



November 2011

A commentary on the September 2011 Eritrea Operational Guidance Note

This commentary identifies what the 'Still Human Still Here' coalition considers to be the main inconsistencies and omissions between the currently available country of origin information (COI) and case law on Eritrea and the conclusions reached in the September 2011 Eritrea Operational Guidance Note (OGN), issued by the UK Border Agency. Where we believe inconsistencies have been identified, the relevant section of the OGN is highlighted in blue.

An index of full sources of the COI referred to in this commentary is also provided at the end of the document.

This commentary is a guide for legal practitioners and decision-makers in respect of the relevant COI, by reference to the sections of the Operational Guidance Note on Eritrea issued in September 2011. To access the complete OGN on Eritrea go to:

<http://www.bia.homeoffice.gov.uk/sitecontent/documents/policyandlaw/countryspecificasylum/policyogns/>

The document should be used as a tool to help to identify relevant COI and the COI referred to can be considered by decision makers in assessing asylum applications and appeals. This document should not be submitted as evidence to the UK Border Agency, the Tribunal or other decision makers in asylum applications or appeals. However, legal representatives are welcome to submit the COI referred to in this document to decision makers (including judges) to help in the accurate determination of an asylum claim or appeal.

The COI referred to in this document is not exhaustive and should always be complemented by case-specific COI research.

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THIS DOCUMENT SHOULD BE USED AS A TOOL FOR IDENTIFYING RELEVANT COUNTRY OF ORIGIN INFORMATION. IT SHOULD NOT BE SUBMITTED AS EVIDENCE TO THE UK BORDER AGENCY, THE TRIBUNAL OR OTHER DECISION MAKERS IN ASYLUM APPLICATIONS OR APPEALS.

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It should be noted that only limited publicly available sources report on Eritrea since freedom of expression and association is strictly curtailed and no real opposition movement, NGOs or free media exists. Eritrea has been referred to by the U.S. Commission on International Religious Freedom in April 2011 as the “North Korea of Africa” and the “most repressive state on the continent”.¹ In addition, in both its Quarterly Update and its 2010 annual report, the FCO classified Eritrea as a country “where we have particular concerns about human rights”, and noted that due to extended restrictions on diplomats, international agencies, NGOs and journalists represented in Eritrea travelling outside of Asmara it was “even more difficult to gather accurate data on the human rights situation outside of the capital”.² That only limited information emerges out of Eritrea was also confirmed in July 2011 by the UN Report of the Monitoring Group on Somalia and Eritrea, which stated that “Eritrea poses a particular challenge with respect to information gathering. Due to restrictions on the movement of foreigners, including United Nations personnel and diplomats within the country, as well as the total absence of independent media or non-governmental organizations, the Monitoring Group has relied primarily on diaspora sources in order to obtain necessary information”.³

1 [US Commission on International Religious Freedom, United States Commission on International Religious Freedom Annual Report 2011: Eritrea, 28/04/2011.](#)

2 See both [UK Foreign and Commonwealth Office \(FCO\), Human rights in Countries of Concern: Quarterly Update on Eritrea, March 2011, 31/03/2011](#) and [UK Foreign and Commonwealth Office \(FCO\), Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report \(Eritrea excerpt\), 31/03/2011](#), section VII: Human Rights in Countries of Concern.

3 [UN Security Council, Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 1916 \(2010\), 18/07/2011](#), Introduction, B. Methodology, para. 10.

3. Main categories of claims

3.6 Pentecostals and Jehovah's Witnesses

Treatment of other unregistered and registered religious groups

Excerpt from the September 2011 Eritrea OGN

3.6.8 State persecution of non-sanctioned religions such as Pentecostalism, and also of the Jehovah's Witness community is systematic and widespread throughout Eritrea. If it is accepted that the claimant is a practising Pentecostal or a Jehovah's Witness, and they have demonstrated that they will have a well-founded fear of persecution, their claim is likely to engage the UK's obligation under the 1951 Convention. The grant of asylum in such cases is therefore likely to be appropriate except where in particular individual cases there are reasons not to do so.

The guidance provided in the OGN is limited to those claimants who are either practising Pentecostals or Jehovah's Witnesses. Yet, COI included in a previous paragraph within the OGN and COI available in the public domain and presented below suggest that other religious groups, both registered and unregistered, also face ill-treatment amounting to persecution at the hands of the Eritrean authorities.

Very limited information is provided on the treatment of other religious groups within the OGN in paragraph 3.6.4 from only one source, the U.S. Department of State's latest annual *International Religious Freedom Report 2010*. However, the original source provides much more information on the treatment of both registered and unregistered religious groups as follows:

- [U.S. Department of State, International Religious Freedom Report 2010: Eritrea, 17/11/2010](#)
- [...] The government's record on religious freedom remained poor. The government continued to harass and detain thousands of members of unregistered religious groups and retained substantial control over the four registered religious groups. The government failed to approve religious groups that fulfilled the registration requirements and arrested persons during religious gatherings. The government subjected religious prisoners to harsher conditions and held them for long periods of time, without due process. There continued to be reports of forced recantations of faith, torture of religious prisoners, and deaths while in custody.
- [...] Section II. Status of Government Respect for Religious Freedom
- Legal/Policy Framework
- [...] The government has officially registered four religious groups: the Eritrean Orthodox Church, the Evangelical (Lutheran) Church of Eritrea, Islam, and the Roman Catholic Church. The government has not approved the registrations of the Meherte Yesus Evangelical Presbyterian Church, Seventh-day Adventist Church, Faith Mission Church, and Baha'i Faith, despite their being fully compliant with the registration requirements since 2002. Those registrations required only the president's signature for full approval.
- [...] Restrictions on Religious Freedom
- The government's record on religious freedom remained poor. The government continued to harass and detain members of registered and unregistered religious groups and retained significant control over the four registered religious groups.
- [...] Following a 2002 government decree that all religious groups must register or cease all religious activities, religious facilities that did not belong to the four officially recognized religious groups were forced to close. Some local authorities allowed unregistered groups to worship in homes or rented spaces, whereas others did not allow such groups to meet. During the reporting period, the government continued to disrupt home-based worship and arrested those who hosted home prayer meetings. In December 2009 the UN imposed sanctions on the country for arming, training, and equipping armed groups and their members including al-Shabaab (designated as a foreign terrorist organization), that

aimed to destabilize the region, and for occupying disputed territory on its border with Djibouti. Following the sanctions government-controlled media branded the UN and Western governments as imperialist entities. In this context unrecognized religious groups, which have long been characterized as imperialist forces under the control of Western governments, received additional harassment.

The application for an exit visa requires a designation of religious affiliation, and Christians must include their religious denomination in the application. Members of registered faiths can often obtain exit visas if they have completed national service requirements and were of retirement age. Members of unregistered faiths required additional permission from the Office of Religious Affairs, which granted permission, denied permission, or immediately arrested the applicant.

[...]Abuses of Religious Freedom

[...]The government held individuals jailed for their religious affiliation at various locations, including military-administered facilities, such as Mai Serwa, Sawa, Meiter, and Gelalo, as well as police stations in the capital and other cities. Prisoners were held in harsh conditions, and there were at least five deaths while in custody during the reporting period due to neglect or the infliction of life-threatening injuries and the denial of medical treatment. Often, prisoners were not formally charged, accorded due process, or allowed access to their families. While many were ostensibly jailed for evasion of conscription, significant numbers were held solely for their religious beliefs. Many prisoners were required to recant their religious beliefs as a precondition of release and/or pay fines.

In June and July 2009, unsanitary conditions led to a meningitis outbreak in Wi'a prison that caused the death of 50 prisoners, including an unknown number of religious prisoners. Released religious prisoners reported confinement in harsh and unusual conditions. Some prisoners were confined in metal shipping containers subject to extreme temperature fluctuations. Other prisoners experienced extended periods of solitary confinement. Religious prisoners also reported being confined in underground unventilated cement cells without sanitation facilities with up to 200 other prisoners. When prisoners passed out from the heat and stench, they were taken outside briefly to be revived and returned to the underground cell. Some prisoners were hung from trees in painful positions for several weeks until they could no longer move their arms and legs, requiring other prisoners to feed and bathe them. Religious prisoners also reported being forced to walk barefoot on sharp rocks and thorns for one hour per day, beaten with hard plastic and metal rods in order to extract confessions, and threatened with death if they did not recant their faith.

During the reporting period, there were reliable reports that authorities detained approximately 115 members of unregistered religious groups without legitimate charges. Some were released after detentions of several days or less, while others spent longer periods in confinement without charge and without access to legal counsel, or were not released. Government restrictions made it difficult to determine the precise number of religious prisoners at any one time, and releases sometimes went unreported; however, the number of long-term religious prisoners continued to grow. As another indicator Meiter prison, constructed in 2009 to hold religious and other prisoners, was reportedly filled to capacity. At the end of the reporting period, 2,000 to 3,000 members of unregistered groups remained in prison, 10 of whom were Pentecostal leaders and pastors in detention for more than three years without due process; 30 others reportedly had been released by the end of the reporting period.

[...]Forced Religious Conversion

There continued to be reports that police forced some adherents of unregistered religious groups held in detention to sign statements declaring that they abandoned their faith and joined a recognized faith as a precondition of their release. These individuals typically faced imprisonment and/or severe beating until they agreed to sign the documents. Reports indicated these individuals also were monitored afterward to ensure they did not practice or proselytize for their unregistered religion. In some cases authorities demanded letters from priests of the Orthodox Church confirming that the individuals returned to the Orthodox Church. Similarly, police forced individuals who chose not to identify with a specific religious group, registered or otherwise, to choose a registered religious group or face continued detention.

The following additional COI available in the public domain further emphasises the persecution of registered and unregistered religious groups as well as the ill-treatment they experience whilst in detention:

➤ [Human Rights Watch, Ten Long Years: A Briefing on Eritrea's Missing Political Prisoners, September 2011](#)

[...] Other Human Rights Violations by the Eritrean Government

[...] Religious Persecution

In 2002 the Eritrean government banned religious activities other than those administered by four registered religious organizations: Sunni Islam, Eritrean Orthodox Church, Roman Catholic Church, and Evangelical (Lutheran) Church of Eritrea. In 2002 Eritrea established a mechanism that could be used to allow religious organizations to register and be recognized as legitimate. The mechanism has not been implemented, despite applications in 2002 by the Presbyterian, Methodist, Seventh-day Adventist, and Baha'i denominations.¹³⁴ The Isaias government appointed the leadership of both the Orthodox Church and Sunni Islam. It appointed the Eritrean Orthodox Church patriarch and deposed his predecessor, Abune Antonios, after the Abune protested government interference in church affairs.¹³⁵ Abune Antonios has been under house arrest, cut off from all but a housekeeper, since 2006. The government also appointed the head of the Muslim community, Mufti Sheik AlAmin Osman Al-Amin, over the objections of some of the faithful.¹³⁶ Over 180 Muslims who objected to the appointment have been jailed.¹³⁷ There have been reports that the government confiscates property and funds from churches and mosques.¹³⁸ Adherents of "unrecognized" religions, such as Evangelical and Pentecostal Christians, have been seized in raids on churches and homes. They are imprisoned and tortured until they renounce their faiths.¹³⁹ Many die in custody.¹⁴⁰ Christian organizations outside the country claim that 2,000 to 3,000 Christians are currently jailed for their religious beliefs [...]

➤ [U.S. Department of State, July-December 2010 International Religious Freedom Report, 13/09/2011](#)

The 1997 constitution protects religious freedom; however, the government has yet to implement the constitution in law and in practice. Although the government requires religious groups to register, since 2002 it has not approved any registrations beyond the country's four principal religious groups: the Eritrean Orthodox Church, the Evangelical (Lutheran) Church of Eritrea, Islam, and the Roman Catholic Church.

The government generally did not respect religious freedom in law and in practice. The government continued to harass and detain thousands of members of registered and unregistered religious groups and retained substantial control over the four registered religious groups. The government failed to approve religious groups that fulfilled the registration requirements and arrested persons during religious gatherings. The government subjected religious prisoners to harsh conditions and held them for long periods of time, without due process. There continued to be reports of forced renunciations of faith, torture, and deaths while in custody.

[...] Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

[...] The government has officially registered four religious groups: the Eritrean Orthodox Church, the Evangelical (Lutheran) Church of Eritrea, Islam, and the Roman Catholic Church. The government has not approved the applications for registration of the Meherte Yesus Evangelical Presbyterian Church, Seventh-day Adventist Church, Faith Mission Church, or the Bahai Faith, despite their having met all registration requirements since 2002. Those registrations require only the president's signature for full approval.

[...] Religious groups must obtain government approval to conduct religious services or activities. The Office of Religious Affairs reviews applications, which must include: a description of the history of the religious group in the country, an explanation of the uniqueness or benefit the group offers compared with other religious groups present, names and personal information of the group's leaders, detailed information on assets, how the group conforms to "local culture," and a declaration of all foreign sources of funding. Unregistered churches also reported that the government asked for the names and addresses of all members as part of application procedures.

[...] Restrictions on Religious Freedom

The government's record on religious freedom remained poor. The government continued to harass and detain members of registered and unregistered religious groups and retained significant control over the four registered religious groups.

The application for an exit visa requires a designation of religious affiliation, and Christians must include their denomination in the application. Members of registered faiths can often obtain exit visas if they have completed national service requirements and were of retirement age. Members of unregistered faiths require additional permission from the Office of Religious Affairs, which has been reported to grant permission, deny permission, or arrest applicants on the spot for practicing an unrecognized faith.

The government forbids religious practice outside the four recognized faiths, and even recognized faiths are often forbidden from managing their own operations and finances. The government has appointed both the mufti (head) of the Islamic faith in the country and the patriarch of the Eritrean Orthodox Church (the former patriarch remains under house arrest), as well as numerous other lower-level positions. The government maintained control over the operations of the Eritrean Orthodox Church. A government-appointed lay administrator managed church operations and controlled all church donations. All four recognized religious groups were also required to provide a list of members for possible enrollment in military and national service. Those who publically protested such direct government management were branded as radicals and were imprisoned indefinitely in harsh conditions, even if they were members of recognized religious faiths. Unregistered faith groups also reported having their mail confiscated. In addition, they avoid local Internet providers when sending or receiving information related to their faith, for fear of being monitored.

The government did not appoint the president of the Lutheran Church; however, reliable sources indicated extensive government coordination. The Pope appointed the highest-ranking Catholic Church official; however, the government pressured the church to conform its activities to government policies.

Religious facilities that did not belong to the four officially recognized religious groups were forced to close following a 2002 government decree that all religious groups must register or cease all religious activities, and numerous large abandoned churches can be seen in Asmara. Some local authorities allowed unregistered groups to worship in homes or rented spaces, whereas others did not allow such groups to meet. The government continued to disrupt home-based worship and arrested those who hosted home prayer meetings.

[...] The government continued to hold property seized from both recognized and unrecognized faiths in unannounced raids. The government retained vehicles belonging to religious groups that authorities impounded in early 2009.

In December 2009 the United Nations imposed sanctions on the country after the government engaged in arming, training, and equipping groups, including al-Shabaab (designated as a foreign terrorist organization by the United States), that aimed to destabilize the region, and after the government occupied disputed territory on its border with Djibouti. Following imposition of sanctions, the government-controlled media branded the United Nations and Western governments as imperialist entities. As a result, harassment of unrecognized religious groups increased, many of which have long been characterized as under the control of Western governments.

[...] Abuses of Religious Freedom

There were reports of abuses of religious freedom in the country, including religious prisoners and detainees.

Authorities regularly harassed, arrested, and detained members of registered and unregistered religious groups. The government closely monitored the activities and movements of unregistered religious group members, including nonreligious social functions attended by members. Persons arrested for religious reasons were often detained for extended periods in harsher conditions than the general prison population.

In conducting searches for national military service evaders, security forces continued to target gatherings of unregistered religious groups more frequently than those of other organizations.

[...] There continued to be reports that police forced some adherents of unregistered religious groups held in detention to sign statements declaring that they recanted their faith and agreed to join a recognized faith as a condition of their release. These individuals typically faced imprisonment and even severe beatings until they agreed to sign the documents. Reports indicated these persons also were monitored afterward to ensure they did not practice or proselytize for their unregistered religion and attended a church or mosque from an officially recognized faith. In some cases authorities demanded letters from priests of the Orthodox Church confirming that the individuals attended the Orthodox Church. Similarly, police forced individuals who chose not to identify with a specific religious group, registered or otherwise, to choose a registered religious group or face continued detention.

The government held individuals jailed for their religious affiliation at various locations, including military-administered facilities, such as Mai Serwa, Sawa, Meiter, and Gelalo, as well as police stations in the capital and other cities. Prisoners were held in harsh conditions and suffered life-threatening injuries and denial of medical treatment. Often, prisoners were not formally charged, accorded due process, or allowed access to their families. While many were ostensibly jailed for evasion of conscription, significant numbers were held solely for their religious beliefs. Many prisoners were required to recant their religious beliefs or pay fines as a precondition of their release.

There were reliable reports that authorities newly detained at least 103 members of unregistered religious groups without legitimate charges during the reporting period. Additional credible second-hand reports were received of numerous mass arrests of Christian groups in the region stretching from Asmara south to the Ethiopian border between September and December, but the number of individuals detained is unknown as the Eritrean government did not allow official travel to these regions. Some of those detained were released after several days or less, while others spent longer periods in confinement without charge and without access to legal counsel, or were not released. Government restrictions on travel and intimidation of sources made it difficult to determine the precise number of religious prisoners at any one time, and releases sometimes went unreported; however, the number of long-term religious prisoners increased. Meiter prison, which was constructed in 2009 to hold religious and other prisoners, was reportedly filled to capacity. At the end of the reporting period, 2,000 to 3,000 members of unregistered groups remained in prison, 10 of whom were Pentecostal leaders and pastors detained for more than three years without due process.

It was unknown how many of the at least 103 individuals detained during the reporting period remained incarcerated or were released on the condition of recanting their faith and/or paying a fine. Some religious detainees were held in military prisons for failing to perform required national military service, but most were held for simply belonging to unregistered religious groups.

According to the Dutch branch of Open Doors, Yemane Kahasay, of the Kale-Hiwot Church in Medefera, died in the Metier prison in July after being tortured for 18 months and denied medical treatment. At the time of his death, Yemane was suffering from a severe case of malaria and had been placed in solitary confinement for refusing to sign a form recanting his faith.

According to International Christian Concern, a U.S.-based Christian organization, the governor of the Southern Zone ordered a crackdown on Christians living in the province in October and November. Security officials rounded up Christians from the cities of Mendefera, Dekemhare, and Dibarwa. Security officials also confiscated televisions, video players, and other electronic equipment that belonged to the Christians. Most of the detained belong to the Full Gospel Church. Eleven remained in detention at the end of the reporting period. These mass arrests and episodes of property confiscation are consistent with reports of mass arrests occurring between September and December in the region stretching from Asmara south to the Ethiopian border.

On December 31, during official New Year's Eve celebrations, the entire 65-member Christian congregation of the Philadelphia church in Asmara was detained, and another group of 27 Christians was detained in Kuchet, a suburb of Asmara, according to reliable reports.

At the end of the reporting period, 36 Muslims arrested as "radical Islamists" in January 2009 remained in prison. The government had not pressed charges against them nor had it produced any evidence of criminal activity.

There was no additional information on the whereabouts or status of 15 members of the Kale Hiwot Church in Keren, arrested in January 2009.

[...] There were several examples of individuals who were subjected to extreme physical violence, which in some cases proved fatal, for refusing to renounce their beliefs. On January 24, 2010, Hana Hagos Asgedom, a member of Asab Rhema Church, died of a heart attack at the Alla military camp. Hana had been detained at Wi'a military camp for three years following her arrest in 2007 and was moved to the Alla camp when the Wi'a camp was dismantled due to a meningitis outbreak. Upon arrival at the new camp, Hana was offered a final opportunity to renounce her faith. When she refused, she was placed in solitary confinement. Shortly before her death, she reportedly endured beatings with an iron rod for refusing to have sex with the chief commander of the camp. She was then returned to her cell, received further punishment, and eventually died. On March 2, Efrem Habtemichel Hagos died of malaria and pneumonia while in solitary confinement in Adi-Nefase military camp in Assab. He reportedly was denied

proper medical treatment because he refused to recant his beliefs. He was the 12th incarcerated known to have died at this camp.

On April 2, 2010, 27 members of the Asmara Full Gospel Church were arrested and held in a police station. In June several of those arrested were released, while others were moved to different police stations farther away from their families. Several of the prisoners reported being released after signing a form stating that they recanted their faith. There was no further information on the status of those still in detention at the end of the reporting period.

According to Open Doors USA, a U.S.-based Christian organization, on April 23, 2010, Senait Oqbazgi Habte died in the Sawa Military Training Center after suffering severe abuse and being denied medical treatment for malaria and severe anemia. Senait was arrested in 2008, with 15 other university students, for attending a Bible study group. She and the others were imprisoned in large metal shipping containers, where they suffered suffocating heat during the day and freezing temperatures at night. They also were deprived of needed medical treatment. Sawa officials reportedly offered Senait her freedom and medical attention if she would recant her beliefs, but she refused. Camp officials eventually relented and allowed her to be moved to the prison's medical center. However, she died shortly after her transfer.

According to International Christian Concern, on May 9, 2010, Eritrean security officials arrested 11 Christians, including women and children, in Asmara. Pastor Mesfin, Pastor Tekie, Mr. Isaac and his four children, and four women were arrested while conducting a prayer meeting at a private home in Maitemenai,

Asmara. The detainees are members of the Faith Church of Christ. The whereabouts of the detainees was unknown at the end of the reporting period.

➤ [Amnesty International, Annual Report 2011: Eritrea, 13/05/2011](#)

[...] Freedom of religion

Only members of permitted faiths – the Eritrean Orthodox Church, the Roman Catholic and Lutheran churches, and Islam – were allowed to practise their religion. Members of banned minority faiths faced harassment, arrest, incommunicado detention and torture. Many were arrested while worshipping clandestinely in private homes or at weddings or funerals.

Up to 3,000 Christians from unregistered church groups were held in detention during the year, including 60 Jehovah's Witnesses who were known to be in detention in May. Among the 60 were Paulos Eyassu, Isaac Mogos and Negede Teklemariam, detained since 1994 without trial.

A clampdown on Evangelical Christians, in particular the Full Gospel Church, in the Southern Zone (province) was reported in October. Up to 40 men and women were arrested and detained incommunicado, reportedly on the orders of the governor of the Southern Zone. Senait Oqbazgi Habta, a 28-year-old woman, reportedly died in April at the Sawa Military Training Centre. She had been detained for approximately two years for attending a Bible study group. She was detained in a shipping container and denied medication for malaria and anaemia.

Prisoners of conscience and other political prisoners

Large numbers of political prisoners and prisoners of conscience continued to be detained indefinitely without charge, trial or access to legal counsel. They included suspected critics of the government, political activists, journalists, religious practitioners, draft evaders, military deserters and failed asylum-seekers forcibly returned to Eritrea. Many were held in incommunicado detention for long periods, including political prisoners detained since a government clampdown in 2001. The whereabouts and health status of most remained unknown. Prisoners' families faced reprisals for inquiring about them.

➤ [Freedom House, Freedom in the World 2011: Eritrea, 12/05/2011](#)

[...] The government places significant limitations on the exercise of religion. [...] Abune Antonios, patriarch of the Eritrean Orthodox Church, has been under house arrest since speaking out against state interference in religion in 2006. According to Amnesty International, members of other churches have been jailed and tortured or otherwise ill-treated to make them abandon their faith. As many as 3,000 Christians are currently in prison because of their beliefs. Muslims also complain of discrimination. In February 2010 a leading Islamic organization published a document accusing the government of marginalizing Muslims, closing traditional Muslim schools, persecuting religious leaders, and appropriating Muslim-owned land [...]

➤ [U.S. Commission on International Religious Freedom, Annual Report of the United States Commission on International Religious Freedom, May 2011](#)

[...] Country Chapters: Countries of Particular Concern

[...] Eritrea

[...] Findings

Systematic, ongoing, and egregious religious freedom violations continue in Eritrea.

These violations include: torture or other ill-treatment of thousands of religious prisoners, sometimes resulting in death; arbitrary arrests and detentions without charges of members of unregistered religious groups; a prolonged ban on public religious activities; disruption of private religious gatherings and social events and closure of places of worship of unrecognized religious groups; and inordinate delays in responding to registration applications from religious groups. In light of these violations, USCIRF again recommends in 2011 that Eritrea be designated as a —country of particular concern, or CPC.

[...] The religious freedom situation in Eritrea under the regime of President Isaias Afwerki remains grave, particularly for Jehovah's Witnesses and members of other small and non-traditional religious groups such as Evangelical and Pentecostal Christians. The government dominates the internal affairs of the Orthodox Church of Eritrea, the country's largest Christian denomination, and suppresses Muslim religious activities or groups viewed as radical or opposed to the government-appointed head of the Muslim community.

[...] Religious Freedom Conditions

Government Policies toward Religious Groups and Activities

[...] In this context, the Eritrean government officially recognizes four religious communities: the (Coptic) Orthodox Church of Eritrea; Sunni Islam; the Roman Catholic Church; and the Evangelical Church of Eritrea, a Lutheran-affiliated denomination. The government imposes a number of invasive controls over the four recognized religious groups that prevents their ability to operate freely. The government is also hostile toward other Christian groups, particularly Evangelical and Pentecostal denominations.

[...] Because of the government's registration requirement, no group can legally hold public religious activities until its registration is approved. The requirement effectively makes unregistered religious activity —illegal, which has resulted in places of worship being closed and prohibitions being placed on the public religious activities, including worship services, of all unregistered religious communities. No religious group has been registered since 2002, although the Presbyterian Church, Methodist Church, Seventh-day Adventists, and Baha'i religious community all submitted the required applications. As a result of the registration requirement and of the government's inaction on registration applications, all of Eritrea's religious communities except the four government-sanctioned ones lack a legal basis on which to practice their faiths publicly, including holding prayer meetings or weddings. Further restrictions are described below.

Arrests, Detention, and Torture

The State Department, non-governmental human rights organizations, and Christian advocacy groups estimate that 2,000 to 3,000 persons are imprisoned on religious grounds in Eritrea, the vast majority of whom are Evangelical or Pentecostal Christians.

[...] International human rights organizations report that many of the Muslims detained without charge are non-violent critics of the government-imposed leadership of the Muslim community or of policies that discriminate against independent Muslims. Those detained include more than 180 Muslims opposed to the state's appointment of the Mufti of the Eritrean Muslim community.

Detainees imprisoned in violation of freedom of religion and related human rights have reportedly been beaten and tortured. Prisoners are not permitted to pray aloud, sing, or preach, and no religious books are allowed. Released religious prisoners report being confined in crowded conditions such as 20-foot metal shipping containers or in underground barracks, some located in areas subjecting prisoners to extreme temperature fluctuations. There are credible reports, including during the past year, that the security forces have coerced detainees to renounce their faith; some prisoners were required to recant their religious beliefs as a precondition of release. Persons detained for religious activities, in both short- and long-term detentions, often are not formally charged, permitted access to legal counsel, accorded due process, or allowed access to their families. During the past year, there were reports of deaths of religious prisoners who refused to recant their beliefs, were denied medical care, or were subjected to other ill treatment, including in April, June, July, and October of 2010 and January 2011.

[...] The Situation of Recognized Religious Groups

The government strictly controls and dominates the internal affairs of the four recognized religions, including appointing religious leaders and overseeing and monitoring religious activities. The recognized groups are required to submit activity reports to the government every six months. In December, the Eritrean Department of Religious Affairs reportedly told these groups to stop accepting funds from coreligionists abroad. The Eritrean Orthodox Church reportedly said it would not comply with the order. The government's interference in the internal affairs of the Orthodox Church began increasing in 2005, after the Church started resisting Asmara's demands. The Orthodox Church of Eritrea is the country's largest Christian denomination and the institutional expression of the country's traditionally-dominant Coptic form of Christianity. Security forces continue to target reformist elements in the Orthodox Church, arresting religious activists and preventing their meetings

[...] The government does not permit Muslim religious activities or groups it views as 'radical' [...]

➤ [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

[...] 5. Members of Minority Religious Groups

The Eritrean Constitution guarantees freedom of religion.¹⁷⁶ The situation of religious freedom in Eritrea is, however, widely considered to be amongst the worst in the world,¹⁷⁷ as these rights are severely restricted for all but the four officially recognized religions, i.e. Sunni Islam, the Eritrean Orthodox Church, the Roman Catholic Church and the Evangelical Lutheran Church.¹⁷⁸ All other faiths are regarded as "unpatriotic" and "foreign",¹⁷⁹ and their followers are reportedly subject to harassment, imprisonment, torture, and in some instances, death, at the hands of the authorities.¹⁸⁰ Furthermore, the authorities are increasingly involved in controlling the religious activities of the four recognized religious groups. Most facets of religious life are under State control, including the construction of religious facilities, and the printing and distribution of religious materials, all of which require prior Government approval. Members of the four registered religions may also face harassment and imprisonment, particularly where they publicly protest against Government action.¹⁸¹ Members of (unregistered) minority religious groups, as well as members and clergy of the State sanctioned religions, continue to face arrest and protracted detention in harsh conditions for refusal to perform military service.¹⁸² Although in most cases religious affiliation is the main factor for persecutory measures, political opinion is increasingly linked to religious affiliation. For instance, some non-traditional Christian groups are perceived as threats to national security.¹⁸³ UNHCR considers that individuals with the specific profiles outlined below, particularly members of non-sanctioned minority religious groups, including the Pentecostal, Evangelical and Jehovah's Witnesses denominations, may be at risk on the basis of their religion and/or (imputed) political opinion, depending on the individual circumstances of the case.¹⁸⁴

[...] i. Unregistered Minority Religious Groups

[...] Despite complying with the registration requirements since 2002, the Baha'i faith, the Faith Mission Church, the Meherte Yesus Evangelical Presbyterian Church and Seventh Day Adventists have yet to be approved and are, thus, not allowed to worship publicly.¹⁸⁶ Members of non-registered religions risk arrest and detention for worshipping publicly or in private, as well as confiscation of church property.¹⁸⁷ It is reported that the authorities frequently arrest followers

of non-sanctioned minority faiths,¹⁸⁸ who are reportedly detained incommunicado in harsh conditions, often in army camps and police headquarters throughout the country, without charge or trial.¹⁸⁹ Children from families belonging to unregistered religious groups are allegedly arrested and held in the same detention facilities as adults.¹⁹⁰ It is estimated that between 2,000 and 3,000 individuals belonging to non-State sanctioned religions are being held in prison.¹⁹¹ Religious prisoners are reportedly often confined in overcrowded [sic] metal shipping containers and unventilated underground cement cells, without sanitation facilities and exposed to extreme temperature fluctuations. In addition, they are regularly denied adequate food and access to medical treatment.¹⁹² Security forces are reportedly using force, sometimes amounting to torture, to compel detainees to renounce their religious beliefs as a pre-condition of release.¹⁹³ Examples include religious prisoners who have reportedly been forced to walk barefoot on sharp rocks and thorns, beaten with hard plastic and metal rods in order to extract

confessions, and threatened with death if they did not recant their faith.¹⁹⁴ It is reportedly not uncommon for detainees to die from torture and harsh conditions to which they are exposed.¹⁹⁵

[...] ii. Registered Religious Groups

Although there is no officially-designated State religion in Eritrea, the Government traditionally maintained close ties with the Orthodox Church. However, it is reported to be increasingly concerning itself with the affairs of the main religious faiths. In recent years, the Government has appointed both the head of the Islamic faith (mufti) and the patriarch of the Orthodox Church, as well as numerous lower level positions.²⁰¹ Members of recognized religious faiths who publicly protest against such Government action reportedly face imprisonment in harsh conditions.²⁰² Many of the Muslims detained, generally without charge, are non-violent critics of the Government-imposed leadership of the Muslim community or Government policies that discriminate against Muslims.²⁰³ The 2005 dismissal of the Patriarch Abune Antonios following public criticism of State interference in church activities and the arrest of three priests are other indications of the Government's intolerance of any dissent or criticism, even from the established religious groups.²⁰⁴ Serious violations of religious freedom are also reported in the context of military service. Conscripts and members of the armed forces of all denominations reportedly face detention and severe punishment for possession of religious literature.²⁰⁵ Furthermore, Eritrean Orthodox church leaders, previously exempt from military service, are now reportedly being sent to military camps.²⁰⁶ Similarly, the Government expropriated Catholic Church property in June 2008 and expelled several Catholic missionaries allegedly in response to the refusal of the Catholic Church to send its clergy to military service.²⁰⁷ [...]

➤ [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)

[...] Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

[...] During the year there were credible reports that at least five prisoners detained because of their religious affiliation died due to lack of medical treatment. The government did not investigate or prosecute any reports of security force abuse.

[...] c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

[...] Security forces tortured and beat army deserters, draft evaders, persons living near mining camps, persons attempting to flee the country without travel documents, and members of certain religious groups.

[...] Prison and Detention Center Conditions

[...] Those imprisoned were often interrogated about religious affiliation and were asked to identify members of nonapproved religious groups, such as Jehovah's Witnesses.

[...] d. Arbitrary Arrest or Detention

[...] Arrest Procedures and Treatment While in Detention

[...] There were credible repeated reports of the following detention practices and outcomes: release after providing proof of completion of national service requirements, release after being threatened with death for continued religious activity, release after being threatened with death for continued homosexuality activity, release after recanting of religious faith or declaring allegiance to the Eritrean Orthodox Church, release after paying a fine equivalent of hundreds or thousands of dollars or having another Eritrean put up their house as collateral, release after unpaid forced labor such as picking vegetables for several months, release just before imminent death caused by torture during detention, unconditional release, indefinite detention, inadequate provision of food, torture and confinement in crowded unsanitary conditions subject to extreme temperatures (see section 1.c.).

[...] The government continued to arbitrarily arrest members of nonregistered religious groups and persons who criticized the government (see sections 2.a. and 2.c.). There were reports that the government continued to hold without charge and sometimes torture 2,000 to 3,000 members of unregistered religious groups and numerous members of the Eritrean Liberation Front, an armed opposition group that fought against Ethiopia during the struggle for independence.

[...] During the year the deposed Orthodox patriarch remained under house arrest (see section 2.c.) [...]

➤ [Office of the United Nations High Commissioner for Human Rights \(OHCHR\), Written statement submitted by the Jubilee Campaign \(The continuing human rights crisis in Eritrea: the need for urgent international action\), 01/03/2011](#)

[...] It continues to be one of the foremost global violators of religious freedom, and is the world's worst abuser of the media.¹

[...] Repression of religious activity

[...] Next, the government moved against the Muslim community. A government-approved Imam was installed, hundreds of religious teachers and others deemed hostile to this move were detained, and an unknown number were reportedly executed extra-judicially. Muslims and Jehovah Witnesses still experience periodic harassment and incarceration, but are no longer the main focus of repression.

[...] Between 2,500 and 3,000 Christians are currently detained. Although some were released after pledging to renounce their faith, none have been formally charged or tried. Reports persist of prisoners dying after being denied life-saving medication for refusing to deny their faith.⁴ Female Christian prisoners are regularly beaten on the soles of their feet and their wombs, allegedly to prevent them from bearing children.⁵

[...] Authorised denominations also suffer repression. Most significantly, in a series of government-initiated punitive measures from 2005-6, the legitimate patriarch of the Orthodox Church, Abune Antonios, was driven from office in violation of canonical law and placed under house arrest, where he remains to date. The government is now in effective control of the Church's finances, and priests seen as sympathetic to the legitimate patriarch are detained and harassed [...]

➤ [Human Rights Watch, Word Report 2011: Eritrea, 24/01/2011](#)

[...] Arbitrary Detention, "Enforced Disappearances," and Deaths in Custody

[...] About 30 women members of an "unregistered" Christian church were arrested in December 2009. Although members of such churches are frequently arrested, Eritrea's information minister said that "religion had nothing to do with" their arrests. "I'm sure they were committing a crime," he added. Their crime has never been disclosed.

[...] Death in custody is common from ill-treatment, torture, starvation, and denial of medical care. In April 2010 a woman held for over two years in a shipping container because she would not renounce her unregistered religious faith died at the Sawa military training center from maltreatment.

[...] Restrictions on Religious Freedom

It is unlawful to practice a faith unless it is one of four "registered" religions: Eritrean Orthodox, Muslim, Catholic, or Lutheran. Security forces arrest members of "unregistered" religions, often during religious services. A religious-freedom monitoring group reported that scores were arrested in 2010. Persons arrested for this reason are subject to the same torture and abuse as other prisoners, but can often obtain their release by renouncing their faith. Those who refuse sometimes pay with their lives.

[...] The patriarch of the Orthodox Church, deposed by the government in 2006, remains under house arrest without access to communication [...]

➤ [International Crisis Group, Eritrea: The Siege State, 21/09/2010](#)

[...] Section III THE EVOLUTION OF THE MILITARY STATE

[...] D. THE PENAL STATE

[...] The government has become extremely suspicious of the outside world and paranoid about any Eritrean associated with "external influences" and not fully committed to the "national cause". Enemies of the state and "non-citizens" are seen to come in many guises.

[...] Internal security forces monitor, harass and routinely detain those identified as practising "illegal" faiths. The state recognises as legal faiths only the Lutheran Church, Orthodox Christianity, Roman Catholicism and Islam. All others are regarded as dangerous, unpatriotic and "foreign". Muslims belonging to new, unrecognised groups are likewise targeted, as are followers of the Bahai faith.

3.7 Military Service

Excerpt from the September 2011 Eritrea OGN

3.7.9 Normally, married women or women with young children are exempt from military service as are those registered disabled. The elderly have usually completed their national service, but if conflict ensues they could be expected to take up arms. Military commanders are able to authorise medical exemptions, with a report from a military medical officer. There are no exemptions for those from a poor background or those who have family members dependent on them through age or illness.¹⁸

3.7.9 Article 13(1) of the Proclamation on National Service states that individuals who are deemed to be medically unfit for military service may be given non-military duties as an alternative to military service for a period of eighteen months. This will depend on the nature of the illness or disability of the individual concerned. For some individuals, this will not be possible, and they will be exempt from all types of national service. Article 15 of the Proclamation allows individuals who are disabled, blind or psychologically deranged to be exempt from national service altogether - whether this is military service or some other type of national service.¹⁹

3.7.9 According to information obtained from the British Embassy in Asmara in April 2010 full-time religious clerics/nuns can be required to do military/national service although in previous years they have been exempt. It is believed that some churches or mosques are limited to having a minimum of serving religious members who are exempt from military/national service.²⁰

The information included in the OGN lists the following categories of people as being exempt from military service:

- Married women
- Women with young children
- Elderly who have usually completed their service already, except in national emergencies
- Medically unfit, though depending on the degree, some might be given non-military duties
- Persons who are disabled, blind or have mental health issues
- A number of full-time religious clerics/nuns

The April 2011 UNHCR Eligibility Guidelines adds the following categories to the list above:

- Students enrolled in a regular daily course may be temporarily exempted
- Muslim women (see also the country guidance case [WA \(Draft related risks updated, Muslim Women\) Eritrea CG \[2006\] UKAIT 00079 \(30 October 2006\)](#))

➤ [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

[...] 1. Military/National Service

[...] Persons suffering from disabilities may be exempted from national service,⁵⁴ while students enrolled in a regular daily course and those medically unfit may be temporarily exempted.⁵⁵ [...]

[...] Other categories reportedly exempt from national service include Muslim women, nursing mothers, married women and women with children [...]

With regards to women, UNHCR Eligibility Guidelines however stated that instances of conscription of women, including Muslim women and mothers have taken place:

➤ [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

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[...] 1. Military/National Service

[...] Instances of round-ups for the purpose of conscription of women, including Muslim women and mothers, have nevertheless been recorded.⁶² [...]

With regards to full-time religious clerics/nuns, UNHCR noted in April 2011 that, contrary to the information included in the OGN from the British Embassy in Asmara in April 2010 the Eritrean authorities had revoked their exemption from military service:

- [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

[...] 1. Military/National Service

[...] The Government has also reportedly revoked the exemption from military service for most Orthodox priests⁶³ and full time religious clerics/nuns are now reportedly required to undertake military/national service.⁶⁴ [...]

Moreover, the U.S. Department of State reported that even those with exemption papers have in instances been detained:

- [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)

[...] Section 1 Respect for the Integrity of the Person, Including Freedom From:

[...] d. Arbitrary Arrest or Detention

[...] Arrest Procedures and Treatment While in Detention

[...] Security force personnel detained individuals for evading national service and for other unspecified national security charges. Numerous detainees were arrested, even if they had valid papers showing that they had completed or were exempt from national service. In practice most detainees were informally charged with issues relating to national service, effectively allowing authorities to incarcerate citizens indefinitely [...]

Excerpt from the September 2011 Eritrea OGN

3.7.10 An applicant of, or approaching, draft age who did not leave Eritrea illegally is not reasonably likely to be regarded with serious hostility on return and will not qualify for asylum unless there are reasons particular to their individual case why they do so.

Whilst a person of, or approaching, draft age might not be regarded with serious hostility on return after having left Eritrea legally, they might still face serious violations of their human rights by for example being enlisted to the military service indefinitely and/or being submitted to forced labour, as well as facing torture and other forms of ill-treatment, as the following COI, listed under the relevant sub-headings, demonstrate:

Indefinite military service

- [Agence France-Presse, Thousands of Eritreans flee forced conscription, 19/09/2011](#)

For 12-year-old Eritrean refugee Ablel, the decision to flee his country was relatively simple. "I didn't want to be a soldier," he says with a shy smile, revealing a mouthful of crooked teeth. Getting out, however, was a harder challenge. He is one of thousands of youngsters risking death to sneak across Eritrea's heavily militarized border every month into neighbouring Sudan and Ethiopia. Most, like Ablel, are running from open-ended military conscription imposed by the autocratic, isolated and impoverished government of the Red Sea state. "The ones who become soldiers, even they are escaping, so why would I want to be in military service?"

[...] Conscripts earn about \$3 per month for the first 18 months and the service can last for decades [...]

➤ [Human Rights Watch, Ten Long Years: A Briefing on Eritrea's Missing Political Prisoners, September 2011](#)

[...] Forced Labor and other Abuses in National Service

[...] Under Eritrean law, all citizens, after turning 18, are expected to serve in the military for 12 months, after six months of training.⁹⁹ Practice, however, has little relationship to the law. Since 2002, when the government announced a "Warsay-Yikealo development campaign," service is open-ended and typically lasts a decade or longer.¹⁰¹ With some exceptions for women with children and disabled people, service is compulsory until release but release is at the whim of military commanders. Even after being demobilized recruits can be recalled at any time.¹⁰² The recall mechanism is capriciously applied and routinely used to punish perceived dissent. Male conscripts remain eligible to serve until they are in their fifties.¹⁰³ Most of Eritrea's able-bodied adult population is on involuntary and indefinite active national service or on reserve duty.¹⁰⁴ Four or five times a year the government, looking for draft evaders, conducts huge roundups.

[...] Prolonged and indefinite national service has spurred a massive exodus of young Eritreans from the country, despite the dangers involved. As one observer noted, national service has crushed morale, especially among the young. Sawa and everything it represents have come to be loathed by successive generations of school-leavers, for whom there are no opportunities for advancement, only the prospect of indefinite assignment to military duty.¹¹⁵

[...] Restrictions on Freedom of Movement

[...] The government denies exit visas to anyone of military age, from 18 to 57 (or older for men) and 18 to 47 for women—even for Eritreans who have ostensibly "completed" national service.¹⁵² [...]

➤ [U.S. Department of State, Trafficking in Persons Report 2011: Eritrea, 27/06/2011](#)

[...] Under the parameters set forth in the Proclamation of National Service (No. 82/1995), men aged 18 to 54 and women aged 18 to 47 are required to provide 18 months of military and non-military public works and services in any location or capacity chosen by the government. Some national service conscripts, however, are required to continue their service indefinitely, beyond the duration specified by law, with many required to serve in their positions for over 10 years under the threat of inhumane treatment, torture, or punishment of their families [...]

➤ [Amnesty International, Annual Report 2011: Eritrea, 13/05/2011](#)

[...] Military conscription

[...] National service can be extended indefinitely and is also followed by reserve duties [...]

➤ [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

[...] 1. Military/National Service

Military/national service, which encompasses "active" military service and "reserve" military service, is mandatory for every Eritrean,⁴⁸ male or female, between the ages of 18 and 50.⁴⁹ Active national service is compulsory for all citizens between the ages of 18 and 40. It consists of six months of military training and 12 months of active military service and development tasks in the military forces for a total of 18 months,⁵⁰ save in situations of mobilization or war when it can be extended.⁵¹ Persons under the age of 50 who have completed active national service or have been demobilized are nevertheless subject to compulsory service in the reserve army,⁵² and as such are liable to be called for national mobilization, (further) military training or "defence in artificial or natural disasters".⁵³

[...] In May 2002, the Government officially introduced the Warsai Yekalo Development Campaign (WDYC), a national social and economic development effort, which effectively rendered the national service open-ended and indefinite.⁸³ As a result, national service conscripts, not in active military service, are required to undertake "national development" activities,⁸⁴ including in the agricultural and construction sectors,⁸⁵ for indefinite periods of time and survival wages.⁸⁶ [...]

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- [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)
[...] Section 7 Worker Rights
[...] c. Prohibition of Forced or Compulsory Labor
The law prohibits forced or compulsory labor, including by children. However, forced labor occurred. Specifically, Eritrea's mandatory national service program of indefinite duration requires conscripts to perform a wide variety of nonmilitary activities, including harvesting and work in the service sector. Conscription into mandatory, open-ended service begins at the senior year of high school for all students; they are required to spend their senior year at the Sawa military and education camp [...]
- [UK Foreign and Commonwealth Office \(FCO\), Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report \(Eritrea excerpt\), 31/03/2011](#)
[...] Military service
[...] Young Eritreans are obliged to undertake national service, which for many means conscription into military service. The duration is officially 18 months, but many thousands are trapped in indefinite military service, often serving more than 10 years in very harsh conditions and receiving extremely low remuneration. The uncertainty around the length of service and the notoriously harsh conditions awaiting those called to do military service are believed to be significant reasons for the high number of young Eritreans illegally leaving the country [...]
- [Office of the United Nations High Commissioner for Human Rights \(OHCHR\), Written statement submitted by the Jubilee Campaign \(The continuing human rights crisis in Eritrea: the need for urgent international action\), 01/03/2011](#)
[...] A heavily militarised society
[...] By law service should last 18 months, but is essentially open-ended and indefinite, with many serving - and receiving minimal payment - until they are well over 50 [...]
- [Human Rights Watch, Service for Life State Repression and Indefinite Conscription in Eritrea, 16/04/2009](#)
[...] Indefinite Forced Conscription
Enforced indefinite national service is an increasingly important element of Eritrea's human rights crisis. Conscripts undergo military training, in itself not illegal. However, they are subjected to cruel military punishments and torture, already described above. Many may be deployed in what constitutes illegal forced labor. Those who try and evade national service are treated cruelly. Evaders are detained in terrible conditions, and heavy penalties are imposed on the families of those who evade service or flee the country.
[...] For a country to enforce conscription laws may not be a violation of human rights. However, the way this is done in Eritrea—the violent methods used, the lack of any right to conscientious objection, and the lack of any mechanism to enable a challenge to the arbitrary enforcement of conscription constitutes abuse. Furthermore, although national service and conscription at times of genuine national emergency may be permitted as a limited exception to the prohibition on forced labor, the indefinite nature of national service in Eritrea, the threat of penalty (and collective punishment of families of those who desert), the use of recruits for forced labor, and the abuses associated with punishing those who do not participate violate Eritreans' basic human rights, various provisions of the Eritrean constitution, and international human rights law.¹⁶⁸ [...]

Forced labour

- [Agence France-Presse, Thousands of Eritreans flee forced conscription, 19/09/2011](#)
[...] National service is compulsory for all citizens -- male and female -- at the age of 16, completing their final year of school in military camp. Conscripts earn about \$3 per month for the first 18 months and the service can last for decades. Many end up working as indentured labourers building roads or in the country's newly opened foreign-run mines [...]

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➤ [Human Rights Watch, Ten Long Years: A Briefing on Eritrea's Missing Political Prisoners, September 2011](#)

[...] Other Human Rights Violations by the Eritrean Government

[...] Forced Labor and other Abuses in National Service

Since 2002 Eritrea has misused its national service system to provide labor at very low wages in a system that violates a number of international treaties to which Eritrea is a party, including the 1930 Forced Labor Convention and the 1957 Abolition of Forced Labor Convention.⁹⁸

[...] While national service conscripts are given military duties, many spend most of their time as forced labor working for PFDJ commercial enterprises and farms, and for government and even private development projects.¹⁰⁵ In April 2006 the government expropriated private domestic construction companies. Since then, only PFDJ and ministry of defense construction firms are allowed to operate in Eritrea. According to one analyst, most of their employees are national service conscripts.¹⁰⁶ Conscripts are also used as personal labor by high-level military officials for their private farms and businesses and to provide a spectrum of personal services for lower commanders.¹⁰⁷ National service pay is barely sufficient to support oneself, let alone a family. Pay is about US\$10 per month (150 nakfa) after the first six months. Before that, it is as little as US\$3 (40 to 50 nakfa). Aside from very low wages and endless conscription, national service conscripts assigned to commercial farms, construction projects, and mining sites are often housed in appalling conditions and given insufficient food rations. When private and PFDJ employers use conscripts, they pay market-rate salaries to the ministry of defense, but the conscript receives only the national service allowance.¹⁰⁸ National service members are routinely jailed for raising objections about national service or the mistreatment of fellow recruits. A conscript told Human Rights Watch, "If you don't work, you go to prison.... If you refuse they see it as a political problem."¹⁰⁹ No court martial hearings or other opportunities to defend themselves against accusations are given. The length of imprisonment is at the whim of the local military commander; so is access to medical treatment while jailed.¹¹⁰ [...]

➤ [U.S. Department of State, Trafficking in Persons Report 2011: Eritrea, 27/06/2011](#)

ERITREA (Tier 3)

Eritrea is a source country for men, women, and children subjected to forced labor and, to a lesser extent, sex trafficking. During the reporting period, acts of forced labor occurred in Eritrea, particularly in connection with the implementation of the country's national service program. Under the parameters set forth in the Proclamation of National Service (No. 82/1995), men aged 18 to 54 and women aged 18 to 47 are required to provide 18 months of military and non-military public works and services in any location or capacity chosen by the government. Some national service conscripts, however, are required to continue their service indefinitely, beyond the duration specified by law, with many required to serve in their positions for over 10 years under the threat of inhumane treatment, torture, or punishment of their families. There have been reports that some Eritrean conscripts are forced to build private homes for army officers, as well as to perform agricultural labor on farms and construction activities for firms owned by the state, the ruling party, senior army officers, and private investors, functions outside the scope of the proclamation. The military's four command zones reportedly undertake diversified economic activities, including trading, farming, property development, and infrastructure construction, for the enrichment of the government, the ruling party, and high-ranking army officers using conscripted labor. National service conscripts could not resign from their jobs or take new employment and could not leave the country, as those under national service were often denied passports or exit visas [...]

➤ [Amnesty International, Annual Report 2011: Eritrea, 13/05/2011](#)

[...] Military conscription

A significant proportion of the population was engaged in compulsory national service, which was mandatory for men and women over the age of 18. An initial period of 18 months' service includes six months' military service and 12 months' deployment in military or government service. This often involves forced labour in state projects. Conscripts perform construction labour on government projects such as road building, work in the civil service or work for companies owned and operated by the military or ruling party elites. Conscripts are paid minimal salaries that do not meet the basic needs of their families [...]

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➤ [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

1. Military/National Service

[...] In assessing reasons for refusal to perform military service, and how they relate to the refugee definition criteria, the extent of the forced labour imposed on conscripts, the unpaid nature of their work and the length of the military conscription imposed⁸² should also be taken into account.

[...] The Government reportedly uses human resources as a nationalized asset,⁸⁷ utilizing the labour of military conscripts under the guise of development programmes.⁸⁸ There is evidence to suggest that most manual labour in emerging mining projects in Eritrea is provided by military conscripts.⁸⁹ It is reported that some Eritrean conscripts are used for building private homes for army officers, as well as to perform agricultural labour on farms and construction activities for firms owned by the State, PFDJ members, senior army officers, or private investors.⁹⁰ Construction companies belonging to the ruling party are reportedly the main property developers throughout the country, and the large majority of manual workers on these developments are military conscripts.⁹¹ Incidents of torture have been reported in cases where conscripts working on farms owned by military commanders have left their posts without permission.⁹² Pursuant to international human rights law, the prohibition of “forced or compulsory labour”⁹³ should not include military or alternative service,⁹⁴ provided that work required in this context is of “a purely military character”.⁹⁵ According to the International Labour Organization, the condition of a “purely military character” is aimed specifically at preventing the call-up of conscripts for public works. It has its corollary in Article 1(b) of the Abolition of Forced Labour Convention, 1957 (No. 105), which prohibits the use of forced or compulsory labour “as a method of mobilizing and using labour for purposes of economic development”.⁹⁶ In situations of emergency, which would endanger the existence or well-being of the whole or part of the population, conscripts (alongside other citizens) may nevertheless be called upon to undertake non-military work.⁹⁷ The duration and extent of compulsory service, as well as the purposes for which it is used, should be confined to what is strictly required in the given situation.⁹⁸ Where it can be established that compulsory military service is being used to force conscripts to execute public works, and these works are not exacted in the case of an emergency, and do not constitute a necessity for national defence or a normal civic obligation, such work constitutes forced labour.⁹⁹ According to the ILO Committee of Experts on the Application of Conventions and Recommendations, the “no war no peace” situation in Eritrea does not amount to a genuine situation of emergency and, as such, recourse to compulsory labour cannot be justified.¹⁰⁰ The Committee recently held that the current large-scale and systematic Government practices of imposing compulsory labour within the framework of national service in Eritrea are incompatible with both the 1930 Forced Labour Convention and the 1957 Abolition of Forced Labour Convention.¹⁰¹ [...]

➤ [Office of the United Nations High Commissioner for Human Rights \(OHCHR\), Written statement submitted by the Jubilee Campaign \(The continuing human rights crisis in Eritrea: the need for urgent international action\), 01/03/2011](#)

[...] A heavily militarised society

[...] Conscripts are used as forced labour, and the sexual, emotional and physical abuse of female conscripts is rampant.⁹ The harsh regime can cause psychological damage; symptoms include walking backwards, involuntary choking, and stress-induced blindness.¹⁰ [...]

➤ [Human Rights Watch, Word Report 2011: Eritrea, 24/01/2011](#)

[...] Indefinite Conscription and Forced Labor

[...] National service conscripts are paid a pittance and often used as cheap, involuntary labor on projects personally benefiting ranking civilian and military leaders. They have been used as forced labor to implement development projects. A former goldmine employee reported that national service recruits were involuntarily assigned to his gold-prospecting team, receiving only national service pay. Abuse of conscripts, including torture, is common. Prolonged service, harsh treatment, and starvation wages are principal reasons for the hundreds of monthly desertions [...]

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➤ [International Crisis Group, Eritrea: The Siege State, 21/09/2010](#)

[...] Section III THE EVOLUTION OF THE MILITARY STATE

[...] C. THE MILITARY

[...] Commanders frequently use recruits for personal projects, such as constructing homes, and as attendants.⁸⁴ In effect, the army is currently organised unofficially into economic and political fiefdoms under commanders who pursue their own interests, while military capacities deteriorate rapidly [...]

➤ [Human Rights Watch, Service for Life State Repression and Indefinite Conscription in Eritrea, 16/04/2009](#)

[...] Indefinite Forced Conscription

[...] Forced Labor

After six months of compulsory military training, national service conscripts are deployed indefinitely in one of several possible activities. Many conscripts are simply drafted into military service and are deployed in regular military units.¹⁹⁹ One refugee interviewed by Human Rights Watch was sent to work as a clerk in a court in Asmara, another was sent to work as a mechanic in a civilian garage repairing trucks in Asmara.²⁰⁰ Others described working on farms or mines owned by the state or the PFDJ ruling party, or building roads and bridges. Regular military units, conscripted military personnel, and prisoners are all also engaged in similar activities—building, mining, and farming.²⁰¹ According to escaped conscripts, the normal “allowance” during training is 50 Eritrean Nakfa per month (about US\$3).²⁰² After 18 months training while on national service, this is increased to 150 Nakfa a month (\$9).²⁰³ This is the same amount paid to former soldiers recalled for service during the 1998-2000 war and still mobilized as well as for the over-50s who have been mobilized to serve in a reserve militia. Some of those conscripted prior to 1998 appear to have been incorporated into the regular army and receive salaries accordingly. Regular soldiers are paid a salary of 330 to 3,000 Nakfa (\$20 to \$183) depending on rank.²⁰⁴ All walks of life have been transformed into national service, so that, in essence, an Eritrean is conscripted, subjected to military training for six months, then assigned to any job by the state. As one young man said, “The government is trying to do every single business in the country. National service people are employed in government enterprises, and every person below 40 is a member of national service. So if I’m assigned to work in a shop, then I’ll be working in a shop and serving my country.”²⁰⁵ In another example, a professional footballer was told to report for national service. When he finished six months of military training he was assigned to play football again, but as part of his national service. Before military training he was earning 3,600 Nakfa a month (\$220). Afterwards, as part of national service, he was paid an allowance of 400 Nakfa a month (\$24).²⁰⁶ He said, “I kept playing because if I didn’t I would have been taken to the military again.”²⁰⁷ For regular recruits on national service, 150 Nakfa does not constitute a living wage, nor is their labor given freely. Refugees interviewed by Human Rights Watch refused to refer to the money they were paid as a salary, preferring instead to call it “pocket money.”²⁰⁸ All complained that it was insufficient to live on and completely inadequate to feed a family. Western diplomats and UN officials confirmed that making ends meet on such amounts was impossible in Eritrea.²⁰⁹ Nevertheless, an official with an agency that provides significant development assistance to Eritrea argued that national service labor is not necessarily forced labor, but “mobilizing people in a low wage environment.”²¹⁰ Under international law—the Forced Labour Conventions and ILO Convention 29—the key points when considering the definition of forced labor are the extent to which: “(i) the works or services are exacted involuntarily; (ii) the exaction of labor or services takes place under the menace of penalty; and (iii) these are used as a means of political coercion, education or as a method of mobilising and using labor for purposes of economic development, as well as means of labor discipline.”²¹¹ This is most certainly the case in Eritrea, and it would thus appear that forced labor on the Eritrean scale and for indefinite periods is a gross human rights violation.²¹² Human Rights Watch spoke to dozens of men and one woman who described being forced to do back-breaking work and who were punished when they refused.²¹³ One man conscripted at the age of 16 in 1996 described doing many different jobs in the military until he fled at the beginning of 2008. After the 1998-2000 war, “when the fighting stopped I did different jobs in the army, planting, agriculture... after that we were collecting stones to build the Asmara-Assab road.”²¹⁴ Another conscript finished his training at Sawa camp and was then deployed in Dekemhare on a construction site building houses for military leaders: “We were paid very little, whereas as a civilian builder you can earn. Some other soldiers refused to work and were jailed. If you don’t work you go to

prison. You lose your vacation time and your pay—150 Nakfa—is stopped. If you refuse they see it as a political problem.”²¹⁵ In its report of a mission to Eritrea, the European Parliament noted, “Via the ‘Cash for Work Programme,’ citizens contribute to the public works—such as the building of dams—against payments from the government. While this scheme was described as being voluntary, there is a risk of people being forced to work for the government in order to ensure they can earn their living.”²¹⁶ Most conscripts don’t openly refuse to work but they vote with their feet, either escaping from the military camps or waiting until their annual leave and then fleeing the country instead of reporting for duty once more.

Forced labor for private gain

The projects on which conscripts are deployed are not just public works for the national good. They are often sent to work on private construction projects, building houses for military leaders, and working on private farms. Human Rights Watch and Amnesty International have both previously documented the use of conscript labor for the benefit of ranking members of the military and the government.²¹⁷ Diplomats admitted that aid projects are implemented by national service labor working for private construction firms with good connections to the government.²¹⁸ “All companies are owned by the military or the party,” said one diplomat, and another complained that aid projects, “are meant to be allocated through an open bidding process, but in reality only those using conscript labor stand a chance.”²¹⁹ Several scholars concurred with this analysis.²²⁰ As one wrote: Since April 2006, only PFDJ construction firms are allowed to engage in construction activities after private firms and individual entrepreneurs were banned from the construction industry as part of the government’s crackdown on the private sector. On 3 April 2006, the government issued a directive ordering all “contractors, consultants, practicing professionals and studio operators” to submit to the Technical Office of the Central Region: their original licenses, detailed accounts, addresses, types and sizes of their projects, owners’ names, estimated total costs, on the day after (4 April 2006) the directive was issued. On 7 April 2006, the government also ordered all of them to cease their activities within ten days. The prohibition is still in force. The major beneficiaries of the ban are the ruling party’s more than forty enterprises which dominate every aspect of the country’s economy, the enterprises of the PFDJ’s mass organizations and the mushrooming construction firms belonging to the Ministry of Defence.²²¹ One former EPLF fighter who was in the military administration told Human Rights Watch, “the senior officers have their own capital like shops, bars; they run businesses and the workers are the national service. The conscripts are working for the benefit of the higher ranks: Colonel, Brigadier, Major-General.”²²² A scholar who has conducted research in Eritrea over many years noted, “there is a whole class of people whose wealth rests on National Service labor.”²²³ Dozens of former prisoners who had escaped and fled the country described being put to work on military construction projects; some built military installations such as barracks and ports, others built properties owned by military leaders.²²⁴ The conscripts deployed to work on commercial farms, mines, or construction projects were often housed in appalling conditions with bad nutrition and minimal pay. One national service soldier who had requested to be demobilized many times since independence in 1993 was deployed in a mine for two months. He explained: Bad things happened. I had to do work on the houses of the leadership, had to collect sand crystals [some kind of crystalline sand], inside the earth. You use a stick to push the earth...The crystal sand is sharp and when you dig it out of the soil it creates infection in the fingers. When I complained that the fingers were injured they said, ‘you have to take punishment for that.’ At one point when I was tired and my fingers were bleeding I stood up and said I couldn’t do more. They asked why I was standing, and took me away. After beating me they asked me ‘Why don’t you work?’ I said, I came here accidentally because I didn’t have my ID card and I can’t do more work because my fingers are injured. At last when I said I had been a fighter, [in the liberation war] they stopped the punishment.²²⁵ It is not just conscripts who are providing cheap labor for the benefit of military leaders. Prisoners are regularly employed and school children are made to work during their school holidays. The national program for school children is called Mahtot. For two months during the break, children in 9th grade and above must report to work camps where they, “plant trees, clean houses, pick cotton and help with other agricultural projects,” in the words of one student.²²⁶ Normally the children stay in schools in the area. During the two months their compensation is 150 Nakfa (\$9) for their family; the fee is euphemistically called “soap money.”²²⁷ [...]

Torture and other forms of ill-treatment

- [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)
[...] Section III. Eligibility for International Protection
[...] A. Potential Risk profiles
1. Military/National Service
[...] Incidents of torture have been reported in cases where conscripts working on farms owned by military commanders have left their posts without permission.⁹²
- [Office of the United Nations High Commissioner for Human Rights \(OHCHR\), Written statement submitted by the Jubilee Campaign \(The continuing human rights crisis in Eritrea: the need for urgent international action\), 01/03/2011](#)
[...] A heavily militarised society
[...] Conscripts are used as forced labour, and the sexual, emotional and physical abuse of female conscripts is rampant.⁹ The harsh regime can cause psychological damage; symptoms include walking backwards, involuntary choking, and stress-induced blindness.¹⁰ [...]
- [Human Rights Watch, Word Report 2011: Eritrea, 24/01/2011](#)
[...] Indefinite Conscription and Forced Labor
[...] Abuse of conscripts, including torture, is common. Prolonged service, harsh treatment, and starvation wages are principal reasons for the hundreds of monthly desertions [...]

The OGN does further not address the specific treatment experienced by female conscripts or the risk posed to family members of draft evaders. The following COI illustrates the treatment faced arranged under the relevant two headings:

Treatment of female conscripts

- [Human Rights Watch, Ten Long Years: A Briefing on Eritrea's Missing Political Prisoners, September 2011](#)
[...] Other Human Rights Violations by the Eritrean Government
[...] Women in national service are frequently sexually abused or raped by their commanding officers. A 2007 study of Eritrean women seeking asylum in Norway reported rapes and other abuses during national service, including "detention (short- and long-term), beatings, forced abortions (and attempted abortions), forced heavy labor, forced ingestion of drugs, death threats, degrading treatment, continuous sexual violence and rape, as well as possible forced pregnancy and sexual enslavement."¹¹¹ The women said that military leaders other than the ones they served directly were also abusers. Refusal to submit to sexual exploitation was punished by detention, torture, and limitations on food rations. Women described being forced to perform domestic duties for military officers. The Norway asylum applicants stated that some colleagues committed suicide to escape the sexual violence.¹¹² [...]
- [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)
[...] Section III. Eligibility for International Protection
[...] A. Potential Risk profiles
1. Military/National Service
[...] v. Sexual and Gender Based Violence
Sexual violence against female conscripts within the military is being reported by human rights monitors.¹³³ Some female conscripts are reportedly subject to sexual harassment and violence, including rape, by their supervisors.¹³⁴ It is reported that female conscripts are coerced into having sex with commanders, including through threats of heavy military duties, harsh postings, and denial of home

leave.¹³⁵ Refusal to submit to sexual exploitation and abuse is allegedly punished by detention, torture and ill-treatment, including exposure to extreme heat and limitation of food rations.¹³⁶ No effective mechanism for redress and protection exists within or outside the military, and perpetrators generally go unpunished.¹³⁷ Women, who become pregnant as a result, are decommissioned and likely to experience social ostracism from their families and communities as unmarried mothers.¹³ [...]

- [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)
[...] Section 1 Respect for the Integrity of the Person, Including Freedom From:
[...] c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment
[...] According to international NGO Human Rights Watch, Eritrean female refugees reported in 2009 that female conscripts in national service were often raped by their supervisors, and there is no information to indicate increased protection of female conscripts during the year.
[...] Section 6 Discrimination, Societal Abuses, and Trafficking in Persons
[...] Women
[...] Allegations of women being raped while attending mandatory military and educational training at the Sawa camp were common.
[...] According to reports, some women drafted for national service were subjected to sexual harassment and abuse [...]
- [Office of the United Nations High Commissioner for Human Rights \(OHCHR\), Written statement submitted by the Jubilee Campaign \(The continuing human rights crisis in Eritrea: the need for urgent international action\), 01/03/2011](#)
[...] A heavily militarised society
[...] Conscripts are used as forced labour, and the sexual, emotional and physical abuse of female conscripts is rampant.⁹ The harsh regime can cause psychological damage; symptoms include walking backwards, involuntary choking, and stress-induced blindness.¹⁰ [...]
- [Christian Solidarity Worldwide, CSW calls for targeted sanctions on perpetrators of human rights abuses in Eritrea, 16/09/2010](#)
[...] A joint CSW UK and Nigeria team has just returned from a visit to East Africa where they met Eritrean refugees, most of whom were former prisoners.
[...] The team also learned of the damage caused to young female conscripts traumatised by the harsh, compulsory and open-ended military service regime. CSW was informed of such symptoms of psychological damage as walking backwards, involuntary choking, and stress induced blindness [...]
- [Human Rights Watch, Service for Life State Repression and Indefinite Conscription in Eritrea, 16/04/2009](#)
[...] Indefinite Forced Conscription
[...] Abuse of female conscripts
Refugees told Human Rights Watch that women are conscripted less now than previously.¹⁷⁴ However, those who are recruited are more at risk of rights violations, rape, and sexual harassment in particular. As one female recruit who served as a conscript for 10 years explained, "First you do your military training then they hold you forever without your rights. The military leaders can ask you for anything and if you refuse their demands then you can be punished. Almost every woman in the military experiences this kind of problem."¹⁷⁵ When she was approached by a commanding officer he punished her when she refused his advances: The officer who asked me [for sex] was married. I said, 'You are married,' and he gave me military punishment and made me work without any break. I was tied in otto for three hours in the sun... this disturbed my mind. He was the commander of 100 [a company]. His official rank is marehai. After he untied me he asked, 'Do you know this is your fault?' I said, 'This is not my fault.' That's when he made me work.¹⁷⁶ [...]

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Treatment of family members of deserters/draft evaders

- [Agence France-Presse, Thousands of Eritreans flee forced conscription, 19/09/2011](#)
[...] Most, like Ablel, are running from open-ended military conscription imposed by the autocratic, isolated and impoverished government of the Red Sea state.
[...] He escaped Eritrea on foot in June, leaving without telling his family -- a common practice in a country where family members are reportedly often jailed after a relative leaves, accused of involvement in helping their escape [...]
- [Human Rights Watch, Ten Long Years: A Briefing on Eritrea's Missing Political Prisoners, September 2011](#)
[...] Other Human Rights Violations by the Eritrean Government
[...] Collective Punishment
If the government cannot locate someone it wishes to punish, especially draft evaders and national service deserters, it aims its retribution at their families. A former officer explained: "If one of the men escapes, you have to go to his house and find him. If you don't find him you have to capture his family and take them to prison."¹²⁹ The family is not given an opportunity to defend itself and may be entirely innocent of wrongdoing. Nevertheless, in 2009 Human Rights Watch found that since 2006, parents have been fined 50,000 nakfa (US\$3,333) for evasion or desertion.¹³⁰ The fine is more than 10 times the maximum fine that can be levied against the draft evader.¹³¹ Families who do not, or cannot, pay are jailed or their property is confiscated. Sometimes a family member is required to serve in place of the absconder even if that family member has satisfied his or her individual national service obligations.¹³² There is no evidence that the practice has yet changed.
- [Minority Rights Group International, State of the World's Minorities and Indigenous Peoples 2011, 06/07/2011](#)
[...] Eritrea
[...] Women in Eritrea, including those from minority communities, face state harassment for their own political views and actions, but also as a result of the actions of their children and relatives. Indefinite military service is compulsory for all able-bodied young people, male and female. Each year, many young people leave the country to avoid this, and it appears that their mothers are then targeted [...]
- [Freedom House, Freedom in the World 2011: Eritrea, 12/05/2011](#)
[...] Political Rights and Civil Liberties.
[...] The government imposes collective punishment on the families of deserters, forcing them to pay heavy fines or putting them in prison [...]
- [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)
[...] Section III. Eligibility for International Protection
[...] A. Potential Risk profiles
1. Military/National Service
[...] iv. Family Members of Draft Evaders and Deserters
Since 2005, the Government has instituted measures to address the widespread evasion of and desertion from military service. Although not systematically applied, such measures target the family members of draft evaders and deserters, and include: (i) arrest of family members, mostly parents, of young men and women who have not completed national service or of children who have not reported to the military training camp at Sawa for their final year of high school or have not reported for national service;¹²⁹ (ii) imposition of fines on families of draft evaders;¹³⁰ (iii) forced conscription of family members, particularly the father, of the draft evader;¹³¹ and (iv) withdrawal of trade licenses and closure of businesses held by members of the nuclear family of a deserter/draft evader.¹³² [...]
- [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)

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[...] Section 1 Respect for the Integrity of the Person, Including Freedom From:

[...] d. Arbitrary Arrest or Detention

[...] Arrest Procedures and Treatment While in Detention

[...] Security forces also continued to detain and arrest the parents and spouses of individuals who evaded national service or fled the country (see section 1.f.)

[...] f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

[...] Security forces continued to detain and arrest parents and other family members of individuals who evaded national service duties or fled the country. There were reports that such parents were either fined 50,000 nakfa (\$3,333) or forced to surrender their children to the government. Government officials entered households and confiscated property and livestock of draft evaders [...]

➤ [Human Rights Watch, Service for Life State Repression and Indefinite Conscription in Eritrea, 16/04/2009](#)

[...] Indefinite Forced Conscription

[...] Collective punishment of deserters' families

There are strict penalties for those who try and escape national service as well as for any Eritreans who leave the country without government authorization. Families are collectively punished if their relatives flee national service, usually by being jailed or forced to pay fines. An officer formerly responsible for chasing down deserters explained how if the soldier could not be found then the family was arbitrarily detained instead: If one of the men escapes, you have to go to his home and find him. If you don't find him you have to capture his family and take them to prison. Since 1998, it's standard to collect a family member if someone flees. The Administration gives the order to take family members if the national service member is not around. If you disappear inside Eritrea then the family is put in prison for some time and often then the child will return. If you cross the border, then [your family] pays 50,000 Nakfa [about US\$3,050]. If there's no money then it can be a long time in prison. I know people who are in prison for six months.¹⁷⁰ All of the deserters interviewed by Human Rights Watch were fearful for the safety of their families and anxious that they would face the crippling 50,000 Nakfa fines, detention, or some other retribution such as the denial of business permits or the forfeiting of land in lieu of a cash fine.¹⁷¹ Three former conscripts said their mothers had been imprisoned for four months, two months, and two weeks respectively because they could not afford to pay the 50,000 Nakfa fine.¹⁷² One man, now in Italy, heard that his family's farm had been taken because he had fled the army: All the families of those who fled had to pay 50,000 or have their land taken away. This happened to a lot of people I knew. About half of the town suffered this. The area is usually a vegetable-growing area—tomatoes and spinach. When people lose their land they depend on God. If they pay 50,000 they get their land back. The memehidar [local administration] of the town demands the land. Sometimes security officials also take matters into their own hands.¹⁷³ [...]

3.8 Members of Opposition Political Groups

Excerpt from the September 2011 Eritrea OGN

G-15 Activists

3.8.6 G-15 refers to 11 former members of parliament, 10 journalists and hundreds of other men and women who were arrested in a crackdown on government critics calling for democratic reforms in September 2001. The 11 members of parliament (known as members of the "G15" or "group of 15" and including former government ministers) were publicly accused of "treason" during the war with Ethiopia, and the detained journalists were accused of supporting them through their publications as "spies and mercenaries".³⁰

3.8.7 The Eritrean chapter in the [Amnesty International 2011 Annual Report](#) states that the [G-15 group](#), prisoners of conscience detained without charge or trial since 2001, continued to be held in secret detention. During 2010 the government again did not respond to allegations that nine of the G-15 had died in detention.³¹

Only one source, the latest Amnesty International annual report, has been included regarding the current situation of the G-15 group, now also referred to as the G-11. The additional COI presented below and available in the public domain further informs about their treatment and situation. However, it should be noted that an over emphasis on the G-15/G-11 group tends to suggest that a high benchmark is set, which as discussed further below from page 23 onwards is the opposite of the actual case. Numerous sources document the ill-treatment experienced by dissidents/perceived dissidents. Actual membership of an opposition group is not a prerequisite for persecution on the basis of political opinion as the OGN seems to suggest.

➤ [Amnesty International, PRISONERS OF CONSCIENCE HELD FOR A DECADE MUST BE RELEASED, 15/09/2011](#)

The Eritrean authorities must immediately and unconditionally release 11 prominent politicians, including three former cabinet ministers, who have been held incommunicado without charge for 10 years, Amnesty International said today. The activists, all former members of the Central Council of the ruling People's Front for Democracy and Justice (PFDJ) party, were arrested after calling for democratic reform. Together with four other members of parliament, they had formed the G15/Group of 15 and published an open letter to the government and President Isaias Afewerki calling for "democratic dialogue". The four other members of the G15 escaped arrest: three were out of the country and one withdrew his support for the group. After the arrest of the activists, the Eritrean government said the 11 had committed crimes "against the security of the nation". The group had all been senior military or political leaders during the 30-year long war of independence with Ethiopia. "This anniversary is a harrowing reminder of President Afewerki's complete disregard for the essential right of freedom of expression. For more than a decade, he has brutally suppressed any legitimate criticism of his government," said Michelle Kagari, Amnesty International's Deputy Director for Africa. "The ten-year incommunicado detention of these activists violates numerous rights protected under Eritrean and international law" said Michelle Kagari. In the ten years that they have been detained, the Eritrean authorities have refused to confirm their whereabouts or their health status to their families. Holding them incommunicado increases the risk that they will be tortured or ill-treated while in detention, including by denying them adequate medical care.

[...] Several members of the group were already suffering from medical conditions when they were arrested ten years ago. In recent years there have been reports that nine of the eleven have died in detention. The authorities have not responded to these allegations [...]

➤ [Human Rights Watch, Ten Long Years: A Briefing on Eritrea's Missing Political Prisoners, September 2011](#)

[...] The Fate of the September 2001 Victims

[...] The "G-15" Prisoners

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These are the 11 government/party critics who were arrested and are believed to have been held in solitary confinement since September 2001. Five of them (designated by asterisks) are presumed dead based on credible reports discussed later in this report:

[...] The Journalist Prisoners

Ten journalists were picked up in nighttime raids in the 10 days after the arrest of the G-15. They have also been held incommunicado since. Five (designated by asterisks) are reported dead by people fleeing the country and expatriate websites:¹⁶

[...] What Is Known about the Prisoners

During their decade-long ordeal, the 21 critics and journalists have been held incommunicado. None has been allowed a visit by a lawyer, a Red Cross official, or a family member. None has been brought to a public trial. The Eritrean government has kept the location of the 21 prisoners secret and has never commented on their condition. The 21 officials and journalists have been held in detention, isolated from anyone other than their guards, for a decade. It is not known if they are alive or dead, although information from defectors elaborated below suggest that five G-15 members and five journalists have died in custody, 10 in total.³⁰

➤ [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

[...] 2. Members of Political Opposition Groups and Government Critics

[...] In the most high profile case to date, eleven former Government ministers and Eritrean liberation war veterans, who called for democratic reforms, including the implementation of the Constitution and the holding of elections, remain in secret detention since their arrest in September 2001. Known as the Group of 15 (G15),¹⁴⁷ they have never been charged or appeared in court to face trial.¹⁴⁸ Over half of those arrested have reportedly died in custody.¹⁴⁹ [...]

➤ [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)

[...] Section 1 Respect for the Integrity of the Person, Including Freedom From:

[...] d. Arbitrary Arrest or Detention

[...]The government held numerous other detainees without charge or due process, including an unknown number of NGO employees detained in a 2008 round-up (see section 5). The detainees included an unknown number of persons suspected of antigovernment speech or of association with the 11 former PFDJ members arrested in 2001 [...]

➤ [UK Foreign and Commonwealth Office \(FCO\), Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report \(Eritrea excerpt\), 31/03/2011](#)

[...] Section VII Human Rights in Countries of Concern

[...] Access to justice

The judicial system in Eritrea is often opaque, arbitrary and harsh. It is impossible to obtain accurate figures on the number of political and religious prisoners as the Eritrean government does not allow access to most of its prisons, but some 196 estimates are in the tens of thousands. These include the so-called "G11"; 11 senior government officials imprisoned without trial since 2001 after openly criticising President Isaias Afwerki. The condition of the 11, or even whether they are still alive, is not known [...]

Excerpt from the September 2011 Eritrea OGN

Members of the ENA/EDA including the ELF and the EDP

[...] 3.8.4 Opposition groups abroad, most of which are based in neighbouring Ethiopia and Sudan, are split into two major affiliations, namely (i) the Democratic Party, which has agreed a common set of objectives with two older parties (the Eritrean Liberation Front (ELF) and the Eritrean Liberation Front - Revolutionary Council (ELF-RC), a splinter group of the ELF); and (ii) the Eritrean National Alliance (ENA), an umbrella organisation consisting of several and varied opposition groups. Some of these

groups broadcast radio and television programmes to Eritrea via satellite, and maintain active websites highly critical of the Eritrean Government.²⁸

The highlighted sentence is referenced as the April 2009 UNHCR Eligibility Guidelines. However, these guidelines have been superseded with the most recent UNHCR Eligibility Guidelines published in April 2011. The new guidelines do no longer contain any specific information on members of those particular opposition groups but rather include the following information with regards to the adverse treatment experienced by perceived or real political opponents and finds that anyone, members or individuals, associated with or perceived to be associated with opposition political groups, as well as Government critics, may be at risk:

➤ [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

[...] 2. Members of Political Opposition Groups and Government Critics

Although the Constitution guarantees the right to form political organizations,¹³⁹ the People's Front for Democracy and Justice (PFDJ) remains the only authorized political party in the country and has dominated public and private life since 1994, when it came into power.¹⁴⁰ All opposition groups have been driven out of the country and, since late 2004, operate only in exile, mainly in neighbouring countries.¹⁴¹ However, following the restoration of diplomatic ties between Sudan and Eritrea in 2006,¹⁴² the Sudanese Government has pledged to ban Eritrean opposition groups from operating on its territory.¹⁴³ Since then, Sudan has reportedly provided Eritrea with intelligence on the military bases of Eritrean opposition groups and activists.¹⁴⁴ The climate of intolerance of political dissent in Eritrea has reportedly led to frequent arrests of suspected Government critics. Those arrested are often held in incommunicado detention or "disappear" in secret detention facilities, where they are reportedly held in poor conditions and denied access to legal counsel or medical treatment. Severe punishments, torture, starvation and other ill treatment are commonplace.¹⁴⁵ Relatives reportedly face reprisals from the authorities for inquiring about the arrest or detention of family members.¹⁴⁶

[...] Since 2001, thousands of politically-motivated arrests have been reported; most of those detained are yet to be charged or prosecuted.¹⁵⁰ Furthermore, Government officials reportedly monitor the political activities of the diaspora,¹⁵¹ allegedly harassing critics and intimidating exiled Eritreans into participating in pro-Government rallies and paying remittances – the two percent "income tax" required of all citizens residing abroad – for fear of reprisals against family members in Eritrea.¹⁵² **In light of the sustained climate of political intolerance, as evidenced by thousands of politically motivated arrests, UNHCR considers that members of, or individuals associated with or perceived to be associated with, opposition political groups, as well as (perceived) Government critics, may be at risk on the basis of their (imputed) political opinion.**¹⁵³ [...] [Emphasis added]

Excerpt from the September 2011 Eritrea OGN

3.8.9 High-level former opposition activists of parties under the umbrella of the ENA/ EDA are likely to be of interest to the Eritrean authorities and as such at risk of treatment amounting to persecution. They are therefore likely to qualify for asylum unless there are reasons why in the individual case they do not.

3.8.10 Low or medium-level current or former members of parties under the umbrella of the ENA/EDA who have not come to the attention of the authorities are unlikely to have a wellfounded fear of persecution for that reason. They are therefore unlikely to qualify for asylum unless there are reasons why in the individual case they should do so.

3.8.11 Despite numerous reports of politically motivated detentions since 2001 there have been no further confirmed arrests or detentions of G15-associated activists. Applicants who claim to fear arrest or detention on account of their low to medium-level activism in support of the detained members of the G15 group are therefore unlikely to qualify for asylum, unless there are reasons why in an individual case they should do so

The guidance provided in the OGN regarding political opponents (see highlighted sentences above) is very restrictive and only sees “high-level former opposition activists” of specific parties as being of “likely interest to the Eritrean authorities” and therefore at risk, but disregards those at risk who are “low or medium-level current or former members of parties under the umbrella of the ENA/EDA” who have not come to the attention of the authorities and those who have been involved in “low to medium-level activism” in support of the G-15/G-11 group. The OGN further alludes to rather than explicitly states that if those “low or medium-level current or former members of parties under the umbrella of the ENA/EDA” come to be discovered, they are at risk. This also omits the understanding of “discretion” reached by the UK Supreme Court in [HJ \(Iran\)/HT \(Cameroon\) v Secretary of State for the Home Department \(Rev 1\) \[2010\] UKSC 31 \(07 July 2010\)](#), which the Upper Tribunal of the UK Immigration and Asylum Chamber applied to religion in relation to Ahmadis in [MT \(Ahmadi - HJ \(Iran\)\) Pakistan \[2011\] UKUT 277 \(IAC\) \(13 July 2011\)](#) and which does have a broader application beyond sexuality/sexual identity and religious cases. Numerous sources document the ill-treatment experienced by dissidents/perceived dissidents. Actual membership of an opposition group and coming to the attention of the authorities are not prerequisites for persecution on the basis of political opinion as the OGN seems to suggest.

Despite the inclusion of one source of information at paragraph 3.8.5 of the OGN that “persons are routinely arrested on political grounds, and there was lack of due process and lack of transparency surrounding the penal system”, the guidance provided in the OGN disregards any additional COI available in the public domain that corroborates the commentary provided in the previous paragraph. Please also note the excerpt by UNHCR on the page above.

➤ [Amnesty International, PRISONERS OF CONSCIENCE HELD FOR A DECADE MUST BE RELEASED, 15/09/2011](#)

[...] In the months following the arrest of G15 members, dozens of journalists, government critics and supporters of the dissidents were also detained in a sweeping crackdown on freedom of expression. Many of those arrested also continue to be detained without trial. In the decade since the G15 prisoners were arrested the Eritrean authorities have repeatedly used arbitrary arrests, detentions and torture to stifle opposition. No opposition parties, independent journalism or civil society organizations are allowed. President Isaias Afewerki and the ruling PFDJ, the only permitted political party, exert complete control over the state without a hint of elections which have been indefinitely delayed. “Thousands of political prisoners are languishing in dire conditions, many in secret detention, across Eritrea”, said Michelle Kagari. “We call on the Eritrean government to issue an amnesty for all political prisoners and to respect their right to freedom of expression.” [...]

➤ [Human Rights Watch, Ten Long Years: A Briefing on Eritrea’s Missing Political Prisoners, September 2011](#)

[...] Other Human Rights Violations by the Eritrean Government

[...] Arbitrary Arrest and Disappearance

The September 2001 arrests of high level officials and journalists triggered a wave of arrests that continues. As one scholar has noted, “By the end of 2001, all dissenting voices demanding democratic reform in Eritrea were quelled; either arrested, driven into exile, or cowed into silence.... Thenceforth, no opposition or alternative voices have been allowed to be heard inside the country.”⁷⁹ Eritreans from all walks of life have been jailed since September 2001: government officials; leaders of government-controlled labor unions; businessmen; government journalists; employees of foreign embassies and of international non-governmental organizations; adherents of “unrecognized religions;” and national service evaders or escapees. Estimates of the number of Eritreans jailed are difficult to confirm but range from 5,000 to 10,000, excluding national service evaders and deserters who may number tens of thousands more.⁸⁰ There are said to be more than 300 prisons and detention centers in the small country.⁸¹ Like the officials and journalists arrested in September 2001, prisoners are often held indefinitely without

access to family members, prison monitors, or lawyers. There is no appeal procedure. If prisoners are released, they are warned not to speak of their experiences while incarcerated. Those detained have no access to legal counsel. Emblematic of the absence of the rule of law, the government has licensed no new lawyers since 2007; the only law school in the country is closed.⁸² What the prisoners have in common is that they have not been formally charged, much less brought to trial. Arrests can occur for such diverse activities as questioning government policies, criticizing the government's failure to alleviate hunger, alienating a work supervisor or a neighbor, practicing one's religion (see below),⁸³ or owning or listening to Ethiopian music.⁸⁴ Arrests occur without explanation or recourse. People are often arrested at night for no stated reason. Their families are not informed where they have been taken or for how long they will be detained.⁸⁵ Persons inquiring about a relative's whereabouts risk being jailed themselves.⁸⁶ As a security officer told a group of mothers in 2003, "You can't ask about prisoners.... You have no right to ask."⁸⁷ Corpses of prisoners are sometimes delivered to the family without explanation; often, though, the family receives no information about a prisoner's death.⁸⁸ The guard, who facilitated the escape of the University of Asmara student council president in 2002, told an opposition website that the reasons for many arrests are opaque and sometimes haphazard: It is hard to describe because it is a very sloppy operation. When one is arrested, there is no record of who the arresting officer is, and what the charges against the arrested are. Often, the arresting officer is reassigned and, for years, the case of the arrested is forgotten.... There is no formal system that tells you your crimes. When you are jailed, you are not told how long you will be jailed. If you are lucky, you get released; if you are not lucky, you don't. Sometimes, they tell you so-and-so is released but then you get confused when the families of those who are supposedly released come to ask you of the whereabouts of the jailed family members.⁸⁹ In the last third of 2001 and early 2002, scores of military officers, civil servants, businessmen, and professionals were arrested. Most had not criticized Isaias but some had been close to the G-15 and may therefore have been regarded as a threat to the president. Amnesty International reported in 2004 that four septuagenarians were jailed for simply signing a letter urging the government to reconcile with the dissidents.⁹⁰ [...]

➤ [Amnesty International, Annual Report 2011: Eritrea, 13/05/2011](#)

[...] Prisoners of conscience and other political prisoners

Large numbers of political prisoners and prisoners of conscience continued to be detained indefinitely without charge, trial or access to legal counsel. They included suspected critics of the government, political activists, journalists, religious practitioners, draft evaders, military deserters and failed asylum-seekers forcibly returned to Eritrea. Many were held in incommunicado detention for long periods, including political prisoners detained since a government clampdown in 2001. The whereabouts and health status of most remained unknown [...]

➤ [Freedom House, Freedom in the World 2011: Eritrea, 12/05/2011](#)

[...] Political Rights and Civil Liberties.

[...] Freedom of expression in private discussions is limited. People are guarded in voicing their opinions for fear of being overheard by government informants [...]

➤ [U.S. Commission on International Religious Freedom, Annual Report of the United States Commission on International Religious Freedom, May 2011](#)

[...] Religious Freedom Conditions

Government Policies toward Religious Groups and Activities

[...] After an initially promising start toward democratization, the Isaias regime has become increasingly repressive. President Isaias is quite paranoid about losing authority, concentrating power in his hands and those of a small cadre of associates who fought in the liberation struggle. Eritrea is commonly referred to as the —North Korea of Africa|| and is currently considered the most repressive state on the continent. The constitution and elections have been indefinitely suspended. Thousands of Eritreans with religious or civil society affiliations and allegiances are imprisoned for their real or imagined opposition to the government, and arbitrary arrests, torture, and forced labor are extensive. No private newspapers, opposition political parties, or independent nongovernmental organizations exist. Independent public gatherings are prohibited [...]

THIS DOCUMENT SHOULD BE USED AS A TOOL FOR IDENTIFYING RELEVANT COUNTRY OF ORIGIN INFORMATION. IT SHOULD NOT BE SUBMITTED AS EVIDENCE TO THE UK BORDER AGENCY, THE TRIBUNAL OR OTHER DECISION MAKERS IN ASYLUM APPLICATIONS OR APPEALS.

- [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)
 - [...] Section 1 Respect for the Integrity of the Person, Including Freedom From:
 - [...] d. Arbitrary Arrest or Detention
 - [...] Arrest Procedures and Treatment While in Detention
 - [...] The government continued to arbitrarily arrest members of nonregistered religious groups and persons who criticized the government (see sections 2.a. and 2.c.).
 - [...] f. Arbitrary Interference with Privacy, Family, Home, or Correspondence
 - [...] The government monitored mail, e-mail, text messages, and telephone calls without obtaining warrants as required by law. Government informers were believed to be present throughout the country. Many citizens believed the government particularly monitored cell phones; the government requires a permit for the use of SIM cards, necessary for operating and storing information in mobile phones. The government allowed only one SIM card per person, although this rule is unevenly applied, and there is a black market for the sharing of SIM cards. The government did not allow citizens in military service to have SIM cards. There were reports of the government arresting those who rented their cell phones to others or used a cell phone while in military service.
 - [...] Section 2 Respect for Civil Liberties, Including:
 - a. Freedom of Speech and Press
 - [...] Citizens did not have the right to criticize their government in public or in private, and some who did were arrested or detained.
 - [...] The government actively monitored the Eritrean Diaspora within the country and abroad via agents. The government attempted to impede criticism and took reprisals against persons who criticized government officials or policies. Public criticism about the government's inability to combat poverty and starvation was prohibited.
 - [...] The government also continued to forbid free speech
 - [...] Internet Freedom
 - There were no official restrictions on the use of the Internet; however, the government monitored Internet communications. The government monitored e-mail without obtaining warrants as required by law (see section 2.a.). All Internet service users were required to use one of the three Internet service providers owned by the government either directly or through high-ranking PFDJ party members. Those who want a larger bandwidth, such as some international mining corporations, pay exorbitant prices far beyond the reach of the local population for DSL speed Internet connections.
 - [...] The government also discouraged citizens from viewing Web sites known to be antigovernment by continuously labeling the sites and their developers as saboteurs of the government. Many citizens expressed fear of arrest if the government caught them viewing such sites [...]
- [UK Foreign and Commonwealth Office \(FCO\), Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report \(Eritrea excerpt\), 31/03/2011](#)
 - [...] Freedom of expression
 - [...] Political opposition and dissenting views are not tolerated and people are liable to be imprisoned for expressing opposing opinions. [...]
- [Reporters Sans Frontières, Enemies of the Internet - Countries under surveillance 2011 - Eritrea, 11/03/2011](#)
 - [...] Technical barriers
 - To date, the Internet is the only space in which Eritreans are free to voice their opinions in a country which President Issaias Afeworki rules with an iron hand. The independent press was wiped off the map in 2001. The state-controlled media merely relay the regime's ultra-nationalist ideology. The government has proven reluctant to accept Internet growth, fearing the Web's potential for disseminating independent information. In this last African country to connect to the Net, in 2000, the penetration rate now hovers around 3.5%, which means that virtually all of the population has been excluded from the digital era. Telecom operator EriTel, which owns the network's infrastructure, is directly controlled by the government. The Eritrean Ministry of Information granted a licence to the country's four Internet service providers from whom EriTel rents its bandwidth. Since EriTel is under the authorities' orders, network surveillance and slowing down bandwidth speed are easy tasks. The government has chosen not to

increase bandwidth speed – a major technical barrier to connection – which explains why, more than sending e-mails (which can take a very long time) – chat has become the most popular way to communicate. Yahoo Messenger and Facebook's "chat" function are constantly being used in cybercafés, where connection speeds are particularly slow. In fact, most of the Eritreans who connect to the Web do so from cybercafés, since they cannot access the Internet from their cell phones. To enjoy private access, netizens need to obtain a high-cost special authorisation from the regime.

Intimidation of netizens: Arrests, blocking tactics, and surveillance

Although the government has not set up any widespread automatic Internet filtering system, it has not hesitated to order the blocking of several diaspora websites critical of the regime. Access to these sites is blocked by two of the Internet service providers, Erson and Ewan, as are pornographic websites and even YouTube. The latter would require too much bandwidth. Sometimes surveillance and self-censorship are enough. The two other Internet access providers, Eritel and Tifanus, do not block opposition websites, since they know that the great majority of Eritrean surfers would never dare to openly consult them for fear of being arrested and imprisoned. The few netizens and webmasters courageous enough to create an independent website, or collaborate in its development, are being threatened and closely monitored. It is commonplace for the authorities to intercept e-mails from individuals whom they consider "suspect." The forty-odd Internet cafés, most of which mainly operate in Asmara, the capital, and in two or three other Eritrean cities, are constantly closely watched, particularly during periods of social unrest, or when compromising news about the regime is circulating abroad. At least two cybercafés are said to have been closed in 2010 and their owners arrested. The official excuse was that they were used for showing pornography to young netizens. In January 2011, several Internet users and bloggers were allegedly arrested in cybercafés, most of them in Asmara. Questioning such people has had a dissuasive effect on other Internet users [...]

➤ [Human Rights Watch, Word Report 2011: Eritrea, 24/01/2011](#)

[...] Restrictions on Freedom of Expression and Association

[...] No private newspapers have been allowed since then and no political organization other than the ruling People's Front for Democracy and Justice (PFDJ) is permitted.

[...] Asking a critical question at a government-convened forum constitutes grounds for arrest [...]

➤ [International Crisis Group, Eritrea: The Siege State, 21/09/2010](#)

[...] Section III THE EVOLUTION OF THE MILITARY STATE

[...] D. THE PENAL STATE

[...] Intolerance of opposition appears to be worsening. Between 2001 and 2010 there have been tens of thousands of arrests of political prisoners and prisoners of conscience, most of whom have yet to be brought to trial.⁹² In detention, they endure horrendous conditions and are routinely tortured.⁹³ Extrajudicial killing is commonplace.⁹⁴ This has been documented in detail through research by both Human Rights Watch and Amnesty International, particularly among Eritrean refugees.⁹⁵

The government has become extremely suspicious of the outside world and paranoid about any Eritrean associated with "external influences" and not fully committed to the "national cause". Enemies of the state and "non-citizens" are seen to come in many guises.

[...] Others who are jailed include, failed asylum seekers, businessmen and merchants suspected of hoarding goods or otherwise engaging in black market activities, journalists who have been critical or are suspected of being potential critics and a range of political dissidents, real or imagined, including those who in 2000-2002 expressed misgivings about the government. Draft evaders and deserters have swollen jails more than any other single category. There is deep and widespread fear of the security forces, and contrary political thoughts are rarely, if ever, voiced in public, and then only in hushed tones.⁹⁷ [...]

➤ [Human Rights Watch, Service for Life: State Repression and Indefinite Conscription in Eritrea, April 2009](#)

[...] Part 2: Human Rights Violations

[...] Arbitrary Arrest, Detentions, and "Disappearances"

Eritrea routinely arbitrarily detains people who criticize the president, the government, and the military, those who try and evade national service or desert from the army, and those who practice or are perceived to be members of unregistered Christian religions. Once arrested, many detainees “disappear”—their families are unable to ascertain their whereabouts and are only occasionally informed if the individuals die in custody.⁷⁷

Political detentions

The most famous cases of enforced disappearances are the members of the PFDJ ruling council who were arrested on September 18, 2001—the so-called G-15—and the hundreds of other government officials and journalists who were detained alongside them. Eleven of the G-15 are still in incommunicado detention.⁷⁸ Dozens more have been detained since.⁷⁹ The level of paranoia on the part of the government has reached such a level that, according to one diplomat in Asmara, “people who present no risk to the security of the state are regularly persecuted.”⁸⁰ Those perceived to be a threat to the regime are picked up in house-to-house searches, often at night. Two young refugees described to Human Rights Watch their experience seeing their parents arrested at home during the night by soldiers without any apparent reason.⁸¹ A 26-year-old, serving in the military, having been conscripted at the age of 16, returned home on leave to find that his father had been arrested and taken away by military personnel during the night, apparently for asking questions about the G-15. His father was a leader from the lowlands, near the border with Ethiopia, and had not fled when the Ethiopians controlled his area during the 1998-2000 war. When he himself persisted in questioning his father’s whereabouts, he was jailed in 2005.⁸² In another case, a young man saw his father, a former ELF military leader, taken from their home at night in 2005 by two policemen. He told Human Rights Watch, “After two weeks my mum and I went to the police. They told us, ‘It is not your goddamn business,’ not in a polite way. My father was always disagreeing with [the government] in meetings.”⁸³ Two months later his father’s body was returned. “They said he had been sick in prison. My mother knows the officers; she was asking among them how he died. I think she asked too many questions because then they came back and arrested me and my mum at night.” He added, “Until now I don’t know where they took my mum. After five months in jail I went to the military prison in Sawa, 6th camp.” [...]

Treatment of family members of perceived or real government opponents or critics

The OGN also remains silent about the treatment of family members of those perceived to be government opponents or critics, as the following sources document – please also note those sources included under the heading ‘Family members of deserters/draft evaders’ on p. 20. Sources included under these two headings seem to allude to a broader pattern in the evidence of family members being treated as ‘proxies of hostages’.

- [Amnesty International, Annual Report 2011: Eritrea, 13/05/2011](#)
[...] Prisoners of conscience and other political prisoners
[...] Prisoners’ families faced reprisals for inquiring about them.
[...] Refugees and asylum-seekers
Many Eritreans fled the country. Families of refugees faced severe reprisals for the flight of their relatives, including fines and prison sentences [...]
- [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)
[...] Section 1 Respect for the Integrity of the Person, Including Freedom From:
[...] f. Arbitrary Interference with Privacy, Family, Home, or Correspondence
[...] There were reports of security forces arresting persons whose foreign family members did not pay their extraterritorial income tax of 2 percent of foreign earned income.
- [Office of the United Nations High Commissioner for Human Rights \(OHCHR\), Written statement submitted by the Jubilee Campaign \(The continuing human rights crisis in Eritrea: the need for urgent international action\), 01/03/2011](#)
[...] Refugee Crisis

[...] It also imprisons the oldest member of escapee families pending payment of an excessive fine

Treatment of journalists, media professionals, academics, civil society activists, trade unionists, labour rights activists and certain minority ethnic groups

The current OGN does not address the adverse treatment of journalists and other media professionals, academics, civil society activists, trade unionist and labour rights activists, and members of certain minority ethnic groups. These additional profiles, according to the latest UNHCR Guidelines on Eritrea, fall within the broader category of being at risk due to real or perceived political opposition.⁴ The following COI provides further information on their respective treatment arranged under the subsequent sub-headings:

- [Journalists and other media professionals](#)
- [Academics](#)
- [Civil society activists](#)
- [Trade Unionist and labour rights activists](#)
- [Members of certain minority ethnic groups \(e.g. Kunama and Afar\)](#)

Journalists and other media professionals

➤ [Reporters without Borders, Issaias Afeworki - no less dangerous than Muammar Gaddafi or Bashar al-Assad, 16/09/2011](#)

[...] Eritrea has been ranked last in the Reporters Without Borders international press freedom index for the past four years in a row. More than 30 journalists are currently detained in Eritrea. This makes it the world's second biggest prison for the media, after China. According to the information obtained by Reporters Without Borders, at least four journalists have so far been arrested this year. They join the journalists who have been held since 2001 and who are still languishing in the country's prison camps. Three of the latest detainees are radio journalists – Nebiel Edris, Ahmed Usman and Mohamed Osman – who were arrested in February. The fourth is Tesfalidet "Topo" Mebrahtu, a famous sports journalist on state-owned radio *Dimtsi Hafash* and state-owned *Eri-TV*. Arrested at the end of March, he is now thought to be in a detention centre near the capital, either May Srwa or Adi Abeito, a military prison. His family is not allowed to visit him. To escape the extremely oppressive atmosphere in the state media, where everyone is closely watched and no one is allowed to speak freely, Eritrean journalists often flee the country or at least try to. Some succeed, but others are caught and arrested. This is what happened to Eyob Kessete, who was arrested for the second time in the summer of 2010 as he was trying to flee.

[...] The following journalists are detained in Eritrea right now: Amanuel Asrat, Mattewos Habteab, Temesghen Gebreyesus, Seyoum Tsehay (winner of the Reporters Without Borders Prize in 2007), Dawit Habtemichael, Dawit Isaac, Hamid Mohamed Said, Saleh Al Jezaeeri, Daniel Mussie, Ibrahim Abdella, Eyob Netserab, Isaac Abraham, Mulubrhan Habtegebriel, Girmay Abraham, Nega Woldegeorgis, Bereket Misghina, Yirgalem Fisseha Mebrahtu, Basilios Zemo, Senait Habtu, Meles Negusse Kiflu, Mohammed Said Mohammed, Biniam Ghirmay, Esmail Abd-el-Kader, Araya Defoch, Mohammed Dafla, Simon Elias, Yemane Hagos, Stifanos (father's name unknown), Henok (father's name unknown), Wedi Itay, Said Abdulhai, Eyob Kessete, Nebiel Edris, Ahmed Usman, Mohamed Osman, Tesfalidet Mebrahtu and two journalists whose names are not known. Four of the journalists who were arrested in September 2001 subsequently died in detention. They are Medhanie Haile, Yusuf Mohamed Ali, Said Abdulkader and Fessehay "Joshua" Yohannes. Two other journalists – Musa Sila and Rahel (father's name unknown) – are missing. It is not known if they were arrested, if they fled the country or if they are dead [...]

➤ [Freedom House, Freedom of the Press 2011 - Eritrea, 14/09/2011](#)

⁴ [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#), section III, A, 3, 4 and 8.

The media environment in Eritrea continued to be among the worst in the world, as it remains one of the few countries that lacks any form of privately owned media. The once-vibrant private print press ceased to operate in 2001, after a ban imposed by the government of President Isaias Afwerki and the subsequent imprisonment of key editors and journalists. Since then, the crackdown has extended to state-employed journalists, many of whom have fled the country due to intimidation and arbitrary imprisonment. The constitution guarantees freedom of speech and of the press, and Afwerki continues to claim that in his country "no one is prevented from freedom of speech." In an interview with the Swedish broadcaster TV4 in June 2009, the president dismissed private outlets as being driven by personal interests and indicated that real freedom for the Eritrean people could only be provided by the state-owned media. In an interview for *Al Watan* newspaper in October 2010, the president expressed similar sentiments. Despite the absence of any private media, the 1996 Press Proclamation Law continues to apply in principle, mandating that all newspapers and journalists be licensed. It also stipulates that publications must be submitted for government approval prior to release, and prohibits reprinting articles from banned publications. The country continued to have the worst record in Africa for the detention of journalists, and despite its significantly smaller population, is almost tied with China in terms of global figures. The Committee to Protect Journalists estimates that at least 19 journalists remained in jail in 2010, almost all of whom are being held incommunicado. There is little information on the condition of those imprisoned – such as Swedish-Eritrean journalist and founder of the now closed newspaper *Setit*, Dawit Isaac – though unconfirmed reports indicate that several have died in detention. According to Eyob Bahta Habtemariam, an ex-guard at the notorious Eiraeiro prison camp, Isaac is still being held in solitary confinement and is in very poor physical and mental health. Many more journalists were arrested in 2010, including the well-known journalist and official Said Abdulhai in March. Foreign journalists are not able to freely enter the country and are generally not welcome unless they agree to report favorably about the regime. There have been occasional reports from journalists operating undercover, and *Afwerki* has conducted interviews with foreign broadcasters such as Swedish TV4 and the Qatar-based *Al-Jazeera*. However, it remained almost impossible to report from within the country in 2010. The three newspapers, two television stations, and three radio stations that operate in the country remained under state control. Individuals are allowed to purchase satellite dishes and subscribe to international media, though the importation of foreign publications without prior approval is not permitted. There are several Eritrean-affiliated stations that are attempting to reach listeners in Eritrea including Radio Erena, which broadcasts via satellite and over the radio from Paris, as well as opposition-aligned stations broadcasting from Ethiopia. The government requires all internet-service providers to use government-controlled internet infrastructure. Many websites managed by Eritreans overseas are blocked, as is the video-sharing website YouTube. Authorities are believed to monitor e-mail communications, although internet use is extremely limited, with just 5.4 percent of the population able to access the medium in 2010.

➤ [Human Rights Watch, Ten Long Years: A Briefing on Eritrea's Missing Political Prisoners, September 2011](#)

[...] The Fate of the September 2001 Victims

[...] Since September 2001 no independent media has been allowed in Eritrea. For the past 10 years most Eritreans can receive news only from the government-run television station (ERITV), radio station (Dimtsi Hafash), and its Tigrinya, Arabic, and English newspapers. All produce government propaganda "carefully-vetted material."²⁷ The purpose of Eritrean media, President Isaias has made clear, is "to promote our interests, to present our arguments, and to reflect our views and opinions."²⁸ While slow internet access is available in Asmara, Keren, and perhaps a few other cities, access is monitored and some sites are blocked; according to an international NGO, internet penetration hovers around three percent.²⁹

[...] Other Human Rights Violations by the Eritrean Government

[...] The abolition of the independent press in September 2001 did not stop the mistreatment of journalists. After 2001 the victims were journalists working for government agencies. Reporters Without Borders and the Committee to Protect Journalists have identified over 20 journalists arrested after September 2001. RSF stated in 2009 that over 30 are imprisoned incommunicado.⁹³ In 2006 the UN Special Rapporteur on freedom of opinion and expression appealed to Eritrea for information about at least nine employees of state-owned media arrested that year.⁹⁴ The Special Rapporteur noted that the journalists were being kept at secret locations, stated that they were "at risk of torture or other forms of

ill-treatment” and that the arrests seemed to be “an attempt to intimidate their media related work.”⁹⁵ In 2009 the government arrested the entire staff of Radio Bana, a service of the Ministry of Agriculture. Some of the journalists were later released but Yirgalem Fisseha, one of the few female journalists in Eritrea, remains jailed, as do two of her colleagues, Bereket Misghina and Meles NegusseKifu.⁹⁶ In March 2010 an opposition website reported the arrest for unknown reasons of the former head of the press department of the ministry of information and of the Eritrean news agency, Said bdulhai.⁹⁷ [...]

➤ [Amnesty International, Annual Report 2011: Eritrea, 13/05/2011](#)

[...] Prisoners of conscience and other political prisoners

Large numbers of political prisoners and prisoners of conscience continued to be detained indefinitely without charge, trial or access to legal counsel. They included suspected critics of the government, political activists, journalists, religious practitioners, draft evaders, military deserters and failed asylum-seekers forcibly returned to Eritrea. Many were held in incommunicado detention for long periods, including political prisoners detained since a government clampdown in 2001. The whereabouts and health status of most remained unknown. Prisoners’ families faced reprisals for inquiring about them.

[...] Prisoner of conscience Dawit Isaak, a journalist detained in the 2001 clampdown, remained in detention, allegedly in Eiraeiro Prison. He was reportedly in poor mental and physical health.

Freedom of expression – journalists

The government tightly controlled all media and reacted with hostility to any perceived criticism. All independent journalism has been effectively banned since 2001. Numerous journalists remained in incommunicado detention without charge or trial. In many cases the government refused to confirm their location or health status. Yirgalem Fisseha Mebrahtu, a Radio Bana journalist arrested in February 2009 when the authorities closed the station, was reportedly placed in solitary confinement in Mai Swra Prison in May [...]

➤ [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

[...] 3. Journalists and Other Media Professionals

Freedom of speech and expression, including freedom of the press and other media, are guaranteed under the Constitution of Eritrea.¹⁵⁴ The dissemination of, inter alia, any material deemed to be contrary to the national and public interest, or that could be construed to cause societal divisions is, however, prohibited under the 1996 Press Proclamation.¹⁵⁵ Notwithstanding the Constitutional provisions, the Government closed down all privately-owned press and media outlets in September 2001,¹⁵⁶ when at least 10 journalists from the private press were arrested¹⁵⁷ on national security grounds.¹⁵⁸ Currently only State-owned media operate.¹⁵⁹ In 2010, only one reporter representing a foreign news agency, Voice of America, was allowed to work in the country, although he does not permanently reside in the country.¹⁶⁰ According to the Eritrean delegate to the December 2009 Universal Periodic Review, the Government had been forced to take corrective measures against the privately-owned press as the latter had “started chipping away at the very fabric of the unity and harmony of the Eritrean society and the country”.¹⁶¹ In November 2006, the Government conducted a round-up of State journalists and media professionals for undisclosed reasons. At least nine State-owned media workers were reportedly arrested as a result.¹⁶² A fresh wave of arrests took place in February 2009, when the authorities raided the premises of Asmara-based Radio Bana and arrested its entire staff (circa 50 employees).¹⁶³ Although several of those journalists were quickly released thereafter, about 12 are reportedly still being held incommunicado, without charges, and, at least some, in solitary confinement and military prisons.¹⁶⁴ Since the major police operations in 2001 and the following closure of the private press, freedom of the press has been seriously curtailed in Eritrea. In 2010, the country was ranked third in the world in terms of the number of imprisoned journalists (after Iran and China)¹⁶⁵ and is currently ranked last in Reporters Without Borders’ world press freedom index.¹⁶⁶ Those detained are reportedly held in poor conditions and may be subject to torture and other forms of cruel, inhuman, and degrading treatment.¹⁶⁷ In light of the foregoing, UNHCR considers that journalists expressing, or perceived as holding, views critical of the

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Government, or merely reporting on opposition groups activities, may be at risk on the basis of (imputed) political opinion [...]

➤ [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)

[...] Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law and unimplemented constitution provide for freedom of speech and of the press; however, the government severely restricted these rights in practice.

[...] The private press remained banned, and most independent journalists remained in detention or had fled the country during the year, which effectively prevented any public and media criticism of the government. All journalists practiced self-censorship due to fear of government reprisal.

[...] The government also continued to forbid free speech. In a February 2009 interview with news agency Al Jazeera, President Isaias stated that he would not allow independent media to operate in Eritrea. In an interview in October with a Qatari reporter for *Al Watan* newspaper, the president did not indicate any change in stance with regard to issues related to press freedom. The government controlled all media, which included three newspapers, three radio stations, and two television stations. The law does not allow private ownership of broadcast or other media. The government banned the import of foreign publications without prior approval; however, satellite dishes were widespread and allowed by the government, and subscriptions to international media were allowed. Those who could afford to purchase satellite dishes have access to uncensored international news including the BBC, CNN, and Al Jazeera. The government mandated approval of publications distributed by religious or international organizations before their release, and the government continued to restrict the right of religious media to comment on politics or government policies. The press law forbids reprinting of articles from banned publications. The only foreign news organization operating, the VOA, has only one heavily censored stringer who does not permanently reside in the country. The last Reuters correspondent left the country in 2009. In 2008 the government created administrative obstacles for the Agence-France Presse (AFP) international journalist resulting in his forced departure. AFP has not been allowed to return to the country. President Isaias occasionally conducted interviews with foreign news agencies invited specifically for the interview. Dawit Isaak, a Swedish-Eritrean reporter, has been held by the government for nearly nine years without charge. He was released for medical treatment in 2005, detained again a few days later, and remained in detention at year's end. The Swedish Embassy has not been granted consular access. In a May 29 televised interview, the president stated he had no intention of releasing the journalist or providing him with a trial. At year's end, the government had not responded to the Swedish government's calls for the journalist's release. In August Yemane Ghebreab, head of Political Affairs for the PFDJ, traveled to Sweden and was questioned about the imprisonment of Dawit Isaak. Yemane replied only that Dawit was being held for "very serious crimes regarding Eritrea's national security and survival as an independent state," without providing any evidence or allowing for the possibility for due process. Dawit was believed to be in poor health. After they fled the country during the 2001 crackdown, the journalists founded several radio stations from exile. For example, Radio Assenna and Radio Erena were founded in Europe by former journalists in Eritrea including Amanuel Ghirmai, Biniam Simon, and Emanuel Iyassu. In March an opposition Web site reported that Said Abdulhai, a well-known Eritrean journalist and official, was arrested for unknown reasons. Said Abdulhai was formerly head of the press department of the Ministry of Information and responsible for the state newspaper. The Eritrean news agency, which is the main source for local news in the country, was also run by him. According to a February report by Reporters Without Borders, Amanuel Asrat, the former editor of *Zemen* (a private newspaper no longer in existence), was arrested in 2001 and held in Era-Ero prison camp (cell No. 25) along with freelance journalist Seyoum Tsehaye (cell No. 10) and Dawit Habtemichael, deputy editor and cofounder of *Megaleh* (cell No. 12). Although libel or national security laws were not used to suppress criticism directly, citizens remained fearful of speaking out against the government or its policies. The government repeatedly asserted that national security concerns were at the root of suppressing free speech and criticism. In February 2009 the government detained the entire staff of Asmara-based Radio Bana according to a February report by Reporters Without Borders. The group of detained journalists included Yirgalem Fisseha Mebrahtu, who was one of the few women working as a journalist in Eritrea; Bereket Misghina; and Meles Negusse Kifu. The whereabouts of these prisoners was unknown; at year's end, they were assumed to remain in detention [...]

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➤ [Human Rights Watch, Word Report 2011: Eritrea, 24/01/2011](#)

[...] Restrictions on Freedom of Expression and Association

The government has monopolized all information media since 2001. No private newspapers have been allowed since then and no political organization other than the ruling People's Front for Democracy and Justice (PFDJ) is permitted. [...]

➤ [Committee to Protect Journalists, Iran, China drive prison tally to 14-year high, 08/12/2010](#)

[...] In its annual census of imprisoned journalists, CPJ identified 145 reporters, editors, and photojournalists behind bars on December 1, an increase of nine from the 2009 tally. Iran and China, with 34 imprisoned journalists apiece, are the world's worst jailers of the press, together constituting nearly half of the worldwide total. Eritrea, Burma, and Uzbekistan round out the five worst jailers from among the 28 nations that imprison journalists.

[...] Eritrea is the world's third-worst jailer in 2010, imprisoning 17 journalists as of December 1. Eleven of the Eritrean detainees have been held in secret locations without charge for a decade. The Eritrean government has refused to disclose any information about these 11 detainees, who were swept up in a brutal shutdown of the independent press. Unconfirmed reports have said four of the journalists jailed in Eritrea may have died due to mistreatment in custody. CPJ is seeking to corroborate those reports and continues to list the journalists in its 2010 census as a means of holding the government responsible for their fates. [...]

➤ [International Crisis Group, Eritrea: The Siege State, 21/09/2010](#)

[...] Section III THE EVOLUTION OF THE MILITARY STATE

[...] D. THE PENAL STATE

[...] The government has become extremely suspicious of the outside world and paranoid about any Eritrean associated with "external influences" and not fully committed to the "national cause". Enemies of the state and "non-citizens" are seen to come in many guises.

[...] Others who are jailed include, failed asylum seekers, businessmen and merchants suspected of hoarding goods or otherwise engaging in black market activities, journalists who have been critical or are suspected of being potential critics and a range of political dissidents, real or imagined, including those who in 2000-2002 expressed misgivings about the government. [...]

➤ [Reporters Sans Frontières, Journalists still hunted down nine years after September 2001 purges, 17/09/2010](#)

[...] The Eritrean authorities continue to gag all forms of free expression and recently arrested another journalist as he was trying to flee the country, Reporters Without Borders said today, on the eve of the ninth anniversary of the start of a brutal political purge in Asmara on 18 September 2001. The organisation wrote to the British authorities yesterday urging them to prosecute one of the purge's organisers, who now lives in Britain.

Journalist Eyob Kessele of state-owned radio *Dimtsi Hafash's* Amharic-language service was arrested at some point during the past summer as he was trying to cross the border into Ethiopia. It is not known where he is now being held. After his first arrest for trying to defect at the start of the summer of 2007, he was held in several prisons until relatives obtained his release in late 2008 or early 2009 by acting as guarantors.

The fate of around 20 other imprisoned journalists is still cloaked in the same oppressive official silence. There is still no news, for example, about Said Abdulhai, a journalist who was arrested during the last week of March. It is still not clear where Swedish-Eritrean journalist Dawit Isaac of the now-closed daily *Setit*, who was arrested on 23 September 2001 in Asmara, is being held. A new collection of his writings, entitled "Hope – The Tale of Moses' and Manna's Love and other texts" is to be unveiled next week at Sweden's Göteborg book fair.

The September 2001 round-ups, the closure of all the privately-owned media and the arrests of the main newspaper publishers began a period of terror from which Eritrea still has not emerged because of the intolerance and paranoia of its leaders. Nowadays, there are no independent media, foreign reporters are

unwelcome and journalists working for the state media must enthusiastically peddle government propaganda and, if they cannot follow orders, they have no choice but to flee the country [...]

➤ [Reporters Sans Frontières: Prominent journalist arrested, ex-prison guard reveals fate of other detained journalists, 12/05/2010](#)

[...] As World Press Freedom Day was being celebrated on 3 May, Eritrea continued to be the world's worst country for journalists with around 30 currently held incommunicado in the most inhumane conditions and more arrests still being made, such as that of Said Abdulhai, one of the country's most famous journalists, in the last week of March.

[...] New revelations by former guard at Eiraeiro prison camp

Eyob Bahta Habtemariam, a man who credibly claims to have been a guard at the notorious Eiraeiro prison camp in the desert of Northern Red Sea province, in northeastern Eritrea, fled the country last month and found refuge in neighbouring Ethiopia. According to him, Dawit Isaac, a journalist with Swedish and Eritrean dual citizenship who was arrested in 2001, is in Eiraeiro. He says Dawit is being kept in solitary confinement in a 12-square-metre windowless cell and is in very poor physical and mental health. This is the first time that a prison guard has claimed to know with such certainty where Dawit, the founder of the now closed daily *Setit*, is being held. Dawit has been transferred several times since his arrest. The authorities took him to the air force hospital in Asmara at one point last year. He was also admitted to Asmara's Kedeste Mariam (St. Mary) Hospital, a psychiatric clinic, twice in 2009. At least three other journalists who were arrested in the September 2001 round-ups are currently held in Eiraeiro. There are Amanuel Asrat, the editor of the privately-owned weekly *Zemen*, who is prisoner No. 25, freelance journalist Seyoum Tsehaye, who is prisoner No. 10 and Dawit Habtemichael, the deputy editor and co-founder of the newspaper *Meqaleh*, who is prisoner No. 12. Some of the information provided by Eyob Bahta seems very credible and confirms the details about the Eiraeiro prison camp that Reporters Without Borders obtained in January 2008, but Reporters Without Borders has strong doubts about some of what he has to say. He confirms something that Reporters Without Borders has repeatedly said, namely that four journalists – Fessehaye "Joshua" Yohannes, Yusuf Mohamed Ali, Medhanie Haile and Said Abdulkader – have died in detention. However he maintains that Fessehaye took his own life in his cell in 2003, whereas, according to the information Reporters Without Borders obtained from other sources, he died on 11 January 2007 as a result of appalling prison conditions. Eyob Bahta also sometimes seems to confuse Dawit Isaac with one of the other journalists held at Eiraeiro, Dawit Habtemichael. Nonetheless, Dawit Isaac's brother, Esayas, who went to meet him in Ethiopia, says: "I am convinced that what this man says about my brother is true."

A few releases, but new arrests

Reporters Without Borders has meanwhile had access to a reliable Eritrean source who says several journalists who had been held for a long time were released in 2009 on condition that relatives acted as guarantors for them ("released on bond"). They are Daniel Kibrom of state-owned *Eri-TV*'s Oromo-language service, Tura Kubaba of the Kunama service operated by state-owned radio *Dimtsi Hafash* (Voice of the Masses), "Johnny" Hisabu of *Eri-TV* and Eyob Kessete of *Dimtsi Hafash*'s Amharic service. There is no news of several other journalists who are held incommunicado or who have "disappeared." Haythem Mebrahtu, a journalist employed by the Eritrean news agency *Newsroom* (and former *Dimtsi Hafash* employee), is believed to have spent about six months in the Adi Abeito military prison in the latter part of 2009 and early 2010.

As Reporters Without Borders has already reported, the entire staff (about 50 people) of Asmara-based *Radio Bana* were arrested when the station was raided in February 2009. It turns out that several of the journalists were quickly released but about 12 are still being held. No one knows what they are alleged to have done. Why the well-known journalist Said Abdulhai (currently a foreign affairs ministry employee) was arrested in March and where he is being held are also unknown. Some sources think his place of detention may be Adi Abeito. A veteran of the independence war against Ethiopia and a graduate of Libya's University of Benghazi in the 1980s, he was one of the media department's founders after independence. He has at various stages run the information ministry's press department, the Eritrean news agency and the main pro-government newspaper, published in Tigrinya, English and Arabic. Eritrean President Issaias Afewerki, who is directly responsible for the repression of journalists and the closure of

all the privately-owned media since 2001, was on the list of 40 “Predators of Press Freedom” which Reporters Without Borders released on 3 May [...]

➤ [Reporters Sans Frontières: United Nations asked to investigate the fate of journalists imprisoned in Eritrea, 11/01/2010](#)

[...] Reporters Without Borders wrote today, the third anniversary of Eritrean journalist Fessehaye “Joshua” Yohannes’ death in detention, to Manfred Nowak, the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, asking him to do everything possible to obtain an improvement in the conditions of journalists imprisoned in Eritrea. “The conditions in which Eritrean detainees are held are among the most disturbing in the world,” the letter said. “The situation is made all the more appalling by the fact President Issaias Afeworki’s government, which has become the disgrace of Africa, refuses to provide any information about them. This is why we ask you to do everything possible to obtain news from the authorities and, if possible, to go to Eritrea.” Voicing great concern about the 26 journalists and two media workers currently held in Eritrea, the letter continued: “We urge you to request access to the imprisoned journalists in order to enquire about their state of health and about prison conditions in Eritrea. We also ask you to put enough pressure on the Eritrean government to ensure that they are tried or released.” A writer and playwright as well as a journalist with the now-banned weekly Setit, Fessehaye succumbed on 11 January 2007 to the especially harsh conditions in which he had been held in the Eiraeiro detention centre in the desert of Northern Red Sea province for most of the time since his arrest in 2001. His body was never handed over to his family. He was arrested when he surrendered to the police during the week of 18-23 September 2001, after around 10 other journalists and many members of the political opposition had been arbitrarily arrested and the privately-owned press had been “suspended” by the authorities. A veteran of the independence war against Ethiopia and head of a dance and theatre troupe, he was a leading intellectual figure in political and media circles. After verifying with credible Eritrean sources in Asmara and abroad, Reporters Without Borders is in a position to say that Fessehaye was the fourth journalist to die in Eiraeiro, following Said Abdulkader, co-founder and editor of the weekly Admas, Medhane Haile, co-founder and deputy editor of the weekly Keste Debena, and Yusuf Mohamed Ali, the editor of the weekly Tsigenay. The other three died in 2005 and 2006. Reporters Without Borders has decided to withdraw these four names from its list of journalists imprisoned worldwide [...]

Academics

➤ [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)

[...] Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

[...] Academic Freedom and Cultural Events

The government restricted academic freedom, including restricting or censoring course content and curriculum and censoring or sanctioning academic personnel for their teachings, writing and research. Academic travel and contact with other academics at home and abroad was restricted, intimidating academics into practicing self-censorship, and influencing academic appointments based on political affiliation [...]

Civil society activists

➤ [Freedom House, Freedom in the World 2011: Eritrea, 12/05/2011](#)

[...] Political Rights and Civil Liberties.

[...] The government maintains a hostile attitude toward civil society, and independent NGOs are not tolerated. A 2005 law requires NGOs to pay taxes on imported materials, submit project reports every three months, renew their licenses annually, and meet government-established target levels of financial resources. International human rights NGOs are barred and only six international humanitarian NGOs are present in the country [...]

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- [Human Rights Watch, Word Report 2011: Eritrea, 24/01/2011](#)
 - [...] Restrictions on Freedom of Expression and Association
 - [...] Nongovernmental public gatherings are prohibited.
 - [...] No NGOs exist [...]
- [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)
 - [...] Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights
 - No domestic human rights groups and only six international humanitarian NGOs (Oxfam, Lutheran World Federation, Irish Self-Help, Gruppo Missione Asmara of Italy, Refugee Trust International, and Norwegian Church Aid) operated in the country; the government interfered with and restricted their work. Catholic Relief Services closed during the year due to government restrictions on international staff obtaining visas and other restrictions on travel and activities. The government allowed two ruling party-aligned domestic rights NGOs, Toker International and Vision Eritrea, to operate. All NGOs were required to register with the Ministry of Labor and Human Welfare, but international NGOs were required to maintain 30 million nakfa (two million dollars) in a government controlled bank.
 - [...] There were no developments on the dozens of NGO employees seized and detained by the government during 2008 raids on NGO compounds; they remained in detention during the year [...]

Trade unionists and labour activists

- [Freedom House, Freedom in the World 2011: Eritrea, 12/05/2011](#)
 - [...] Political Rights and Civil Liberties
 - [...] The government controls all union activity. The National Confederation of Eritrean Workers is the country's main union body and has affiliated unions for women, teachers, young people, and general workers [...]
- [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)
 - [...] Section III. Eligibility for International Protection
 - [...] A. Potential Risk profiles
 - [...] 4. Trade Unionists and Labour Rights Activists
 - Freedom of association and assembly are guaranteed under the Constitution.¹⁶⁸ Workers have the right to form and join trade unions to protect their rights, including through collective bargaining and industrial action.¹⁶⁹ Trade unions are, however, not allowed within the civil service, military, police and other organizations providing essential services.¹⁷⁰ Groups of 20 or more persons seeking to form a union require prior approval from the Ministry of Labour and Human Welfare.¹⁷¹ All unions are reportedly Government-run¹⁷² and their activities closely monitored.¹⁷³ Although union leaders are typically Government employees, and thus union activities are generally sanctioned, the Government did not approve the formation of any unions in 2009.¹⁷⁴ In light of the foregoing and given past arbitrary arrests and detention of prominent trade unionists and labour rights activists,¹⁷⁵ UNHCR considers that such individuals may be at risk based on their (imputed) political opinion, depending on the particular circumstances of the case [...]
- [Human Rights Watch, Word Report 2011: Eritrea, 24/01/2011](#)
 - [...] Restrictions on Freedom of Expression and Association
 - [...] All unions are government-run [...]
- [Freedom House, The Global State of Workers' Rights - Eritrea, 31/08/2010](#)
 - Very Repressive
 - The government of Eritrea has ratified the main International Labour Organization (ILO) conventions guaranteeing freedom of association and the rights to organize and bargain collectively. Under Eritrea's Labor Proclamation No. 118, workers have the legal right to form unions. However, there are severe

restrictions in practice. The civil service, military, police, and other professions defined as "essential service" providers are precluded from union activity. Groups of 20 or more persons seeking to form a union require special approval from the Ministry of Labor and Human Welfare. The National Confederation of Eritrean Workers (NCEW) is the country's main union body and has affiliated unions for women, teachers, young people, and general workers. The government controls all the unions, as it does all other elements of society in Eritrea. Workers whose profession has an NCEW-affiliated union are required to join it. The law allows strikes, but because all unions are closely tied to the government, this right is not exercised in practice. Similarly, collective bargaining is allowed, but in reality the government sets wages and working conditions for public-sector employees. Under Proclamation 118, a board consisting of workers, employers, and officials from the Ministry of Labor and Human Welfare arbitrates disputes. Complainants can contest its decisions in the courts [...]

Members of certain minority ethnic groups (e.g. Kunama and Afar)

➤ [Human Rights Watch, Ten Long Years: A Briefing on Eritrea's Missing Political Prisoners, September 2011](#)

[...] Other Human Rights Violations by the Eritrean Government

[...] Discrimination against the Kunama Ethnic Minority

The Isaias government oppresses the Kunama people, a relatively small ethnic group in western Eritrea between the Gash and Setit rivers, south and east of the town of Barentu.¹⁴⁵ Population estimates vary widely, from 50,000 to 140, 000, because public census by ethnicity is not available.¹⁴⁶ According to a recent report by the Oslo Center for Human Rights, the government retaliates against the Kunama as a group because it believes that some of them collaborated with Ethiopia during the liberation struggle and during the 1998-2000 border war.¹⁴⁷ Retaliation after independence took the form of transferring traditional Kunama lands to other ethnic groups. Land encroachment became so intense by 1996 that the governor of the area, Germano Nati, himself a Kunama, protested.¹⁴⁸ He was immediately removed (and later joined the G-15 prisoners in jail). Kunama refugees said that many Kunama villages have been converted into military bases.¹⁴⁹ Government retaliation also includes widespread arrests of Kunamas. Scores were arrested shortly after independence and hundreds more after the border war. Prisoners included women and children. Their whereabouts and conditions are unknown, but many are feared dead.¹⁵⁰ [...]

➤ [Freedom House, Freedom in the World 2011: Eritrea, 12/05/2011](#)

[...] Political Rights and Civil Liberties

[...] The Kunama people, one of Eritrea's nine ethnic groups, reportedly face severe discrimination. They are viewed with suspicion for having backed a rival group to the EPLF during the war of independence and for resisting attempts to integrate them into national society. Members of the Afar ethnic group have also been targeted. In May and June 2010, several hundred Afars were arrested, according to Human Rights Watch [...]

➤ [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

[...] 8. Members of Certain Minority Ethnic Groups

Although the principle of non-discrimination and equality before the law is enshrined in the Eritrean Constitution,²³⁹ the Government's 'one nation, one people' policy effectively promotes cultural homogenization and reportedly discriminates against the way of life of minority ethnic groups in Eritrea.²⁴⁰ Discriminatory measures against minority ethnic groups are historically motivated and rooted in socio-cultural bias. Perceived as having supported Ethiopia during the war of independence and a potential threat to the nationalistic policies of the Eritrean Government, the Kunama are reportedly subject to discrimination, harassment and other intimidation techniques.²⁴¹ Historically, the Afar people have also been perceived as ambivalent in their support for the Eritrean People Liberation Front.²⁴² The land reform introduced by the Government after independence abolished all traditional land tenure forms

and made all land the property of the State.²⁴³ As a result, the plains of Gash-Setit traditionally inhabited by the Kunama were used for resettlement and agricultural plantation schemes.²⁴⁴ The new land policy is seen as effectively undermining the clan-based traditional ownership rights of the Kunama.²⁴⁵ The encroachment on Kunama land rights and the targeting of their cultural sites and symbols²⁴⁶ have spawned resistance movements such as the Democratic Movement for the Liberation of the Eritrean Kunama (DMLEK) and the Eritrean Democratic Resistance Movement (EDRM).²⁴⁷ This resistance has only increased the perception by the Eritrean authorities of the Kunama as “Ethiopian collaborators and spies”.²⁴⁸ The Kunama are reportedly particularly vulnerable to arbitrary arrest and detention.²⁴⁹ Some discriminatory practices, including the encroachment on Kunama land rights, severely impact on the Kunama people’s livelihoods and, in certain cases, may be tantamount to persecution. In light of the foregoing, UNHCR considers that members of certain minority ethnic groups perceived as historically sympathetic to Ethiopia, particularly the Kunama, may be at risk on account of their ethnicity/race and/or (imputed) political opinion, depending on the individual circumstances of the case.²⁵⁰ [...]

➤ [UK Foreign and Commonwealth Office \(FCO\), Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report \(Eritrea excerpt\), 31/03/2011](#)

[...] Minorities and other discriminated groups

The Eritrean government does not recognise the specific needs of minority groups, and we had particular concerns over the treatment of the Kunama, one of the country’s smallest ethnic groups, in 2010. Relations are tense between the Kunama and the Eritrean government, and there is periodic armed conflict. There have been reports by Kunama refugees of the Eritrean government obstructing the Kunama from performing traditional worship and seeking to drive them from their land. Tensions are also high between the Eritrean government and the Afar, which has resulted in armed skirmishes and deaths on both sides [...]

➤ [Immigration and Refugee Board of Canada, Treatment of the Jeberti people by government authorities \(2005 - August 2009\), 01/09/2009](#)

[...] The Jeberti (Jiberti/Djiberti/Jeberty) people are Tigrinya-speaking Muslims in Eritrea (Tronvoll 2009, 131; Bariagaber 1 Oct. 2006, 18). In an in-depth report on the human rights and political situation in Eritrea, Kjetil Tronvoll, a professor of human rights at the University of Oslo who has written extensively on Horn of Africa issues (Tronvoll 2009, 10), explains that the Jeberti live in the highlands of Eritrea and in the bordering Tigray regional state in Ethiopia (ibid., 111, 131). Tronvoll reports that Tigrinya-speakers, centred in the highlands, are the largest distinct group in Eritrea and make up approximately half of the country's population (ibid., 111).

According to Tronvoll, the minority Muslim Jeberti have been “marginalised and persecuted” for centuries by the Christian Orthodox majority in the highlands leading them to develop a culture distinct from Christian Tigrinya-speakers (ibid., 131). Tronvoll notes that the Jeberti are mostly merchants and urban dwellers, as access to agricultural lands dominated by Orthodox Christians has traditionally been denied to them (ibid., 111).

Tronvoll reports that the Jeberti sought and obtained recognition as a distinct ethnic group from the Ethiopian government before Eritrea became independent (ibid., 132). However, the fact that they had pursued and received such recognition “collectively stigmatized” the Jeberti in the view of the Eritrean Peoples' Liberation Front (EPLF) who saw the apparent cooperation with the Ethiopian government as evidence that the Jeberti were “subversive” to the Eritrean struggle for independence (ibid.). According to Tronvoll, towards the end of the war which led to the separation of Eritrea from Ethiopia, the EPLF “deliberately targeted the Jeberti community,” assassinating their leader, Yassin Abera in January 1991 (ibid.).

[...] In correspondence with the Research Directorate, Tronvoll indicated that the “EPLF does not believe in minority rights per se” and that minority groups are “hardly represented” in the country's institutions (21 Aug. 2009). He further reported that because of their opposition to “the EPLF's classification that they are only “Muslim Tigrinyas,” [the Jeberti] are liable to be targeted by the government”(Tronvoll 21Aug. 2009).

Tronvoll contended that while some individual Jebertis were members of the nationalist EPLF, traditional Jeberti leaders were loyal to Ethiopia before Eritrean independence and did not support the EPLF (21 Aug.

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2009). Tronvoll further noted that since Eritrean independence was realized, the Jeberti people have felt "insecure about the new government" and are "reportedly harassed and intimidated" by the Eritrean government (21 Aug. 2009). [...]

3.9 Persons of mixed Ethiopian/Eritrean Origin

Excerpt from the September 2011 Eritrea OGN

3.9.4 Treatment of Ethiopians of Eritrean origin in Eritrea. There were 16,000 Ethiopians estimated to have temporary residence in Eritrea in 2006, including 600 Ethiopians in the Gash Barka region to which the UNHCR had no access or responsibility. The Government issued residency permits to Ethiopians living in the country for a fee; however, it did not issue them exit visas.³⁴ In February 2007, the Canadian Immigration Board noted that persons of Ethiopian origin continue to face discriminatory practices in Eritrea, including the demand for payment or high 'repatriation clearance' fees.³⁵

The information contained in this paragraph is taken from two separate sources, the U.S. Department of State annual human rights report covering the year 2006⁵ and the Immigration and Refugee Board of Canada report published in February 2007⁶. Sources which post-date these, although very limited, are not included in the current OGN, which continue to emphasise the difficulties Ethiopians of Eritrean origin and those of mixed Eritrean-Ethiopian parentage face. Please note that the U.S. Department of State report does not specify whether the information applies to Ethiopians of Eritrean origin or Eritreans of Ethiopian origin.

- [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] II. Background Information

[...] It is estimated that some 15,000 individuals of Ethiopian origin are currently residing in Eritrea.³⁷ Most of them are reportedly still considered aliens, having failed to obtain naturalization prior to 1998. As such, they are issued residence permits and are not entitled to Eritrean national identity cards or passports.³⁸ In addition, persons with mixed Eritrean-Ethiopian parentage reportedly face administrative obstacles when seeking recognition of their nationality in Eritrea, Ethiopia or while in exile.³⁹

[Footnote 38] 38 It should be borne in mind in the context of asylum claims by Eritreans that lengthy residence requirements for naturalization, coupled with the lack of proof of Ethiopian citizenship, reportedly creates a risk of statelessness for the persons of Ethiopian or mixed Ethiopian/Eritrean origin. In cases where such persons are determined to be stateless, their asylum claims need to be determined against the current conditions in Eritrea, as their country of habitual residence [...]

- [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)

[...] Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

[...] National/Racial/Ethnic Minorities

[...] Societal abuse of Ethiopians occurred and was noticeable during the yearly roundups that occur just before Liberation Day (May 24). Ethiopians were arbitrarily arrested and asked to pay fines to be released [...]

Excerpt from the September 2011 Eritrea OGN

3.9.7 As regards entitlement to Eritrean nationality, case owners should note that the criteria for citizenship and nationality, including the legal requirement of three witnesses to confirm a claimant's identity and background, is set out in full in the COI Eritrea Country Report in the section titled Citizenship and Nationality.

5 [U.S. Department of State, 2006 Country Reports on Human Rights Practices: Eritrea, 06/03/2007](#), section 1, d, Protection of Refugees.

6 [Immigration and Refugee Board of Canada, Ethiopia and Eritrea: Possibility of repatriation of Ethiopian and Eritrean civilians to their homelands \(2006\), 20/02/2007](#).

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Nowhere in the *Eritrean National Proclamation*⁷ or in the current COIS report on Eritrea⁸ does it mention that it is a legal requirement to have “three witnesses to confirm a claimant’s identity and background” as mentioned in paragraph 3.9.7 of the current OGN on Eritrea.

However, the U.S. Department of State did report that

- [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)
[...] Section 6 Discrimination, Societal Abuses, and Trafficking in Persons
[...] Children
[...] There were instances of persons being born to Eritrean parents in country but not being able to obtain national identity cards and government services due to government discrimination. For example, members of certain religious groups were unable to obtain Eritrean identity cards for government services and as evidence of their citizenship due to their religious beliefs.

⁷ [Eritrean Nationality Proclamation \(No. 21/1992\) \[Eritrea\], 6 April 1992.](#)

⁸ [UKBA, Country of Origin Information \(COI\) Report: Eritrea, 17/08/2011](#), section 26. Citizenship and Nationality.

3.10 Claimed Illegal Exit from Eritrea

Excerpt from the September 2011 Eritrea OGN

3.10.7 Case owners should establish the likely manner of departure in individual cases and assess whether applicants have left Eritrea legally by reference to the recent country guidance given by the Upper Tribunal in the case of [MO \(illegal exit – risk on return\) Eritrea CG \[2011\] UKUT 00190 \(IAC\)](#). Lawful exit is considered possible for those who are above national service age or children of 7 or younger. Otherwise, however, the potential categories of lawful exit are limited to two narrowly drawn medical categories and those who are either highly trusted government officials or their families or who are members of ministerial staff recommended by the department to attend studies abroad.

The guidance provided for this category of claims is based on the most recent country guidance case [MO \(illegal exit - risk on return\) Eritrea CG \[2011\] UKUT 190 \(IAC\) \(27 May 2011\)](#), which found that those above the national service age, children of 7 or younger, those with specific medical conditions and highly trusted government officials, their families or members of ministerial staff recommended by the department to attend studies abroad, may be allowed to leave Eritrea legally by receiving an exit visa. However, COI published since the case was last heard in February 2011, which is presented below, suggests that civilians face the risk of being recalled indefinitely even after serving their mandatory national service, that women with children are not able to leave, that some children under five were denied exit visas, that members of unregistered faiths normally do not receive exit visas and that the Eritrean government modifies its conditions for obtaining exit visas without warning. This last point has also been included in paragraph 3.10.4 of the OGN.

Indefinite military service

➤ [Agence France-Presse, Thousands of Eritreans flee forced conscription, 19/09/2011](#)

For 12-year-old Eritrean refugee Ablel, the decision to flee his country was relatively simple. "I didn't want to be a soldier," he says with a shy smile, revealing a mouthful of crooked teeth. Getting out, however, was a harder challenge. He is one of thousands of youngsters risking death to sneak across Eritrea's heavily militarized border every month into neighbouring Sudan and Ethiopia. Most, like Ablel, are running from open-ended military conscription imposed by the autocratic, isolated and impoverished government of the Red Sea state. "The ones who become soldiers, even they are escaping, so why would I want to be in military service?"

[...] National service is compulsory for all citizens -- male and female -- at the age of 16, completing their final year of school in military camp. Conscripts earn about \$3 per month for the first 18 months and the service can last for decades [...]

➤ [Human Rights Watch, Ten Long Years: A Briefing on Eritrea's Missing Political Prisoners, September 2011](#)

[...] Forced Labor and other Abuses in National Service

[...] Under Eritrean law, all citizens, after turning 18, are expected to serve in the military for 12 months, after six months of training.⁹⁹ Practice, however, has little relationship to the law. Since 2002, when the government announced a "Warsay-Yikealo development campaign," service is open-ended and typically lasts a decade or longer.¹⁰¹ With some exceptions for women with children and disabled people, service is compulsory until release but release is at the whim of military commanders. Even after being demobilized recruits can be recalled at any time.¹⁰² The recall mechanism is capriciously applied and routinely used to punish perceived dissent. Male conscripts remain eligible to serve until they are in their fifties.¹⁰³ Most of Eritrea's able-bodied adult population is on involuntary and indefinite active national service or on reserve duty.¹⁰⁴ Four or five times a year the government, looking for draft evaders, conducts huge roundups.

[...] Prolonged and indefinite national service has spurred a massive exodus of young Eritreans from the country, despite the dangers involved. As one observer noted, national service has crushed morale, especially among the young. Sawa and everything it represents have come to be loathed by successive generations of school-leavers, for whom there are no opportunities for advancement, only the prospect of indefinite assignment to military duty.¹¹⁵

[...] Restrictions on Freedom of Movement

[...] The government denies exit visas to anyone of military age, from 18 to 57 (or older for men) and 18 to 47 for women—even for Eritreans who have ostensibly “completed” national service.¹⁵² [...]

➤ [U.S. Department of State, Trafficking in Persons Report 2011: Eritrea, 27/06/2011](#)

[...] Under the parameters set forth in the Proclamation of National Service (No. 82/1995), men aged 18 to 54 and women aged 18 to 47 are required to provide 18 months of military and non-military public works and services in any location or capacity chosen by the government. Some national service conscripts, however, are required to continue their service indefinitely, beyond the duration specified by law, with many required to serve in their positions for over 10 years under the threat of inhumane treatment, torture, or punishment of their families [...]

➤ [Amnesty International, Annual Report 2011: Eritrea, 13/05/2011](#)

[...] Military conscription

[...] National service can be extended indefinitely and is also followed by reserve duties [...]

➤ [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

[...] 1. Military/National Service

Military/national service, which encompasses “active” military service and “reserve” military service, is mandatory for every Eritrean,⁴⁸ male or female, between the ages of 18 and 50.⁴⁹ Active national service is compulsory for all citizens between the ages of 18 and 40. It consists of six months of military training and 12 months of active military service and development tasks in the military forces for a total of 18 months,⁵⁰ save in situations of mobilization or war when it can be extended.⁵¹ Persons under the age of 50 who have completed active national service or have been demobilized are nevertheless subject to compulsory service in the reserve army,⁵² and as such are liable to be called for national mobilization, (further) military training or “defence in artificial or natural disasters”.⁵³

[...] In May 2002, the Government officially introduced the Warsai Yekalo Development Campaign (WDYC), a national social and economic development effort, which effectively rendered the national service open-ended and indefinite.⁸³ As a result, national service conscripts, not in active military service, are required to undertake “national development” activities,⁸⁴ including in the agricultural and construction sectors,⁸⁵ for indefinite periods of time and survival wages.⁸⁶ [...]

➤ [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)

[...] Section 7 Worker Rights

[...] c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children. However, forced labor occurred. Specifically, Eritrea's mandatory national service program of indefinite duration requires conscripts to perform a wide variety of nonmilitary activities, including harvesting and work in the service sector. Conscription into mandatory, open-ended service begins at the senior year of high school for all students; they are required to spend their senior year at the Sawa military and education camp [...]

➤ [UK Foreign and Commonwealth Office \(FCO\), Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report \(Eritrea excerpt\), 31/03/2011](#)

[...] Military service

[...] Young Eritreans are obliged to undertake national service, which for many means conscription into military service. The duration is officially 18 months, but many thousands are trapped in indefinite

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military service, often serving more than 10 years in very harsh conditions and receiving extremely low remuneration. The uncertainty around the length of service and the notoriously harsh conditions awaiting those called to do military service are believed to be significant reasons for the high number of young Eritreans illegally leaving the country [...]

- [Office of the United Nations High Commissioner for Human Rights \(OHCHR\), Written statement submitted by the Jubilee Campaign \(The continuing human rights crisis in Eritrea: the need for urgent international action\), 01/03/2011](#)

[...] A heavily militarised society

[...] By law service should last 18 months, but is essentially open-ended and indefinite, with many serving - and receiving minimal payment - until they are well over 50 [...]

Women and children

- [UKBA, Country of Origin Information \(COI\) Report: Eritrea, 17/08/2011](#)

[...] 28. EXIT AND RETURN

[...] EXIT VISAS AND ILLEGAL EXIT

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

[...] "Women are not given preferential treatment or dispensation. For example, we know of many Eritrean women who have undergone military service, or are married and have children, but have still been refused exit visas for bona fide journeys abroad [...]" [10a] [...]

- [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

[...] 1. Military/National Service

[...] ii. Child Recruitment

[...] Students approaching conscription age have reportedly fled the country in the thousands or have gone into hiding.¹²² Consequently, children as young as 14 are reportedly refused exit visas on the ground that they were approaching the age of eligibility for national service.¹²³ [...]

- [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)

[...] Section 2 Respect for Civil Liberties, Including:

[...] d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

[...] Persons routinely denied exit visas included men under the age of 54, regardless of whether they had completed national service; women under the age of 47; members of Jehovah's Witnesses and unregistered religious groups; persons who had not completed national service; and other persons out of favor with, or seen as critical of, the government [...]

[...] During the year some children as young as five years of age were denied exit visas either on the grounds that they were approaching the age of eligibility for national service or because their foreign-based parents had not paid the 2 percent income tax required of all citizens residing abroad. The government did not in general grant exit visas to entire families or the male and female parents of children simultaneously in order to prevent families from fleeing the country [...]

Unregistered faiths

- [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

[...] 5. Members of Minority Religious Groups

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[...] i. Unregistered Minority Religious Groups

[...] Many face severe discrimination, reportedly being denied citizenship rights in Eritrea, including access to public services, issuance of passports, national identity cards, business licenses and exit visas.

20 [...]

➤ [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)

[...] Section 2 Respect for Civil Liberties, Including:

[...] d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

[...] Persons routinely denied exit visas included men under the age of 54, regardless of whether they had completed national service; women under the age of 47; members of Jehovah's Witnesses and unregistered religious groups; persons who had not completed national service; and other persons out of favor with, or seen as critical of, the government [...]

Unpredictable modifications to obtain exit visas

➤ [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)

[...] Section 2 Respect for Civil Liberties, Including:

[...] d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

[...] The government continually modified its requirements to obtain passports and exit visas, sometimes suspending passport or exit visa services without prior warning.

[...] Many persons who previously were issued passports were not allowed to renew them, nor were they granted exit visas. [...]

3.11 Prison conditions

This whole section fails to include any information on the high prevalence of ill-treatment and torture in detention, as well as the fact that it is committed with complete impunity. The following sources of COI available in the public domain document that such practices are routine and institutionalised, and that death in custody is common:

➤ [Amnesty International, PRISONERS OF CONSCIENCE HELD FOR A DECADE MUST BE RELEASED, 15/09/2011](#)

[...] Prison conditions in Eritrea are notoriously dire. Prisoners are subjected to extreme desert temperatures whilst held in underground cells and shipping containers. Physical and mental illness are rife amongst detainees. [...]

➤ [Human Rights Watch, Ten Long Years: A Briefing on Eritrea's Missing Political Prisoners, September 2011](#)

[...] Other Human Rights Violations by the Eritrean Government

[...] Torture and Cruel, Inhuman and Degrading Treatment

Prisoners are cruelly mistreated.¹¹⁶ Prisoners are subject to mock drowning, bound or shackled in painful positions, forced to lie in the sun for hours or days (sometimes smeared with sugar or milk), hung from trees, and trussed into tires and rolled around. Severe beatings are administered routinely, alone or combined with other forms of molestation. One victim told Human Rights Watch, "Beatings were like food in prison—every day."¹¹⁷ Injuries from physical abuse leave some victims unable to walk and with other permanent disabilities. Psychological abuses are also common.¹¹⁸ Conditions of confinement are intensely harsh.¹¹⁹ Some prisons are like ovens. In Kebrir Dahlak, for example, prisoners are kept in cells that regularly reach over 40°C (104°F) but inmates receive less than a liter a day of water. Many sites are underground in dark, dugout cells. Partly because of jail space, many prisoners are confined in shipping containers that are sweltering during the day and freezing at night. All prisons are severely overcrowded, with no room to stretch out to sleep and full of the stench of sweat and other excretions. Starvation rations are common. Prisoners at Alba prison reported receiving a single slice of bread per day, and at Tract B (recently closed), a single biscuit. Medical staff are not allowed to treat wounds caused by torture on the ground that the victim brought the punishment on himself by withholding information or by other actions.¹²⁰ Prison guards become demoralized and escape along with inmates. Prisoners are deliberately mistreated to make them suffer. One former Eritrean military intelligence officer assigned to Mai Dima military prison camp told a foreign researcher: [W]e always gave [prisoners] small amounts of food and water—in order to weaken them and to make them sick and die. When they got sick—we didn't give them medical treatment and because of this they were having mental and physical problems.... We would put 23-26 people in a small cell so that many would nearly die because of the shortage of fresh air. We scared and beat them continuously.... I also saw some of the prisoners disabled because of the heavy beatings. I also saw prisoners die inside the prison.¹²¹ If ever released from incarceration, victims are warned not to talk about the conditions of incarceration to anyone including their family.¹²² Torture, heat prostration, unsanitary conditions, lack of medical care, starvation, overcrowding, and other abysmal conditions of confinement cause the deaths of scores of prisoners.¹²³ When prisoners die, the families are rarely informed. One prison guard told Human Rights Watch, "No investigation is made, or questions asked."¹²⁴ Guards have orders to shoot-to-kill prisoners who try to escape custody as well as Eritreans who try to flee the country, even though their targets are unarmed.

➤ [Amnesty International, Annual Report 2011: Eritrea, 13/05/2011](#)

[...] Torture and other ill-treatment

The use of torture in detention facilities was widespread. Detainees, including prisoners of conscience, were often tortured and ill-treated. The most frequent forms of torture reported were whippings, beatings and being tied with ropes in painful positions for prolonged periods. Prison conditions were extremely harsh, with many prisoners held in overcrowded, unhygienic and damp conditions. Large

numbers of detainees were held in underground cells and others were locked in metal shipping containers, many in desert locations creating extreme temperatures. Prisoners were given inadequate food and unclean drinking water. Almost no medical assistance was available. Various prisoners of conscience and political prisoners were reported to have died in detention, but most reports were not confirmed by the authorities [...]

➤ [US Commission on International Religious Freedom, United States Commission on International Religious Freedom Annual Report 2011: Eritrea, 28/04/2011](#)

FINDINGS: [...] These violations include: torture or other ill-treatment of thousands of religious prisoners, sometimes resulting in death; arbitrary arrests and detentions without charges of members of unregistered religious groups; a prolonged ban on public religious activities; disruption of private religious gatherings and social events and closure of places of worship of unrecognized religious groups; and inordinate delays in responding to registration applications from religious groups.

[...] Religious Freedom Conditions

Government Policies toward Religious Groups and Activities

[...] Thousands of Eritreans with religious or civil society affiliations and allegiances are imprisoned for their real or imagined opposition to the government, and arbitrary arrests, torture, and forced labor are extensive.

[...] *Arrests, Detention, and Torture*

[...] Detainees imprisoned in violation of freedom of religion and related human rights have reportedly been beaten and tortured.

[...] During the past year, there were reports of deaths of religious prisoners who refused to recant their beliefs, were denied medical care, or were subjected to other ill treatment, including in April, June, July, and October of 2010 and January 2011 [...]

➤ [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] A. Potential Risk Profiles

1. Military/National Service

[...] In practice, punishment for military offences is carried out extra judicially, and has been reported to include “shoot to kill” orders,⁷¹ detention for long periods often in inhumane conditions, torture and forced labour.⁷² Draft evaders/deserters are reported to be frequently subjected to torture,⁷³ while conscientious objectors can face severe physical punishment as a means of forcing them to perform military service.⁷⁴ Furthermore, extrajudicial executions are allegedly ordered by local commanders and carried out in front of military units for what are considered serious military offences.⁷⁵

[...] i. Draft Evaders and Deserters

[...] Following their arrest, draft evaders and deserters are often reported to be subjected to torture.¹⁰⁶ Persons who evade or desert military service may be regarded as disloyal and treasonous towards the Government,¹⁰⁷ and therefore punished for their perceived disloyalty. Once arrested, many detainees reportedly “disappear”.¹⁰⁸ Furthermore there are reports of death in custody as a result of ill-treatment, torture, denial of access to medical treatment and other harsh prison conditions.¹⁰⁹

[...] v. Sexual and Gender Based Violence

[...] Refusal to submit to sexual exploitation and abuse is allegedly punished by detention, torture and ill-treatment, including exposure to extreme heat and limitation of food rations.¹³⁶ No effective mechanism for redress and protection exists within or outside the military, and perpetrators generally go unpunished.¹³⁷

[...] 2. Members of Political Opposition Groups and Government Critics

[...] The climate of intolerance of political dissent in Eritrea has reportedly led to frequent arrests of suspected Government critics. Those arrested are often held in incommunicado detention or “disappear” in secret detention facilities, where they are reportedly held in poor conditions and denied access to legal counsel or medical treatment. Severe punishments, torture, starvation and other ill treatment are commonplace.¹⁴⁵

[...] 3. Journalists and Other Media Professionals

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[...] Those detained are reportedly held in poor conditions and may be subject to torture and other forms of cruel, inhuman, and degrading treatment.¹⁶⁷

[...] 5. Members of Minority Religious Groups

[...] i. Unregistered Minority Religious Groups

[...] It is reported that the authorities frequently arrest followers of non-sanctioned minority faiths,¹⁸⁸ who are reportedly detained incommunicado in harsh conditions, often in army camps and police headquarters throughout the country, without charge or trial.¹⁸⁹

[...] Religious prisoners are reportedly often confined in overcrowded metal shipping containers and unventilated underground cement cells, without sanitation facilities and exposed to extreme temperature fluctuations. In addition, they are regularly denied adequate food and access to medical treatment.¹⁹² Security forces are reportedly using force, sometimes amounting to torture, to compel detainees to renounce their religious beliefs as a pre-condition of release.¹⁹³ Examples include religious prisoners who have reportedly been forced to walk barefoot on sharp rocks and thorns, beaten with hard plastic and metal rods in order to extract confessions, and threatened with death if they did not recant their faith.¹⁹⁴ It is reportedly not uncommon for detainees to die from torture and harsh conditions to which they are exposed.¹⁹⁵ [...]

➤ [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)

[...] Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

The government continued to subject detainees to harsh and life threatening prison conditions, including torture, that resulted in deaths during the year.

[...] Several persons detained for evading national service reportedly died after receiving harsh treatment by security forces.

[...] In April, Eyob Bahta Habtemariam, a team leader at the Era-Ero prison, and formerly the Embatkala prison, fled the country. Habtemariam stated the Era-Ero prison housed 35 high-ranking government officials, journalists, and staff of international organizations including the G-15, a group of high-ranking political activists who regularly pushed President Isaias for democratic reform during the country's formative years. Of this group of 35, 15 have died due to torture and medical neglect, food deprivation, and excessive heat in the Era-Ero or Embatkala prisons. Of the remaining 20 prison inmates of the group still alive at the Era-Ero prison, nine have reportedly become disabled physically or mentally. There were only 11 remaining inmates of this group of 35 considered still to be "aware of their situation" and thus kept in handcuffs and leg chains 24 hours a day. The 20 prison inmates still alive only received one meal a day, consisting of bread, lentils, and tea, and Habtemariam reported they were all emaciated. Among the dead were the one-time Eritrean vice-president, Mahmoud Sherifo; General Ogbe Abraha; and five journalists. Haile Woldetensae, the former foreign minister, was still alive but alleged to have been blinded. Habtemariam reported the following deaths of political prisoners among the group of 35 high-ranking government officials and journalists. In June 2009 Germano Nati, former administrator of Southern Red Sea Region, died of unknown causes. In 2004 the former administrator of Sorona Subzone Tesfagiorgish and journalist Sied Abdelkadir committed suicide. Journalist Medhanie Haile died due to lack of medical treatment the same year. In 2003 journalist Yosuf Mohamed Ali, Aster Fessehasion, and former minister Salih Kekiya, all died during a three day period as a consequence of excessive heat in prison. In 2003 journalist Fessehaye Yohannes (Joshua) was found hanged in his cell after making several unsuccessful attempts to commit suicide. Minister Mahmoud Sherifo died due to lack of urgent medical treatment the same year. In 2002 General Okbe Abraha attempted suicide. However, the attempt failed, and he received medical treatment for three months in Glass, a military hospital, west of Keren. However, his health condition further deteriorated, worsened by asthma, and he died after his return to Embatkala prison. According to an August 2009 report from an opposition Web site, Berhanes Gebregzabhier, one of 11 members of the PFDJ National Assembly, who had been held in solitary confinement since 2001, was executed in 2002 based on the recommendation of Naizghi Kiflu, a former presidential advisor. During the year there were credible reports that at least five prisoners detained because of their religious affiliation died due to lack of medical treatment. The government did not investigate or prosecute any reports of security force abuse.

[...] c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law and unimplemented constitution prohibit torture. However, torture and beatings are institutionalized within prison and detention centers. There were credible reports that several military conscripts died following torture and beatings. Security forces tortured and beat army deserters, draft evaders, persons living near mining camps, persons attempting to flee the country without travel documents, and members of certain religious groups. Examples of torture and mistreatment include: prolonged sun exposure in temperatures of up to 120 degrees Fahrenheit; the binding of hands, elbows, and feet for extended periods of time; forcing inmates to walk barefoot on sharp objects; overcrowded conditions; extreme temperature fluctuations caused by confinement in crowded and unventilated metal shipping containers in the desert; extreme temperatures and lack of sanitation resulting from detention in crowded cement-lined underground pits without ventilation or sanitation; suspension from trees with arms tied behind back, a technique known as "almaz" (diamond); and being placed face down with hands tied to feet outside in the desert, a technique known as the "helicopter," while pouring sugar on detainees to attract biting insects. The government sanctioned these torture methods, and no known action was taken during the year to punish perpetrators of torture and abuse. According to international NGO Human Rights Watch, Eritrean female refugees reported in 2009 that female conscripts in national service were often raped by their supervisors, and there is no information to indicate increased protection of female conscripts during the year. There were also reports that military officials tortured foreign fishermen captured in Eritrean waters.

Prison and Detention Center Conditions

Prison conditions remained harsh and in some cases life threatening. Severe overcrowding was common. Some prisoners were shackled in unventilated holding cells for long periods of time in extreme heat, with outside temperatures reaching 120 degrees Fahrenheit, and died due to heat exhaustion in combination with other medical conditions. There were reports that prisoners were held in underground cells or in shipping containers with little or no ventilation in extreme temperatures. The shipping containers were reportedly not large enough to allow all of those incarcerated to lie down at the same time. Other prisoners were held in cement-lined underground bunkers with no ventilation. Up to 200 prisoners were held in each bunker, and there are reports that prisoners lost consciousness from the extreme heat while in detention. The government does not provide adequate provisions for basic and emergency medical care in prisons and detention centers, and detainees were known to have died due to lack of medical treatment during the year. Food provided was not adequate. Potable water was generally not available, and one detainee reported going without water for several days until providing money to purchase bottled water. In June and July 2009, a meningitis outbreak created by unsanitary conditions in Wi'a prison caused the death of approximately 50 Christian prisoners from unregistered denominations who were detained for practicing their religion. The Wi'a prison closed during the year and surviving prisoners were relocated to the Metier prison; others were taken to the May Idaga prison outside of Dekemhare. There were numerous unofficial detention centers, most located in military camps and used as overflow detention centers following mass arrests and roundups. There were reports that detention center conditions for persons temporarily held for evading military service were also harsh and life threatening. During the year there were hundreds of such detainees. Draft evaders were reportedly sent to the Wi'a military camp where, typically, they were beaten. Some were held as long as two years before being reassigned to their units. At one detention facility outside Asmara, authorities continued to hold detainees in an underground hall with no access to light or ventilation and sometimes in very crowded conditions. Use of psychological torture was common, according to former inmates. One common technique was for the interrogator to open and close the door of the cell constantly, as if the prisoner were going to be taken for interrogation where beatings are administered. Denial of food, medical treatment, and family access were also used to punish prisoners. Some prisoners were released after close friends or relatives offered their homes or other property as bond. Deaths occurred in prisons and detention centers as a result of inadequate nutrition, disease, extreme temperature fluctuations, and denial of medical care. In August 2009 a meningitis outbreak at a prison in Massawa reportedly killed dozens of inmates.

[...] Ombudsmen cannot serve on behalf of prisoners to alleviate inhumane overcrowding. There are no provisions for addressing the status and circumstances of confinement of juvenile offenders, pretrial detention, or bail [...]

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➤ [UK Foreign and Commonwealth Office \(FCO\), Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report \(Eritrea excerpt\), 31/03/2011](#)

[...] Access to Justice

[...] Released prisoners and other sources also describe a system of extra-judicial sentencing by secret committees. Although we have no reports of the death sentence being passed by the courts there are numerous reports of summary executions .

Prisons and detention issues

Conditions in prisons and detention centres are reported to be harsh and life threatening. The location of most detention centres is not publicised and visits are usually prohibited, including by family members, who are often not officially informed of the detention. The International Committee of the Red Cross is denied access to Eritrean prisoners. Many sites are below ground where prisoners are kept in dark cells. Elsewhere, detainees are held in metal shipping containers where temperatures are believed to reach the high 40s (oC). There are reports of severe overcrowding. Former guards and detainees describe food, water and medical supplies being strictly limited or withheld. There are multiple reports of systematic torture and people dying in detention. Detainees have described a series of punishments where people are tied in painful positions, for as long as weeks at a time [...]

➤ [Office of the United Nations High Commissioner for Human Rights \(OHCHR\), Written statement submitted by the Jubilee Campaign \(The continuing human rights crisis in Eritrea: the need for urgent international action\), 01/03/2011](#)

[...] Arbitrary detention, torture, inhuman and degrading treatment

Due to continuing large-scale detentions without charge or trial, conventional prisons are filled to capacity. Now, open-air areas in army camps encircled by barbed wire, villas and even caves function as makeshift facilities. The government's burgeoning security apparatus acts with impunity, utilising torture technique that have been extensively documented.⁷ There are growing reports of prisoners dying in detention following torture, or due to malnutrition or lack of medical attention. There are also reports of prisoners being used as forced labour in development projects or on farms owned by officials or government sympathisers.⁸

➤ [Human Rights Watch, Word Report 2011: Eritrea, 24/01/2011](#)

[...] Torture and Cruel, Inhuman, and Degrading Treatment

Torture and other forms of cruel, inhuman, and degrading treatment in detention are routine. Former detainees report that detention almost always includes severe beatings, often leading to permanent bodily harm. Punishments also entail mock drowning, being hung by the arms from trees, and being tied up in the sun in contorted positions for hours or days. Poor detention conditions often amount to torture. Many prisoners are held in unlit underground bunkers and in shipping containers with broiling daytime and freezing nighttime temperatures. A woman with deep visible scars from beatings in detention told a BBC reporter in 2010 she had been held 23 hours a day in an underground cell in "unbearable" heat and made to walk on sharp rocks and thorns for an hour each day [...]

➤ [International Crisis Group, Eritrea: The Siege State, 21/09/2010](#)

[...] Section III THE EVOLUTION OF THE MILITARY STATE

[...] D. THE PENAL STATE

[...] Intolerance of opposition appears to be worsening. Between 2001 and 2010 there have been tens of thousands of arrests of political prisoners and prisoners of conscience, most of whom have yet to be brought to trial.⁹² In detention, they endure horrendous conditions and are routinely tortured.⁹³ Extrajudicial killing is commonplace.⁹⁴ This has been documented in detail through research by both Human Rights Watch and Amnesty International, particularly among Eritrean refugees.⁹⁵

➤ [Christian Solidarity Worldwide, CSW calls for targeted sanctions on perpetrators of human rights abuses in Eritrea, 16/09/2010](#)

[...] A joint CSW UK and Nigeria team has just returned from a visit to East Africa where they met Eritrean refugees, most of whom were former prisoners.

One person described being beaten, stamped on and kicked in or around the vital organs, a technique designed to cause maximum internal damage while leaving minimal external evidence. Female prisoners are reportedly beaten on the soles of their feet and about the womb.

Another former prisoner was caught attempting to flee the country and held for three years in eight different detention centres. He described being imprisoned with underage children as young as eight and being forced to work on plantations owned by army commanders, demobilised soldiers and prison guards, as well as for a construction company owned by the Ministry of Defence. The CSW Team also met a former prisoner whose eyes were damaged when he was suddenly exposed to sunlight after being held in chains for nine months in a dark, underground cell [...]

➤ [Human Rights Watch, Service for Life State Repression and Indefinite Conscription in Eritrea, 16/04/2009](#)

[...] Torture and Cruel, Inhuman, and Degrading Treatment

[...] Torture is routine in Eritrea, both for those detained in prisons and as punishment for those in military service. Political prisoners, including journalists or teachers, interviewed by Human Rights Watch described torture in custody to force them to disclose collaborators, whilst those punished for their religious beliefs described being tortured in order to renounce their faith. In many cases former detainees were beaten or tortured in order to extract information, but in other situations they were simply beaten, tied up, or left to suffer in the sun without any obvious intention to gather information, simply as punishment. According to eyewitness accounts gathered by Human Rights Watch, torture and cruel, inhuman, and degrading treatment or punishment by military officers and commanders are systematic and “normal.”⁹⁵ While some form of discipline or punishment for insubordination or for military crimes such as desertion is usual in a military context, torture is unlawful in any circumstance. In Eritrea, deaths in custody are common as a result of ill-treatment, torture, and denial of medical treatment (see below section “Deaths in Custody”). Some deaths appear to be deliberate killings.

Torture methods

Some of the torture methods are inherited from the Italian period, whilst others are the methods used by successive Ethiopian governments against suspected Eritrean liberation fighters during the struggle. All of the torture methods described in this report are drawn from victim and eyewitness accounts gathered by Human Rights Watch in 2008, from individuals who were interviewed independently in different locations, and with different translators. The methods described below correspond closely to the findings of Amnesty International in 2004 but this is not a comprehensive list.⁹⁶ “Helicopter”: the victim’s hands and feet are tied together behind the back, sometimes opposite limbs, i.e. left hand to right foot, and the victim is left face down, often outside in the hot sun. Detainees described seeing this procedure in most of the prisons mentioned in this report, in particular in Alla prison.⁹⁷ “Otto” or eight: Otto, meaning eight in Italian, is a punishment where the hands are tied together behind the back and victims must lie on their stomachs. This was the most common torture method noted by former conscripts and detainees, practiced in all the prisons and in Wi’a and Sawa military camps. One man interviewed by Human Rights Watch said he was tied for two weeks in the otto position, even when he slept, because he tried to escape from Wi’a training camp.⁹⁸ A soldier deployed to Assab on the coast refused an order and was tortured by being tied in the otto position: “My leader ordered me to go into the sea and I refused because I have problems in my left ear. I was punished with otto for four hours. Four hours of otto in Assab is very bad because it’s so hot,” he said. ⁹⁹“Ferro”: Ferro is an Italian word for iron. The method is similar to otto described above except that the wrists are bound with handcuffs. The prisoner may also be left in the sun. According to a former army officer detained in Alla, ferro was often the punishment for those suspected of trying to escape from the army. “If someone is suspected of escaping then they are tied up—just hands or hands and feet, or ferro, he said. “Individuals decide what kind of punishment is given, there’s no law. They do not have any crimes but [people are punished because] they hate the military or hate to be a soldier. That is the main reason. Because everyone in Eritrea hates to be in the army.”¹⁰⁰ “Jesus Christ”: As the name suggests, the victim is crucified by being tied with rope to a tree or a cross and then left to hang, and sometimes beaten while hung. A conscript who answered back and then struck his commanding officer described being punished in this way: My leader [of the unit] ordered me to make charcoal that he wanted to take home to his family. But I told him, I am in training, this is not my job, so I told him ‘No.’ He hit me. I said he cannot hit me so I hit him also...That captain together with other leaders

beat me. I still have the scars on my head [he has visible wide scars on his head and neck]. They tied me in a crucifix style to a tree, with my hands behind me, for two hours at a stretch, off the ground. We call it a cross—the hands are tied to wood and you are hanging in the air. They left me to sleep outside [on the ground] while tied up. It was hot. I got one cup of water for half a day and bread. They asked me no questions during punishment, there were many other people punished at the same time. Every day people were getting different punishments. In front of everyone, with them all watching.¹⁰¹ “Goma”: Goma is a method involving a radial truck tire. The victim is forced to double up inside a tire for long periods of time. A conscript who was caught fleeing towards the border in 2005 and imprisoned in Prima military camp was suspected of links to the Ethiopian-backed opposition to the Eritrean government because his mother was Ethiopian. He suffered this form of torture: ...[T]he worst is when they put you inside a tire [goma]. You are tied inside the circle of the tire and they [beat you with a stick and] ask who is supporting you [in Asmara], who guided you, what kind of program did you have in Ethiopia... Another way to make you suffer is to tie the hands behind your back, sometimes the legs as well. This is called otto, then you are tied to a tree and punished by hanging from a tree. There are those who died from punishment but I was fortunate. Twice they punished me by goma. They use a Ural truck tire. I was rolled in the tire for six hours... Luckily I am not fat. The fat man suffers even more.¹⁰² Mock drowning: Called by many different names around the world, in Eritrea this method of torture involves submerging a person’s head in water so that s/he believes s/he will drown and was originally used by the Derg in Eritrea. A man described to Human Rights Watch his experience in Alla military prison of being put in a barrel head first, upside down and forced to answer questions after he had tried to run away from the army four times: They hit me everywhere in every prison—on the head, on the feet—sometimes the body swelled. The first time they hit you is when they catch you—they hit me—and after two months my body became weak. They put me in a barrel of water, with the head under water and the legs out. They beat people with electric wire in the barrel of water. After three days when the inspector came and if you didn’t accept or respond to his questions then you’d be punished like this. I was interrogated with questions like: ‘Who is helping you?’; ‘How did you get around without permission?’; ‘How did you reach the border?’; ‘Who had the master plan?’; ‘Who was your guide?’; ‘Are you a soldier?’ I was in the barrel five times.¹⁰³ Beating: Beating is commonplace to the point of “normality” and is often preceded or followed by other torture methods. Nearly every former detainee interviewed by Human Rights Watch described regular beatings, often daily, severe, and resulting in lasting physical damage.

[...] Conditions in detention

Apart from torture and routine punishment, detainees in Eritrea’s huge network of prisons endure terrible conditions, forced labor, and lethal starvation. With the exception of Ethiopian prisoners of war, the International Committee of the Red Cross is not permitted to visit Eritrea’s military or civilian detention facilities. The government appears completely unconcerned about detention conditions and the fate of the people in its custody. Deaths in custody are common. Prison guards are often demoralized and appalled by what they are asked to do—some of them reportedly escape along with the inmates. Horrendous descriptions of conditions in many of Eritrea’s different prisons have been widely documented by various nongovernmental organizations in recent years.¹¹³ Many detainees are kept in metal shipping containers or in underground pits in overcrowded and dangerously hot conditions for months at a time.¹¹⁴ [...]

2. Country Assessment

2.3 Actors of Protection

This whole section fails to mention the practice of torture or other forms of ill-treatment as is committed by the Eritrean police and security forces with complete impunity, as is widely documented in the literature. For a list of sources documenting the violence, abuse, ill-treatment and torture committed by the Eritrean authorities, particularly in prisons, please see Section 3.11 Prison conditions further above from p. 50.

2.4 Internal relocation

Excerpt from the September 2011 Eritrea OGN

2.4.4 The law and unimplemented constitution provide for freedom of movement, foreign travel, emigration, and repatriation; however, the government restricted all of these rights in practice. Citizens required government permission for most travel within the country and to change their places of residence. The government severely restricts travel to the border regions.⁸ It may be practical for applicants in some categories who may have a well-founded fear of persecution in one area to relocate to other parts of Eritrea where they would not have a well founded fear and, taking into account their personal circumstances, it would not be unduly harsh to expect them to do so.

The highlighted sentence suggests that an internal relocation alternative may exist for Eritrean claimants. However, this paragraph does not take into account Country of Origin Information (COI) presented just before the highlighted passage nor does it take into consideration COI included in a previous paragraph within the same OGN in the sub-section 2.3 Actors of Protection as follows:

Excerpt from the September 2011 Eritrea OGN

2.3.5 During the year (2010) the police, armed forces, and internal security arrested and detained persons without due process and often used violence. Police forcibly arrested individuals on the street who were unable to present identification documents. Those in the government national service were required to present "movement papers" issued by their offices or departments authorising their presence in a particular location. Those persons who did not present "movement papers" were arrested.⁴

Taking into account this COI included in the Eritrea OGN, as well other COI available in the public domain as that presented below, and given that all categories of claim addressed in the OGN fear persecution at the hands of the Eritrean authorities, an assessment of an internal relocation alternative for an individual who has a well-founded fear of persecution becomes obsolete. The latest UNHCR Eligibility Guidelines on Eritrea, published in April 2011, similarly states

- [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] B. Internal Flight or Relocation Alternative (IFA/IRA)

[...] Given the omnipresence of the military, a well-established network of Government informants, and the countrywide control and reach over the population exercised by State agents, including through round-ups, house searches and setting roadblocks, an internal flight or relocation alternative to another part of the country cannot be considered as available where the risk of persecution emanates from the State and its agents [...]

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The U.S. Department of State also addressed the specific restrictions imposed on internal travel for religious leaders, academics, as well as those participating in national service:

- [U.S. Department of State, July-December 2010 International Religious Freedom Report, 13/09/2011](#)
 - [...] Section II. Status of Government Respect for Religious Freedom
 - [...] Restrictions on Religious Freedom
 - [...] Older religious leaders, who graduated from high school and started religious training before the government mandated 12th grade national service at the Sawa Military Training Camp, were issued travel identification cards to facilitate in-country travel. However, during this meeting of religious leaders held in September, the government stated that these travel cards would no longer be valid. While no longer honoring these travel identification cards will prevent religious leaders from passing checkpoints where proof of status is required, the government simultaneously removed numerous checkpoints, making the impact of this action on freedom of movement unclear.
- [U.S. Department of State, 2010 Human Rights Report: Eritrea, 08/04/2011](#)
 - Section 2 Respect for Civil Liberties, Including:
 - a. Freedom of Speech and Press
 - [...] Academic Freedom and Cultural Events
 - [...] Academic travel and contact with other academics at home and abroad was restricted, intimidating academics into practicing self-censorship, and influencing academic appointments based on political affiliation.
 - [...] d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons
 - [...] Citizens participating in national service were often denied internal travel permits, passports, and exit visas [...]

The following additional COI available in the public domain further emphasises that freedom of movement is extremely limited within Eritrea:

- [Human Rights Watch, Ten Long Years: A Briefing on Eritrea's Missing Political Prisoners, September 2011](#)
 - [...] Other Human Rights Violations by the Eritrean Government
 - [...] Restrictions on Freedom of Movement
 - The government restricts travel within the country. This is especially true of national service members on active duty who must obtain authorization to move from town to town. All car and bus passengers must show identification cards at military roadblocks before each town of significant size. National service conscripts who cannot present authorization to travel to a particular location are arrested. Access to border areas is strictly regulated: persons with identification cards showing residence outside the general area are subject to questioning; arrest is likely if they cannot adequately justify their presence.¹⁵¹ [...]
- [U.S. Department of State, July-December 2010 International Religious Freedom Report, 13/09/2011](#)
 - [...] Section II. Status of Government Respect for Religious Freedom
 - [...] Abuse of Religious Freedom
 - [...] Additional credible second-hand reports were received of numerous mass arrests of Christian groups in the region stretching from Asmara south to the Ethiopian border between September and December, but the number of individuals detained is unknown as the Eritrean government did not allow official travel to these regions [...]
- [UKBA, Country of Origin Information \(COI\) Report: Eritrea, 17/08/2011](#)
 - [...] 25. FREEDOM OF MOVEMENT

[...] 25.04 The British Embassy in Asmara, in a letter dated 10 August 2010, provided the following information, obtained from Eritrean sources:

“Travel permits are required to travel anywhere in Eritrea, travel to border areas is not permitted. They are issued by the Ministry of Defence (MOD), the Demobilisation Commission and other local administration offices. The format is not standard, for those who have completed their national service, they can travel using their ID Card and their demobilisation papers. If issued by the MOD, the travel permit contains: full name, date of travel, expiry date of permit and where travelling to and from. The demobilisation paper contains: full name, military number, date of birth, national service details and a photograph of the holder. Anyone found trying to leave without the necessary permit or demobilisation paper will be detained until they can prove they have completed their national service. Those who have not reported for national service will be detained as deserters and sent to a military training camp. ID cards are compulsory for anyone over the age of 18. They are issued by the Department of Immigration and Nationality in a standard format. They contain: full name, date of birth, place of birth, address and a photograph of the holder. ID cards need to be carried at all times. If found not to be in possession of an ID card, individuals will be detained until such time as one can be produced. They rely on friends or guards to inform their family of their detention.” [10e] [...]

➤ [Freedom House, Freedom in the World 2011: Eritrea, 12/05/2011](#)

[...] Political Rights and Civil Liberties

[...] Freedom of movement is heavily restricted [...]

➤ [UK Foreign and Commonwealth Office \(FCO\), Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report \(Eritrea excerpt\), 31/03/2011](#)

[...] Section VII Human Rights in Countries of Concern

[...] Other issues: Freedom of movement

[...] Movement in Eritrea is restricted and travel permits, or proof of completion of national service, are required for Eritreans to travel between towns and regions [...]

➤ [Human Rights Watch, Service for Life State Repression and Indefinite Conscription in Eritrea, 16/04/2009](#)

[...] Part 2: Human Rights Violations

[...] Indefinite Forced Conscription

[...] “Giffa”: press-ganging conscripts

[...] Round-ups of the population in towns and villages—known as giffa in Tigrinya— are common and constitute a kind of modern press-ganging.

[...] Even aside from evaders and deserters, any civilian who forgets their identification or travel documents is at particular risk of being rounded up in a giffa and arbitrarily detained.

[...] Freedom of movement

The Eritrean government’s oppressive behavior and compulsory national service has spawned other restrictions and human rights violations. Severe restrictions on freedom of movement are in place.

[...] Within Eritrea, movement is equally circumscribed through a variety of mechanisms.

Local government authorities at the village or neighborhood level maintain detailed records of local populations. “They know the exact population, how many children are in the army and so on.”²⁶⁸ Each zone is controlled by a subcommittee drawn from the local population—in essence civilians are employed to keep an eye on each other. A visitor to Eritrea in late 2008 described buses being frequently stopped and searched and passengers asked for ID cards: some possessed laminated cards showing that they had completed national service, others had letters authorizing travel to a specific place and for a limited period of time.²⁶⁹ This echoes the stories told to Human Rights Watch by individuals who were frequently detained for not possessing the relevant papers.²⁷⁰ As one refugee said, “you cannot walk three hours without being asked for a permit.”²⁷¹ All roads in and out of Asmara and the major cities have checkpoints where military stop and check the documents of passengers.²⁷² Escaping conscripts described walking around checkpoints in order to avoid detection on their way to the border.²⁷³ A couple told Human Rights Watch, “we were moving during the night because to travel without a permit is difficult. During the day we stayed hidden under trees. We traveled at night because if we were caught

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then it would be dangerous, five years in prison or they can kill you, especially if you are a soldier or a university student.”²⁷⁴ One woman who escaped told how she was smuggled over the Sudanese border by a businessman with a permit to travel along the Tesseney-Asmara road.²⁷⁵ [...]

4.3 Minors claiming in their own right

Excerpt from September 2011 Eritrea OGN

4.3 Minors claiming in their own right

4.3.1 Minors claiming in their own right who have not been granted asylum or HP can only be returned where (a) they have family to return to; or (b) there are adequate reception and care arrangements. At the moment we do not have sufficient information to be satisfied that there are adequate reception, support and care arrangements in place for minors with no family in Eritrea. Those who cannot be returned should, if they do not qualify for leave on any more favourable grounds, be granted Discretionary Leave for a period as set out in the relevant Asylum Instructions.

No COI has been included in section 4.3 Minors claiming in their own right on the particular risks faced by children, despite the fact that it is well-documented that children are at risk of the following human rights violations in Eritrea:

- [Child abuse](#)
- [FGM and Forced Marriage](#)
- [Child Conscription](#)
- [Forced Labour and Child Trafficking](#)

Core sources have been included below on each issue. Unless specifically mentioned it can be assumed that the documented human rights abuses occur throughout Eritrea, are directed against both girls and boys and occur whether or not the child lives with his/her family or community. It is imperative that additional COI research is conducted with the specific profile of claimant in mind when representing a minor facing return to Eritrea.

Child abuse

- [UNHCR, Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)
[...] i. Sexual and Gender-Based Violence
Violence against women and children, including domestic violence and rape, is reportedly widespread in Eritrea, 212 despite criminalization of some of these practices.213 Marital rape is, however, not considered a crime. 214 Incidents of rape are generally not discussed openly in Eritrea due to the cultural stigma attached to the victims and their families.215 No information is available on the prevalence of rape or the investigation and prosecution of such crimes.216 When rape is reported, the authorities allegedly encourage the perpetrator to marry the victim.217 Furthermore, cases of domestic violence are rarely prosecuted and no specific legal penalties for such crimes are incorporated into law.218 [...]
- [U.S. Department of State, Country Report on Human Rights Practices, 08/04/2011](#)
[...] There are no laws against child abuse and no government programs to combat the problem. Physical punishment was widespread and socially accepted.
[...] During the year humanitarian groups and interlocutors anecdotally noted an increase from previous years in the number of street children due in part to an increase in economic hardship. UNICEF funded programs for street children; however, the increase in the number of street children outstripped program's ability to provide services [...]
- [UN Human Rights Council \(formerly UN Commission on Human Rights\) Eritrea: "Summary Prepared by the Office of the High Commissioner for Human Rights, in Accordance with](#)

[Paragraph 15 \(C\) of the Annex to Human Rights Council Resolution 5/1; Eritrea \[A/HRC/WG.6/6/ERI/3\]", 15/09/2009](#)

[...] 14. The Global Initiative to End All Corporal Punishment of Children (GIEACP) reported that corporal punishment is lawful in the home⁴³ and in alternative care settings under the provisions for the "right of correction" in the Transitional Penal Code.⁴⁴ A code of conduct states that corporal punishment should not be used in schools, but there is no explicit prohibition in law.⁴⁵ GIEACP noted that it has been unable to ascertain the legality of corporal punishment as a disciplinary measure in penal institutions, that in the penal system, corporal punishment is lawful as a sentence for crime under article 172 of the Transitional Penal Code and that it is abolished in the Draft Penal Code.⁴⁶ [...]

➤ [UN Committee on the Rights of the Child \(CRC\), Consideration of reports submitted by States parties under article 44 of the Convention : Convention on the Rights of the Child : concluding observations : Eritrea, 23/06/2008](#)

[...]. Corporal punishment

38. The Committee notes that the provision on corporal punishment in the Transitional Penal Code only applies to children under 15 when endangering gravely their physical and mental health and that "reasonable chastisement" remains permitted. The Committee is concerned that corporal punishment is still widely practised in the home, the schools and other settings.

[...] Child abuse

48. The Committee notes the inclusion of provisions on sexual abuse in the Transitional Penal Code, however regrets that adequate information on child abuse is lacking in the State party report.

[...] Street children

72. The Committee, while noting information in the State party report regarding measures taken to protect street children, is concerned over the increasing number of street children, especially in major urban centres, and that these children are often victims of drug abuse, sexual exploitation, harassment and victimization by members of the police force. Furthermore, the Committee is concerned at the stigmatization of street children and negative attitudes in society towards them based upon their deprived social condition. [...]

➤ [UNICEF, Statistics, undated \(accessed 21/10/2011\)](#)

[...] Child Protection

Child labour 2000-2009*, total -

Child labour 2000-2009*, male-

Child labour 2000-2009*, female-

Child marriage 2000-2009*, total 47

Child marriage 2000-2009*, urban 31

Child marriage 2000-2009*, rural 60

Birth registration 2000-2009*, total -

Birth registration 2000-2009*, urban -

Birth registration 2000-2009*, rural-

Female genital mutilation/cutting, women 1997-2009*, total 89

Female genital mutilation/cutting, daughters 1997-2008*, total 63

Attitudes towards domestic violence, 2002-2009*, total -

Child discipline, 2005-2008*, total [...]

FGM and Forced Marriage

➤ [Freedom House, Freedom in the World 2011: Eritrea, 12/05/2011](#)

[...] Political Rights and Civil Liberties

[...] Female genital mutilation was banned by the government in 2007, but the practice remains widespread [...]

➤ [UNHCR, Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

[...] ii. Harmful Traditional Practices Although banned in 2007,²²¹ female genital mutilation (FGM) continues to affect an estimated 90 percent of the female population.²²² Despite the ban, FGM is still prevalent amongst almost all ethnic and religious groups in rural areas.²²³ However, the practice has reportedly been largely eliminated in urban centres due to sustained Government efforts to eradicate the practice.²²⁴ In the absence of official figures on the current rate of FGM, the progress in enforcement of Proclamation No. 158/2007 abolishing the practice remains, nevertheless, difficult to ascertain. The minimum age of marriage is set at 18 years old under the Constitution and the Eritrean Civil Code.²²⁵ This age is reportedly lower under customary laws. In practice, many children, especially girls, are married between the ages of 13 and 15.²²⁶ Furthermore, the incidence of child marriages is reportedly increasing.²²⁷ [...]

➤ [U.S. Department of State, Country Report on Human Rights Practices, 08/04/2011](#)

[...] According to reliable sources, the practice of FGM has been largely eliminated in urban areas through the efforts of government educational campaigns to discourage its practice, but FGM continued in remote villages and among nomadic populations. The government did not release official figures estimating the current rate of FGM, but before recent campaigns largely eliminated FGM in urban areas, international organizations reported that 95 percent of girls had undergone FGM, and these figures are likely still accurate in rural regions with limited government interaction. In the lowlands, infibulations—the most severe form of FGM—was practiced. In 2007 the government issued a proclamation declaring FGM a crime and prohibited its practice. The government and other organizations, including the NUEW and the National Union of Eritrean Youth and Students, sponsored a variety of education programs during the year that discouraged the practice. The legal minimum age for marriage for both men and women is 18 years old, although religious entities may bless marriages at younger ages. UNICEF reported in 2009 that 46 percent of girls were married before 18 years of age in 2009. [...]

➤ [UNICEF, Complementary education programme puts children back to school in Eritrea, 23/11/2010](#)

[...] In a sustained effort to provide primary education for all, a UNICEF-supported programme of Complementary Elementary Education (CEE) is attempting to reach the children and young adults in Eritrea who had initially missed the opportunity to attend school. The primary targets for the CEE programme are children aged 10 to 14, with a specific focus on girls.

"Girls at this age are eyed for marriage, and the boys are expected to do serious tasks, which would generate additional income for the household," says Bekit Hussien, administrator at the Jengerjiba CEE. "Thanks to the sensitization by the government, parents have now started to send their children to this centre from a place as far as an hour walking distance." [...]

➤ [UNICEF, Commemorating the ban on female genital mutilation in Eritrea, 22/02/2010](#)

[...] In 2007, the Government of Eritrea passed a proclamation banning FGM/C. An intensive, multi-faceted advocacy and mobilization campaign ensued, aiming to change attitudes among different groups of society – including traditional birth attendants, circumcizers, community elders and religious leaders. [...]

Despite the ban, much work is still needed to ensure the full elimination of FGM/C in Eritrea, where the practice is still seen by many as an important factor in attaining social acceptance and improving girls' marriage prospects. [...]

➤ [UN Human Rights Council \(formerly UN Commission on Human Rights\) Eritrea: "Summary Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph 15 \(C\) of the Annex to Human Rights Council Resolution 5/1; Eritrea \[A/HRC/WG.6/6/ERI/3\]", 15/09/2009](#)

[...] 11. SRI mentioned that Female Genital Mutilation (FGM) is widespread and practiced by almost all ethnic and religious groups.³⁶ It recommended that the Government pursue educational efforts to

eradicate FGM; criminalize it in the Penal Code; set up the required programmes to provide assistance to victims; and that international organizations and donors support the work of civil society in this regard.³⁷ [...]

- [UNICEF, Sara Communication Initiative helps a young widow return to school in Eritrea, 02/09/2008](#)

[...] Early marriage is a common phenomenon in Ms. Abubeker's locality. Some 46 per cent of girls in Eritrea are married before they turned 18; in rural areas, that number climbs to 60 per cent. Indeed, Ms. Abubeker's return to school still astonishes many villagers, several of whom disapprove of her actions. But she knows that unless she follows through with her education, she will not be in a position to help her child to succeed in life. [...]

- [UN Committee on the Rights of the Child \(CRC\), Consideration of reports submitted by States parties under article 44 of the Convention : Convention on the Rights of the Child : concluding observations : Eritrea, 23/06/2008](#)

[...] Harmful traditional practices

60. The Committee, while noting with appreciation efforts by the State party to eradicate female genital mutilation (FGM) through the proclamation No. 158 of 2007 aimed at abolishing the practice and that the State party has designed a five year strategic plan to eradicate harmful traditional practices, reiterates its serious concern over the very high incidence of FGM, which still affects nearly 90 per cent of girls. The Committee, while noting awareness-raising efforts about the harmful impact of FGM, is concerned that such measures need to be strengthened and mainstreamed in a sustainable manner. [...]

Child Conscription

- [U.S Department of Labor, 2010 Findings on the Worst Forms of Child Labor, 03/10/2011](#)

[...] In order to graduate, students are required by the Government to complete their final, 12th year of schooling and military training at the Sawa Military Training Camp in remote western Eritrea. Some students may be under the age of 18 while attending Sawa.²⁰⁴⁰ Students who do not attend are not eligible to take their final examinations or to graduate.²⁰⁴¹ After 6 months of compulsory military training, national service conscripts—who may be under age 18—are either drafted into the military, deployed to work in gold mines and on agriculture and construction projects or assigned to a technical college for further training.²⁰⁴² Students who avoid military service are often victims of torture and poor treatment.²⁰⁴ [...]

- [Agence France Presse, Thousands of Eritreans flee forced conscription, 19/09/2011](#)

[...] National service is compulsory for all citizens -- male and female -- at the age of 16, completing their final year of school in military camp. Conscripts earn about \$3 per month for the first 18 months and the service can last for decades. Many end up working as indentured labourers building roads or in the country's newly opened foreign-run mines. [...]

- [Human Rights Watch, Ten Long Years: A Briefing on Eritrea's Missing Political Prisoners, September 2011](#)

[...] Other Human Rights Violations by the Eritrean Government

[...] Since 2003 all secondary school students must complete their final school year inside Sawa military training camp. Eritrea's 11th grade of school is not age specific but for many of those sent to Sawa this can mean military training beginning under the age of 18.¹¹³ A report leaked from the president's office, allegedly written by the head of the Sawa military training camp, revealed that 3,510 youths under the age of 18 had been conscripted in 2007, 1,911 males and 1,599 females.¹¹⁴ At Sawa, the curriculum is primarily military training; academic work is secondary [...]

- [UNHCR, Young Eritreans in Ethiopia face future in limbo, 21/07/2011](#)

[...] As the world focuses on the impact of the severe drought in East Africa, a silent crisis is brewing in a remote corner of Ethiopia. Hundreds of Eritreans are arriving here every month with claims of escaping open-ended military service and allegations of rights violations back home.

During a recent visit to the Eritrean refugee camps in northern Ethiopia, UN Assistant High Commissioner for Refugees, Erika Feller, said she was alarmed and shocked to see "a sea of young faces" and "youth denied for so many people".

In addition to the large numbers of Somali and Sudanese refugees, Ethiopia is home to more than 48,000 Eritrean refugees – mostly young, educated, single men. Between 800 and 1,000 more arrive every month. Among them are significant numbers of unaccompanied children. Some are as young as six years old, and are being taken care of by the oldest child in the group.

The continuous inflow of these highly vulnerable individuals far exceeds the coping capacity of existing facilities. Feller said the challenges were on a scale she had "never seen in my long years with UNHCR". [...]

➤ [U.S. Department of State, Trafficking in Persons Report 2011, 27/06/2011](#)

[...] By government policy, children are required to attend mandatory military training for their senior year of high school under threat of failure to receive a diploma; some children with academic problems are conscripted directly into military service regardless of their age. Some sources report that military training is effectively military service in Eritrea since children are required to perform military exercises in lieu of education. The Eritrean government is reportedly targeting increasingly younger children for military conscription and training; in 2010, for example, a 9-year-old child escaped military service and fled to Ethiopia for assistance. Up to 80 percent of unaccompanied Eritrean minors fleeing into neighboring countries are children between 15 and 17 years old escaping military conscription and training [...]

➤ [United Nations High Commissioner for Refugees \(UNHCR\), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, 20/04/2011](#)

[...] Section III. Eligibility for International Protection

[...] A. Potential Risk profiles

1. Military/National Service

[...] ii. Child Recruitment

Although the minimum age for military conscription is 18, forced underage recruitment, particularly of boys, as well as detention and ill-treatment of children have been reported.¹¹⁸ A militarization of education has also been noted.¹¹⁹ Since 2003, a mandatory final year (12th grade) has been added to the secondary school curriculum, which students must attend at Sawa military training centre under military authority and which includes military-type training.¹²⁰ Children, including those in schools, are reportedly victims of torture, cruel and degrading treatment by the police and military, when seeking to avoid military service.¹²¹ Students approaching conscription age have reportedly fled the country in the thousands or have gone into hiding.¹²² Consequently, children as young as 14 are reportedly refused exit visas on the ground that they were approaching the age of eligibility for national service.¹²³ [...]

➤ [U.S. Department of State, Country Report on Human Rights Practices, 08/04/2011](#)

[...] All students spend their final year of high school at the Sawa military and educational camp in Sawa. Attendance at Sawa was compulsory, and those who did not attend remain at risk of arrest. Students at Sawa were typically 18 years old or older, although a fair percentage were as young as 16 years old. The initial three months of school were spent undergoing military training. Students who received poor grades in high school had, in the past, been sent to the Wi'a Military Camp in lieu of being allowed to complete the academic year. The law prohibits the recruitment of children under the age of 18 years into the armed forces; however, in practice children under the age of 18 were conscripted by their forced attendance at Sawa. It was not known if rebel groups within the country recruited soldiers under the age of 18. [...]

➤ [Christian Solidarity Worldwide, CSW calls for targeted sanctions on perpetrators of human rights abuses in Eritrea 16/09/2010](#)

[...] A joint CSW UK and Nigeria team has just returned from a visit to East Africa where they met Eritrean refugees, most of whom were former prisoners. [...]

The team also learned of the damage caused to young female conscripts traumatised by the harsh, compulsory and open-ended military service regime. CSW was informed of such symptoms of psychological damage as walking backwards, involuntary choking, and stress induced blindness. [...]

- [UN Human Rights Council \(formerly UN Commission on Human Rights\) Eritrea: "Summary Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph 15 \(C\) of the Annex to Human Rights Council Resolution 5/1; Eritrea \[A/HRC/WG.6/6/ERI/3\]", 15/09/2009](#)

[...] 12. SRI stated that the Government has taken a firm public stance against domestic violence, especially wife beating, which is widespread and that marital rape is not categorically outlawed in Eritrea.³⁸ It added that women and girls are subjected to sexual violence within the community and that girls are also subjected to violence at the hands of State agents in the context of the recurrent armed conflict with a neighbouring country. SRI indicated that child soldiers, including girls, have reportedly been used in the fighting, contrary to international standards.³⁹

Conscience and Peace Tax International (CPTI) said that the status of women in the army has suffered a sharp reversal and that by 2004, the perception that female conscripts faced sexual slavery led to violent confrontations with recruiters in some Muslim communities. CPTI added that rape is reportedly widespread leading to frequent pregnancies and resulting in release from the military but subsequent social stigmatisation.⁴⁰ [...]

- [Human Rights Watch, Service for Life State Repression and Indefinite Conscription in Eritrea, 16/04/2009](#)

[...] Some unlucky youths are viewed by the government as, literally, born to fight. During the war for independence, children born to EPLF fighters were given over to the movement to be raised in communal crèches while the parents fought in the army. These children, called “red flowers” or keyahti embaba in Tigrinya, are not only expected to participate in national service, but are apparently given no choice but to join the military in their parents’ footsteps. One man born during the struggle fled Eritrea because he had no future there except as a soldier: “The government says that the children of yekalo [independence fighters] must join the military; they have to follow their fathers.... I told them I don’t want to be a soldier. They told me I must be because my parents died in the war.”¹⁸

[...] Conscription from school

The preferred method of the Eritrean government is to conscript students into national service straight from school, unless they are continuing higher education. To this end, the final year of secondary school was moved to Sawa military camp in 2003. This 12th grade takes place only in Sawa, under military authority, and incorporating military training. Although many 12th grade students are 18 years old, or less, some are older because they take longer to finish high school.¹⁸⁹ Each round or intake of students incorporates 8,000 to 9,000 students.¹⁹⁰ Once they are in the camp, however, military service effectively starts then and there. A teacher whose national service involved teaching in Sawa told Human Rights Watch, “The students could not study. They were always being forced to leave the class for some kind of military service.”¹⁹¹ A former student said he did not even enter 12th grade but was ordered straight into national service in July 2007 even though he was less than 18 years old.¹⁹²

National service is deeply unpopular, especially because new recruits know that there is no prospect of it ending. Students have started escaping from Sawa camp during their 12th grade year without completing school.¹⁹³ Escape is no mean feat, because, as described above, Sawa is in effect a huge prison. Those who made it described braving machine gun fire, barbed wire fences, and several days of walking through the desert without food and water.¹⁹⁴ Some students, aware of their fate once they reach 12th grade have begun to deliberately fail classes so that they can remain in the lower grades.¹⁹⁵ Government awareness of this practice has been to simply pull anyone of military age—18 and above—out of school altogether, even though it is normal for some students to take extra years to finish school because they are poor or work on family farms. Several students described being taken to a military camp under false pretences.¹⁹

[...] Wi’a is reportedly the camp where the “not so clever” students go. If it appears that a student will not graduate high school anyway, then the government will send him to Wi’a even before he has finished. One former student who was sent to Sawa explained, “In school, if you are absent more than two weeks, you

get sent to Wi'a—for whatever reason. Sawa is supposed to be for educated people. If you get kicked out of school, you are not fit for education anyway, so you go to Wi'a."198 [...]

- [UN Committee on the Rights of the Child \(CRC\), Consideration of reports submitted by States parties under article 44 of the Convention : Convention on the Rights of the Child : concluding observations : Eritrea, 23/06/2008](#)

[...] Torture and degrading treatment

40. The Committee is seriously concerned over the information that children, including those in high schools, are victims of torture, cruel and degrading treatment by the police and military. In particular, the Committee expresses concern at information indicating detentions and ill-treatment directed against children who seek to avoid military service.

[...] Children in armed conflict

70. The Committee welcomes that the minimum age for recruitment is set to 18; however, it is concerned over reports of forced underage recruitment and at the detention and ill-treatment of boys under the age when they are required to serve their compulsory military service.

Furthermore, the Committee is concerned over the lack of physical and psychological recovery for children affected by armed conflict, in particular those who were displaced and separated from their parents and those affected by landmines. [...]

Forced Labour and child trafficking

- [U.S Department of Labor, 2010 Findings on the Worst Forms of Child Labor, 03/10/2011](#)

[...] Eritrea

Statistics on Working Children and School Attendance

Children Age Percent Working 5-14 yrs. Unavailable

Attending School 5-14 yrs. Unavailable

Combining Work and School 7-14 yrs. Unavailable

The Government of Eritrea supported programs intended to reduce the worst forms of child labor. However, these were not adequate to address the scope of Eritrea's child labor problem and omitted the numerous children working in agriculture and domestic service. The Government forcibly recruits children during the school break to pick cotton, build and maintain roads, install power and telephone lines and work as domestic servants.

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Eritrea are engaged in the worst forms of child labor, many of them in agriculture and domestic service.²⁰³³ Children in rural areas of Eritrea work on farms producing corn, wheat, sorghum and other grains and in fields gathering firewood, hauling water and herding livestock. Children's work in agriculture commonly involves dangerous activities such as using dangerous machinery and tools, carrying heavy loads and applying harmful pesticides.²⁰³⁴ Children also work in domestic service, which may involve risks such as sexual abuse and other forms of abuse.²⁰³⁵ In urban areas, children transport loads and work on the streets as vendors and car washers.²⁰³⁶ Children also work in garages and workshops making household utensils and furniture, which may require them to use dangerous machinery.²⁰³⁷ In Asmara, some children engage in commercial sexual exploitation and street begging. Children working on the streets may be exposed to multiple dangers, including severe weather, vehicle accidents and criminal elements.²⁰³⁸ The Government of Eritrea imposes compulsory labor on secondary-level schoolchildren. Children in the ninth grade and above are forced to work for 2 months during the school break for Mahtot—a national program in which children may be required to build and maintain roads, install power and telephone lines, work as domestic servants and engage in agriculture work such as picking cotton.²⁰³⁹ In order to graduate, students are required by the Government to complete their final, 12th year of schooling and military training at the Sawa Military Training Camp in remote western Eritrea. Some students may be under the age of 18 while attending Sawa.²⁰⁴⁰ Students who do not attend are not eligible to take their final examinations or to graduate.²⁰⁴¹ After 6 months of compulsory military training, national service conscripts—who may be under age 18—are either drafted into the military, deployed to work in gold mines and on agriculture and construction projects or assigned to a technical college for further training.²⁰⁴² Students who avoid military service are often victims of

torture and poor treatment.²⁰⁴ Children in Eritrea are trafficked for forced labor, including commercial sexual exploitation.²⁰⁴⁴

[...] In Eritrea, children may enter the workforce at a young age due to the limited number of schools. Children from nomadic communities have difficulty accessing education as their seasonal movements are incompatible with the formal school calendar.²⁰⁴⁷ Laws and Regulations on the Labor Proclamation sets the minimum age for employment at 14 and the minimum age for hazardous work at 18. Under this law, hazardous work includes transporting goods and passengers; heavy lifting; working with toxic chemicals and dangerous machines; digging tunnels; and working underground in mines, quarries and sewers.²⁰⁴⁸ However, the Labor Proclamation does not require employers to keep a register containing the name, age or date of birth of their employees, and it does not include penalties for employers of children in hazardous work or children under the minimum age. Further, the Government does not provide protection for self employed children or children working without a contract, leaving many children working on the streets, in family businesses and as unprotected child domestics.²⁰⁴⁹ Children in apprenticeships may engage in hazardous work if supervised by a competent authority.²⁰⁵⁰ This includes dangerous and health-threatening tasks such as working in mines, quarries and sewers. It is unclear at what age a child may become an apprentice.²⁰⁵¹ Slavery, servitude and forced labor are prohibited by the Constitution.²⁰⁵² The Penal Code prohibits and provides penalties for trafficking in persons for sexual exploitation, child rape and child prostitution.²⁰⁵³ No law prohibits trafficking for labor exploitation.²⁰⁵⁴ Children under 18 are prohibited from recruitment into the armed forces by Proclamation 11/1991.²⁰⁵⁵ However, in practice, children under age 18 receive military training.²⁰⁵⁶ Institutional Mechanisms for Coordination and Enforcement Research found no evidence that the Government of Eritrea has established a coordinating mechanism to combat the worst forms of child labor.²⁰⁵⁷ The Ministry of Labor and Human Welfare is the primary federal agency designated to enforce child labor laws, including criminal violations of the worst forms of child labor, such as trafficking. No information exists on the Ministry's funding level or whether it coordinates with other agencies to assist rescued children. Information is also unavailable on the number of inspectors, and it is not known if they receive training and whether or not a complaint mechanism exists.²⁰⁵⁸ Information on child labor investigations, prosecutions or convictions is also lacking. During the reporting period, immigration procedures were not enforced, and non-Eritrean citizens were able to obtain Eritrean passports. Persons in Eritrea were able to change civil records, including birth certificates, as long as three people attest to the birth at the regional government administration office.²⁰⁵⁹ These practices may contribute to the trafficking in persons in Eritrea.

Government Policies on the Worst Forms of Child Labor

The National Plan of Action on Child Labor and National Program of Action on Children are the primary government mechanisms to combat child labor in Eritrea. These policies prevent child labor and support victims by reintegrating them with families, communities and schools.²⁰⁶⁰ Child labor concerns are also mainstreamed into the Education Sectoral Development Plan and the UN Development Assistance Framework. However, these development policies do not have budgets, detailed action plans or targets related to the worst forms of child labor, and they do not appear to have been implemented to any significant degree.²⁰⁶¹ According to the National Policy on Education, the Government has established the right to free primary education, which is compulsory until age 14.²⁰⁶² The Government's compulsory labor and military training requirements for schoolchildren may diminish the impact of Eritrea's policies to combat the worst forms of child labor.²⁰⁶³ The Government has not provided information during the reporting period that demonstrates that it collects information on the worst forms of child labor.²⁰⁶⁴

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

In 2010, the Government participated in the Regional Program for Eastern Africa (2009–2012) to counter trafficking of children.²⁰⁶⁵ The Government also participated in the Eastern African Police Chiefs Co-operation organization, a regional effort to improve its law enforcement capacity to combat human trafficking.²⁰⁶⁶ Eritrea also sponsored numerous youth and worker unions' anti-trafficking in persons education outreach programs.²⁰⁶⁷ Other efforts to combat the worst forms of child labor include the Government's program to provide shelter to orphans and vulnerable children.²⁰⁶⁸ Despite the initiatives described here, Eritrea's social programs are limited in scope and do not protect self-employed children or target areas where the majority of children work, such as agriculture, domestic service and street vending [...]

➤ [U.S. Department of State, Trafficking in Persons Report 2011, 27/06/2011](#)

ERITREA (Tier 3)

Eritrea is a source country for men, women, and children subjected to forced labor and, to a lesser extent, sex trafficking.

[...] Eritrean children also work in various economic sectors, including domestic service, street vending, small-scale factories, and agriculture; child laborers frequently suffer abuse from their employers and some may be subjected to conditions of forced labor. In addition, children may face commercial sexual exploitation in Eritrea

[...] The Government of the State of Eritrea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The Eritrean government does not operate with transparency and published neither data nor statistics regarding its efforts to combat human trafficking; it did not respond to requests to provide information for this report. It is therefore unclear whether the government prosecuted or punished any individual for trafficking offenses, provided protection to any victims of trafficking, or took any measures to prevent trafficking in persons during the reporting period.

[...] Prosecution

The Government of the State of Eritrea made no known efforts to prosecute or punish trafficking offenses during the reporting period. Article 605 of the Eritrean Transitional Criminal Code prohibits trafficking in women and young persons for sexual exploitation, which is punishable by fines and up to five years' imprisonment, or from three to 10 years' imprisonment if aggravating circumstances are present; these penalties are not commensurate with punishments prescribed for other serious crimes, such as rape. Article 565 prohibits enslavement and prescribes punishment of five to 20 years' imprisonment, penalties which are sufficiently stringent. Forced labor is prohibited under Article 16 of the ratified, but suspended, Eritrean Constitution; this provision, however, does not prescribe any penalties. Proclamation 11/199 prohibits the recruitment of children under 18 years of age into the armed forces. Nevertheless, there are no documented penalties for such recruitment and the government has never used these statutes to prosecute cases of human trafficking. The government did not publish information on investigations or prosecutions, if any, of human trafficking offenses during the reporting period. Eritrea similarly failed to report any law enforcement efforts against official complicity in trafficking offenses, such as the use of forced labor to build personal homes or for other personal gain of military officers and government officials. Forced labor of conscripts within the national service continued without any government efforts to abate or eliminate this practice. The government provided no known training to its law enforcement on identifying and responding to trafficking crimes.

Protection

The government made no discernible efforts to protect victims of trafficking during the reporting period. The government continues to have no known facilities dedicated to trafficking victims and does not provide funding or other forms of support to NGOs for services to trafficking victims. The government continued to severely limit the number of foreign NGOs permitted to operate in the country; of the few remaining NGOs, none operated anti-trafficking programs. It is not known whether the government encouraged victims' assistance in the investigation and prosecution of trafficking crimes or whether it provided legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution. The government did not ensure that identified victims were not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked. There is no evidence that the government proactively screens migrants for signs that they have been trafficked. The Ministry of Labor and Human Welfare oversees the government's trafficking portfolio, but individual cases of transnational human trafficking are reportedly handled by the Eritrean embassy in the country of destination; information regarding embassy efforts to assist trafficking victims was not provided. The government reported no efforts to train its diplomatic officials on identifying and responding to trafficking situations involving Eritreans overseas.

Prevention

The government made no known efforts to prevent trafficking in persons during the reporting period. The government did not report any anti-trafficking public awareness or other education campaigns. Although the government does not publicly acknowledge human trafficking as a problem, an office exists within the Ministry of Labor to handle labor cases, including those involving human trafficking; the accomplishments of this office during 2010 are unknown. Limited resources and a small number of inspectors reportedly

impeded the ministry's ability to conduct investigations; the government provided no evidence that it conducted inspections for forced labor, including forced child labor, during the reporting period. The government made no known efforts to reduce the demand for commercial sex acts. Eritrea is not a party to the 2000 UN TIP Protocol [...]

- [U.S. Department of State, Country Report on Human Rights Practices, 08/04/2011](#)
[...] There were no confirmed instances of children engaged in prostitution for survival with or without third party involvement, but there are several known locations in the capital of Asmara where prostitution takes place. The law criminalizes child prostitution, pornography, and sexual exploitation; however, there were reports that it increasingly occurred during the year as economic conditions worsened. [...]
- [Human Rights Watch, Service for Life State Repression and Indefinite Conscription in Eritrea, 16/04/2009](#)
[...] It is not just conscripts who are providing cheap labor for the benefit of military leaders. Prisoners are regularly employed and school children are made to work during their school holidays. The national program for school children is called Mahtot. For two months during the break, children in 9th grade and above must report to work camps where they, "plant trees, clean houses, pick cotton and help with other agricultural projects," in the words of one student.²²⁶ Normally the children stay in schools in the area. During the two months their compensation is 150 Nakfa (\$9) for their family; the fee is euphemistically called "soap money."²²⁷ [...]
- [UN Committee on the Rights of the Child \(CRC\), Consideration of reports submitted by States parties under article 44 of the Convention : Convention on the Rights of the Child : concluding observations : Eritrea, 23/06/2008](#)
[...] Economic exploitation, including child labour
74. The Committee notes the information from the State party regarding child work being mostly to help parents, but is concerned over information about widespread child labour and over the lack of comprehensive measures to ensure that children are protected from economic exploitation and the worst forms of child labour.
[...] Sexual exploitation and sexual abuse
76. The Committee welcomes the initiatives by the State party to combat sexual exploitation of children, including the establishment of a national plan of action against sexual exploitation of children. Nevertheless, the Committee is concerned over the rising numbers of children, especially girls, who are victims of sexual exploitation and sexual abuse. The Committee notes that the majority of cases remain in impunity. Furthermore, the Committee is deeply concerned at the lack of information in the State party report on the extent of the problem and the number of children affected. [...]

5. Returns

Excerpt from the September 2011 Eritrea OGN

3.10 Claimed Illegal Exit from Eritrea

[...] 3.10.5 Eritreans who are forcibly returned may, according to several reports, face arrest without charge, detention, ill-treatment, torture or sometimes death at the hands of the authorities. They are reportedly held incommunicado, in over-crowded and unhygienic conditions, with little access to medical care, sometimes for extended periods of time. For some Eritreans, being outside the country may be sufficient cause on return to be subjected to scrutiny, reprisals and harsh treatment. Individuals may be suspected of having sought asylum, participating in diaspora-based opposition meetings or otherwise posing a (real or perceived) threat to the Government, particularly where they have exited the country illegally.⁴³

This paragraph is actually located in the section of the OGN '3.10 Claimed Illegal Exit from Eritrea' despite being the only source of information within the whole OGN describing the treatment of those who are forcibly returned. It is referenced as the "COIS Eritrea Country Report August 2011 (para 28.12)", which in turn cites an excerpt from the April 2009 UNHCR Eligibility Guidelines. However, these guidelines have been superseded with the most recent UNHCR Eligibility Guidelines published in April 2011, which are silent about this particular issue. However, a range of sources available in the public domain document the risk upon return for those who have exited Eritrea illegally and/or who have claimed asylum and have been forcibly returned:

➤ [Amnesty International, Eritreans in Egypt at risk of forcible return, 02/11/2011](#)

After being arrested and detained in and around the city of Aswan, southern Egypt, 118 male Eritrean asylumseekers have been recently transferred to a compound in Shallal, a town south of the city. Security forces have reportedly beaten some detainees, including on the legs and head, to force them to fill in papers provided by Eritrean diplomatic representatives to arrange their deportation. The reported involvement of Eritrean government representatives in documenting the detainees increases the likelihood that the group will be at risk if returned. Amnesty International considers that there is a significant risk that if the group is forcibly returned to Eritrea they will be tortured or otherwise ill-treated and detained without charge or trial in appalling conditions. Eritrean nationals forcibly returned to Eritrea have been detained incommunicado and tortured upon return, particularly those who had fled the country to avoid conscription. Large numbers of those detained in Shallal are reported to be young adults of national service age, many of whom fled Eritrea to escape military service. As in previous cases documented by Amnesty International in recent years, despite requesting it, none of the Eritrean asylum-seekers has been allowed access to representatives from the UN High Commissioner for Refugees (UNHCR) in Cairo. Amnesty International is concerned at increased reports of forcible returns of Eritrean nationals in recent weeks, as well as reports that further groups of Eritreans in detention are at risk of forcible removal to Eritrea [...]

➤ [Human Rights Watch, Ten Long Years: A Briefing on Eritrea's Missing Political Prisoners, September 2011](#)

[...] Other Human Rights Violations by the Eritrean Government

[...] Restrictions on Freedom of Movement

The government restricts travel within the country. This is especially true of national service members on active duty who must obtain authorization to move from town to town. All car and bus passengers must show identification cards at military roadblocks before each town of significant size. National service conscripts who cannot present authorization to travel to a particular location are arrested. Access to border areas is strictly regulated: persons with identification cards showing residence outside the general area are subject to questioning; arrest is likely if they cannot adequately justify their presence.¹⁵¹

[...] Involuntarily returned refugees are placed under arrest, held incommunicado, and often tortured. In 2009 UNHCR reported that Eritreans forcibly returned from Malta in 2002 and Libya in 2004 were arrested on arrival in Eritrea and tortured; some were killed.¹⁵⁵ More recently, two Eritreans expelled to Eritrea

from Germany in 2008 were immediately imprisoned, one in an overcrowded underground cell and the other in a shipping container. According to Amnesty International, which interviewed the men after they managed to escape and return to Europe, “[b]oth men recounted inhumane conditions, including disease, insanity and death among fellow detainees.”¹⁵⁶ [...]

➤ [Amnesty International, URGENT ACTION ASYLUM-SEEKERS AND REFUGEES RISK FORCIBLE RETURN, 09/06/2011](#)

[...] A group of 12 Eritrean refugees and asylum-seekers are at imminent risk of being forcibly returned to Eritrea by the Sudanese authorities. If returned, they would be at grave risk of arbitrary detention and torture. The 12 men and women are currently being held in Kassala prison in Sudan, near to the border with Eritrea. They were among a group of 20 Eritreans who were arrested during the first week of May and transferred to Kassala prison, charged with illegal entry into the country. All 20 men and women were found guilty of violating immigration law, and were sentenced to deportation, in addition to either paying a fine of 300 Sudanese Pounds (US \$112) or 20 days’ imprisonment. They all opted for imprisonment rather than return to Eritrea, but a third party paid the fine on behalf of eight members of the group and they were deported against their will between 26 May and 2 June. It is believed the Eritrean authorities were involved in paying the fine. The group have not been heard from since deportation. An appeal was submitted on behalf of the rest of the group, but on 9 June the initial ruling was upheld. At least two members of the group have been handed over to the immigration authorities for deportation. Another group of at least 17 Eritrean asylum seekers are having their appeal heard on 14 June and are also at risk of deportation. At least nine Eritreans have been deported from Kassala in the last two weeks. Asylum-seekers returned to Eritrea are routinely subjected to human rights violations, including incommunicado detention (detention without access to lawyers, family or medical treatment), torture and other forms of ill treatment, particularly those who have fled from compulsory military service. The act of seeking asylum itself is considered as an act of treason by the Eritrean authorities, meaning all returned asylum-seekers are at risk of detention on this basis [...]

➤ [Amnesty International, REFUSED ERITREAN ASYLUM-SEEKER STILL AT RISK, 25/05/2011](#)

[...] Despite fresh legal applications by his lawyers, Yosief Michael Kidane still faces forced removal from the United Kingdom (UK) to Eritrea, where he would be at risk of arrest, incommunicado detention and torture or other ill-treatment for his political activity and for seeking asylum.
[...] He could be held incommunicado, tortured and otherwise ill-treated for his political activism and for claiming asylum abroad, which Eritrean authorities regard as a betrayal. [...]

➤ [Amnesty International, Annual Report 2011: Eritrea, 13/05/2011](#)

[...] Prisoners of conscience and other political prisoners
Large numbers of political prisoners and prisoners of conscience continued to be detained indefinitely without charge, trial or access to legal counsel. They included suspected critics of the government, political activists, journalists, religious practitioners, draft evaders, military deserters and failed asylum-seekers forcibly returned to Eritrea. Many were held in incommunicado detention for long periods, including political prisoners detained since a government clampdown in 2001. The whereabouts and health status of most remained unknown. Prisoners’ families faced reprisals for inquiring about them
[...] Refugees and asylum-seekers
[...] Yonas Mehari and Petros Mulugeta returned to Germany and were granted asylum in 2010. The two men were asylum-seekers forcibly deported by the German authorities to Eritrea in 2008. They were detained after their return, Yonas Mehari in an overcrowded underground cell and Petros Mulugeta in a shipping container. Both men recounted inhumane conditions, including disease, insanity and death among fellow detainees [...]

➤ [Freedom House, Freedom in the World 2011: Eritrea, 12/05/2011](#)

[...] Political Rights and Civil Liberties
[...] Eritrean refugees and asylum seekers who are repatriated from other countries are also detained [...]

➤ [US Department of State, 2010 Country Reports on Human Rights Practices: Eritrea, 08/04/2011](#)

[...] Section 1 Respect for the Integrity of the Person, Including Freedom From:

[...] b. Disappearance

Eritrean refugees and asylum seekers repatriated from other countries during the year reportedly disappeared and an unknown number of persons assumed to be in government detention have also disappeared. The government does not provide information on disappearances, and does not regularly notify family members or respond to information requests regarding the status of persons in detention.

In February, according to an opposition Web site, 12 of 67 Eritreans deported from Libya disappeared. There were unconfirmed reports that nine of the deportees were detained incommunicado in Embatkala prison before its closure. Their names are: Zigta Tewelde, Asmelash Kidane, Captain Zeraburuk Tsehaye, Second Lieutenant Zewde Teferi, Yohannes Tekle, Ghebrekidan Tesema, Tilinte Estifanos Halefom, Nebyat Tesfay, and Tilinte Tesfagabre Mengstu. Additional unconfirmed reports state that Habte Semere and Yonas Ghebremichael, who worked for the President's Office before they left Eritrea, are being detained incommunicado in Ghedem prison near Massawa.

[...] In January 2009 the government of Egypt refouled several hundred Eritrean refugees and asylum seekers, all of whom were returned to their families, according to the government. Nevertheless, there were numerous reports from family members of missing individuals, mostly young men and women who had not completed national service.

In 2008 approximately 1,200 Eritreans were repatriated from Egypt, many of whom remained missing at year's end. Similarly in 2008 German immigration authorities returned two Eritrean nationals, neither of whom had been seen since their arrival in Asmara. [...]

➤ [Jesuit Refugee Service, Italy: Eritrean asylum seekers need to be evacuated from Tripoli, 03/03/2011](#)

[...] Echoing the appeal by the Papal Nuncio in Tripoli, Monsignor Martinelli, JRS Italy and Malta urge European Union governments to evacuate the approximate 2,000 Eritrean asylum seekers from Libya. These asylum seekers are pleading not to be forced to choose between Libya and home where their lives would be at risk [...]

➤ [International Crisis Group, Eritrea: The Siege State, 21/09/2010](#)

[...] Section III THE EVOLUTION OF THE MILITARY STATE

[...] D. THE PENAL STATE

[...] The government has become extremely suspicious of the outside world and paranoid about any Eritrean associated with "external influences" and not fully committed to the "national cause". Enemies of the state and "non-citizens" are seen to come in many guises.

[...] Others who are jailed include, failed asylum seekers, businessmen and merchants suspected of hoarding goods or otherwise engaging in black market activities, journalists who have been critical or are suspected of being potential critics and a range of political dissidents, real or imagined, including those who in 2000-2002 expressed misgivings about the government. [...]

➤ [Human Rights Watch, Italy: Offer to Shelter Eritreans Detained, Abused by Libya, 09/07/2010](#)

[...] The Italian government should immediately offer to take into Italy at least 11 Eritreans it had previously forced back to Libya and who are now detained there and threatened with deportation back to Eritrea, Human Rights Watch said today. The Italian Navy had previously blocked these Eritreans from reaching Italy by sea and summarily returned them to Libya without giving them the chance to claim asylum.

[...] The detainees have resisted the requirement that they subject themselves to identification by the government they fled. Some of the detainees have been able to contact Human Rights Watch. They said that they fear that filling out these bio-data forms provided by the Eritrean embassy will put their families in Eritrea at risk and possibly pave the way for their deportation. "The Eritrean government regards people who flee the country as traitors," Frelick said, "That Libya requires them to provide their identities to the government they have run away from shows that they are still at risk in Libya." Italian media sources say that 140 of the detainees have signed the forms. Some of the detainees told Human Rights Watch that those who signed the forms were coerced or duped into doing so and are frightened of the consequences for their families still in Eritrea. [...]

THIS DOCUMENT SHOULD BE USED AS A TOOL FOR IDENTIFYING RELEVANT COUNTRY OF ORIGIN INFORMATION. IT SHOULD NOT BE SUBMITTED AS EVIDENCE TO THE UK BORDER AGENCY, THE TRIBUNAL OR OTHER DECISION MAKERS IN ASYLUM APPLICATIONS OR APPEALS.

- [Immigration and Refugee Board of Canada, Situation of people returning after spending time abroad or seeking asylum or refugee status, 15/04/2009](#)

[...] In 7 April 2009 correspondence, the Assistant Editor of the *World Refugee Survey*, the annual report of the U.S. Committee for Refugees and Immigrants (USCRI), an organization that assists in the resettlement of refugees and the provision of services to immigrants in the United States (US), stated that Eritreans who requested asylum abroad after 1993 are "at risk of long-term imprisonment, torture, and other punishment" if involuntarily returned to Eritrea [...]

Moreover, the most recent country guidance determination MO (illegal exit - risk on return) Eritrea CG [2011] UKUT 190 (IAC) (27 May 2011) should also be taken into account:

[MO \(illegal exit - risk on return\) Eritrea CG \[2011\] UKUT 190 \(IAC\) \(27 May 2011\)](#)

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

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