I finished my national service and now I am free. **What did your employers say about the fact you'd been away for so long?** [10] they were happy to see me back, gave me a vacation and it was ok.<sup>225</sup>

11.8.11 A returnee in Keren noted:

**'And they contacted the Eritrean Embassy? Or you did? Or you asked them to do so?** [5] for four months they didn't allow us to contact anyone. Then they eventually let us contact our Embassy. First, only the Ethiopians were allowed to contact their Embassy. Afterwards, they contacted our Ambassador. **What papers did the Embassy ask you to complete?** [5] just our photo, our name. **Anything about national service?** [5] no. **Did they give you a passport to come back?** [5] only a paper, with my photo and name. Then I came back to Asmara, around 5:30 in the morning. They provided a bus. They gave me one months' rest and then told to go back to national service.<sup>226</sup>

11.8.12 A returnee from Norway interviewed in Asmara noted:

**'Is there a visa for ERI? I can't see a visa [in his Norwegian travel document].** [8] it's just an entry stamp. NOR need a visa to get to ERI. You don't have a visa. **How get back to ERI?** [8] I don't know. MOFA rep says that the NOR immigrant passport shows nationality as Eritrean. [clarification on visa vs. Stamp] [8] I also showed my ERI ID card. [I also observed the ERI entry stamp at Asmara airport dated 28 May 2009 (page 10)]. **Before coming back, did you approach the ERI Embassy in NOR?** [8] in Stockholm. They asked me to say I've been out of my country illegally and take the consequences. I signed that. They then left it to me to decide. So I left it a bit and then came back.' **Did you sign the letter in Stockholm?** [8] yes. **Did you pay the tax?** [8] they just said that if I wanted to come back, then I don't have to pay the tax but when I get back then I have to pay something. I have willingly paid my tax, in Stockholm, before I got back.'<sup>227</sup>

11.8.13 Further examples of the experience of return, including reference to payment of 2% tax and signing the 'apology' letter are provided in the notes with returnees in [Asmara](#), [Tesseney](#), [Barentu](#) and [Keren](#).

[Back to Contents](#)

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<sup>225</sup> Returnees (Keren)

<sup>226</sup> Returnees (Keren)

<sup>227</sup> Returnees (Asmara)

## 11.9 Documents used to return to Eritrea

### 11.9.1 The UK Ambassador noted:

'I believe the majority of British citizens of Eritrean origins (i.e. those who have naturalised) who come back to Eritrea come in on their Eritrean ID card.

'My experience of dealing with consular customers at the British Embassy in Asmara is that the vast majority are British citizens of Eritrean origin, and the majority of these have entered Eritrea on Eritrean identity or residence documents, having used their British passport to leave the UK. Those who apply for an Eritrean visa in their British passport are a minority. An informal estimate by the Embassy of the US mission of citizens of Eritrean origin, was that 85% of them chose not apply for an Eritrean visa in the passport of their newly acquired nationality, but instead to enter Eritrea on Eritrean identity documents.'<sup>228</sup>

### 11.9.2 Three returnees in Barentu showed the FFM Team documents they claimed they used to travel to Eritrea:

**'Anyone have any of their documents with them? [7] yes. [showed FFM team:**

- a pink A4 sheet, valid from 2010-2015. In Tigriyna. From the Eritrean Embassy in Israel. It purports to show a receipt for [xxx]
- Passport, issued September 2014 – entry stamp for 22 September 2015 on page 7
- An exit visa dated 11 Jan 2016, valid until 10 February 2016]

**'...Why is the exit visa not in the passport? I don't know. This is what you're given when you visit Sudan...[1] showed FFM team a passport issued in September 2015. No visible entry stamp in his Eritrean passport...[3] showed FFM team a passport, issued on July 2013, entry stamp to Eritrea dated 11 April 2014 (p7), exit stamp dated 18/9/15 (valid one month); entry stamps to Sudan 15/10/15 and 19/10/2015.'**<sup>229</sup>

### 11.9.3 See also the documents used by returnees in interviews in [Asmara](#); [Tesseney](#); [Barentu](#) and [Keren](#)

[Back to Contents](#)

## 11.10 Treatment of irregular migrants, including those who leave illegally and failed asylum seekers / refugees

### 11.10.1 Anonymous sources 2 noted: 'There was a rumour, around 2004, there was around ten people – and then this letter of apology wasn't published (or not available at all embassies) I don't think – so their cases was resolved by the President's Office. This was terrifying for the people who coming back.'

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<sup>228</sup> [UK Ambassador to Eritrea](#)

<sup>229</sup> [Returnees \(Barentu\)](#)

<sup>230</sup> [Anonymous source 2](#)

11.10.2 Immigration officials and a representative of the Ministry of Foreign Affairs:

**‘How does immigration consider the act of claiming asylum in the UK or elsewhere? Is it illegal?’** Immigration Officials: Leaving the country illegally is illegal. We try and encourage people not to leave. MOFA Rep: if they claim asylum abroad, it doesn't concern us. It is more the concern of the country they claim asylum in.

‘Immigration Officials: we don't care about the reason. All we are looking at is how long have they been away; more than 3 years or not. Claiming asylum doesn't matter. If they come back within the three years, they need to complete national service. They must fulfill their obligation.’<sup>231</sup>

11.10.3 Immigration officials noted that:

‘We don't punish the person for leaving illegally. We try to encourage every person to stay here. Once a person leaves the country, we want to help them come back. A person who wants to come back needs to sign an apology letter. But thousands of Eritreans, including those who left the country illegally, come back to visit, especially in summer, to see family, etc...’<sup>232</sup>

11.10.4 The immigration officials also noted that:

**‘Do you try to stop people leaving down the Sudan boarder? Do you try to stop them?’** We just work in the offices and at the ports and proper land border posts, but we don't patrol the border- it is very fast [sic; vast]. It is the army's responsibility.

**‘Do you know if the army tries to stop people leaving illegally?’** Immigration officials are posted only at the legal ports of entry. And the office of immigration is dealing only with those who left the country legally. But guarding the border is the responsibility of the army. Hence they have their own way of handling those who try to leave the country illegally.

**‘How long are they detained?’** Not long. Two months; one month. It depends on age and circumstances. Then they are taken back to where they came from.

**‘How do you treat children who are trying to leave to avoid national service?’** MOFA Rep: department of migration don't know who is leaving the country illegally. If they are caught at the border, they could be sent to a rehabilitation center. This is different to prison. They are held for one week and then returned to their family.’<sup>233</sup>

11.10.5 Diplomatic source A noted:

**‘All claims in the UK raise illegal exit, do you have a sense for what the punishment on return?’** Difficult to say. I've heard from some Eritreans that some people who leave have been caught and been treated badly. I've not been in a prison, I assume they are bad.

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<sup>231</sup> [Immigration officials](#)

<sup>232</sup> [Immigration officials](#)

<sup>233</sup> [Immigration officials](#)

'I also know from anecdotal evidence from people who have left and returned and who were not drawn to national service but are able to move freely. I have also heard from others moaning that people in national service need a permit to move around.

'[People returning] is an annoyance and a pull factor for other Eritreans. People run away, come back and are not bothered. Some people get away with it. I know some young people who have never done national service – [the source gave a particular example of a member of staff who had not done it].'<sup>234</sup>

11.10.6 Diplomatic source A also noted: '**Do you think claiming asylum is a political act and would put a person at risk on return?** No, I don't think so. Maybe natural to think that but there are so many [leaving], many in government with sons and daughters leaving, that I don't think so. Attitude of the government is: come back, have fun but don't talk about politics.'<sup>235</sup>

11.10.7 Diplomatic source E noted: 'My sense is that, if they are caught trying to cross the border, they'll probably imprison them. But if they have left and come back, they are ok'. The same also noted that: 'If caught leaving, you are maybe detained but not tortured. It depends on who you are. If you try to leave and you're in uniform, they'll treat you pretty harshly.'<sup>236</sup>

11.10.8 Yemane Gebreab noted: '**What about people who leave illegally?** The president said on TV clearly [offered to send the TV clip]: no-one will be prevented from coming back but suggest that they get skills and bring back money. The President said no-one has the authority from preventing a citizen from coming back.'<sup>237</sup>

11.10.9 Diplomatic sources B, C and D when asked why the government was willing to assist Eritreans who had left the country to return (on signing a letter of apology and paying the 2% diaspora tax):

'They need the remittances. But ultimately they want people to come back and help build the country. Something is amiss. However, it is the lack of the rules and no-one really knows what is going to happen. It might happen to some people, but if people were disappearing, then the word would get round quickly and people wouldn't come back. People are returning quickly. There are people coming back to Asmara who only arrived in Lampedusa four months ago. They go, get their status, now return.

'**How do you know this? What is the evidence?** We know through the many, many cases of people we have spoken to. But it's hard to give specific evidence. However, there is a large community from [a Western European country] and they are recognised.'<sup>238</sup>

11.10.10 A UN staff member noted:

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<sup>234</sup> [Diplomatic source A](#)

<sup>235</sup> [Diplomatic source A](#)

<sup>236</sup> [Diplomatic source E](#)

<sup>237</sup> [Yemane Gebreab, Head of Political Affairs](#)

<sup>238</sup> [Diplomatic sources B, C and D](#)

'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.

'If I were a policy maker in the UK, I wouldn't penalise this country to stop any aid and support. Human beings in Eritrea need continued support. We see support in other countries struggling with development after independence or after conflicts. It is always good to visit and have your own feel and view of the country than simply rely on hearsay.'<sup>239</sup>

11.10.11 Representatives of the NUEYS noted:

**'You mentioned doing skills training for returnees? How many returnees?'** The project was aimed at returnees, but not just for them. We have centres around the country. I think last year we gave vocational training to 910 people. We provide training for 5,000 people; 910 were project supported. **910 returnees?** No. 910 people. That would include returnees. But we don't know the number.'<sup>240</sup>

11.10.12 Diplomatic source E noted: 'My sense is that, if they are caught trying to cross the border, they'll probably imprison them. But if they have left and come back, they are ok'.<sup>241</sup>

11.10.13 Yemane Gebreab noted when asked if returnees will be required to do national service: 'No-one forced to NS at the moment. **Will they have to do People's Militia?** Yes. Their duty. We have a threat from a much bigger country. At the moment there is no big threat – so not enforced. If war, things may changed.'<sup>242</sup>

11.10.14 The regional governor of Gash Barka noted:

**'The people coming back, e.g. from Sudan: is that one of the criteria?'** They have to apply. They apply in the Embassy in Khartoum or Juba and it comes here. Whenever someone leaves the country illegally, they need to fill the regret form.

**'Why do they apply to come back?'** He has to apply. We just want to know. [MOFA Rep explained that this is for people who left illegally, which the Governor agreed, to which the MOFA Rep explained that they needed to get a passport].

**'Is coming back with an Eritrean ID card enough to come back?'** No, its not enough. To go abroad, he needs a passport and visa. So he needs to apply. Most people leaving are illegal. They leave without a passport.

**'What if they just turned up at the border with an ID card?'** They can enter the country.

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<sup>239</sup> [A UN staff member](#)

<sup>240</sup> Representatives of NUEYS

<sup>241</sup> [Diplomatic source E](#)

<sup>242</sup> [Yemane Gebreab, Head of Political Affairs](#)

**‘Can they come back with just an ID card? What happens?’** Well, they have to [be] questioned about their situation. They have to be questioned about why they left, how and why they are coming back, what forced them out. But if they apply in Khartoum, then we know all that. If not, they have to apply and get questioned, but it’s nothing more than that.

**‘What if they said they left illegally because of national service?’** Well, we know. He may need some rehabilitation training and coaching. We tell them about the situation in the country, their rights and their obligations.

**‘Not clear what this means in practice?’** When they come back and rehabilitated, the aim is not to repeat again and fall in the hands of criminals but to gain knowledge about illegal migration.

**‘Where is the rehabilitation centre? Is it in Gash Barka?’** No. Somewhere else.

**‘Do some come back without you knowing?’** Some come back in and back to Sudan without informing [Ambassadors/Embassies], but it’s rare. They get nothing going back and forth.

**‘Do people return from Sudan at Tesseney?’** He is questioned, then rehabilitated. Some may return illegally and return to Sudan again.

**‘What is “rehabilitation”?’** Learning, knowing the situation.’

**Are you fined for leaving illegally? What are the penalties?** If they committed a criminal act, yes. But not for leaving illegally.

**‘What happens?’** He could be punished. Not for leaving illegally. Only those who commit a crime before leaving.

**‘Is it [illegal exit] a crime?’** In principle yes, but they don’t get punished. If they did something else, they may get punished but not for just leaving illegally. We are only talking about someone who committed a crime before he left. It is normal for criminals. He has to be responsible.’<sup>243</sup>

11.10.15 The regional governor also noted that: **‘Is not doing national service a crime? [No answer given]. Does it matter if the person claimed asylum? Is that a crime?’** No. Almost all of them are claiming asylum. It’s not a crime. They are claiming asylum because they have to. The economic situation is forcing them to do this. The Eritrean Government is encouraging them to come to their country, so not a crime.’<sup>244</sup>

11.10.16 The Chief Services Officer at Bisha mine was asked if Eritreans come back to visit:

‘Yes they can visit without any precondition. I hear people say that if you don’t pay the 2%, you can’t come back/visit the country, but it’s not true. The truth is, if they want government services (court case, consular services, different government licenses etc) they need to present the payment of the

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<sup>243</sup> Regional governor of Gash Barka

<sup>244</sup> Regional governor of Gash Barka

2% tax, which is issued at the Eritrean Consulate of their region and authenticated by the Eritrean Court Registrar.<sup>245</sup>

11.10.17 The UK Ambassador noted: ‘Apart from a case that is referenced elsewhere, I cannot remember hearing about a case of a person who was apprehended leaving the country illegally who was not also evading national service. Any reports of their punishment are therefore more likely related more to their evasion of national service than their act of leaving the country illegally.’

11.10.18 The UK Ambassador also noted:

**‘[The FFM team] heard from some interlocutors that a person who returns does not have to do national service (NS) if they remain in Eritrea for less than 4 months. Are you aware of only people staying a short while to avoid NS?’** I am not aware of this at all. I have not conducted a large survey, but I don’t know of any case of a person coming back who is compelled to do national service. I have heard of some cases of people who come back to do it voluntarily. They accepted it as part of the terms of their return, but I do not know whether it was an obligation for them or not.

**‘Are you aware of anyone staying longer than 4 months following their return?’** Yes. But couldn’t say, of those I know, whether they’ve been demobilised, or what their health status, marital status, etc is, which might provide an exemption. I know of one case who stayed for 5 years but they were mentally unfit. I also don’t know, of those who do stay longer, whether they actually leave and come back periodically (e.g. quarterly).

**‘Has the Embassy received any complaints from dual British–Eritrean nationals about their treatment by the government of Eritrea?’** Not during my period of work here.

**‘Aware of anyone who has returned having left illegally without having signed the letter and paid the tax?’** I have met individuals in the diaspora who have returned without paying the diaspora tax, and have not been asked to do so or to do national service, but I am unaware of the circumstances of their acquisition of British nationality (for example, whether they have been British nationals since birth, or have become so through naturalisation), and other personal circumstances which might impact on their liability to national service or its alternative, the diaspora tax.<sup>246</sup>

11.10.19 Dr Seife Berhe noted:

**‘Do people say to you that they fear returning?’** I can understand that, but those who are regularised – citizens and residents in other countries– have no problems. Those who are settled, there is nothing to be afraid. The government has a different way of handling the Diaspora.

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<sup>245</sup> Representatives of Human Resources Department, Bisha mine

<sup>246</sup> [UK Ambassador to Eritrea](#)

**‘And what about those who left illegally in the last couple of years? I don’t have figures how many came back, but very few who left illegally have come back. Many who left 10-20 years ago, that’s a different ball game.**

**‘Many of these [diaspora] come back? Yes. Ask about prospects to set up business or to invest.’**

11.10.20 A CEO of a UK registered, EU-funded international NGO working in Eritrea noted an example of ‘...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.’<sup>247</sup>

11.10.21 The CEO of a UK registered EU funded international NGO also noted:

‘Many Eritrean refugees and asylum seekers and Eritreans otherwise who have fled national service or left illegally have lived through dreadful experiences and abuses inside and outside of Eritrea. There is no doubt that national service obligations cause hardship and stress. This is a national tragedy as well as a personal tragedy which all of those victims have had to endure, and for those who are the cause, it is a source of great shame. No compromise or justification can take away from this reality. Eritreans have demonstrated enormous courage in dealing with such tragedy.

‘It is most understandable for asylum seeking refugees or others who have left the country to present a negative story to lend justification to their decision to leave. On the other hand the fact that all stories from asylum seekers are clearly negative towards the Eritrean Government and portray persecution and human rights abuse simply does not accord with the reality that many Eritreans living outside of Eritrea privately express.

‘We know this through our interaction with the Eritrean diaspora across Europe. Their positive impression of the government, without any duress or fear of repression simply is a reality which is taken as propaganda. Notwithstanding the evidence of some civil liberties abuses within the context of national service, it is our assertion that the vast majority of Eritreans both inside and outside of the country including those who have left illegally believe that the government’s national service policy and practice is in response to a real and genuine fear for Eritrean military security and national sovereignty.’<sup>248</sup>

11.10.22 In the interview with Artists, 1 person noted:

**‘And what do you think about the claims that people can’t return because of national service and being imprisoned for leaving illegally?**

[3] I know a lot of people who are in Europe. They went to Europe and regularised there. They are allowed to come back. A lot have come back. I don’t know anyone who got arrested for that [coming back]. They say that it’s political to get there. But then they make amends with the Government and come back.’<sup>249</sup>

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<sup>247</sup> [Dr Seife Berhe](#)

<sup>248</sup> CEO of a UK registered EU funded international NGO

<sup>249</sup> Artists

11.10.23 The FFM team in four groups sessions interviewed 46 persons who claimed to have left Eritrea, usually illegally, travelled by land and / or by sea, to Sudan, Egypt, Israel, Saudi Arabia and, in one instance, Norway (via Libya and Italy). For breakdown of numbers see section: [Numbers and profile of people returning to Eritrea](#).

11.10.24 Three returnees interviewed in Barentu stated that they had, since returning, left Eritrea: **‘How many asked for an exit permit to leave again?’** [3] I left three times for Sudan. For business.... [5] one time – to Sudan. [4] one time – to Sudan.’<sup>250</sup> A returnee interviewed in Barentu noted: **‘What are people’s national service status?’** [1] Since we have been here shortly, we are not clear. I think that, because we have paid the 2% tax, that will be our national contribution, but I don’t know.’<sup>251</sup>

11.10.25 Full details of individuals experiences are in the interview notes:

- [Returnees \(Asmara\)](#)
- [Returnees \(Tesseney\)](#)
- [Returnees \(Barentu\)](#)
- [Returnees \(Keren\)](#)

[Back to Contents](#)

## 12. Healthcare

### 12.1 General healthcare

12.1.1 The Minister of Health noted:

‘Regarding the general provision of health care in Eritrea, the Minister of Health started her clarification by explaining that health is the focus of the Government and People of Eritrea. The Government places a high priority on health and is committed to achieving and sustaining the progress made towards achieving its health-related goals.

‘The significant improvements in the health status of the Eritrean population and the achievements recorded in the Health Millennium Development Goals are a result of a concerted effort by government, citizens, civic and community leadership, and development partners. Among the crucial factors that can be mentioned are good policy and programs, accelerated human resource development, construction of an expanded network of healthcare facilities, availability of appropriate drugs, supplies, and equipment, and sustained political commitment. All of these contributed substantially to health awareness and improved citizens’ access to quality and timely healthcare.

‘In the period since national liberation in 1991, access to healthcare within a radius of 10 kilometers increased from 46 percent in 1991 to 78 percent at the moment, while over 60 percent of the population enjoys access to care facilities within a radius of 5 kilometers.

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<sup>250</sup> Returnees (Barentu)

<sup>251</sup> Returnees (Barentu)

'At the moment Eritrea has around 400 healthcare facilities, which include: National and Zonal Referral Hospitals, Community Hospitals, Health Centers, Health Stations and Clinics, which are scattered all over Eritrea.

'...The political commitment of the State of Eritrea to the betterment of health of the population is one of the biggest opportunities that make the health policy environment favorable for progress. There are also many other opportunities that are unique to Eritrea, including its unique history of 30 years struggle for independence and social cohesion. One of the most important contributors to the success in health in Eritrea is its highly responsive and responsible population.

**'Is healthcare free?** Yes! Health Care on Eritrea is virtually free at all levels. In public health facilities, for those who can pay the fee is so nominal, it is virtually free. Those who cannot pay are required to provide letter of witness from their administration so that are fully exempted from any payment for health care. Many communicable diseases such as HIV/AIDS and tuberculosis; most maternal and child health services such as Antenatal Care, Immunization etc.; and some non communicable diseases such as diabetes, hypertension etc. are free even for those who can afford to pay.

**'If a person wants to obtain treatment, do they have to show anything (e.g. ID card, document) in order receive health care?** 'An identification document is not a requirement to receive health care service. Of course any person has to register his identity including his name, address, ID number, telephone number etc. for ease of reference and retrieval of his patient/treatment card during follow-up or any time she/he comes back to the health facility. However, having an ID or any other identification document is not a requirement to get health care service. The patient can just tell his identification information. For example, if a person has neither an ID card nor he knows his ID number, that missing information can be left blank on his personal treatment card.<sup>252</sup>

## 12.2 Mental healthcare

### 12.2.1 The Minister of Health noted:

'We have one National Referral Psychiatry Hospital in Asmara. The national referral hospital is staffed with a medical doctor highly experienced in psychiatry, who is the director of the hospital and a psychiatrist who often comes from the Diaspora. Additionally the hospital is staffed with psychiatric nurses, who trained to practice psychiatry.

'At the moment we have sent a medical doctor for training in psychiatry and we will soon send other medical doctors for specialization in psychiatry. Outside the national referral hospital mental health service is integrated with the general health service at all levels. Thus, the Ministry has been training psychiatric nurses and deploys them to the Zobas to decentralize the service and reduce the load of the only one psychiatric hospital in the country.

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<sup>252</sup> [Minister of Health](#)

'Moreover, community based psychiatric counselors were trained and deployed. These community based counselors facilitate community rehabilitation of psychiatric patients.'<sup>253</sup>

[Back to Contents](#)

## 13. Observations on reliability of source material

13.1.1 A UN staff member noted:

**'The GoSE makes it difficult to obtain information. Most H[uman] R[ights] organisations base their information on interviews with those outside the country and paint quite a negative picture. How can we best assess and evaluate this?'** It is true that getting information is not easy and advocacy on side of the government needs to increase. We need to invest to support development and create economic opportunities. The big improvement will come with developing the economy and developing the private sector.

'Eritrea is in favour of engagement. We need to focus on how to support improvement in the country. This will encourage more engagement and forward looking approach in the country

'Everyone is waiting for the [UN]Col report. It is an independent body. Definitely the out come of the report will affect what we do. I know that there has been mention of crimes against humanity and if this is confirmed I am not sure how the government will react. We simply wait and see but hopefully this will not affect the engagement efforts between the government and the international community.'<sup>254</sup>

13.1.2 Diplomatic source E noted: 'Problem with this country is getting information. You don't have NGOs. You don't have civil society.'<sup>255</sup>

### 13.2 Diplomatic sources

13.2.1 In the interview diplomatic sources B, C and D '... acknowledged that the Ambassadors do not travel extensively outside Asmara because of the bureaucracy involved in obtaining the necessary travel permits'. However the same sources also noted, when asked about the experience and profile of returnees:

**'How do you know this? What is the evidence?'** We know through the many, many cases of people we have spoken to. But it's hard to give specific evidence. However, there is a large community from [a Western European country] and they are recognised...People will be happy to talk to you. They are not scared of us. They are scared of their own authorities and yet if they are willingly coming back, they will talk to you.

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<sup>253</sup> [Minister of Health](#)

<sup>254</sup> [A UN staff member](#)

<sup>255</sup> [Diplomatic source E](#)

'It should be easy to get some specific examples. But it would not be possible to give the whole picture. But they are indicative. It won't be big in numbers, but we can help give you specific examples.'<sup>256</sup>

13.2.2 The UK Ambassador noted:

'... that his responses included information he had obtained from publicly-available material and discussions with a range of sources he considered to have an informed view on the terms of reference of the mission, including government officials, members of the diplomatic community and the Embassy's Honorary Legal Advisor. He also included information he had obtained from Eritreans he had come across in his day-to-day work and daily life, which might help clarify the practical experience of ordinary Eritreans though may not be universal.

'The Ambassador noted that, for a variety of reasons, a number of individuals have asked not to be named or to identify their work.

'The Ambassador also referred a number of questions relating to National Service and illegal exit to the Embassy's Honorary Legal Advisor. The counsel provided written responses, which are appended to these notes.'<sup>257</sup>

13.2.3 The UK Ambassador noted:

'I have been in Asmara since July 2014. Around Asmara and within 25km of Asmara, there is no restriction on my movement. I can also speak freely to people. This is ordinary people, business people, ministers and officials. I regularly go hiking at the weekends in villages around Asmara, and can and do speak freely to Eritreans I meet there, and also in social venues such as coffee shops or the markets. It is not unusual for people to start conversations with me in the street.

'When travelling more than 25 km from Asmara, I have to ask for a travel permit but have never had one refused. I have visited Massawa, Tesseney, Barentu, Bisha, Keren, Adi Quala (near the Ethiopian border). I have been within sight of the Ethiopian border and right up to the Sudanese border. The Eritreans normally ask for a reason for these visits, and I have used sightseeing at times.

'...All [western Embassies] need to apply for travel permits when going more than 25 km from Asmara, and some, but not all, have similar experience of obtaining them. Certainly the European ones. I know that one Western Embassy has had applications to visit certain areas turned down.'<sup>258</sup>

13.2.4 The UK Ambassador also noted that the other western Ambassadors: 'Most started at a similar time to me, and have been in post for 18 months or more.'<sup>259</sup>

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<sup>256</sup> [Diplomatic sources B, C and D](#)

<sup>257</sup> [UK Ambassador to Eritrea](#)

<sup>258</sup> [UK Ambassador to Eritrea](#)

<sup>259</sup> [UK Ambassador to Eritrea](#)

### 13.3 Danish Immigration Service fact finding mission report

13.3.1 Diplomatic source A noted: 'We don't think the criticism is fair. They spoke to us. They wrote down what we told them.'<sup>260</sup>

13.3.2 Diplomatic sources B, C and D noted:

'The problems were more around the way it was presented. Ambassadors here knew which person was which, despite the Western Embassy A, B, C etc. This caused complications in their professional work. What they wrote in the report was accurate, though. However, every time you touch Eritrea, it backfires on you. If you say something really innocuous, either in favour or against, you get significant backlash from either the pro- or anti-government groups / Disapora.'<sup>261</sup>

13.3.3 Diplomatic source E noted: 'I think the Danes provided an honest assessment of the situation here. They didn't cook the books. It's accurate. I was quoted pretty accurately.'<sup>262</sup>

13.3.4 The UK Ambassador noted: 'The content of the report was consistent with what they heard from me, one of the sources, and the other internationals they spoke to.'

### 13.4 UN Commission of Inquiry reports

13.4.1 Diplomatic sources B, C and D noted:

'The UNCOI is based on "reasonable grounds to believe"; this standard of proof would never hold up in a court. The other problem is that the UNCOI report has presented human rights violations allegedly committed over 25 years as a snap-shot picture, claiming that these violations are current and systematic. This fails to take into account changes over time and gives a distorted picture of the present situation.'<sup>263</sup>

13.4.2 A UN staff member noted:

**'Why is the UNCOI perceived as being so "partisan", do you think?** I don't know what is playing in there. The [UN]Col is independent and it was formed and put up by member states and the [UN Human Rights Council] council is made up of member states The decisions lie in the member states who make up the [UN] Human Rights Council.

**'Do you think the UNCOI accurately reflects the situation here?** I am not the right person to ask. They do their work independently and what they say has to be weight ageist [sic; weighed against] [the] evidence. On Bisha mines I also heard it in the news - that the Bisha mines complained [FFM Team explanation: about allegations in the UNCOI report that Bisha used slave / forced labour]. maybe you can talk to them. It was said they deploy

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<sup>260</sup> [Diplomatic source A](#)

<sup>261</sup> [Diplomatic sources B, C and D](#)

<sup>262</sup> [Diplomatic source E](#)

<sup>263</sup> [Diplomatic sources B, C and D](#)

children but you can ask Bisha mines or the diplomats who visited Bisha mines.'

'About allowing the [UN]Col in country; I also wish they could be allowed. Definitely it could help on facts.

'But because it was a panel set up by the [UNHR] Council, it has to report to them. It is an independent commission and my hope is that whatever the outcome it does not affect engagements on the ground, the possibility to continue to support people on humanitarian and development matters.'<sup>264</sup>

#### 13.4.3 Diplomatic source E noted:

'I have serious concerns about the methodology. I don't believe they conducted 550 interviews. If you look at the calendar, I can't see how they did this and then wrote it up. I don't think they wrote these up; I think they were 'fed' to them. I can't prove it. But where did they meet the interviewees? How did they fit them all in?

'They also omitted anyone who offered anything pro-Government. I know Nevsun contacted them five times and they were rebutted. Also, you don't know when any of these alleged abuses took place. What's the timeframe for interviews? I think they were spoon-fed by people who had a vested interest. It's not my idea of a balanced report. There are problems with the methodology.

'Are there people in jail here? Yes. Are there prisons here? Yes. How many? Don't know; do people get out? Yes; do they have political prisoners? No. [Are you sure this is accurate? There are many political prisoners.] However, this is a government that doesn't release information, so you don't really know who has been detained and who has been released.

#### 13.4.4 The UK Ambassador to Eritrea noted:

'The UN COI report contains some evidential and methodological flaws. It didn't collect information in a methodical manner.

'The Special Rapporteur [Sheila B. Keetharuth who sits on the UN COI panel] refused to take information from some sources and rejected representations on factual errors in her report, including some I had put forward myself, without giving any evidence to justify her rejection.

'One of the analytical weaknesses was its failure to identify timelines, patterns or trends. So difficult to know whether events described in the report are ongoing or not, e.g. [the] shoot-to-kill [policy for those trying to leave the country illegally]. I am not aware of any reliable example of anyone being shot at while crossing the border since my arrival at post in mid-2014, though one diplomatic colleague has reported hearing of a single, isolated incident in 2014.

'The [UN]COI gave no indication of having applied a critical assessment to the evidence they heard and its reliability: there is no indication, for example,

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<sup>264</sup> [A UN staff member](#)

that almost all the evidence they heard was from asylum-seekers, or those who had successfully sought asylum, all of whom had an interest both in justifying their own status, and in keeping open the pathways to asylum for relatives and friends.

‘There are some fundamental truths in the report, but it is not fully reflective of the current situation.

**‘Are you aware of specific examples of inaccuracies in the report? Yes.** It said, for example, that there is no freedom on access to information here. But almost every household in urban areas, and many in rural areas, have satellite dishes with unrestricted access to foreign TV stations, including all the main international news channels such as the BBC or CNN. I frequently see the BBC or CNN shown on televisions in cinema foyers, coffee shops and bars around Asmara, and not just venues where only international travellers might see them. People can also access the internet freely, including Eritrean opposition sites. The only obstacle is that the internet is very slow, non-broadband access, meaning that sites such as Youtube are unavailable. But it is not correct to say that there is no freedom of access to information here, something which was put to the CoI, but which they rejected without giving a justification for doing so.’

13.4.5 CEO of a UK registered, EU-funded international NGO working in Eritrea noted:

‘The Eritrean Government did not provide access to Eritrea to the UN Commission of Inquiry on Human Rights in Eritrea team, there are many well-informed international diplomats, UN and development officials, business people and others in Eritrea who can bring their experiences to bear. It was unfortunate that the UNCOI did not take advantage on these independent perspectives and as a result the report does not fully reflect the situation on the ground.

‘Some high-level points should be made about the UN Commission of Inquiry’s report, published in June 2015:

- As is very well known to the organisation and its staff who worked in Eritrea through the border conflict, the United Nations-appointed Border Commission made a final and binding decision on border demarcation which was accepted by Eritrea. This has not been implemented and Eritrean territory continues to be occupied. This is an irrefutable reality of very material proportions lying at the door of the United Nations which is not stated in the report. This reality drives much of the present Eritrean government policy as well as human rights excesses concerning national service and civil liberties.
- 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. Another significant example of misinformation is the Nevsun Bisha mine, which has been portrayed by the UN as an environment of forced labour and human rights abuses, despite not being in a position to verify this directly. However, the description provided by the US Chief of Mission Louis Mazel who visited in early 2016 with other ambassadors starkly contradicts the media and diplomatic reports. He clearly states that he found no evidence of abuse of workers and found the Bisha mine to be very professionally run.'

[Back to Contents](#)

## 14. UNHCR statement

- 14.1.1 The UNHCR officer-in-charge interviewed by the FFM Team approved the notes of the interview but asked that these were not made publicly available. Instead the officer provided the followed statement:

'In the global arena, UNHCR confirmed an ongoing dialogue with the GoSE on the UNHCR eligibility guidelines concerning asylum claims/seekers from Eritrea, published in 2009 and 2011. At this stage, the government has provided its reservations in writing on these two publications and UNHCR has proposed for a further high level dialogue on this and its international protection role, on the heels of the concluded July 2015 UNHCR high delegation mission to the country.'<sup>265</sup>

[Back to Contents](#)

## 15. Languages spoken by Eritreans

- 15.1.1 Diplomatic source A noted: 'People who speak Amharic who don't speak another Eritrean language are unlikely to be Eritrean. **The explanation is usually that they have lived with an Eritrean community in a camp in Sudan for a considerable time, and this is the explanation. Does that sound plausible?** We have seen UNHCR quote figures stating that 80-90% of people coming to Sudan leave within a few weeks.'<sup>266</sup>
- 15.1.2 Representatives of NUEW noted: 'The medium of instruction in education is English. All the teachers at Sawa must have a degree.'<sup>267</sup>
- 15.1.3 Young people interviewed by the FFM team noted:
- '[3] if you are an Ethiopian and live in an Ethiopian refugee camp, you say you are Eritrean as they know you get preferential treatment. You don't get that if you are Yemeni or if you are from South Sudan. So you must have to

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<sup>265</sup> [UNHCR officer-in-charge](#)

<sup>266</sup> [Diplomatic source A](#)

<sup>267</sup> Representatives of NUEW

say you are Eritrean. There was an analyst from UNHCR explaining how they came up with the number and there are a lot of Eritrean diaspora living in Ethiopia, but UNHCR started counting them as recent departures.

**‘... What about Eritreans speaking Amharic? Do you speak Amharic?’** Lots of yesses. 88,000. Everyone speaks Amharic over the age of 35. [12] But one thing to know, before independence, they all speak Amharic. But that is not our common language. All suggested that people should be able to speak Tigrinya. [12] Amharic is a language that youngsters are used to hearing.

**‘Most people coming to the UK are young – 18-24. Would they speak Amharic?’** [3] If they only speak Amharic and not one of the Eritrean languages, they are likely to be Ethiopian. [7] You also need to know that we used to have people who were Ethiopian who lived here, but they left to go back to Ethiopia. They are very hard to tell – even we find it hard. [4] If the person is under 35, if he says that he only knows Amharic, he is not from Eritrea at all.

‘[12] People in northern Ethiopia also speak Tigrinya, so it is difficult. It’s a different accent. It’s like Scottish and English. [6] The border is really just geographic. It is not cultural.’<sup>268</sup>

15.1.4 A number of Artists interviewed by the FFM Team noted:

**‘Are there Eritreans who only speak Amharic?’** All, no. You might speak Amharic, but you don’t speak only Amharic. Some might be stuck in Ethiopia who only speak Amharic. But Eritreans in Eritrea will speak Tigrinya (or one of the Eritrean languages), even if they speak Amharic. [3] If anyone who says they’ve been in the national service, they must speak Tigrinya. [10] If they are saying this. If they are saying they have been arrested. They are not from here.’<sup>269</sup>

[Back to Contents](#)

## 16. Civil and penal codes

16.1.1 The UK Ambassador noted

‘On 11 May 2015, the Government of Eritrea announced that it was enacting new Civil, Penal, Civil Procedure and Penal Procedure Codes which would supersede the respective Transitional Codes implemented immediately after Eritrea’s independence in 1991. The publication and implementation of the new Codes was announced by Minister for Justice Fawzia Hashim, who said in interviews at the same time that a new Commercial Code was also under preparation.’

16.1.2 The honorary legal counsel to the UK Embassy in Asmara in a letter dated 21 December 2015 noted

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<sup>268</sup> Young people (1)

<sup>269</sup> Artists

‘(D) The Status of the New Eritrean Civil Code and Penal Code & Their Respective Procedural Codes.

‘To begin, with, it may be understood in that, the Government of Eritrea has been and is Up to-Date, using the Ethiopian Civil Code and its Procedural Civil Code as well as the Ethiopian Penal Code and its Procedural Code, which are categorized as the TRANSITIONAL CODES.

‘To the knowledge of all concerned, although it was publicly notified by the concerned authority of the Ministry of Justice that new Eritrean Civil and Penal Codes and their respective Procedural Codes shall be formally declared and Legalized by March 2015 for and in replacement of the said Transitional Codes, to date, said declaration and Legalization of the New Eritrean Civil and Penal Codes and their respective Procedural Codes are not implemented. Being so, the said Transitional Codes are still prevailing. indeed, in response to the request of your Excellency that I verify the status of the said New Eritrean Codes, I did conduct a brief meeting with the professional legal personality of the Ministry of Justice, who is responsible for and in drafting and finalizing the said Codes for formal declaration and implementation the said New Eritrean Civil and Penal Codes, along with their respective Procedural Codes.

‘And, his response with dismay was in that, for reasons unknown to him, although those New Civil & Penal Codes and their respective Procedural Codes have been Finalized, approved and published for Formal Proclamation, the ACTUAL FORMAL LEGAL PROCESS OF PROCLAMATION, IMPLEMENTATION and public distribution of the said Codes are STILL UNPROCLAIMED, UNEFETED AND Continuing to be ON - SHELF. And, here with are copies of the cover page of each Code that I bought Out-of Shelf.<sup>270</sup>

#### 16.1.3 The Minister of Justice, plus legal experts noted that:

‘The experts explained how the Civil Code procedure code was drafted. The codes [[Civil Procedure Code](#); Civil Code; [Criminal Procedure Code](#); and [Penal Code](#)] were released by proclamation (equivalent to enacted) in May 2015. The MoJ recruited local and foreign experts and created committees to draft the codes and conducted a consultation process, including officials from various Eritrean government departments.

‘The Civil Code contains 6 books:

- a. Persons – fundamental liberties
- b. Family – made compatible with Eritrea’s international obligations as well as local law / traditions. In drawing up this book, members of Eritrean civic groups including those representing students and women were consulted.
- c. Successions

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<sup>270</sup> Letter to the [UK Ambassador to Eritrea](#) from the Embassy’s Honorary Legal Counsel, dated 21 December 2015

- d. Property
- e. Obligations
- f. Special contracts

#### 'Penal Code

'Aim to make it compatible with Eritrea's international obligations.

'Judge wanted the country to be governed by the rule of law. The penal code needs to be country specific, respecting the values of that country. It also needs to be compliant with international commitments. The punishment elements were 'challenge' because Eritrea has customary laws, because the lawyers drafting the law didn't really value or apply these as many students of law have had a western education.

'One of the experts observed, he was struggling to see the rule of law in Eritrea hence why he took part in the drafting the codes.

'The aim of the drafters was to create to uniform, specific and predictable punishment, and achieve fairness and equality.

'Many people were involved in the consultation process. The drafters wanted to ensure the codes contained Eritrean values and traditions, and Eritrea's responsibilities under international treaties.

'The drafters did not initially include traditional / customary law but decided to do so following the consultation process because customary law provided predictable penalties.

'Codes [all 3 codes] remove arbitrariness and inconsistency.

'Codes [all 3 codes] objectives include:

- I. Protect the innocent, including creating judicial custody and abolish police custody: police have to seek judicial permission for custody
- II. No person subject to unwarranted investigation
- III. Conduct investigations speedily

'Also ensure right to appeal and an independent judiciary.

'Though all 3 codes were released by proclamation in May 2015, they have been not been implemented in practice. Since the proclamation the MoJ has been preparing to implement and raise awareness of the codes. In the last 6 months, the MoJ has delivered seminars to parliamentarians, administrative offices, and members of the public.

'The experts thought that the codes would be implemented in 2016. Their implementation depend on resources: there is a shortage of people to implement the proclamation though more people are joining the MoJ.

#### 'Civil Procedure Code

'Ex-judge / lecturer explained the code's purpose is to act as a guide for judges. The code guarentees independence of judges; equality before the court; and a public hearing.

**‘Will the code apply to the military courts?’** It is a procedure and law of the land, so applies to all parts of the country and all types of court.

**‘Follow-up questions. Does the penal code proclamation replace previous law (proclamations)?’** The experts explained that a proclamation is equivalent to an act in the UK. The next level of law beneath a proclamation is a ‘regulation’.

‘The penal code contains general and specific articles. The general sections apply to other penal legislation. At the moment sentencing is unpredictable.

**‘Do the codes apply to those leave the country illegally?’** There is legislation on acquiring entry / exit visas, specific legislation for immigration. Article 5 (of the criminal procedure code) states general principles applicable to other laws, and immigrations laws have specific penalties. If a person violates the law they will be punished in accordance with the law.

‘More generally, there are 177 proclamations above the Criminal Procedure Code and 144 regulations on civil and criminal laws. The civil and penal codes set out general principles which apply to these laws.

**‘If a person absconds / avoids national service, what law applies?’** When it comes to national service, the penalties applied are those from the national service proclamation.

**‘Article 119-120 of the penal code talks about offences relating to avoiding military service. Will these apply?’** The penal code refers in articles 119-120 to military service but these articles are not comprehensive, so the proclamation on national service applies.

‘All investigations should be conducted along the principles in the penal and criminal procedure codes.

**‘Are you involved in the re-drafting of the constitution?’** Not the MoJ. The Minister explained that the civil, penal and criminal procedure codes are fundamental laws and should be completed first [before the Constitution]. The government has decided to enact these before redrafting the constitution. The government want to instruct the enforcement agencies and explain to the people about the codes.

‘The codes are written in 3 languages: English, Arabic and Tigrinyan.

**‘How many sitting judges?’** The Minister explained that there are 402 ‘community courts’, members of which may not have any legal training. There are 301 ‘judges’ in the community courts. There are 36 ‘zonal’ courts with benches; 3 judges sit on a bench. In Asmara there are 16 benches. There is also the High Court, with 5 judges.

**‘How many students graduate from college / university of law?’** There are around 100 students studying law at the law school. There were 30-40 graduates last year.

'They spend 4 years studying plus a freshman year before graduation. After graduation, they go to MofJ, Ministry of Foreign Affairs, other government departments as 'consultants', institute for insurance and private practice.'<sup>271</sup>

[Back to Contents](#)

## 17. Women

### 17.1 Position of women

17.1.1 Representatives of National Union of Eritrean Women [NUEW] noted:

**'Can you influence policy on issues related to women? Or more generally?** Yes, on every gender related policy. The government respects us because of the background. In every policy and regulation, women's equality is part of that. But gender equality is designed to be equal for men and women. It is not just about women's rights.

'We also have men volunteers where they are actively pursuing gender equality rights.

**'What are the challenges that you are still working on gender equality?** Traditional society is very patriarchal. Women have a stereotypical role.

**'So it's not about changing the law, more the social attitudes?** Yes. In law, we have no problem. But in social attitudes, we have much to change. We need to aware women and the society. We also need to protect what we have already gained.

**'How does the traditional society affect rights, e.g. property rights?** Women were underestimated. The attitudes started to change during the liberation times. The society thinks that all family property belongs to the man. As such the law became important to change this.'<sup>272</sup>

### 17.2 Female Genital Mutilation

17.2.1 Representatives of NUEW noted:

**'Is FGM against the law?** Yes, it is against the law. But culturally it still happens. For a long time, FGM was a taboo in Eritrea. But communities started to speak about it. We needed to break the silence and make clear that it's a harmful practice. The community found different reasons to justify it. But when they realize the problems that come from FGM, they start to speak about it. The NUEW then prepared a video on it. It has been showed in every village. The NUEW also then began to advocate for it to be abolished. It was then banned via proclamation in 2007.

'... In 2002, it was about 89%. In 2010, it was about 83%. But in young girls under 5, it has dropped to about 12%. For under 15s, it dropped to about 33%. But is not common in Asmara. It is virtually eradicated. The main age range for FGM is 1-5.

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<sup>271</sup> [Minister of Justice, plus legal experts](#)

<sup>272</sup> Representatives of NUEW

**‘Does it vary by different ethnic groups?** Yes. We are mapping this. It affects every ethnicity though. Religion doesn't make a difference. It is cultural. It is different ways of doing it amongst ethnic groups. In some communities, the law was determined by public declaration of the community. So in some places, they had already decided not to do it. They have gone ahead of the law. We are fighting to stop FGM in our region. We must stop our neighbors doing it. It is bottom up change.’<sup>273</sup>

[Back to Contents](#)

## 18. Prisons and detention conditions

### 18.1.1 Diplomatic source E noted:

**‘What do you think happens in prison?** I don't know. I think they may get a bit roughed up, but then they are largely just forgotten about. Prison conditions are probably inhumane. If caught leaving, you are maybe detained but not tortured. It depends on who you are. If you try to leave and you're in uniform, they'll treat you pretty harshly.

**‘What about the unofficial detention sites? In particular, the shipping containers in the desert?** I wouldn't rule it out, but I would want to see stronger evidence to justify their existence. Reports on shipping containers often get confused – in particular a recent report of people working an operating theatre out of a shipping container. This was confused with a report from the time of the independence struggle. I think – and am fairly sure from hearing various accounts – that there is a parallel justice system; parallel court system and use of special courts; and use of detention.

[The FFM team and HMA Asmara informed that the OHCHR had visited [Sembal] Prison last Friday (5 February 2016)]. That is a big deal. It is a sign of real change.’<sup>274</sup>

### 18.1.2 The UK ambassador to Eritrea noted:

‘The Government of Eritrea does not publish figures on the number of prisons that exist in Eritrea.

‘The 4 June 2015 “Report of the Commission of Inquiry on Human Rights in Eritrea” presented to the Human Rights Council of the United Nations reported that it had documented sixty-eight places of detention, including police stations, prisons and military detention facilities, and that a further twenty-seven had been reported to it during the course of its Inquiry (Annex II) ... The Government of Eritrea does not publish figures for the prison population, and there are no reliable independent sources for this information.

‘... The “Report of the Commission of Inquiry on Human Rights in Eritrea” reported (paragraph 43) that since 1991, “scores” of people had been subjected to enforced disappearances. There is good evidence to support

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<sup>273</sup> Representatives of NUEW

<sup>274</sup> [Diplomatic source E](#)

this figure (for example, the detention of the so-called G15 in the early 2000s), but there is little documentation to support higher figures.’

[Back to Contents](#)

## 19. Size of the Eritrean population

19.1.1 The FFM discussed the size of the population, with diplomatic source A, who noted: ‘... 3.5 million is the right population figure; 6 million is too high. The 3.5 million had been described as the “resident” population, which is about right.’<sup>275</sup>

19.1.2 The UK Ambassador noted:

‘There has been no census of the population of Eritrea either before or since independence in 1991. The first national census was scheduled for 1998, but postponed because of the war with Ethiopia. Most population estimates now are based on projections from previous estimates, and vary considerably.

‘The CIA World Fact Book estimated the population of Eritrea in July 2014 to be 6,380,803.

‘The 2012 revision of the UN World Population Prospects report estimated the population of Eritrea in 2010 at 5.74 million, compared with a figure of 3.27 million in 1990.

‘The Eritrea Demographic and Health Survey of 1995 (EDHS 1995) was conducted by the Eritrean National Statistics Office, International Economic Cooperation (Office of the President) and Macro International Inc. Funding was provided by the U.S. Agency for International Development and it was conducted between September and December 1995 with a sample of 5,054 women age 15-49 and 1,114 men age 15-59. In the population section of the report it states that “Since there has not been any survey or census conducted in the country before or after independence, the population size is not known with any degree of precision. Some rough professional estimates put the country’s population in the range of 2.5 to 3.5 million. Estimates of the number of Eritreans living abroad range between 700,000 and 1,000,000.”

‘In meetings, Eritrean government officials consistently estimate the current population of Eritrea at 3.5 million. Most embassies present in Eritrea consider this to be a more accurate figure than any other.’

[Back to Contents](#)

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<sup>275</sup> [Diplomatic source A](#)

# Annex A: Interview preamble

At the outset of the interviews, the FFM team explained the purpose of their mission and that notes would be made in order to write this report.

The team also explained that we would provide all interlocutors a chance to review, suggest changes and approve the notes; we would also give all sources the opportunity to consider how they wished to be referred to in the notes.

Subsequent to the interviews/meetings, the FFM team sent the following note to further clarify this:

## **Home Office fact finding mission: background**

Officials from the United Kingdom (UK) are undertaking a fact finding mission (FFM) to Eritrea. The team will be interviewing different people to obtain information about national service, healthcare and migration to and from Eritrea.

The information you give to the FFM team may be quoted in a report which will be placed on the Home Office's website and made available to the public. It will be used to assist UK immigration officials and judges involved in the asylum and human rights decision making process. However, the FFM team will only publish information you provide with your consent. They will also give you an opportunity to review the notes of the interview to ensure they are an accurate reflection of the conversation and ask if you are willing to be identified as the source of the information you may provide in an interview.

You may not wish to be publicly identified. If so, the FFM team will ask if you are willing to be identified in more general terms – for example, by the name of your organisation, or as 'an official of an international humanitarian organisation'. Alternatively, the FFM team will ask if you are content for the information to be used without naming you or your organisation, simply referring to you as 'a source'.

The FFM team would also find it helpful if you could provide some background to your organisation (where appropriate) and your role in the organisation. This will help them to understand the context of the information you provide.

The FFM team consists of three officials from the Home Office, the government department responsible for immigration and asylum.

More information about the Home Office can be found on our website:

<https://www.gov.uk/government/organisations/home-office>

## **Subjects for discussion**

The FFM would like to discuss all or some of the following, depending on your areas of expertise.

- 1) National Service (NS)
  - a. Numbers, including proportion in military and civilian sectors
  - b. Assignment to duties, including scope to change
  - c. Conditions during initial training and following service
    - i. Physical

- ii. Pay
  - d. Exemptions, including on grounds of mental health
  - e. Demobilisation / discharge
    - i. Process of being demobilised
    - ii. Numbers demobilised
  - f. Length of service
    - i. Official announcements on length of service
  - g. Draft evasion / absconding
    - i. Government position
    - ii. Numbers
    - iii. Penalties
    - iv. Giffas
- 2) People's militia
  - a. Numbers
  - b. Conditions
  - c. Exemptions
  - d. Penalties for evasion
- 3) Migration to and from Eritrea
  - a. Lawful exit
    - i. Process for obtaining exit visas
    - ii. Numbers leaving
  - b. Unlawful exit
    - i. Numbers leaving
    - ii. Penalties, including existence of a shoot-to-kill policy
  - c. Returns to Eritrea
    - i. Government position on Eritreans returning (including those who are naturalised citizens of the UK or other countries) who left without a visa and evaded or absconded from NS, including significance of paying of 2% diaspora tax / signing repentance letter.
    - ii. Process on return at Asmara airport
    - iii. Numbers of Eritreans returning (including those with UK or other nationality) on visits and permanently
    - iv. Experience of those returned who are Eritrean only and Eritreans who are naturalised citizens of UK or other countries
- 4) Healthcare / facilities, including for mental health
- 5) Observations on information obtained by sources outside of Eritrea, including UN, international NGOs and academics

[Back to Contents](#)

## Annex B: Terms of reference

### A. National Service

1. Numbers doing national service; numbers and proportion doing civilian vs. military postings; particular 'profiles' of people doing national service (age, gender, religion, ethnic, geographic, socio-economic).
  2. The experiences of Eritrean/Diaspora/international businesses of the operation of the national service regime, the impact on their operations and staff.
  3. The attitudes and experiences of ordinary Eritreans, particularly outside Asmara, on the operation of national service.
  4. Conditions.
    - a. Physical conditions at Sawa military training camp and other national service facilities. Capacity of Sawa.
    - b. Do conditions in national service vary by the nature of the assigned position (civilian vs. military); circumstances of the individual; or for other reasons.
  5. Exemptions.
    - a. The provision of mental health services in Eritrea, by the Eritrean government or other providers; the approach of the GoSE to the assessment of mental health for the purposes of national service exemptions; evidence required to obtain an exemption on this ground.
    - b. The provision of, process for obtaining; and the numbers of people who get exemptions on the following grounds:
      - i. Other health (i.e. not mental health) reasons.
      - ii. Women.
      - iii. Students.
      - iv. Other grounds/categories.
  6. Assignments.
    - a. How people are assigned (to civilian vs. military posts); if and how those consequences vary with the circumstances of the individual and if so, what factors are taken into account; and is there anything the individual can do to affect the outcome.
    - b. If and how people's assignments are changed, either by GoSE or by the individual.
  7. Length of Service.
    - a. Average length of service.
    - b. Plans in place to adhere to strict 18 month limit; have new/latest recruits been notified?
- B. Demobilization and Discharge.
1. Govt. position (and if/how it is changing); numbers, grounds and process for being demobilized and discharged.
    - a. specifically if and how a person can apply for this;
    - b. reasons why people choose not to apply;
    - c. numbers refused and whether reasons are given.
  2. Likelihood and any scale of corruption around demobilization.
  3. Experiences and likelihood of future re-mobilization.
- C. Evasion/Desertion from National Service.
1. Numbers.
  2. Penalties/consequences in law; penalties/consequences in practice.

3. Whether 'round-ups' (giffas) have and/or continue to take place, if so the scale and circumstances.

D. Leaving the Country.

1. Legally – Numbers, grounds and process for obtaining exit visas. Whether the GoSE conducts exit checks?
2. Illegally – whether there is any evidence of a shoot-to-kill policy against those who attempt to leave Eritrea illegally.

E. Treatment of Returnees.

1. What is the current GoSE policy on (evading / absconding from) national service, illegal exit, and returning failed asylum seekers; is it changing; and any evidence to support this.
2. What happens to Eritreans with differing combinations of circumstances upon return, including those who have evaded or deserted national service and/or left illegally, both at the airport on arrival and subsequently.
  - a. Procedures and facilities at Asmara airport.
3. Experiences of people who have returned (incl. forcibly) to Eritrea – in particular any returned recently; interaction with Eritrean Embassies abroad; payment of the 2% tax; signing the repentance letter.
4. Numbers of people of Eritrean origin who live outside of the country visiting or returning to Eritrea and what are their circumstances. If and how the person's status (refugees, naturalised citizens) matters.

F. Position re: the UN Commission on Inquiry and other human rights organisations' reporting on human rights in Eritrea.

[Back to Contents](#)

# Annex C: List of sources

- 1) [Anonymous source \(1\)](#)
- 2) [Anonymous source \(2\)](#)
- 3) [Anonymous source \(3\)](#)
- 4) [Minister of Justice, plus legal experts](#)
- 5) [Minister of Health](#)
- 6) [Immigration officials](#)
- 7) [Diplomatic source A](#)
- 8) [Diplomatic sources B, C and D](#)
- 9) [Representative of the UNHCR](#)
- 10) [A UN staff member](#)
- 11) [A source](#)
- 12) [Representatives of the National Union Eritrean Youth and Students \(NUEYS\)](#)
- 13) [Representatives of the National Union for Eritrean Women \(NUEW\)](#)
- 14) [Diplomatic source E](#)
- 15) [Representative of the National Confederation Eritrean Workers \(NCEW\)](#)
- 16) [Yemane Gebreab, Head of Political Affairs](#)
- 17) [Young people \(1\)](#)
- 18) [Entrepreneurs](#)
- 19) [Returnees \(Asmara\)](#)
- 20) [Artists](#)
- 21) [Regional governor of Gash Barka](#)
- 22) [Returnees \(Tesseney\)](#)
- 23) [Returnees \(Barentu\)](#)
- 24) [Returnees \(Keren\)](#)
- 25) [Training manager at Bisha Mine](#)
- 26) [Representatives of the human resources department at Bisha Mine](#)
- 27) [Young people \(2\)](#)
- 28) [Minister of Finance](#)
- 29) [UK Ambassador to Eritrea](#)
- 30) [Dr Seife Berhe](#)
- 31) [A CEO of a EU-funded international NGO working in Eritrea](#)

[Back to Contents](#)

# Annex D: Interview notes

Anonymous source (1)

## Notes of Meeting w Anonymous Source (1)

Date [redacted]

Present: FFM team; source

### Introductions

**Source provide background:** Young go to Sawa when completed 11<sup>th</sup> grade. They take their matriculation exams there, those who pass the national exam go to colleges/universities and do national service after graduation. Those who got [a] low mark stay at Sawa for two years vocational training those who failed [their matriculation exams are] disbursed to the military; across the country. Pay in national service at the beginning up to 18 months is 150 NKF after 18 months they give them 450 to 500 NKF.

National Service is unlimited, many who have done 10 to 20 years, still receiving 400 to 700 NFA.

### Have you heard that they are changing national service?

In words, they are changing to 18months. But in practice, not happened yet.

They said this before [sic, previous] years – that they will change it to 18 months; and they will be paid more – but this [has] not happened in practice.

### Have you heard about any other changes e.g. to pay?

Yes. They say so but not have done yet.

### Have you heard of anyone paid the increased salary yet?

Yes, one person who came back from Sawa last year was paid 2,000 NKF. But that was for one month. Then the next month they stopped it. .

Others on national service for 10-15years paid 450-700NKF

### Is that the graduates for last summer?

Yes. One group who stayed in Sawa for two years vocational training, then came back after completing the training and assigned in different places in/out side Asmara city.

### They stayed in Sawa for two years?

Yes. They stayed and did some vocational training.

### Who stayed in Sawa for two years?

Those who got low mark [in] the [matriculation] exam.

### How have you heard about this?

We talk between parents, sisters and brothers, close relatives, etc. They have children there.

### Do you know people who have gone to Sawa?

Yes. One was detained when they got to Sawa after three months and kept in prison for one year. After that, they came back to Asmara. Now in private college here.

### **Why detained?**

I don't know. They didn't tell [the person] why detained. Still [-] has pain of it as [they] didn't know the cause of detention and [the person] was seriously beaten and tortured. Since then [the person] gets easily nervous when mentions about the detention in general and the treatment in particular.

### **Did they finish studies in Sawa?**

No. Now in private college.

### **So have they completed national service?**

No. [The person stays at home] believing the current situation might change one day and will do [their] national service in the future.

### **Where was the person detained?**

In Sawa.

### **Did the person tell you how they were treated?**

[The person] was beaten, torture, but as they were underage [they] said it was ok comparing to those other people detained for many years there and so they were older than them so had suffered for a longer time than them.

### **What happened?**

Their room was not enough space very small house consisting more than ten people. It was not clean. Not enough food. Not enough medical treatment for those seriously sick. Fortunately, the person was healthy but generally it was very bad situation to the detainees.

### **How were person's friends treated – detained too?**

To some of them the worst treatment and when they got chance to run away they left the country illegally. Almost all of them who were detained with [them] at Sawa left the country after they were released from prison.

### **Do you know why did they leave?**

The indefinite time of national service with very low salaries, the way they have been treated, this means no future hope for salary increment and better treatment.

### **How many months are they required to do the military training?**

I don't know exactly. They always have practical (military) training, even in the colleges. The military training happens after completed the secondary school and colleges, you never say it in definite time.

### **Are you talking about those that fail [their matriculation exams at Sawa]?**

No, even those who graduates and assigned in offices randomly told to do military training. But those who live in the city at least they have family support they have accommodation. The worst is for those who are in the military getting 500 [NKF] per month and having family expecting their salary.

### **So everyone, even graduates, get 700 NKF?**

Yes. But this year, they say that they will get a normal salary. We'll see in the future if it really happens.

**How much is a normal salary?**

2,000–2,500 NKF- it is new scale rumour.

**Going back to the person you know who left Sawa, what did they say to them on release?**

Nothing. They just said go back home. They didn't explain anything but they warned him not to tell any word about how he was treated.

**What will they do now? Will they be asked to do national service?**

If they know [the person] is in the country, they definitely come to the house and detained [the person] for months or could be years and then let [them] do the national service as others doing the unlimited national service. [Their] plan is to report when completed [their] education hoping the national service time might change to 18 months.

**Who [will they report to]?**

To the ministry of defence in Beleza, Ministry of Defence HQ. About 10km outside of Asmara. They will then punish them and when completed their punishment they will be assigned somewhere across the country. That could be in or around Asmara, but could be anywhere in the country. For example, to Sawa, around the border.

**How feel about this?**

They could come and get them at any point. The military will definitely punish them for not reporting within 2-3months as they were told to. The Government don't know where they are now.

**Government guess that person at home?**

No, if they know so they definitely take him.

**So nobody has been to look for them?**

Not yet. No Ministry of Defence has come. If they do, they will detain them definitely. Could be for some months, maybe years. I don't know. Anyway things might change one day.

**Has this happened to other people?**

Yes. Definitely. Friends. Even if you report late, you will be detained for some months, may be years. That's obvious; we expect it

**Do you know how you get demobilised?**

Only very sick people get the chance of that.

**How did you find out about the salary increase?**

Rumour. One big rumour. The ones doing national service have already filled in the form saying how long they have worked in the ministry.

**Are you aware of any public announcements?**

No, normally there are no such announcements but everyone is expecting better salary hoping the rumour becomes true.

### **Do you know of any Eritreans coming back?**

Yes, to visit their parents but only those who are living abroad before the national service starts. Do you mean those left illegally? No.

### **So who are the people coming back?**

Those who were living abroad who left before the national service situation. Or those who left legally to visit their family and return. They are also some who left illegally, but I never met those. Those who left illegally, after some years, they pay 2% of their income, and they come back legally. They come back to see their family and then they go back the country where they come from.

### **How long have they been away?**

After 5/6, could be more, years, those who had been in Juba or Europe.

### **Do they have to do national service?**

They have done national service before but not demobilised, they left in between, They left the country maybe 5, 6 years ago. Then they pay 2% tax and come back to see their families and sometimes they go back the country where they come from.

### **To confirm: they had finished national service, but they still left illegally? Why?**

Not finished the national service doing the unlimited national service and the Government wouldn't give them a permit to do their private life or no hope of demobilisation. So they think the only solution is leaving the country. They very much fad [sic] up doing the unlimited National service.

### **So they were not demobilised?**

Yes. Some had been away 4 years, 5 maybe. Then they paid 2% of their income and they come back legally. Then they get a passport.

### **To confirm: people leave illegally, stay in another country 4-5 years, then pay 2% tax, come back to Eritrea, then return to country they have come from, using Eritrean passport?**

Yes.

### **Are you aware of any 'giffas'/round-ups? [FFM Team explained what meant by 'giffa' = security service round-up]**

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.

### **Do they come to houses?**

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

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

**When was the last one in Asmara?** 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.

**Do you know about older people being called up to do national service?** 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.

They get a call from zoba administration and then tell them that they are on duty.

**How often do they have to do this?** 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.

**What if the person doesn't report?** 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.

**Do they have a gun?** Yes. They are required to keep it at home.

**Do you know of others who went to Sawa?** Yes. I know a person who went as a student and it was ok for [them]. They were there for one year, passed their exams and went to college. After completing their two years course they wanted them to go back to Sawa – they assigned him back to Sawa – so they left the country refused to go back to Sawa believing they keep [them an] unlimited time.

**Did they have to do military training?** Yes. They did military training for one month before starting school, then started school, then did some more military training after completing their school. That is what everyone is doing. When you complete the 11<sup>th</sup> grade, you go to Sawa. You do military training and then do school. You start in early August and then finish in July, or sometimes in August.

**Are you allowed to go to Sawa?** Yes, we are allowed. I went in November. I know someone who went in July. Parents allowed to go twice a year. Once in November, and at the end of school in July. Some schools organise it [transportation etc.] themselves and take the parents of the children from that school at other times.

**So they can go anytime?** They can go once a year extra to that visit. Parents stay there two days and nights and come back.

**Where do you stay?** With our children. The children are very happy when they see their parents. You don't sleep for two days because you are so excited to see each other. Taking food stuff and others things for our children.

**What's the accommodation like?** 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.

**What about food?** 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.

Anonymous source (2)

**Notes of Meeting w Anonymous Source (2)**

**Date:** redacted

**Present:** FFM team; source

**Source:** in national service, it is inconsistent to everybody. In different years, there have been different regulations. In law, it is clear – 1 ½ years; in practice, it is not. I went to national service (NS) in mid 1990s. Since 2004/5, the final year of high school is considered first year of NS.

So, they go to Sawa for the 12<sup>th</sup> grade.

**So national service starts when you come out of Sawa?**

Yes. So when you finish the school, you have to do military training at Sawa for 3-4 months – I can't remember – and then go to the ministries or whatever they assign you to. Some stay in Sawa to do vocational training. Those who pass matriculation go to college. Those with low marks go to ministries or more vocational training at Sawa and some are retained for military.

NS for me is unlimited, you don't know what happens. It is unknown. Some people get demobilised; some do not.

If you are going to be demobilised, you need a special reason. One is the medical reason which should be approved by the medical board team appointed by government. But this is at the discretion of your supervisor and head of ministry. So, you get assigned to wherever for an unlimited amount of time.

About ten years ago, national service was about 145 NKF. After you do 18months, you cannot leave but they allow you to work in that organisation at a higher salary. Well, payment, I wouldn't call it a salary. During my time it was increased to 500 NKF. This also depends on the ministry or where placed / area. There is nothing published on this. Some organisations pay more. Some don't, and some give you other things, like board and food (particularly those based outside of Asmara).

Now NS is unlimited unless one reason to get demobilised. Another example, a woman who gets pregnant and gives birth. This doesn't matter whether they have done the time (18months), but it depends. She must do NS but sometimes demobilised after 3years, after 2 years or if have a good boss, maybe 1year. I know an example.

**So if a woman had a baby but hadn't finished the 18months, what happens there?**

She has to work. They stay home whilst they have the baby. Some then have to come back to the ministry. But some ministries just let them come in and sign – they don't work – but others don't. It varies. Depends on ministry, depends on boss.

**So what happens after 18m?**

Then their application is considered. So, if you are in the ministry of education, for example, you apply to them. They then send the letters to the Ministry of Defence. But we know that the Ministry of Education and Health doesn't really allow demobilisation because they are short of teachers and medical staff respectively.

### **Would that woman get demobilised?**

After 18 months of NS, woman's application is considered. Ultimately decision is made by Ministry of Defence.

So 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. Ministry of Education and Health do not allow demobilisation for to the minimum 3 to 4 years or more than that or never, (although a reason is considered legitimate in other ministries) due to shortage of staff. But different in other ministries.

### **Are you aware of what other Govt. Ministries are like?**

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.

So, having a baby is one reason. There are others, but we don't know what they are all.

### **Do the Ministry of Defence have reasons?**

I'm sure they do. But they don't say what it is publicly. We think the Ministry of Defence has a list of reasons, but we don't know all reasons officially announced, but informally from people who work there or whom themselves demobilised, we know at least common ones..

So, in around 2003, the European Union funded a big demobilisation programme. This applied to the 1<sup>st</sup> to the 13<sup>th</sup> round. But, what happened was that people were kept in the ministry and paid by them (using the EU money) – got better salaries. But they couldn't really move/leave ministries. So it looked like demobilisation – and it was, sort of: people had demobilisation cards etc. – but it wasn't. People couldn't leave the organisation.

Still know someone in 1<sup>st</sup> round has to work in a ministry but a government salary. Not NS pay but he cannot leave the job or country.

### **Could they leave the country?**

No. They couldn't even leave the organisation.

### **To clarify: you cannot leave the ministry?**

They get imprisoned. Or if they don't chase you, you will not get privileges, so can't work, set up business officially. Possible to set up a business in wife's name.

Ok, if you have a certificate you can leave by yourself. But you get no benefit from the government and they own virtually everything. Even if you want to set up your own business, you need a licence. That is covered by the Government, so they would ask you what your national service status is; what your obligations are.

**Explained that we had heard that the way bosses operate national service can vary – they sometimes allow people do work for a bit and then leave in the afternoon, say, to do your own business.**

Yes, that's true. But it depends on your boss. If you have a good relationship with your boss he may allow you to do extra work (because of the economy there is not a lot of work to do in the office). It also depends on where you are assigned for your national service (type of organization). Not much work at the moment in most government office[s].

I know of an example of a person [who works in one of the ministries] who is into their seventh year. Their supervisor would not allow them to leave in all working hours. They couldn't do their job part-time or other issues.

### **What about your own experience?**

I started national service in mid 1990s. There was no mobilisation at all. To take it back. National service started in 1994. Once you did your military training (6 month), you did your 12months, you left. So the first four rounds were demobilised. The fifth round were supposed to be demobilised, but they weren't. This was because the war broke out, and all other previous rounds were recalled.

### **So you did military service?**

After military training we were assigned into military divisions. Few others went elsewhere. We went to different places too. It depended on the military need.

I had higher education opportunity after the war, after completion, the ministry defence assigned us to one of the ministries where we could use the education under national service terms, but were not allowed demobilisation.

Many of my friends stayed in the military.

### **Did you pick your subject?**

Yes. It depends on your matriculation scores, but I picked the subject I wanted to study.

### **How long working in the ministry?**

More than 10 years.

I also know a person in the first round who hasn't been demobilised.

### **What happened next?**

After that, I had to apply for demobilisation. I had an opportunity. I found out from friends in the Ministry of Defence what reasons they would accept. I put in an application.

### **Do you carry it [demobilisation card] around with you?**

Yes, in case questioned every body keeps copy to carry around the town or travel in the country.

[Showed FFM team a copy – with details in Tigrinyan]

### **So it's not common to get demobilised?**

Well, it's hard to get demobilised especially for men.

But, to add something on demobilisation cards: the demobilisation card is very important for immigration purposes. 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].

[Explained checking of cards...]

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).

These things happen very frequently.

### **Very frequently?**

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.

### **Do you know any people who haven't done national service?**

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.

### **Do they search houses now?**

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.

I know of people who were working with me who have left without authorisation. For example one person had a bad back but that was rejected as a means for demobilisation so he stopped working and is now engaged in personal business. No one has come for him yet, but he is living illegally and can't access all services etc.

### **So you know of others who are still doing national service?**

Yes. I know one person who left their ministry by themselves. They applied on health grounds but it was rejected. So they left anyway. They are ok doing their job now but they haven't left officially. They could be called back at any time.

### **How long could someone be punished for not doing NS**

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.

### **Is that more likely for some jobs than others?**

Yes. Teachers, for example. They are in very short supply. They are very happy if you come back and say that you want to do it. If you've been away a while, maybe 5 years – but longer, 10 years, you couldn't do that. But it varies by job and by your supervisor. But they can also get you detained if they want to.

### **Is punishment different in different regions?**

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.

### **What about in Asmara?**

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.

**What would happen if a person who left illegally and not done national service came back to Eritrea?** They would definitely be chased by the department they worked for especially those who had critical positions or had some bad records. But we know that people who have come back to the country. These people don't go back to where they worked. But we don't have a central collection of data, so immigration don't know where they worked. Nor does the Ministry of Defence. No real way of checking, so people can come back [...?]

So people who come back will be questioned, maybe detained, some come and leave invisible, and some meet their previous bosses if they are sure they will not harm them it depends.

I know a friend from Middle East and someone from North America who left illegally. saying would be questioned [on return].

### **Do you know people who have come back having left illegally?**

Yes, but I also know many people who left illegally who don't want to come back here.

### **What if a person signs the letter of apology and pays the 2% tax? Are they ok?**

I have know about that. I talked to people from abroad who left illegally although they know about that they do not want to take that risk. They were afraid to come back here, and some do not want to go to the Embassy and pay the 2% tax as it is [giving] support to embassy.

I also know people who pay 2% tax although they do not want to come back due to fear or other reason, but they need it, for example licence renewals of their parents, as their parents (living in Eritrea) will be asked for that and also if they have any other property to sell and related activities which involves government.

Many years ago, people were detained. So people are afraid that will happen if they come back. I have heard that people have come back safely, but I think that some people, they haven't seen people from their previous department [place of work].

### **So these people just come back for short visits, or permanently?**

Just for visits. If you come back and stay permanently, you have to go into People's Militia. If you are resident here, you would have to do it.

### **Would they have to do national service?**

They would have to do the People's Militia even though they will not detain you or force you to do NS, but for youngsters who left before joining the NS and want to be residents it is highly likely to force them do NS, but I don't know anyone who has come back and stayed, lived here. So I don't really know and I am sure people would not want to do that.

### **You mentioned people being detained a few years ago? Can you explain a bit more on that?**

There was a rumour, around 2004, there was around ten people – and then this letter of apology wasn't published (or not available at all embassies) I don't think – so their cases was resolved by the President's Office. This was terrifying for the people who coming back.

For now, we know that you have to pay the 2% tax and sign the apology, we know that people come and live here but it depends if you are free from anything, on what you have been doing here before, then free to come back. Depends on various factors. Those who want to stay for long time, have to leave the country even for short period away at least every year, to proof they are non residents.

I know many people close to me who have left.

I know friend who has spent almost 20 years in NS 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.

### **Have you heard of anything happening to people's families if one of them leaves the country illegally?**

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?

### **Common in 2003 - so does it happen as much now?**

No, not really. The Ministry of Defence has lost a lot of manpower. Lots of soldiers have left as they are near the border. If you are there at the border with no future you will definitely leave. At least if you are in the ministries you can stay in your own house, but still as you cannot support parents or set up family with the NS income or little Govt salary, youngsters have no option but to leave the country illegally.

### **Have you heard about any changes to national service recently or planned?**

I have heard about the payments. They always say – we always heard – that people will be demobilised. But recently, we heard that salary payments will be increased. We also heard that those who did Sawa and vocational training will get 2,000 NKF.

I also heard, though, that some people have been told they will get more money and haven't. But others have had it.

### **How did you hear that?**

I met someone [working in one of the ministries as national service]. They told me. They had been in Sawa last year (28<sup>th</sup> round). They said that some of their previous round colleagues have already received it for few months but she hadn't, and that the others, including her, they have been promised, but not sure on the continuity and the promise being kept.

But about demobilisation, it is a rumour but it is the same every year. The reasons for demobilisation also seem to change a bit each year.

We know that the Ministry of Defence have criteria but sometimes changes. But not announced. You have to be able to know through someone working in the demobilisation department of MOD or some other informal way, although sometimes a circular is sent by MOD for some reasons.

[Back to Contents](#)

Anonymous source (3)

### **Notes of meeting w Anonymous Source (3)**

**Date:** [redacted]

**Present:** FFM team; source.

#### **Introductions.**

**Source provides background:** This government is not free.

To go into national service (NS) anytime – but the most difficult thing is that you can't go out [leave]. You have an education: go to Sawa in 12<sup>th</sup> grade.

NS should be 18 months, but it's endless. You can't have a plan for the future; you can't plan for your children.

NS pay is very low (175 Nafka [per month]). In Asmara it is ok because you can stay with your family. Most problems are for those outside of Asmara.

**Any members of your family been to Sawa?** Yes. Brothers and sisters. 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].

**Are you aware of any recent round-ups?** The last round-up I have heard about was 2 weeks ago, for a few hours. There are round-ups in different places at different times.

People aren't free. Protecting themselves, ready to run.

My younger [sibling] has gone to Sawa. All [their] friends have left the country. My [sibling] tried to cross the border [to Sudan]. [The sibling] was caught and put in prison. The prison was very small; many people; not clean – diseases. [Sibling] was 6 months in prison, but things got better as [sibling] was [released from prison and] taken to an agricultural area for picking flowers / strawberries.

[Sibling] keeps quiet; [their] behaviour has changed: [sibling] is depressed. [Sibling] still wants to leave.

For girls, they get married – they don't ask you to do NS. But even for them it is hard – as husbands leave to do NS. So wives with children of 2 to 3 years cross the border.

We can have a business but government can ask us to do NS. People can't do anything.

**What is the main problem with NS – not knowing when it will end?** Yes, it is not knowing. Endless.

We heard that there would be salary increases. The government pays 175 Nafka. The President said in an interview that pay will change to 2,000 Nafka but still the pay hasn't changed. People expect it – but nothing. Most people are demoralised.

**Do you know anybody who has not done NS / or ran away?** Just to go out is more difficult. If you have 'abort' papers, you can move around. A lot of youngsters who have not done NS, they are in hiding. If they get caught they will go to prison and then do NS.

If a woman isn't married, they can't leave the country until they are 50.

If a woman is 30, married and has children under 5 years old, then she can get a visa and leave the country.

**Are there privileges people miss out on because they have not done NS?** The biggest problem is to get caught and then do NS.

Now they have better records, anyone who does not go to Sawa, they go looking for them. They ask their family if the person is not there. They put them in prison until the children return.

For example, a boy didn't want to go to Sawa, so ran away. Government came to ask mother where the boy was and detained her. Then boy turned himself in. Then son escaped from Sawa. Government came to mother. She said, 'I gave him to you'.

**Did the government detain [the person] again?** No

**Do you know anyone who has left Eritrea and returned?** People cross the border, stay 5 years then government accept them back. They pay 2% tax, inside or outside Eritrea, then live here. They can go out.

**Do they have to do NS?** No. They don't have any problems. They get married.

**Do you know anyone who has returned?** Yes, a few. From others.

**Do you know anything about the People's Militia?** A father and his 2 daughters all have to do militia training. The daughters didn't want their father to do the training. Everyone has to do it, if they are cold or sick.

**What was the experience of Sawa for people you know who attended?** Most don't like it. Most 17/18 years old – young and find it difficult to be away from their family. The policy there: get up early is difficult. They go to Sawa for military training, 6 months, then the other time is study. They said that it is very difficult the work they do. It can be difficult for girls. The punishment ...

**How are they punished?** Take out small stones out of a hole and move them about.

**Why?** Just for doing simple things, maybe they sleep too long.

**Heard of anyone ill-treated?** Yes. Lots of young people take their own lives. Many study hard, but under pressure to do well.

**Do you know anyone?** I heard about someone – a boy who was 21 years old – about 2 years ago who was waiting for exam results and did not get the results he expected who took his own life.

**Heard of people who were badly treated?** Hear of people who have their legs tied for 24 hours as punishment. You hear about 'number 8' or 'otto'.

**Have you heard about people who have been demobilised, e.g. because they are sick, other reasons?** Main reason is if you are sick. Most people can't get out if on their list.

[Back to Contents](#)

Minister of Justice, plus legal experts

**Date: 9 Feb 2016**

**Present: Minister of Justice; 3 legal experts; Ministry of Foreign Affairs representative; UK ambassador to Eritrea; FFM Team**

**Introductions and background**

Meeting with Minister of Justice [MoJ], 3 legal experts (different capacities within MoJ, all 3 also lecturers in law; one was a sitting judge involved in drafting criminal procedure and penal codes, and reviewed civil code); two recent graduates.

### **Civil Code**

The experts explained how the Civil Code procedure code was drafted. The codes [[Civil Procedure Code](#); Civil Code; [Criminal Procedure Code](#); and [Penal Code](#)] were released by proclamation (equivalent to enacted) in May 2015. The MoJ recruited local and foreign experts and created committees to draft the codes and conducted a consultation process, including officials from various Eritrean government departments.

The Civil Code contains 6 books:

- 1) Persons – fundamental liberties
- 2) Family – made compatible with Eritrea's international obligations as well as local law / traditions. In drawing up this book, members of Eritrean civic groups including those representing students and women were consulted.
- 3) Successions

- 4) Property
- 5) Obligations
- 6) Special contracts

### **Penal Code**

Aim to make it compatible with Eritrea's international obligations.

Judge wanted the country to be governed by the rule of law. The penal code needs to be country specific, respecting the values of that country. It also needs to be compliant with international commitments. The punishment elements were 'challenge' because Eritrea has customary laws, because the lawyers drafting the law didn't really value or apply these as many students of law have had a western education.

One of the experts observed, he was struggling to see the rule of law in Eritrea hence why he took part in the drafting the codes.

The aim of the drafters was to create to uniform, specific and predictable punishment, and achieve fairness and equality.

Many people were involved in the consultation process. The drafters wanted to ensure the codes contained Eritrean values and traditions, and Eritrea's responsibilities under international treaties.

The drafters did not initially include traditional / customary law but decided to do so following the consultation process because customary law provided predictable penalties.

Codes [all 3 codes] remove arbitrariness and inconsistency.

Codes [all 3 codes] objectives include:

- i) Protect the innocent, including creating judicial custody and abolish police custody: police have to seek judicial permission for custody
- ii) No person subject to unwarranted investigation
- iii) Conduct investigations speedily

Also ensure right to appeal and an independent judiciary.

Though all 3 codes were released by proclamation in May 2015, they have been not been implemented in practice. Since the proclamation the MoJ has been preparing to implement and raise awareness of the codes. In the last 6 months, the MoJ has delivered seminars to parliamentarians, administrative offices, and members of the public.

The experts thought that the codes would be implemented in 2016. Their implementation depend on resources: there is a shortage of people to implement the proclamation though more people are joining the MoJ.

### **Civil Procedure Code**

Ex-judge / lecturer explained the code's purpose is to act as a guide for judges. The code guarantees independence of judges; equality before the court; and a public hearing.

**Will the code apply to the military courts?** It is a procedure and law of the land, so applies to all parts of the country and all types of court.

**Follow-up questions. Does the penal code proclamation replace previous law (proclamations)?** The experts explained that a proclamation is equivalent to an act in the UK. The next level of law beneath a proclamation is a 'regulation'.

The penal code contains general and specific articles. The general sections apply to other penal legislation. At the moment sentencing is unpredictable.

**Do the codes apply to those leave the country illegally?** There is legislation on acquiring entry / exit visas, specific legislation for immigration. Article 5 (of the criminal procedure code) states general principles applicable to other laws, and immigrations laws have specific penalties. If a person violates the law they will be punished in accordance with the law.

More generally, there are 177 proclamations above the Criminal Procedure Code and 144 regulations on civil and criminal laws. The civil and penal codes set out general principles which apply to these laws.

**If a person absconds / avoids national service, what law applies?** When it comes to national service, the penalties applied are those from the national service proclamation.

**Article 119-120 of the penal code talks about offences relating to avoiding military service. Will these apply?** The penal code refers in articles 119-120 to military service but these articles are not comprehensive, so the proclamation on national service applies.

All investigations should be conducted along the principles in the penal and criminal procedure codes.

**Are you involved in the re-drafting of the constitution?** Not the MoJ.

The Minister explained that the civil, penal and criminal procedure codes are fundamental laws and should be completed first [before the Constitution]. The government has decided to enact these before redrafting the constitution. The government want to instruct the enforcement agencies and explain to the people about the codes.

The codes are written in 3 languages: English, Arabic and Tigrinyan.

**How many sitting judges?** The Minister explained that there are 402 'community courts', members of which may not have any legal training. There are 301 'judges' in the community courts. There are 36 'zonal' courts with benches; 3 judges sit on a bench. In Asmara there are 16 benches. There is also the High Court, with 5 judges.

**How many students graduate from college / university of law?** There are around 100 students studying law at the law school. There were 30-40 graduates last year.

They spend 4 years studying plus a freshman year before graduation. After graduation, they go to MofJ, Ministry of Foreign Affairs, other government departments as 'consultants', institute for insurance and private practice.

[Back to Contents](#)

Minister of Health

### **Covering letter from Minister of Health**

The State of Eritrea MINISTRY OF HEALTH

Date: 03 March, 2016

Ref. No. Ib., / 2/% )L-1/6

[Redacted] Honourble [sic], HM Ambassador British Embassy Asmara

Subject: Revised Notes of the Meeting

Thank you very much for facilitating the important meeting and for sharing the meeting notes with me. I read the meeting notes with interest and have made some revisions. Please find the revised meeting notes, which I feel, transfers the contents and the intention of the meeting better. Please also convey my greetings and gratefulness to the visitors.

Best regards!

Amina Nurhussk

Minister of Health

Tel. [redacted]

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### **Notes of Meeting with Minister for Health (as revised by the Minister of Health)**

**Date:** 9 February 2016

**Present:** FFM Team; UK Ambassador to Eritrea; Minister of Health; representative of the Ministry of Foreign Affairs

#### **Introductions**

After enjoying a warm welcome from the Minister of Health, as an introduction the FFM explained the particular aspects of health in Eritrea they were interested in, which include: general provision of healthcare; provision of mental healthcare/treatment; and the extent to which a person with health issues would be required to undertake national service.

Regarding the general provision of health care in Eritrea, the Minister of Health started her clarification by explaining that health is the focus of the Government and People of Eritrea. The Government places a high priority on health and is committed

to achieving and sustaining the progress made towards achieving its health-related goals.

The significant improvements in the health status of the Eritrean population and the achievements recorded in the Health Millennium Development Goals are a result of a concerted effort by government, citizens, civic and community leadership, and development partners. Among the crucial factors that can be mentioned are good policy and programs, accelerated human resource development, construction of an expanded network of healthcare facilities, availability of appropriate drugs, supplies, and equipment, and sustained political commitment. All of these contributed substantially to health awareness and improved citizens' access to quality and timely healthcare.

In the period since national liberation in 1991, access to healthcare within a radius of 10 kilometers increased from 46 percent in 1991 to 78 percent at the moment, while over 60 percent of the population enjoys access to care facilities within a radius of 5 kilometers.

At the moment Eritrea has around 400 healthcare facilities, which include: National and Zonal Referral Hospitals, Community Hospitals, Health Centers, Health Stations and Clinics, which are scattered all over Eritrea.

[The minister pointed to a picture in her office which showed where these are]

The political commitment of the State of Eritrea to the betterment of health of the population is one of the biggest opportunities that make the health policy environment favorable for progress. There are also many other opportunities that are unique to Eritrea, including its unique history of 30 years struggle for independence and social cohesion. One of the most important contributors to the success in health in Eritrea is its highly responsive and responsible population.

**Is healthcare free?** Yes! Health Care on Eritrea is virtually free at all levels. In public health facilities, for those who can pay the fee is so nominal, it is virtually free. Those who cannot pay are required to provide letter of witness from their administration so that are fully exempted from any payment for health care. Many communicable diseases such as HIV/AIDS and tuberculosis; most maternal and child health services such as Antenatal Care, Immunization etc.; and some non communicable diseases such as diabetes, hypertension etc. are free even for those who can afford to pay.

**If a person wants to obtain treatment, do they have to show anything (e.g. ID card, document) in order receive health care?** An identification document is not a requirement to receive health care service. Of course any person has to register his identity including his name, address, ID number, telephone number etc. for ease of reference and retrieval of his patient/treatment card during follow-up or any time she/he comes back to the health facility. However, having an ID or any other identification document is not a requirement to get health care service. The patient can just tell his identification information. For example, if a person has neither an ID card nor he knows his ID number, that missing information can be left blank on his personal treatment card.

**How many psychiatrists are there in Eritrea?** We have one National Referral Psychiatry Hospital in Asmara. The national referral hospital is staffed with a medical doctor highly experienced in psychiatry, who is the director of the hospital and a

psychiatrist who often comes from the Diaspora. Additionally the hospital is staffed with psychiatric nurses, who trained to practice psychiatry.

At the moment we have sent a medical doctor for training in psychiatry and we will soon send other medical doctors for specialization in psychiatry. Outside the national referral hospital mental health service is integrated with the general health service at all levels. Thus, the Ministry has been training psychiatric nurses and deploys them to the Zobas to decentralize the service and reduce the load of the only one psychiatric hospital in the country.

Moreover, community based psychiatric counselors were trained and deployed. These community based counselors facilitate community rehabilitation of psychiatric patients.

**How is mental health assessed in relation to national service? Are people given an assessment before starting? If so, do they have another assessment during service?** People have an assessment for all illness including mental illness before starting national service and can be exempted if they have a mental illness or other illness that could impede them from providing the national service. Thereafter, they are examined whenever they have a health problem, including mental health and if necessary get release from national service. (The Minister also explained that if a person passes the matriculation exam, they can go to the University for Higher Level Education including medicine).

**If a doctor assesses someone has a mental health issue, will that person be sent to the Ministry of Defense [the FFM team recorded the question as 'will that [i.e. the medical assessment] get sent to the Ministry of defence']?** Yes the person may go to the Ministry of Defense, however, not to provide national service but to obtain the exemption document. Depending on their mental health status, they may get full exemption from any national service or may get exemption from military service only. If they are capable of providing some level of national service, which may even be better for their mental health they get assigned to the Ministries other than Ministry of Defense. For example, if such persons are assigned to the Ministry of Health, we provide them with a job that may enhance their mental health status rather than aggravate their mental illness.

[FFM team notes in response to their version of the recorded question: 'Yes. The doctor will tell the person the result of the assessment.']

**Is it the Ministry of Defense (MOD) who decides this?** Yes, the medical doctors in the MOD decide this. However, they often refer such patients to the MOH national Psychiatry hospital for more thorough assessment.

If the person needs any treatment, they can be taken to the hospital and get whatever treatment they need.

**If a person has problems during the [military] training, can they approach a doctor?** Each sector in the training has health workers and the training center has a referral hospital. If a trainee faces a health problem he/she is first assessed by the health workers (usually a nurse in his sector and if necessary gets referred to Sawa the hospital. If necessary, the hospital also refers patients to other higher level hospitals or the national referral hospitals.

**Can a person appeal against a decision of the doctor?** Treatment is seen as a right. Where ever he/she is, any person has the right to complain or appeal against

his health service provider/doctor. However, not all people know about this right and may not use it or may not know how to use it.

### **If a person could recover, would they be recalled to National Service?**

It depends on the type of release. If a person is provided with full exemption from national service or is released from national service he/she may not be recalled or reassessed. However, if a person is provided with a status of unfit for military service, he/she may be required to provide national service as a civil servant in ministries other than the Ministry of Defense. If a person is provided with sick leave due to temporary illness, he/she is required to resume national service after full recovery from his/her illness.

**To clarify, when does a person receive their [medical] assessment - during the six months training prior to allocation [to national service posting]?** The first eight months is mostly academic training [at Sawa], which is followed by three months of military training. Throughout the year, a person is assessed when ever he/she complains of an illness. He/she will be first assessed by the health service provider in his/her section and if necessary will be referred to the hospital in Sawa. The person usually gets the necessary treatment and health care in the hospital. However, if it is beyond the diagnostic or treatment capacity of the hospital, the patient will be referred to more specialized centers at the Zonal Referral Hospitals and if necessary to the national referral hospitals.

The fitness for military service/training is usually done at the beginning of the three months of military training. However, sometimes times the military training may begin before the assessment for fitness for military service. Under such circumstances, if a person thinks he/she is not fit for military training he/she has the option of not participating in the military training until he/she is assessed or reassessed.

### **Are the assessments at Sawa conducted by military doctors?**

Yes. But we send our doctors to Sawa. We work hand-in-hand with the doctors at Sawa. This applies to all health services and medical assessments.

(However, the Minister also clarified that the national mental health referral hospital is under control of the MOH.)

### **How does a person pursue a career in medicine, post-Sawa?**

Any person wanting to join medical school is free to apply. However, medicine is highly competitive field and usually one needs to get high score [in matriculation exams]. Those who want to study nursing also need to get high marks, because most of the training programs in the health field are highly competitive.

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.

### **Do you have enough young people wanting to be doctors?**

Yes. Many young people are very much interested to be a doctor or other health professional. That is why; joining the medical school or any other field in health is highly competitive.

### **How many graduate from the medical school?**

The School of Medicine provides under graduate and graduate degree program in medicine, and the College of Health Sciences provides under graduate degree and diploma in nursing, pharmacy, clinical laboratory and public health. Moreover, there is also diploma program in Dental Therapy, Physiotherapy and Radiology, Laboratory (MLT), and Public Health in School of Allied Health Professions. Additionally, there are three Associate Nursing Schools run by the Ministry of Health namely the Mendefera in Zoba Debub, Barentu in Zoba Gash Barka and Ghindae in Zoba Semenawi Keyh Bahri (opened in 2007).

On average annually, around 30 doctors and 20 dentists graduate from Orotta School of Medicine and Dentistry, and around 350 other health professionals from the Collage of Heath Sciences.

We are also working with University of Liverpool, University of Dundee and University of London for distance learning. We have 156 students that have graduated from Dundee University.

**How much are doctors paid?** At the moment the salary of civil servants, including medical doctors is nominal. However, the government has announced that the salaries of civil servants including those in national service will be substantially increased, with a back-pay starting from July 2015.

**How much with the pay improved by?** We don't know, it is not yet finalized. We know it will be substantial and will be finalized soon.

**When a doctor/nurse completes the two years, can the person choose to leave the profession?**

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.

It is important to bear in mind that the health workforce is a backbone of the public health system and central to its effective operation. We know, without investing on human resources adequately, it is difficult to improve quality of health services. Accordingly, we are investing a lot on our human resource for health.

Human resources for health are recognized as pillars but despite regular production and recruitment of new health workers, the staffing norms are not yet met, especially for specialists at hospital level, including surgeons, radiologists, internists, etc. Accordingly, at the moment it is difficult to release such professionals, unless there is acceptable reason.

**The medical assessment for those who go to Sawa - if you have a very profound illness (blindness etc), do they need to go to Sawa?**

For most persons with profound illness, such as blindness, deafness etc, going to Sawa may be the easiest and sure way to get full exemption certificate. However, if a person's disability is so obvious he may not need the exemption certificate and may decide not need to go to Sawa.

There also options of completing military service, without going to Sawa by joining military training programs at the Zonal level. Such training programs may also be used for obtaining exemptions for such obvious cases.

[Back to Contents](#)

## Immigration officials

### **Notes of Meeting with Immigration Officials**

**Date: 9 February 2016**

**Present: FFM team; officials from the Ministry of Immigration - the Head of Research and Information Center and the Head of Operations; representative from the Ministry of Foreign Affairs; UK Ambassador to Eritrea.**

#### **Introductions.**

The FFM team had submitted questions in advance to give an idea of the topics and issues the team wanted to ask about but then explained the background and context to the visit and what the team are trying to understand.

#### **How many exit visas issued each year?**

It varies. Generally 60-80,000 exit visas are issued each year. Are there different ones? No. There is only one type of visa: exit visa.

The only difference is that they can be for either single- or multiple-exit, but not different visas for different reasons/purposes of travel. E.g. a business man who travels regularly would apply for a multiple exit visa.

Those who have nationality of another country (Diaspora), they don't need an exit visa. The 60-80,000 is only for residents.

#### **What evidence/documents does a person have to show to get an exit visa?**

A person needs to confirm that they are Eritrean — if they are over 18 years old, they need an ID card. They also need a passport. Then they are free to go abroad, subject to one condition: this is the rights and obligations of citizens to do national service.

To show they have fulfilled this obligation, the person either has permission/consent from the Ministry of Defense, or demobilization papers, or an exemption certificate must be shown.

#### **What does an Eri[trean] need to show to get a passport?**

If he is 18 years or older then he has to show his National ID. Under the age of 18 he/she has to prove that his/hers parents are Eritreans.

**Do you do exit checks at the airport?** Yes. The main checks are to ensure that the person is leaving the country legally.

We check for (1) an exit visa from Eritrea; and (2) a proper visa to enter the country they are going to.

**Is it the same for land borders?** Same

**The FFM understands that Eritrea and Sudan have a visa-free scheme/agreement. Do you need a visa for Sudan?**

We have bilateral agreements with Sudan, Uganda and Kenya. To go to these places, you don't need an entry visa, but still need to have an exit visa.

**Is it illegal to leave Eritrea without an exit visa?**

Yes.

**How many leave illegally? Do you have a sense of the number?**

[In original note the response was, I don't know]

We don't punish the person for leaving illegally. We try to encourage every person to stay here. Once a person leaves the country, we want to help them come back. A person who wants to come back needs to sign an apology letter. But thousands of Eritreans, including those who left the country illegally, come back to visit, especially in summer, to see family, etc...

**Are these returning Eritrean citizens or other nationalities?**

If a person obtains another nationality, we still consider them Eritrean. Many hold passports of the country where they live and we recognize it and allow them to have dual nationality. They have to have an ID card if they are dual nationals.

**Do you have many people who are Eritreans who also hold GBR nationality?**

Yes, thousands. We recognize the other nationality and allow dual nationality. But they must also have ID card and show this when entering the country. If they surrender their Eritrean nationality, then we no longer consider them to be Eritrean. But it's not a hindrance to have another nationality.

**Do they have to pay the 2% Diaspora tax?**

All must pay whether they left legally or illegally. The 2% tax is not related to migration, it's an obligation of an Eritrean who lives abroad.

**What if they don't pay?**

Ministry of Foreign Affairs (MOFA) representative: the 2% rehabilitation and recovery (RPP) tax is [an] obligation and right of every Eritrean living abroad, for that matter when everyone is expecting services from the government must pay RPP tax. And it is collected on the basis of Proclamation no 17/1991 and no 67/1995.

**Do you check whether a person has signed that letter at the airport?**

That is filled [sic] at the Embassy. We have a copy of the letter, so we know who has paid. However, all Eritreans are free to enter the country. Sometimes they might not have the letter. But when they seek to leave the country, they need to apply for an exit visa.

[The FFM team asked for clarification as it was a little unclear]

We can check on the computer at the airport for the signing of the letter. A person can sign the letter either at an embassy overseas; or at the headquarters here. But they need to apply for an exit visa, so they need to complete it at some time.

**The FFM team has seen a version of this letter. It says they must complete their national service. Do you tell the ministry of defense they haven't done it?**

No. Once the person left the country and stay outside the country for three years, we consider them a member of the Diaspora. If they want to come back to visit, they must sign the letter. They can stay in the country for as long as they want. Then they must apply for an exit visa. To obtain this, they need to have signed the letter.

**A member of the Diaspora is not required to fulfill their national service. How does a person show they have lived overseas for three years?**

One method is payment of the 2% tax. Another is when a person acquired another passport. The embassy in a foreign country may also help. How is the 2% tax calculated?

MOFA Rep; from net income. The person needs to bring salary papers. At the moment they are only paying here; not in embassies abroad due to sanctions. What if a person can't prove how long they've been away?  
They know they have to prove this.

**What if someone has been away for less than three years?**

They are considered a citizen and have to fulfill their obligations.

**How does immigration consider the act of claiming asylum in the UK or elsewhere? Is it illegal?**

Immigration Officials: Leaving the country illegally is illegal. We try and encourage people not to leave.

MOFA Rep: if they claim asylum abroad, it doesn't concern us. It is more the concern of the country they claim asylum in.

Immigration Officials: we don't care about the reason. All we are looking at is how long have they been away; more than 3 years or not. Claiming asylum doesn't matter. If they come back within the three years, they need to complete national service. They must fulfill their obligation.

**What happens if the checks at the airport reveal the person doesn't have the right documentation to leave?**

We just refuse to leave and tell them to go back and Get the right paperwork.

**How much does an exit visa cost?**

200 NKF.

**What is the process for getting an exit visa?**

First- they approach administration officers in their zone. They get a letter showing they are eligible. After examining ID etc., then they can go.

**How long does it take?**

If all documents are correct, can be done within one day.

**If someone comes back within the three years, do you notify anyone?**

No, immigration allows them to enter. Problems come when they want to leave.

**Why three years?**

We don't encourage people to leave, particularly with the open border with Sudan. It used to be shorter: 1 year. But people would leave to avoid national service and promote this. So to discourage this, the limit was upped to three years.

**Do you try to stop people leaving down the Sudan boarder? Do you try to stop them?**

We just work in the offices and at the ports and proper land border posts, but we don't patrol the border- it is very fast [sic; vast]. It is the army's responsibility.

**Do you know if the army tries to stop people leaving illegally?**

Immigration officials are posted only at the legal ports of entry. And the office of immigration is dealing only with those who left the country legally. But guarding the border is the responsibility of the army. Hence they have their own way of handling those who try to leave the country illegally.

**How long are they detained?**

Not long. Two months; one month. It depends on age and circumstances. Then they are taken back to where they came from.

**How do you treat children who are trying to leave to avoid national service?**

MOFA Rep: department of migration don't know who is leaving the country illegally. If they are caught at the border, they could be sent to a rehabilitation center. This is different to prison. They are held for one week and then returned to their family.

**From what age does a person need to have an exit visa?**

Unless below the age of 5, they don't need an exit visa. Above, they do. This is because we want to encourage people to stay. There may be exceptions, but in general this is the rule.

We don't allow children to leave the country. They must complete their studies here.

**Any examples of asylum seekers being returned?**

Yes, thousands.

In 2014, 1,538 males and 389 females returned to Eritrea. These had left illegally and been away for three years.

**Has there been any example of recent returns of failed asylum seekers (enforced returns, rather than voluntary)?**

Immigration Officials: if a person is forcibly returned they must stay within the country.

MOFA Rep: our policy is to prefer voluntary returns. But if a host country decides to repatriate them by force, we will accept them. But we should negotiate this first.

## **In Gash-Barka, there are semi-nomadic people, what happens if they cross the border accidentally?**

Nothing. We don't treat them as living in the center of the country. They have the right to come and go.

[Back to Contents](#)

### Diplomatic source A

#### **Notes of Meeting with diplomatic source A**

**Date: 10 February 2016**

**Present: FFM team; 2 representatives of mission**

**Introductions.**

#### **Background to FFM**

We opened with a broad discussion around migration and the drivers for it. There was doubt expressed as to the Eritrean Government's willingness to do something at this stage that would be a game-changer. The return to an 18 month limit might have been it, but it appears they are rowing back on this. But don't see this happening. We would like to have seen something such as a timetable set out with when the changes might take place. If they had, would have given young people an incentive not to leave and change asylum policies [in Europe]. No willingness to change.

Even if the Government did change, it can't turn the ship around easily.

1,500 Eritreans entered Europe in 2011. Then it was 35,000 in 2014; and 40,000 in 2015. It is still going up, but the rate of increase had slowed down.

It was considered to be a well-organised business, with families involved. 30 years ago, the Freedom Fighter used to be the role model; having spoken to families and young people, the successful migrant is now the role model. It is a change in attitude that will take time.

It was a positive move that the Government has co-operated on Valetta and on the Khartoum process, but not entirely convinced that they are serious about doing something.

Everyone in Eritrea knows that the country survives on remittances. Most families rely on remittances. Ministers also rely on remittances. Economic revival is needed. With time, the diaspora sends less – as they get settled and have their own concerns – so need to keep sending new migrants. 2<sup>nd</sup> generation of migrants less willing to send money. So government not serious about change.

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.

### **Have there been announcements by the government?**

The government has told people – but the government has not ‘announced’ it. Although it was part of the President’s New Year interview as part of the reform of the civil service.

We also found out from other people [than government].

### **Was limit of 18 months in national service announced?**

Government mentioned it consistently for a year but someone pulled the plug on the 18 month limit in July 2015. It’s all part of a bigger reform now.

It was felt this was largely two-fold:

1. The Government liking to control things; and
2. The Government needing people.

### **What would the government pay?**

Government talking about 2,500 Nakfa for low qualified; 3,500 Nakfa for higher qualified. 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.

### **Any changes in the length of national service?**

The Ministry of Foreign Affairs is releasing people. In practice, it’s highly variable. I know of one person who has been in national service for 18 years, but others released after 2 to 3 years. It’s easier for women. Women who get married may be released from national service. Men can’t. There may have been sham marriages in order for women to get released.

### **Any changes to how people are assigned?**

Various colleges provided specific training. People do training then go into that specific field, for example as a teacher.

Eritrea is a bit like Eastern Europe/East Germany before the collapse of the Soviet Union: everyone is employed. They are assigned by the state – you could manoeuvre a bit informally.

### **Can people move around from post-to-post?**

May be some movement, but limited.

There was a proposal from a development partner to pay for those who have been discharged from national service but government did not agree to this.

### **Why not?**

- i) Not sustainable in the long run to pay these wages – though not meant to be, it was meant to be [a] bridging [solution].
- ii) Government doesn’t want a foreign entity to pay wages

**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.

In reality [currently] military training is short, not more than 6 months.

**Are there any types of professions where the government is more relaxed, e.g. judges?**

No. There is a shortage of skilled professions everywhere.

I speculate that shorter military training and increased pay will be rolled out across national service.

**Views on the criticisms of the Danish FFM report?**

We don't think the criticism is fair. They spoke to us. They wrote down what we told them.

**What about a view on the UN Commission on Inquiry Report?**

[Instead, we then discussed the UK's asylum policy on Eritrea]

Concern was raised that with a recognition rate of 30-40%, you are not sending the 70% back who are refused. They are in limbo. What do you [do] with these people – push them into poverty and crime.

The question was posed to the FFM team as to whether you say that given there is no constitution; a systemic refusal of political/civil rights; and no elections, is that enough to grant asylum; if so, then you should grant all 3.5 million Eritreans asylum or should we say that a person needs to show a specific risk to them personally.

Boils down to what a refugee is.

If you take this to be politically oppressed, then they are a refugee. This is Amnesty and the UN's view. Another interpretation is that a person needs to show individual, personal oppression. But my guess is that most are economic migrants.

Foreign countries need to be consistent. Either grant all cases, or consider on a case-by-case basis, which is what we think is the correct approach. There may be cases on ethnic or religious grounds, for example Jehovah's Witnesses, who need protection but not economic migrants. Those not in need of protection should be returned. But it is not clear cut.

We then discussed the population figure, with the view expressed that the 3.5 million is the right population figure; 6 million is too high. The 3.5 million had been described as the "resident" population, which is about right.

**All claims in the UK raise illegal exit, do you have a sense for what the punishment on return?**

Difficult to say. I've heard from some Eritreans that some people who leave have been caught and been treated badly. I've not been in a prison, I assume they are bad.

I also know from anecdotal evidence from people who have left and returned and who were not drawn to national service but are able to move freely. I have also heard from others moaning that people in national service need a permit to move around.

[People returning] is an annoyance and a pull factor for other Eritreans. People run away, come back and are not bothered. Some people get away with it. I know some young people who have never done national service – [the source gave a particular example of a member of staff who had not done it].

### **How many come back?**

A number of people.

I've met quite a number of diaspora Eritreans who are definitely of age for national service but who are not bothered by the government. Dozens or hundreds, I can't say.

### **How long have they been away?**

Initially 2 years then come back. More recently it could be almost straight away.

The people I've met are fairly young, not waited 10 years.

### **Had these people got asylum?**

To my knowledge, they had all got asylum.

### **Does the government view them as Eritreans?**

Yes. Government population figures refer to a 'resident' population of 3.5 million, so government considers people Eritreans wherever they are.

### **Are there problems with exit?**

You need an exit visa. If you are on national service you don't get an exit visa.

### **How many exit visas issued?**

Not hard to get one after national service.

### **We were quoted 60-80,000?**

We have four airlines flying into Eritrea. Qatar Airlines flies daily. Also they go by bus to Sudan. Many are foreigners on aeroplanes – but only a few hundred 'internationals' in Eritrea.

### **Do you think claiming asylum is a political act and would put a person at risk on return?**

No, I don't think so. Maybe natural to think that but there are so many [leaving], many in government with sons and daughters leaving, that I don't think so. Attitude of the government is: come back, have fun but don't talk about politics.

### **Any forced returns?**

No recent forced returns. I know of people who have returned from overseas by choice. Just one from Saudi Arabia a few years ago.

**Is there a way to get demobilised?**

I don't know. I believe it depends on the institution.

**Can you pay a bribe?**

Not aware of bribes. Can't say it categorically, but not likely.

**Are you aware of people who have been demobilised?**

Yes.

**Do you know numbers?**

We don't know how many. The problem is the lack of access to information. People who work for the missions are demobilised, also at Bisha mine.

**Does the international community only employ demobilised people?**

Yes.

**Does the government rigorously pursue those for N[ational] S[ervice]?**

No but they do round-ups. But hardly anything is consistent, predictable.

**How punished if avoid NS?**

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.

**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 NS. She wouldn't have done so if violence is common place.

**What about the allegations of sexual violence towards women at Sawa?**

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.

But it might tolerate harsh treatment, Eritreans consider themselves tougher than others.

Knew example of a person during NS having a problem with civilian employer, asked for help from military hierarchy which stopped the problem.

**Are you aware of whether the Government operates a 'shoot-to-kill' policy?**

There is no evidence of the recent application of 'shoot-to-kill'. It could not be ruled out completely that it might happen on the border with Ethiopia, but it doesn't happen on the border with Sudan.

We visited the Sudan border at Tesseneii [sic] – saw no border control. If it happened regularly as Eritrea is a small place, we would hear of it.

There was an example of a case reported on the internet that people were killed en-route to Sudan via shoot-to-kill. But we had done some research with the people's family and it turned out they had broken down in their car on the way, had then tried to walk to Port Sudan but did not have enough water and died of heat exhaustion.

If shootings happened, opposition websites would report this.

**What about the figures quoted about people leaving Eritrea. Do they sound accurate/plausible?**

5,000 per month sounds about right. Look at the figures of arrivals into Europe of Eritreans.

There may also be a few non-Eritreans being registered as Eritrean. The Foreign Minister estimated 60% of applicants not Eritrean – but seems too high.

**The UK has cases of Eritreans speaking Amharic. Is this common in Eritrea?**

People who speak Amharic who don't speak another Eritrean language are unlikely to be Eritrean.

**The explanation is usually that they have lived with an Eritrean community in a camp in Sudan for a considerable time, and this is the explanation. Does that sound plausible?**

We have seen UNHCR quote figures stating that 80-90% of people coming to Sudan leave within a few weeks.

[Back to Contents](#)

**Meeting with diplomatic sources B, C and D**

**Notes of Meeting with diplomatic sources B, C and D**

**Date: 10 February 2016**

**Present: FFM team; diplomatic sources A (although made no recorded observations) B, C and D; UK Ambassador to Eritrea**

**Eritrea is often described as the “North Korea of Africa”. Is that comparison fair?**

You can't compare the two. It is a ridiculous comparison. It is a journalistic simplicity.

This country has two problems:

1. Powerful enemies, who are well financed, powerful and well organised. Other countries in Africa are smaller, but have no enemies, so difficult to know.
2. They haven't played along with Western rules. We insist on elections, constitution, democracy. Other countries have a democracy where people are elected with 99% of the vote, over-and-over again; a judiciary that isn't independent; but we don't say anything. Eritrea could do the same thing and get the same result. But they don't.

There are active forces within Eritrea which don't help themselves. Things are not good, but it is not as bad as described. There are countries in Africa much worse than this. But we don't say that.

This was true for the most part, but the comparison with other countries being worse had to be qualified slightly. In those countries, there is some semblance of civil society organised. In Eritrea, you don't have that. You don't even have things like independent sports clubs etc.

You can do a lot of things, but the Government has to control them. They have to have rules for that. To play along with the Government's rules is possible, but it is so long and so complicated, that it is not worth it and people give up.

People in Eritrea are not used to anything different. Those who have a different opinion are either in prison or overseas.

Why are people running away: they are not leaving because there is no parliament. They are running away because they want a better life. Some are being persecuted. We can't say they are not. Some are fleeing for political reasons. Again, we can't say they are not. But the bulk are economic migrants. Until we start addressing this, our asylum policies in Europe won't change.

The figure of around 50,000 per year leaving sounds about right.

**Have you noticed Eritreans in EU countries coming back to Eritrea?** It is believed that refugees are returning to Eritrea. But not permanently. One case of a person who came to Eritrea on a refugee passport which expired whilst in Eritrea. They came to the Embassy asking how to facilitate a return to the EU country.

**Have you seen increasing numbers of people coming to the Embassies?** No. It is too early. Most of the cases are family reunion cases. Refugees who come back to Eritrea don't come to the Embassies. Refugees don't have the right to get consular assistance.

Thousands come back to Eritrea to visit and spend money. Many wealthy Eritreans are seen here in the summer. Eritreans come back to Eritrea but avoid getting a stamp in their passport because they don't want to get asked on return to the EU country why they have returned home.

Deserters are not imprisoned or persecuted. What is strange is the willingness of the [Government of Eritrea] GoSE to assist those who want to come back to Eritrea. They have to sign the letter of apology and pay the 2% tax.

**Why do they do this?** They need the remittances. But ultimately they want people to come back and help build the country. Something is amiss.

However, it is the lack of the rules and no-one really knows what is going to happen.

It might happen to some people, but if people were disappearing, then the word would get round quickly and people wouldn't come back.

People are returning quickly. There are people coming back to Asmara who only arrived in Lampedusa four months ago. They go, get their status, now return.

**How do you know this? What is the evidence?**

We know through the many, many cases of people we have spoken to. But it's hard to give specific evidence. However, there is a large community from [a Western European country] and they are recognised.

### **Is it tens, hundreds?**

It is many more than hundreds.

People will be happy to talk to you. They are not scared of us. They are scared of their own authorities and yet if they are willingly coming back, they will talk to you.

It should be easy to get some specific examples. But it would not be possible to give the whole picture. But they are indicative. It won't be big in numbers, but we can help give you specific examples.

Anecdotal evidence from the US Embassy is that around 85% of people of their consular cases are Americans of Eritrean descent travelling on an Eritrean passport or identity document. Specific examples from our own consular cases are the same.

All the flights coming in the summer are full. There are around 15 [flights] per week.

At the moment, it is a bit more quiet. This is not the real Asmara. In August, it is too unreal – too much money from the diaspora. However, at the moment it is too quiet. This is partly due to the currency issues [the Government has replaced all bank notes in circulation which has caused a shortfall in currency available].

It is no wonder that people are leaving for economic reasons, given the economic policies of the state. It's good that they want to focus on water supply and electricity. However, when they then tell the people what to do with that water and electricity, that is when it begins to fail.

Dolce Vita [textile manufacturer in Asmara] survives because of exports. They even run at a loss. They struggle with electricity, water, materials; they train people who then run away.

Eritrean manufacturing and processing industries are very limited.

[However, it was acknowledged that the Ambassadors do not travel extensively outside Asmara because of the bureaucracy involved in obtaining the necessary travel permits].

### **What are your thoughts on Danish FFM Report?**

The problems were more around the way it was presented. Ambassadors here knew which person was which, despite the Western Embassy A, B, C etc. This caused complications in their professional work. What they wrote in the report was accurate, though.

However, every time you touch Eritrea, it backfires on you. If you say something really innocuous, either in favour or against, you get significant backlash from either the pro- or anti-government groups / Diaspora.

### **What about reports from Amnesty? UN Commission on Inquiry?**

The UNCOI is based on "reasonable grounds to believe"; this standard of proof would never hold up in a court. The other problem is that the UNCOI report has presented human rights violations allegedly committed over 25 years as a snap-shot picture, claiming that these violations are current and systematic. This fails to take into account changes over time and gives a distorted picture of the present situation.

## UNHCR

### **The FFM Team and the UK Ambassador to Eritrea met the UNHCR representative on 10 February 2016.**

The UNHCR representative provided the following statement:

The Mission held a meeting with the UNHCR Officer-in-Charge in Eritrea, for a familiarization on the UNHCR Country Operation in Eritrea. The mission was briefed of the fact that there are currently an average of 2,450 Somali refugees based in a camp in Massawa known as Umkulu, and they have been here for over 20 years. UNHCR in collaboration with the GoSE extends assorted protection and assistance to these refugees, whilst exploring durable solutions for them in terms of voluntary repatriation, resettlement to third countries, and for the residual population, advocacy on broader socio-economic integration is being pursued. Funding is a main concern as new emerging refugee crisis are on the rise, requiring a sharing of scarce global humanitarian available resources. The OIC also confirmed UNHCR's open technical collaboration with the GoSE on issues of mixed migration with that have an asylum nexus.

In the global arena, UNHCR confirmed an ongoing dialogue with the GoSE on the UNHCR eligibility guidelines concerning asylum claims/seekers from Eritrea, published in 2009 and 2011. At this stage, the government has provided its reservations in writing on these two publications and UNHCR has proposed for a further high level dialogue on this and its international protection role, on the heels of the concluded July 2015 UNHCR high delegation mission to the country.

[Back to Contents](#)

## A UN staff member

### **Notes of meeting with UN staff member**

**Date: 10 February 2016**

**Present: UN staff member; FFM Team; UK Ambassador to Eritrea**

#### **Introductions**

#### **Background to FFM**

**What does UN do [in Eritrea] / what programs are you running?** Should start by setting out what the UN is doing collectively.

As a [member of] staff of the UN I see that relations between the UN and government have improved although there were challenges in the beginning .This was about there [sic; the government's] own perceptions of how the UN sanctions and role in support to solve border conflict and guarantor of the Algiers agreement.

In the view of the [Government of Eritrea] (GoSE), [the] UN has done nothing to enforce the border demarcation. On top of this, there is the UN Special Rapporteur and the UN Commission on Inquiry [UNCOI]. Our relationship is a bit tense.

Our approach to bring back the relationship was to separate out political issues – and development issues. The GoSE needs to pursue political issues with the respective UN entities responsible and member states. It is always good for the government to keep engaging and keep their seat at the international fora. We are seeing signs of [the] government[’s] growing engagement. They are taking a much more active part in the UN general assembly, taking an active part in [the Africa Union] AU and other bodies including various international meetings. They could do more, but UN partnership growing.

We see it with other partners too. Many missions from [the African Development Bank] AfDB, Japan, Norway, Ge[r]man[y], Swiss, Finland, UK, Denmark, Sweden etc, have been visiting.

The one instrument that helped us to re-engage was the cooperation agreement [UN staff member provided a copy]. The principle is good. Will be producing another cooperation agreement.

This is the last year for this agreement, so busy trying to design an update.

There are 8 [UN] agencies resident here, plus four that are based here but not resident.

The GoSE have achieved three health [Millennium Development Goals] MDGs. This was based on evidence collected by the UN and government. This country has eliminated measles; is polio-free; they are 0.9% HIV; they are at pre elimination stage of malaria.

[UN] OCHA approves the approach, that humanitarian work is a stepping stone for development. We pull out key basic needs projects for our partners.

We have reviewed our approach to Eritrea, and agreed that we need to engage, engage and engage. We continue to work with the GoSE to enable the activities to be carried out especially the [Universal Periodic Review] UPR process to continue and help government to implement what the recommendations which were agreed

The two latest [UN] reports indicate there is no evidence of Eritrea supporting al-Shabaab. Essentially this should help to lift [sic; lift] the sanctions, but need a mechanism to unblock it. There are other procedural things to resolve before sanctions can be lifted, and GoSE needs to engage with member states and the [UN Security Council] UNSC needs to make a decision.

The government has not agreed to cooperate [with the] UNCOI and [the UN] Special Rapporteur, although they have been encouraged; what they explain to everyone is that they don't like the country specific mandates and commissions.

### **Who was behind it?**

The government says there are big powers behind the push for special mandates and for that reason they have not heeded to the advice to cooperate with them. They don't understand why Somalia could be the one to table human rights issues in the [UN Human Rights] Council.

We have encouraged them to cooperate and also to work with various [human rights] HR mechanisms including continuing to work on the UPR and getting support from [UN Office of the High Commissioner for Human Rights] OHCHR

On the UPR process, they have accepted 92 recommendations, far more compared to the previous cycle and we have encouraged them to implement the recommendations that they agree with since a long time the GoSE allowed OHCHR to come and visit. They were also allowed to visit a prison. The last time they came, they weren't allowed to visit the countryside.

Hopefully more engagement on HR can continue and more support from different partners to enable government deal with its capacity gap can continue.

### **Do you know which prison it was?**

Semal.

The country is not completely cut-off on discussions around human rights.

On the humanitarian side, we see needs – evident ones – but this is a society that doesn't like to show their vulnerability and don't like asking for help. They always try to solve their problems. If there is not good rain and not good harvest they try to buy food and cover the gap and feed their people. But this is a country in [a] drought zone and there a cyclical seasons sometimes giving good harvest and some times not. Whenever there are any gaps we are willing to help.

### **The rapprochement with the GoSE, what do you think their motivation(s) are?**

Partly because the partners are engaging; and the policy on GoSE engagement is more evident now. This is a good thing in my view because the economic situation [n]eeds improvement and partnership is important; migration is not an easy thing and the government needs to keep its people so anything that can be done to support the country would be good for the people and government

The GoSE recognises it has challenges and needs some input from partners, but also the international community needs to respond with solutions.

But it is all about building the trust. If they don't trust you, it's difficult to engage and I think this is true everywhere.

They feel that the anti-Eritrea propaganda is so heavy and there is little they can do about it. They think more work in diplomacy is needed

Human rights and political issues are challenges in all of Africa and other countries in the world. The “two-trunk” approach is the right way to engage. They need the things on the humanitarian and development side, so let's help them – we can still pursue the political/human rights side but not at the detriment of blocking support to women and children and generally the people who need the support

we must continue to engage both countries. Many countries have an interest in Ethiopia and it is very good to work and support Ethiopia. Many people also engage Eritrea and it is good to support Eritrea... engaging one should not stop any partner to engage with the other. You have diplomatic missions in both countries and have different interests in both counties so keep engaging both depending on your interests

On migration, this is a key issue. It's true that so many people are leaving. there are estimates , but you can feel the impact On the country and this is true to any country. It is not healthy to have your young generation leaving the country. All efforts to help the youth stay will be good.

### **Do you have a feel for numbers of those leaving?**

You would need to talk to UNHCR.

### **Is it a particular class or type of person?**

It is mostly the young. I know of two examples of people who just left. A night guard and a children's nanny. They just went.

I am sure migration of young people affects productivity in many sectors. Our approach is to discuss, with partners, what we can do to stop the bleeding of the nation by losing its young people. It's not an easy fix. It will be quite long term. Development partners need to engage countries of origin to find a solution – and we need to work in consultation on both sides to find a common approach. But it is a responsibility to support nations building and resilience.

### **What are the main factors?**

Most young people say the economic situation is difficult and they look for greener pastures.

Some young people also say they would like to see the national service period limited to 18 months.

The government has said that they are deploying young people more in civilian services and are paying them now.

When you speak to the GoSE they say that they have to deploy them. Otherwise they would be redundant. The youth would be doing nothing. They are also looking at how they can pay them more. In some countries partners have created a fund to support such initiatives and this is something that can be discussed by government

So, yes, it's an issue, but with increased modifications it will cease to be a major problem. Migration will not stop and there are people needing genuine asylum and it is up to the countries of destination to put up a system to know who is genuine and who is not.

Even in Africa, there is a perception that if you leave for Europe, tomorrow you will be driving a nice car. We need to do more to educate people on the reality.

Many African countries and have challenges and it is not different here.

### **What are your views on the conditions of national service?**

It is all about the open-ended nature of it. If people knew exactly how long to serve; national service as a principle is not bad and is practiced in many countries. Bigger plans in any country also in Eritrea are need to expand the economy so that there can be enough employment opportunities for the youth.

### **Have you spoken to people about this experience?**

The asylum policy should seek to investigate genuine asylum seekers and not give blanket asylum.

I can't say it is based on evidence that I can give you, but it is based on what I see when I am visiting ministries, hospitals, out in the field; there is a lot happening but there is need for continued and increased support. Some evidence on progress on MDGs has been gathered and the information on progress about MDGs is based on proved numbers. In some areas data is difficult to get.

We need to look at this, and provide support for the country. If we do this, if we can support the country in areas where we can support, the government will also grow more capacity to deal with national issues as their economy grows.

In many post conflict countries there is a demobilization fund and program ; but there are other recovery programs. Eritrea can benefit from such programs too.

### **How many locally-engaged staff do you have?**

I think it's the majority. The UN employ generally about 120 – and only about 25 are International.

All the locally engaged staff are demobilised.

There is little information published. It's not easy to tell how many have been demobilized so far, when did they increase salaries and by how much; there is not a publication about it but one gets to know the information sometimes informally.

### **How are evaders/deserters treated?**

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.

Possible people involved in politics may get a problem; but this is just a guess as I am no access to such information.

### **How many do you think return?**

I don't know for sure, people come with different flights all the time from Europe, America and others from Sudan etc. The number of flights and airlines operating are also increasing. Egypt Air; Qatar; FlyDubai; Turkish [Airways].

I know that people who were sent back from Israel. There is no systematic approach to return and reintegration. We haven't heard any outcry of people being returned, but equally we haven't been able to track those returning.

I know that people who are coming back were voluntarily. The GoSE don't look at the context. People who are coming back are people who are coming back. Not sure whether there is a special treatment for those returning voluntarily and those not returning voluntarist [sic].

I don't know large numbers of people are being put in prison, I have no information. I don't know for sure as I don't have the evidence, but based on anecdotal evidence, I think if everyone retuning [sic] was put in prison we should not see any one coming.

### **HR organisations allege that people who leave without permission (leave illegally) and claim asylum are viewed as traitors. What are your thoughts on this?**

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.

If I were a policy maker in the UK, I wouldn't penalise this country to stop any aid and support. Human beings in Eritrea need continued support. We see support in other countries struggling with development after independence or after conflicts. It is always good to visit and have your own feel and view of the country than simply rely on hearsay.

**The GoSE makes it difficult to obtain information. Most H[uman] R[ights] organisations base their information on interviews with those outside the country and paint quite a negative picture. How can we best assess and evaluate this?**

It is true that getting information is not easy and advocacy on side of the government needs to increase.

We need to invest to support development and create economic opportunities.

The big improvement will come with developing the economy and developing the private sector.

Eritrea is in favour of engagement. We need to focus on how to support improvement in the country. This will encourage more engagement and forward looking approach in the country

Everyone is waiting for the [UN]Col report. It is an independent body. Definitely the out come of the report will affect what we do. I know that there has been mention of crimes against humanity and if this is confirmed I am not sure how the government will react. We simply wait and see but hopefully this will not affect the engagement efforts between the government and the international community

**Why is the UNCOI perceived as being so 'partisan', do you think?**

I don't know what is playing in there. The [UN]Col is independent and it was formed and put up by member states and the [UN Human Rights Council] council is made up of member states The decisions lie in the member states who make up the [UN] Human Rights Council.

**Do you think the UNCOI accurately reflects the situation here?**

I am not the right person to ask. They do their work independently and what they say has to be weight ageist [sic; weighed against] [the] evidence.

On Bisha mines I also heard it in the news - that the Bisha mines complained [FFM Team explanation: about allegations in the UNCOI that Bisha used slave / forced labour]. maybe you can talk to them. It was said they deploy children but you can ask Bisha mines or the diplomats who visited Bisha mines

About allowing the [UN]Col in country ; I also wish they could be allowed. Definitely it could help on facts.

But because it was a panel set up by the [UNHR] Council, it has to report to them. It is an independent commission and my hope is that whatever the outcome it does not affect engagements on the ground, the possibility to continue to support people on humanitarian and development matters.

A source

**Meeting with a source**

**Date: 10 February 2016**

**Present: FFM team; HMA Asmara; and the source**

**Introductions**

**Background to the FFM**

Higher education is important to provide opportunity. Absent of opportunities youth will leave.

There is frustration with the selection process, as students can't choose. [Selection for subjects is] based on performance: best go to law and medicine, education gets lowest performing students. Problems with teacher students in regard performance and attitude.

Difficult to generalise, no laws, no statistics – everything is anecdotal. General frustration amongst students and academia as can't choose. Some students adapt to and enjoy teacher training.

20 years ago teachers had high status. Now many teachers are in national service and there are problems with quality [and now low status]. Many primary school teachers are in national service but are not trained as teachers.

How can [the government] get motivated, engaged and capable teachers? National service teachers in secondary and tertiary education [alongside those not in NS], lead to problems as inequality of pay.

**Why is teaching not popular?**

- i) Random placement. Can be sent anywhere.
  - ii) May not be able to speak language where placed
  - iii) Frustration at lack of resources, may teach a class of 120 children
- The random placement is a structural issue. If you are not valued by or for the profession you are going to move on.

**Need better pay and choice of employment in long term?**

Yes. Concern over what happens to teachers once they are qualified.

New national teacher recruitment. Last year the government advertised amongst grade 10 students to join a new teacher training programme. Selection process included tests in English. 700 grade 10 students passed both tests and interviews assessing motivation.

Students 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.

**Will teachers be exempt from national service?**

Yes that has been said, but remains to be seen.

**Will this be replicated across other professions?**

I don't know

**Age of current cohort?**

16/17 year olds

**Is this project a sign of change?**

Support from high up in the government for change.

**Why do people leave?**

Lack of opportunities

The international media flow on the refugee crisis is beginning to question the value in getting to Europe – beyond the journey itself.

The source has heard about people trying to leave. One person has made three attempts and been imprisoned each time. They want to try again, although they are questioning it maybe.

Everyone in Asmara seems to know someone who has left. Many are planning to leave. It is so mundane. But people may not talk about the bad things that happen. For educated middle class from Asmara it is a decision to stay [not whether to leave]. Been surprised by people's willingness to speak openly and criticise. It's not political opposition or doing it publicly, but still vocal.

**Have you information about who have been in national service?**

The source has experienced someone who has done national service for twenty years. I have also experienced people who have been demobilised. The issue with people I speak to is that it is random and undefined.

[Back to Contents](#)

**Representatives of the National Union of Eritrean Youth and Students (NUEYS)****Notes of Meeting w/ NUEYS**

**Date: 11 February 2016**

**Present: 7 representatives NUEYS; representative of Ministry of Foreign Affairs; UK Ambassador to Eritrea; FFM Team**

**Introductions and background**

[NUEYS](#) is an organisation of the youth and students established in 1978. It is a nation-wide organisation. It works for the well-being of the youth. It organises around 200,000 members, with around 20,000 core members. We are open to share any information that you like. We would like it to be published.

20,000 are volunteers. Ordinary members are more than 200,000. Every high school and college and sub-zone which organises the young workers, are organised as a version of the NUEYS. They are scattered all over the country.

**Is every student a member? Or do they have to apply?** They have to be willing. There are criteria, like age. We organise them between 14-18. We have a special focus on gender and those children at middle school. You have to be willing to be members and agree to fulfil their obligations.

Although membership is voluntary, we work for all of the country.

But the whole membership is 14-40. The focus is on high school and colleges.

You can be a student at any age.

**Can you tell us about what activities you do with the children?** We have 7 branches, including Sawa. The two high schools in Sawa. The main focus is conducting festivals – educational, sport and cultural - among the two schools in Sawa. Also does seminars. This is to help create an environment to support creativity. We want to influence positively their experience. We want to increase their political and socio-economic awareness.

We also have different clubs (art, drama, sports) according to their interest. We had youth week in the schools in Sawa. It ensures the participation of all the youth.

We have 5 departments here. We aim to create a fertile youth. We are working to achieve this. There are issues we address:

- Youth unemployment
- Gender inequality
- Sexual health

We don't stop here by providing the training. We can also provide micro-credit so people can start small business.

We also assess whether the money is being used wisely. Do quarterly check-ups.

We also do vocational training, in metal work, woodwork, hair styling.

We also check up on young women who are poorer achievers to support them. We also have to sensitise the community, teachers etc.

**Are you doing any work with UNDP?** Yes.

The VST has been implemented this year. But we have been working with UNDP for years. Also been working with UNFPA, UNICEF, for 10 years. We are also working with the Norwegian government, got a grant for vocational skills training, including for returnees.

We also work with the international community and the ERI diaspora. We facilitate activities for them. There are a number of people living in the diaspora who want to volunteer, particularly certain professions and arrange attachments to institutions here. We work with different organisations in Africa and the World Federation of Democratic Youth (WFDY). We act as vice-president of the WFDY.

**You mentioned doing skills training for returnees? How many returnees?** The project was aimed at returnees, but not just for them. We have centres around the

country. I think last year we gave vocational training to 910 people. We provide training for 5,000 people; 910 were project supported.

**910 returnees?** No. 910 people. That would include returnees. But we don't know the number.

**Can you confirm how many people go to Sawa each year?** 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. Students do 12<sup>th</sup> grade there. They stay there for one year and complete the matriculation exam. The ones who pass join the colleges or technical schools. Some also join the national service and join the ministries. We support various activities.

In their stay there, they join different courses.

They eat together, sleep together, do activities together. They all know each other. They are from 6 zobas, 9 ethnic groups.

After completion of the 12<sup>th</sup> grade, they do the military training. 9 months study, plus 3 months military training. A total of 1 year.

**When does it start?** 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.

**We asked those present whether they did military training.**

Yes. I was in the 13<sup>th</sup> round – soon after Ethiopian bombing. I was supposed to go to Sawa, but it was evacuated at that time. I went [somewhere else]. I took my degree points and joined the university of Asmara. From 2003, every high school student goes to Sawa. Some study at other schools – very few – then military training at Sawa.

I finished my 12<sup>th</sup> grade with my family in Keren. Then I did military training in Gat Alia (?).

**Do all high school students go to Sawa?** Yes. Once they finish the 11<sup>th</sup> grade, they go to Sawa. It is the progression college. We also have technical high schools. Some will stay here for their 12<sup>th</sup> grade and go to Sawa for the three months of training. It is rare.

**Did others present do military training?** Yes.

**Did you fire guns?** Yes.

**Can you leave to visit family? Can family visit you?** Yes, of course. There is a semester break – two weeks – where family can visit them.

**What time of year?** In July. This is the end of year.

The semester break is in December. This is family visit week.

There is the Sawa festival of youth in July when anyone can go and visit.

**Can students leave Sawa?** Only when they graduate.

Some special cases can come back. Like marriage. Or health issues. It is a giant boarding school.

With the financial limitations in the country, it is hard to mobilise that number of people three times each year, but it is hard.

**Is there a place for parents to stay?** They stay with their children. They need ample time to spend time with children.

They also have their mobiles. Not all the parents visit. Not all stay all the time. We try and manage the numbers. Three days is more than enough for a visit. Different zobas have different times to visit.

**Children stay in dorms. So where do parents stay?** There are extra dorms. People also bring mattresses and sleep on the floor. At 'festival' (July), took 3,000 people from the diaspora, so 40 – 50,000 at Sawa. Like a vacation; families bring mattresses.

**What is the compulsory school age in ERI? Is there one?** No, we don't have a compulsory age. They start at 6. They finish their high school at 17-18. Compulsory up to end of 8<sup>th</sup> grade. Then high school starts at 9<sup>th</sup> grade. At 12<sup>th</sup> grade, they join Sawa. 4-5 year olds attend pre-school.

**How many pass the matriculation exam and go to technical colleges?** It varies. 35-40% pass go to the tertiary education/university/colleges.

The rest go for vocational skills training at Sawa and elsewhere.

The one in Sawa can accommodate about 10,000.

**How many colleges are there?** 7. Medicine, agriculture, law, marine biology, science and technology (includes engineering), social sciences / art and literature, and business.

These are spread around the country. Social services in all regions. Equal distribution of services.

**How do people get allocated to their role/college? Can they pick what they want to do?** They get the chance to choose. The grades then matter.

**Are there particular fields you want to recruit to?** Yes. The science stream. If you do well and get good grades, you are likely to get that. If they come through the science stream, they will go to the science field. It depends what you studied in Sawa. At Sawa you choose social sciences or science, then there streamed to colleges.

**What did you do?** Geology. After graduation went to hydrology.

**Did you work as a geologist?** I still am. I also volunteer in the international relations school. I am also an inspector in the mines.

[Gat Alai]

I was immediately assigned to the Department of Water, Energy and Mines. That was 2009.

**Are you still doing that as NS?** Until the 13<sup>th</sup> round, we have been demobilised. I am working there with my full salary. Could work for a private firm.

**When demobilised?** 2007. I just did 18 months.

**[We asked a different person] What year did you go to Sawa?** I went in the 21<sup>st</sup> round. I passed matriculation.

Studied economics. I graduated 2012. I started national service here (NUEYS). Still work here.

**When do you expect to be demobilised?** Soon.

**[We asked a different person] What year did you go to Sawa?** 2006. Graduated 2010.

I was a teacher of ICT. I learnt computer science at Mei Nefhi. I am here doing NS here. I volunteered to move to NYES.

**Are you demobilised?** No.

**When do you expect to be demobilised?** Soon.

**Can you ask/apply to be demobilised?** It's part of the national policy. It depends on the circumstances. They start to demobilise depending on need. After the 13<sup>th</sup> round until now, the demobilisation has been stopped unless on family, medical and special cases.

There has been demobilisation going on, not by round now. More by need.

**What mean by family reasons?** Say, women who get married. If he is the only man who can support the family. If disabled/injured. Permanent sickness.

**Understand first step is to ask your boss?** [no answer provided].

**Understand pay is increasing?** Yes. We have already had a salary increase.

We are expecting soon to be demobilised. On salary, the salary is good. We expect to receive our salary backdated to the end of July 2015.

For new recruits, they will get 2,000 NKF.

The government is working to normalise national service and return it to 18 months.

**Is the Govt. working towards that?** Yes.

**Who will this affect?** It will start with the new recruits to normalise service. Then they will start demobilising.

**What steps taken to do this?** Since February 2016 those going to a ministry get civil service pay [i.e. 2000 NKF +]. After 18 months, they will be salaried but not necessarily demobilised.

**So all recruits will be paid 2,000 NKF from here on?** Yes, but it is more if you graduate or have a university degree.

**Which round in Sawa now?** 29<sup>th</sup>.

**Can you change your vocation?** Education is free. Once you are trained, you are expected stick to the stream that you studied. But if new fields or new departments are opened, even if you are from different streams, you can have the chance to move. But most of the time, you study and stay in the stream.

**How many end up going into the army itself?** Very few. They have to be assigned to the ministries. I can't say x amount go to the army, but the majority go to the ministries.

All leave Sawa get vocational training for those who don't go to college. Varies in length 1 to 2 years. They can also upgrade [their skills / training].

There is a policy from the ministry of education: education for all.

**Why do young people leave/migrate?** Could be various reasons. There are some internal factors. It could be economic factors; the living standard is low. The social system also supports the most vulnerable.

Globalisation also a factor. Some think the grass is greener. Some escape from national service. The situation Eritrea is in – the occupation of territory and the sanctions. Eritreans are cautious about sharing information. People hear about life abroad. The picture of Eritrea is not the right one.

External interventions are one of the main factors. They can also see the situation in, for example, Germany. They have announced they will receive 2.5m migrants from across the world. Once the young people see this, they decide they want this without knowing the price of getting there. If countries open their doors to young people in Eritrea, then the young people will take the opportunity. Also people from ETH, SDN etc. Will take advantage.

**Do you know people who have left?** Yes, we all know people who have left. Many families, friends.

Migration from Eritrea is not new. But after independence, it was reverse migration – people moved back to Eritrea. Then situations changes, then people hear about the situation in Europe. If we didn't have a war, need people for the war, then may be people not leave.

Every year you see the Eritrea diaspora coming back to help their family and the country. Some summers, around 100,000 members of the diaspora come back.

Even the ones who migrate illegally come back.

The Government had to make some tough measures to prevent people from leaving and taking those journeys across the Mediterranean.

In 2007/8 it was tough, but since then the rules have changed. Now, anyone can come back provided they pay the 2% tax.

Many of my friends, college-mates, they come back to visit, get married etc.

**Why have you *not* left?** Personally, I have been consciously growing in a family that is tied. Father was a fighter. I want to work in my country. I am trusted to go, travel around – 7/8 times to Africa, worldwide, implement what I want to do. I have been free to travel.

All of us, as part of the organisation, are free to travel several times. More than 100 members of the youth have travelled. Only one left. But the others come back. Maybe the situation in Eritrea is such that it is at poverty stage.

But we have had brothers that have died for this country. We believe the population is part of the history of this country.

I don't believe the grass is always greener.

I personally don't believe that there are push factors. The war is not a push factor. The economy is not a push factor. There are pull factors.

We know many are leaving but many stay. The number leaving is exaggerated.

Family and historical ties to Eritrea are strong. People want to contribute to this country. They feel they owe the country.

I really like the social justice system here. We have limited resources but the resources are distributed equally. There is no minority and majority. Everything is equal. I have to fight to change, to make better. But Eritrea is peaceful, stable.

My friend left. But why would I leave to go to a country that is built by its citizens when I could do that here. We are all touched by martyrs. We all know someone died. We also see the sanctions imposed by the UN. I understand the pull factors but I chose to stay.

Once I have been to Switzerland for a meeting w/ the diaspora. I saw illegal diaspora. But they explained that they were expecting to receive better treatment there. But one, he was a professional teacher in Eritrea but in Switzerland, he was living on the streets. And for the ones who don't have the work experience, the EU countries are forcing them to have education for 2-4 years. But people are going to support their family. He was not satisfied.

People asked why I didn't run, but explained that people don't get what they expect. Things in the west are for westerners. I want to work hard to develop this country.

We appreciate the initiatives from e.g. EU, Finland, Norway. We would like more from the UK. This all helps us develop. If these sort of facilities expanded, we can support the economy and build and retain skills. It can be part of the solution. We trained 910 last year from UNDP, this year 1,200.

[Back to Contents](#)

## Representatives of the National Union for Eritrean Women (NUEW)

### Notes of Meeting w NUEW

**Date: 11 February 2016**

**Present: FFM Team; three representatives from the [NUEW](#) (including the President of the NUEW); UK Ambassador to Eritrea; Representative from the Ministry of Foreign Affairs**

**Introductions.**

**Background to FFM.**

**Representative of NUEW:** It is better to come to Eritrea and see for yourself rather than listening to other people. We appreciate your visit to see the real picture.

Background [to] the [NUEW](#). It is a movement to empower women in the country. It was established in 1979. It was established for women to organize women in the country. We also fight for rights on equality. It is made up of women inside the country but also women in the diaspora.

People elect their representatives. Women should be part of the struggle.

Fighting to eradicate harmful practices in society, e.g. [female genital mutilation] FGM. Educating the people to fight against these. Encouraging people to be economically sustainable.

Since independence, we have around 300,000 members. Many young people are members of the congress — around 40% and they aim to enjoy equal rights in the country.

We have developed projects — like micro-credit, support agriculture and farming, ending harmful practices. We are working for [sic] gender equality and gender mainstreaming in policies.

In 2015, we developed a national gender action plan. We have distributed this across the country. We have different gender focal points in the ministries. 30% of the freedom fighters were women.

Participation of women during the war has enabled women to assert their rights. Fighting equally alongside men gives them a good position. We have no problems working with the government. We have no problems to discuss the women issue with the president.

**Were you (President) a fighter?** Yes, I was.

**How many members does the NUEW have?** There are above 300,000 members in NUEW who are actively engaged in its activities and pay membership fees, 54 central committee members and 11 the executive members.

We have branches in all zobas and the Diaspora. In USA, Europe, Africa, Asia and Middle East.

**You do skills training in Eritrea? How do the diaspora help with that?** Yes, we do training. The diaspora[-] help[s] with funding. [The NUEW showed us a picture of their training facilities in Senafe.]

This office is here as a result of the funding from the diaspora.

**Can you influence policy on issues related to women? Or more generally?** Yes, on every gender related policy. The government respects us because of the background. In every policy and regulation, women's equality is part of that. But gender equality is designed to be equal for men and women. It is not just about women's rights.

We also have men volunteers where they are actively pursuing gender equality rights.

**What are the challenges that you are still working on gender equality?**

Traditional society is very patriarchal. Women have a stereotypical role.

**So it's not about changing the law, more the social attitudes?** Yes. In law, we have no problem. But in social attitudes, we have much to change. We need to aware women and the society. We also need to protect what we have already gained.

**How does the traditional society affect rights, e.g. property rights?** Women were underestimated. The attitudes started to change during the liberation times. The society thinks that all family property belongs to the man. As such the law became important to change this.

**Is FGM against the law?** Yes, it is against the law. But culturally it still happens. For a long time, FGM was a taboo in Eritrea. But communities started to speak about it. We needed to break the silence and make clear that it's a harmful practice. The community found different reasons to justify it. But when they realize the problems that come from FGM, they start to speak about it. The NUEW then prepared a video on it. It has been showed in every village. The NUEW also then began to advocate for it to be abolished. It was then banned via proclamation in 2007.

**Do you have statistics FGM?** In 2002, it was about 89%. In 2010, it was about 83%. But in young girls under 5, it has dropped to about 12%. For under 15s, it dropped to about 33%. But is not common in Asmara. It is virtually eradicated. The main age range for FGM is 1-5.

**Does it vary by different ethnic groups?** Yes. We are mapping this. It affects every ethnicity though.

Religion doesn't make a difference. It is cultural. It is different ways of doing it amongst ethnic groups.

In some communities, the law was determined by public declaration of the community. So in some places, they had already decided not to do it. They have gone ahead of the law.

We are fighting to stop FGM in our region. We must stop our neighbors doing it. It is bottom up change.

**Do you do any work with the young women in Sawa?** Yes, we have a branch at Sawa. It's the continuation of secondary school there. The women here are from Sawa.

Those who pass the national exam go to colleges. Those who don't, the government train them to pick up skills. After they finish their education at Sawa, then they do their three months military training. Depending on their results, they go to different vocational training.

**Do any go straight into the army?** No, not really. They go to work in different services. We have many people working in the national service here. Afterwards, they go on to do what they want.

Every Eritrean is a soldier. But we only do this when we are needed. In every normal situation, we are working in different sectors and contributing to the country.

They should do their national service. They should do their 18 months. It has been prolonged due to the situation with Ethiopia.

**Do children of nomads in Gash Barka go to Sawa?** They do have mobile school, but after that they are expected to go to Sawa like everyone else.

**Can people leave national service?** Yes. There are many people who leave. People go and work in different areas.

When they finish their national service in a ministry, they can they carry on being employed in that ministry. Or they can do other things, depending on their interest.

**How does a person get released from national service? Can you apply?**

As I said, it used to be prolonged. But now it has been returned to the 1994 Proclamation and the limit of 18 months.

It depends. We need the border to be demarcated properly. Therefore, we may get called back - and we are ready for this. However, if we get peace, this will be changed.

The 'no war, no peace' situation is harmful in this country.

**We have spoken to lots of people who say women can be exempted from national service due to marriage, children?** Yes. If they get married. If they get children, how can they stay in national service? They can work for their children. But we encourage them to work in the public institution as civil employee. This protects them from being economically dependent.

**When can this happen in law?** There is a declared circular regarding this exemption.

**Does she have to apply for this?** A woman who get[s] married doesn't automatically get exempted. But she can ask. She may need to earn income to support her family. If she leaves, she might have nothing and / or live on the dependency of her husband. However, if she chooses to be exempted, she doesn't have any problems getting to that. She can also carry on working in that ministry if she wants and she will be demobilized but employed in the same job.

The national service in Eritrea is an opportunity to develop and acquire skills. When you join national service, you come straight from school. It is a chance to learn skills.

**What are the facilities at Sawa like for a woman?** If you go to any college, they are like that. If you see the college at Mai Nefhi, it is like that. All the rooms are there. The sanitation is there. It is the same like any college. Even Sawa has the same sufficient facilities as in the colleges.

There is no fee for the students.

**Are men and women separated?** Yes. They have their own blocks. But when you come to classes, they are mixed.

As a Union, we go to Sawa to give seminars.

**The military service aspect: do you mind telling us what you do during this (the three months)?** Marching. Parading. It is part of the discipline. Military has to be physically fit, so we do a lot of exercise. They learn discipline. They also learn the history of this country during that. There are some classroom parts to that as well. Learning about history, the struggle, the political situation etc.

**What about the allegations in human rights reporting about violence at Sawa, esp. gender based violence?** Not at all. The President of the NUEW goes to Sawa to teach everyone about gender equality. It's not the case that violence in Eritrea takes place at Sawa. We also respect each other. There isn't any reported cases of violence there.

If a woman has as problem there, they can complain to a representative. There is also counseling centres there, so a woman could report a case there.

The regulation is very strong. The President of the NUEW's child is there now. One person's sister is there.

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.

**What is the main language of instruction at Sawa?** The medium of instruction in education is English. All the teachers at Sawa must have a degree.

[The FFM Team then met women who were teachers at Sawa. They were delivering a workshop on leadership and communication to a class of 33 young women (age 18-22). The FFM Team sat in the workshop for a short while.]

[Back to Contents](#)

Diplomatic source E

**Notes of meeting w Diplomatic source E**

**Date: 11 February 2016**

**Present: FFM Team, diplomatic source E, UK Ambassador to Eritrea.**

**Introductions and background to FFM.**

The discussion started with a discussion about the recent currency changes.

**Does the Government like the remittances?** Of course. It's a safety net. But it's going to be tougher with the new banking regulations.

**Is the Govt. really unhappy about people leaving the country?** Not really, up to a point. Diaspora provide a safety net.

Women find it easier to get out of national service. Marriage. Having children. Looking after elderly relatives. Men tougher, but if you look in downtown Asmara right now, there are loads of people of eligible national service age who are just going about their business, sitting around drinking a beer, having a coffee, watching a football game.

We also know lots of the diaspora coming back here, especially for weddings. I know of particular examples of this.

USA has forcibly returned two Eritrean nationals recently. Sent via Egypt. Israel also returning people.

Problem with this country is getting information. You don't have NGOs. You don't have civil society.

My sense is that, if they are caught trying to cross the border, they'll probably imprison them. But if they have left and come back, they are ok.

**What about the requirement to pay the 2% tax?** The US taxes citizens overseas. It's not illegal. They are quite harsh about it. Under the **Foreign Account Tax Compliance Act (FATCA)** regulation, they require banks to disclose who is due to pay the tax. Eritrea doesn't have the capacity to enforce this against Eritreans.

They don't ask people on entry whether they've paid the 2% tax. I also have specific examples from foreign –based Eritreans who say this hasn't happened.

This isn't North Korea. What would happen there if you came back having left – and what they would do to your family – just doesn't happen here. Look at how many

satellite dishes they are. The Government doesn't control information. When people say "Eritrea is the North Korea of Africa" they haven't been to North Korea; and haven't been to Eritrea. They see this phrase and repeat it.

The Government controls people, but look around: there are satellite dishes everywhere, picking up TV and middle-eastern satellite channels; opposition sites aren't blocked; there are internet cafes on virtually every corner. Look at Singapore. They are not allowed to have satellite dishes. The reason given is they are 'unsightly', but it's because the Government want to control information.

**Why the misconception?** There are things that go on here. There are banned religious groups, but they still hold meetings. There were Jehovah's Witnesses who were holding meetings and they got arrested – this was a few years ago. There are still allegedly 53 still in prison. But I don't think this goes on.

**How rigid is National Service?** People get out. Not everyone is in national service. Lack of opportunity: absolutely: absolutely. Government not doing enough; overvalued exchange rate. People wouldn't choose to national service.

I know people who go to their office for a bit (as part of their national service) – they then go off to do their "real" job.

**So what are the sanctions for not doing national service?** It seems to be that it is all about accessing government services. So you won't get the free land to build a house; you don't get the food coupons; you can't get a passport or exit visa.

I think the major drivers for migration are economic. I don't share the views that 99% are economic migrants, but the majority are. What are the two major drivers:

- a. Indefinite national service, because people can't plan; and
- b. Lack of economic opportunity.

And those two are linked. I don't see that it's due to harm or threat. I also don't see that people are yearning to set up an NGO or be political. It's not political repression.

The rise in wages will help. It's not great, but 2,000 NKF is a living wage here.

I think the commitment to increase wages is sincere. I've heard from enough places that it will happen.

**What do you make of the announcement about the return to 18 months?** I don't think they will. [we had a discussion around what another source had told us that this was now happening]. I think we'll know more shortly – they are due to get out shortly, in February 2016. However, I think the Government has rowed back on this. We'll perhaps find out in the next few weeks.

**What does military training involve?** Discipline. Parading. Learning about the Struggle.

**What do you make of the Danish Report?** I think the Danes provided an honest assessment of the situation here. They didn't cook the books. It's accurate. I was quoted pretty accurately.

**What about the UNCOI?** I have serious concerns about the methodology. I don't believe they conducted 550 interviews. If you look at the calendar, I can't see how they did this and then wrote it up. I don't think they wrote these up; I think they were

'fed' to them. I can't prove it. But where did they meet the interviewees? How did they fit them all in?

They also omitted anyone who offered anything pro-Government. I know Nevsun contacted them five times and they were rebutted.

Also, you don't know when any of these alleged abuses took place. What's the timeframe for interviews?

I think they were spoon-fed by people who had a vested interest. It's not my idea of a balanced report. There are problems with the methodology.

Are there people in jail here? Yes. Are there prisons here? Yes. How many? Don't know; do people get out? Yes; do they have political prisoners? No. [Are you sure this is accurate? There are many political prisoners.] However, this is a government that doesn't release information, so you don't really know who has been detained and who has been released.

**Surely you would hear about it?** No-one is looking over people's shoulders. And they're not arresting people for looking at opposition websites. I think there is a climate of fear about speaking openly about political issues here. They are not open. But not everyone is a spy.

It's amazing how few policemen or military people you see. I assume there is plain clothes police. For an authoritarian state, it's the least authoritarian place I've ever seen. There may be security people around, but no-one really in uniform.

There is limited security, even for the President.

In any other African country I've been in, I've seen truck loads of men in military uniform. I see police extracting bribes at traffic stops. This happens in DRC, Togo, Nigeria, Ghana – but I've never seen this here. No-one pays bribes. In my experience, this is the safest capital in Africa.

**What do you think happens in prison?** I don't know. I think they may get a bit roughed up, but then they are largely just forgotten about. Prison conditions are probably inhumane.

If caught leaving, you are maybe detained but not tortured. It depends on who you are. If you try to leave and you're in uniform, they'll treat you pretty harshly.

**What about the unofficial detention sites? In particular, the shipping containers in the desert?** I wouldn't rule it out, but I would want to see stronger evidence to justify their existence. Reports on shipping containers often get confused – in particular a recent report of people working an operating theatre out of a shipping container. This was confused with a report from the time of the independence struggle. I think – and am fairly sure from hearing various accounts – that there is a parallel justice system; parallel court system and use of special courts; and use of detention.

[The FFM team and HMA Asmara informed that the OHCHR had visited [Sembal] Prison last Friday (5 February 2016)].

That is a big deal. It is a sign of *real* change.

[Back to Contents](#)

## President of the National Confederation of Eritrean Workers (NCEW)

### **Notes of Meeting with National Confederation of Eritrean Workers (NCEW)**

**Date: 11 February 2016**

**Present: General Secretary of NCEW; FFM Team; UK Ambassador to Eritrea; Representative from Ministry of Foreign Affairs**

#### **Introductions**

#### **Background to FFM**

**Overview of NCEW:** The workers' organization is a product of the liberation struggle. I was in Europe myself a long time ago. I was organizing workers in the diaspora. We supported the liberation struggle politically. In 1979 we formed the National Union of Eritrean Workers (NUEWr) which was transformed to the present NCEW.

The current minister of Local Government was the First Chairperson, and the current minister of finance was Secretary of the NCEWr. I was treasurer. At that time we had good relations with the International Confederation of Free Trade Unions (ICFTU) now the (ITUC) in Brussels. After independence we moved into Eritrea and started re-organizing workers. The work started in 1992. In 1994 a General Congress was convened and formed the NCEW. Unlike the previous NUEWr, NCEW did not include the Eritrean workers in the diaspora, because it cannot defend their rights in other countries. Before independence, there were some 20,000 diaspora Eritrean workers who were members of NUEWr. Now NCEW is an umbrella organization of various Eritrean workers which are organized under five workers federations.

In 1991 Proclamation 8/1991 was issued by the Government signifying the importance it gave to the issues of workers. This was updated by 118/2001, based on the assessment of the 10 years experiences.

Around 70-80[%] of industrial disputes are settled at local levels amicably. The rest find their way to the arbitration forums. We have a Labour Board which is composed of one member from the Government, two members from the Employers' Federation and two members from NCEW.

At the moment we are discussing how to get closer cooperation and affiliation with the professional associations, such as the teachers association, nurses' associations, etc. There is a draft proclamation on organizing the civil services. But it is not promulgated yet.

NCEW is a member of international trade unions such as ILO, ITUC, OATTU etc. We host international conferences in order to strengthen our international relations. We plan to hold an international solidarity forum in March 2016. In this planned conference, issues such as labour migration, forced labour and others of relevance to employment and decent work are expected to be discussed.

**How many members do you have?** We have about 30,000 members.

**Are they a mix of public and private?** Yes. We need to grow the private sector which is presently weak. The private sector lacks capacity and is not working at the desired full capacity. The causes are obvious and include the continuing occupation of our territory by Ethiopia and sanctions.

**Do you have private companies?** Yes. We have small, medium and big companies. Examples are Zaer textile, Coca Cola, British American Tobacco, etc.

**What percentage are Public verses Private?** In this transitional period the government-owned are the dominant enterprises. The contribution of the private companies is limited and they are mostly small.

**How many companies?** Around 400-500 private companies.

**How many would private companies employ?** Roughly, you can say about 20,000.

**Can you give examples of private industry/business?** Fisheries, cottage industries, bus companies/transportation, metal and wood works, hotels and garages etc can be cited. The urban buses in Asmara are public and the private buses operate between towns. Taxis are private.

**Do people have to join the NCEW, or is it automatic?** Membership in NCEW is voluntary. We have membership fee of 1% of the worker's salary. In terms of contribution it is small. We get funding from other sources.

**Are there other trade unions?** No, there are no trade unions other than NCEW. But there are various professional associations. But they do not do what we do in terms of protecting the rights of workers. The Labour Proclamations specifies that there can be only one trade union that protects the rights of workers.

**Would you be able to join [added when notes approved: the trade unions] whilst you are doing national service?** National service refers to workers. Members of the national services are not necessarily part of the army. They are assigned to different civil works as well. So they are welcome to join the NCEW.

**Do you have a national pension here for when people retire?** There is a pension scheme which was adopted Nr.135/136 in 2003. From the workers 5% of the salary is collected and 7% is collected from the employer and deposited to the pension fund. We discuss the matter continually through the collective bargaining mechanisms with the employers. There are enterprises which have raised the contribution from the worker to 7% and from the employer to 12%.

**What about a worker who becomes incapacitated? Is there government support for them?** No, there is no specific support for incapacitated workers. But there a national insurance policy for compensation of workers injured at work places. Besides there is a national association for the disabled to which they can become members voluntarily.

**You mentioned labour migration. We understand lots of young Eritrean workers are leaving. Are you doing anything, any particular programmes to encourage them to stay?** At present there is a better opportunity for young people to get better education and training. The people that are leaving are our sons and brothers. They are being attracted by apparently better jobs in Europe. There is no political problem, but they leave for economic reasons. They think they will get good jobs and income and fancy life by migrating. [In pre-approved notes 'Previously the fighter was the hero. At the moment, the migrant is the hero.']

Some young people complain that the national service is too long. **We have been told that national service will go back to 18 months long. Do you know if that is the case?**

We discuss this issue with the government. The more than 18 months national service was imposed by the occupation of the prolonged Eritrean territory. Since last year, the government has introduced proper salaries for the national services. For graduates from technical schools it is giving them Nakfa 2000. This salary scheme is expanding to other qualifications , e.g. engineers are getting NKF 3000 -4000 a month. This is expected to encourage the workers to stay in their country and do their services.

**Are these salaries being paid?** Yes, since last year.

**Can you explain how people leave national services and go into normal employment? Can people apply to be demobilized?** The situation is dictated by the non-resolution of the border issue. Ethiopia continues to occupy Eritrean territory and refused to implement the ruling of the boundary commission. The international guarantors did not fulfill their mandate. This is the core of the problem. This root cause must be removed to address the problems associated with the prolongation of the national services. In 1998 when the border war broke out, most workers volunteered to defend their country. Many of them were demobilized.

Yes they can ask to be demobilized. But decisions are given on the study of case by case basis.

**Are you saying that those doing national service are not going to end in 18 months?** I[t] will depend on how soon the threat to national security is removed.

**Of your 30.000 members, how many roughly are doing national service and how many are not/been demobilized?** I don't have a figure now. I can give you next time.

**To increase the national service wages by 3, 4 or 5 times. How are they going to pay [for] this? Do you think it will have an impact on your members?** I do not know. If there is investment made, if sanctions are removed the potential for getting the economy going is great. It is encouraging that many companies are applying to participate in the mining sector. We need to have investors.

**[FFM team] understand Bisha employs 1,500 people plus 500 sub-contractors. Are they members?** This is under discussion.

**What about Zara mine? Has this opened?** Yes it has opened. They employ about 600 workers.

**Are the workers Chinese or Eritreans?** Most are Eritreans.

**Are they demobilized?** They must be demobilized to be hired by private companies.

**Who owns the Asmara Mine?** It was Australian company. But its share has been sold to Chinese company. Thus it is a joint ownership between ENAMCO [Eritrean state mining company] and the Chinese company.

**Do your members include diaspora returnees?** Yes. We encourage them. They were associate members abroad. When they return we support them, because we have a list of their names from their previous membership in NUEWr. We had some 20.000 diaspora members during the struggle.

**When did they come back?** After independence. Some continue to slowly return. There are some who recently returned.

**If a person wants to switch/change their job in national service, can you help them with that? Have you helped anyone do that?** Sure. We have helped many.

**Do you have any examples?** I cannot be specific no. But generally we have helped many. The main aim of our organization is to protect the rights of workers. So this is one of our duties.

**You mentioned diaspora coming back to set up businesses. Do you have also just people coming back to work (as employees)?** It is common. But many come to open businesses as well.

**How many people a year do you think?** Many people that I know do some small farms. Some operate bakeries. Some work in factories, in water department, in hotels. Some employ WAS workers. It is not big, but it is happening. Many cafes in town are owned by people who returned from the diaspora.

**Do the young people who left recently come back to work?** Yes. When they found that their dream abroad was not met, they decide to come back. Many returned from Israel after spending 2-3 years. People also come back from Europe and the Sudan. But many who went to Europe and America are staying because they get asylum, settled with families. But even then, there are some that come back.

**Do you have plans?** We have partnership and cooperation with international trade unions. One of them is a German trade union which is helping us in the provision of vocational training to workers in Massawa. Trainings include carpentry, fishing, etc. In conclusion seeing is believing.

[Back to Contents](#)

Yemane Gebreab, head of Political Affairs

## Notes of Meeting w Yemane Gebreab

Thursday 11 February

**Present: FFM Team; Yemane Gebreab; UK Ambassador to Eritrea; Ministry of Foreign Affairs Representative.**

### Introductions and background

Yemane Gebreab began by explaining that National Service (NS) was introduced in 1994 for 18 months and is obligatory for those once reached 18.

The reasons are that:

- I) Eritrea does not need and cannot afford a large standing army, but NS is a reserve army
- II) Eritrea is a small but diverse country – about half Christian, Half Muslim with nine different ethnic groups – NS gives the youth a common shared experience and national identity.

Any evading of NS is a offence in the law; the penalty is clear. Anyone who assists [evasion] is punished.

NS worked well until 1998. 5 rounds did 18 months and left. 80% of army were in national service. The war was destructive. Ethiopia has not accepted the border ruling so we had to keep people beyond the 18 months. We are still at war, so forced to continue NS.

While there is no need for them to be in the military, we put [conscripts] in the civilian sector.

About 9 years ago we said people do military training but not go into military but into the civilian sector. They pass their exams, then most go into the civilian sector. They serve as teachers, etc. Lots go there (teaching) as there is a shortage. That happened until October 2014, when government said that NS to go back to 18 months but people would do military service. It was duly announced to the population and the youth. There were meetings, seminars – many that I led – explaining this. They were told explicitly about this.

Less than a year later [circa July 2015] this changed: from then onwards anyone who had done military training people doing NS would get official salaries increased.

Those who had completed high school / vocational training would get 2,000 NKF pcm; college graduates 3,500 NKF pcm; and engineering / medical graduates would get 4,000 NKF pcm.

This means, essentially, that there is no NS. This is the change that has taken place. In NS there was [only] a 'stipend'.

Those graduated from vocational training in July 2015, around 7,000, are being paid the above and went into the ministries.

There are people who have done training, people in public sector, are going to get their pay backdated to July 2015.

There are 10,000s who have not done national service. 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 11<sup>th</sup> 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.

**What has happened to them?** 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.

**Is there way to regularise status?** 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.

**They said this in front of you?** 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.

**Do women who reach 30 and married don't need to do NS?** 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.

**What about people who leave illegally?** The president said on TV clearly [offered to send the TV clip]: no-one will be prevented from coming back but suggest that they get skills and bring back money.

The President said no-one has the authority from preventing a citizen from coming back.

**What about payment of 2% tax?** Started in 1992. Everyone worked without salaries for 4 years. Ethiopian Government nationalised properties. So the government gave back the properties but ask people to pay 2% tax on net income to help with rehabilitation. Requirement of every citizen in and out of Eritrea must pay 2% tax.

Eritrean nationality law states that everyone who has a mother or father is an Eritrean, including those abroad. Have same rights as Eritreans in Eritrea but must pay 2% tax. And you can vote and get land.

**Can you pay 2% tax in Eritrea?** Yes. Many countries make it difficult, including the UK, so can pay in Eritrea.

**How many come back to Eritrea?** 80-90,000 last year.

About 1,300 left illegally returned from Israel. Free to come and go.

**Will they [returnees] have to do NS?** No-one forced to NS at the moment.

**Will they have to do People's Militia?** Yes. Their duty. We have a threat from a much bigger country.

At the moment there is no big threat – so not enforced. If war, things may changed.

**How get [de]mobilised?** They apply. Applies to women with children, those with family problems, medical reasons, if several family members in NS.

**[To clarify] Are there rules on how to apply for demobilisation?**

There are rules with criteria. We no longer have NS – it is in the past. They are paid a proper salary not a stipend. We are saying give us time to change. But as private sector grows, we have no choice but to allow people to go into private sector.

**Are they allowed to leave the country?** No, not now.

We need teachers. Public service can't employ all people.

**Is there a shortage of teachers?** Also shortage of doctors. But now paid wages. Medical school – they are taught for 7 years all free, room and board. We say, please stay 3 / 4 years.

**If it is not called NS, what are you calling it?** Still very new. It started in July. Enabled 72 undergraduates students allowed to go to UAE on scholarships. First time we have done this. Part of government strategy to improve development. Another thing. Housing. Rent very high. People have a lot of problems to get housing. Sort these people will not feel an urgent need to leave.

Change currency. Peg it. Less incentive to send remittances. Require growth. We are at the beginning of economic restructuring.

**Will those doing 'civil service' will do a set time?** What does that mean? Only issue is that they can't leave, or change to private sector. Can't get exit visa.

**Can't people choose where work?** .Yes, can change in public sector. Some in private sector now. Unless special release.

**Someone can change within public sector?** Yes, if better qualified. Even to private sector if ask.

Relaxed about people who do not do NS.

**Are there some posts that you are more strict?** No.

**The new system was introduced in July 2015?** In July, graduation at Sawa:

- iii) 2000 people
- iv) 28<sup>th</sup> round trainees graduated from military training and Sawa. If they got good grades they are in technical colleges

Another group who finished in July who did vocational training do 2 months training outside Asmara – now getting salaries of 2,000NFA.

Everyone else will paid the new salary backdated to July 2015, rolled out this year.

**How announce new pay regime?** Yes. President announced 3 weeks ago in an interview in newspapers and on TV.

Also announced in an internal memo. We deserve a raise. We have no raise for 18 years.

**Is salary increases connected to the currency exchange?** If making the decision now, it may have been different

**Tell graduates?** Yes. The 7000 graduates were given their salaries were given their straightaway. They were expecting 500NFA.

**Why not say earlier?** We are not good at communicating.

**Whose idea?** It's been a long time coming. We've tried to support in kind, but not work.

[Back to Contents](#)

Young people (1)

**Notes of Meeting w Young people (young professionals)**

**Date:** 12 February 2016

**Present:** Present: FFM Team; Ministry of Foreign Affairs representative; 11 young professionals.

**Introductions and background**

**What do you all do?** [1] I am demobilised from national service. I am working in business management.

**When do national service?** [1] I went to Sawa in 1996. I was demobilised in 2003. I then joined the college and graduated in 2008. After I graduated, I went to work in my profession.

**Which round were you in?** [1] The 5<sup>th</sup> round.

**Which round are we in now?** [1] 29<sup>th</sup>.

**Anyone who has been to Sawa more recently?** [2] I went to Sawa in the 20<sup>th</sup> round. I joined college in 2007. I graduated in 2012. I did business and economics. I work in the Ministry of National Development.

**Have you been demobilised?** [2] Yes, in early 2015.

**How do you get demobilised?** [2] It happened as a process. I am still working there. It hasn't changed my life.

**Are you being paid differently?** [2] Yes, soon.

**Who did you ask? How does it work?** [2] You go to talk to your boss in my ministry and said I want to leave. In 2014 I had some health problems. So I was given some time to rest. So I had to be demobilised.

**Do you fill in a form?** [2] No. You have a conversation. You should keep your boss informed. We have this environment where you talk every day. If I don't go to work one day, they ask why. You talk about the reasons. My issues happened over time. My being demobilised was a series of discussions. It was not an argument or anything like that. It happened over time.

**Do you like your job?** [2] A lot.

**Anyone still in national service?** 1 out of 11.

[6] I was in the 15<sup>th</sup> round. I am awaiting my demobilisation. I am a geologist. The main reason I was seconded to the Department of Energy and Mines. For experience I had to be seconded to the mining companies. I was very comfortable with my experience. I was well paid. I was very busy. I almost forgot about my status. Now I am back in Asmara I am following up my case. It is pending. I started with Sawa Resources. I have worked for Sub-Sahara. I have also worked with Zara mines. I have also worked with Nevsun. [I was seconded there during the exploration stage. Nevsun are not currently employing people who are in national service].

**Were you working for the company or the GoSE?** [6] I worked for the company, but was seconded. I was fully seconded. Now I am back in the ministry, I am trying to pursue a Japanese scholarship. This is to study overseas.

**You have to be demobilised to get an exit visa?** [6] Technically, yes. But it is a very easy process. It's purely paperwork.

**Can you get a visa if you are working for the ministry whilst doing national service?** [6] Yes, I can get out through the government. I fill in the paperwork. It is ok because I am getting training.

**Were you paid the same as employees?** [6] Yes, I had the full rights as an employee.

**How long do you think it will be before you are demobilised?** [6] It is not an issue for me. I am pursuing my scholarship. That is the priority for me.

**Other experiences ...** [7] I work in the Ministry of Transport and Communications. I did the national service, interrupting my college studies. I was in the 13<sup>th</sup> round, in 2000. After that, I went back to college to pursue my studies. I graduated in 2002. I was demobilised immediately after I finished my studies in 2003. I am now working [there] as a professional. I was a supervisor. In 2005, I was promoted to unit head. In 2009, I have since been promoted to division head. I have been to Kenya, UAE for

workshops and training and short-term studies. I am accumulating my knowledge in the airport field and only going upwards. I am married. I have four children.

[4] Had met JN before! I joined the University of Asmara in 1998. I went into national service willingly – *willingly* – to defend my country. After the Algiers agreement, they sent all the students back. Now I have to come back and do my national service. When you do your studies, the GoSE send you to a ministry or a field that is close to your field. I studied diplomacy and international relations. We had the Warsai Yikaelo so all professionals were dispatched to many fields. I was sent to the military. I was doing some things there, not for this meeting, but I was demobilised and came back to the MOFA. In the ministry, I had lots of chances to travel abroad.

In 2003/4, there was a huge demobilisation process by the government. There were more than 100,000 people demobilised.

In 2013, I went to South Korea and studied my MA for one year. So there is inward migration, not only outwards to Eritrea! I studied development policy. Now I am quite busy contributing to the economy and my people and my country.

**What is it like at Sawa?** [3] I have never been trained in Sawa. I did my national service in 2000. We willingly joined. We stopped our studies to do it. In 2002, after our graduation, we were assigned to Sawa because the secondary school was about to open. I stayed for around 6 months. It is a professional military training camp.

Now, on one hand, it is a training camp but it is also a school. In 2008/9, I went to Sawa three times for specific training as a trainer. I stayed there for about 6-7 months on different times. I went from class-to-class talking to students. You learn about what your country is like. You learn about what your fellow country people are like. If you grow up in Asmara, you don't know what the Afar look like. I usually ask my students to write whatever they like about what they have learnt at Sawa, good or bad. The conclusion is that people find it hard – it is the first time they have been away from home, family, friends – but then they begin to enjoy it. You cannot say it is all rosy. I have been to the Netherlands, for example, for 16 months to pursue my masters degree. It is not always the same as it was in Sawa. I learnt about how to manage with hardship; I learnt how to be reliant; I learnt about what my country is like. It is the same as military life anywhere. There are different foreign teachers there. There are Indian teachers.

**How do you manage with the numbers (c.20,000)?** [3] It was amazing for me. When you go there and you see the experience of the people there, it is amazing. There are student welfare offices there. There is counselling there [several of the group were nodding in agreement]. It is very structured. More structured than Asmara, even.

Nowadays, Sawa is like a small city. We have health centres there also. If you get a chance to visit a college here, that is what it is like.

**What about the allegations of violence, esp. sexual violence there?** [3] I think this is very important. When I was there, there was an allegation of that kind there. They complained to the office there. There are people/officers to deal with complaints there.

In Sawa, the students are very strong. They have their own organisation. They know their rights. The NUEW has an office over there; and they have members there.

NUEYS have an office over there. PFDJ has an office over there. Students are secure.

Sawa has been a target for quite a while. The reason is that it is the means for us to defend the country. If you have to kill a snake, you have to hit it in the head. Hitting Sawa is a political motivation.

[4] You cannot treat Sawa independently of the other politically motivated things we suffer. The first EPLF rule you learn from your military commanders is that, if you commit rape, you will get capital punishment.

Rape is controlled. It is not systematic. It is not tolerated by the system. If I did that, I will be punished; severely. It's clearly in our laws.

[3] My wife has done national service. If I believe what the UNCOI says, I would have to believe my wife has been raped. It is an insult. It is an insult to us all. I was speaking to a person in the Netherlands who was a refugee in Norway. I asked her what had happened. She said, quite bluntly, that I told them I had been raped by a group of soldiers. I told them that because it's an easy way to get asylum. It is an insult to the whole of society. It's an insult to my mother, my sister, my wife.

[7] to the men as well.

[10] if you did that, you would be in big trouble. This is not acceptable. Everyone knows this. Culturally, for a long time, rape is illegal. Family is strong. Not by law or by culture is it acceptable. I am from the countryside.

**So why do you think she would do this [lie to get asylum]?** [3] it is for economic reasons. We have economic challenges. These are clear. We cannot hide these. People have a tendency to move to greener pastures. It is not just from Eritrea. People from Portugal and Italy move too. I have lots of friends in England. They are there for economic reasons, but they cannot say this.

**How do you feel about people who go to Europe?** [3] A bit betrayed. There are challenges here. All the youth should think about how to fix the situation here. We should look to develop the country, not looking at other people's plates, other people's food. It is embarrassing. Had the youth been here, they would have been useful to their family. If you go to Switzerland, Norway and you are waiting for your monthly social assistance, you are doing nothing to contribute. There are people making a life out of this misery [the refugee crisis]. Not just people who help them travel, but who also support their cases by criticising the country.

[8] The people who come to the UK to ask for asylum, do you think they desert national service? These are people who haven't done it, they leave before 11<sup>th</sup> grade. They know what they have to say. They say national service is prolonged; they say that rape happens at Sawa; they say other issues about national service. They know they can't say they are going for economic reasons. National service is my choice. I know once I have been demobilised I can travel to other countries. But you need to understand what the motivations are.

[4][8] the preferential treatment of Western governments towards Eritrea is a pull factor.

[7] I know from a guy in Cairo. He was saying I could go. He would process my paper. But I know he would just ask for more money and more money. I didn't want

to go. The root cause for migration is the war. The 'no war, no peace' is the reason. If this was settled, it would end.

[6] I would like to present a global phenomenon that is contributing. That is social media. It is giving too much information and giving false impressions. My younger brother uses it all the time. It is adding economic pressure. I tell him not to believe everything he sees and reads on social media.

[4] You have to understand the psyche of Eritrea. During the 30 year war, lots of people had emigrated. The fighters who stayed and fought, they were poor. When the people who had come back from USA, Europe, they were the 'chosen ones' – they had money – people would look to get their children married to them. So the economic reasons are important, there are other things. So people say that national service is prolonged, but if the international community had enforced the border ruling, we would have been able to demobilise. Instead of that, they come with more sanctions.

**The FFM Team explained that our issue is still that national service is open-ended.** [3] It is not open-ended. We are demobilised. People at the British Embassy are demobilised. Lots of people are demobilised. Women in national service know when they will finish. They know they won't have to do more than three years. That is at the most.

**Why?** [3] After 18 months, my wife got demobilised. Since 2004, after the big 100,000 demobilisation, there have been large numbers of people demobilised. People are demobilised as-and-when. Some people do more than 18 months, sure. People have to do it for a prolonged period. But it's not open-ended. If you go to the Ministry of Defence, there are thousands of people sorting out their demobilisation every day.

[8] For the new graduates, they are only having to do the 18 months.

[4] They are also getting paid more than me!

[3] In some places, if a person is indispensable, then it might be difficult.

[9] Its not everyone who wants to be demobilised. I work in the ministry. I get lots of opportunities there. I don't want to be demobilised. I want a chance to get my masters and study abroad.

[8] Not everyone is forced to do national service. People do private businesses instead.

**If you don't do national service, what happens?** [7] Everyone has to do it. It's compulsory.

[3] National service is compulsory, below 40 years. You find people who haven't done national service for several reasons, now they are applying/being asked to do it. It's also an opportunity. Nowadays, I don't want to exaggerate, but around 80% of our public services pass through national service. So [2] wanted to stay in the office so she was demobilised but stayed in the office so she could get access to different positions. It is also an opportunity to contribute to society. I am the deputy authorising officer for EU-Eritrean partnership agreements. I have probably two bosses: the minister and the president.

[4] I can also give you my experience of the army. When the people came to the army from the countryside, you can empower them. Some could not read or write.

National service isn't all about military training; it is about empowering them and giving them the skills for life.

[9] Even if we were all demobilised, the economy is not good. It is a means of employment.

**What is the difference between doing your job in national service and staying in your job after you finish?** [3][7][8][9] It's the same, you just get paid more.

**Do you know about people in your department(s) who are getting paid more now?** [4] the new graduates are getting 3,500 NKF. I know some who are getting 3,500-4,000 NKF. I know a relative who is an engineer who is getting more.

[10] the Government is working out the metrics for those of us who have done 7 years, 10 years experience. We have been told we are going to get this, we are just waiting. But the new graduates have already had this. It is easy to start with them.

[9] for those with a degree, the pay was good before the war. It was 1,400 NKF. Now, with the exchange, it has got worse.

[3] the salary is for everyone. But there are a number of issues that should have been considered for the long-servers, but it is easier to start with the new graduates.

[7] salaries are one thing. But it is part of a bigger thing. The economy needs to manage this.

[11] I wanted to give my own personal experience. I was in the 13<sup>th</sup> round. I went to Sawa in grade 9. I wanted to defend my country, so I asked my teacher to send me to the border ...

**... How old were you?** 16.

[11] ... after that, I came back to my high school in 2002. Then I went back to Sawa completed my military service, did my matriculation exam. I went to university until 2008. I was demobilised in 2008. Everything related to the national service is voluntary. I wanted to go to the military training. We are 9 in my family, but we are all engineers, doctors and teachers. And we are all here in Asmara. The GoSE spends all of the money it has to increase the level of education. To study medicine costs a lot of money.

[4] the reason he went to national service in 2000 was because of the situation. It wouldn't happen now.

[4] if you have slightest health problems, you are demobilised. If you are the only person in the family, national service is very considerate.

**Do you all know people who have gone to Europe?** [10] yes, my sister's daughter is in England.

**What about the numbers?** [4] I think 5,000 per month is inflated.

[3] look at how many Ethiopians leave. It is very small, especially comparing the population. How do you [FFM team] differentiate between ETH and ERI?

**How do we differentiate? Is it cultural? Language?** [3] if you are an Ethiopian and live in an Ethiopian refugee camp, you say you are Eritrean as they know you get preferential treatment. You don't get that if you are Yemeni or if you are from South Sudan. So you must have to say you are Eritrean. There was an analyst from

UNHCR explaining how they came up with the number and there are a lot of Eritrean diaspora living in Ethiopia, but UNHCR started counting them as recent departures.

[4] when I was in South Korea, there was a guy who came and claimed asylum as an Eritrean. As I was the only person from Eritrea, they came and asked me to translate. He only spoke Amharic. He didn't speak any Eritrean language. He didn't know anything about Eritrea – he just kept saying he was from Assab.

**What about Eritreans speaking Amharic? Do you speak Amharic?** Lots of yesses. 88,000. Everyone speaks Amharic over the age of 35.

[12] But one thing to know, before independence, they all speak Amharic. But that is not our common language.

All suggested that people should be able to speak Tigrinya.

[12] Amharic is a language that youngsters are used to hearing.

**Most people coming to the UK are young – 18-24. Would they speak Amharic?**

[3] If they only speak Amharic and not one of the Eritrean languages, they are likely to be Ethiopian.

[7] You also need to know that we used to have people who were Ethiopian who lived here, but they left to go back to Ethiopia. They are very hard to tell – even we find it hard.

[4] If the person is under 35, if he says that he only knows Amharic, he is not from Eritrea at all.

[12] People in northern Ethiopia also speak Tigrinya, so it is difficult. It's a different accent. It's like Scottish and English.

[6] The border is really just geographic. It is not cultural.

[10] asked how he can persuade his brother not to travel to England, because that is what he wants to do. That is all he wants to do.

[3] There is a case that people who migrate don't want to admit the bad.

**Do the people you know come back to Eritrea?** [Lots of nodding of heads.]

[3] People come back from London, from all over. I know of a person who comes back but he goes to Sudan because he knows that it will affect his case if he comes direct to Asmara. So he goes to Sudan and crosses the border from there. They have to safeguard their status. They come back, get married and then head back to London.

[4] Sure, we know this. There are also people who come back from Israel.

[10] I know someone who came back. He was calling and calling, asking what the GoSE had been saying. He was grade 9 when he left the country.

[3] there are two processes you have to follow. (a) go to the embassy and fill in the form; (b) pay the tax. Even if you can't pay, you can come to Eritrea and there is no harm. I was speaking to the guy last week and said he has to do it that way [going via Sudan] to protect his status. He had lied to get asylum in the UK.

[Back to Contents](#)

## Entrepreneurs

### Notes of Meeting w Entrepreneurs

**Date: 12 February 2016**

**Present: FFM team; 14 entrepreneurs; Ministry of Foreign Affairs representative; UK Ambassador to Eritrea**

#### Introductions and background

**Can you tell us about yourselves and what your businesses are about?** [13] I am invest my time writing. I have published two books. I am participating in the national service in the 13<sup>th</sup> round. I have been demobilised. At this time, I have published one novel and the second is a research project on Eritrean history.

**When were you demobilised?** [13] 2014. Before this, I served my country and worked in the government for about 8 years then worked as a writer. Worked as a writer before demobilised, now fully commit.

[13] from my viewpoint, there is nothing new. It is an opportunity to get new experiences and training. I went to Sawa in 2000. I used my experience to work in different Government departments. I made myself grow, I made myself learn.

One thing we cannot deny here are the economic problems. The economic challenges. In 1997, graduates were paid 1,400 NKF. This was a lot of money [comparison to US\$?]. When Ethiopia invade, economic situation declined. Now it is a passage of transformation.

You know that the UK has suffered hardships since the industrial revolution. This is what Eritrea is facing today.

**All done national service?** Yes.

**All demobilised?** Yes.

**All employ people?** Yes.

**Are they all demobilised?** Yes.

**What kind of businesses do you run?** [2] I am a dairy farmer.

[9] I am a horticultural farmer. I grow vegetables. I have 10 employees.

[8] I own a workshop in the furniture business.

[6] I am a lecturer at the Science and Technology college (teaching physics) in Mei Nehfi, I am also a chicken farmer.

[13] I was a teacher; a tutorial school. Now I have changed to run a guest house.

[3] I work in the civil service. I work in the Ministry for National Development.

**When did you do national service?** [2] I was called up in the 8<sup>th</sup> round.

[9] 5<sup>th</sup> round. In 1997 [1996?].

[8] 9<sup>th</sup> round.

[6] recruited in 2002. I was teaching secondary school at Sawa for two years.

[13] 13<sup>th</sup> round.

[3] in 2002. I had the marks, so went to the University of Asmara.

**When demobilised?** [2] 2001.

[9] end of 2010. Came back during war with Ethiopia.

[8] 2012. I did national service for 10 years, 2 in the army.

[6] in 2004.

[13] in 2004.

[3] May 2014.

**How did you get demobilised?** [2] I was doing my national service, and on the side I was doing construction for my chicken farm. So I spoke with my officials and they demobilised me to do my job.

[9] They sent me back to my own business. After the war has settled, they sent me back to my previous job. I sent up my business in 2010.

[8] I asked. I wanted to start my own business – furniture shop. Before national service (NS) in same profession (furniture maker), once in NS also made furniture.

[3] after 7 months, I asked to continue with my studies and they [the MOD] accepted. I told them I wanted to get married. {??????}. I asked my supervisor, who then asked the MOD.

**What did you do/where did you work during national service?** [9] Change job from military to government office – transport. I was working at the airport.

[3] I taught at Sawa for one year (2008-2009).

**For [9], 13 years seems long?** [9] I was demobilised, but I was called up again because of the war with Ethiopia.

**Who did [8] ask to get demobilised?** [8] Ministry of Defence. I gave them my proposal for my business.

**How long did that take?** [8] 2-3 months.

**It seems that if you have a good reason, you can demobilise. Is that accurate?**

[8] yes, if you have a good reason.

If you have enough evidence to leave, if health problem. If you can work at a ministry, if you are teaching, any profession then assigned. If you have an idea for your own business, they give you a chance.

**How many people do you employ?** [9] 10. Some are women, they have babies and are exempt.

[8] 30.

[13] in the class, around 30. Now, around 4.

**Why did [13] switch?** [13] We were called and told that we shouldn't teach privately. That wasn't allowed, so I changed my tutorial school into a guest house.

**Have you experienced any loss of your employees? Have any left (suddenly)?**

[13] yes, in my case. 3 or 4 people left.

**What happened?** [13] Two went to America. Two went to Europe. They left for economic reasons. The two who went to America had the exit visa and all the papers, but they just left.

**How many students at Sawa?** [3] I taught twelve classes of 60 each.

**How many students at Sawa altogether?** [3] When I was there, about 10,000.

**What language do you teach in?** [3] I taught civic education in Tigrinya, but all the others are in English. I gave handouts to help people who were having difficulties understanding. Tigrinyan and Arabic are widely spoken.

**Can I ask about the allegations of violence, esp. sexual violence at Sawa?** [3] I have never seen that. They are very young. The girls and boys are separated.

**If there was a problem, can the students go to someone for assistance?** [3] for the students, they have their supervisors. IT goes via their supervisors. For the teachers, they go via their department heads.

**Who controls Sawa?** [3] from August to March, it is a school. From April to July, it is a military camp. We leave and the military come in.

**What is military training like?** [3] They run. They march. They shoot. Some elementary military science (tactics etc.).

**Do you learn about the history of the country?** [3] yes.

[10] I was a fighter between 1988-1993. I now own three bakeries, two in Asmara one in Keren. I did also have one in Juba which I have sold. Business is good. I came back to being a soldier in 1998 until 2010. I was demobilised first in 1993, then I came back. I was demobilised again in 2010.

[5] I worked as a soldier (?) then came back to the University of Asmara to study physics. In 2000 did national service in Asmara. I was demobilised in 2008. After that, I started my business. It is vocational training. I give different courses for young people – three types: (a) IT, graphics, editing; (2) camera shooting and editing; (3) electronics, repairing computers. I employ some part time (depends on the time of year, 8-15 (15 in summer)), full time (5). It is a public limited company. [how demobbed?] I waited for my term/turn, then I got out. [are employees demobbed?] full time, yes. Part-time, some are, some are students.

**Are there many small companies in Eritrea?** Yes.

**Is it common to do more than one job?** [2] Yes. Depends on free time. Most of the professionals do two or three jobs. There is also lots of casual work.

**Have you heard about pay increase for national service?** [2] I will give you the definition. The first one-and-a-half year is national service. Some of that is military training. When you do this, you get pocket money. After this time, you join the ministry or be a teacher, then you get the salary according to scale of the department.

**Do you know people who have gone to Europe?** Lots of yes.

[8] We all know people. 7 of my employees have gone to Europe and America. There is more opportunities in Europe. They can get asylum in Europe. There is a rumour in the country that you can get anything easily in Europe. There is no opportunity like that here. If you stay, you have to work hard and there are challenges here. But you go there, you get house, you get money. They don't want to work here. They want to go to Europe and get social security...

**Have any of them come back?** [Many yeses.]

[8] yes. I know someone who went to USA. He is in Asmara now. He paid the 2% and is here on vacation now.

**Is this common (for people to come back)?** It is a common phenomenon.

[6] there is no persecution on the grounds on religion. The challenge is economically. This is a big challenge for the young people. You asked about Sawa. I was teaching there. There is no violence there. It would be taken seriously.

[2] there are two things. (1) economic; and (2) dreams. You watch a film and people see that they need to be like him. People go to Europe and the expectation is big. The reality is different. I go to Europe twice a year. When you see the companies in Europe there are huge companies. For us small companies and entrepreneurs it is hard. However, here it is easier. People in Europe need to look successful.

[14] sometimes we have to look at the causes for the economic situation. We have had three wars with Ethiopia – three costly wars. The security of Eritrea is threatened by many sides: (1) Ethiopia has declared war on Eritrea; (2) the role of the UN and the international community including the UK to help resolve this,, and failure to get justice from them; and (3) the unexpected sanctions. The government is making attempts to improve the economy. Needs to address the root cause of the problem.

We are hoping to invest in this country and get foreigners to invest in Eritrea but the situation that is prevailing on Eritrea affects this. We are expecting justice to prevail, but justice delayed is justice denied. We shouldn't look at the symptoms; we need to look at the cause. We want to be self-reliant but we want some assistance from the international community.

[9] we know them. We also chat with them. We always ask why they migrate. They always say the pull factor from Europe. It is the social assistance in Europe. If they get that, they feel secure. The main problem is the pull factor. [why don't they come back?] I don't know. Maybe they don't have enough money.

**Do people in Europe send money back?** [2] Yes. We have large families and this is our culture – to support family.

[1] They go to Europe and get money and they send it back to help their families. When we ask them, they say they have to send the money back to help people.

[8] The family in Eritrea are expecting it (the person to send money) because they are expecting the person to get money. They expect more money in Europe. They don't expect money from me, but expect money from my uncle who has gone abroad.

[Back to Contents](#)

## Returnees (Asmara)

### Notes of Meeting w Returnees

**Date: 12 February 2016**

**Present: FFM Team; UK Ambassador to Eritrea; 17 returnees (16 males; 1 female; 13 from Israel, 2 from Yemen, 1 from Sudan and 1 from Norway);**

**Ministry of Foreign Affairs representative.**

### Introductions and background

[MOFA provided names of the people and when they came back from].

**Why leave Eritrea?** [12] First, I went to SDN illegally. I was serving in NS for about 11 years. From about 2008/9 my economic situation got worse. I needed money for my family. Mainly for economic reasons. I went to Israel. Stayed for about 5 years and came back. And when I came back, I came back voluntarily.

**How get to Israel?** [12] via traffickers. Through the Sinai.

**Was it safe?** [12] no.

**What happened on return? Did you go back to national service?** [12] No. I'm free. I came back through the airport with my passport. I joined my family and the Government allows me to go wherever I want.

**Did you return voluntarily or enforced?** [12] no I wasn't forced to come back. After 5 years, I couldn't find a job. They sent me to a detention centre and I didn't want to be there. If I could have got more work, I would have stayed.

**What are you doing now?** [12] Chilling.

**When back?** [12] about four months.

**How get your passport?** [12] From the Eritrean embassy in Israel. Filled in the letter of apology.

**Pay the 2% tax?** [12] only paid to get in, but haven't paid all the years abroad yet. I have to pay it. But I will pay it out of duty.

**What reason give to the Israel? Did you claim asylum?** [12] because I migrated illegally, I had to tell them I have a political problem so I claimed asylum. But my reason was economic.

**Granted?** [12] Israel doesn't grant asylum. Only grant work permit.

**Work permit granted?** [12] neither.

[11] Went from ERI-ETH-SDN-ISR, via Sinai.

**Did you cross the frontline to get to ETH?** [11] Yes. I stayed in ISR was 5 years. Main problem was economic. After 5 years, I went to Harlot (Detention Centre in ISR). Didn't want to go there, so left. Was in the 6<sup>th</sup>/16<sup>th</sup> round of NS.

**Was Israel where you wanted to go?** [11] initially, I didn't target ISR. Went to ETH to get a job. When in ETH, the rumour was there were jobs in ISR, so went with others.

**What job in ISR?** [11] restaurant. Variety of jobs.

**When leave ERI?** [11] July 2010.

**When back?** [11] 4 months ago.

**Did [11] and [12] come back together?** [11] came back in a group. 40 people.

**Are they here today?** Only two.

**What happened when back?** [11] nothing happened. I live with my family.

**Got a passport from ERI Embassy in ISR?** [11] yes. You can see if you want. [11] and [12] both showed passports issued by Embassy in ISR.

[12] has an exit visa in the passport already and a visa for Saudi.

[14] [sic] passport issued in July 2014.

**Does [11] have to do national service?** MOFA rep told us that as the person had been abroad for three years, he is considered a member of the diaspora so doesn't have to do NS.

[8] Glad you come and look for the truth. I came back from NOR in 2009. I was away 6-7 years. Now I am a teacher in Asmara.

**How long in NOR?** [8] I left in about 2002. I was teaching in Gash Barka and left for SDN (illegally). We need this. People need to learn the truth. We need to fix and regulate things.

**How get from SDN to NOR?** [8] was a long time, but I remember it like yesterday. I stayed for 10m in SDN. Then across the Sahara. Then in LBY for 10m waiting to cross the Med. Then in 2003 I crossed to Lampedusa.

**What do for 10months in SDN?** [8] we waited for someone to help us. We did daily jobs. I was also being helped by some friends already in Europe.

**What do in LBY?** [8] same. I was in Tripoli and Zawara. It was about another 10 months.

**Who organised your boat across the Med?** [8] can't say the name. Not that I don't remember. We had our own network.

**Are they ERI? LBY?** [8] mostly LBY, but the captain of our boat was SOM.

**How get from ITA to NOR?** [8] illegally. Mainly by train. I used a fake SOM passport. I went to SWE in 2004, they let me stay for 6 months in Stockholm. They sent me back to ITA because they had my fingerprints. Explained this is the law. The ITA didn't accept me and ordered me to leave. So I just leave to Stockholm and then into Norway. In 2006 I claimed asylum in NOR. They put me in a camp and they granted me humanitarian. In 2009 I came back to my country for good.

**Did NOR know you were ERI?** [8] yes.

**Did you work in NOR? What else?** [8] I had to learn the language. I stayed in the camp for 8-9 months. I learnt it for 1-2 years. Supposed to be 2 years. I stayed in Stavanger. I was an assistant teacher to help with the language. I did different jobs in Stavanger.

**What reason did you give to NOR for claiming?** [8] I claimed asylum.

**What reason did you give?** [8] I was in the 13<sup>th</sup> round. I graduated in Asmara Uni as a diplomat. I was appointed as a teacher in Gash Barka. I did that for a year. The war was really fresh at that time. Me and many of my friends were afraid of the war. We know what it had cost before. We were worried it would repeat again. We were also curious to see the life in Europe. We need to change our way of life and get better salary and improve ourselves. Even for the NOR I told them the reasons. They couldn't accept me as political – because I didn't and couldn't do that, I couldn't lie – I just told them about my fear of the war. So on humanitarian grounds, they granted me permission to work. They gave me an immigrant passport.

**Why come back?** [8] a lot of up and down things. I can't say one thing. It is a lovely country. Status of country is good. I had a salary. It was about 17-18,000 Krona. I then started to think about things differently. But despite everything, I am a second

citizen. So I decided to come back. But I wanted to check what it was like coming back. So I came back and see. I tried it first.

**So what happened?** [8] I am here. I am teaching. It was a surprise. It took me 20 months to get to Europe. It took me just 9 hours to get back. When I got back they gave me a stamp. [8] showed us the passport used to travel back (Immigrant passport).

**Is there a visa for ERI? I can't see a visa.** [8] it's just an entry stamp.

**NOR need a visa to get to ERI. You don't have a visa. How get back to ERI?**

[8] I don't know.

MOFA rep says that the NOR immigrant passport shows nationality as Eritrean.

[clarification on visa vs. Stamp]

[8] I also showed my ERI ID card.

[I also observed the ERI entry stamp at Asmara airport dated 28 May 2009 (page 10).

**Before coming back, did you approach the ERI Embassy in NOR?**

[8] in Stockholm. They asked me to say I've been out of my country illegally and take the consequences. I signed that. They then left it to me to decide. So I left it a bit and then came back.

**Did you sign the letter in Stockholm?** [8] yes.

**Did you pay the tax?** [8] they just said that if I wanted to come back, then I don't have to pay the tax but when I get back then I have to pay something. I have willingly paid my tax, in Stockholm, before I got back.

**Was your teaching job part of NS?** [8] no. I finished my NS. I was teaching professionally.

**What subject?** [8] in Agordat, I taught maths. Now I teach science.

**For those crossing the border into SDN, were any of you shot at?** [14] I just crossed the border in 2008. I stayed for 1 year and 8 months. I came back in 2010. There is nothing like that that happened to me. There is no shoot-to-kill policy or anything like that. I was in Asmara, working in the Dept. Of Energy and Mines. I crossed the border via Tesseney (and X?) by foot. I had no problems.

**What do in SDN?** [14] I was teaching because I speak both English and Arabic.

[14] I went to the ERI embassy in SDN. I then came back to ERI.

**Were you doing NS when you left?** [14] no, I had finished.

**So you had your demob papers?** [14] demobilisation card, yes.

**Why not get an exit permit?** [14] they weren't giving them out at the time. Some did, but most not.

**How know?** [14] by experience. You just know.

**Did you pay the tax?** [14] I have paid the one year, but not the 8 months.

**How get back?** [14] by bus.

**What happened?** [14] nothing. I gave them the paper.

**What paper did you have?** [14] ERI passport, which I got in SDN, and an ERI ID card.

**Then ...?** [14] I went back to the Ministry, showed them the letter and got my job back.

**So you have a passport and exit visa now?** [14] yes, I can go wherever I want now.

[[14] also showed his demobilisation card].

[10] I was in the 6th round. stayed for 13 years in NS. On the shoot-to-kill policy, my job was the border guard on the Sudan border. I can say that never happened. In 2010, I left for SDN. I went to Camp Sudan. I went to ISR the same year (2010). Stayed for 5 years and came back. The allegation of this shoot-to-kill policy is a blackmail. It has never happened. The Govt. has also done everything it can to help me get back to my family. Nobody has forced me to go back to my unit.

**Why come back?** [10] I have stayed for 13 years in national service. I was married and had children. Back then, it was frustrating to stay here (economically). So now I have got some money, I wanted to come back.

**Go to ERI Embassy in ISR before coming back?** [10] I approached the Embassy and they gave them the passport.

**Did you have to do anything to get it?** [10] the only thing that I was required, was the usual procedures. [the letter of apology and the 2% tax]. I pay it as a duty.

[10] I paid a fee for the passport – I even have a receipt [which was shown to the FFM team – US\$210].

**Is it usual for the receipt to be in English?** MOFA rep explained that yes, it is in English.

**What do you want to do now in ERI?** [10] now I come back and there is peace, I want to invest and start a business.

Asked the only lady [16].

[16] Got out of the country legally, but then into ISR illegally. When I got to ISR, I was able to work. When I got enough money, I came back.

**How leave?** [16] by bus. From Asmara to Tesseney to Kassala to Khartoum.

**You had an exit visa?** [16] I have an exit visa from the immigration office here. I received a stamp and went out.

**Had you finished NS? Been demobilised?** [16] Yes.

**How?** [16] Had a child.

**Child go to ISR with you?** [16] No. Left her with my mother.

**When arrive in Israel?** [16] 2012.

**What do in Israel?** [16] cleaning.

**Claim asylum in Israel?** [16] no. I had a passport.

**How travel?** [16] with traffickers. Even though I cross the border illegally, once I got in the [refugee] camp I showed my passport. Immigration asked why I had come with a passport, so I explained I needed money, so they gave me an entry visa and allowed me to stay.

**When come back to Eritrea?** [16] November 2015.

**How long stay?** [16] 3 years, 7 months.

**Why come back?** [16] I have enough money.

**What do you want to do next?** [16] I want to start a business (Grocery market) here.

**Did you have to go to the Embassy, pay tax etc. Given you left legally?** [16] I went to ERI embassy in Israel. They issued an entry visa to ERI and I paid the 2% tax.

**Someone from Yemen?** [13] I was a member of the 20<sup>th</sup> round in NS. I went to Yemen because I am from the Assab region. Then I heard that people in NOR and SWE were accepting people. I went via boat to Yemen.

**From a fishing family? Have access to a boat?** [13] yes, a fishing family. We had a fishing boat. We stole that boat from my family and went.

**How many went?** [13] seven.

**Were the family angry?** [13] no, they were happy I'd made it to Yemen.

**What happened to the boat?** [13] Yemenis took it.

**Why go to NOR/SWE?** [13] I was hearing rumours that NOR and others were taking people and making them rich and happy. I had economic problems so thought this would happen quickly. When I got to Yemen, I was taken to prison and put with criminals.

**What year?** [13] between 2010-11.

**What doing in ERI before you went?** [13] I was head of NUEYS in Assab.

**Doing that as NS or professional?** [13] Part of national service.

**How long doing it?** [13] from 2006 until 2010.

**Come from a big family?** [13] yes.

**All in Assab?** [13] all in Eritrea.

**What happened in Yemen?** [13] I was in Merkezi (sp?) Prison for about 1 year 6 months. This was with different criminals. No one cares about your well-being or sanitation.

**All seven arrested?** [13] In that prison was around 200 Eritreans in that prison. They had all heard this rumour.

**How survive, if no-one to look after you and bring you food?** [13] even though the conditions in the prisons were harsh, if you have money it is ok. My family can go to Yemen to sell fish so could bring them money. Throughout all this there were two good things: (1) there were rich Sheikhs who had donated a lot of money. They were in the prison so helped the poor.; and (2) they brought back medicine.

**How get out?** [13] by bribing the prison guard. I got the money from my family. We paid them well and let us out.

**What next?** [13] When I escaped the prison (around 2011), the situation in Yemen was getting worse. I didn't want to stay another day. Without approaching the Embassy, I surrendered myself to Eritrea.

**How?** [13] by boat back to Assab.

**What doing now?** [13] head of NUEYS, got my old job back.

**And is that professional or NS now?** [13] as I haven't been part of the diaspora, I haven't finished my national service, so I am doing that now.

**Did the Eritrean Govt ask where you'd been for 18m?** [13] even though they didn't know where I'd been, I approached the concerned authorities. They were happy that I'd shown regret.

**Who are the 'concerned authorities'?** [13] the marine guards.

[17] I was in the same boat as [13]. Also on the same boat back. I am a professional person. I was a health professional at the prison. Like [13] the prison was terrible. I was paid by the Sheikhs to help people (as a health assistant) in the prison. I was working in the community hospital before I left. Back at home, I was hearing that Yemen could be a bridge to Switzerland, Holland, to make a better life, esp. For professionals.

**Before going, were you doing NS?** [17] as a professional. I completed NS and was being paid as a professional?

**So, demobilised?** [17] no.

**Did they [your employers] ask where you'd been?** [17] no.

**Does anyone know someone in Europe now?** Yes, family, friends. Everyone knows someone.

**Do they come back to visit Eritrea?** There are some. Some say no, some say yes.

**If you knew someone who wanted to go to Europe now, what would you tell them?** [12] maybe you could go there and have everything, but home is home. I would advise them not to.

[14] if going illegally, no. If legal, yes.

**Other experiences?** [7] you don't have to take into account the internal problems have. You have to take into account the international factors – borders, sanctions – things have got worse since 2010. The international community, like the UK, needs to do their job. The border issue seems to be the main issue. Once you fix the big issue, the smaller ones will be solved.

**Any others?** [1] I went to Israel in 2010 because of economic difficulties caused (indirectly) by the sanctions. I wanted a better life. I stayed in Israel for five years and did the best I could, before coming home. I don't have the intention to go back to the outside. I plan to invest in the agricultural sector.

**What doing before going to Israel?** [1] I was a high school student. I was also a worker. I am now 36.

**When come back from Israel?** [1] last week. (5 February)

**How does it feel? Has Asmara changed?** [1] I know the life I lived in Israel, so I am glad to come back.

**How get to Israel?** [1] illegally. To Ethiopia, then Sudan, then Egypt, then Sinai, then Israel. Crossed into Ethiopia by foot.

**Anything happen when crossing the border?** [1] no.

**Why coming back?** [1] despite economic problems, Eritrea is a better place for me.

**You got a passport from ERI embassy?** [1] yes – [ showed to FFM team]. [FFM Team saw the entry stamp in the passport 5/2/2016 on page 16].

**Any one else want to share their experience?** [6] I was a fighter from the old generation. I stayed in the army until the war broke out. Things got difficult for me.

**What happened?** [6] I went to Sudan, then Egypt.

**How get to Sudan?** [6] illegally, by foot.

**Is it hard to cross the border to Sudan?**[6] it is very hard when we escape the military.

**Why is it hard? What's the danger?**

[6] In the first place, to cross the border without the documentation is illegal. If you get caught the other side you will be sent to prison. On the Sudan side, they could sell you to the traffickers.

... **On the Eritrean side?** [6] it is illegal.

MOFA Rep says it is illegal. It is obvious.

**What do when you got to Israel?** [6] worked in a supermarket.

**Which city?** [6] Termon (sp?)

**Did you like life in Israel?** [6] no.

**Save money?** [6] yes, but not good to live in another country.

**When come back?** [6] a week ago.

**That was your choice?** [6] I want to come back and invest in something.

**You have to pay tax? Sign a letter?** [6] yes.

**Any questions for us?** [2] you should concentrate on solving the border problem.

[6] the reason why we went out is the same – the economy (and the war, the statement).

[8] a lot of immigrants from other countries, if you are going to ask an asylum seeker, they are not going to say “I just come for work”, they are not going to stay. So I have to lie and say that I am going to be arrested or killed. To be told you have to go back (to a third world country) is not easy. I went. I was gambling with my life. I went across the Mediterranean in a balloon like boat. People think that there is an economic paradise. There isn't. Then permission is not granted easily, unless the refugee lies. There is a psychological war. The developed countries have passed a long time and developed well. We are a young country so must learn this.

Immigration can be a problem, but it isn't all a problem. We need to understand more about why young people are gambling with their life.

## Artists

### Notes of Meeting w Artists

Date 12 February 2016

**Present:** FFM team; UK Ambassador to Eritrea; Ministry of Foreign Affairs representative; and 13 artists (2 women; 11 men; actors, musicians, writers/script writers, film / theatre directors)

### Introductions and background

**The musicians – how become a professional musician in Eritrea?** [Person 11] I am educated in Asmara music school in 1997. I learnt lead guitar, then switched to keyboard. I then dedicated my life to my band. Starting working with a cultural troupe in 2005 to 2016, I have been to 21 countries in the world. In 2010, as a result of my achievements, the Govt. gave me a scholarship to Beijing, China. I graduated from Shanghai and Beijing in 2012. That was related to recording and mixing. I am a sound engineer and head of the band.

**Which years in Beijing?** [11] September 2010-2012. I studied near to the British Embassy in Beijing.

[11] In 2001, I joined the Asmara University. I studied medieval history.

**What happened in 1998 when the war broke out? Were the students called up?** [11] no. I was underage. In 1997, I was 13.

**When do your national service?** [11] in 2005, after I did my university.

**What job did you do?** [11] teacher of history in Junior school. Got a diploma in history.

**How long do that for?** [11] 2 years. In Asmara. I was lucky. I am from Asmara.

**Are you demobilised?** [11] yes. After completing my 1 year 6 months national service. I was in the Ministry of Education and Cultural Affairs. In 2006 I started my formal job.

**It's quite quick to be demobilised?** [11] it's the right thing. I had to be demobilised after 18m.

**But others take longer?** [11] yes, OK. But it depends where post is. Because I was a teacher, I had to be demobilised.

**Did being a musician help?** [11] no. No privilege

**How get demobilised?** [11] when you finish the national service term, the office call you and demobilise.

**Do you apply? Or ask someone?** [11] no. The administrator in the department call me and gave me the papers. All my friends at that time were demobilised after 18 months.

**How become a professional actress?** [4] one of the Eritrean writers asked me to act.

**What study in college?** [4] I study in 2007 in the YPFDJ [Youth People's Front for Democracy and Justice] .... In December 2015 I graduated.

**Do you have theatres you perform in?** [4] yes.

**Where?** [4] in cinema. I'm a film actress. I've made about 65 films.

**When start acting?** [4] 2003.

**Where are the film studios? Where are the films made?** [4] in Eritrea. Most of the time we have a house that we film in. Sometimes it is in the streets.

**Have you done National Service as well?** [4] yes. Started in 2007.

**Still doing it?** [4] no, I was demobilised in 2012.

**Did you study acting or was it by chance?** [4] it started as a hobby, as a gift, but until recently I took specific classes and I was spotted.

**What were you working as when you were spotted?** [4] romance (?)

**How demobilised?** [4] I got married.

**How work, did you show anything?** [4] I applied and showed my wedding certificate.

**Any writers?** [1] volunteered to speak]

**What do you write?** [1] script-writing.

**For film or tv?** [1] film.

**When start?** [1] in 1992 after the freedom of Eritrea. I was 18/19.

**Graduated?** [1] I graduated. I left high school in 1991.

**Where from?** [1] Asmara.

**Then what?** [1] I started as a play-writer. Then I started to study at theatrical art school. I started in 2012.

**Where study theatrical arts?** [1] here in Asmara.

**What subject of scripts?** Romance and history.

**Did you do national service?** [1] in 1994 – the first round. After 1 year 6 months, I was demobilised. Then when the war broke out, I joined the front line: 1998-2000. After two years, I was demobilised and started writing.

**Does the army employ artists?** Worked 2 years at Assab in drama section 1998-2000.[1] no, first six months were military training, then one year doing development.

**Did they call you again in 1998? Or did you volunteer?** [1] I was in the military. Since 2001 I have been focussing on my script writing.

**How many been to Sawa?** [All]

**Who did the high school (G12) part at Sawa?** All. 2003 – study, military training.

**Ask for someone to talk about their experience** [13] I am a singer.

**How become a singer?** [13] ...

**How old were you?** [13] 24.

**Do you write them?** [13] no, I don't write them but can do my own melodies.

**What were you doing before 24?** [13] I was still in school then.

**Where?** [13] in Asmara – in different places.

**Where sing?** In clubs, stages, other parts of the city

**Did you have to do national service?**[13] yes, I was in the 6th round. 1997.

**Where do NS?** [13] I have done military service in Sawa, but not demobilised yet. Since then, working as a singer.

**Not demobilised or mobilised yet?** [13] that's correct.

**Who do you work for?** [13] both, the state and myself. Most of the time I work for myself but sometimes I have to do things for the state.

**Anyone else share their experience?** [12] I am in a band. There are around 30 people in it. Because it includes the 9 ethnic groups, we have to have many people.

**How become a singer?** [12] within the military battalions, there are some cultural groups within them. It sort of started there as a way to entertain others.

**So you did National Service (NS) in the military when you decided to become a singer?** [12] yes.

**Still doing NS now?** [12] yes, still.

**When demobilised?** [12] I'm not. I am waiting.

**How long doing national service?** [12] since 1994, the first round.

**Why so long, esp. Given colleague [10] was out in 18m?** [12] I don't see the reason why I should get demobilised, as I am doing what I want to do.

**Ever been outside Eritrea?** [12] no

**Do you want to?** [12] no.

**All: does anyone know someone in Europe now?** Yes.

**Do they come back to Eritrea?** Yes, of course.

**What are they doing in Europe? What is their experience there?** [2] although they have gone to Europe for economic reasons, they want to come home. If possible they are only there to save money. They want to come back and buy a house here. They want to live in Europe not really because they want to, but because they paid a lot of money to get there and need to pay it back.

[3] most of them say that they didn't expect to be in the situation they are now. They regret it.

**Do they want to come back to Eritrea?** [3] yes.

**Do you know people who went to Europe and have come back?** [3] I know a guy who has come back.

**Do they borrow money?** [3] It depends. Some do. Some get it from family.

**Can artists make a living?** Yes. It is a struggle.

**What stops people coming back?** [2] the main reason is that they wish to stay in Europe is the amount of money they spent to get there. Plus there is the economic struggle here. Better to struggle in Europe than to struggle here.

[9] I have a relative who left to Italy in 2002. He came back and went back to Italy.

**How long stay there?** [9] 2002-2014. He came back, got married and went back again. His wife is in Switzerland. She went to claim asylum there. At the moment, we are living in an emergency situation and we have economic situation here. That is why people who left illegally aren't coming back here.

[1] Additionally, if people demarcated the border with Ethiopia then the problems would be sorted.

**And what do you think about the claims that people can't return because of national service and being imprisoned for leaving illegally?** [3] I know a lot of people who are in Europe. They went to Europe and regularised there. They are allowed to come back. A lot have come back. I don't know anyone who got arrested for that [coming back]. They say that it's political to get there. But then they make amends with the Government and come back.

**Anyone been to Ethiopia?** I went in 1990. Bad time, during the Derg.

**Can I ask about the allegations of violence at Sawa, esp. sexual violence. Is this something you have heard of/aware of?** No. [Laughter.]

[2] I was there for four years as a computer operator. I never saw anything like that. It's very military. You can't do things like that. Everyone knows Sawa. Those things don't happen. It's baseless.

[10] I think the Home Office need to do a polygraph test. People come back here, in the summer. They come back, via Sudan. They tell you this to get their green card (asylum).

[3] yes, I think it is a story to get asylum.

[question to the FFM team about where that allegation comes from. FFM team explained it appears in human rights reporting, based on interviews with Eritreans who leave].

[3] In order to get asylum, you need to say things about political problems and stories like this. They have to say this to stay there. There is also this concerted effort by the media to make it look bad here. Things like that could happen in any country, but not mass, not widespread.

[8] seeing is believing. Look around for yourself.

[3] we want you to know that building a nation isn't easy. You [the UK] have done it and we know about that. Same as the USA. We learnt about that. But some don't have the patience for that here.

[9] the brain drain flow to Europe has affected us. There used to be scholarships for Eritreans to go to Europe. Now there is none.

[1] when you see before 2000, there is no immigration from Eritrea. Since then, it's the war.

[3] Eritreans want to live here. They want to live with their nuclear family. But we've had lots of war and it's hard for people to live here. War is the main issue.

[12] what is so unique about Eritrean migrants. There are migrants from Ethiopia, Syria. Migration is not unique to Eritrea. Why does Eritrea have such attention.

[12] You have to bear in mind that there are conspiracy things going on in places like Ethiopia to make things look bad; to make the Eritrea situation look bad.

[3] Somalis are worse than us. So why does Eritrea get such preferential treatment.

**Are there Eritreans who only speak Amharic?** All, no. You might speak Amharic, but you don't speak only Amharic. Some might be stuck in Ethiopia who only speak Amharic. But Eritreans in Eritrea will speak Tigrinya (or one of the Eritrean languages), even if they speak Amharic.

[3] If anyone who says they've been in the national service, they must speak Tigrinya.

[10] If they are saying this. If they are saying they have been arrested. They are not from here.

[Back to Contents](#)

## Regional governor of Gash Barka

### Notes of Meeting w Regional Governor of Gash Barka

**Date: 15 February 2016**

**Present: FFM Team, HMA Asmara, Regional Governor of Gash Barka, Ministry of Foreign Affairs Representative.**

#### **Introductions and background.**

The Governor started by welcoming the FFM Team. He said that whilst the FFM could only see so much in two weeks, it was better than not to come at all. He stated that HMA Asmara knew the situation better than most, given he had been living in Eritrea for around 18 months.

The flow of Eritreans, like other countries, is because of the economic situation and also the outcome of the war between Ethiopia and Eritrea.

In the first seven years we were growing steadily. But war broke out [the border situation], the situation got worse and we were back to square one. The result if the influx of Eritreans to Europe. The biggest number went to Sudan. The Eritrean Government is trying to come back. Life is difficult in Sudan. Sudan wants to return people as well.

The problem is if they all come back at once, how do we manage the inflow? What can we do with them? We need some time to prepare. We are trying to encourage them to come back, especially from Sudan; it is difficult for a foreigner to live in Sudan. The numbers are coming back – they are very small – but they are trickling back. When people come back from Sudan, they stay in Tesseney.

**What is the average length of national service in this region?** There is an intensive training program. Those with good grades go to university. Those without [good grades] go to Sawa for vocational skills training. They go to Government or quasi-Government companies. If you didn't go to university, you cannot go into the professions.

**Do you have any staff doing national service?** Yes.

**Have they been demobilised?** It's a periodic process. Women are more privileged than men; they get demobilised more easily [than men].

**Can they ask or apply to be demobilised?** The MoD has a criteria for people to be demobilised. When the time comes, they apply and it depends on the criteria.

**“When the time comes” – is that the MoD or the individual who knows this?**

Both. The longer you serve, the more eligible you are. They [the individual] don't know the number of years, but they have an idea.

The criteria includes:

- Family – can apply if you have family problems, for example they are the only one in the family; or the only child
- Health/is sick
- Women

**How do they know the criteria?** They may not know the criteria but they have an idea.

**Are there many Eritreans coming back from South Sudan?** Some. Some back to visit. Many come and go for business. But the economic situation is poor.

**The people coming back, e.g. from Sudan: is that one of the criteria?** They have to apply. They apply in the Embassy in Khartoum or Juba and it comes here. Whenever someone leaves the country illegally, they need to fill the regret form.

**Why do they apply to come back?** He has to apply. We just want to know.

[MOFA Rep explained that this is for people who left illegally, which the Governor agreed, to which the MOFA Rep explained that they needed to get a passport].

**Is coming back with an Eritrean ID card enough to come back?** No, its not enough. To go abroad, he needs a passport and visa. So he needs to apply. Most people leaving are illegal. They leave without a passport.

**What if they just turned up at the border with an ID card?** They can enter the country.

**Can they come back with just an ID card? What happens?** Well, they have to [be] questioned about their situation. They have to be questioned about why they left, how and why they are coming back, what forced them out. But if they apply in Khartoum, then we know all that. If not, they have to apply and get questioned, but it's nothing more than that.

**What if they said they left illegally because of national service?** Well, we know. He may need some rehabilitation training and coaching. We tell them about the situation in the country, their rights and their obligations.

**Not clear what this means in practice?** When they come back and rehabilitated, the aim is not to repeat again and fall in the hands of criminals but to gain knowledge about illegal migration.

**Where is the rehabilitation centre? Is it in Gash Barka?** No. Somewhere else.

**Do some come back without you knowing?** Some come back in and back to Sudan without informing [Ambassadors/Embassies], but it's rare. They get nothing going back and forth.

**Do people return from Sudan at Tesseney?** He is questioned, then rehabilitated. Some may return illegally and return to Sudan again.

**What is 'rehabilitation'?** Learning, knowing the situation.

**Are you fined for leaving illegally? What are the penalties?** If they committed a criminal act, yes. But not for leaving illegally.

**What happens?** He could be punished. Not for leaving illegally. Only those who commit a crime before leaving.

**Is it [illegal exit] a crime?** In principle yes, but they don't get punished. If they did something else, they may get punished but not for just leaving illegally. We are only talking about someone who committed a crime before he left. It is normal for criminals. He has to be responsible.

**Is not doing national service a crime?** [No answer given].

**Does it matter if the person claimed asylum? Is that a crime?** No. Almost all of them are claiming asylum. It's not a crime. They are claiming asylum because they have to. The economic situation is forcing them to do this. The Eritrean Government is encouraging them to come to their country, so not a crime.

The Governor stated that the problems were the border dispute, which was the responsibility of the international community to resolve.

HMA Asmara then asked the Governor whether it would be possible for the FFM Team to visit the border itself [as he had done on a previous occasion]. The Governor said it was no problem, and picked up the phone to make the arrangements.]

The Governor then made some concluding remarks that it was good for the FFM team to come and see the situation for themselves and two weeks was better than nothing. He asked us to be objective, stating that the UN COI Report was not. He commented that they [the UN COI Team] spoke to a few hundred people abroad and questioned why, even if they couldn't visit the country, why they could not speak to people here, over the phone.

[Back to Contents](#)

## Returnees (Tesseney)

### Notes of Meeting w Returnees from Sudan and Israel (Tesseney)

Date: 15 February 2016

Introductions and background to FFM.

Present: FFM Team, UK Ambassador to Eritrea; MFA provided interpreter, 12 returnees (10 men; 2 women).

**All from Tesseney?** There are people with their former address here, but not born here. Most born in Sudan and returned to Eritrea.

**Does someone want to tell us when they left, why they left, what happened ...?**  
[1] I wasn't born here. I lived here before I left. I left in 2008. Just as everybody, I had a bad situation and left.

**How leave?** [1] I crossed easily on foot.

**On the bush or on the road?** [1] the bush.

**Anyone chase you?** [1] no.

**Alone?** [1] yes.

**Please can you confirm why you left?** [1] I left due to the pressure of living. For a better life. Economic.

**When come back? Why?** [1] I came back in October/November 2015. I was in Israel and they asked me to leave.

**You went to Israel in 2008?** [1] In 2010. There almost 6 years.

**Where were you between 2008-2010?** [1] in Sudan.

**What were you doing in Israel?** [1] I worked as a casual labourer.

**Before leaving, were you doing NS?** [1] I was in national service, but I didn't complete it.

**What happened on return?** [1] I came back by plane.

**Did you have a passport?** [1] yes. I got it from the Eritrean Embassy in Israel.

**How did you get it?** [1] I just asked the Embassy and they gave me the passport.

**Did you pay for it?** [1] yes, the 2% [tax].

**Did you have to sign any papers?** [1] I have a receipt for what I paid.

**Sign any papers about national service?** [1] When they ask, they ask about your background. I said I did not do national service. After they heard about what I was saying, they made me pay the 2% tax and gave me my passport.

**[1] asked for clarification about what we meant. We explained that we didn't want to put words in his mouth, but trying to clarify whether he had to sign a letter apologising for not doing national service.** [The embassy] Wrote a letter to immigration, pay 2% tax the government gave a passport.

**Did the Israeli Government give you anything?** [1] They gave me a visa renewed every two months, that allowed me to stay.

**Did the Israeli Government give you any money to come back?** [1] When I was about to leave, they gave me US\$3,500.

**What happened at Asmara Airport?** [1] I was there for sometime to make sure the things I said were correct, but I left that day.

**Released within a day?** [1] Yes

**Are you doing national service now?** [1] no. I assume National service is completed. I am doing personal things.

**What?** [1] I am here for just two months ...

**Are you going to leave Eritrea again?** [1] I may leave the country temporarily.

**Are you demobilised?** [1] Yes I am considered finished.

**When and how did that happen?** [1] Before I left, I was a soldier but I left before I completed. In Israel, the 2% tax was considered as part of national service so I am finished.

**Do you have a paper or document for that?** [1] I don't have the formal papers with me, but I have a passport so I can come and go when I want. Passports are only

permitted to those who have completed national service. But I don't have the papers with me.

**If someone is demobilised do they get a card?** [[1][2][5][6] all clarified with the interpreter]

The small card you get is for those who are living here. That shows you are free of your obligations. But for those who don't, the 2% tax shows you are demobilised. Those who are part of diaspora can use a passport and payment.

**But if you are living here, you won't be paying the 2% tax, so will you have to do national service?** [[1][2][6] all clarified with the interpreter] [1] and [2] Since I am living here, I have regular access with my consular, so I come and go (once a year) in order to pay the [2%] tax. You are either here or not.

**But if you live here, your earnings are here, so what are you paying 2% tax on abroad?** [1] It depends on the salary you are paid.

**But if your income is inside Eritrea – i.e. your income *outside* Eritrea is 0 – what are you paying 2% on?** [[1][2][5][6][11] all clarified with the interpreter].

[7] When you leave the country, we have the opportunity and when we earn, we pay 2% of that.

**What happens to those who *don't* do that – i.e. they leave Eritrea, come back, but *don't* leave again – will they be required to do national service?** [7] [2] So far, we haven't witnessed anybody who paid the 2% and had to do national service. We haven't been asked to, but we are ready to [do national service] if we have to.

**Repeated question.** Don't know.

**Do they know anyone who has tried to come back and just live here (as a resident Eritrean, not as a diaspora Eritrean)?** [[1][2][3][4][5][6] all clarified with the interpreter]

[3w] I have been almost a year now, and it's been fine.

**Has everyone left Eritrea illegally and come back from Israel with your own passport?** [3] yes.

There are two from Sudan, the rest are from Israel.

**All paid 2% tax?** Yes.

**Another example:** [8] My mother writes a column in the local newspaper. There is a column every week on Sunday. I left from Acordat and when I was in Kassala, I was kidnapped. We were kept in a single container for around seven months. I was taken to Egypt (Cairo) having paid a 1.4m Nka to release him. Sent back to Asmara.

**How old when leave Eritrea?** [8] 24 years old

**Why?** [8] To make my fortune

**What did you do before you left?** [8] student.

**So you never started national service?** [8] no.

**How long outside Eritrea altogether?** [8] around a year.

**Did you choose to come back?** [8] yes.

**Went to Eritrean Embassy in Cairo?** [8] after medical care, I asked to have the air ticket and go home.

**Did they give you a passport?** [8] no.

**How enter Eritrea?** [8] came back via plane to Asmara. They asked me who I was and for permission slip to move around [Eritrea]. Legal and free to move.

**So what doing now?** [8] business.

**Finished high school?** No

**Are you under any obligations to do national service?** [8] so far nobody has asked me to do it. Due persecution, no longer required to do it. I am unfit.

**Did the Govt. Ask you to take a medical to prove that?** [8] No

**Do you have any documents showing that you don't have to do national service?** [8] no.

**What about female returnee[3]?** [3] I am from [?] and in 2013 I went to Sudan and then to Shegorah (Refugee Camp) thinking about going to Khartoum. But on the way, the car ran out of petrol. They [her group] was separated into different groups. I was kept for seven days. Then people came who were disguised. A man came who spoke Arabic and Tigrinya.

After that, they kept us and began to demand money from us and our family. When we said we couldn't pay, they began to torture us and one lady passed away. After two weeks of little food, three of the people had died.

By the third week, no-one had been for a couple of days so we tried to escape. The house we were kept in was dark and we couldn't see where the door was. We were almost (3 boys and a girl), almost naked – clothes rags due to torture and blood.

Some of them were chained, but we found the door and finally a getaway. We found a mobile (phone), a knife/sword and a jerry can. When we decided to leave, we travelled for 4 days and nights, found water but no food. After 5 days we found a man who looked after goats. Thanks to him he looked after us, showed us directions, and we found the UNHCR people, handed them over to Kassala. When we entered Kassala, we stayed in hospital for a week. After that one of the boys lost his mind. They stayed in Shegorah, a refugee camp. I tried to leave for a second time to Khartoum but I heard about an accident and decided to come back to the camp. Then decided to come back to Eritrea. My mum found a legal way.

**How come back to Eritrea?** [3] I was very curious to come back, so my Mum came on the bus (legally).

**Did you have a passport?** [3] no. My mum got a letter.

**So what did the border guards ask for?** [3] My mother came with a letter from the Government which I used to cross the border. I wrote a letter of apology [...].

**When did you return?** [3] February 2015

**How old were you?** [3] 16.

**How old now?** [3] I was born in 1998....

**So will you have to go to Sawa?** [3] nobody asked me to.

**Are you going to high school now?** [3] not at the moment, I am going to start in September.

**Which grade?** [3] 9<sup>th</sup> grade.

**Anyone else want to share their story?** [4] I was free of national service. I was looking after my family. I went to find my fortune, and after 1 year in Sudan, I went to Israel and stayed there for 5 years. I came back in 2015.

**How come back?** [4] with airline and passport.

**Did you have a passport?** [4] yes. got passport in 2014

**Where did you get it?** [4] Eritrean Embassy in Israel.

**What did you have to do to get the passport?** [4] I wrote a letter [clarified this meant sign the letter of apology], had to pay the 2% tax.

**But if you had done your national service, why did you have to sign the letter of apology?** [4] I was in national service – I was obliged – but I just hadn't done it.

**So you were avoiding national service?** [4] exactly.

**Have you had to do national service since?** [4] no.

**What happened at [Asmara] Airport?** [4] they sent 33 people from Israel altogether, 3 of us were from Gash Barka. They were asking questions like which way we went out, what we were doing...

**How long at the airport?** [4] 2½ hours.

**Who was asking the questions?** [4] national security.

**Not immigration?** [4] no. Immigration look at the passport. But the person asking the questions was national security. We were showed the office in central Asmara and told to go there at 16:00.

[1][2][6] all agreed with description of process.

**Which office?** [4] national security office. They were asking questions. We didn't fill any forms.

**To clarify... You got off the plane and went to the airport terminal?** [4] yes at 2 am.

**1. Went to immigration?** [4] yes.

Then after this, we went through and were put in a vehicle and showed an office we had to come back to at 16:00.

**2. And you went there to answer questions at 16:00?** [4] we went through immigration, taken on a bus (in the morning) and then told to come back.

**Did all 33 come back at 16:00?** [4] the three from Gash Barka. Priority over others from different regions.

**What happened to the others?** [4] I don't know. They arrived on Saturday. People from faraway given priority.

[all flights into Asmara arrive in the early hours of the morning, therefore the office was closed on arrival].

**How long they ask questions for?** [4] around 1 ½ hours.

**... and then they let everyone go?** [4] Everyone go who was with him. Didn't know what happened to those from other areas who asked to come back later.

**Why did you come back? Did the Israeli Government ask you to come back?**

[4] I left to find a better life. After some time abroad, I decided that was enough and chose to come back.

[Back to Contents](#)

## Returnees (Barentu)

### Notes of Meeting w Returnees (Barentu)

**Date: 15 February 2016**

**Present: FFM Team, UK Ambassador to Eritrea, Ministry of Foreign Affairs Representative, Interpreter, 7 people from Barentu.**

#### Introductions and background

**Can I confirm that you have all been overseas and come back to Eritrea?** Yes.

**Which countries?** [7] first Sudan, then Israel.

[1] Israel

All went to Sudan, then to Israel.

**Why did you leave?** [7] First time I left Eritrea, I have friends in Israel and Europe. They were saying it was very good (via e-mail and phone). So I went there for that reason.

**When did you leave?** [7] 2010.

**How get to Israel?** [7] First I went to Sudan, from Sudan to Israel. I paid money to the Rashaida. I was kept in prison for two months in Sinai. Raishida in Sudan took him – traffickers. I paid US\$7,500. I was kept twice – so this was how much I paid to them in total.

**How get to Sudan originally?** [7] I left via Omhajer. The reason I left was, like my friends, I had some economic reasons – to make money – and they said I could make some money and send it back. I made my way on my own with another person, we walked for 40 hours. I didn't need a guide as I live by the border.

**So you didn't go via the border post, you went by foot (through the bush)?** [7] Yes.

[7] But the peer pressure was really strong to leave. But, I didn't go through the checkpoint.

**What job doing prior to leaving?** [7] I was a student, but part-time I was working.

**Were you doing/had you started national service when you left?** [7] I have done my national service.

**So when you went to Sudan, you'd been demobilised?** [7] no, I didn't complete it. I left ...

**When you left, did you have a passport?** [7] no.

**Did anybody chase you when you crossed the border?** [7] no.

**When did you come back from Israel?** [7] 23 September 2015.

**Why come back?** [7] No place is like home. The people leaving now are leaving to come back. When you go, the problems aren't solved. You have identity problems. Problems with rights. Also, the Eritrean Government asked us to come back.

**They asked you to come back?** [7] They didn't ask me personally. Previously, we didn't have an Eritrean embassy there; now we do. So now we can ask. So, I made some enquiries, did some paperwork and came back.

**What paperwork did you do at the embassy?** [[[4][5][6][7] all provided an answer]

Not only the Eritrean government, but the Israeli government has played its part. They have issued paperwork and starting from 2013, Israelis started giving us two options: leave or go to a camp.

**What did you do for the Eritrean Embassy in Israel?** [7] the thing that we gave to the Embassy, was in May (24 – was our national holiday).

**When did you start national service?** [7] 2006.

**Which round?** [7] 19<sup>th</sup> round.

**Still doing national service now?** [7] No, since then I have been abroad.

**Are you doing national service now that you are back?** [7] Up until now, nothing has been asked for me. I have been given a passport, like the demobilised one. I have been to Sudan two times [since coming back from Israel].

**Come back by plane?** [7] Yes. I flew through Egypt and then Eritrea.

**Just [7] or were there others coming back?** [7] There were others – 23 others; 24 altogether.

**What happened at Asmara Airport?** [7] After I arrived in the airport, the national security people asked me questions like: how I left ,which countries I'd been to, then after that they gave me a piece of paper [interpreter unsure how to name it in English – travel permit?] which said I'd been abroad and could move about, and paid tax.

**They asked you this at the airport?** [7] First, after I got back, they gathered us from my sub-zoba and told us to come back in two days' others from different sub-zoba came back different days. Then we got separated to ask questions. I came back and they asked them.

**How long did they ask the questions for?** [7] the time depends on the history you give them. For others, they simply went and interviewed them and it was quick. At most, it took one hour.

**Did they let everyone go, post-questioning?** [7] everyone who completed the questions was let go. From Asmara sent to Gash Barka, then got papers.

**Did anyone else who went to Israel have to go to the National Security Office?** [5] yes.

Everyone went through this process.

**So go through immigration – passport stamped, then questioned by national security?** Some come through different way... arrived on Air Egypt at 3am. [Nodding]

[3] Arrived at airport at 2am. Security took them and kept until 9am. Then started process of questioning.

**Do they ask about national service?** [2][5] they ask if you have completed it; which round you were in.

... **and if you haven't done it, what do they ask?** [2][5] same.

**Has anyone come back without signing the letter of apology?** No. Everybody signed one.

**And everybody paid the 2% tax?** Yes.

**All same process?** Yes.

**All arrived in last 6 months?** No.

[3] came back in March 2014.

**Same process for you?** [3] same.

**How many asked for an exit permit to leave again?** [3] I left three times for Sudan. For business.

Others are newcomers.

[8] newcomer.

[7]

[6]

[5] one time – to Sudan.

[4] one time – to Sudan

[2] newcomer.

[1] newcomer.

**Did the Israeli government give you any assistance?** I was given US\$3,500. It's given, but because we've paid to get there ... In Israel, don't have any rights. Have to work.

**Did the Israelis pay for the flights back?** Yes.

[7] the air ticket was paid from ISR-EGY. From EGY-ERI was paid by Government of Eritrea.

**Anyone have any of their documents with them?** [7] yes.

[showed FFM team:

- a pink A4 sheet, valid from 2010-2015. In Tigriyna. From the Eritrean Embassy in Israel. It purports to show a receipt for [xxx]
- Passport, issued September 2014 – entry stamp for 22 September 2015 on page 7
- An exit visa dated 11 Jan 2016, valid until 10 February 2016]

...**Why is the exit visa not in the passport?** I don't know. This is what you're given when you visit Sudan.

...[1] showed FFM team a passport issued in September 2015. No visible entry stamp in his Eritrean passport.

...[3] showed FFM team a passport, issued on July 2013, entry stamp to Eritrea dated 11 April 2014 (p7), exit stamp dated 18/9/15 (valid one month); entry stamps to Sudan 15/10/15 and 19/10/2015.

**What are people's national service status?**

[1] Since we have been here shortly, we are not clear. I think that, because we have paid the 2% tax, that will be our national contribution, but I don't know.

**How long in Israel?**

4 years

4

4

4 ½

5

4

5

5

5.

**How much you make in Israel?** About 5,000 Shekels each month. About 1,000 USD each month; after rent and expenses, it's 700 USD.

**This is working illegally (without work permit)?** Yes. But for a woman, it's strict. You can only work 8 hours. For men, not so.

**Woman – what work were doing in Israel?** Cleaning

**Does anyone know anybody in Europe now?** Many. [2][3][4]

**What are they doing there?** They are in camps. In language schools.

[2] my brother is in Germany.

**Has [2]'s brother been back to Eritrea?** [2] no.

**Claim asylum?** [2] yes.

**Happy you come back?** Yes [not clear if all stated this]

**Married?** Yes [not clear who]

[Back to Contents](#)

**Returnees (Keren)**

**Notes of Meeting w Returnees (Keren)**

Date: 16 February 2016

Present: FFM Team, Ministry of Foreign Affairs Representative; interpreter; 10 returnees (4 women; 6 men).

Introductions and background

**Any questions for FFM? Any comments before we begin?** No.

**Anyone speak English?** Just one.

**All from Keren?** Two from Hagaz; the rest from Keren. Plus one latecomer, so unknown.

**Anyone left Eritrea and come back?** All.

**Where return from?**

1. Sudan (f)
2. Sudan (f)
3. Saudi Arabia (Riyadh) (f)
4. Saudi Arabia (Riyadh) (f)
5. Egypt (m)
6. Sudan (m)
7. Sudan (m)
8. Sudan (m)
9. Sudan (m)
10. Sudan (m)

**When leave and come back?**

1. 2014. Returned after 15 months.
2. 2011. Returned 2014.
3. 2008. Returned 2015.
4. November 2015. Returned January 2016.
5. 2008. Returned in 2009.
6. 2014. Returned after three months.
7. Was born in Sudan. Came back to do national service and may go back.
8. 2008. Returned 2014.
9. 2011. Returned after two months.
10. [turned up late]

[4] and [2] are mother and daughter.

**Why did you leave?** [3] I wanted to improve my life. Economic reasons.

**What did you do in Saudi?** [3] cleaning/housework.

**How did you get to Saudi?** [3] visa. I went by plane.

**And [4]?** [4] yes, legal – with visa and passport.

**What about [2] – how did you get to Sudan?** [2] on foot, illegally.

**Where did you start walking?** [2] from Agordat. [HMA mentioned that is a long way]. Yes, it was about 200-300km. There was thirst and hunger.

**Why did you leave?** [2] I didn't finish my national service, so I left illegally.

**How long stay in Sudan?** [2] 2 years.

**Why come back?** [2] I was hoping to change my life, but it was more terrible there.

**How come back?** [2] I went to the Embassy and ask – said I was willing – to come back.

**What assistance did the Embassy give you?** [2] They gave me a travel document.

[MOFA Rep explained that this is not a passport. A passport takes around 40 days, whereas a travel document is much quicker. It is a piece of paper – a one-page (A4 sized) travel document confirming identity with a photo and embassy stamp.]

**What did the Embassy ask you to do?** [2] am I really willing to come back to Eritrea.

**Pay any tax?** [2] no.

**Sign a letter about national service?** [2] no. I was already in the middle of my national service.

**So no letter of apology?** [2] actually there is a form filled by the Embassy that you have to fill to come back, but it didn't say anything about national service.

[translator explained that women are not pressed into national service.]

**What is in the form?** [2] just a form about coming back.

**Are you doing national service now?** [2] I went to the military office – the national service office – in Asmara. They said stay with my family until you are called.

[MOFA Rep stated that the President made an announcement that those who want to come back can fill the form in and after that they start the process.]

**When did you first go to the Embassy in Sudan?** [2] when I planned to come back – after two years. I filled in a form to confirm my identity, but I didn't fill in a letter about my national service. I wrote an application that I was willing to come back.

**So that is separate to the confirmation of identity?** [MOFA Rep explained the process. HMA Asmara stated that we are not interested in the process; we are interested in the person's experience of the process.]

**So they only asked [2] to fill in one form? Or one letter? Or one form and one letter?** [2] First you have to apply. Then they give you directions on how to come back. Then they give you the form.

**What form?** [2] all the details of my background – where I am from, why I am leaving, how I am leaving, why I am coming back.

**Then they gave you a passport?** [2] yes.

**And how get back?** [2] by bus.

**What happened at the border?** [2] nothing. It was normal, as if coming in and going back.

[HMA explained that if you travel on an ETD in the UK, Immigration take it from you, as it's valid for one journey only].

[9] showed a copy of their travel document. It was one piece of A6 [?] card, folded in half, horizontally, to form two postcard-sized halves. HMA stated that this has an exit visa for Sudan.

Translator explained that these are one-way documents specifically issued for travel to Sudan.

[2] explained that her document is not like [9]'s document.]

**Which office in Asmara did you go to?** [2] the head office of the MoD.

**What about [10] – when did you go to Sudan?** [10] 2011. For two months.

**Why did you go?** [10] to improve my economic situation.

**What were you doing before you went?** [10] I was doing national service. I was also running a small business.

**When start NS?** [10] 2008.

**What was your job?** [10] I was a football referee.

**How did you get to Sudan?** [10] from here to Tesseney on the bus. Then from Tesseney to Sudan.

**How get through the checkpoints to Tesseney?** [10] As I was doing national service, I had a travel permit to go as far as Tesseney. From there I went illegally to Sudan.

**How get to Sudan?** [10] on foot.

**When travel?** [10] at night.

**Why night, not day?**[10] It was the 'guides' who decided. I went with their plans.

**Which month was this? Roughly?** [10] July.

**And you only stayed a short time?** [10] yes.

**Why come back?** [10] my expectation was bigger.

**Where in Sudan did you go to?** [10] Khartoum.

**How come back?** [10] I went to the Embassy, they gave me the papers and they gave me 1,000 NKF to come back.

**What papers did they give you?** [10] They wrote me a letter in the consular at Kassala. At the border, they saw this paper. They ask me if I am willing to continue my national service, so they wrote me a letter.

**At the border, what did you show the officials?** [10] it was a letter, I showed it to them. They gave me another letter and I came back to Keren (home).

**Did you have to go to the MoD in Asmara?** [10] no.

**Did you have to start your NS again?** [10] I took a vacation for one month, then I started again. In fact, I finished my national service and now I am free.

**What did your employers say about the fact you'd been away for so long?** [10] they were happy to see me back, gave me a vacation and it was ok.

**What are you doing now?** [10] I am doing my own business now I am free from national service. And I am still working as a referee.

**Do you have something to show that you don't need to do national service?** [10] I have a travel permit which says I can travel.

**Where get the papers from?** [[10] showed us a copy of the demobilisation paper. It was about passport-sized piece of white, lumentated paper/card with the crest of the Ministry of Defence. All writing on it was in Tigrinya.

MOFA Rep explained that it has the following details:

- From the MoD Staff Administration

- A date
- A reference number
- A line stating “This is the form for demobilisation from national service
- Administration place/region
- Person’s Eritrean ID Number
- Person’s Eritrean Military Number
- Full Name
- Mother’s Name
- Place of Service
- Round (of service)
- [a gap]
- Providing the dates of service
- Official stamp (in bottom right-hand corner)]

**Do they get sent here, or do you have to go to Asmara for that?** [10] you have to go to Asmara.

**Did you apply to be demobilised?** [10] yes, I had to ask.

**Who did you ask? What is the process involved?** [10] when I finished my national service, I had to bring some reasons to be demobilised. I had a knee problem. They accepted this.

[Translator explained that you ask your boss. They ask the zoba office. Then it goes to the Ministry of Defence.]

**How long did that process take?** [10] two months.

**Did you have to show any evidence/medical report?** [10] yes.

**Why not apply earlier? i.e. before leaving for Sudan?** [10] I was healthy before.

**What about [5], who went to Egypt?** [5] I went in 2008, illegally. I went to Tesseney on foot. I stayed for two weeks. I then arranged my journey to Israel. On my way, I went to Egypt and stayed for six months there. After that, I tried to go to Israel but couldn’t cross the border. After six months, I asked to go home. The Embassy accepted my request. They gave me the permission; they paid my airline ticket, which was different to others as they were different nationalities – Russians, French, Egyptians, Nigerians – some they paid themselves. After that, I continued my job before I left.

**In total, how long in Egypt?** [5] around one year.

**What job were you doing before? Was that national service?** [5] In the Ministry of Labour and Human Welfare. Yes.

**What did the Egyptians put you in prison for?** [5] being an illegal immigrant.

**And they contacted the Eritrean Embassy? Or you did? Or you asked them to do so?** [5] for four months they didn’t allow us to contact anyone. Then they eventually let us contact our Embassy. First, only the Ethiopians were allowed to contact their Embassy. Afterwards, they contacted our Ambassador.

**What papers did the Embassy ask you to complete?** [5] just our photo, our name.

**Anything about national service?** [5] no.

**Did they give you a passport to come back?** [5] only a paper, with my photo and name. Then I came back to Asmara, around 5:30 in the morning. They provided a bus. They gave me one month's rest and then told to go back to national service.

**What have you been doing since 2009?** [5] working in the Ministry.

**For national service?** [5] yes.

**Are you demobilised?** [5] no, I haven't asked.

**When did you start doing national service?** [5] 2006.

**Why haven't you asked to be demobilised?** [5] Different reasons. First, I need some reason [to be demobilised]. Second, I like the Ministry where I work. If I resign from there, I can't get another job like that. And the conditions are changing – the salaries are changing.

[MOFA Rep explained there is an 'internal demobilisation'. I have switched from national service to the Government salary. But this is different to being in the military. MOFA showed his 'internal demobilisation card' (similar to photo card shown in another meeting – yellow, credit-card size)].

**So has your pay been increased to the Government level? Has it changed at all in last 10 years?** [5] I worked for five years on 500 NKF. Then I internally demobilised and changed to the government scale. That was 1,400 NKF.

**Are you expecting a salary increase?** [5] I don't know yet, but there is a rumour of 4,000 NKF.

**Do you know anyone who has been paid this?** [5] this new year, I heard that others are being paid 4,000 NKF – the new national service.

**Have you/anyone heard about any other changes to national service?** [5] I hear that due to the dispute between ETH-ERI, after 2-3 years, the national service is being 18 months as normal.

**How did you hear about this? Rumour? In newspaper?** [5] our diplomats are talking about different things on national service.

**Changing subject slightly, are you aware of any round-ups of people who haven't done national service?** [5] everywhere there are round-ups, but the aim is different. Some are for illegal movements, smugglers – but when people say round-ups, they automatically assume it is national service.

[Translator explained that it is normal.]

**Can you describe what happens when they do one in Keren?** [Translator explained that they come, surround, stand in the road, ask people for papers, ask people what ministries they work in, take those who haven't done it to Sawa].

**When did it last happen in Keren?** [Translator explained it is rare. They were usually done around the war. ]

**In 2015?** [Translator said no, 2-3 years ago was the last.]

**Do they knock on doors?** [5] No.

[MOFA Rep explained that they also write a letter, usually to the family asking where the person is. When a person starts their national service, they have to register all their details, so the MoD know all the details.]

**So if there was a round-up, you could just stay indoors?! [5] yes.**

[MOFA Rep explained that they don't just randomly approach people. They usually look for particular people they have suspicions about. But they can also ask anybody. But the local law enforcement people generally know people. Most of the time it is done on Independence Day. They are also there for security as there are a lot of people, celebrating. If you are illegal, you have to get worried; but if not, it is ok.

**Any other points that anyone wants to raise?** [5] explained that the youngsters want change overnight, so they lose their temper to stay in Eritrea for some years and the only option is to leave. We know our brothers are all over. From one house, there are two, three people who have left. But their family doesn't change. The conditions here are changing, as you can see. But they want change immediately.

**Anyone know someone in Europe?** Everyone.

[Translator explained his view on reasons for migration, incl. 1998-2000 war; EEBC and failure to implement; no war, no peace.]

[Translator suggested that increasing the salaries is beyond the capacity of the Government. They can't afford this and would have to demobilise lots of young people.]

[Translator plus one also questioned HMA's statement that the Government Ministers have personally told him that the threat from ETH is going down all the time; they suggested this is not the real situation].

[Back to Contents](#)

**Training manager, Bisha Mine**

**Conversation with a training manager at Bisha mine**

**Date: 17 February 2016**

**Present: 1 FFM team member; training manager**

The source left Eritrea when she was 11 to join her mother in USA [the source is a US-Eritrean dual national]. Her extended family and her three half-sisters live in Asmara and she spends a lot of her free time with them.

**National Service**

The source said people ask their bosses when they want to be demobilised.

Many people have part-time jobs or businesses and they come to an arrangement with their bosses to work part-time at their national service job and spend the rest of their time working in another job or running their own business. For example, they arrange to work efficiently in half the day in their assigned place, then after lunch they will work in family business or tutoring to earn more money. [The source] volunteered in teaching Educational Administration in the College of Education for 4 years. Her colleague educators worked full time at the College and tutored part time to make 4000-7000 Nakfa a month. This is very common and she also cited her own sister being proud of her national service job, teaching Biology, and finds tutoring as part-time to make additional income.

[The source] showed me a photo from her sister's wedding three weeks' ago showing about 40 young people, all she said had done/are doing national service

and are happy and wanted to stay in Eritrea. She suggested they are the future of the country.

### **Sawa**

Her three sisters have all been through Sawa and she said they all enjoyed it, studied hard and got good grades in their High School Exit Exam. Then, they went to college and received their 1-Diploma and 2-Degrees for free. They enjoyed the military training discipline as they learned survival skills and tested their maximum potential for discipline. They are courageous and learned to handle guns. Their self-confidence had grown and they had learnt independence. They particularly liked moving to a place where boys and girls are equal and not having to do chores for men (cooking/washing) which they had done in their homes until then. Sawa gave them equal time with their peer boys to study and manage their time. They got a chance to meet nine ethnic groups in one place and taught them tolerance for diversity.

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.

[Back to Contents](#)

Representatives of human resources department, Bisha mine

### **Notes of Meeting w Bisha Mine**

**Date: 18 February 2016**

**Present: FFM Team; Human Resources Department (HRD) Superintendent; and Chief Services Officer**

#### **Introductions**

#### **Background to FFM**

We started the discussion with the sources explaining that Employee Services Department is a department that looks after human resources, Training & development, security and public & employee relations.

#### **How many employees does Bisha currently have? What is the proportion of Eritrean nationals to internationals?**

We currently employ 1,336 people; 1,203 are Eritrean nationals and 133 are internationals.

Camp residents about 900. The remainder come from local villages, job opportunities for local people.

#### **What is the process for checking national service completion?**

The position is advertised. People apply. When they apply there are pre-conditions, including:

1. Being over 18
2. Certain job specifications
3. Completion of national service (release papers from Military of Defence)

4. Official release paper from previous employer or unemployment card issued Ministry of Labour
5. Confirmation that they are medically fit

**But how do you confirm that the person is free from national service?**

He has to bring papers – standard documents provided by the Ministry of Defence.

**What do they look like?**

[FFM asked if could see MoD documents; shown 3 files of staff employed by Bisha with examples of release papers]

It is a standard template from the MoD.

We were shown a certificate from the MOD showing that a person was exempt from national service because they were medically unfit.

FFM team shown A4 sized form from the MoD in Tigrinyan

**At what point [in the recruitment process] do you check for national service?**

When it's advertised in the paper. [Recruitment] criteria set out in the newspaper advertisement.

**How many people do you get applying for each position, roughly?**

Depends from post-to-post. 10–15 applications for each. It is also our policy to shortlist three people for each position to be interviewed.

[FFM Team given a copy of the recruitment standards and processes]

Those shortlisted have to bring police clearance [criminal check].

Only employed if have correct paper work, including national service release / demobilisation [documents].

**What is the average age of staff at Bisha?**

They range from 18 up to 70.

We have decided not to recruit over 65 years, and retire people at the age of 70.

**How old are most of the staff?**

25–30 years old. Many exemptions as unfit. Once screened at the medical training centres, they get a certificate.

To give a general understanding: they go to administration. They are screened at Sawa. If found unfit, they are certified to go back home, for example if medically unfit. Doctors and clinics at Sawa make assessment. [When] released get all rights / access [to] services.

**Do you ever get people who are going through the demobilisation process i.e. that they aren't quite there yet?**

No. They are not shortlisted. To get a job they **must** be able to show they have completed national service. They also need a paper releasing them from previous employment.

**Do you check with the Ministry of Defence?**

No. It is up to the person to get the required official papers/documents. They have to send the paperwork with the application, including release from the Ministry of Defence. We have recently recruited 11 people this way.

**Is there a large turnover of staff?**

Around 10–15%. Maybe after 2–3 years they get mining experience and decide they want more pay. Or they get some general work experience and want to leave for Sudan. Other mines see Bisha as an example. We also had other employers come here, offering more money – up to 20% more – for our staff to move.

**Do you find that people apply for posts over-and-over?**

When we have a vacancy, we offer it internally first. People move around a bit here.

**So you have to recruit 100 – 200 [approximately 10% of mine workforce] each year?**

No more. Need more as we transition to zinc [Bisha currently mines mainly copper ore, but the underlying ore is zinc-only]. Also losses through promotion.

**How many people do you recruit from outside of the business?**

Since 2014, about 200 a year. Recruitment has peaked.

When people have worked for 3-4 years they become efficient. So with decline in copper prices, we don't replace staff unless critical.

**What is the profile of staff?**

The employee profile is wide: some with 10-15 years practical experience, such as welders or driving trucks, and some with none. But all employees fit in wherever they have the skills.

For some posts we have experts – internationals. Now they work as supervisors but the moment we think that the Eritreans are qualified to take over, they do.

Internationals have a 1 or 2 year contract and one of the obligations (of the Internationals which is in their contract) is to train the Eritreans. Each staff member has a personal development plan (PDP). If an Eritrean is 80–90% ready, we won't renew the international's contract where we can – depending on needs of the company. Superintendent needs to give 3 months notice; others 1 month.

**From your own personal experience, can you apply for demobilisation?**

National service started in 1994. It was meant to be reconstruction of the country and it was meant to be 12 months plus 6 months military training. This was smooth until 1998. After this, it was prolonged. Yes, you can apply. You might be accepted, you might not. You might be the only son in a family or the child of a martyred or disabled fighter.

**Can you asked based on the number of years you've served?**

Culturally, you don't say that (I am tired etc.), but you can give reasons, excuses. Excuse has to be genuine.

**What about if you wanted to leave to start your own business?**

Not really. You can apply and be assisted. Everyone could do that. Maybe you could if you were minority ethnicity, an only child, if you had a problem at home, health problems or other reasons. They [MoD] will check (the genuineness of the papers, i.e. if it is supported by the administrative region) and, if confirmed, they will assist you to be demobilised.

**What if you aren't any of the above – do you carry on in national service?**

Yes. Unfortunately, that is the situation. Some have been in national service for 10 years.

Let me give you my situation: I joined voluntarily as a fighter. There was no pay. But, as an Eritrean, that is what you do. After we inherited a devastated economy. The young have to participate. But this is for everyone. It is not those at the top. Everyone is working. But we are all working for a better tomorrow.

**Is it frustrating for young people not to be able to leave?**

It depends on their situation. After, say, two years, you can try and change; finish.

If you get released from the military, then work for the Ministry of Agriculture, public [sector] – so demobilised and work in government / public works.

**But you said you can't switch or leave without a reason?**

If you are released, you finish in one job and get a job in public works and go straight on the Government salary scale according to profession.

**Can we confirm what demobilisation means: do you mean from military training or national service completely?**

Demobilization is the transfer from Military to the public or civil work based on one's profession. National service is 2 years. National service salary is not sufficient, but it's what the Government can afford to pay you. Better situation for you or next generation.

**What happens if you don't do national service, e.g. you abscond/leave? Is there a penalty?**

No, no. If you go to Sudan or Europe, you register at the nearest Embassy. Sign at the embassy for no ill-feeling. Sign regret. It's a form. It's not a crime or anything. You did the honourable thing, you served your country and want to go back.

**What is that based on? How do you know this?**

I used to work in the Ministry of Foreign Affairs. I worked in Cairo, so I know about these things. Eritrea is also a small community, so we all know each other. We know they [people leaving for Europe] have to say these things to get asylum – I will be killed, etc. – but why would the government kill them?

**What if the person doesn't sign the apology / pay tax?**

Well, if they don't show up we don't know where he is. One way or another, they want to contact the embassy and sign form.

### **Do Eritreans who leave come back to visit?**

Yes they can visit without any precondition. I hear people say that if you don't pay the 2%, you can't come back/visit the country, but it's not true. The truth is, if they want government services (court case, consular services, different government licenses etc) they need to present the payment of the 2% tax, which is issued at the Eritrean Consulate of their region and authenticated by the Eritrean Court Registrar.

### **Is that your [Human Resources Superintendent] experience too?**

I joined in the fifth round – 1996. After two and-a-half years, I joined university. After I completed university, I went into the military. I had family problems, so I got a partial release. One year later, the MoD called and released me, telling me to help my family. I then applied for release.

[Chief Service Officer added:] I should mention that another way of getting a release is getting an opportunity via university, then you get assigned to work for the Government or private business. You get a letter of support from your family / local area to ask the Ministry of Defences. It's a responsibility of the Government to help family as well.

Even people in Bisha leave for Sudan or Europe. They just want a better life.

### **You have sub-contractors. How many do you use and do they use demobilised staff? Can you explain a bit more about this?**

They have to abide by Bisha laws. Bisha has to be very careful when recruiting. We have contractors and subcontractors. The recruitment is similar to the other Bisha employees, they have to present the required documents for employment.

### **How do you check that?**

When staff comes to the site, we check their documents. We do that randomly. But the contracting company is responsible when hiring their own staff.

### **How many working for sub-contractors?**

Around 220. Contractors and sub-contractors which includes some internationals (Boart Long Year, Atlas Copco, Eri-Equip, Binae Security Guard Services, Colonnade, Reliners etc ).

[Back to Contents](#)

## **Young people (2)**

### **Notes of Meeting w Young People (2) (Salary Increases)**

**Thursday 18 February**

**Present: FFM Team, HMA Asmara, Ministry of Foreign Affairs Representative, Group of 12 young people (5 women; 7 men).**

#### **Introductions and background**

**Have you all started national service? Yes.**

**Anyone finished?** One [6].

[2] has a few months left.

**What did [6] do?** I was a teacher. But now I have switched to law. I am now working in the Ministry of Foreign Affairs (MOFA).

I finished in technical school, so I didn't need to go to Sawa except for the matriculation exam. I taught for three years, after that I studied for 5 years at the Asmara University.

I've been working for the MOFA for a few months.

**Which years did you do national service?** 2007-2010.

**How does [2] know that you only have a few months left?** I have been doing my national service for about [...]

**Did you do your 12<sup>th</sup> grade at Sawa?** Yes. In 2008-9. Then I came to the Asmara school of science. I graduated last year. I did my national service before now I am doing my 'community service'. I am working as a laboratory technician, work in a hospital.

**What's the difference national service (NS) and community service (CS)?** I don't know, it's the name. NS is your duty; CS is working in your field. It is about 16 months that I have been doing national service, so i have a few months left.

[how NS is calculated ...] You study at college, then you leave college, but you don't graduate until you have finished a year's national service (consider it an internship). You then graduate and then you do community service.

Finished national service in June 2014. Graduated / left in June 2015 [sic]... now community service

**When graduate?** June 2015.

**Is there a difference in salary between NS and CS?** Yes. Changed in June 2015, payroll to be a month later [July 2015].

I have been promoted to the community level, so I have started to be paid this much. After they re-arranged the payroll, I received the new salary one month after starting community service.

**So will you apply for demobilisation?** It will be automatic. I have seen automatic demobilisation, so I think that will happen, I am expecting it.

**What if they don't?** I will ask.

**How much is your pay?** 2,800 NKF. I got that after a month of my graduation, around August [2015].

**Anyone else anticipate being demobilised soon?** [7] I am working as a dentist in an Eritrean Airforce hospital.

**How become a dentist?** [Didn't hear answer...]

**Did you choose to be a dentist?** Yes.

Went to Sawa. Finished 2005/6. Then went to university. Started December 2006 to beginning of 2015.

8 years to be a dentist, then I began work in Asmara at an Airforce Hospital.

**Was this part of national service?** Yes. I have done 1 year 2 months since graduation.

Demobilisation varies by department.

**Have you seen other graduates demobilised?** I expect to do one more year. This will be community service.

I am the first graduate as a dentist in the country. I should have plenty of opportunity to work in private practice.

**Has your salary / pay changed?** Yes. After twelve months in national service. In Sawa, you have to take the six months military training. Plus the one year here is eighteen months. So I have to do the community service.

I am supposed to work for 1 year but got my degree straightaway rather than doing national service for 1 year then graduating.

So I graduated 31/1/2015.

**When move to community service?** January 2016 MOFA Rep explains that it is usual that students have to wait to graduate; [7] was different, privileged, as he was allowed to graduate straight away and **then** do his national (community?) service.

**What about [10]?** I am a lawyer.

**Describe educational history?** I did my 12<sup>th</sup> grade at Sawa, then I studied law for 5 years at Asmara University which I completed in October 2015. I am now working in legal services at the Ministry of Foreign Affairs which I expect to finish in June 2016. I have done almost 6m of NS at Sawa, plus 12 months here, so I will be demobbed in Oct 2016

MOFA Rep that community service additional for those in tertiary education.

**Are you doing NS?** Yes.

**So no CS?** No. Sum total of NS is 18months. That's all inclusive of NS and CS. NS starts when doing education at Sawa. Then away for work.

[MOFA Rep explains that Proclamation is Govt. Statement that National Service = 18months; Community Service = 12months as part of education. It is a compensation for the free education. This started 6-7 years back. CS for tertiary level graduates].

[[10] doesn't seem to know how long period at Sawa is.]

So, I think that the period after the educational part of Sawa we stay for about 2 months for military training.

**Are you on new salary?** Yes.

**How much?**3,200 NKF.

**Are you free from NS obligation? Can you resign and switch job?**

Not at the moment. When completed national service; after 18 months.

**Do you expect to be released from national service automatically?**

Yes. With the improved economic situation I expect to be released.

**Why, when we all know that people have done NS for much longer?** As we all know, we have passed a very crucial period. After recovering from the period of the 30 years war. Entered another war. It was devastating. In the middle of economic hardships. But we are expecting a big change in our economic development. If no economic hardships, then there is no need for me to stay in NS.

**So you have drawn that conclusion yourself? Has there been a formal announcement?**

[10] Yes. I have drawn that conclusion myself.

No [official announcement].

**Anyone else share that assessment?**

[6] yes, we expect that.

**Anyone else?**

[4] is a desk officer at MOFA, for north Africa.

I started in the MOFA after a 4 years' political science degree, I left last summer in June [2015] and was very pleased to be assigned to the MOFA. I chose my degree, I had a high score in the matriculation and was accepted on to the course,

I went to Sawa in 2008/9. I started freshman [year] in Mei Nehfi but had to defer my studies, for personal reasons. They agreed. Started again in 2011 and finished in 2015. **How get selected?**

[4] I put choices down; law was my second choice. I got a high score and got selected.

**When start at MOFA?**

June 2015.

**Did you pick MOFA?**

[4] no

**Happy at MOFA?**

[4] yes

**IS that NS?**

[4] I suppose it is.

**What is income?** Net pay 2,880NKA

**How long expected to do this as NS?** A year. I have done 6months.

**Expect to be demobilised?** Yes, right after I finish my CS, I expect to be demobilised.

**How long you expect your CS?** About a year. Graduate in June 2016, 1 year of community service afterwards.

**Why expect to be demobbed after 12months?** I suppose one of the economic changes is one of the reasons. You have done your school, you have finished your CS, I think you expect that. I have seen other people being demobbed after that.

**HMA explains it is very rare for people who have been demobbed within those timeframes. He has seen many examples where that hasn't happened. So have has the individual drawn those conclusions from the economic situation? I expect to be demobilised.**

**What has caused you to have this expectation given the history?** I have seen examples. There are people, peers, who got demobilised. As per the law and the economic changes, I am expecting to be demobilised in time. But because I've deferred, I was not demobilised.

[Back to Contents](#)

Minister of Finance

### **Covering letter from Minister of Finance**

#### **The State of Eritrea**

Ministry of Finance

H.E. [redacted]

HM Ambassador  
Asmara

Date: 15/03/2016

Ref: MO/F/0304/2016

Dear Ambassador,

Thank you for your letter of 10 March 2016 and the attached Notes of Meeting with the FFM Team. I have made some amendments to the Notes so as to make them more fully reflect the contents of my conversation with them.

Please find attached a copy of the revised notes.

I would like to take this opportunity to thank you and your colleagues from the Home Office in the United Kingdom for the time taken to establish the facts on the ground and wish them a successful outcome on their endeavors.

Yours sincerely,

Berhane Habtemariam

Minister

### **Notes of Meeting w Minister of Finance**

**Date: 18 February 2016**

**Present Minister of Finance, FFM Team, HMA Asmara, Ministry of Foreign Affairs Representative.**

## **Introductions. Background to FFM**

### **Can you explain the changes that have been implemented or planned to national service?**

One of the accusations made by our enemies and so called opposition groups is that the terms of service of the national service youth are extended and that they are not paid a proper salary. These are two issues we keep hearing about.

It is not only those on national service who have not been paid a proper salary. It is the whole civil service. The civil service has not been paid a proper salary, so to say. The current pay was determined at the end of 1996 and took effect at the start of 1997. Those salaries have been frozen since then and there have not been any raise. It has therefore stood for c. 20 years. I am saying I could claim that I am not being paid a proper salary. The purchasing power of the civil service salaries has been eroded over the years due to inflation and may be equivalent to about 10% of what it was in 1997.

This is true for the entire public sector including ministers. The whole public sector deserves a pay rise. I don't need to go back and explain the background as to how we were put to such a situation. I am sure it has been explained by others and I don't want to waste your time going through all the political issues.

We are now going through some restructuring that started last year, i.e. in 2015. There has been a review of the pay in the public sector, including that of the defense forces that started the second half of last year. Government decided that salaries will be reviewed and, as far as possible, meet the basic standards that would give people a reasonable standard of life.

Effective July 1<sup>st</sup>, 2015 there will be a new salary for everyone. The starting point will be with the pay scale for new graduates. This has been established as follows:

- A certificate (two years after high school) will start with ERN 2,000 a month.
- A diploma holder (two years course) with ERN 2,500.  
Advanced diploma holder (three years tertiary education) with ERN 3000.
- A 4 year degree graduate ERN 3,500, and
- A 5 year degree graduate ERN 4,000, i.e. law, engineering etc. graduates.

So that is where we have started. Those who graduated last July are already being paid these new salaries. Everyone else who has been in the public sector whether a NS or not will have their salaries adjusted. The level of education, the years of service, and the skills attained and levels of responsibility held will all be factored in determining what salary one gets.

A body has been established, Human Resources Management Office, to work on this. The review process is ongoing. The older generation may be a bit frustrated as the new graduates are now being paid higher than them.

Determining the appropriate salary for everyone will take time, but everyone will get paid a new salary retroactively to July 2015. Once the new salary is determined there will be an arrears pay.

So the accusation has been that the National Service are not paid a salary. I say it is not only the NS that has not been paid a salary, it is every one of us that have not been paid a proper salary as I explained earlier. To put it into perspective, my son graduated from engineering college last year and is now earning ERN 4,000 per month. That is more than my basic salary now. We don't like talking about ourselves. I say this so that our guests [FFM Team] understand better the situation. I am 40 years older than my son. I have 40 years more life experience than him. I qualified in London as a chartered accountant in 1977. I am the finance minister. I also head the Eritrean National Mining Corporation (ENAMCO). I sit on 7 boards of mining companies and I don't get paid a fee for any of that. Any board fee that comes our way goes straight to the Corporation. Yet I am currently paid less than my son. That is the situation now, but we will have an adjusted salary soon.

**How long do you think it will take to implement across the board?**

It is difficult for me to say. But it does not really matter so much as everyone will get paid backdated to July 2015.

**How much did previous NS get?**

It varies from ERN 500-800 per month. For those in the army it was ERN 800, but also food is provided.

**Those new higher salaries to new recruits; they are the same as professional civil servants?**

Those who had gone through the NS system up to the 13th round were demobilized but were not released from the public sector and have been paid a salary. A degree graduate, for example, earns ERN 1420 a month. Now with the review, his starting point will be ERN 3,500 for 4 year degree holder and ERN 4,000 for a 5 year degree holder. But this will be reviewed upwards factoring the number of years of service, the skills he developed and the position held etc.

**This seems like it amounts to a minimum 4-fold increase in the national wage bill: how are you going to afford the changes?**

Through the policy review we expect the Government revenue to increase; we expect more development cooperation from international partners. A number of policy reviews are under consideration, investment, trade etc. We might face some budget deficit in the first year or two, but we expect economic growth to balance our budget eventually.

**How long has the review been ongoing?**

Since early 2015.

**Any public announcements about salary increase, especially for the graduates in July?**

Maybe there wasn't a public announcement but there was a circular from the office of the President explaining it is coming.

**When did the President announce this?**

A few weeks ago.

**How?**

Through an interview. He conducts an interview annually on the occasion of the New Year.

**Was this publicly announced before the interview?**

No.

UK Ambassador to Eritrea

**Notes of Meeting with UK Ambassador to Eritrea**

**Date: 19 February 2016**

**Present: FFM team, HMA Asmara.**

The FFM team had provided the terms of reference and series of questions in advance of the meeting.

The Ambassador explained that his responses included information he had obtained from publicly-available material and discussions with a range of sources he considered to have an informed view on the terms of reference of the mission, including government officials, members of the diplomatic community and the Embassy's Honorary Legal Advisor. He also included information he had obtained from Eritreans he had come across in his day-to-day work and daily life, which might help clarify the practical experience of ordinary Eritreans though may not be universal.

The Ambassador noted that, for a variety of reasons, a number of individuals have asked not to be named or to identify their work.

The Ambassador also referred a number of questions relating to National Service and illegal exit to the Embassy's Honorary Legal Advisor. The counsel provided written responses, which are appended to these notes.

- 1. Can you provide background about how long you have been in post, the amount of contact you have with Eritreans and your freedom of movement within Eritrea?** I have been in Asmara since July 2014.

Around Asmara and within 25km of Asmara, there is no restriction on my movement. I can also speak freely to people. This is ordinary people, business people, ministers and officials. I regularly go hiking at the weekends in villages around Asmara, and can and do speak freely to Eritreans I meet there, and also in social venues such as coffee shops or the markets. It is not unusual for people to start conversations with me in the street. When travelling more than 25 km from Asmara, I have to ask for a travel permit but have never had one refused.

I have visited Massawa, Tesseney, Barentu, Bisha, Keren, Adi Quala (near the Ethiopian border). I have been within sight of the Ethiopian border and right up to the Sudanese border.

The Eritreans normally ask for a reason for these visits, and I have used sightseeing at times.

- 2. Is this the same for other western Embassies, as far as you are aware?** All need to apply for travel permits when going more than 25 km from Asmara, and some, but not all, have similar experience of obtaining them. Certainly the European ones. I know that one Western Embassy has had applications to visit certain areas turned down.

3. **How long have the other western Ambassadors been in post?** Most started at a similar time to me, and have been in post for 18 months or more.
4. **Can you provide some background to National Service?** National Service was introduced to Eritrea by decree in 1994. Though intended from the outset to be universal, participation was at first voluntary, with individuals able to defer participation indefinitely. Those who did enlist were discharged after eighteen months. All participants did six months of military service, followed by twelve months of service in another capacity, including possibly military service. Following the outbreak of war with Ethiopia in 1998, more people were called up for compulsory national service, including some of those who had already been discharged. Many were demobilised at the end of hostilities, but others, including those who have been called up since the end of hostilities have served for longer than eighteen months. There are penalties for those who evade or abscond from national service, and even where they are not penalised, it is, my understanding that those who fail to do national service now do not get access to certain public services, including, but not limited to, the right to register land transactions, to acquire a passport and others.
5. **How many people are in National Service?** The Government of Eritrea does not publish figures for the number of people in National Service. I have not been told an official number, but I understand intake to Sawa, the national educational facility for all final year high-school students, which is also the gateway to national service, to be around 15,000 per year, but it varies per year.

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.

6. **On what grounds can a person be exempted from national service?** There is one written exemption provided for in law (in the 1994 decree introducing national service), for those who are veterans of the independence movement. I understand there are others written down in internal guidance but not published. The one I am most familiar with is ill-health, though there are others.

I do not know the details of the provisions, but if you are deaf, blind, or have a disability etc you will be exempted. Those with severe disabilities (such as amputees, or those with severely impaired sight or hearing) may apply to their District authorities for an exemption letter. Those with less severe disabilities must report to a Ministry of Defence doctor who will assess them for their fitness to take part. The doctors have a high discretion in making this judgement. There is no published list of medical conditions and their severity which would allow an exemption.

I am aware from discussions with sources of cases which help illustrate the process, both of those who are exempted or demobilised for medical reasons, and for some other reasons. The information below was obtained from

conversations with Eritreans who I have met / work with during August and September 2015 based on their personal experience after 1998. All individuals asked not to be named:

- Physical disabilities. I understand from conversation with local colleagues that those with a severe or visible disability can be given an exemption from national service by their municipality or local administration. Those with lesser disabilities are required to report for an assessment by a military doctor, who will either issue an exemption or not according to his or her judgement. The criteria a military doctor might use are not published to my knowledge. I know of one instance of a man of thirty who has a high degree of deafness, but is otherwise fit and healthy. He was given an exemption and has since worked as a gardener. He is not liable either for National Service, or for subsequent militia service.
- Dependent relatives. I know of one case of a twenty-seven year old single man who was the sole source of financial support for his widowed mother and younger siblings, who was given a monthly exemption from National Service in order to pursue paid commercial employment in order to support his dependants, which he did by working as a security guard for a private company.
- Married women and mothers. Those women who are married or who have children are not required to perform national service (though if they have never performed it, and have not therefore been given demobilisation papers, they will not be able to take advantage of all government services available to those who have been demobilised until a later age, currently thirty).

There is no provision for exemption from any aspect of National Service on grounds of conscientious objection.

**7. How many persons have been exempted from National Service?** The government of Eritrea does not release statistics on the numbers of those who have been exempted from National Service nor publish clear reasons for the exemptions.

**8. Have there been any public announcements on the length of national service?** On 8 April 2015 in a presentation to the Bruno Kreisky Forum for International Dialogue in Austria, Presidential Advisor Yemane Gebreab made a statement on National Service. That is available online.

Eritrean Foreign Minister Osman Saleh told representatives of the resident Diplomatic Corps in Asmara that the government of Eritrea would inform members of the most recent cohort of National Service participants and their families of the decision to limit their National Service to a maximum of eighteen months at a series of public meetings with them.

However, I am not aware of anything being announced publicly in Eritrea. The government have told us consistently that they will brief the parents of those affected in local town halls. I have not seen these happen personally, but then I would not have cause to.

- 9. We've heard from sources during this trip that the Eritrean government has decided to move away from its previously stated position that national service would be for 18 months for those conscripted in round 28 (August 2014) onwards. Instead, the government is planning to increase pay for all government employees, including those on national service. Are you aware of any statements to you or publicly about this and why the government has now decided to change its position?**

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'

- 10. Do you have any detail further information about the government's plans to increase the salaries of all public employees, including those on national service?** The President made a very public commitment to ensure workers were properly rewarded in his annual New Year interview. Subsequently, individuals have reported that their salaries were being raised, and the Finance Minister briefed us on the detail. His briefing is the fullest explanation I have had of the new policy. I have seen no public announcement of it.

- 11. Can you provide background on demobilisation?** The system changed in 1998 when war broke out between Eritrea and Ethiopia. Many of those who had already been demobilised from National Service, as well as those who had not yet enrolled, and also some former fighters from the war of independence, were all called up to serve in military roles. From this point on the process of demobilisation has been much less predictable and transparent than before. Also, many people performing National Service have been assigned to civilian bodies, including government ministries and state- and party-owned enterprises.

Since then, demobilisation has depended on the agreement of the assigned body and the Ministry of Defence Human Resources department. An individual who wishes to be demobilised must apply to their assigned body's Human Resources Department with the support of their commanding officer (if

military) or line manager (if civilian). If they support the application, the assigned body's Human Resources Department will write to the Human Resources Department of the Ministry of Defence, which will issue final agreement.

The criteria for demobilisation are not consistent across government bodies or assigned agencies. They change over time, and are not published, but subject to a high degree of discretion by the individuals in charge. There is a little-known provision for an applicant who has not been able to get the agreement of their own assigned agency's Human Resources Department to apply directly to the Human Resources Department of the Ministry of Defence. This provision is not well known, but I understand was posted in public view in the Ministry of Defence.

The Ministry of Education, for example, which has a high number of National Service participants working as teachers and is therefore more dependent on them for the provision of essential public services, has had a reputation of being more reluctant to release National Service staff than some other Ministries, including the Ministry of Defence itself.

Some provisions have changed over time. By the early 2000s, all women could apply successfully to be demobilised at the age of 30. Recent rumour reports that since summer 2015 it has been lowered to 25, though this has not been published.

Other provisions have also been introduced. Since 2010, an only child of deceased parents may seek demobilisation in order to continue the family line. Similarly, since the same date, if a whole family of siblings are in National Service, and have all completed at least eighteen months, then one of them may apply to be demobilised and his or her application is most likely to be approved. Families of siblings may use this system to ensure the maximum number of siblings is discharged: for example, if of a set of siblings, all of whom have completed eighteen months of National Service, one is a woman who is about to reach the demobilisation age for women, then one of her other siblings is likely to apply for demobilisation under this provision some time before the former is discharged, thus ensuring that two siblings are demobilised close together.

Demobilisation on medical grounds is also common.

Demobilisation for other family reasons – for example, because the applicant is the sole source of support to elderly or infirm parents, is also common.

Women who marry or give birth are also normally demobilised after completion of eighteen months service.

The opacity and bureaucracy of the system do, however, favour the articulate, energetic and well-connected. The applicant must present their case to their own Human Resources Department of the organisation they work for [in the government department they work for], and, once they support it, also present

it to the Ministry of Defence, taking their own assigned agency's letter with them. It is likely that those who are best able to pursue and present their case, or who have extensive networks of contacts, have the best chance of success in their application.

**12. Can a person apply to be demobilised?** 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.

See also the advice from our Honorary Legal Advisor - letter appended to the notes.

**13. Do different zobas have different criteria?** I think that the criteria are centrally issued by the Ministry of Defence, but there is a lot of room for individual discretion and interpretation.

**14. Are you aware of individuals who have been demobilised? If so, after how long?** The figures for those demobilised have not been made public. However, whilst I do not know specifically because I have never counted them, there are hundreds.

I know of several large employers, both domestic and international, who will only employ those who have been demobilised from national service. Everyone who works at Bisha Mine, for example. Everyone who works at an Embassy. Everyone who works for an international organisation. Everyone who works legally in a private business.

Many Embassies and international organisations represented in Asmara employ a local security contractor to provide their security services. The contractor only employs those who have been demobilised.

The largest private sector employer in Eritrea, the Bisha Mining Share Company, only employs staff who can demonstrate that they have been demobilised from national service, and imposes a similar obligation on its contractors to employ only those who can demonstrate that they have been demobilised from national service. The Bisha Mine Shareholding Company employs around 1,500 staff directly as well as 500 permanent contract workers, including security and ancillary staff. The Independent Human Rights Impact Assessment of the Bisha Mine in Eritrea 2015 Audit (published 5 August 2015 by LKL International Consulting, commissioned by Nevsun Resources Ltd and the Eritrean National Mining Corporation) noted that “since 2009 the Bisha Mining Share Company has implemented screening procedures and dialogue with the management of its main suppliers, contractors and sub-contractors to implement the prohibition against national service at the Bisha mine.” It noted that in auditing at two of the main suppliers to the Bisha Mine (Segen Construction and Transhorn Trucking), the Human Rights Impact Assessment found no evidence of national service workers at the Bisha Mine.

Following the end of active hostilities in the Ethiopia/Eritrea border in the early 2000s, the World Bank financed a Demobilisation and Reintegration Program Project from 2002-2009 with a budget of US\$60 million, intended to finance the demobilisation and reintegration into the labour market of 60,000 soldiers. Their final report stated that 60,000 soldiers had been demobilised by 31 December 2005, and that by 2008, 85% of them were employed, of whom 52% were self-employed.

I know directly many individuals who have been demobilised. Examples I know of personally:

- Women, especially those who have or are planning on getting married
- People who have been doing it [national service] a long time
- People who want to go abroad to live with family – though I have only heard of this but do not know of any specific cases
- People who are medically unfit
- People who are the only breadwinner. I know of one personally who was demobilised on the breadwinner criteria
- I have been told of an example – though don't know the individual personally – of a person who was the last son who was demobilised to start a family and continue the family name. I know of one person who fit the 'only son' criteria.

The Ambassador provided the details of the following examples / case studies:

- Medical grounds. I know of one case of a man in his late twenties who was demobilised from national service after three months of training after suffering gastric illness from which he has since recovered following medical treatment, and has not been recalled

- A member of staff of an international organisation in Eritrea who applied to be demobilised after having been posted to a workplace as part of his National Service to which he could not afford to go owing to the costs of the daily commute. He did not report to the position, and instead applied and was appointed to a position with an international organisation in Asmara. In order to formalise his appointment he needed to be demobilised from national service, and so applied for it, and obtained the necessary demobilisation papers after presenting his case to his employers and the Ministry of Defence Human Resources Department. it.
- A staff member of a foreign employer in Asmara who was recruited in the first cohort of national service in the mid-1990s, and was demobilised after eighteen months. On the outbreak of Eritrea-Ethiopia war in 1998 he was recruited again. After three years service he applied to be demobilised on medical grounds and was demobilised in 2001. I do not know the nature of his medical justification: he suffers no visible disability.
- A man working for a foreign employer who was formally enrolled in national service for nineteen years before being demobilised, though for the bulk of this time he was in either higher education or working for international employers. For the first five years, he was in higher education; subsequently he worked for several years for an international NGO on their terms and conditions (the NGO was unaware he had not been demobilised, and the authorities did not raise the issue); later he did three years of military service, followed by several years of office work for the ruling party before applying successfully to be demobilised.
- A brother of an acquaintance\_ served his National Service as a finance officer in a government finance office on the outskirts of Asmara. Tired of this work, he decided to leave the country. He left his job in spring 2015, caught a bus to Keren (en route to Sudan), bought a forged travel pass there from a contact he had made by telephone, and used it to travel to Tesseney, the last town before the Sudanese border. There he intended to join a group and walk across the border. But at a checkpoint in Tesseney, his pass was detected as forged, and he was arrested. Security officials detained him at a prison outside Asmara. The conditions were overcrowded and insanitary. When his parents, with whom he still lived, posted the deeds of their house as surety against him not absconding, he was transferred to an open prison to complete his sentence. He reportedly does not know the duration of his sentence. He is able to work at an external employer during the day, and visit the family home at weekends. He understands that once his sentence is complete, he will return to his finance job, and the deeds of his parents' house will be returned to them.
- The older sister of\_ an acquaintance, who was one of the cohort of the second round of National Service in 1995. She worked at the Headquarters of the Ministry of Defence. In 2002, she had ceased to report for National Service. As she had not been formally demobilised,

she was unable to leave the country freely or take up other government services, such as importing a car. At the age of thirty, when she reached the the standard age for demobilisation by women, she was demobilised. She has since emigrated.

- The older brother of an acquaintance took part in the first round of National Service in 1994. He completed it after eighteen months, at which point he left the country legally in order to work in Ethiopia and then Italy. At that time, only those who had completed their National Service (with a few exceptions) were entitled to leave the country at will.
- An older sister of an acquaintance enrolled in National Service at the standard age [18]. At the age of twenty-five, she entered into a false marriage with a relative in order to justify an application for demobilisation. Her application was successful, she was demobilised, and she later legally divorced. She then left the country.
- An acquaintance of a person I know – an only child - performed National Service with a government-owned road construction company outside Asmara. After around eight years of National Service, both his parents had died. He asked to be demobilised on the grounds that as the only child of deceased parents, he needed to be discharged to continue the family line – a provision introduced in 2010. He asked his District authorities to certify his status as the only child of deceased parents, which he then presented to his assigned authority, the road construction company, and he was then demobilised. He is free to travel internationally.

**15. If demobilisation is refused, are reasons given?** I don't know.

**16. This is based on direct conversation?** Yes.

**17. Any discernible profile to those demobilised?** No. They include men, women, different ages and religious and ethnic background.

**18. Does education have an impact?** Perhaps to a degree. But almost everyone I know is an educated highlander, so my circle of acquaintances may not be a representative sample of the population.

**19. Can women be demobilised?** I don't think it's a case that women have to have a child or be married. Most get demobilised once they get to 30; and that age is reportedly coming down.

**20. Do you know whether women who get pregnant during their national service have to go back and complete this?** I don't know of any specific examples. The ones I am aware of and the people I have spoken to say that they don't have to.

**21. 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?** 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

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.

**22. Any particular examples of people evading?** I know through being told. I have cited one example earlier.

**23. Are you aware of other examples?** I am aware of examples, including one person who returned to Asmara and ran a business for ten years, but was unable to use government services, and took care to avoid coming to the attention of authorities.

If you evade in a rural area and try to set up a business, or return to subsistence farming, you wouldn't be able to take advantage of Government services there either. They probably seek to avoid contact with the government, but it is possible that it happens.

I can't think of specific examples.

**24. Are you aware of any patterns or factors which might have influenced what happened to those who absconded?** Not really. The only thing I can say is that I have not heard anything to contradict what the Embassy's Honorary Legal Advisor has previously advised [see response appended below].

**25. Do you have any sense of change in policy or practice to those who abscond illegally?** I haven't been here long enough to detect a change in approach. I think it depends on when and where they do it. If they run off from Sawa, the approach would likely be different to a person who, for example, just stops going in to their job after a period of time because they are fed up. I just think the government often doesn't bother coming after the latter sort.

**26. Is it down to personalities (of a person's commanding / reporting officer) how they were punished for absconding?** Well, there is a lot of room for discretion so it is certainly possible.

**27. How many prisons are there?** The Government of Eritrea does not publish figures on the number of prisons that exist in Eritrea.

The 4 June 2015 "Report of the Commission of Inquiry on Human Rights in Eritrea" presented to the Human Rights Council of the United Nations reported that it had documented sixty-eight places of detention, including

police stations, prisons and military detention facilities, and that a further twenty-seven had been reported to it during the course of its Inquiry (Annex II).

**28. What is the prison population of Eritrea?** The Government of Eritrea does not publish figures for the prison population, and there are no reliable independent sources for this information.

**29. Any idea of the number of political prisoners?** The “Report of the Commission of Inquiry on Human Rights in Eritrea” reported (paragraph 43) that since 1991, “scores” of people had been subjected to enforced disappearances. There is good evidence to support this figure (for example, the detention of the so-called G15 in the early 2000s), but there is little documentation to support higher figures.

**30. What is the population of Eritrea?** There has been no census of the population of Eritrea either before or since independence in 1991. The first national census was scheduled for 1998, but postponed because of the war with Ethiopia. Most population estimates now are based on projections from previous estimates, and vary considerably.

The CIA World Fact Book estimated the population of Eritrea in July 2014 to be 6,380,803.

The 2012 revision of the UN World Population Prospects report estimated the population of Eritrea in 2010 at 5.74 million, compared with a figure of 3.27 million in 1990.

The Eritrea Demographic and Health Survey of 1995 (EDHS 1995) was conducted by the Eritrean National Statistics Office, International Economic Cooperation (Office of the President) and Macro International Inc. Funding was provided by the U.S. Agency for International Development and it was conducted between September and December 1995 with a sample of 5,054 women age 15-49 and 1,114 men age 15-59. In the population section of the report it states that “Since there has not been any survey or census conducted in the country before or after independence, the population size is not known with any degree of precision. Some rough professional estimates put the country’s population in the range of 2.5 to 3.5 million. Estimates of the number of Eritreans living abroad range between 700,000 and 1,000,000.”

In meetings, Eritrean government officials consistently estimate the current population of Eritrea at 3.5 million. Most embassies present in Eritrea consider this to be a more accurate figure than any other.

**31. Have there been any announcement of the introduction of the Penal, Criminal Procedure and Civil Procedure Codes?** On 11 May 2015, the Government of Eritrea announced that it was enacting new Civil, Penal, Civil Procedure and Penal Procedure Codes which would supersede the respective Transitional Codes implemented immediately after Eritrea’s

independence in 1991. The publication and implementation of the new Codes was announced by Minister for Justice Fawzia Hashim, who said in interviews at the same time that a new Commercial Code was also under preparation. [See also pages 6 and 7 of Letter from British Embassy's Honorary Legal Counsel of 21 December 2015]

- 32. Are you aware of round-ups?** I have never seen one. Local colleagues tell me that there have been at least two neighbourhood searches by security officials in Asmara in recent months, though not necessarily to identify absconders from national service, more probably, they told me they understood, for other security-related reasons.
- 33. What visible evidence has there been of these round-ups?** The round-ups reportedly take the form of security officials stopping men on the street in urban areas in late morning, and making house calls, asking for papers. Again reportedly, in the most recent round-ups, the security officials have asked all men to accompany them to their base while they check the validity of their papers, as forged demobilisation papers are not unusual.
- 34. Have the round-ups been aimed at any group?** Some sources report that these round-ups have been aimed to identify those who were avoiding National Service, and have targeted only men, and not women, though others have suggested they were for other unrelated security reasons. They reportedly target predominantly young men, but there is no precise age limit, leaving it to the discretion of the security officials to choose who to ask for their papers.
- 35. Are any of the people you speak to/have spoken to aware of people being punished for leaving the country illegally?** Apart from a case that is referenced elsewhere, I cannot remember hearing about a case of a person who was apprehended leaving the country illegally who was not also evading national service. Any reports of their punishment are therefore more likely related more to their evasion of national service than their act of leaving the country illegally.
- 36. Numbers of people coming on own passport?** I believe the majority of British citizens of Eritrean origins (i.e. those who have naturalised) who come back to Eritrea come in on their Eritrean ID card.

My experience of dealing with consular customers at the British Embassy in Asmara is that the vast majority are British citizens of Eritrean origin, and the majority of these have entered Eritrea on Eritrean identity or residence documents, having used their British passport to leave the UK. Those who apply for an Eritrean visa in their British passport are a minority. An informal estimate by the Embassy of the US mission of citizens of Eritrean origin, was that 85% of them chose not apply for an Eritrean visa in the passport of their newly acquired nationality, but instead to enter Eritrea on Eritrean identity documents.

**37. Are you aware of any who were previous asylum seekers/refugees?** Yes. I don't know the total numbers, but I believe it to be large.

**38. We understand that members of the Diaspora resident in a third country (such as the UK) and who may have status there (so may be a national of the country, dual national with Eritrea, or some have other form of residence) are still considered to be Eritrean by the government here. If that is the case, , will they be expected National Service (NS) by the government?** No diaspora member is required to do NS; they are required to pay their [2%] tax.

**39. We've heard from some interlocutors that a person who returns does not have to do national service (NS) if they remain in Eritrea for less than 4 months. Are you aware of only people staying a short while to avoid NS?** I am not aware of this at all. I have not conducted a large survey, but I don't know of any case of a person coming back who is compelled to do national service.

I have heard of some cases of people who come back to do it voluntarily. They accepted it as part of the terms of their return, but I do not know whether it was an obligation for them or not.

**40. Are you aware of anyone staying longer than 4 months following their return?** Yes. But couldn't say, of those I know, whether they've been demobilised, or what their health status, marital status, etc is, which might provide an exemption.

I know of one case who stayed for 5 years but they were mentally unfit.

I also don't know, of those who do stay longer, whether they actually leave and come back periodically (e.g. quarterly).

**41. Do you know of anyone coming back on a Refugee Status travel document?** Only the one you heard about [from a diplomatic source].

**42. Has the Embassy received any complaints from dual British–Eritrean nationals about their treatment by the government of Eritrea?** Not during my period of work here.

**43. Aware of anyone who has returned having left illegally without having signed the letter and paid the tax?** I have met individuals in the diaspora who have returned without paying the diaspora tax, and have not been asked to do so or to do national service, but I am unaware of the circumstances of their acquisition of British nationality (for example, whether they have been British nationals since birth, or have become so through naturalisation), and other personal circumstances which might impact on their liability to national service or its alternative, the diaspora tax.

**44. What is your assessment of the reporting by the UN's Commission of Inquiry (COI) report published in June 2015?** The UN COI report contains some evidential and methodological flaws. It didn't collect information in a methodical manner.

The Special Rapporteur [Sheila B. Keetharuth who sits on the UN COI panel] refused to take information from some sources and rejected representations on factual errors in her report, including some I had put forward myself, without giving any evidence to justify her rejection.

One of the analytical weaknesses was its failure to identify timelines, patterns or trends. So difficult to know whether events described in the report are ongoing or not, e.g. [the] shoot-to-kill [policy for those trying to leave the country illegally]. I am not aware of any reliable example of anyone being shot at while crossing the border since my arrival at post in mid-2014, though one diplomatic colleague has reported hearing of a single, isolated incident in 2014.

The [UN]COI gave no indication of having applied a critical assessment to the evidence they heard and its reliability: there is no indication, for example, that almost all the evidence they heard was from asylum-seekers, or those who had successfully sought asylum, all of whom had an interest both in justifying their own status, and in keeping open the pathways to asylum for relatives and friends.

There are some fundamental truths in the report, but it is not fully reflective of the current situation.

**45. Are you aware of specific examples of inaccuracies in the report?** Yes. It said, for example, that there is no freedom on access to information here. But almost every household in urban areas, and many in rural areas, have satellite dishes with unrestricted access to foreign TV stations, including all the main international news channels such as the BBC or CNN. I frequently see the BBC or CNN shown on televisions in cinema foyers, coffee shops and bars around Asmara, and not just venues where only international travellers might see them. [People] can also access the internet freely, including Eritrean opposition sites. The only obstacle is that the internet is very slow, non-broadband access, meaning that sites such as Youtube are unavailable. But it is not correct to say that there is no freedom of access to information here, something which was put to the Col, but which they rejected without giving a justification for doing so.

**46. Do you have any observations on the Danish Fact Finding Mission report; and criticisms of the report / mission?** The content of the report was consistent with what they heard from me, one of the sources, and the other internationals they spoke to.

**47. The government of Eritrea seems to be engaging more with international organisations. Do you have any observations regarding this?** I see a

government that is trying to engage on human rights and economic reform. I see they are trying to normalise society – and then the national service – but these are gradual and not revolutionary developments.

Over the course of the last two years, I've seen consistent movement in the direction of greater engagement. For example, the government's ratification of the Convention Against Torture in late 2014, its support for the first time of the annual UN General Assembly vote on a moratorium on the death penalty; the recent visits of OHCHR staff, including one visit in February 2016 which included a visit to a place of detention – first time in several years in which an independent body has been allowed to visit a place of detention. On national service too, salaries have been raised, and reports of easier demobilisation (for example, for women at a younger age), have become more common. Individually, these are small steps, but the direction of travel seems consistent.

**Letter from British Embassy's Honorary Legal Counsel, dated 21 December 2015**

Teferi Berharre & Mulugheta Hailu

Tel [redacted] Fax [redacted]

P.O. Box - 1518 Str. No. 176-2 Amon, Eritrea

To: N.E. Ambassador [redacted] The British Embassy

Asmara

21/12/2015

Your excellency

To begin with, I find it orderly to repeat in that, during our last meeting at your Embassy you had raised some Issues of Concern and called for clarifications for and related to the following prime concerns:-

A The Rules and Regulation of the Eritrean National Service Proclamation No,82/1995;

B The Rules and Regulation of the Eritrean Immigration Proclamation No24/19928/ Legal Notice No.4/1992:

C The status of the announcement of the Ministry of Justice that it would declare in March 2015, the Publication and Proclamation of New: Penal Code & Criminal Procedural Code of Eritrea, and (2) Civil Code &Procedural Civil Code of Eritrea.

Hence, herein below are my inputs on each of the captioned issues of Prime Concern.

A) The Concern on The Rules & Regulations of the National Service Proclamation No. 82/1995' 276

### **(1) Citizens Subject to Obligatory National Service**

For and in consideration of the Rules & Regulation of the said National Service Proclamation related to your concerns, it would be constructive to refer to the nature and objectives of said National Service Proclamation as follows.

Per the National Service Proclamation No-82/1995 it is provided in its Article 6 in that any Eritrean citizen as of the age of 18(Eighteen) years upto the age of 58(Fifty) years is legally bound and obliged to provide the required National Service. And to that effect, every citizen is, upon the call for registration for National Service by the Ministry of Defense, obliged to register and secure Certificate therefor, from the Regional Registration Offices of every Regional Administration in accordance with the necessary requirements of the Ministry of Defence.

### **(2) Prime Objectives & Duration of National Service**

In addition, it would be orderly to point out the prime objectives of the National Service so specified in Article 5 of the prime objectives of the National Service Proclamation. To that effect, the said objectives are-

- a) To establish and maintain the foundation of a *public based strong national defence army to ensure the respect and existence of the sovereignty of the State of Eritrea;*
- b) To ensure that the historical value of the *30(Thirty) years struggle and sacrifice of the Eritrean society for National independence is entrenched and maintained by successive generations of Eritrea;*
- c) To introduce, establish, enhance and maintain *the cultural discipline and value of national commitment for the new Eritrean generation* toward the national sovereignty, socio-economic growth and development of Eritrea;
- d) To provide *wholesome military training of 6 months to equip the new generation with professional military and physical capability, along with the actual military service for and during the subsequent 12 months following the 6 months training period;*
- e) To provide the necessary training and performance for and toward the *national public service and economic development of Eritrea*, along with the actual performance and implementation of such required economic development services for and during the said 12 month following the 6 months training period;
- f) To *enhance and reinforce the nationalism and unreserved commitment of the Eritrean society for and in all respects in the interest of their homeland*

*In short, as provided for in Articles 6, 8 and 9 of the said Proclamation, the required National Service period is 18 (Eighteen) months constituted of the 6(Six) months of*

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<sup>276</sup> The Proclamation No.82/1995 is Issued only in Tigrigna National Language and not in English

*Military Training and thereafter to join the National Defense Military units to engage Indefenceundertaking responsibilities and to continue with Services Toward The National Socio-Economic Growth.*

### *(3) Right &Responsibilities of Citizens*

Further, it may be noted in that as so provided in Article 22(1-6) of said Proclamation, the following rights and responsibilities are attributable to the citizens during the National Service as under:-

- a) The provision of " *food, residence, suits/dresses, medical services, transport services" and pocket money for free for the period of the 12months of the National Service;*
- b) *Upon the completion of his 18 months of the National Service, regardless of his employer, the right of every citizen to return to his original employment prior to his commencement of his National Service;*
- c) *Any citizen who may have physical or mental illnesswhile under National Service or consequential after his release from his National Service, is guaranteed with free medical treatment by the Government and in case of his death due to said illness the Government shall provide the necessary assistance to his successors;*
- d) *Any citizen who completes National Service shall, given that he satisfies the requisite standard requirements, is entitled with the priority consideration by the Government for Education or Employment be it abroad or within Eritrea;*
- e) *If any citizen who completes his 18months National Service decides and applies to be and serve as a standing member of the soldiers of the Ministry of Defense of Eritrea he is, subject to the Ministry of Defense's qualification standard, entitled to be accepted as a member of the army; (fig the parents of an Eritrean citizen who is engaged in the National Service are, as a matter offatz helpless for survival without his financial support,the Government is bound to ensure to provide the necessary support to said parents.*

### *(4)The Prime Issues of Concern*

*The Prime Issues ofyour concern on saidNational Service Rules and Regulations are:-(a) If there are Exemption Laws from National Service and h)) Clarification on the Demobilization process :-*

- iv) How does a person apply for demobilization
- v) what reasons would be acceptable for demobilization
- vi) is there number of times foran application process.

### *(5) Responses To The Issues of Concern*

For and in response to each of the said prime issues, herein below are, in consonance with the relevant provisions of Proclamation No.82/1995, the required responses on each aspect of the said issues of concern herein above.

#### *(a) Are There Exemption Laws From the National Service (1) Outright Exemptions*

First and foremost, the sole and only Law for and on OUTRIGHT EXEMPTION FROM THE OBLIGATORY NATIONAL SERVICE are the provisions in Article 12(1) and (2J) of Proclamation No-82/1995. And to that effect, it is provided as under in

said Article 1Z wherein it is clarified that the following Eritrean Citizens are exempted and totally free from the required National Service:-

- ii. Those who have performed and implemented the required National Service before the issuance and publication of this present National Service publication, and,
- iii. All those whose full time commitment and actual participation for and during the Armed Struggle for independence of Eritrea and those whose Militia Enrollment for and toward the struggle for independence of Eritrea have been ascertained.

## (2) Board Committee -Decision Related Exemptions

Per the provisions of Article 13 of the said National Service Proclamation, it is provided that a *Board Committee constituted by representatives of various Government bodies and entities* has been formed and established in consonance with the needs and requirements of the Ministry of Defence of Eritrea to consider, assess and decide on certain factors of exemption as follows:-

- (i) In Article 13(1) of the Proclamation, it is provided in that, any citizen who is determined by the Board to be incapable to participate in Military Training would be assigned and provide his 18 months National Service to such Public or Government bodies in accordance with his professional capability;
- (ii) Per Article 14(1) of the Proclamation it is provided in that, if the Board Committee ascertains that a citizen who is, by virtue of whatever temporary ill health, not fit to provide National Service, he shall be exempted from the National Service until or if his health is ascertained before the lapse of the time for his National Service;
- (iii) If it is verified by the Board Committee that a citizen who is daily engaged as a student in Middle or High School or in a Special Professional Training or in University Education etc. *he would be obliged to undertake his National Service obligation following and upon completion of his education; it being stressed that he would be provided with his degree diploma or whatever certificate after the completion of his National Service,*

## (b) Clarification On Demobilization Process

In consonance with the provisions of said Article 2(8) of the Proclamation, *the only body entrusted to consider, approve and recommend demobilization process of a citizen to the Ministry of Defence is the Board Committee.* And to that effect, as provided in Article 15 of the Proclamation, any citizen, who wants to be demobilized is *entitled and obliged* :-

- 1) To submit An Application to the Board requesting that he be demobilized from the National Service, and
- 2) To present credible causes and reasons for his alleged demobilization as, required for demobilization, as in "blindness and mental disability" so specified in said Article 15 for the Board's consideration, decision and whatever recommendation to the Ministry of Defence.

For the sake of transparency, it may be noted that except the examples of " blindness and mental disability" for demobilization so noted in 15(1) of the Proclamation, no grounds or reasons for Demobilization justification are addressed and specified in the Proclamation.

Hence the application causes and justification for demobilization are, subject to credibility, open and unlimited. In addition there are no limitations on number of applications to be submitted by anyone to the Board for Demobilization.

In all events, the conclusive Board decisions are to be submitted to the Ministry of Defence and based on such decision, the Ministry is bound to grant Certificate of Demobilization or Reject the Application.

B) The Rules & Regulation of The Eritrean Immigration Proclamation No 24/1992 & The Legal Notice No.24/1991<sup>277</sup>

(1) The Captioned Eritrean Immigration Proclamation & Legal Notice No 24/1992

When considered within the context of the global immigration process and practice of the terms and conditions of such immigration service rules and regulations of any State, which are inclusive of contents, purposes, validity and related checking and verification process of issues of concerns, I believe that the Eritrean Immigration Rules & Regulations of said Proclamation, & Legal Notice herein above are in line with the said global immigration standards, practices and processes of services.

However, there are no legal provisions in the said Eritrean Proclamation & Legal Notice on your prime concern on the issue of Dual -Nationality, as in that of a possible example of a British National of Dual-Nationality of an Eritrean National and related services in Eritrea by the British Embassy in Eritrea. Nevertheless, the fact of no dual-nationality provisions in said 1992 Proclamation & Legal Notice of Eritrea in Immigration Rules & Regulation, is provided in Article 5 of the Citizenship Proclamation No-21/1992 in that any Eritrean by birth who resides outside Eritrea with the nationality of another country is:-

- I) entitled to formally reject his foreign nationality to be granted with Eritrean nationality or
- v) obliged to submit to the Ministry of Interior of Eritrea of acceptable justification for maintenance of his Foreign nationality so as to Ensure the Grant of his Eritrean nationality as well

In short, if the Eritrean Ministry of Interior accepts the said justification by the Eritrean by birth for his British Nationalism, he would be entitled to Dual-Nationality.

In view of the above, the factual and legal cause for legalization Process of Dual-Nationality being subject to the consideration and decision of the said department of the Ministry of Interior, any Eritrean who resides abroad with any

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<sup>277</sup> Both the Proclamation & the Legal Notice are Published in Tigrigna and not in English

Foreign nationality must comply with the required justification under the provisions of Article 5 of the Citizenship Proclamation No-21/1992.

Eritrean Ministry of Interior and Granting of Eritrean Nationality, I have had a meeting with the concerned officers of said Ministry. And in essence, they assured me in that; said process, consideration and acceptance of said foreign Nationality and granting of Eritrean Nationality is in accordance with Said ArticleS of the Citizenship Proclamation No.21/1992, a simple routine process to ascertain authenticity of all related documents and that in principle, they have no objection to Dual-Nationality and any legitimate actions or steps by an Embassy of an accepted Foreign Nationality of an Eritrean Nationality are, subject to the relevant Laws of Eritrea acceptable.

(2) The Eritrean Immigration Legal Notice No.4/1992

Likewise the concept of Dual- Nationality is not mentioned in this legal Notice. Being so, its contents are Limited to minor amendments on the Immigration Proclamation No.24/1992 as in the specification of the points of Entrance to Eritrea under:-

(a) • By air -Via Asmara, Aseb or Massawa;

• By Sea- Via Massawa,Aseb or Tio;

• By land -Via Grimayka, Teiata-Asher, Shelalo,Omhager, Adiquala,Tsorane,Zala-Ambao,A.seb or Kaarora.

(b) The issuance of Laissez- Passer

(c) The specification of visas to be of 5(five) categories as under:-

- Entry Visa,
- Exit &Entry Visa,
- Tourist Visa,
- Transit Visa,
- Exit Visa.

(D) The Status of the New Eritrean Civil Code and Penal Code&Their Respective Procedural Codes.

To begin,with, it may be understood in that, the Government of Eritrea has been and is Up to-Date, using the Ethiopian Civil Code and its Procedural Civil Code as well as the EthiopianPenal Code and itsProcedural Code, which are categorized as the TRANSITIONAL CODES.

To the knowledge of all concerned, although it was publicly notified by the concerned authority of the Ministry of Justice that new Eritrean Civil and Penal Codes and their respective Procedural Codes shall be formally declared and Legalized by March 2015 for and in replacement of the said Transitional Codes, to date, said declaration and Legalization of the New Eritrean Civil and Penal Codes

and their respective Procedural Codes are not implemented. Being so, the said Transitional Codes are still prevailing. indeed, in response to the request of your Excellency that I verify the status of the said New Eritrean Codes, I did conduct a brief meeting with the professional legal personality of the Ministry of Justice, who is responsible for and in drafting and finalizing the said Codes for formal declaration and implementation the said New Eritrean Civil and Penal Codes, along with their respective Procedural Codes.

And, his response with dismay was in that, for reasons unknown to him, although those New Civil & Penal Codes and their respective Procedural Codes have been Finalized, approved and published for Formal Proclamation, the ACTUAL FORMAL LEGAL PROCESS OF PROCLAMATION, IMPLEMENTATION and public distribution of the said Codes are STILL UNPROCLAIMED, UNEFETED AND Continuing to be ON -SHELF. And, here with are copies of the cover page of each Code that I bought Out-of Shelf.

[Back to Contents](#)

Dr Seife Berhe, Director of Andiam Exploration Ltd

### Notes of Meeting w Dr Seife Berhe

**Date: the FFM team met Dr Berhe twice: once on 12 February and again on 19 February 2016. Both discussions are documented in this note.**

**Present (12 February 2016): Dr Berhe; FFM Team; and the UK Ambassador to Eritrea**

**Present at meeting on 19 February: Dr Berhe; FFM Team**

**At first meeting: introductions and background to FFM**

Biography: Seife M. Berhe Ph.D; Executive Director of Andiamo Exploration Ltd. Carrying out Mineral Exploration in Eritrea

### Notes of meeting on 12 February 2016

**What is doing business in Eritrea like?** If you are doing business in mining, we get a lot of support. Fuel, for example, comes quick and easy. We are given people who are demobilised or staff members on secondment. We pay them full wages.

Graduates in geology or mining are demobilised to the Ministry of Energy and Mines once they have fulfilled their national service obligations.

Since the exploration/mining companies require staff and also because the Ministry wants their staff to be trained they send the geologists and mining engineers to all companies on a rota basis. In the early days they used to send them on secondment for few months which was counterproductive because it disrupted their training. After discussion with the Ministry it was decided for companies to keep them as long as they require their service or have finished a specific assignment.

If we say we don't need them anymore, they are returned back to the Ministry. If they are demobilised and released to the market from the Ministries, it is a case-by-case thing.

**How many people do you employ?** If you are doing business in mining, we get a lot of support. Fuel, for example, comes quick and easy. We are given people who are demobilised or staff members on secondment. We pay them full wages.

Graduates in geology or mining are demobilised to the Ministry of Energy and Mines once they have fulfilled their national service obligations.

Since the exploration/mining companies require staff and also because the Ministry wants their staff to be trained they send the geologists and mining engineers to all companies on a rota basis. In the early days they used to send them on secondment for few months which was counterproductive because it disrupted their training. After discussion with the Ministry it was decided for companies to keep them as long as they require their service or have finished a specific assignment.

If we say we don't need them anymore, they are returned back to the Ministry. If they are demobilised and released to the market from the Ministries, it is a case-by-case thing.

**Why do you think people are leaving in such volume?** I know one person, 38 years old, who left who was earning 20,000 NKF per month. He came one day and said he was leaving. I asked why? I mentioned that I was going to add 5,000 NKF to his monthly salary. He said it is not because my family want me to send money from abroad but was afraid that the re-training as a reserve army would take longer. I asked him to register his name at the Ministry so that his re-training duty would be reduced to 2-3 weeks and that I could ask the Ministry to include him in the special arrangement they were making for essential staff members. But he left illegally to Sudan.

Special arrangements were made to reduce training to 2 or 3 weeks for key personnel such as geologists, engineers or doctors. In other sectors, local government or if unemployed, you would probably have to do 2 months retraining and given other responsibilities or chores.

Age also matters – national service doesn't apply to those over 50 years old. If you are a dual national, and did not formally come back to Eritrea national service doesn't apply.

One of our employees who had left was demobilised, the other was a secondee from the Ministry. Even though he had a good salary, he left.

**... So if you are a dual national, you don't have to do military service/duties?** It depends if you are coming for good and you are given a green card as a returnee you have to do National Service. If not, you don't.

If you set up a business, and do 6 months military training the chances are that you would be allowed back to your business.

**How long, on average, do people stay in/on national service?** It depends. Sometimes, if they're good enough and relevant Ministry / organisation need them

they can send them abroad for training or to represent the organisation or attend meetings. Then they get demobilised and carry on working in the ministries afterwards.

It depends. Everyone thinks they're in the army/military, on the contrary a sizeable number are in the ministries or para-statal companies.

**Some Ministries let them go?** Yes, that's fair to say. Usually if you are in the Ministry they may write a supporting letter to the Ministry of Defense based on special circumstances of their staff members. Based on the facts the MoD may then decide to demobilise the staff member. In special cases they may allow some of their members to do part-time jobs. For example I met a guy who said he was the only bread-winner and the only son and was allowed to do a part-time job for a limited period. However it was agreed that he had to stick strictly to the time limit otherwise he wouldn't be allowed to go again. But beforehand, one had to fill a form stating all family details, which are checked.

**So you can get demobilised if you are the only bread-winner?** Yes, it depends on a case-by-case basis. However, then they changed to make demobilisation fair(er).

**Who makes the decision on someone being demobilised?** There were complaints that it was unfair for respective Ministries / military to make demobilisation decisions. Then the government decided to ensure fairness and has made it mandatory that the final decision to get a white card (which is a permit for demobilisation) comes only from the Ministry of Defence.

**Was that change recent?** I guess it is over the last 10 years.

[The FFM team clarified what was meant by 'white card']

In the early days, if you had fulfilled your obligations (military training and civilian duties – 18 months plus 1 year in national service) then you were demobilised to a Ministry then you were given a yellow card, similar to a credit card. But you are not completely demobilised until you get your white card to be 100% demobilised and work in the private sector. I.e. if you have fulfilled your national obligations.

When we advertise for a job, we always ask for a person who is demobilised. It is a requirement.

**How do you get the final white card?** The Ministry of Defence have their own criteria for demobilising people. From what I heard if the person is disabled, or seriously sick such as diabetes or high blood pressure, they were eventually demobilised.

Or if you are in a strategic industry such as mining then there is a possibility to get a government release. Limited in number but has happened.

**Notes of meeting of 19 February 2016**

The FFM team started the conversation by mentioning that they had met two journalists working for Reuters and Africa Report at Bisha mine.

**Why is the Eritrean government not open?** It's a legacy of the armed struggle. The problem is that Eritrea was not fairly treated by the media. During the Struggle, Ethiopia was well respected, and because of that no-one listened to Eritrea. As a result, there is less openness.

The government as well as the public at large are suspicious of journalists, because it is always felt that journalists do not report fairly and is not balanced and it gave room for others to manipulate the view of Eritrea, for Ethiopia.

There is a lot of honesty. The government officials are very reserved in dealing with journalists. I'm pleased they are being proactive. It's also good that journalists are coming – Reuters, and others. It's good that they are being more open – it's reassuring for our investors. They see negative news about Eritrea and ask what is going on. I tell them Eritrea has problems but most problems are [to do] with poverty. In most cases I ask our investors to come and see for themselves. But there needs to be balanced reporting from journalists.

**What about the length of national service (NS) – is this a problem? Is that what is driving it?** Yes. It is an issue. I don't like it equated to slavery. Same with a phrase I heard calling them 'conscript soldiers'. They are not conscripts; by law young people have to do their National Service. I don't like the word conscript – to me it means taking someone and forcing them to go to a war area. Our staff members do NS, they are demobilised and only do refresher training for two weeks.

**How many Eritrean staff?** 22 permanent demobilised staff; and 3 on secondment, who were demobilised from the Military to the Ministry.

**What does that mean – demobilised to the ministry?** They have being demobilised from the military and allowed to work in the Ministry of Energy and Mines. They have completed their National Service and are now permanent employees of the Ministry.

We can't find skilled people in the market, so we ask the ministry for skilled staff. So the Ministry has created a rota system for ministry staff to work in mining companies on secondment for an agreed period.

The Ministry primarily uses the secondment program as a training project for their staff and as a result there are highly qualified earth science and mining engineers in country.

**Who pays?** We do, when on secondment we pay the company rate.

**Do the secondees choose?** We ask for what we want – we specify the skills required and experience needed – and the ministry send us a list of who meet that criteria, though the company has input on who we need for secondment. Sometimes

we ask only for senior staff, however the ministry may ask us to take a mix of senior and junior staff so that they get a chance to be trained.

**Why secondees?** Because of shortage in the market, otherwise we bring in expats, but they are too expensive. We have full-time expat but can't afford many expats.

Besides the Eritrean geologists are highly skilled because they have worked with many exploration / mining companies but also have acquired considerable knowledge about the geology of Eritrea compared to expats.

**Are you able to ask for secondees to be demobilised so you can offer them a job?** Indeed. The Ministry want allocation to be fair amongst companies.

**Is the government fair?** It is fair. We always have a say in a fair distribution.

**Is the mining industry more 'privileged'?** Yes in some respects because it's one of the main industry in Eritrea. The ministry has specialised staff similar to the Ministry of Health.

**Are you ever sent people who don't want to work with you?** No. After all they all want to work with companies. It's a great experience for them. We have technology, work experience, training etc. They are experienced professionals, are paid well and get good resources so they are unlikely to say no.

**What about less qualified?** It depends where they go. They may go to a para-statal firm or factory or other sectors, which may not be that good. But it is better than sitting and doing nothing.

Doctors go to hospitals, whereas an economist might be sent to different ministries.

**If work in other 'privileged' industries, is someone able to get demobilised?** Of course. But they go according to their profession. A medic would go to a hospital. But if you do other things, you could go anywhere. Refresher training is kept short.

**Are they able to get demobilised more quickly / earlier?** Yes, it helps and depends case by case. Doctors who are senior are more likely to be demobilised earlier. Juniors have to wait longer.

Not many get demobilised but there are some. If they get a medical assessment – high blood pressure, diabetes – there is no question asked. A medical doctor has to assess and certify about the status of health of the person and sends a report. Or women. They are not strict on women – used to be, but not now. The policy changed. They tend to get demobilised.

**How do you know this?** There are no published rules. But hear from individuals that have being demobilised. It makes a difference when the institution writes a letter of support.

**Does demobilisation depend on zoba / location?** There are broad guidelines. But I do not think there are differences. A case may be made by senior officials but they cannot simply demobilise.

**Do you have a sense for how many people are doing national service?** I guess 15-20,000 every year go to Sawa.

Although I do not have exact figures when they graduate from Sawa after 1 year they are divided into 3:

- Those that join University
- Those who will be sent to attend Technical [vocational] schools
- Those who failed will be trained to acquire various skills such as mechanics, dozer, or excavator operators etc, others may stay and do more menial jobs.

**How many in the army?** I don't know.

**Doesn't army also need those who are better qualified?** Of course. They are more selective for air force and navy.

**How long are persons in national service?** People are expected to do 18 month National service and do another year of community service: in most cases as teachers. There is a specific time. My impression is that it is getting shorter.

**Is it open-ended, particularly for those in the army and menial jobs?** It may seem like that but is not open ended as it is getting slightly shorter. For instance the recently introduced pay rise is an indicator.

**Given the numbers leaving, is the government going to be more relaxed about national service?** I don't know. But most probably in terms of the time. Unfortunately as long as the issue of occupied sovereign Eritrean territory by Ethiopia is not resolved the NS will continue.

**If someone does not do national service, what happens?** They won't get access to some services

**Will government pursue these people?** It is very difficult to avoid, as they have to go to Sawa. Some might abscond, generally women. In general, 100% of men go. At the start, that's the way.

**And now – what happens?** If they haven't done it, they won't get a job. I am told that I shouldn't employ anyone who has not done national service. There is no chance that I will get anyone who is not demobilised.

The Ministry strictly monitors our employment record. It isn't worth the hassle.

**Will they get arrested?** When they are caught they are sent back to the national service units / areas.

**How do you know this?** I hear from others. I don't have first-hand experience. I hear even from those who have been caught crossing the border and taken back to do NS.

**You mentioned that people used to want to go to Sawa, now they don't? or maybe not so much Sawa, but into national service?** Yes. That's fair. In the past, they tried to jump the queue. It's that they don't know when they will get out from National Service.

**Do you see Eritreans come back?** Very few. Professionals like me. Those with academic excellence may come back. There is an Eritrean-British Association, around 30 members – we provide advice, self-help and give information to the diaspora.

Very few who crossed illegally to Sudan or elsewhere come back.

Actually someone working in the Mining industry came back, now working at Zara mine. He left illegally. I don't know his circumstances. I heard he can go to an Embassy and ask for amnesty and come back.

**Have you met Eritreans in London who ask for advice?** Yes. Women with 3-4 kids. If the economy picks up, some of them want to return.

**Do people say to you that they fear returning?** I can understand that, but those who are regularised – citizens and residents in other countries– have no problems. Those who are settled, there is nothing to be afraid. The government has a different way of handling the Diaspora.

**And what about those who left illegally in the last couple of years?** I don't have figures how many came back, but very few who left illegally have come back. Many who left 10-20 years ago, that's a different ball game.

**Many of these [diaspora] come back?** Yes. Ask about prospects to set up business or to invest.

[Back to Contents](#)

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

Statement made by international development agency working in Eritrea.  
Date: 22 March 2016

Background to the organisation and its activities

The organisation is a long established international development agency working in war and natural disaster areas including Europe, Middle East, Asia and now presently in Africa. The initial emergency focus of the organisation's work has evolved into a strong focus on sustainable development. The organisation presently works in Eritrea directly and through partners elsewhere in East Africa on sustainable food, energy and water programmes. The organisation opened a development programme in Eritrea in 2000 to address critical development needs

emanating from a local conflict. The organisation employs 12 national staff in Eritrea, and 63 staff elsewhere in East Africa

The organisation works in close partnership with the Eritrean Ministry of Agriculture in support of research led agriculture projects including potato, dairy and improved cook stoves. The two organisations together with the Irish state agriculture agency Teagasc operate in Eritrea through a memorandum of understanding with the Eritrean Ministry of Agriculture and provide technology transfer, capacity building and project support for three of Eritrea's six regions.

The CEO of the organisation, senior staff, board members and technical personnel have made 25 visits to Eritrea in the past five years and their international staff have lived in Eritrea for many years. We are funded by a range of European and international governments and institutions. In the course of our development work we meet constantly with resident diplomats, UN and development staff such international groups. Our work involves a myriad of local issues concerning communities, government partners, local organisations and our own staff on the ground. We travel on every visit to different parts of Eritrea meeting with local residents, partners and officials. As such the organisation has a wealth of evidence, experiences and perspective on the realities of life in Eritrea and the interaction of the Eritrean government with its people.

### **Observations on Eritrea Development Policy and Context**

The organisation has observed the rapid improvement in health and social service as well as life expectancy in social development indicators. Through the 1990s and right up to the 1998 border conflict, Eritrea's socio-economic landscape was improving rapidly with an expanding private sector and very considerable government investment in the physical and social infrastructure. The 1998-2000 border war was the biggest inter-state war in Africa's history and imposed extraordinary damage and an ongoing enormous burden on the much smaller state of Eritrea. Not only were almost one third of the Eritrean population displaced but wholesale damage to property and livelihoods was incurred particularly in the southern parts of the country. Eritrea has always had to cope with a structural food deficit with chronic food insecurity imposing a heavy burden on government in terms of ensuring availability and affordability of food and avoiding acute malnutrition.

Since the cessation of hostilities in 2000, the humanitarian and economic burden on Eritrea has never relented, with spiking food and fuel prices, cyclical drought and general mobilisation of young people to national service creating ongoing crisis for national budgets, foreign exchange and economic management. The Government's perceived need to maintain an army in full readiness for hostilities which was numerically way beyond its financial means has been and continues to be utterly unsustainable.

Notwithstanding, the development achievements in Eritrea since 2000 including attainment of three of the MDGs and progress towards others has been acknowledged by the UN, EU and others. We believe that these advancements in the human development of the Eritrean people, in the light of the above constraints,

represents an exceptional achievement which must be given weight when considering compromises to internationally expected human rights standards.

At this time, East Africa is suffering massive hunger brought about by drought and El Nino. While statistics are impossible to obtain, in the seven recent field visits our teams have made to five different regions of Eritrea and our work with communities and government, we have not observed acute levels of malnutrition. Given the substantial food deficit Eritrea faces, this is testament to the policy of storing and providing subsidised food. This perspective is shared by our development partners such as EU.

Eritrea has a policy of bottom up development and social equity and focusing on remote and underdeveloped communities. The organisation has the privilege of working with such communities right through from 2000, through the border conflict from 1998-2000 until the present moment in 2016. Our work from 2011 supporting 45,000 households to construct improved cook stoves, plant three million trees and repair 48 village water has given us a rich and recent perspective on how the government engages with rural populations.

We acknowledge that an acute shortage of financial and human resources poses serious constraints in terms of implementation. Notwithstanding the organisation believes that development policy and practice is based on firm principles of social equity and inclusion (particularly women, disabled and otherwise disadvantaged).

- We frequently engage with local government at household, village and local government level and can note the constant application of the principle of community participation in local development and their right to voice their needs.
- Through implementation of many projects with significant budgets, we can attest to the very low levels of corruption and self-interest of officials and we have constant reason to admire their commitment and approach to communities. We can also state contrary to popular perception that there is no unreasonable level of government interference in our activities.
- The organisation engages with a variety of the 32 civil society organisations. In particular we have cause to admire the work of the National Union of Eritrea Women and the Women in Agri-Business Association which has grown from 5 to 130 members in ten years who have been able to deliver transformative change through strategic planning and entrepreneurship.

### **Specific Observations from the Organisation's Projects**

Since 2012 the organisation has worked with the National Agriculture Research Centre to transfer technologies and promote research-led agriculture. This is a new development partnership reflecting the Eritrean Government's policy of self-reliance and ownership of development. There is an excellent working relationship based on shared values and without any form of dependency or corruption. Many visiting experts have attested to the commitment to support the less well-off and more

The organisation has worked with the Maekel and Anseba Regions to disseminate fuel saving smokeless stoves. So far we have enabled 41,000 Eritrean women to

build these cook stoves and by now every rural household in Maekel Region. This work is funded western governments.

The organisation is also working with local government to repair 48 broken hand pumps in Maekel Region. This work will be extended to Debub Region where 153 water points will be repaired also during 2016 and later to other regions.

- The organisation's staff visiting and monitoring the project as well as EU monitoring staff attest to the government commitment to ensuring that every household in Eritrea will have an improved cook stove.
- We have also observed that in Maekel Region, the 620,000 inhabitants have now 98% access also to electricity. 100% of households have completed or started construction of latrines. By mid-2016, 100% of inhabitants will have access to potable water following repairs to broken hand pumps. This level of focus on basic services is being extended right across the country. Such commitment reflects a strong commitment to rural development and to social equity, particularly empowerment of women, as well as a commitment to sustainable local solutions to free the population from dependency. This level of delivery is quite exceptional in Africa and makes Eritrea an exemplar in terms of commitment to human development in the rural context.

The organisation has worked and continues to support government efforts to promote the woman's role in agriculture and agro-industry.

### **General Observations on Human Rights Trends**

Based on quite extensive interaction with Eritrean communities from 2000 up to this time, the organisation would like to make a number of general observations which we believe are materially important to any consideration of human rights abuses in Eritrea:

We put forward the assertion that the Eritrean Government has a fundamental and unwavering commitment to the human development of its people. We assert that since 2000 and in the light of the most extreme political and economic stress, the Eritrean government has continued to exhibit that commitment. We also put forward the assertion that the Eritrean Government's commitment to the social and economic empowerment of women is strong and consistent. The severity of the Eritrean government's policy on civil liberties and human rights since 2000 should be views in the context of the colossal burden imposed by the border war and its aftermath.

The impact of the sanctions imposed by the UNSC in 2010 in terms of isolating Eritrea have decreased the space for civil liberties, civil society space and human development to improve.

The Eritrean Government did not provide access to Eritrea to the UN Commission of Inquiry on Human Rights in Eritrea team, there are many well-informed international diplomats, UN and development officials, business people and others in Eritrea who can bring their experiences to bear. It was unfortunate that the UNCOI did not take

advantage on these independent perspectives and as a result the report does not fully reflect the situation on the ground.

Some high-level points should be made about the UN Commission of Inquiry's report, published in June 2015:

As is very well known to the organisation and its staff who worked in Eritrea through the border conflict, the United Nations-appointed Border Commission made a final and binding decision on border demarcation which was accepted by Eritrea. This has not been implemented and Eritrean territory continues to be occupied. This is an irrefutable reality of very material proportions lying at the door of the United Nations which is not stated in the report. This reality drives much of the present Eritrean government policy as well as human rights excesses concerning national service and civil liberties.

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. Another significant example of misinformation is the Nevsun Bisha mine, which has been portrayed by the UN as an environment of forced labour and human rights abuses, despite not being in a position to verify this directly. However, the description provided by the US Chief of Mission Louis Mazel who visited in early 2016 with other ambassadors starkly contradicts the media and diplomatic reports. He clearly states that he found no evidence of abuse of workers and found the Bisha mine to be very professionally run.

### **Comments on Asylum and Human Rights**

Many Eritrean refugees and asylum seekers and Eritreans otherwise who have fled national service or left illegally have lived through dreadful experiences and abuses inside and outside of Eritrea. There is no doubt that national service obligations cause hardship and stress. This is a national tragedy as well as a personal tragedy which all of those victims have had to endure, and for those who are the cause, it is a source of great shame. No compromise or justification can take away from this reality. Eritreans have demonstrated enormous courage in dealing with such tragedy.

It is most understandable for asylum seeking refugees or others who have left the country to present a negative story to lend justification to their decision to leave. On the other hand the fact that all stories from asylum seekers are clearly negative towards the Eritrean Government and portray persecution and human rights abuse simply does not accord with the reality that many Eritreans living outside of Eritrea

privately express. We know this through our interaction with the Eritrean diaspora across Europe.

Their positive impression of the government, without any duress or fear of repression simply is a reality which is taken as propaganda. Notwithstanding the evidence of some civil liberties abuses within the context of national service, it is our assertion that the vast majority of Eritreans both inside and outside of the country including those who have left illegally believe that the government's national service policy and practice is in response to a real and genuine fear for Eritrean military security and national sovereignty.

[Back to Contents](#)