



European Asylum Support Office

Eritrea

National service, exit, and return

Country of Origin Information Report



September 2019

SUPPORT IS OUR MISSION



Eritrea

National service, exit, and return

Country of Origin Information Report

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More information on the European Union is available on the Internet (<http://europa.eu>).

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It must be noted that the review carried out by the mentioned departments, experts or organisations contributes to the overall quality of the report, but does not necessarily imply their formal endorsement of the final report, which is the full responsibility of EASO.

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Disclaimer

This report was written according to the EASO COI Report Methodology (2019).¹ The report is based on carefully selected sources of information. All sources used are referenced.

The information contained in this report has been researched, evaluated and analysed with utmost care. However, this document does not claim to be exhaustive. If a particular event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist.

Furthermore, this report is not conclusive as to the determination or merit of any particular application for international protection. Terminology used should not be regarded as indicative of a particular legal position.

'Refugee', 'risk' and similar terminology are used as generic terminology and not in the legal sense as applied in the EU Asylum Acquis, the 1951 Refugee Convention and the 1967 Protocol relating to the Status of Refugees.

Neither EASO nor any person acting on its behalf may be held responsible for the use which may be made of the information contained in this report.

The drafting of this report was finalised in August 2019. Any event taking place after this date is not included in this report. More information on the reference period for this report can be found in the methodology section of the introduction.

¹ The EASO methodology is largely based on the Common EU Guidelines for processing Country of Origin Information (COI), 2008, and can be downloaded from the EASO website: <http://www.easo.europa.eu>

Glossary and abbreviations

ARRA	Agency for Refugees and Returnees Affairs (Ethiopia)
COI	Country of Origin Information
EPLF	Eritrean People's Liberation Front, predecessor of PFDJ
ERN	Eritrean Nakfa
ESECE	Eritrean Secondary Education Certificate Examinations; final exam after the 12 th grade
Form 4/4.2	Form of Repentance, Letter of Regret
<i>giffa</i>	Round-up, razzia
<i>hagerawi agelglot</i>	National service
<i>hizbawi serawit</i>	People's Army
ICRC	International Committee of the Red Cross
<i>kebab</i>	Third-tier administrative unit
<i>matrik</i>	Eritrean Secondary Education Certificate Examinations (ESECE); final exam after the 12 th grade
<i>mefanewi</i>	Release letter
<i>menqesaqesi</i>	Travel permit, laissez-passer
<i>metayesi</i>	Demobilisation card
<i>mifinaw</i>	Release from national service
<i>mimihdar</i>	Administration
<i>mitiyas</i>	Demobilisation from the military component of national service
NGO	Non-governmental organisation
<i>Nus-Zoba</i>	Second-tier administrative unit
PDFJ	People's Front for Justice and Democracy
RRT	Rehabilitation and Construction Tax ('diaspora tax', '2 % tax')
teff	Staple cereal cultivated in the Horn of Africa
<i>tegadelti</i>	Former EPLF fighters (<i>tegadelai</i> in singular)
TVET	Technical and Vocational Education Training
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UPR	Universal Periodic Review
USD	U.S. Dollar
<i>warsay</i>	Conscript. Literal meaning in Tigrinya: 'my heir', i. e. inheritor of the EPLF veterans' legacy
WYDC	<i>Warsay-Yikealo</i> Development Campaign

<i>yiakl</i>	Diaspora-based opposition campaign, 'enough' in Tigrinya
<i>yikealo</i>	Younger fighter generation, 'heir' in Tigrinya
<i>Zoba</i>	First-tier administrative unit

Executive summary

In July 2018, Eritrea and Ethiopia signed a peace declaration, after 18 years of a ‘no war, no peace’ situation that had followed the border war of 1998-2000. The two neighbours re-established diplomatic relations, communication and transport channels. Eritrea announced peace with Djibouti and Somalia as well, boosting its regional integration. In November 2018, the UN lifted the sanctions, which had been in place since 2009. On a domestic level, as of August 2019, peace has not yet led to any significant policy changes. Government critics and members of unrecognised religious denominations continue to be detained. The constitution ratified in 1997 and the civil and penal codes published in 2015 remain unimplemented; the provisional codes of 1991 continue to be applied while no constitution is in place.

The open-ended national service has not yet been reformed. The Eritrean government stresses that reforms are planned, but that more time is needed: before releasing hundreds of thousands of young people from national service to the job market, opportunities had to be created for them. Furthermore, Ethiopia has not yet retreated from the disputed border territories. As a consequence, there are no indications of changes in terms of conditions, recruitment or policies in national service. Most notably, the unlimited duration of national service remains in place. The remuneration reform announced in 2015 and 2016 has partly been implemented. However, due to substantial deductions introduced simultaneously, net salaries remained on a similar level as before for many beneficiaries.

Exit visa requirements remain in place, making it difficult for many Eritreans to leave the country legally. From September 2018 until December 2018, however, visa requirements were *de facto* lifted for Eritreans travelling to Ethiopia using the newly opened land border crossings. A large number of Eritreans took this opportunity to visit the neighbour, to seek labour, or for family reunification. Since December 2018 (central areas) and April 2019 (peripheral areas), respectively, the land border crossings have been closed again. As of July 2019, crossing the Eritrean-Ethiopian border irregularly has been reported to be much easier than prior to the border opening. Many restrictions on internal movement within Eritrea have been lifted, too. The land border crossings to Sudan have been closed in January 2018. In January and July 2019, the two governments announced the re-opening of the border crossings.

Persons returning to Eritrea after living abroad are required to fulfil a number of conditions, most notably the payment of the 2 % Rehabilitation and Reconstruction Tax and the signing of the ‘Letter of Regret’ for those who had left without fulfilling their national service duty. *De facto*, the Eritrean authorities also expect a minimum of loyalty, i.e. no oppositional political activities abroad. Returnees who fulfil these conditions are eligible for a privileged status, which allows them to leave Eritrea without an exit visa and relieves them from national service duty. However, this status is primarily meant for visiting diaspora Eritreans. Persons who stay in Eritrea for longer than six to twelve months (depending on the source) are considered residents again and liable to national service duty. Eritrea does not accept forced returns of failed asylum seekers. Sporadic events of deportations have nevertheless been recorded in the last four years, mainly across its land borders.

The punishment for desertion from national service, draft evasion, and illegal exit continues to be applied arbitrarily and inconsistently, mostly by military commanders and other representatives of the security forces. Transgressors can be arrested during *giffas* (round-ups), through searches, when trying to cross the border, or after returning from abroad. According to many sources, arrested persons are screened, profiled and treated accordingly. Deserters and draft evaders are reported to be sent to prison, mostly for terms between one and twelve months, during which interrogations and torture may occur. Prison terms for repeated offenders, document forgers and persons who have left the country illegally or have tried to do so are reportedly higher, up to three years. Draft evaders are afterwards sent to military trainings, while military deserters are sent back to their unit. Their

commander decides arbitrarily whether to further punish them or reintegrate them into the unit. Deserters from the civilian national service are often transferred to a military unit as a punishment, in addition to time in prison. Persons who have returned from abroad or been deported are reported to be treated similarly to those arrested within Eritrea. Returnees who have paid the 2 % tax and signed the 'Letter of Regret' are usually not arrested upon arrival. After the expiry of their privileged status, however, (re-)conscription into national service and punishment occur at the discretion of the authorities.

No official information is available on the *de facto* treatment of deserters, draft evaders and persons who leave Eritrea illegally. The information on the respective punishments presented in this report is largely based on anecdotal accounts. Therefore, and because of the arbitrary and inconsistent application of the punishment, the treatment may deviate from it in individual cases. As of August 2019, there are no indications that the end of the 'no war, no peace' situation with Ethiopia has led to more leniency when it comes to punishments for the above-mentioned offenses. One change that has happened is that, as of July 2019, almost no irregular migrants are apprehended anymore at the border to Ethiopia, making their potential treatment difficult to assess.

Introduction

This report was drafted by Länderanalyse SEM, the Country of Origin Information (COI) unit of the State Secretariat for Migration (SEM) of Switzerland. It provides a full update of the SEM's findings on national service, exit, and return, which were first published by EASO in November 2016.

This report is produced in line with the EASO COI Report Methodology (2019)² and the EASO COI Writing and Referencing Style Guide (2019).³

Methodology

Defining the terms of reference

Länderanalyse SEM, the SEM's COI unit continually monitors new reports from international organisations, NGOs, the academic community, the media and other reputable sources. It also maintains contact with experts on Eritrea in a variety of fields, with representatives of the Eritrean government and its neighbouring countries, and with partner agencies in other European countries. The SEM conducts official visits to Eritrea and to neighbouring countries, where many Eritrean migrants stay. In 2015, EASO has published an overview of the results drafted by the SEM. In 2016, a more detailed assessment of the aspects relevant for refugee status determination was published.

In mid-2018, Eritrea and Ethiopia made peace, ending an 18-year-old situation of 'no war, no peace'. Before 2018, Eritrea was justifying several measures by this situation, such as the unlimited duration of national service or the harsh treatment of deserters and draft evaders – the topics addressed in the 2016 report. Hence, an update on this situation was necessary. The present report again focuses on the questions which were identified in 2016 as most relevant for refugee status determination. These questions have been specified by the asylum policy makers of the Swiss State Secretariat for Migration (SEM). Participation in conferences on European level and discussions in the EASO COI Specialist Network meetings have shown that the same questions are relevant for the other EU+ states which treat Eritrean asylum cases. A new question added to the Terms of Reference is the treatment of persons who have left and re-entered Eritrea legally during the time the border with Ethiopia was open and no exit visa requirement was in place, i.e. between September 2018 and December 2018/April 2019 (see Terms of Reference).

Collecting information

Public sources

In accordance with EASO COI methodology, a range of different available sources has been consulted on the relevant topics published in the period between August 2016 and August 2019. These include:

- Country of Origin Information (COI) reports by governments;
- information from advocacy groups;
- human rights reports by governments and advocacy groups, including annual updates on the human rights situation;
- UN reports produced by the Security Council, the Special Rapporteur on the situation of human rights in Eritrea, and in the framework of the Universal Periodic Review (UPR);
- Eritrean government publications, such as statements on the situation of human rights for the African Charter on Human and People's Rights and for UPR; official speeches and comments

² EASO, EASO Country of Origin Information (COI) Report Methodology, June 2019, [url](#)

³ EASO, Writing and Referencing Guide for EASO Country of Origin Information (COI) Reports, June 2019, [url](#)

published on Shabait, the website of the Eritrean Ministry of Information; and comments made to foreign journalists;

- academic publications (books and journal articles);
- media reports.

Reports published prior to August 2016 were included as sources, when no newer information was available, to corroborate information which was otherwise only given by oral sources, or when referring to events and situations in the past.

The Swiss COI unit conducted a full review of available publications to the extent possible, though gaps cannot be discounted. For an assessment of the different categories of sources, see the next section [Source assessment](#).

Oral sources

After assessing these publications, some information gaps remained.

In order to complete the desk research, the SEM has conducted a number of interviews with sources who have information about Eritrea. In order to obtain a broad base of information and to avoid a bias as much as possible, these interviews were conducted in three sequences in three different places:

- interviews with 34 refugees and 9 local sources in Tigray regional state and Addis Ababa, on the occasion of a research visit to Ethiopia in May 2019;
- 22 interviews with government officials, diplomats and representatives of international organisations and the civil society in Asmara, on the occasion of a research visit to Eritrea in July 2019;
- 6 interviews with academic Eritrea experts and human rights advocates by phone and email in July 2019. Five of the selected experts are researchers, whose publications are often quoted in COI reports; the sixth is a legal expert.

Most of the interviewed sources wish to be quoted anonymously. They are described in the [Bibliography](#).

To fill still persisting information gaps on particular issues, further experts and organisations have been contacted via email.

Challenges in collecting information

Access to information about Eritrea, particularly on human rights issues, is difficult. The Eritrean Ministry of Information controls all media in Eritrea. Academic researchers, journalists, and representatives of human rights organisations are generally unable to conduct research in the country, or can do so only to a very limited degree. The Eritrean authorities publish little detailed information about the national service. There is a similar lack of transparency regarding the implementation of legislation on national service and illegal exit; and the authorities do not publish any guidelines or implementing provisions. A monitoring of returned former asylum seekers is not possible.⁴ This means that there is a lack of essential sources of information on the topics identified in the Terms of Reference.

A major challenge in researching public sources is to find current information which is complete. Most of the above-mentioned public sources have not yet published detailed reports of the situation after the Eritrean-Ethiopian peace declaration. Furthermore, most of these sources focus on different issues than those relevant for the asylum procedure, or do not delve as much into the details to correspond with the COI needs.

⁴ cf. Landinfo, Repons Eritrea: Faktagrunnlag og kildekritikk [Response Eritrea: Fact base and source criticism], 14 January 2019, [url](#), p. 1

The information provided by oral sources through interviews is by and large more current than any other published information as of August 2019. Often, the oral information is very similar to the published and hence mainly shows that there has been no change in a subject. Despite the described efforts, some information gaps and uncertainties remain. They are mentioned in the text. This mostly concerns the military component of national service, potentially adjusted punishments after the end of the 'no war, no peace' situation with Ethiopia, and the treatment of returnees.

Source assessment

The information available and used in this report is based on the following categories of sources:

- **Eritrean government (including official legal framework):** The Eritrean government mostly dismisses allegations of human rights violations. Information published by the Eritrean government or given by government officials is rather consistently in line with the official position. Detailed information – particularly on military issues – is often not accessible. Eritrean laws, proclamations, and regulations are partly accessible, but often not online.
- **Foreigners in Eritrea:** Foreign residents of Eritrea are well placed to report on the current situation in the country. However, in the experience of the SEM, their knowledge has some limits. For example, expatriates in Asmara have no access to prisons or military camps, or to internal documents of the Eritrean authorities on justice or national service. This means that the information they provide is mostly based on oral accounts from acquaintances. Many of them concede that their assessments are based on anecdotal information from rather small samples. Their own sources tend to relate the situation in Asmara and its surroundings, which is often different from other parts of the country, and, when it comes to national service, to its civilian component, which is more present in the capital than the military component. Due to the small size of the expatriate community in Asmara, information round tripping and false confirmations occur.⁵ Furthermore, some expatriates in Eritrea are cautious when talking to foreign delegations, as they want to preserve their access and working relations with the Eritrean authorities. Accordingly, situation reports provided by foreign observers tend to be more positive than those e.g. provided by exiled Eritreans.
- **Eritrean migrants and human rights advocates outside Eritrea:** Reports by human rights organisations in particular are based to a considerable extent on statements by people who have left Eritrea. In the experience of the SEM, these organisations are mainly contacted by people who claim to have had very negative experiences before leaving the country or who, for other reasons, would like to draw attention on abuses in Eritrea.⁶ Likewise, opposition media based in the diaspora use such information to criticise the Eritrean government. According to the SEM's experience, recently arrived Eritrean refugees such as those interviewed in Ethiopia are less sensitised for politics and hence less likely to provide biased information. Like the sources inside Eritrea, information by persons who have left Eritrea is to a large extent anecdotal. To a certain degree, Eritreans abroad are able to fill information gaps regarding the situation outside Asmara and in the military component of national service, because their background is more diverse than the sources of expatriates in Asmara.
- **Academic experts:** Academic publications strive for sound and balanced research. They are supposed to be consistent with a number of methodological and scientific criteria, such as peer review. Hence, academic researchers are probably also more sensitised to these quality standards when interviewed. On the other hand, academic publications are rarely reflecting currently unfolding events, and due to lacking opportunities to do research on the ground, information access for academic researchers is often difficult or delayed. Nevertheless, they tend to use broader and more balanced samples than the two source groups described above.

⁵ cf. Landinfo, Repons Eritrea: Faktagrunnlag og kildekritikk [Response Eritrea: Fact base and source criticism], 14 January 2019, [url](#), p. 2; Røsberg, A.H. and Tronvoll, K., Migrants or Refugees? ILPI, 14 February 2017, [url](#), p. 15

⁶ cf. Røsberg, A.H. and Tronvoll, K., Migrants or Refugees? ILPI, 14 February 2017, [url](#), pp. 14-15

- **Media reports** are current, but often based on a small range of interlocutors inside and/or outside of Eritrea. Many journalists have a limited time budget for such researches and equally limited previous knowledge on the issue. Hence there is a risk they overly reflect the point of view of their interlocutors, which in some cases lead to one-sided reports.

As shown, all categories of sources have advantages and disadvantages. By using all of these diverse sources, the SEM has used all means available in order to mitigate a potential bias and draft a balanced report. The present report should therefore be read in the light of the source assessment provided here.

Quality control

In order to ensure that the EASO COI Report Methodology and the EASO Writing and Referencing Guide were respected, a review was carried out by COI specialists from Germany and Sweden and by EASO staff. All comments made by the reviewers were taken into consideration.

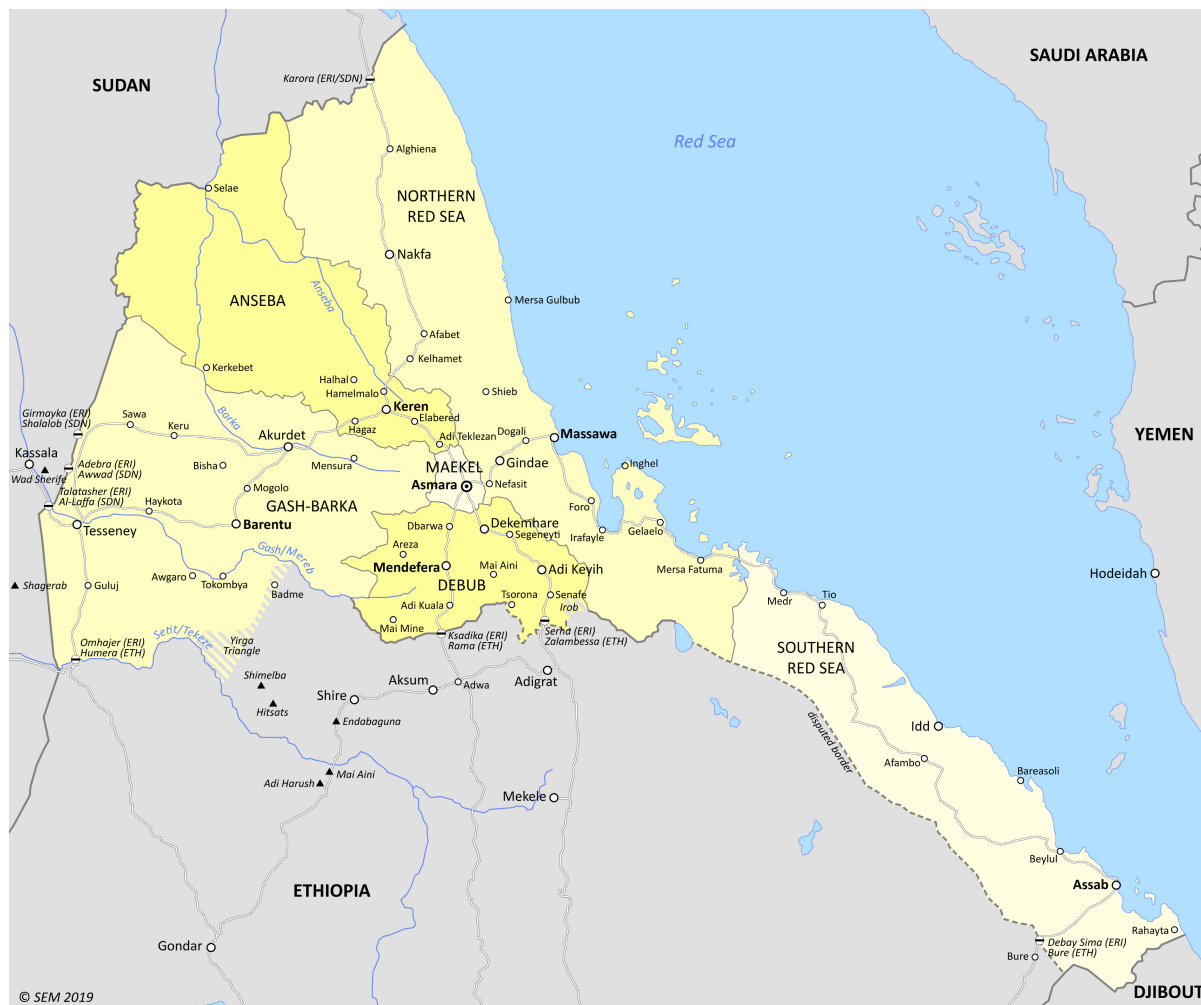
Structure and use of the report

Chapter 1 provides a brief overview about the developments in Eritrea's foreign affairs, internal affairs, religious issues and legal framework since 2016, including the peace declaration with Ethiopia of 2018.

The subsequent three chapters provide a COI update on the topics relevant for international protection determination: national service, legal and illegal exit, and return. These chapters mostly describe the relevant legal framework governing the concerned issue, the government position on the issue (if available), followed by information from the used publications and by the interlocutors interviewed in Eritrea, Ethiopia, and Europe.

The report is designed to deliver relevant information for international protection determination in Europe. The report is not meant to give a complete view of the current political or human rights situation in Eritrea.

Map



Map 1: General map of Eritrea, © State Secretariat for Migration SEM.⁷ All borders and names used on this and other maps in this report do not imply official endorsement or acceptance by Switzerland or the European Union.

⁷ Map created by the State Secretariat for Migration SEM (Switzerland), 2019, based on Eritrean Demining Authority et al., Landmine Impact Survey – 2004 [map], 2004; UN Cartographic Section, Eritrea [map], n.d., [url](#); Eritrea-Ethiopia Boundary Commission, International Boundary between the State of Eritrea and the Federal Democratic Republic of Ethiopia [map], 2002, [url](#)

1. Overview: developments 2016-2019

1.1. Peace with Ethiopia and foreign affairs

The most crucial event in Eritrean foreign politics in the last couple of years was the peace declaration with Ethiopia in mid-2018. On 5 June 2018, Ethiopia's Prime Minister Abiy Ahmed announced that Ethiopia was willing to accept the 2002 UN decision on the Eritrean-Ethiopian border unconditionally, which Ethiopia previously had refused to do.⁸ In the following weeks, several mutual visits of high-level delegations ensued, culminating in the signing of a five-point Joint Declaration of Peace and Friendship by Eritrea's President Isaias Afewerki and Ethiopia's Prime Minister Abiy Ahmed on 9 July 2018 in Asmara.⁹ The signing of the peace declaration led to a chain of events which normalised the relations between the two countries:

- On 9 July 2018, Ethiopia and Eritrea opened the phone lines between each other, which had been blocked for 20 years.¹⁰
- On 16 July 2018, the Eritrean embassy in Addis Ababa reopened.¹¹
- On 18 July 2018, the first regular flight between Addis Ababa and Asmara in 20 years took off.¹²
- On 6 September 2018, the Ethiopian embassy in Asmara reopened.¹³
- On 11 September 2018, the land border crossings in Debay Sima/Bure and Serha/Zalambessa were reopened.¹⁴
- On 16 September 2018, President Isaias Afewerki and Prime Minister Abiy Ahmed signed another peace declaration in Jeddah, Saudi Arabia.¹⁵

Peace with Ethiopia boosted Eritrea's regional integration. On 30 July 2018, Eritrea and Somalia signed an agreement to restore diplomatic relations, concluding a three-day visit of Somalia's President Mohamed Abdullahi Mohamed 'Farmaajo' to Eritrea.¹⁶ On 6 September 2018, another peace declaration was signed with Djibouti. Eritrean relations with Djibouti had been strained after a brief border war in 2008.¹⁷ However, the disputed border between the two countries remains unsettled and the two countries have not yet agreed on Djiboutian soldiers missing in action.¹⁸ Eritrea has also intensified ties with the United Arab Emirates and Saudi Arabia, which both maintain a military

⁸ BBC, Ethiopia 'accepts peace deal' to end Eritrea border war, 5 June 2018, [url](#)

⁹ Shabait, Joint Declaration of Peace and Friendship between Eritrea and Ethiopia, 9 July 2018, [url](#); BBC, Ethiopia's Abiy and Eritrea's Afwerki declare end of war, 9 July 2018, [url](#)

¹⁰ CNN, People in Ethiopia are calling strangers in Eritrea as phone lines are opened after 20 years, 10 July 2018, [url](#)

¹¹ Reuters, Eritrea reopens embassy in Addis Ababa in fresh sign of thaw with Ethiopia, 16 July 2018, [url](#)

¹² Guardian, The Champagne and roses on first Ethiopia-Eritrea flight in two decades, 18 July 2018, [url](#)

¹³ Fana BC, Ethiopia reopens embassy in Asmara, 6 September 2018, [url](#)

¹⁴ Reuters, UPDATE 5-Ethiopia, Eritrea reopen border points for first time in 20 years, 11 September 2018, [url](#)

¹⁵ Reuters, Ethiopian, Eritrean leaders sign peace agreement in Jeddah, 16 September 2018, [url](#)

¹⁶ Al Jazeera, Eritrea and Somalia agree to restore diplomatic relations, 30 July 2018, [url](#)

¹⁷ Al Jazeera, Eritrea consolidates Horn of Africa peace, 11 September 2018, [url](#); Reuters, Djibouti, Eritrea agree to normalize ties strained since 2008, 6 September 2018, [url](#)

¹⁸ UN Security Council, Letter dated 7 November 2018 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council, 9 November 2018, [url](#), para. 44/47; Human Rights Watch, World Report 2019: Events of 2018, 17 January 2019, [url](#), p. 5

presence at the port of Assab.¹⁹ These countries also played an important role facilitating the peace between Eritrea and Ethiopia.²⁰

On the multilateral stage, Eritrea made a breakthrough as well. On 14 November 2018, the UN Security Council voted unanimously to lift the sanctions against Eritrea, which had been in place since 2009.²¹ Already on 12 October 2018, the UN General Assembly had elected Eritrea as a member of the Human Rights Council.²² The visit of Donald Yamamoto, the United States' most senior diplomat in Africa, to Eritrea in April 2018 was the first such envoy in over a decade and marked improved relations with the United States.²³

Later in 2018 and in 2019, the peace process with Ethiopia suffered some setbacks. Some inhabitants of Tigray, Ethiopia's northernmost regional state bordering Eritrea, demonstrated against the announced retreat of Ethiopia from the disputed territories at the border, thus far under Ethiopian control. Particularly the residents of Irob and Badme, two of the disputed territories, opposed the move.²⁴ In two steps in December 2018 and April 2019 respectively, Eritrea unilaterally closed the land border crossings again, although a reopening has been announced (see [Chapter 3.2.3.](#)).²⁵ As of July 2019, Ethiopia has not retreated from the disputed territories, the border issue remains *de facto* unresolved.²⁶

1.2. Internal affairs

As of August 2019, peace with Ethiopia and the increased regional and international integration did not yet translate into significant changes in terms of internal politics.²⁷ This includes the human rights situation, especially the repressive measures that had been put in place after the border war with Ethiopia²⁸ such as unlimited national service (see [Chapter 2.1.](#)).

¹⁹ Plaut, M., Understanding Eritrea, 2016/2019, pp. 220-221, UN Security Council, Letter dated 7 October 2016 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council, 7 October 2016, [url](#), para. 32; UN Security Council, Letter dated 7 November 2018 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council, 9 November 2018, [url](#), para. 22

²⁰ International Crisis Group, The United Arab Emirates in the Horn of Africa, 6 November 2018, [url](#), pp. 8-9; Economist (The), How Ethiopia and Eritrea made peace, 17 July 2018, [url](#); Human Rights Watch, World Report 2019: Events of 2018, 17 January 2019, [url](#), p. 5; Plaut, M., Understanding Eritrea, 2016/2019, pp. 221-222

²¹ Economist (The), Sanctions on Eritrea are lifted, 15 November 2018, [url](#); UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 7

²² UN General Assembly, Election of the Human Rights Council (12 October 2018), 12 October 2018, [url](#)

²³ Economist (The), How Ethiopia and Eritrea made peace, 17 July 2018, [url](#); RW, World Report 2019: Events of 2018, 17 January 2019, [url](#), p. 5; Plaut, M., Understanding Eritrea, 2016/2019, p. 222; TesfaNews, Top U.S. Envoy Reiterates Decision to Strengthen Ties with Eritrea, 4 December 2018, [url](#)

²⁴ AfricaNews, Ethiopia-Eritrea reconciliation project meets resistance from border communities, 12 June 2018, [url](#); Al Jazeera, Ethiopia or Eritrea? Border community fears split, 20 July 2018, [url](#); Ethiopia Observer, Irob Protests in Tigray Display Local Obstacles to Implementing Eritrea Peace Deal, 11 June 2018, [url](#)

²⁵ Reuters, Eritrea closes border crossing to Ethiopians, official and residents say, 28 December 2018, [url](#); Eritrean Press [Facebook], Eritrea Closes Assab Road to Ethiopia, posted on: 22 April 2019, [url](#); AfricaNews, Eritrea shuts all borders with Ethiopia – unilaterally, 23 April 2019, [url](#)

²⁶ Economist (The), Eritrea's gulag state is crumbling, 11 July 2019, [url](#); NZZ (Neue Zürcher Zeitung), Ein Jahr nach dem Friedensschluss zwischen Eritrea und Äthiopien ist Ernüchterung eingeleitet [one year after the peace agreement between Eritrea and Ethiopia, disillusion has come back], 26 July 2019, [url](#); Plaut, M., Understanding Eritrea, 2016/2019, p. 224

²⁷ Amnesty International, Eritrea: Repression without borders, 27 June 2019, [url](#), p. 8; Human Rights Watch, World Report 2019: Events of 2018, 17 January 2019, [url](#), p. 2; Economist (The), Eritrea's gulag state is crumbling, 11 July 2019, [url](#); NZZ (Neue Zürcher Zeitung), Ein Jahr nach dem Friedensschluss zwischen Eritrea und Äthiopien ist Ernüchterung eingeleitet [one year after the peace agreement between Eritrea and Ethiopia, disillusion has come back], 26 July 2019, [url](#); Voice of America, Hopes Dashed as Ethiopia-Eritrea Peace Process Stagnates, 23 July 2019, [url](#)

²⁸ Amnesty International, Eritrea: Repression without borders, 27 June 2019, [url](#), p. 8; Human Rights Watch, World Report 2019: Events of 2018, 17 January 2019, [url](#), p. 2

According to human rights reports, arbitrary arrests of political dissenters and members of unregistered religious groups continue.²⁹ Most prominent is the case of Berhane Abrehe, the former finance minister. In September 2018, Berhane published a book abroad in which he criticised the government. Berhane was detained shortly after the publication, on 16 September 2018; his whereabouts remain unknown. His wife had already been arrested in February 2018.³⁰ Persons arrested in previous years generally remained in detention.³¹ An exception was made for 35 members of unregistered evangelical churches, who were released in July and August 2018 after they had renounced their religion four years earlier.³²

In 2019, young diaspora Eritreans, disappointed by the apparent lack of a 'dividend of peace', started a social media campaign under the hashtag #yiakl ('enough' in Tigrinya), in which they share videos speaking out against President Isaias and the government, trying to mobilise people and put pressure on the government. Meanwhile, the *yiakl* campaign reaches out to Eritrea as well, with pamphlets being distributed at night in downtown Asmara and some anti-government graffiti.³³ Inside Eritrea, some youths are reportedly resolved to disobey the 2019 summons to the 12th schooling year, which for almost all 12th graders (except for those studying at technical schools) takes place at the Sawa military camp.³⁴ The government has reacted by blocking social media³⁵ and with round-ups in several parts of Eritrea.³⁶

1.3. Religious issues

Eritrea officially allows freedom of religion. However, only the four denominations that are recognised and registered may be freely followed for the most part: Eritrean Orthodox, Catholic and Lutheran Christianity, and Sunni Islam. Since 2002, the practising of non-registered religions is unlawful. Therefore, activities of all other religious groups, such as Pentecostal Churches or Jehovah's Witnesses, can be persecuted.³⁷

Arrests of members of unregistered evangelical churches continue to be reported. In 2016, there were reports about the detention of eight persons during a raid in Asmara.³⁸ In 2017, several arrests of evangelical Christians were reported either during prayer meetings or at their homes.³⁹ An advocacy

²⁹ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 17; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 3

³⁰ Voice of America, Former Top Eritrean Official Arrested After Criticizing President, 20 September 2018, [url](#); Amnesty International, Urgent Action, Ex-Minister arbitrarily held after book release, 18 September 2018, [url](#); Amnesty International, Eritrea: Repression without borders, 27 June 2019, [url](#), p. 6; Human Rights Watch, World Report 2019: Events of 2018, 17 January 2019, [url](#), pp. 3-4; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 21; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 5

³¹ United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 3; Horn of Africa expert, email interview, 23 July 2019

³² United States, USDOS, 2018 Report on International Religious Freedom, 21 June 2019, [url](#), p. 6

³³ CNN, The social media campaign that aims to topple leader of 'Africa's North Korea', 14 June 2019, [url](#); Ethiopia Insight, Charting a way forward for Eritrea, 28 April 2019, [url](#); Economist (The), Eritrea's gulag state is crumbling, 11 July 2019, [url](#); Eritrea expert, telephone interview, 12 July 2019; African Arguments, Eritrea: Is political change really on the horizon?, 13 August 2019, [url](#); Connell, D., telephone interview, 17 July 2019

³⁴ Legal expert, interview, Bern, 18 July 2019

³⁵ Economist (The), Eritrea's gulag state is crumbling, 11 July 2019, [url](#)

³⁶ BBC Tigrinya, ኣብ ዝተፈለለዎ ከባቢታት ኤርትራ ጽዑቕ ግፍ ከም ዘሎ ተፈሊጡ [Reports about intense round-ups in several areas of Eritrea], 22 July 2019, [url](#)

³⁷ EASO, Eritrea Country Focus, May 2015, [url](#), pp. 48-49

³⁸ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 24 July 2017, [url](#), para. 21

³⁹ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 24 July 2017, [url](#), para. 21; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 25 June 2018, [url](#), para. 38; CSW, Eritrean Christian mother dies in prison, 11 August 2017, [url](#)

group claimed that between May and August 2017, approximately 210 evangelical Christians had been arrested⁴⁰; in addition to 35 Jehovah's Witnesses in July 2017.⁴¹ Some releases were also reported: in October 2017, a Jehovah's Witness was released from Adi Kula prison⁴²; in July and August 2018, 35 evangelical Christians were released from May Serwa prison after they had renounced their religion four years earlier.⁴³ In May and June 2019, 171 members of unregistered evangelical churches, mainly Pentecostals, were reportedly detained.⁴⁴ In June 2019, a Methodist church in Keren was raided and all faithful present arrested, half of them were released shortly after.⁴⁵ Further arrests of evangelicals were reported in June and August 2019 in Keren and in August 2019 in Asmara.⁴⁶

In 2017, the government announced the conversion of all schools administered by religious groups into government-administered institutions. Several committee members of Asmara's Islamic Al Diaa school, among them the 93-year-old Haji Musa Mohammed Nur, criticised these measures, whereupon they were detained. This triggered street protests of Al Diaa students in October 2017. The government suppressed the protests and detained many participants in the aftermath and in house raids during the following days.⁴⁷ In March 2018, Haji Musa died in detention. His funeral was followed by new street protests, after which again many participants, including children, were detained.⁴⁸ Most arrested persons were released during the next three months, but some school leaders, parents, and students reportedly remained imprisoned as of early 2019.⁴⁹

The Catholic bishops have repeatedly criticised the Eritrean government openly, e.g. in open letters in May 2014⁵⁰ and April 2019.⁵¹ The bishops have not been detained. Government measures targeting the Catholic Church, however, do occur. In October 2017, the Catholic seminar in Asmara was closed and a nun and a priest were detained for several months.⁵² In 2018, the authorities closed five clinics

⁴⁰ CSW, Eritrean Christian mother dies in prison, 11 August 2017, [url](#)

⁴¹ United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 6

⁴² UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 24 July 2017, [url](#), para. 21

⁴³ United States, USDOS, 2018 Report on International Religious Freedom, 21 June 2019, [url](#), p. 6; Asmarino, Eritrea still holds hundreds of Prisoners incarcerated for their Religious Faith, 18 July 2018, [url](#)

⁴⁴ Persecution/International Christian Concern, Eritrea Continues to Crackdown on Pentecostal Christians – 30 Christians Arrested, 7 June 2019, [url](#)

⁴⁵ RFI (Radio France Internationale), En Érythrée, les évêques appellent à la prière et au jeûne contre la répression [In Eritrea, the bishops call for praying and fasting against the repression], 25 June 2019, [url](#)

⁴⁶ Sight, At least 150 Christians arrested in Eritrea clampdown, 26 August 2019, [url](#)

⁴⁷ African Arguments, More dissent in Eritrea, a country where dissent is not tolerated, 7 March 2018, [url](#); Neue Zürcher Zeitung, Proteste für einen toten Nationalhelden in Eritrea [Protests for a dead national hero in Eritrea], 10 March 2018, [url](#); Human Rights Watch, World Report 2018: Events of 2017, 18 January 2018, [url](#), p. 30; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 25 June 2018, [url](#), para. 36, 37, 62, 65; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 6; Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 27

⁴⁸ Human Rights Watch, World Report 2019: Events of 2018, 17 January 2019, [url](#), p. 3; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 25 June 2018, [url](#), para. 37, 46; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 54; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 6; Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 27

⁴⁹ Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 27; Human Rights Watch, World Report 2019: Events of 2018, 17 January 2019, [url](#), p. 3; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 54; United States, USDOS, 2018 Report on International Religious Freedom, 21 June 2019, [url](#), p. 5

⁵⁰ Human Rights Watch, World Report 2015 – Eritrea, Events of 2014, 29 January 2015, [url](#); BBC, Eritrea 'desolate' – Catholic bishops, 9 June 2014, [url](#)

⁵¹ AMECEA, Eritrea: Reading Recent Developments from the Context of 29th April 2019 Pastoral Letter of Eritrean Catholic Bishops, 21 June 2019, [url](#); RFI (Radio France Internationale), En Érythrée, les évêques appellent à la prière et au jeûne contre la répression [In Eritrea, the bishops call for praying and fasting against the repression], 25 June 2019, [url](#)

⁵² UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 25 June 2018, [url](#), para. 72

run by the Catholic Church.⁵³ In June 2019, a government directive forced the remaining approximately 30 Catholic clinics to close.⁵⁴ The Eritrean government justified the measures with Regulation 73/1995⁵⁵, which limited the developmental activities of the religious institutions to certain areas indicated by the government. It claimed that the operational/administrative authority of the clinics was to be transferred to the respective regional branches of the Ministry of Health.⁵⁶ As of July 2019, however, the clinics remain closed.⁵⁷

In July 2019, the former patriarch of the Eritrean-Orthodox Church, Abune Antonios, was expelled from the church upon accusation of 'heresy'. Antonios had been the head of the Orthodox Church until being deposed in 2006; since then he was in house arrest.⁵⁸ In June 2019, five Orthodox priests from Debre Bizen monastery had been arrested for alleged support of Abune Antonios.⁵⁹

1.4. Legal framework

The legal situation remains largely unchanged over the last couple of years. The Eritrean government stated at the end of 2018 that the main source of law are the transitional codes of 1991 (Civil Code, Civil Procedure Code, Penal Code, Criminal Procedure Code, Commercial Code and Maritime Code) as well as 178 proclamations and 125 legal notices.⁶⁰

The constitution of 1997 remains unimplemented. In 2014 and 2015, Eritrean officials announced the establishment of a body to draft a new constitution. As of June 2019, no follow-up on this announcement is known.⁶¹ In May 2015, the Eritrean government published a new Penal Code, Civil Code, and their related procedure codes. These codes remain largely unimplemented.⁶² The Eritrean government communicated that 'campaigns aimed at raising awareness on rights and duties guaranteed by law in particular on the new National Codes' were ongoing.⁶³

Due to this situation, the following chapters will refer only to the formally implemented laws and not to the largely unimplemented constitution and codes.

The judiciary comprises civil courts (community courts, *zoba* courts and the Court of Last Appeal) and a special court. The Special Court was established to fight corruption, but in the meantime deals with

⁵³ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 25 June 2018, [url](#), para. 73

⁵⁴ BBC, Eritrea's seizure of Roman Catholic Church properties criticised, 17 June 2019, [url](#); RFI (Radio France Internationale), En Érythrée, les évêques appellent à la prière et au jeûne contre la répression [In Eritrea, the bishops call for praying and fasting against the repression], 25 June 2019, [url](#)

⁵⁵ Eritrea, Proclamation No. 73/1995, Proclamation to legally standardize and articulate religious institutions and activities, 15 July 1995, [url](#)

⁵⁶ Shabait, Permanent Mission of the State of Eritrea to the United Nations Geneva, 27 June 2019, [url](#)

⁵⁷ Diplomatic source 9, Asmara, interview, July 2019; Civil society source 2, Asmara, interview, July 2019

⁵⁸ BBC, Eritrea Orthodox Church ex-leader expelled for 'heresy', 19 July 2018, [url](#)

⁵⁹ CSW, Concern at seizure of Catholic properties and arrests of Orthodox Priests, 19 June 2019, [url](#)

⁶⁰ UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, Eritrea, 12 November 2018, [url](#), para. 6, 72

⁶¹ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 35; Plaut, M., Understanding Eritrea, 2016/2019, pp. 121-122 / Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 18

⁶² UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 37; UN Human Rights Council, Report of the Working Group on the Universal Periodic Review, Eritrea, 18 April 2019, [url](#), para. 21; UN Human Rights Council, Summary of Stakeholders' submissions on Eritrea, 7 November 2018, [url](#), para. 28; Human Rights Watch, World Report 2018: Events of 2017, 18 January 2018, [url](#), p. 202

⁶³ UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, Eritrea, 12 November 2018, [url](#), para. 73

a wide range of issue of political relevance.⁶⁴ It is subjugated to the President's Office and hence under its influence.⁶⁵

Infringements related to national service such as desertion or draft evasion as well as illegal exit and a range of other offenses are not treated in the formal justice system. Punishments are imposed by military commanders instead.⁶⁶ Such procedures are to a large degree arbitrary and inconsistent. Eritreans are therefore often unaware what the policies of their authorities are, what the potential consequences of an action is and why they are treated in a certain way.⁶⁷

⁶⁴ EASO, Eritrea Country Focus, May 2015, [url](#), pp. 27-28; Eritrea, Proclamation No. 85/1996, A Proclamation to Establish the Special Court, 6 April 1996

⁶⁵ Legal expert, interview, Bern, 18 July 2019; Tronvoll, K. and Mekonnen, D.R., *The African Garrison State*, 2014, pp. 47-51

⁶⁶ Legal expert, interview, Bern, 18 July 2019; EASO, Eritrea: National service and illegal exit, November 2016, [url](#), pp. 21-23; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), pp. 27-28

⁶⁷ Riggan, J., *The Struggling State*, 2016, p. 63, 70; Treiber, M., *Migration aus Eritrea*, 2017, p. 39

2. National service

2.1. Recent developments

Since Eritrea's border war with Ethiopia, the Eritrean government justified the necessity of the infinite duration of national service (Tigrinya: *Hagerawi Agelglot*) by the threat posed by Ethiopia.⁶⁸ Ethiopia was unwilling to accept the decision of the UN Boundary Commission of 2002, demanded further negotiations, and consequently had not withdrawn its troops from territories awarded to Eritrea by the Boundary Commission.⁶⁹ On the grounds of a *de facto* state of emergency, which was introduced in 1998 and never after has been lifted, the duration of national service has been extended indefinitely as provided by Article 21(1) of the National Service Proclamation of 1995.⁷⁰

In June 2018, Ethiopia finally announced to accept the 2002 Boundary Commission decision.⁷¹ As detailed in [Chapter 1.1](#), on 9 July 2018, Eritrean President Isaias Afewerki and Ethiopian Prime Minister Abiy Ahmed signed a declaration to end the war⁷², followed by a similar declaration on 16 September 2018.⁷³ Peace with Ethiopia raised expectations of reforms in national service. At the graduation ceremony of the 31st round of recruitment, held on 13 July 2018 in Sawa military camp, officials told the recruits that their service duty would be reduced to the 18 months as provided by the National Service Proclamation.⁷⁴

As of August 2019 though, there have not been any official statements announcing concrete plans to limit the duration of national service to the statutory 18 months. Most notably, President Isaias did not concretely address the issue in any of his public speeches and media interviews since signing the peace declaration.⁷⁵ In July 2018, ministers had announced plans to reduce the size of the army and concentrate national service on developmental work; the officials however made clear that no decision had been taken yet to shorten national service to 18 months.⁷⁶ In July 2019, during an event celebrating the 25th anniversary of national service, officials said that a 'study was conducted to bring back national service to its origins', but that it was not possible to implement this immediately.⁷⁷ Similarly, Filipos Woldeyohannes, Chief of Staff of the Eritrean Defence Forces, stated in a TV interview in July 2019, that national service would continue to exist, but there would be demobilisation.⁷⁸ At the end of July 2019, President Isaias gave a long TV interview about national service. Referring to the

⁶⁸ Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 7 August 2019, para. 168; Australia, DFAT, DFAT country information report Eritrea, 08 February 2017, [url](#), p. 14; Plaut, M., Understanding Eritrea, 2016/2019, p. 226; Tronvoll, K. and Mekonnen, D.R., The African Garrison State, 2014, pp. 172-178; Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 17

⁶⁹ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 35; Plaut, M., Understanding Eritrea, 2016/2019, pp. 44-45;

⁷⁰ Eritrea expert, telephone interview, 12 July 2019; EASO, Eritrea Country Focus, May 2015, [url](#), p. 40; Tronvoll, K. and Mekonnen, D.R., The African Garrison State, 2014, pp. 172-178; Eritrea expert, telephone interview, 12 July 2019

⁷¹ BBC, Ethiopia 'accepts peace deal' to end Eritrea border war, 5 June 2018, [url](#)

⁷² Shabait18a; BBC, Ethiopia's Abiy and Eritrea's Afwerki declare end of war, 9 July 2018, [url](#)

⁷³ Reuters, Ethiopian, Eritrean leaders sign peace agreement in Jeddah, 16 September 2018, [url](#)

⁷⁴ Reuters, Eritrean conscripts told unlimited national service will end: sources, 23 July 2018, [url](#)

⁷⁵ Shabait, Interview of President Isaias Afwerki; 1st Part, 10 November 2018, [url](#); Shabait, President Isaias' Speech on Martyrs Day, 20 June 2019, [url](#); ERI-TV, President Isaias Afwerki interview on the occasion of the 25th anniversary of Sawa [in Tigrinya], 31 July 2019, [url](#) and [url](#), min. 30:00 – 32:40

⁷⁶ Bloomberg, Eritrea May Alter Army Draft That Forced Thousands to Europe, 03 September 2018, [url](#); Reuters, Eritrean conscripts told unlimited national service will end: sources, 23 July 2018, [url](#)

⁷⁷ Hadas Ertra, ብምኽንያት ብሩራዊ ኢዮቤልዩ ሰዎ፡ ኣብ ኣስመራ ሰሚናራት ተኸይዱ [Seminar in Asmara on the occasion of the silver jubilee of Sawa], 28 July 2019, [url](#)

⁷⁸ ERI-TV, ሳይዳ፡ ዕለል ምስ ጃነራል ፍሊጶስ ወልደዮሃንስ ብዛዕባ ቅድሚት ገብርኤላ ሃንሰን ተራ ደቂ-ኣንስትዮ ኣብ ሰራዊት ኤርትራ [Sayda: Conversation with general Filipos Woldeyohannes about the stories of Gabriela Hanneso and common women in the Eritrean army], 7 July 2019, [url](#), min. 17:45 – 20:35

future, Isaias vaguely stated that it was necessary to explain the purpose of national service to the new generation and to show its benefits and achievements; the new generation was needed for the build-up of the country and much remained to be done. Isaias said that there the quality of national service needed to be improved.⁷⁹ Government officials have reiterated on several occasions the position that there will be reforms in national service also regarding its duration, but more time was needed to implement changes.⁸⁰

The major reason mentioned by Eritrean officials why more time was needed for reforms is the circumstance that the sudden release of a huge number of conscripts would cause serious socioeconomic problems for the country. Many new jobs would be needed to accommodate the released conscripts, such opportunities first needed to be created. The government is not interested in having thousands of unemployed 'idling' in Eritrea's cities.⁸¹

According to observers, another important reason revolves around the concern for regional stability. The political situation in Ethiopia is volatile, with tensions between the federal government and several regional states (and among them), particularly Tigray, which shares the long and disputed border with Eritrea.⁸² As of July 2019, Ethiopia has yet to fulfil its promise to hand over the territories allotted to Eritrea by the Boundary Commission in 2002.⁸³ Though not an official position, Eritrean officials have reportedly mentioned these circumstances in the context of the slow pace of reforms in national service.⁸⁴

As of July 2019, all interviewed interlocutors in Eritrea stated that there was no indication of any reforms or changes in national service by then⁸⁵; published reports agree with that.⁸⁶ This observation has been confirmed by the Eritrean government.⁸⁷

⁷⁹ ERI-TV, President Isaias Afwerki interview on the occasion of the 25th anniversary of Sawa [in Tigrinya], 31 July 2019, [url](#) and [url](#), min. 30:00 – 32:40

⁸⁰ Yemane Gebremeskel, Minister of Information, Asmara, interview, 2 July 2019; Diplomatic source 8, Asmara, interview, July 2019; International organisation 4, Asmara, interview, July 2019; Diplomatic source 5, Asmara, interview, July 2019

⁸¹ Yemane Gebremeskel, Minister of Information, Asmara, interview, 2 July 2019; Diplomatic source 5, Asmara, interview, July 2019; Bloomberg, Eritrea May Alter Army Draft That Forced Thousands to Europe, 03 September 2018, [url](#); UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 31; Diplomatic source 7, Asmara, interview, July 2019; Diplomatic source 3, Asmara, interview, July 2019; Norway, Landinfo, Eritrea: Endringer i nasjonaltjenesten? [Eritrea: Changes in national service?], 21 January 2019, [url](#), p. 2

⁸² Diplomatic source 3, Asmara, interview, July 2019; Diplomatic source 7, Asmara, interview, July 2019; Diplomatic source 1, Asmara, interview, July 2019; International organisation 2, Asmara, interview, July 2019; Diplomatic source 9, Asmara, interview, July 2019; International organisation 3, Asmara, interview, July 2019; Plaut, M., Understanding Eritrea, 2016/2019, p. 225; Erena, "ምስሓብ ሰራዊት ኢትዮጵያ ካብ ባድመ ተደናጉዪ ኣሎ ክንብል ንኽእል ኢና፣" ኣቶ ዮማነ ገብርኣብ [We claim: 'the retreat of Ethiopian troops from Badme has been delayed'], 15 April 2019, [url](#)

⁸³ Economist (The), Eritrea's gulag state is crumbling, 11 July 2019, [url](#); NZZ (Neue Zürcher Zeitung), Ein Jahr nach dem Friedensschluss zwischen Eritrea und Äthiopien ist Ernüchterung eingekehrt [one year after the peace agreement between Eritrea and Ethiopia, disillusion has come back], 26 July 2019, [url](#); Plaut, M., Understanding Eritrea, 2016/2019, p. 224; Erena, "ምስሓብ ሰራዊት ኢትዮጵያ ካብ ባድመ ተደናጉዪ ኣሎ ክንብል ንኽእል ኢና፣" ኣቶ ዮማነ ገብርኣብ [We claim: 'the retreat of Ethiopian troops from Badme has been delayed'], 15 April 2019, [url](#)

⁸⁴ Mekonnen, D.R., telephone interview, 17 July 2019; Economist Intelligence Unit, Country Report Eritrea, 15 February 2019, p. 8

⁸⁵ Diplomatic source 4, Asmara, interview, July 2019; Civil society source 3, Asmara, interview, July 2019; Diplomatic source 7, Asmara, interview, July 2019; Diplomatic source 1, Asmara, interview, July 2019; International organisation 4, Asmara, interview, July 2019; Diplomatic source 6, Asmara, interview, July 2019; Diplomatic source 9, Asmara, interview, July 2019; Diplomatic source 5, Asmara, interview, July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Connell, D., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Horn of Africa expert, email interview, 23 July 2019

⁸⁶ Norway, Landinfo, Eritrea: Endringer i nasjonaltjenesten? [Eritrea: Changes in national service?], 21 January 2019, [url](#), p. 1; Economist (The), Eritrea's gulag state is crumbling, 11 July 2019, [url](#); Economist Intelligence Unit, Country Report Eritrea, 15 February 2019, p. 8; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 26; Amnesty International, Eritrea: Repression without borders, 27 June 2019, [url](#), p. 8; Plaut, M., Understanding Eritrea, 2016/2019, p. 217

⁸⁷ Yemane Gebremeskel, Minister of Information, Asmara, interview, 2 July 2019

2.2. Structure

Eritrea's national service has been introduced in 1994, shortly after independence. Its overall aim is not only to defend the country, but also to rebuild it following the war of independence and to propagate the national ideology. National service is regarded as the 'school of the nation' in Eritrea.⁸⁸ According to the National Service Proclamation of 1995, its aims⁸⁹ are:

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

Due to the mixed civilian-military nature of national service, national service can roughly be divided into a military and a civilian component. All conscripts first undergo a military training and are then assigned either to the military component under the Ministry of Defence, or to a civilian task, administered by one of the other ministries. Part of the conscripts are assigned to one of the approximately 30 companies owned by the People's Front for Democracy and Justice (PFDJ) or the army, which are active in fields such as agriculture, construction, transport, tourism, or trade.⁹⁰ The SEM has no reliable information whether the conscripts in these companies belong to the military or civilian component of national service. The Ministry of Defence is in charge of assigning the conscripts to either the military or civilian component, while the respective ministries are responsible to assign the persons deployed under them to concrete tasks.⁹¹

The Eritrean government gives few indications on how many of its citizens are currently enrolled in national service. Col. Ezra Woldegebriel said in a speech held at the EriYouth Festival 2010 at Sawa military camp that the total number of conscripts from 1994 until 2010 was 400 000⁹²; in a similar speech in 2014, the number was put at 500 000.⁹³ In 2016, government media related that Eritrea 'can field an army of 300,000 plus within 48 to 72 hours in the event hostilities break out'.⁹⁴ Estimates by experts are mostly based on demographic and education statistics as well as assumptions about the number of persons in national service-age who have left the country. Most sources estimate the number of national service conscripts at 300 000 to 400 000.⁹⁵

The respective numbers of members of the military and civilian components of national service are disputed. Two sources state that a bit less than half of them serve in the military (army, navy or air force), bringing their number to about 150 000.⁹⁶ The World Bank's armed forces personnel database

⁸⁸ Kibreab, G., The Open-Ended Eritrean National Service, 15-16 October 2014, [url](#), p. 3

⁸⁹ Eritrea, Proclamation on National Service No. 82/1995, 23 October 1995, [url](#), article 5

⁹⁰ Yemane Gebremeskel, Minister of Information, Asmara, interview, 2 July 2019; Human Rights Watch, World Report 2017: Events of 2016, 12 January 2017, [url](#), p. 246; Human Rights Watch, World Report 2019: Events of 2018, 17 January 2019, [url](#), p. 2; Kibreab, G., The Eritrean national service, 2017, p. 21; Røsberg, A.H. and Tronvoll, K., Migrants or Refugees? ILPI, 14 February 2017, [url](#), p. 52; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 28; Plaut, M., Understanding Eritrea, 2016/2019, p. 145; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 75-77

⁹¹ Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 22

⁹² Shabait, 23rd Round National Service Graduate and 4th ERI-Youth Festival Officially Opened, 16 July 2010, [url](#)

⁹³ Shabait, 6th National Youth Festival opens, 18 July 2014, [url](#)

⁹⁴ Shabait, Sawa: Eritrea's Cultural Boot Camp, 30 September 2016, [url](#)

⁹⁵ Diplomatic source 3, Asmara, interview, July 2019; Diplomatic source 5, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Bertelsmann Stiftung, Eritrea – National Service, Forced Labor and Mass Exodus, 2017, p. 234; Kibreab, G., The Eritrean national service, 2017, p. 20

⁹⁶ Diplomatic source 5, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019

put the number at 202 000 in 2017.⁹⁷ In September 2018, Presidential Adviser Yemane Gebreab claimed that less than a fifth of those in national service were in the military, while 80 % had a civilian role.⁹⁸ Due to the high number of deserters, many army units are said to be rather depleted by now; some currently running at just one third or one quarter of their required number.⁹⁹

No statistics are available on the assignment of new conscripts. The Eritrean government generally claims that nowadays, most new conscripts are assigned to civilian functions¹⁰⁰; adviser Yemane Gebreab put the number at 85 % in 2016.¹⁰¹ The government's narrative, however, tends to focus on those recruited through the schooling system (see [Chapter 2.3.1.](#)).¹⁰² Many other sources contradict these claims and state that a substantial part of the conscripts are still recruited into the military.¹⁰³ Eritrean refugees interviewed in Ethiopia claimed those in the military to be the majority¹⁰⁴, while foreign observers generally refrained from making any estimations. Several factors seem to be relevant within this context:

- Conscripts who are recruited after the 12th schooling year are more likely to enter civilian service than school drop-outs who are recruited by the local administration or through a round-up (see [Chapter 2.3.2.](#)).¹⁰⁵
- Among those recruited after the 12th schooling year, the marks in the Eritrean Secondary Education Certificate Examinations (ESECE) play a decisive role for their assignment (see [Chapter 2.3.1.](#)).¹⁰⁶
- Women are more likely to be assigned to civilian jobs than men.¹⁰⁷ However, Eritrean officials such as Filipos Woldeyohannes, Chief of Staff of the army, publicly stated that women continue to be conscripted into the army.¹⁰⁸
- The rural population is more likely to be conscripted into military, which is possibly linked to their inferior access to education than the urban population.¹⁰⁹
- Children of freedom fighters and persons with contacts to influential people are more likely to be assigned to the civilian component.¹¹⁰

⁹⁷ World Bank, Armed forces personnel, total, n.d. [2017], [url](#)

⁹⁸ Bloomberg, Eritrea May Alter Army Draft That Forced Thousands to Europe, 03 September 2018, [url](#)

⁹⁹ Eritrea expert, telephone interview, 12 July 2019; Connell, D., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Awate, Crisis in the Eritrean Army, 3 April 2014, [url](#)

¹⁰⁰ Yemane Gebremeskel, Minister of Information, Asmara, interview, 2 July 2019

¹⁰¹ Australia, DFAT, DFAT country information report Eritrea, 08 February 2017, [url](#), p. 14; Norway, Landinfo, Report Eritrea: National Service, 20 May 2016, [url](#), p. 10

¹⁰² Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 72

¹⁰³ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 28; Eritrea expert, telephone interview, 12 July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Horn of Africa expert, email interview, 23 July 2019

¹⁰⁴ Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019; Eritrean asylum seeker, Rama (Ethiopia), individual interview, 18 May 2019

¹⁰⁵ Røsberg, A.H. and Tronvoll, K., Migrants or Refugees? ILPI, 14 February 2017, [url](#), p. 52, Connell, D., telephone interview, 17 July 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019

¹⁰⁶ Connell, D., telephone interview, 17 July 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019; Amnesty International, Eritrea: Shadow report to the African Commission on Human and People's Rights, 17 April 2018, [url](#), p. 8

¹⁰⁷ Legal expert, interview, Bern, 18 July 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019

¹⁰⁸ ERI-TV, ሳይዳ: ዕለል ምስ ጀነራል ፍሊጶስ ወልደዮሃንስ ብዛዕባ ቅደታት ገብርኤል ሃንሰን ተራ ደቂ-አንስትዮ ኣብ ሰራዊት ኤርትራ [Sayda: Conversation with general Filipos Woldeyohannes about the stories of Gabriela Hanneso and common women in the Eritrean army], 7 July 2019, [url](#)

¹⁰⁹ Connell, D., telephone interview, 17 July 2019

¹¹⁰ Legal expert, interview, Bern, 18 July 2019

National service members on civilian duty remain members of the armed forces. They can be called back into the army at any time.¹¹¹ Therefore, they have to participate at military training ‘refreshers’ from time to time.¹¹²

As provided by Article 23 of the National Service Proclamation, discharged soldiers are liable to serve in the National Reserve Army up to the age of 50 years.¹¹³ In 2012, the Eritrean government established the People’s Army (Tigrinya: *Hizbawi Serawit*), in which all persons formally released from national service have to serve for a couple of days of weeks per year. Its activities encompass military trainings and work assignments in irregular intervals. The People’s Army is not part of the formal national service structure.¹¹⁴ Around 2015, the People’s Army was merged with the National Reserve Army. Its activities are since then more interwoven with the army’s. For example, members of the civilian component of national service may undergo military training ‘refreshers’ together with members of the People’s Army.¹¹⁵

2.3. Recruitment

For an overview, see Chart 1 in [Chapter 2.3.2](#).

2.3.1. Through schooling system

Eritrea’s schooling system is designed to channel as many students as possible to the 12th grade, immediately after which recruitment into national service takes place; in some cases by way of additional education in colleges or vocational schools.¹¹⁶ The Eritrean government portrays this way of recruitment as the regular one.¹¹⁷ Official statistics, however, show that a rather small percentage of each age cohort enter the 12th grade and the colleges. In 2012/13, 87 618 students were enrolled in 1st grade, with only 17 417 pupils in 12th grade.¹¹⁸

Most of those Eritrean students who stay in school up to the end of the grade school curriculum enrol at *Warsay-Yikealo* School at Sawa military training camp for their 12th grade. The year at Sawa usually encompasses physical fitness training, four months of military and political training and six to eight months of academic education¹¹⁹, which ends in March of each year with the Eritrean Secondary Education Certificate Examinations (ESECE), colloquially known as *matrik*. According to government media reports, the number of participants was between 11 000 and 18 000 in the last couple of years.¹²⁰ In 2019, the Eritrean authorities communicated that 16 064 students had participated in the

¹¹¹ Røsborg, A.H. and Tronvoll, K., Migrants or Refugees? ILPI, 14 February 2017, [url](#), p. 52

¹¹² Yemane Gebremeskel, Minister of Information, Asmara, interview, 2 July 2019

¹¹³ Eritrea, Proclamation on National Service No. 82/1995, 23 October 1995, [url](#), article 23

¹¹⁴ EASO, Eritrea Country Focus, May 2015, [url](#), p. 43; Norway, Landinfo, Report Eritrea: National Service, 20 May 2016, [url](#), pp. 25-26; Switzerland, FDJP, SEM, Focus Eritrea: Volksarmee (“Volksmiliz”), 31 January 2017, [url](#); Africa Monitors, Members of the reserve army in Eritrea are called for military training, 5 December 2018, [url](#); Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 56

¹¹⁵ Eritrea expert, telephone interview, 12 July 2019

¹¹⁶ Riggan, J., *The Struggling State*, 2016, p. 91

¹¹⁷ cf. Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 127; UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, Eritrea, 12 November 2018, [url](#), para. 67

¹¹⁸ Eritrea, MoE (Ministry of Education), Eritrea: Basic Education Statistics 2012/13, December 2013, p. 6

¹¹⁹ Shabait, 8thEri-Youth Festival Opens with the Graduation of 31st Round Nationals Service Members, 13 July 2018, [url](#); Kibreab, G., Sexual Violence in the Eritrean National Service, April 2017, [url](#), p. 126; Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), pp. 30, 35; Expressen, Snart åker Elham, 17, till det fruktade slavlägret [Soon Elham, 17, goes to the dreaded slave camp], 12 Juli 2019, [url](#)

¹²⁰ Shabait, Warsay-Yikealo Secondary School: Preparing Students For Academic Excellence, 2010, [url](#); Shabait, Student Members Of The 25th Round National Service Leave For Sawa, August 2011, [url](#); Shabait, Members of 26th round National Service leave for Sawa Training Center, 23 July 2012, [url](#); Shabait, Participants of 28th round National Service and 7th course Vocational Training Centre in Sawa graduate, 11 July 2015, [url](#); Shabait, 29th round National Service members graduate, 15

ESECE. This number includes students of technical schools (TVET), whose 12th grade does not take place in Sawa (see below). 40.8 % passed, i.e. qualified to study in one of the colleges.¹²¹ Human Rights Watch holds that 60 to 65 %, i.e. between 6 000 and 9 000 students per year, do not get the results needed for further studies.¹²²

Although the Eritrean government states that the students of *Warsay-Yikealo* School are not part of national service¹²³, government media call the students ‘National Service Program participants’.¹²⁴ Recruitment into *Warsay-Yikealo* School in Sawa has continued after the peace declaration with Ethiopia. In July and August 2019, the 33rd round has been summoned.¹²⁵

The results of the final exam ESECE determine further education possibilities and the assignment to the national service:

- The batch with the highest marks enters one of Eritrea’s nine higher learning institutes (colleges).¹²⁶ A condition for graduation at these colleges is the participation of nine months of ‘community service’ in civilian jobs.¹²⁷ After graduation, the graduates are assigned jobs in the civilian component of national service.¹²⁸ In 2018, approximately 3 200 students graduated from the nine colleges.¹²⁹ Bertelsmann Transformation Index puts the enrolment rate at tertiary level at 2 %.¹³⁰
- The batch with medium marks enters Sawa Center for Technical and Vocational Education.¹³¹ Since its creation in 2009, between 900 and 3 700 students graduated annually¹³², on average

July 2016, [url](#); Shabait, 8thEri-Youth Festival Opens with the Graduation of 31st Round Nationals Service Members, 13 July 2018, [url](#); cf. Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 31

¹²¹ Shabait, Press Release, 6 August 2019, [url](#)

¹²² Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 45

¹²³ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review, Eritrea, 4 January 2010, [url](#), para. 12

¹²⁴ Shabait, 6th National Youth Festival opens, 18 July 2014, [url](#)

¹²⁵ Diplomatic source 4, Asmara, interview, July 2019; Diplomatic source 3, Asmara, interview, July 2019; Diplomatic source 7, Asmara, interview, July 2019; Shabait, Students from Central region leave for Sawa, 21 August 2019, [url](#); Shabait, Students from Southern region leave for Sawa, 17 August 2019, [url](#)

¹²⁶ Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 172; UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, Eritrea, 12 November 2018, [url](#), para. 67

¹²⁷ Civil society source 1, Asmara, interview, July 2019; Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 173

¹²⁸ Norway, Landinfo, Report Eritrea: National Service, 20 May 2016, [url](#), p. 13; Yemane Gebremeskel, Minister of Information, Asmara, interview, 2 July 2019

¹²⁹ Estimate based on the graduation numbers of the nine colleges provided by the government media: Shabait, 11th Commencement of Eritrea Institute of Technology, July 2018, [url](#); Shabait, Colleges in Adi Keih graduate 521 students, 8 September 2018, [url](#); Shabait, College of Marine Science and Technology graduates 94 students, 10 June 2018, [url](#); Shabait, Hamelmalo College of Agriculture graduates 393 students, 8 July 2018, [url](#); Shabait, 9th commencement of Asmara College of Health Science, 8 July 2017, [url](#); Shabait, Halhale College of Business and Economics graduates 315 students, 3 July 2017, [url](#); Shabait, A Look at 8th Commencement of Orotta School of Medicine and Dentistry, January 2019, [url](#)

¹³⁰ Bertelsmann Stiftung, BTI 2018 Country Report, Eritrea, 2018, [url](#), p. 21-22

¹³¹ Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 172; UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, Eritrea, 12 November 2018, [url](#), para. 67

¹³² Shabait, Sawa Vocational Training Center provides training for 2,500 students in 19 disciplines, 14 March 2012, [url](#); Shabait, 26th round members of National Service and 6th round Vocational Training Center students graduate, 13 July 2013, [url](#); Shabait, Sawa Vocational Training Center admits more than 3,000 students, 24 December 2013, [url](#); Shabait, Participants of 28th round National Service and 7th course Vocational Training Centre in Sawa graduate, 11 July 2015, [url](#); Shabait, Capacity Building in Sawa Vocational Training Center, 2017, [url](#); Shabait, 8thEri-Youth Festival Opens with the Graduation of 31st Round Nationals Service Members, 13 July 2018, [url](#); Shabait, Sawa Vocational Training Center graduates 909 students, 3 August 2019, [url](#)

2 000 per year¹³³; in 2019 it was 909 students.¹³⁴ The participants are assigned jobs in the civilian or military components of national service afterwards.¹³⁵

- The batch with the lowest marks is either sent to newly established vocational schools or directly into national service. According to the Eritrean government, these schools have a capacity of 6 000 trainees at a time.¹³⁶ Those sent directly into national service are assigned to the civilian or military component or to construction/agricultural work in the party-owned companies.¹³⁷ According to some sources, men are mostly sent to the military, while women are mostly assigned to civilian functions.¹³⁸

Students who are assigned to a Technical and Vocational Education Training (TVET)¹³⁹ at the end of grade 10 spend grades 11 and 12 at the TVET schools, not in Sawa.¹⁴⁰ After ESECE, they undergo six months of military training, usually at Sawa. In late 2016 and early 2017, 1 460 TVET graduates participated in this training.¹⁴¹ After the military training, they are assigned tasks within the in civilian national service.¹⁴²

2.3.2. Recruitment of school drop-outs

As shown in [Chapter 2.3.1.](#), the majority of each age cohort drops out of school before reaching 12th grade and ‘regular’ recruitment. The number of drop-outs is significantly higher in rural areas than in towns.¹⁴³ This group is recruited by the local administration, rounded up by the army or exempted from national service (see [Chapter 2.3.3.](#)); a part of the youth also manages to avoid conscription or flees abroad before being conscripted. As the government communication focuses on the ‘regular’ way of recruitment, there is no official information on the recruitment of drop-outs.

The local administration (*mimihdar kebabi* in Tigrinya) is responsible for the conscription of school drop-outs.¹⁴⁴ There is no consistent practice for this kind of recruitment for all Eritrea.¹⁴⁵ Generally, the local administrations keep track of the school drop-outs and their age, and these are often reported by the schools.¹⁴⁶ The army instructs the local administrations periodically to summon drop-outs at a certain place and time, from where they are brought to military training; or at least to hand over a list of eligible youth.¹⁴⁷ One source mentions that the local administrations are ordered to fulfil a certain quota of conscripts.¹⁴⁸ The summons are communicated by the local administrations by

¹³³ Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 182

¹³⁴ Shabait, Sawa Vocational Training Center graduates 909 students, 3 August 2019, [url](#)

¹³⁵ Norway, Landinfo, Report Eritrea: National Service, 20 May 2016, [url](#), p. 13

¹³⁶ Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 172

¹³⁷ International organisation 4, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Røsborg, A.H. and Tronvoll, K., Migrants or Refugees? ILPI, 14 February 2017, [url](#), p. 52; Bertelsmann Stiftung, BTI 2018 Country Report, Eritrea, 2018, [url](#), p. 22

¹³⁸ Legal expert, interview, Bern, 18 July 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019

¹³⁹ cf. Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 182

¹⁴⁰ Academic source, Zoba Anseba, interview, March 2016

¹⁴¹ Shabait, 30th round National Service Members Graduate, 22 February 2017, [url](#)

¹⁴² Civil society source 2, Asmara, interview, July 2019

¹⁴³ Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 29

¹⁴⁴ Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 19

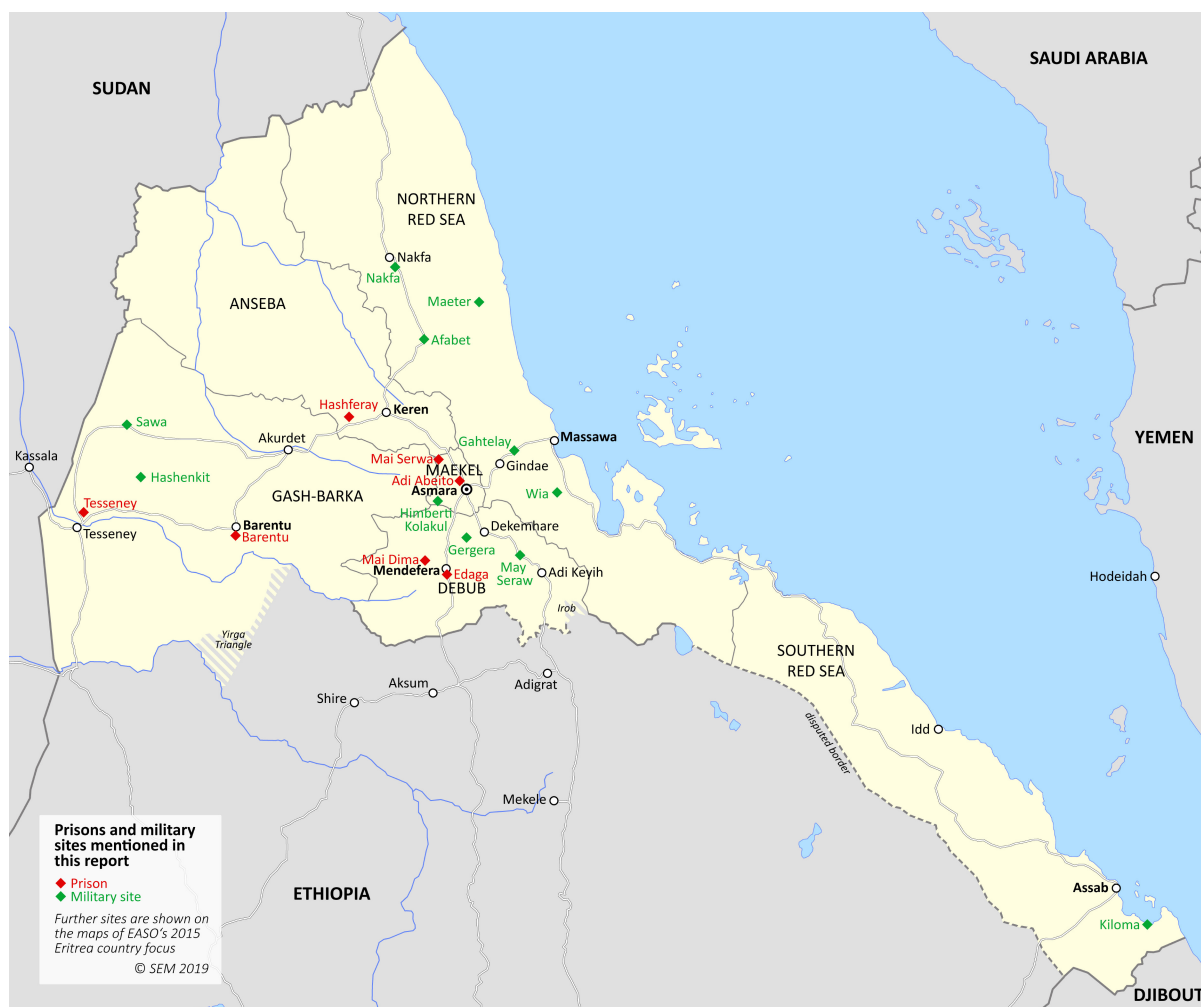
¹⁴⁵ cf. SFH, Eritrea: Nationaldienst [Eritrea: National service], 30 June 2017, [url](#), p. 9

¹⁴⁶ Eritrea expert, telephone interview, 12 July 2019; Legal expert, interview, Bern, 18 July 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 46; SFH, Eritrea: Nationaldienst [Eritrea: National service], 30 June 2017, [url](#), p. 9; SFH, Rekrutierung in den “National Service” durch die Kebabi Verwaltung [Recruitment into national service by kebabi administrations], 27 July 2017, [url](#), pp. 1-2

¹⁴⁷ Eritrea expert, telephone interview, 12 July 2019; Legal expert, interview, Bern, 18 July 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019

¹⁴⁸ Eritrea expert, telephone interview, 12 July 2019

various means, such as notice boards, letters, house visits or radio announcements.¹⁴⁹ The People's Army or local militia often help the administration to round up the conscripts.¹⁵⁰ Persons conscripted by the local authorities are mostly, but not exclusively, assigned to the military component of national service. Their training usually does not take place in Sawa, but in smaller training camps. The sources name camps in Gergera, Hashenkit, Gahtelay, Kiloma, May Seraw, May Dima, Himberti, Nakfa, Wia, Afabet.¹⁵¹ One source mentions that women recruited by local administrations often go to the civilian national service.¹⁵² According to one source, 5 000 to 8 000 persons are conscripted annually this way.¹⁵³



Map 2: Prisons and military sites mentioned in this report, © State Secretariat for Migration SEM¹⁵⁴

¹⁴⁹ Eritrea expert, telephone interview, 12 July 2019; Legal expert, interview, Bern, 18 July 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019

¹⁵⁰ Eritrea expert, telephone interview, 12 July 2019; Legal expert, interview, Bern, 18 July 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019

¹⁵¹ Eritrea expert, telephone interview, 12 July 2019; Connell, D., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019; SFH, Eritrea: Nationaldienst [Eritrea: National service], 30 June 2017, [url](#), pp. 9-10; cf. Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 55

¹⁵² Legal expert, interview, Bern, 18 July 2019

¹⁵³ Eritrea expert, telephone interview, 12 July 2019

¹⁵⁴ Map created by the State Secretariat for Migration SEM (Switzerland), 2019, based on Eritrean Demining Authority et al., Landmine Impact Survey – 2004 [map], 2004; UN Cartographic Section, Eritrea [map], n.d., [url](#); Eritrea-Ethiopia Boundary

Another way of conscription are the so-called *giffas*: Round-ups by the security forces, during which an area or village is blocked and all persons present checked. Mostly, these checks aim at rounding up persons roughly in national service age, i.e. persons who have evaded draft, deserted, or who have not been drafted.¹⁵⁵ However, the term *giffa* does not exclusively apply to military round-ups. In December 2018 and May 2019 respectively, *giffas* in and around Asmara were carried out in reaction to the attack on Gen. Sebhat Efreem and in order to ensure the security of the Independence Day celebrations on 24 May.¹⁵⁶ Diplomatic and international sources in Asmara have not observed military *giffas* since the peace declaration in mid-2018.¹⁵⁷ Several sources indicate however that especially outside of Asmara there has been no significant policy change in this regard and that *giffas* continue to take place, particularly since the border with Ethiopia has been closed again.¹⁵⁸ In mid-2019, *giffas* focussed on presumed sympathisers of the *yiaki* campaign, at least partially with the aim to round these persons up for the army.¹⁵⁹ BBC Tigrinya reported such *giffas* in Keren, Hagaz and Akurdet in July 2019.¹⁶⁰ Those rounded up in *giffas* are usually first put in a prison for some days or weeks and then sent to military training in one of the camps mentioned above.¹⁶¹ One source reports that in recent years, youth rounded up were initially imprisoned until a new military training round begun.¹⁶²

School drop-outs who are apprehended while trying to leave the country are usually recruited into national service (see [Chapter 3.4.](#)), which constitutes a further way of recruitment.

Quite a big number of school drop-outs are not conscripted into national service for various reasons. A part of them is formally or *de facto* exempted from national service (see [Chapter 2.3.3.](#)). Others avoid being put on the local administration's list by bribing or through personal connections, or are simply overlooked. Some young Eritreans hide in the houses of relatives or in remote places outside of their villages, in order not to be summoned or rounded up. Furthermore, in some lowland areas summons and *giffas* are a very rare occurrence.¹⁶³ The local administrations summon some of the youth who are not in national service into the People's Army instead.¹⁶⁴

Commission, International Boundary between the State of Eritrea and the Federal Democratic Republic of Ethiopia [map], 2002, [url](#)

¹⁵⁵ EASO, Eritrea Country Focus, May 2015, [url](#), p. 35; Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 20

¹⁵⁶ International organisation 4, Asmara, interview, July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Academic expert, email interview, 21 July 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019

¹⁵⁷ Diplomatic source 3, Asmara, interview, July 2019; Diplomatic source 7, Asmara, interview, July 2019; Diplomatic source 8, Asmara, interview, July 2019; Diplomatic source 1, Asmara, interview, July 2019; Diplomatic source 6, Asmara, interview, July 2019; Mekonnen, D.R., telephone interview, 17 July 2019

¹⁵⁸ Civil society source 3, Asmara, interview, July 2019; Diplomatic source 2, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Connell, D., telephone interview, 17 July 2019; Academic expert, email interview, 21 July 2019; Horn of Africa expert, email interview, 23 July 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019

¹⁵⁹ Academic expert, email interview, 21 July 2019; BBC Tigrinya, ኣብ ዝተፈለለዎ ከባቢታት ኤርትራ ጽዑቕ ግፋ ከም ዘሎ ተፈሊጡ [Reports about intense round-ups in several areas of Eritrea], 22 July 2019, [url](#)

¹⁶⁰ BBC Tigrinya, ኣብ ዝተፈለለዎ ከባቢታት ኤርትራ ጽዑቕ ግፋ ከም ዘሎ ተፈሊጡ [Reports about intense round-ups in several areas of Eritrea], 22 July 2019, [url](#)

¹⁶¹ Legal expert, interview, Bern, 18 July 2019, EASO, Eritrea Country Focus, May 2015, [url](#), p. 35

¹⁶² Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 48

¹⁶³ Eritrea expert, telephone interview, 12 July 2019; Legal expert, interview, Bern, 18 July 2019; SFH, Rekrutierung in den "National Service" durch die Kebabi Verwaltung [Recruitment into national service by kebab administrations], 27 July 2017, [url](#), p. 4

¹⁶⁴ Eritrea expert, telephone interview, 12 July 2019; Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 47

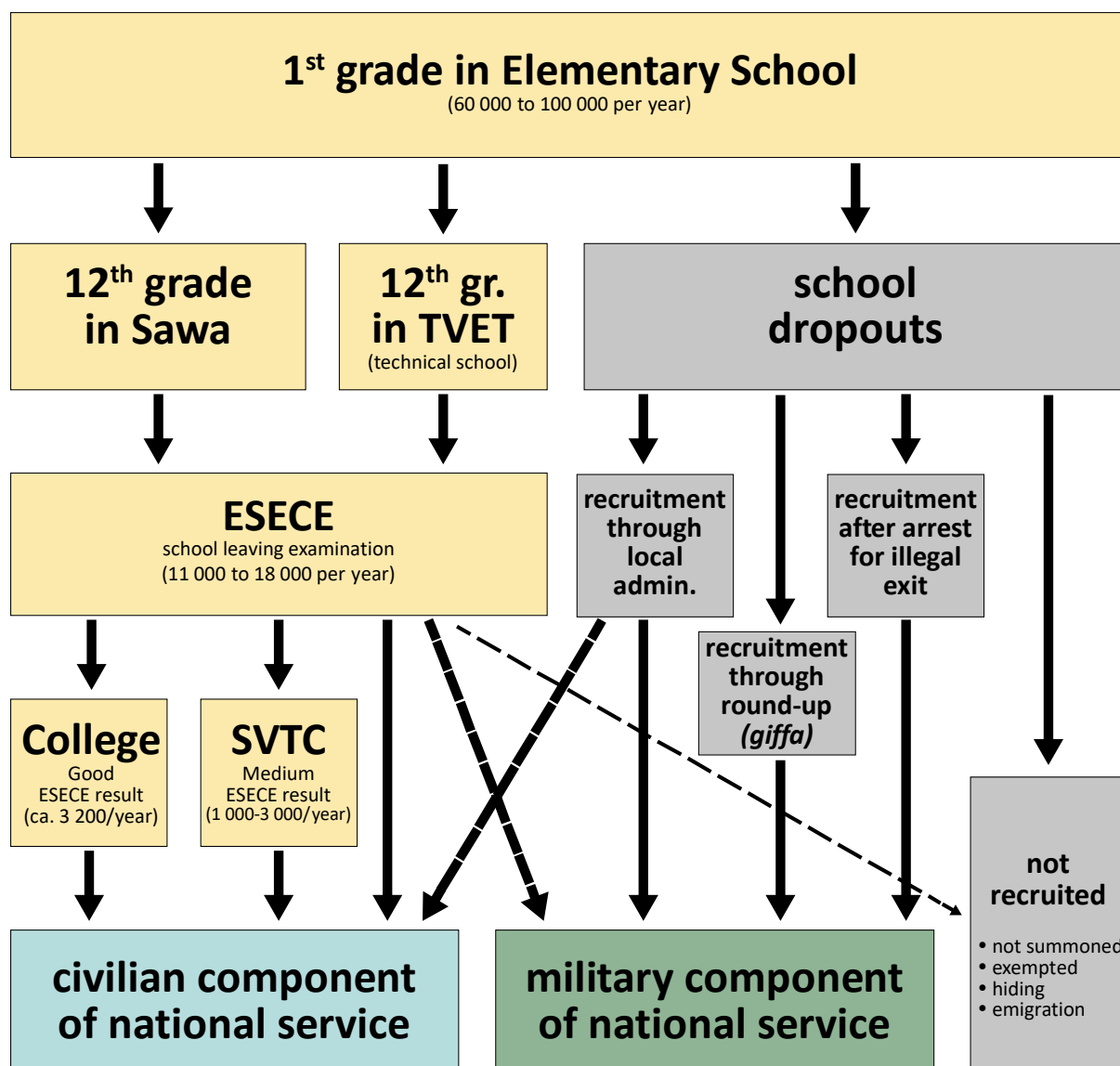


Figure 1: Overview of the different forms of recruitment into national service, © State Secretariat for Migration SEM

2.3.3. Exemptions

According to the National Service Proclamation of 1995, all Eritreans between the age of 18 and 40 are obliged to serve in national service (Article 6). Fully exempt are only those who fought in the liberation struggle (Article 12) and disabled, visually impaired, and mentally ill persons (Article 15). Those who are unfit for military service are granted an exemption from the military programme but are obliged to serve in civilian service instead (Article 13).¹⁶⁵

Apart from these *de jure* exemptions, which reportedly are not systematically applied¹⁶⁶, *de facto* exemptions for some categories of persons apply. While these exemptions are generally observed by the responsible authorities, they are not legally obliged to do so and there may be diverging policies on an individual base. Most commonly, women who are pregnant or have a child are exempt.¹⁶⁷ Even an official statement by the Eritrean Ministry of Foreign affairs lists motherhood

¹⁶⁵ Eritrea, Proclamation on National Service No. 82/1995, 23 October 1995, [url](#)

¹⁶⁶ Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 18

¹⁶⁷ Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 18; EASO, Eritrea Country Focus, May 2015, [url](#), p. 34; SFH, Rekrutierung in den "National Service" durch die Kebabi Verwaltung [Recruitment into

as a ground for exemption.¹⁶⁸ In many cases, however, mothers are exempted only from military service, not from civilian service.¹⁶⁹

Married women who are not mothers or pregnant are also often exempted from national service.¹⁷⁰ This policy is not followed consistently.¹⁷¹ In early 2017, the religious communities have reportedly been instructed not to wed women who have not fulfilled their national service duty.¹⁷² According to one of the sources of the Norwegian COI unit Landinfo, they are still allowed to marry after going to the 12th schooling year in Sawa and doing some military training.¹⁷³

Further *de facto* exemptions, which are however applied inconsistently, include:

- Muslim women from rural areas such as Gash-Barka or Southern Red Sea¹⁷⁴;
- members of nomadic tribes and the Rashaida ethnic group¹⁷⁵;
- religious staff such as priests, imams, students in religious seminars or nuns (very inconsistently).¹⁷⁶

Persons *de facto* exempted from national service usually do not get exemption letters. Since such documents are required for any formal employment, their activities are limited to the informal economy. Furthermore, there is a risk that they are caught in *giffas*.¹⁷⁷

2.3.4. Recruitment of minors

Conscription starts at the age of 18 according to the National Service Proclamation of 1995 (Article 6).¹⁷⁸ Furthermore, Eritrea has ratified the Optional Protocol of the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, which prohibits recruitment or conscription of children under 18 by government forces.¹⁷⁹

However, students who have finished 11th grade are called to Sawa, regardless of their age. Participants of the 12th grade at *Warsay-Yikealo* School, which includes military training, may therefore be 17 years or younger.¹⁸⁰ Although Eritrean government holds that the 12th schooling year

national service by kebab administrations], 27 July 2017, [url](#), p. 4; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 29; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 9; Kibreab, G., The Open-Ended Eritrean National Service, 15-16 October 2014, [url](#), p. 11

¹⁶⁸ Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 265

¹⁶⁹ Kibreab, G., The Open-Ended Eritrean National Service, 15-16 October 2014, [url](#), p. 11; Røsberg, A.H. and Tronvoll, K., Migrants or Refugees? ILPI, 14 February 2017, [url](#), p. 74; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019

¹⁷⁰ EASO, Eritrea Country Focus, May 2015, [url](#), p. 34; Røsberg, A.H. and Tronvoll, K., Migrants or Refugees? ILPI, 14 February 2017, [url](#), p. 74; Eritrea expert, telephone interview, 12 July 2019

¹⁷¹ Amnesty International, Just Deserters, 2 December 2015, [url](#), p. 28

¹⁷² Norway, Landinfo, Eritrea: Endringer i nasjonaltjenesten? [Eritrea: Changes in national service?], 21 January 2019, [url](#), p. 3; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 96

¹⁷³ Norway, Landinfo, Eritrea: Endringer i nasjonaltjenesten? [Eritrea: Changes in national service?], 21 January 2019, [url](#), p. 3

¹⁷⁴ Eritrea expert, telephone interview, 12 July 2019; Kibreab, G., Sexual Violence in the Eritrean National Service, April 2017, [url](#), p. 127

¹⁷⁵ Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, [url](#), p. 44

¹⁷⁶ United States, USDOS, 2018 Report on International Religious Freedom, 21 June 2019, [url](#), p. 9; Australia, DFAT, DFAT country information report Eritrea, 08 February 2017, [url](#), p. 13; Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 44

¹⁷⁷ EASO, Eritrea Country Focus, May 2015, [url](#), p. 34; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 96

¹⁷⁸ Eritrea, Proclamation on National Service No. 82/1995, 23 October 1995, [url](#)

¹⁷⁹ UN Office of the High Commissioner for Human Rights, UN Treaty Body Database, Ratification Status for Eritrea, n.d., [url](#); cf. Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 79

¹⁸⁰ Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 34; Amnesty International, Amnesty International Report 2017/18, 22 February 2018, [url](#), p. 154-160; EASO, Eritrea Country Focus, May 2015, [url](#), pp.

at Sawa does not belong to national service¹⁸¹, government media call the students ‘National Service Program participants’.¹⁸²

During *giffas*, minors are reportedly sometimes recruited into military service.¹⁸³ The NGO *Human Rights Concern Eritrea* documented the cases of Eritreans between 14 and 17, who have been recruited through *giffas*.¹⁸⁴ Some sources state that during *giffas* at schools, underage students are sometimes conscripted if they look physically fit.¹⁸⁵ Also local administrations are reported to fill their quota (see [Chapter 2.3.2.](#)) by rounding up minors.¹⁸⁶ One interlocutor told SEM that he was conscripted into military service at the age of 14.¹⁸⁷ Minors apprehended while trying to cross the border illegally are also sometimes conscripted.¹⁸⁸

2.4. Duration and discharge

According to the National Service Proclamation of 1995 (Article 8), active national service duty lasts 18 months, including six months of military training and 12 months of service. At times of war, persons in active national service may be required to serve beyond this time limit (Article 21(1)).¹⁸⁹ This provision has been applied since the start of the border war with Ethiopia in 1998 and the subsequent ‘no war, no peace’ situation.¹⁹⁰ In 2002, the *Warsay-Yikealo* Development Campaign was introduced as a post-war reconstruction and development program. National service members were supposed to continue their service for this campaign beyond the statutory 18 months.¹⁹¹ The *Warsay-Yikealo* Development Campaign was terminated in 2014 and replaced by the National Indicative Development Plan, which lasted until 2018.¹⁹²

As shown in [Chapter 2.1.](#), even after the peace declaration with Ethiopia, Article 21(1) providing for unlimited national service continues to be applied. No mass demobilisation has happened and the duration of service is still open-ended.¹⁹³ The actual duration of service varies enormously. Sources

36-37; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 61

¹⁸¹ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review, Eritrea, 4 January 2010, [url](#), para. 12

¹⁸² Shabait, 6th National Youth Festival opens, 18 July 2014, [url](#)

¹⁸³ Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 58-60; United States, USDOS, Country Reports on Human Rights Practices for 2017 – Eritrea, 20 April 2018, [url](#), p. 20; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 20; UN Human Rights Council, Advance Version, Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea, 5 June 2015, [url](#), para. 1271

¹⁸⁴ Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 59-60

¹⁸⁵ Local source 2, Tigray regional state (Ethiopia), interview, May 2019; United States, USDOS, Country Reports on Human Rights Practices for 2017 – Eritrea, 20 April 2018, [url](#), p. 20; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 20

¹⁸⁶ SFH, Eritrea: Rekrutierung von Minderjährigen, 21 January 2015, [url](#), p. 5

¹⁸⁷ Group of recently arrived Eritrean asylum seekers, Mai Aini (Ethiopia), interview, 20 May 2019

¹⁸⁸ Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 60-64

¹⁸⁹ Eritrea, Proclamation on National Service No. 82/1995, 23 October 1995, [url](#)

¹⁹⁰ International Crisis Group, Eritrea: Ending the Exodus? August 2014, [url](#), p. 3; Tronvoll, K. and Mekonnen, D.R., *The African Garrison State*, 2014, pp. 172-175

¹⁹¹ Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 85; Røsborg, A.H. and Tronvoll, K., *Migrants or Refugees? ILPI*, 14 February 2017, [url](#), p. 51; Kibreab, G., *Sexual Violence in the Eritrean National Service*, April 2017, [url](#), p. 125; Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 18; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 54

¹⁹² UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, Eritrea, 12 November 2018, [url](#), para. 8

¹⁹³ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 28; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 23;

report that in some cases, national service members have been released already after the statutory 18 months¹⁹⁴, while many have served continuously since the inception of war in 1998 or for other long ranges of time. Interlocutors mentioned all time ranges in between these extremes as typical and were mostly unable to give an average of the actual duration. Duty times of 10 or 20 years are reported to be common.¹⁹⁵ Several factors seem influence the duration:

- Women are usually released earlier than men. Often release happens after the birth of the first child, in some cases also after marriage.¹⁹⁶ According to some sources, this applies only to the military component, while mothers in the civilian component stay in duty.¹⁹⁷ An informal age limit of 27 years seems to be applied often¹⁹⁸, but there are also women above 40 still serving.¹⁹⁹
- The place of duty is important, as in some places, too many conscripts are assigned, while in others the skills and workforce of the conscripts are really needed.²⁰⁰ According to one source, teachers are told that they would be released after four years.²⁰¹ There are, however, no indications that this is in fact applied.²⁰²
- In the military component, serious illnesses or injuries seem to be the only way to get a formal discharge.²⁰³
- In order to be released, the superior/commander has to agree and sign the release application. Hence the superior and an individual's relation to the superior have an influence on discharge.²⁰⁴ There are cases of bribery and abuse of power positions.²⁰⁵
- Personal contacts with other influential persons also seem to play a factor.²⁰⁶

In Eritrean national service, there are two crucially different forms of discharge: Demobilisation (Tigrinya: *mitiyas*) means the transfer from the military to the civilian component of national service with a continued obligation to serve in the army reserve, usually in the form of periodical military

Amnesty International, Eritrea: Repression without borders, 27 June 2019, [url](#), p. 8; Human Rights Watch, World Report 2019: Events of 2018, 17 January 2019, [url](#), p. 2

¹⁹⁴ Connell, D., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019

¹⁹⁵ Diplomatic source 4, Asmara, interview, July 2019; Civil society source 3, Asmara, interview, July 2019; Diplomatic source 3, Asmara, interview, July 2019; Diplomatic source 7, Asmara, interview, July 2019; Diplomatic source 1, Asmara, interview, July 2019; Diplomatic source 6, Asmara, interview, July 2019; Diplomatic source 9, Asmara, interview, July 2019; International organisation 3, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Connell, D., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019; Amnesty International, Amnesty International Report 2017/18, 22 February 2018, [url](#), p. 160; Bertelsmann Stiftung, Eritrea – National Service, Forced Labor and Mass Exodus, 2017, p. 236; Kibreab, G., The Eritrean national service, 2017, p. 55; Human Rights Watch, World Report 2019: Events of 2018, 17 January 2019, [url](#), p. 2

¹⁹⁶ Diplomatic source 4, Asmara, interview, July 2019; Diplomatic source 3, Asmara, interview, July 2019; Diplomatic source 1, Asmara, interview, July 2019; Diplomatic source 6, Asmara, interview, July 2019; Legal expert, interview, Bern, 18 July 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019

¹⁹⁷ Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019

¹⁹⁸ Røsborg, A.H. and Tronvoll, K., Migrants or Refugees? ILPI, 14 February 2017, [url](#), p. 75, Bozzini, D., National Service and State Structures in Eritrea, 28 June 2012, [url](#), p. 9

¹⁹⁹ Diplomatic source 4, Asmara, interview, July 2019; Eritrean asylum seeker, Rama (Ethiopia), individual interview, 18 May 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019

²⁰⁰ Diplomatic source 8, Asmara, interview, July 2019; Legal expert, interview, Bern, 18 July 2019

²⁰¹ Eritrea expert, telephone interview, 12 July 2019

²⁰² Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), pp. 32, 56

²⁰³ International organisation 4, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019

²⁰⁴ Diplomatic source 3, Asmara, interview, July 2019; Diplomatic source 9, Asmara, interview, July 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019

²⁰⁵ Legal expert, interview, Bern, 18 July 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019.

²⁰⁶ International organisation 4, Asmara, interview, July 2019; Diplomatic source 6, Asmara, interview, July 2019

training ‘refreshers’. Release (Tigrinya: *mifinaw*) means a full release from national service duty. Since 2012, released persons usually enter the People’s Army (see [Chapter 2.1](#)).²⁰⁷ The factors mentioned above may apply to both kinds of discharge.

Although there has been no release on a big scale, discharges do happen in individual cases according to the criteria mentioned above.²⁰⁸ For an individual demobilisation or release, the superior has to sign a form and send it to the Ministry of Defence. The Ministry of Defence issues a demobilisation card (Tigrinya: *metayesi* in Tigrinya) in case of a demobilisation from military service with or without transfer to civilian service; and a release letter (Tigrinya: *mefanewi*) for those fully released.²⁰⁹ Eritrean citizens need a release letter or a formal exemption from national service in order to be employed. Reportedly, in some cases, the release letter is issued with a significant delay or not at all.²¹⁰

2.5. Remuneration

In 2015, the Eritrean government announced the introduction of a new remuneration scheme for civil servants, including those in the civilian component of national service.²¹¹ The new scheme stipulates significantly higher salaries depending on the education: Each year of tertiary level education after 12th grade earns ERN 500 (ca. EUR 30 according to the official exchange rate²¹²) more on the monthly salary.²¹³ No information is given regarding civil servants who have not completed 12th grade.

Qualification	Former Salary	New Salary
Certificate	ERN 910 (ca. EUR 55)	ERN 2 000 (ca. EUR 120)
12+1	ERN 910 (ca. EUR 55)	ERN 2 000 (ca. EUR 120)
12+2	ERN 1 200 (ca. EUR 72)	ERN 2 500 (ca. EUR 150)
12+3	ERN 1 200 (ca. EUR 72)	ERN 3 000 (ca. EUR 180)
12+4	ERN 1 420 (ca. EUR 85)	ERN 3 500 (ca. EUR 210)
12+5	ERN 1 420 (ca. EUR 85)	ERN 4 000 (ca. EUR 240)

Figure 2: New remuneration scheme in civilian national service of 2015²¹⁴

As of 2019, implementation of the new scheme is still ongoing. In two official statements, the Eritrean government stressed that the effort ‘requires some time to finalize’.²¹⁵ Minister of Information Yemane Gebremeskel said that the new scheme was not yet implemented fully, but that civil servants

²⁰⁷ Legal expert, interview, Bern, 18 July 2019; cf. Norway, Landinfo, Temanotat Eritrea: Nasjonaljeneste [Topical report Eritrea: National service], 20 Mai 2016, [url](#), p. 23

²⁰⁸ Diplomatic source 3, Asmara, interview, July 2019; Diplomatic source 8, Asmara, interview, July 2019; Diplomatic source 1, Asmara, interview, July 2019; International organisation 4, Asmara, interview, July 2019; Diplomatic source 6, Asmara, interview, July 2019; International organisation 3, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Horn of Africa expert, email interview, 23 July 2019; Eritrean asylum seeker, Rama (Ethiopia), individual interview, 18 May 2019

²⁰⁹ Legal expert, interview, Bern, 18 July 2019; Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 22

²¹⁰ International organisation 3, Asmara, interview, July 2019; Legal expert, interview, Bern, 18 July 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019; Returnees from Sudan and Israel, Keren, interview, 9 March 2016

²¹¹ EASO, Eritrea: National service and illegal exit, November 2016, [url](#), pp. 42-43; Human Rights Watch, World Report 2017: Events of 2016, 12 January 2017, [url](#), p. 247; Shabait, Local Media Interview with President Isaias Afwerki: Excerpts Part II, 8 February 2017, [url](#)

²¹² All equivalents in EUR in this report are given according to the official exchange rate. The black market exchange rate may diverge from that rate substantially

²¹³ Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 39; Eritrea, MoE, Eritrea Education Report 2017, December 2017, [url](#), p. 89; cf. Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 57

²¹⁴ Eritrea, MoE, Eritrea Education Report 2017, December 2017, [url](#), p. 89

²¹⁵ Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 39; UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, Eritrea, 12 November 2018, [url](#), para. 14

in national service were given priority and most of them were already benefitting from the new scheme.²¹⁶ Sources inside and outside Eritrea confirmed that the new scheme has been partially implemented, especially for newly recruited and for those with higher education. Estimations about the progress of the implementation diverged.²¹⁷

Most sources indicate that at the same time as the new remuneration scheme, new deductions have been introduced.²¹⁸ Deductions reportedly apply for taxes, retirement provision, logistics, building savings, party membership, food etc.²¹⁹ Sources stress that after deductions, the salaries remain on the same level as before²²⁰ or are even lower.²²¹ Two sources mentioned recent slight real increases in salaries.²²²

This remuneration scheme does not apply to the military component of national service. One source indicates that the salary in military national service has been increased to ERN 1 800 (ca. EUR 108) in October 2016.²²³ In 2017, President Isaias said the salary for lowest ranked military personnel was ERN 1 800.²²⁴ Sources in Eritrea and abroad stated lower figures, ranging from ERN 300 to 1 500 (ca. EUR 18 to 90).²²⁵ Substantial deductions were reported for military salaries, too.²²⁶

Human rights defenders deem the national service remuneration to be too low to cover basic living costs.²²⁷

²¹⁶ Yemane Gebremeskel, Minister of Information, Asmara, interview, 2 July 2019

²¹⁷ Diplomatic source 3, Asmara, interview, July 2019; Diplomatic source 8, Asmara, interview, July 2019; Diplomatic source 1, Asmara, interview, July 2019; International organisation 4, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Norway, Landinfo, Eritrea: Endringer i nasjonaltjenesten? [Eritrea: Changes in national service?], 21 January 2019, [url](#), p. 2; Human Rights Watch, World Report 2018: Events of 2017, 18 January 2018, [url](#), p. 201; Human Rights Watch, World Report 2019: Events of 2018, 17 January 2019, [url](#), p. 2; SFH, Eritrea: Nationaldienst [Eritrea: National service], 30 June 2017, [url](#), p. 16; Røsberg, A.H. and Tronvoll, K., Migrants or Refugees? ILPI, 14 February 2017, [url](#), p. 54

²¹⁸ Diplomatic source 4, Asmara, interview, July 2019; Diplomatic source 3, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Norway, Landinfo, Eritrea: Endringer i nasjonaltjenesten? [Eritrea: Changes in national service?], 21 January 2019, [url](#), p. 2; Human Rights Watch, World Report 2019: Events of 2018, 17 January 2019, [url](#), p. 2; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 24 July 2017, [url](#), para. 16; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 25; SFH, Eritrea: Nationaldienst [Eritrea: National service], 30 June 2017, [url](#), p. 16; Røsberg, A.H. and Tronvoll, K., Migrants or Refugees? ILPI, 14 February 2017, [url](#), p. 54; Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 58

²¹⁹ Eritrea expert, telephone interview, 12 July 2019; Norway, Landinfo, Eritrea: Endringer i nasjonaltjenesten? [Eritrea: Changes in national service?], 21 January 2019, [url](#), p. 2; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 24 July 2017, [url](#), para. 16

²²⁰ Diplomatic source 3, Asmara, interview, July 2019; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 24 July 2017, [url](#), para. 16; Røsberg, A.H. and Tronvoll, K., Migrants or Refugees? ILPI, 14 February 2017, [url](#), p. 54

²²¹ Eritrea expert, telephone interview, 12 July 2019; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 25

²²² Diplomatic source 7, Asmara, interview, July 2019; International organisation 4, Asmara, interview, July 2019

²²³ SFH, Eritrea: Nationaldienst [Eritrea: National service], 30 June 2017, [url](#), p. 16

²²⁴ Shabait, Local Media Interview with President Isaias Afwerki: Excerpts Part II, 8 February 2017, [url](#)

²²⁵ Diplomatic source 4, Asmara, interview, July 2019; International organisation 4, Asmara, interview, July 2019; Diplomatic source 5, Asmara, interview, July 2019; Legal expert, interview, Bern, 18 July 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 25

²²⁶ Diplomatic source 4, Asmara, interview, July 2019; Legal expert, interview, Bern, 18 July 2019; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 25; SFH, Eritrea: Nationaldienst [Eritrea: National service], 30 June 2017, [url](#), p. 16

²²⁷ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 28; Amnesty International, Eritrea: Shadow report to the African Commission on Human and People’s Rights, 17 April 2018, [url](#), pp. 7-8; Human Rights Watch, World Report 2019: Events of 2018, 17 January 2019, [url](#), p. 2; Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 58

2.6. Treatment of conscripts

2.6.1. Civilian national service

The situation of conscripts in civilian national service is regarded as better than in military service. Conscripts mainly bring forward the following complaints:

- They are not free to choose their place of assignment/job, which can be opposed to their education, skills, and personal interest.
- Salaries are too low for making a living, especially in Asmara.
- They are not allowed to travel abroad.²²⁸

The Eritrean government does not contradict these claims.²²⁹ The working and living conditions of civilian national service members are largely the same as for persons outside of the national service. This particularly applies to persons assigned to jobs in the same town or village where their family lives.²³⁰ For some jobs (such as teaching), national service members are assigned to remote and unfamiliar places, which causes more hardship and impedes founding an own family.²³¹ Furthermore, national service members who have studied at one of the colleges are not issued their degree certificate before completing national service.²³² Some national service members are able to privately work in another job, due to low workloads in their assigned jobs.²³³

Disciplinary measures are not as harsh as in military service; the sources did not report incidents of torture. Re-assignment to the military component, or arrest, or both, are potential punishments, though.²³⁴ One possible exception are the PFDJ-owned companies, part of which have own prisons with unknown conditions.²³⁵

2.6.2. Military national service

The situation of conscripts in the military component of national service is much harder than in the civilian component. To some extent, this is due to the circumstance that military commanders have almost unlimited power over their subordinates. There are no known regulations or guidelines that define the powers of the commanders, the treatment of subordinates or measures against the abuse of power.²³⁶ According to one source, an internal directive of 2005 delegated the power for punishments in military service from military courts to the commanders.²³⁷

²²⁸ Diplomatic source 1, Asmara, interview, July 2019; Diplomatic source 9, Asmara, interview, July 2019; Legal expert, interview, Bern, 18 July 2019; Amnesty International, Amnesty International Report 2016/17, 22 February 2017, [url](#), p. 154; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 23; UN Human Rights Council, Advance Version, Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea, 5 June 2015, [url](#), para. 1443/4

²²⁹ Yemane Gebremeskel, Minister of Information, Asmara, interview, 2 July 2019

²³⁰ Diplomatic source 3, Asmara, interview, July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Australia, DFAT, DFAT country information report Eritrea, 08 February 2017, [url](#), p. 14; UN Human Rights Council, Advance Version, Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea, 5 June 2015, [url](#), para. 1443/4

²³¹ Diplomatic source 9, Asmara, interview, July 2019; cf. Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 59

²³² Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 59

²³³ United Kingdom, Home Office, Home Office’s Fact-Finding Mission to Eritrea, 7-20 February 2016, 7 August 2019, [url](#), para. 9.17, EASO, Eritrea: National service and illegal exit, November 2016, [url](#), p. 20

²³⁴ Legal expert, interview, Bern, 18 July 2019; Academic expert, email interview, 21 July 2019; Horn of Africa expert, email interview, 23 July 2019

²³⁵ Legal expert, interview, Bern, 18 July 2019

²³⁶ Kibreab, G., Sexual Violence in the Eritrean National Service, April 2017, [url](#), p. 131

²³⁷ Legal expert, interview, Bern, 18 July 2019; cf. Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 28

Problematic circumstances in military service are described below.

- Punishment for lack of discipline – including inability to learn skills correctly – is often harsh and arbitrary, being imposed by military commanders. Conscripts are reported to be beaten or tied up for hours or days.²³⁸
- Most military units have own prisons, in which conditions are reportedly precarious. Some prisons are located underground or in shipping containers. They are often overcrowded, with tenuous hygienic, medical and nutrition conditions.²³⁹
- Work assignments are hard; 72-hour work weeks are reported.²⁴⁰ Also military exercises are reported to be overly demanding.²⁴¹
- Leaves are unregulated: they are prolonged, shortened or denied at the will of commanders.²⁴²
- Many female conscripts are subjected to sexual abuse (see [Chapter 2.6.3.](#)).
- The duration is not limited, and conscripts do not know their release date. Duty times of 10 or 20 years are common (see [Chapter 2.4.](#)).

These circumstances are credibly documented.²⁴³ Although few updated information is available on the subject, there are no indications that the situation has changed significantly. Neither are there indications to what extent and how systematically such hardship occurs. Circumstances in military service depend heavily on the commander. While the documented treatment by some commanders presumably happens, normal (i.e. non-abusive) treatment is usually not reported. Hence, even a rough estimation of the share of conscripts who are subjected to the mentioned abuses would be pretentious.²⁴⁴

2.6.3. Situation of women in military

Women in military are often, but not exclusively, assigned to positions such as cooks, cleaners, launders, personal assistants of commanders, or office workers.²⁴⁵ Filipos Woldeyohannes, Chief of Staff of the Eritrean Defense Forces, stressed in a TV interview in July 2019 that women also continue to be conscripted into the combat units.²⁴⁶ One source reports that during his time in the army, the commanders selected the best-looking women to work personally for them.²⁴⁷ In such positions as well as in military units, they are vulnerable to sexual misconduct by their superiors.²⁴⁸ No known rules

²³⁸ Human Rights Watch, *Service for Life*, April 2009, [url](#), pp. 29-34; Riggan, J., *The Struggling State*, 2016, p. 181; Kibreab, G., *Sexual Violence in the Eritrean National Service*, April 2017, [url](#), pp. 137-139; Human Rights Watch, *World Report 2019: Events of 2018*, 17 January 2019, [url](#), p. 2; Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), pp. 37-39; Legal expert, interview, Bern, 18 July 2019

²³⁹ Sweden, Migrationsverket, *Temarapport: Eritrea – fängelser och förvarsanläggningar* [Topical report: Eritrea – prisons and detention facilities], 12 September 2016, [url](#); Landinfo, *Repons Eritrea: Faktagrundlag og kildekritikk* [Response Eritrea: Fact base and source criticism], 14 January 2019, [url](#), p. 3; Tronvoll, K. and Mekonnen, D.R., *The African Garrison State*, 2014, pp. 92-106; Human Rights Watch, *Service for Life*, April 2009, [url](#), p. 34-38; Amnesty International, *Just Deserters*, 2 December 2015, [url](#), pp. 47-51; Amnesty International, *Eritrea: 20 years of independence, but still no freedom*, 9 May 2013, [url](#); Human Rights Concern Eritrea, *A Submission on the Initial Report of the Government of Eritrea (1999-2016)*, 2018, [url](#), p. 32

²⁴⁰ Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 40; Human Rights Watch, *World Report 2018: Events of 2017*, 18 January 2018, [url](#), p. 201

²⁴¹ Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 36-37; SFH, *Eritrea: Nationaldienst* [Eritrea: National service], 30 June 2017, [url](#), p. 10

²⁴² Kibreab, G., *Sexual Violence in the Eritrean National Service*, April 2017, [url](#), pp. 131, 137

²⁴³ See Footnotes 238-242

²⁴⁴ cf. Landinfo, *Repons Eritrea: Faktagrundlag og kildekritikk* [Response Eritrea: Fact base and source criticism], 14 January 2019, [url](#), p. 3

²⁴⁵ Kibreab, G., *Sexual Violence in the Eritrean National Service*, April 2017, [url](#), p. 131

²⁴⁶ ERI-TV, ሳይዳ: ዕለል ምስ ጀነራል ፍሊጶስ ወልደዮሃንስ ብዛዕባ ቅድታት ገብርኤል ሃንሰን ተራ ደቂ-ኣንስትዮ ኣብ ሰራዊት ኤርትራ [Sayda: Conversation with general Filipos Woldeyohannes about the stories of Gabriela Hanneso and common women in the Eritrean army], 7 July 2019, [url](#)

²⁴⁷ Legal expert, interview, Bern, 18 July 2019

²⁴⁸ International organisation 4, Asmara, interview, July 2019; Diplomatic source 9, Asmara, interview, July 2019;

or guidelines are in place that forbid such conduct of commanders against conscripts, which effectively gives them impunity.²⁴⁹

Sexual exploitation by commanders happens in different contexts and circumstances. Several sources indicate that some female conscripts try to avoid harsh assignments by offering sexual ‘favours’ to their superiors, are offered easier treatment in return for sex, or are threatened with an unpopular assignment (e.g. to the front line) if they do not offer such favours.²⁵⁰ Once assigned, in order to maintain a good relationship to their superior or to avoid punishments, sexual services are demanded by commanders, sometimes under the threat of harsh punishments or other disadvantages.²⁵¹ One source mentions that such pressure occasionally happens in the civilian component, too.²⁵² Some sources also report even more direct abuses.²⁵³ There are reports of women who successfully withstood sexual advances by their commanders.²⁵⁴ Some sources mention that sexual exploitation also happens during the 12th grade at the *Warsay-Yikealo* School in Sawa.²⁵⁵

The Eritrean government opposes the allegations of sexual harassment in national service.²⁵⁶ Interlocutors of a UK fact-finding mission claimed in 2016 that the government would not tolerate sexual violence in national service because it would undermine the program.²⁵⁷ 23 out of 190 respondents of an academic study published in 2017 made similar statements, while 167 respondents acknowledged the prevalence of sexual violence; the respondents were female former conscripts of national service.²⁵⁸

Extramarital sex in general and sexual violence in particular is stigmatised in the Eritrean society²⁵⁹, while sexual violence within marriage is not criminalised and authorities rarely intervene.²⁶⁰ As a result, sexual abuse in national service is potentially underreported, as it might bring shame and dishonour to a family.²⁶¹ One source however states that sometimes, women who get pregnant unintentionally in Sawa or in national service falsely explain this as the result of forced sex by a commander.²⁶² While almost no sources except for the government deny that sexual violence exists, it is again impossible to quantify how systematically it happens.

²⁴⁹ Kibreab, G., *Sexual Violence in the Eritrean National Service*, April 2017, [url](#), p. 131; Human Rights Watch, *World Report 2017: Events of 2016*, 12 January 2017, [url](#), p. 246

²⁵⁰ Mekonnen, D.R., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 42-43

²⁵¹ International organisation 4, Asmara, interview, July 2019; Horn of Africa expert, email interview, 23 July 2019; Human Rights Watch, *World Report 2017: Events of 2016*, 12 January 2017, [url](#), p. 246; Kibreab, G., *Sexual Violence in the Eritrean National Service*, April 2017, [url](#), p. 132

²⁵² Horn of Africa expert, email interview, 23 July 2019

²⁵³ Human Rights Watch, *World Report 2018: Events of 2017*, 18 January 2018, [url](#), p. 201; Amnesty International, *Amnesty International Report 2017/18*, 22 February 2018, [url](#), p. 160; UN Human Rights Council, *Report of the Special Rapporteur on the situation of human rights in Eritrea*, 16 May 2019, [url](#), para. 29; Røsberg, A.H. and Tronvoll, K., *Migrants or Refugees? ILPI*, 14 February 2017, [url](#), p. 76

²⁵⁴ Kibreab, G., *Sexual Violence in the Eritrean National Service*, April 2017, [url](#), pp. 133-134

²⁵⁵ Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 41-43; Kibreab, G., *Sexual Violence in the Eritrean National Service*, April 2017, [url](#), pp. 135-137; Amnesty International, *Amnesty International Report 2017/18*, 22 February 2018, [url](#), p. 160

²⁵⁶ Røsberg, A.H. and Tronvoll, K., *Migrants or Refugees? ILPI*, 14 February 2017, [url](#), p. 76; Expressen

²⁵⁷ United Kingdom, Home Office, *Home Office’s Fact-Finding Mission to Eritrea*, 7-20 February 2016, 7 August 2019, [url](#), para. 9.10

²⁵⁸ Kibreab, G., *Sexual Violence in the Eritrean National Service*, April 2017, [url](#), pp. 135-136

²⁵⁹ Kibreab, G., *Sexual Violence in the Eritrean National Service*, April 2017, [url](#), pp. 131, 137-138

²⁶⁰ USDOS, *Country Reports on Human Rights Practices for 2018 – Eritrea*, 13 March 2019, [url](#), p. 18

²⁶¹ Kibreab, G., *Sexual Violence in the Eritrean National Service*, April 2017, [url](#), pp. 131, 137-138; Horn of Africa expert, email interview, 23 July 2019; UN Human Rights Council, *Advance Version, Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea*, 5 June 2015, [url](#), para. 1315

²⁶² Eritrea expert, telephone interview, 12 July 2019

2.7. Treatment of deserters and draft evaders

In accordance with Article 37(1) of the Proclamation on National Service of 1995, any infringement of that proclamation (including desertion and draft evasion) is punishable by two years' imprisonment and/or a fine of 3 000 Birr²⁶³ (ca. EUR 180). Under Article 37(2), the same punishment applies to people who fraudulently avoid performing their national service, inter alia, by inflicting self-harm. The right is reserved to apply stricter penalties according to the Eritrean Penal Code of 1991.²⁶⁴ Article 297(2) of the Penal Code of 1991 outlines a five-year term of imprisonment for draft evasion during wartime. Article 300 stipulates that desertion is punishable by a term of imprisonment of up to five years. During wartime, the term of imprisonment varies between five years and life imprisonment; in serious cases, the death penalty is imposed.²⁶⁵

Although a state of war or emergency as provided by the penal code has not been formally declared, the government referred to the circumstances after the border war with Ethiopia as a 'no war, no peace' situation, and justified measures such as the unlimited duty time in national service on that basis.²⁶⁶ Since signing the peace declaration with Ethiopia in 2018, Eritrean officials do not refer to such a situation anymore. However, there are no indications that the related measures have been lifted or adapted (see [Chapter 2.1.](#)). *De facto*, punishment for national service-related infringements is imposed arbitrarily by military commanders.²⁶⁷ No reliable information is available regarding a possible adjustment of these punishments in reaction to the peace declaration. Most contacted sources had no indications of a change in policy.²⁶⁸

Eritrean authorities continue to search for deserters and draft evaders. Different measures are in place to apprehend them:

- Military commanders send soldiers to the house or village of deserters to look for them.²⁶⁹
- Civil and military officials or militia members go from house to house with lists of deserters and draft evaders and ask for them.²⁷⁰
- During *giffas* (round-ups, see [Chapter 2.3.2.](#)), deserters and draft evaders are arrested.²⁷¹
- Deserters and draft evaders are arrested when trying to leave the country illegally (see [Chapter 3.4.](#)).
- Sometimes, parents or siblings of deserters are arrested to put pressure on the deserter to return to the unit (see [Chapter 2.7.1.](#)).

Despite these measures, not all deserters and draft evaders are caught. According to several sources, deserters and draft evaders hide at their homes, at homes of relatives or outside of populated places.²⁷²

²⁶³ The Eritrean currency nakfa (ERN) was introduced in 1997 with a ratio of 1:1 to the Ethiopian Birr (ETB). The official exchange rate is pegged to the US dollar in the ration 15:1, the black market exchange rate diverges from that.

²⁶⁴ Eritrea, Proclamation on National Service No. 82/1995, 23 October 1995, [url](#)

²⁶⁵ Eritrea, Eritrean Transitional Penal Code, Proclamation 4/1991, amendment of Penal Code of Ethiopia 1957, 15 September 1991

²⁶⁶ International Crisis Group, Eritrea: Ending the Exodus? 8 August 2014, [url](#), p. 3; Tronvoll, Kjetil und Mekonnen, Daniel R., Woodbridge. The African Garrison State. Human Rights & Political Development in Eritrea, 2014, pp. 172-175.

²⁶⁷ Legal expert, interview, Bern, 18 July 2019; further sources

²⁶⁸ Eritrea expert, telephone interview, 12 July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Horn of Africa expert, email interview, 23 July 2019

²⁶⁹ Diplomatic source 9, Asmara, interview, July 2019; Legal expert, interview, Bern, 18 July 2019

²⁷⁰ Diplomatic source 9, Asmara, interview, July 2019; International organisation 3, Asmara, interview, July 2019, Legal expert, interview, Bern, 18 July 2019; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), pp. 9

²⁷¹ International organisation 3, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Mekonnen, D.R., telephone interview, 17 July 2019

²⁷² EASO, Eritrea: National service and illegal exit, November 2016, [url](#), p. 20-21; United Kingdom, Home Office, Home Office's Fact-Finding Mission to Eritrea, 7-20 February 2016, 7 August 2019, [url](#), para. 9.14

Deserters from the military component of national service who are apprehended by soldiers from their own unit are brought to the commander, who decides on further measures.²⁷³ Deserters from the military or civilian component and draft evaders apprehended during house-to-house searches, *giffas* or while attempting to leave the country illegally are sent to prison. In prison, they are interrogated and sometimes tortured as a measure of interrogation or as a punishment.²⁷⁴ The contacted sources mentioned prison terms between one and twelve months as typical, with longer terms of up to three years for repeated offenders and document forgers.²⁷⁵

From prison, deserters are sent back to their units, while draft evaders usually first undergo military training.²⁷⁶ Once deserters are back to their military unit, commanders decide arbitrarily on the follow-up. This may be additional prison time in the unit's prison, potentially including torture, or reintegration into the unit. In some units, committees are in place to decide on the punishment.²⁷⁷ Reports on the treatment of deserters from civilian national service are scarce. Some sources also indicate that after their time in prison, they are usually transferred to a military unit. Some are also returned to their previous working place.²⁷⁸

2.7.1. Treatment of family members

Family members of deserters or draft evaders are sometimes imprisoned for a couple of weeks or months in order to put pressure on the searched persons to report back to the unit. This applies as long as the searched person is believed to be still inside Eritrea. Once the person has left the country, the relatives are usually released.²⁷⁹

From 2005 until approximately 2010, family members of deserters and draft evaders who had left the country had to pay a fine of ERN 50 000 (ca. EUR 3 000). If they could not pay that fine, they were imprisoned for up to one year; in some cases, business licences were revoked or property seized.²⁸⁰ In the recent years, such persecution has become less consistently applied. As of 2019, it is only sporadically reported, but continues to happen in some cases.²⁸¹

²⁷³ Mekonnen, D.R., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019

²⁷⁴ Eritrea expert, telephone interview, 12 July 2019; Connell, D., telephone interview, 17 July 2019; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), pp. 3, 6

²⁷⁵ Diplomatic source 7, Asmara, interview, July 2019; Diplomatic source 9, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Connell, D., telephone interview, 17 July 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Landinfo, Repons Eritrea: Faktagrunnlag og kildekritikk [Response Eritrea: Fact base and source criticism], 14 January 2019, [url](#), p. 3

²⁷⁶ Legal expert, interview, Bern, 18 July 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019

²⁷⁷ Legal expert, interview, Bern, 18 July 2019

²⁷⁸ Legal expert, interview, Bern, 18 July 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019; Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 62

²⁷⁹ Legal expert, interview, Bern, 18 July 2019; Eritrean asylum seeker, Rama (Ethiopia), individual interview, 18 May 2019; SFH, Eritrea: Reflexverfolgung, Rückkehr und "Diaspora-Steuer" [Eritrea: Persecution of family members, return, and 'diaspora tax', 30 September 2018, [url](#), p. 7; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 7; Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 48

²⁸⁰ EASO, Eritrea Country Focus, May 2015, [url](#), p. 43; Bertelsmann Stiftung, Eritrea – National Service, Forced Labor and Mass Exodus, 2017, p. 234

²⁸¹ Diplomatic source 9, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Eritrea expert, telephone interview, 12 July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Connell, D., telephone interview, 17 July 2019; Horn of Africa expert, email interview, 23 July 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), pp. 6-7, SFH, Eritrea: Reflexverfolgung, Rückkehr und "Diaspora-Steuer" [Eritrea: Persecution of family members, return, and 'diaspora tax', 30 September 2018, [url](#), p. 7; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 25 June 2018, [url](#), para. 8; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 21; cf. Bertelsmann Stiftung, Eritrea – National Service, Forced Labor and Mass Exodus, 2017, p. 234

3. Exit from Eritrea

3.1. Travel inside Eritrea and to the border

Until 2018, Eritrean citizens in national service age and sometimes also below and beyond that age needed permits to travel inside Eritrea. The Ministry of Defence issued travel permits (Tigrinya: *menqesaqesi*) to persons in the military component of national service, whereas persons in the civilian component and other employees were issued this document by their employer, school, or local administration. Travel permits mentioned the holder and exact date and time of the trip as well as the number of an identity document²⁸², but were rarely cross-checked against other identity documents. Small children, women and elderly were often, but not consistently allowed to travel without permit. They still needed identity documents and, if applicable, a proof of discharge or exemption from national service. As a rule, passengers had to prove that they were fulfilling their national service duty and allowed to travel, or that they had already done so.²⁸³

Until approximately 2010, a dense network of checkpoints was in place to check travel permits and generally the backgrounds of travellers. These checkpoints were also intended to stop potential migrants before they reached the border areas or to check goods coming in from the border areas. Persons without proper documentation were arrested.²⁸⁴ After 2010, most checkpoints – with a few exceptions, such as in Keren or Tesseney – have no longer been operative. Instead, temporary roadblocks appeared at some places and times, particularly before major holidays such as Independence Day. Travel permits for Eritreans in national service age remained obligatory for travelling within Eritrea, but controls became more sporadic.²⁸⁵

When the land borders to Ethiopia opened on 11 September 2018, travel restrictions within Eritrea were lifted for most Eritreans (not for foreigners). Some sources mention that this applied also to national service members. There were no checks between Asmara and the newly opened border crossing points.²⁸⁶ In April 2019, the last remaining land border crossings closed again. As of July 2019, sources inside and outside Eritrea mostly report that travel restrictions within Eritrea have not been reintroduced²⁸⁷; some of the recently arrived migrants in Ethiopia interviewed by SEM however reported that travel permits were needed to travel to the border area.²⁸⁸ It is not clear if national service members still do not need travel permits. Checkpoints and temporary roadblocks still exist;

²⁸² For an overview on Eritrea's identity documents, see EASO, Eritrea Country Focus, May 2015, [url](#), pp. 50-56; Sweden, Migrationsverket, Eritrea – Folkbokföring, medborgarskap och identitetshandlingar (version 1.2) [Eritrea – population registration, citizenship, and identity documents (version 1.2)], 18 July 2018, [url](#), pp. 9-47

²⁸³ EASO, Eritrea Country Focus, May 2015, [url](#), p. 25; Legal expert, interview, Bern, 18 July 2019; Bozzini, D., Low-tech Surveillance and the Despotic state in Eritrea, [url](#), p. 98; Human Rights Watch, Service for Life, April 2009, [url](#), p. 63; Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 21

²⁸⁴ EASO, Eritrea Country Focus, May 2015, [url](#), p. 25; Bozzini, D., Low-tech Surveillance and the Despotic state in Eritrea, [url](#), p. 94-99; Bozzini, D., En état de siège, 23 May 2011, p. 123; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 46

²⁸⁵ EASO, Eritrea Country Focus, May 2015, [url](#), p. 25; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 13; Van Reisen, M. and Mawere, M. (ed.), Human Trafficking and Trauma in the Digital Era, 2017, p. 31; International organisation 4, Asmara, interview, July 2019; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 46; Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), p. 21 (footnote 44)

²⁸⁶ International organisation 4, Asmara, interview, July 2019; International organisation 2, Asmara, interview, July 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019

²⁸⁷ Diplomatic source 4, Asmara, interview, July 2019; International organisation 4, Asmara, interview, July 2019; Diplomatic source 6, Asmara, interview, July 2019; International organisation 2, Asmara, interview, July 2019; International organisation 3, Asmara, interview, July 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019

²⁸⁸ Local source 5, Tigray regional state, interview, May 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019

security forces continue to check the identity documents of the passengers of passing-by vehicles and to ask about the purpose of travel.²⁸⁹ Checkpoints are particularly prevalent on roads close to the border, such as Senafe-Serha or Adi Kuala-Mereb.²⁹⁰

3.2. Legal exit

3.2.1. Exit visa

The entry and exit requirements of Eritrea are laid down in Proclamation 24/1992. In accordance with Article 11 of the Proclamation, a valid travel document, a valid exit visa and a valid international health certificate are required in order to leave Eritrea legally.²⁹¹ The exit visa regime is regulated by Regulation No 4/1992²⁹², which has not been amended since 1992 and hence does not contain rules regarding national service, which has been introduced later. The National Service Proclamation (Article 17) defines the fulfilment of national service or the legal exemption from it as a precondition for the issuance of exit visas.²⁹³

As of 2019, the exit visa *de facto* seems to be issued according to the following criteria:

- Being released and in possession of a release letter (Tigrinya: *mefanewi*) or being exempted with proper documentation is generally a precondition for being eligible for exit visas.²⁹⁴ In exceptional cases, national service members can be granted an exit visa with the written consent of their commander or employer.²⁹⁵
- In addition to that, sources also mention age limits. According to two sources, men must be at least 40 years old to be issued an exit visa; women at least 30 years, unless they have children.²⁹⁶ Other sources mention higher age limits around 50 years²⁹⁷ or none at all.²⁹⁸
- Children above a certain age are not granted an exit visa because of the approaching national service age. Currently, most sources state the age of 5 years as the maximum age to be issued an exit visa.²⁹⁹
- Persons serving in the People's Army are not generally forbidden to travel abroad, but they need the written consent of their commander, which may be difficult to obtain.³⁰⁰

²⁸⁹ Diplomatic source 4, Asmara, interview, July 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019

²⁹⁰ Local source 5, Tigray regional state, interview, May 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019

²⁹¹ Eritrea, Proclamation No. 24/1992 of 1992 issued to regulate the issuing of travel documents, 1 April 1992, [url](#)

²⁹² Eritrea, Regulation No 4/1992 on Travel Documents and Immigration, 15 July 1992, [url](#)

²⁹³ Eritrea, Proclamation on National Service No. 82/1995, 23 October 1995, [url](#)

²⁹⁴ Eritrea, Proclamation on National Service No. 82/1995, 23 October 1995, [url](#), article 17; Eritrea expert, telephone interview, 12 July 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 14; Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 3; Australia, DFAT, DFAT country information report Eritrea, 08 February 2017, [url](#), p. 28; Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 36; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 46

²⁹⁵ Eritrea expert, telephone interview, 12 July 2019

²⁹⁶ Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 14

²⁹⁷ Eritrea expert, telephone interview, 12 July 2019; Amnesty International, Amnesty International Report 2017/18, 22 February 2018, [url](#), p. 160

²⁹⁸ Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 3

²⁹⁹ International organisation 3, Asmara, interview, July 2019; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 25 June 2018, [url](#), para. 96; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 14; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 46

³⁰⁰ Eritrea expert, telephone interview, 12 July 2019; Legal expert, interview, Bern, 18 July 2019; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 14; Røsberg, A.H. and Tronvoll, K., Migrants or Refugees? ILPI, 14 February 2017, [url](#), p. 55

- Persons suffering from a disease or injury for which treatment is not available in Eritrea.³⁰¹
- Persons travelling abroad for studies, for a conference, and in some cases, as businessmen or sportsmen.³⁰²
- Former freedom fighters (Tigrinya: *tegadelti*) and their family members.³⁰³
- Authority representatives in leading positions and their family members.³⁰⁴
- *De facto*: persons who bribe the officials in charge of issuing exit visas, or with personal connections to them.³⁰⁵

In practice, the issuance of exit visas is inconsistent; persons fulfilling the mentioned criteria are not always issued an exit visa.³⁰⁶ According to pre-2016 information, the issuance of exit visas may be denied to government critics, relatives of persons who have left the country illegally or failed to pay diaspora tax while abroad, whole families or parents travelling together, and members of non-recognised religious communities.³⁰⁷

In order to obtain an exit visa, applicants generally have to file in the following documents:

- completed application form;
- statement on the reasons for travelling;
- valid passport, or identity card for travelling to Ethiopia or Sudan;
- valid entry visa of the destination country, if needed;
- proof of exemption or release from national service;
- further identity documents such as identity cards, birth certificates, health certificates etc.;
- supporting letter issued by the local administration and/or the employer.³⁰⁸

Additionally:

- for medical treatment abroad, a confirmation by the medical board under the Ministry of Health stating that a treatment abroad is necessary; as well as further medical documentation.³⁰⁹
- some sources report that for Eritreans whose spouse lives abroad, a proof of their payment of the diaspora tax (2 % tax) is needed.³¹⁰
- one source stated that in order to obtain the passport, she further had to file in copies of the identity cards of the parents and a proof that she had no liabilities with banks and service providers.³¹¹

³⁰¹ Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019

³⁰² Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 36; EASO, Eritrea Country Focus, May 2015, [url](#), p. 52

³⁰³ EASO, Eritrea Country Focus, May 2015, [url](#), p. 52

³⁰⁴ EASO, Eritrea Country Focus, May 2015, [url](#), p. 52

³⁰⁵ United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 17; Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 3; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 96

³⁰⁶ Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 46; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 14

³⁰⁷ EASO, Eritrea Country Focus, May 2015, [url](#), p. 53

³⁰⁸ Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 3; Australia, DFAT, DFAT country information report Eritrea, 08 February 2017, [url](#), p. 28; Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 36; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 46; cf. Eritrea, Regulation No 4/1992 on Travel Documents and Immigration, 15 July 1992, [url](#), article 17(11d)

³⁰⁹ Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019; Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 3; Australia, DFAT, DFAT country information report Eritrea, 08 February 2017, [url](#), p. 28; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 46

³¹⁰ Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 3; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 96

³¹¹ Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019

Exit visas are either put as a stamp or a sticker in the passport or – if travelling with an identity card only – on a separate piece of paper.³¹² The date range on which the individual will leave Eritrea is fixed, but returning is possible at any time.³¹³ The visa fee is not defined in the relevant regulation.³¹⁴ It seems to depend on the circumstances. Sources name prices between ERN 200 and 700 (EUR 12 and 42).³¹⁵

From September until December 2018, an exit visa was *de facto* not needed to cross by land from Eritrea into Ethiopia (see [Chapter 3.2.3.](#)).

3.2.2. Exit by land to Sudan

Regulation 4/1992 specifies three border crossings with Sudan as legal land entry points: Talatasher – the main border crossing between Tesseney and Kassala –, Girmaika, and Karora.³¹⁶ As of 2013, the Eritrean Department for Immigration and Nationality mentioned the Talatasher and Girmaika border crossings above plus one more in Adebra as open, while Karora was closed.³¹⁷

On 5 January 2018, Sudan closed its land border with Eritrea, indicating security concerns.³¹⁸ At the end of January 2019, Sudan announced the reopening of the Eritrean border.³¹⁹ In July 2019, both countries discussed the issue again and notified the upcoming reopening.³²⁰ As of August 2019, however, SEM is not aware of any reports that the border has actually opened.

In 2011, Sudan and Eritrea signed a bilateral agreement allowing mutual visa-free travel with identity cards only for stays of up to three months.³²¹ Eritreans and Sudanese were indeed able to cross with identity cards only until the border closure in January 2018. Most sources agree that despite the agreement, Eritreans needed an exit visa.³²² Two among the interlocutors interviewed by a Swedish fact-finding mission in 2018 reported, however, that no exit visa was needed; one of them referring only to people from the border area. Other interlocutors stated it was needed.³²³

3.2.3. Exit by land to Ethiopia

From the outbreak of the border war in 1998 until September 2018, the land border between Eritrea and Ethiopia was *de jure* closed to all traffic except for a couple of family reunifications arranged by ICRC.³²⁴ Starting from 11 September 2018, the border crossings between the two countries were

³¹² Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 3

³¹³ EASO, Eritrea Country Focus, May 2015, [url](#), p. 52; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019; cf. Eritrea, Regulation No 4/1992 on Travel Documents and Immigration, 15 July 1992, [url](#), article 17(7)

³¹⁴ cf. Eritrea, Regulation No 4/1992 on Travel Documents and Immigration, 15 July 1992, [url](#), article 17(13)

³¹⁵ Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 02 April 2019, [url](#), p. 3, EASO, Eritrea Country Focus, May 2015, [url](#), p. 52; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019

³¹⁶ Eritrea, Regulation No 4/1992 on Travel Documents and Immigration, 15 July 1992, [url](#), article 3(3).

³¹⁷ EASO, Eritrea Country Focus, May 2015, [url](#), p. 52

³¹⁸ Reuters, Sudan closes border with Eritrea, 6 January 2018, [url](#); Sudan Tribune, Sudan shut down border with Eritrea, 7 January 2018, [url](#)

³¹⁹ Reuters, Looking for friends, Sudan's Bashir reopens Eritrea border, 31 January 2019, [url](#), RFI (Radio France Internationale), Bashir reopens Sudan border with Eritrea, dismisses protests, 1 February 2019, [url](#)

³²⁰ Shabait, President Isaias meets Deputy Chairman of Sudanese TMC, 2 July 2019, [url](#); Sudan Tribune, Sudan, Eritrea discuss border reopening, 8 July 2019, [url](#)

³²¹ Sudan Tribune, Sudan and Eritrea agreed to remove entry visa requirements for citizens, 12 May 2011, [url](#); Sweden, Migrationsverket, Eritrea: Familjemedlemmars kontakt med eritreanska beskickningar i utlandet [Eritrea: Family members' contact with Eritrean representations abroad], 26 April 2018, [url](#), p. 17

³²² Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 3; Sweden, Migrationsverket, Eritrea: Familjemedlemmars kontakt med eritreanska beskickningar i utlandet [Eritrea: Family members' contact with Eritrean representations abroad], 26 April 2018, [url](#), p. 17; Eritrea, Department for Immigration and Nationality, interview, Asmara, 6 November 2013

³²³ Sweden, Migrationsverket, Eritrea: Familjemedlemmars kontakt med eritreanska beskickningar i utlandet [Eritrea: Family members' contact with Eritrean representations abroad], 26 April 2018, [url](#), p. 17

³²⁴ Plaut, M., Understanding Eritrea, 2016/2019, p. 41

opened, until closing again a couple of months later. The following four entry points were the main road border crossings during that period:

- Debay Sima (Eritrea) – Bure (Ethiopia) south of Assab, opened on 11 September 2018³²⁵, closed on 22 April 2019.³²⁶
- Serha (Eritrea) – Zalambessa (Ethiopia) south of Senafe, opened on 11 September 2018³²⁷, closed on 26 December 2018.³²⁸
- Ksadika (Eritrea) – Rama (Ethiopia) on Mereb river, south of Adi Kuala, opened on 17 September 2018³²⁹, closed on 26 December 2018.³³⁰
- Omhajer (Eritrea) – Humera (Ethiopia) close to the border tripoint with Sudan, opened on 7 January 2019³³¹, closed on 19 April 2019.³³²

In addition to these border crossings, Regulation 4/1992 mentions entry points at Shilalo, Tsorona, and Thio.³³³ There are no reports about an opening or closure of these border crossings. One source mentioned that several minor border crossings for pedestrians were open roughly in the same period as the road border crossings, and were closed afterwards.³³⁴

³²⁵ Reuters, UPDATE 5-Ethiopia, Eritrea reopen border points for first time in 20 years, 11 September 2018, [url](#)

³²⁶ Eritrean Press [Facebook], Eritrea Closes Assab Road to Ethiopia, posted on: 22 April 2019, [url](#)

³²⁷ Reuters, UPDATE 5-Ethiopia, Eritrea reopen border points for first time in 20 years, 11 September 2018, [url](#)

³²⁸ Reuters, Eritrea closes border crossing to Ethiopians, official and residents say, 28 December 2018, [url](#)

³²⁹ TesfaNews [Twitter], posted on: 17 September 2018, [url](#)

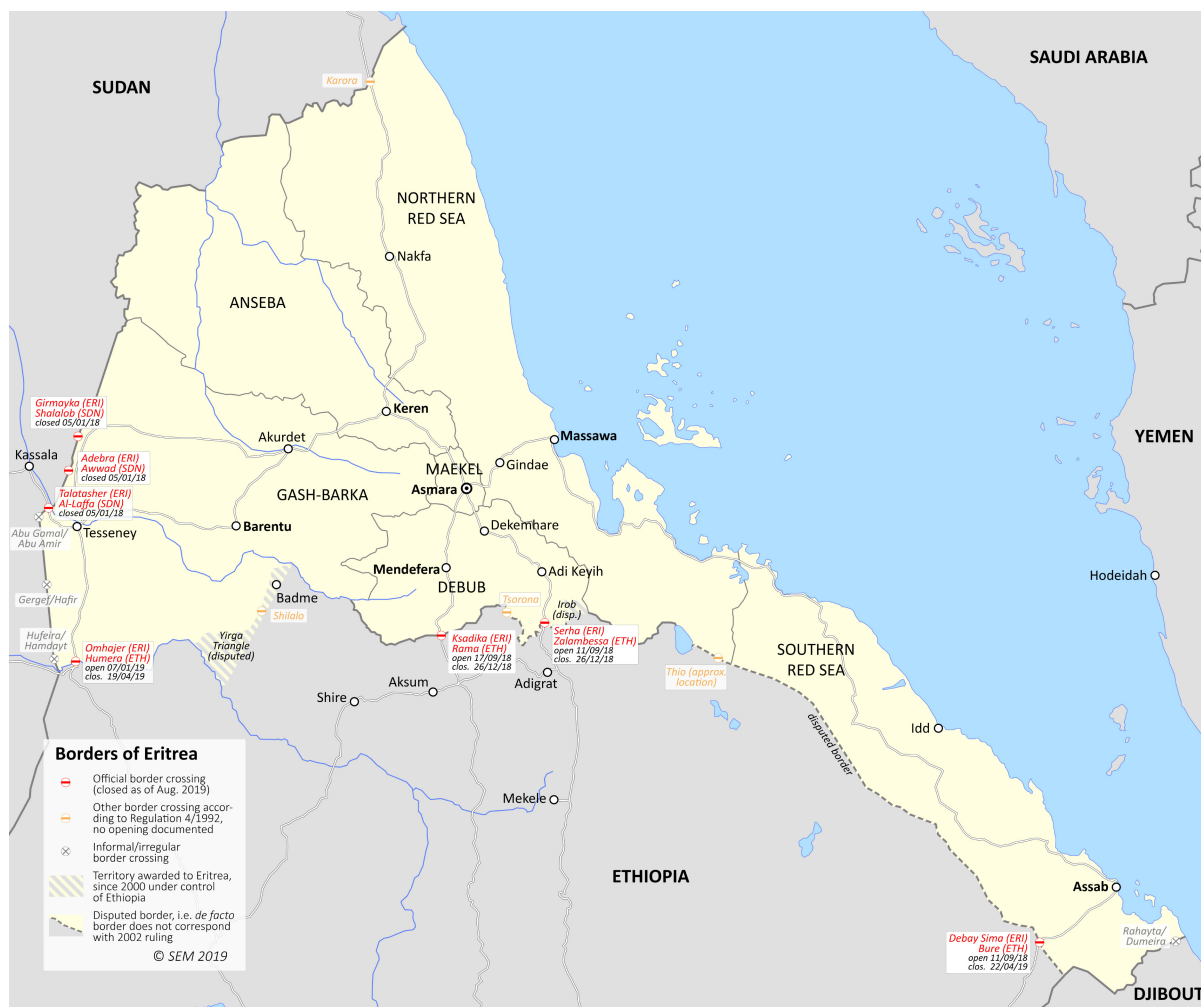
³³⁰ Reuters, Eritrea closes border crossing to Ethiopians, official and residents say, 28 December 2018, [url](#)

³³¹ TesfaNews, Omhajer-Humera border point re-opened, 7 January 2019, [url](#)

³³² BBC Tigrinya, መስመር ሒመራ-ኦምሳጃር ዳግም ተዳፅዖ [The route Humera-Omhajer was closed again], 18 April 2019, [url](#); AfricaNews, Eritrea shuts all borders with Ethiopia – unilaterally, 23 April 2019, [url](#)

³³³ Eritrea, Regulation No 4/1992 on Travel Documents and Immigration, 15 July 1992, [url](#), article 3(3)

³³⁴ Local source 1, Tigray regional state (Ethiopia), interview, May 2019



Map 3: Borders of Eritrea, © State Secretariat for Migration SEM³³⁵

In the days immediately after the first border opening in September 2018, there were no controls whatsoever on neither side of the border. Persons who crossed the border reported that the border between Eritrea and Ethiopia was not discernible and that travellers, goods and vehicles were not checked.³³⁶

A few days or weeks after the border opening – SEM has no knowledge of the exact date – a rather lax form of checks was introduced. The policy was not consistent and varied over time and place of the border crossing. Sources report that soldiers wrote down the names of persons crossing, but in some cases only the names of the driver or the car plate of the vehicle.³³⁷ The soldiers sometimes did

³³⁵ Map created by the State Secretariat for Migration SEM (Switzerland), 2019, based on Eritrean Demining Authority et al., Landmine Impact Survey – 2004 [map], 2004; UN Cartographic Section, Eritrea [map], n.d., [url](#); Eritrea-Ethiopia Boundary Commission, International Boundary between the State of Eritrea and the Federal Democratic Republic of Ethiopia [map], 2002, [url](#); and the sources mentioned in [Chapter 3](#) of this report.

³³⁶ Civil society source 3, Asmara, interview, July 2019; International organisation 4, Asmara, interview, July 2019; Diplomatic source 9, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Connell, D., telephone interview, 17 July 2019; Local source 1, Tigray regional state (Ethiopia), interview, May 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Amnesty International, Eritrea: Repression without borders, 27 June 2019, [url](#), p. 7; Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 2

³³⁷ Diplomatic source 3, Asmara, interview, July 2019; Diplomatic source 7, Asmara, interview, July 2019; Diplomatic source 1, Asmara, interview, July 2019; International organisation 4, Asmara, interview, July 2019; Diplomatic source 6, Asmara, interview, July 2019; Local source 5, Tigray regional state, interview, May 2019; Local source 1, Tigray regional state (Ethiopia), interview, May 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 2

check identity documents, but they let people pass who had no passport or identity card; they would just ask for the name and the purpose of travel instead.³³⁸ During that period, *de facto* no exit visa was needed.³³⁹ National service members were not stopped from crossing.³⁴⁰ One source mentioned that they were allowed to stay in Ethiopia for 20 days³⁴¹, another for a 'specific period' depending on individual circumstances.³⁴²

In December 2018 – the sources do not agree on an exact date – stricter procedures were introduced at the borders. Exit visas or other forms of written permission such as letters issued by the local administration were now required in order to cross into Ethiopia.³⁴³ National service members were no more allowed to cross.³⁴⁴ In early 2019, only the peripheral border crossings in Omhajer and Debay Sima remained open. Controls were in place at these checkpoints, but the exit visa requirement was not necessarily enforced at all times.³⁴⁵

On 26 December 2018, the two centrally located border crossings Serha and Ksadika (Mereb) were closed. In April 2019, the crossings in Omhajer and Debay Sima were closed, too (see above). The government called the measure a 'restriction for legal measures'.³⁴⁶ Legal border crossing by land into Ethiopia is no more possible since then. As of July 2019, the return of Eritreans who had crossed into Ethiopia when the border was open seemed to be still tolerated, though.³⁴⁷ Illegal border crossings, however, have become much easier than prior to the border opening and appear to be tolerated to a certain degree by the border guards (see [Chapter 3.3.2.](#)).

The border opening had significant consequences for migration and the economy. Immediately after the border opening, thousands of Eritreans travelled to Ethiopia.³⁴⁸ Between 11 September 2018 and the 20 December 2018, 27 500 Eritreans have registered as refugees in Ethiopia according to figures of the European Union³⁴⁹, the UN Special Rapporteur mentioned 45 000 for the same period.³⁵⁰ Many more have left Eritrea and established themselves in Ethiopian cities without registering, their number

³³⁸ International organisation 4, Asmara, interview, July 2019; Diplomatic source 6, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Connell, D., telephone interview, 17 July 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 14; Economist (The), For the first time in years, Eritreans can leave their country freely, 11 October 2018, [url](#)

³³⁹ Diplomatic source 6, Asmara, interview, July 2019; International organisation 2, Asmara, interview, July 2019; Connell, D., telephone interview, 17 July 2019; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 14; Economist (The), For the first time in years, Eritreans can leave their country freely, 11 October 2018, [url](#); United States, USDOS, 2018 Report on International Religious Freedom, 21 June 2019, [url](#), p. 7

³⁴⁰ Local source 1, Tigray regional state (Ethiopia), interview, May 2019; Civil society source 3, Asmara, interview, July 2019; Diplomatic source 3, Asmara, interview, July 2019; International organisation 4, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Horn of Africa expert, email interview, 23 July 2019

³⁴¹ International organisation 4, Asmara, interview, July 2019

³⁴² Horn of Africa expert, email interview, 23 July 2019

³⁴³ Diplomatic source 1, Asmara, interview, July 2019; International organisation 4, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 8/65; Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 2

³⁴⁴ Diplomatic source 1, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019

³⁴⁵ NZZ (Neue Zürcher Zeitung), Flucht aus dem Kasernenstaat [flight from the garrison state], 20 February 2019, [url](#); Local source 1, Tigray regional state (Ethiopia), interview, May 2019; Diplomatic source 1, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019;

³⁴⁶ Shabait, Sawa Vocational Training Center graduates 909 students, 3 August 2019, [url](#)

³⁴⁷ Diplomatic source 9, Asmara, interview, July 2019; Civil society source 2, Asmara, interview, July 2019; Mekonnen, D.R., telephone interview, 17 July 2019

³⁴⁸ New Humanitarian (The), Eritrea-Ethiopia peace leads to a refugee surge, 15 November 2018, [url](#); Guardian, The, 'I was euphoric': Eritrea's joy becomes Ethiopia's burden amid huge exodus, 12 October 2018, [url](#)

³⁴⁹ European Commission, Emergency Response Coordination Centre (ERCC), Ethiopia, Influx of Eritrean refugees, December 2018, [url](#)

³⁵⁰ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 64

is unknown.³⁵¹ The free flow of goods in the first months after the border opening led to a decrease of prices in Eritrea. Some staples such as teff (a cereal cultivated in the Horn of Africa) suddenly became four or five times cheaper.³⁵² The Eritrean economy, however, struggled to compete with the much cheaper Ethiopian products.³⁵³ After the closure of the border, prices increased again.³⁵⁴

Eritrea and Ethiopia are currently discussing on trade agreements, which reportedly include a re-opening of the land border crossings.³⁵⁵ Issues include the regulation of the previously unregulated movement of persons and goods³⁵⁶ as well as technical issues such as the construction of formal border checkpoints, its staff, and the exchange rate.³⁵⁷

3.2.4. Exit by air

As of August 2019, the only legal entry point by air was Asmara International Airport. Asmara currently has scheduled flight services to Ethiopia, Sudan, Egypt, Saudi-Arabia, the United Arab Emirates, and Turkey.³⁵⁸ Regulation 4/1992 mentions two additional international airports in Massawa and Assab.³⁵⁹ These airports have no scheduled international air services.

Eritrean citizens need exit visas for all international air travel, including to Ethiopia and Sudan.³⁶⁰

3.3. Illegal exit

3.3.1. Illegal exit to Sudan

For many years, the migration route into Sudan was more popular than the one into Ethiopia, due to its comparatively low military presence and well-established smuggling networks.³⁶¹ Eritreans travelling illegally into Sudan use diverse *modi operandi*. Most common are the following:

- The cheapest way for getting into Sudan is to travel by public transport to a border town, such as Tesseney, Guluj, or Omhajer, and to continue by foot – often in small groups with other migrants.
- Some Eritreans travel on their own – by public transport or by foot – to one of the border towns, from where they continue accompanied by a facilitator in order to get across the border to Kassala, Gedaref, or other Sudanese towns.

³⁵¹ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 64; Diplomatic source 9, Asmara, interview, July 2019

³⁵² Diplomatic source 3, Asmara, interview, July 2019; International organisation 4, Asmara, interview, July 2019; International organisation 2, Asmara, interview, July 2019

³⁵³ Diplomatic source 1, Asmara, interview, July 2019

³⁵⁴ Diplomatic source 3, Asmara, interview, July 2019; International organisation 4, Asmara, interview, July 2019;

³⁵⁵ Borkena, Eritrea-Ethiopia trade agreements under preparation, 26 July 2019, [url](#); TesfaNews, Ethiopia, Eritrea to Open Four Commercial Border Checkpoints, 16 Januar 2019, [url](#); New Delhi Times, Eritrea-Ethiopia road border to open probably within six months, 12 August 2019, [url](#); Yemane Gebremeskel, Minister of Information, Asmara, interview, 2 July 2019

³⁵⁶ Yemane Gebremeskel, Minister of Information, Asmara, interview, 2 July 2019; Diplomatic source 3, Asmara, interview, July 2019; New Delhi Times, Eritrea-Ethiopia road border to open probably within six months, 12 August 2019, [url](#); Ezega News, Ethiopia Finalizing Legal Documents for Trade with Eritrea - Official, 26 July 2019, [url](#)

³⁵⁷ Diplomatic source 7, Asmara, interview, July 2019; Diplomatic source 1, Asmara, interview, July 2019; Connell, D., telephone interview, 17 July 2019

³⁵⁸ Airportia, Asmara International Airport ASM Departures, n.d., [url](#)

³⁵⁹ Eritrea, Regulation No 4/1992 on Travel Documents and Immigration, 15 July 1992, [url](#), article 3(1)

³⁶⁰ Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 2-3, United States, USDOS, 2018 Report on International Religious Freedom, 21 June 2019, [url](#), p. 7

³⁶¹ CMI, Human Smuggling and Trafficking in Eastern Sudan, September 2017, [url](#), p. 27, 32; Expertise France et al., Eritrea country statement, September 2017, [url](#), pp. 6-7

- Another, more expensive option is to travel with a facilitator all the way from Asmara to Kassala or Khartoum.³⁶²

As reported in 2017, costs for facilitation ranged between USD 100 for a short journey across the border, up to almost USD 10 000 to travel directly from Asmara to Sudan; for the latter, however, costs between USD 3 000 and 6 000 were reported to be more typical.³⁶³

Well-organised smuggling and trafficking networks operate at the Eritrean-Sudanese border. Groups involved in smuggling and trafficking include ethnic groups living on both sides of the border who know the area well, particularly the Rashaida. Also the Eritrean military units in charge of controlling the border as well as Sudanese officials are reported to be involved.³⁶⁴ In the border area, particularly migrants travelling on their own or in small groups are in risk of attacks by human traffickers. Informants provide the traffickers hints on the movement of migrants, enabling the traffickers to abduct them. In some cases, the traffickers have arrangements with facilitators for that purpose.³⁶⁵ Migrants who reach Sudan either register at the UNHCR refugee camp at Shagerab or travel on to Khartoum without registration.³⁶⁶

Due to these risks and the fact that the border with Ethiopia has become increasingly easy to cross, the flow of migrants across the Eritrean-Sudanese border has decreased in the last couple of years (see chart below).³⁶⁷ However, these numbers do not show the full extent of migration across the border, since only approximately one third of the migrants register as refugees at the UNHCR camps.³⁶⁸

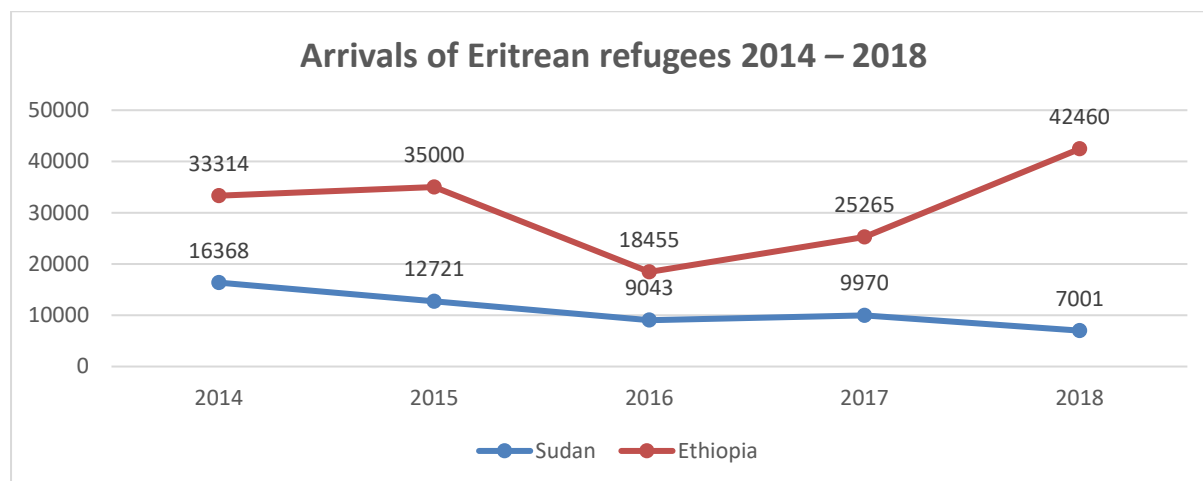


Figure 3: Arrivals of Eritrean refugees 2014 – 2018 registered by UNHCR³⁶⁹

³⁶² CMI, Human Smuggling and Trafficking in Eastern Sudan, September 2017, [url](#), p. 27, 32; Expertise France et al., Eritrea country statement, September 2017, [url](#), pp. 6-7

³⁶³ Expertise France et al., Eritrea country statement, September 2017, [url](#), pp. 6-7; CMI, Human Smuggling and Trafficking in Eastern Sudan, September 2017, [url](#), p. 28

³⁶⁴ CMI, Human Smuggling and Trafficking in Eastern Sudan, September 2017, [url](#), p. 16, 18, 30; Van Reisen, M. and Mawere, M. (ed.), Human Trafficking and Trauma in the Digital Era, 2017, p. 44, 119; Bertelsmann Stiftung, BTI 2018 Country Report, Eritrea, 2018, [url](#), p. 7; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 68; Plaut, M., Understanding Eritrea, 2016/2019, pp. 154-156; Guardian, The, Captured, raped, ransomed: the kidnapers preying on Eritrean refugees, 19 January 2018, [url](#)

³⁶⁵ CMI, Human Smuggling and Trafficking in Eastern Sudan, September 2017, [url](#), pp. 31, 38

³⁶⁶ Expertise France et al., Eritrea country statement, September 2017, [url](#), p. 6

³⁶⁷ Economist (The), Migration from Eritrea slows, 25 May 2017, [url](#); Africa Monitors, Sudanese Authorities deport 115 Eritreans and Ethiopians Migrant, 1 March 2017, [url](#)

³⁶⁸ Economist (The), Migration from Eritrea slows, 25 May 2017, [url](#)

³⁶⁹ Official UNHCR figures according to: UNHCR, East Sudan New Arrival Dashboard as of 31 December 2018, 9 January 2019, [url](#); UNHCR, Refugees and Asylum Seekers in Sudan, 2016 (Plan), [2017], [url](#); UNHCR, Ethiopia Country Refugee Response Plan January – December 2018, [2018], [url](#), p. 5; UNHCR, Operations, Ethiopia, [2014 – 2019], [url](#)

3.3.2. Illegal exit to Ethiopia

Prior to the peace declaration with Ethiopia in 2018, the Eritrean-Ethiopian border was a military front line with no legal border crossings. Even though the border had become increasingly porous in the years before the peace declaration, crossing was still a considerable risk. Therefore, many migrants travelled in groups or with facilitators. Nevertheless, it was common for migrants to be apprehended by border guards and detained.³⁷⁰ According to UNHCR, it was mostly young men who crossed.³⁷¹

After the formal opening of the border in September 2018, crossing the border legally became possible even without exit visa or other travel documents (see [Chapter 3.2.3.](#)). Many Eritreans used that possibility, particularly women and minors with relatives who had migrated to Ethiopia and other countries in the years before.³⁷² Some Eritreans continued to cross the border bypassing the official road border crossings.³⁷³

In two steps in December 2018 and April 2019, the land border between Eritrea and Ethiopia closed again, making all land border crossings into Ethiopia illegal. Nevertheless, the border is no military front line anymore. Crossing illegally has become easier, as border guards reportedly tend to look away when people are attempting to cross.³⁷⁴ Some sources relate that they even point out which way to go.³⁷⁵ People cross illegally into Ethiopia just for visits or trade.³⁷⁶ Migrants now mostly travel without facilitators, but still in some cases in the company of persons who know the border area well.³⁷⁷ The UN Special Rapporteur mentions however that facilitators are still used.³⁷⁸ As opposed to the Sudanese border, facilitators at the Ethiopian border seem to operate on a small scale and individual base without connection to bigger networks.³⁷⁹

The most common *modus operandi* in the first half of 2019 was to travel by bus to a town close to the border such as Serha, Tsonora or Adi Kuala, and then to continue on foot. Most popular is the Serha/Zalambessa crossing. Buses and private vehicles travel all the way from Asmara to Serha. From there, migrants, smugglers and other travellers continue on foot, avoiding the checkpoint at the road border crossing. After a short walk, they reach the bus stop in Zalambessa on the Ethiopian side, with onward connections to Adigrat and Mekelle. People also smuggle goods on donkeys.³⁸⁰ Another popular way is to take the bus to Adi Kuala and to continue by foot from there to Rama. The detour avoiding checkpoints is less well established there, and it takes a whole day to walk from Adi Kuala to

³⁷⁰ Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019; Van Reisen, M. and Mawere, M. (ed.), *Human Trafficking and Trauma in the Digital Era*, 2017, p. 29

³⁷¹ UNHCR, Operational Update Ethiopia (September 2018), 16 October 2018, [url](#), p. 2

³⁷² UNHCR, Operational Update Ethiopia (September 2018), 16 October 2018, [url](#), p. 2; UNHCR, Renewed influx of Eritrean refugees, 20 October 2018, [url](#)

³⁷³ Local source 3, Tigray regional state (Ethiopia), interview, May 2019

³⁷⁴ Civil society source 3, Asmara, interview, July 2019; Diplomatic source 3, Asmara, interview, July 2019; International organisation 4, Asmara, interview, July 2019; Diplomatic source 9, Asmara, interview, July 2019; Civil society source 2, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Local source 3, Tigray regional state (Ethiopia), interview, May 2019; Local source 5, Tigray regional state, interview, May 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019; Legal expert, interview, Bern, 18 July 2019; Voice of America, *Hopes Dashed as Ethiopia-Eritrea Peace Process Stagnates*, 23 July 2019, [url](#)

³⁷⁵ Eritrea expert, telephone interview, 12 July 2019; Legal expert, interview, Bern, 18 July 2019

³⁷⁶ Civil society source 2, Asmara, interview, July 2019; Connell, D., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Voice of America, *Hopes Dashed as Ethiopia-Eritrea Peace Process Stagnates*, 23 July 2019, [url](#)

³⁷⁷ Local source 5, Tigray regional state, interview, May 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019

³⁷⁸ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 16 May 2019, [url](#), para. 66

³⁷⁹ Van Reisen, M. and Mawere, M. (ed.), *Human Trafficking and Trauma in the Digital Era*, 2017, p. 29

³⁸⁰ International organisation 4, Asmara, interview, July 2019; Diplomatic source 9, Asmara, interview, July 2019; Civil society source 2, Asmara, interview, July 2019; Connell, D., telephone interview, 17 July 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019

Rama.³⁸¹ One source related that in Omhajer, floats are used to cross Tekeze river.³⁸² In order to return to Eritrea, the use of the official border crossings is mostly tolerated, as there are still people returning who are presumed having left legally when the border was open.³⁸³

Despite these circumstances, the policies of the Eritrean authorities regarding illegal border crossing formally remain in place³⁸⁴ and due to the border closure, crossing has become riskier again. There are border guards who are less lenient, and consequently sporadic reports that detentions still happen.³⁸⁵ In August 2019, social media entries claimed Eritrea had moved troops to the Serha/Zalambessa border crossing in order to stop the outflow of migrants. Persons crossing have reportedly been detained.³⁸⁶ There is no independent confirmation of this information and neither an indication whether this is a temporary or permanent measure.

Further obstacles include dangerous animals such as snakes, hyenas, scorpions or – in Tekeze river – crocodiles, and the torrent of rivers during rainy season.³⁸⁷

As of June 2019, 250 to 300 Eritreans crossed the border per day, according to Ethiopian officials.³⁸⁸ On the Ethiopian side of the border, migrants who want to be registered as refugees report to the army, militia, police or civilian authorities. They are collected at several collection points along the border. From there, they are transferred to the registration centre of the Ethiopian refugee agency ARRA and UNHCR in Endabaguna and later to one of the four refugee camps in Tigray regional state; or to the parallel infrastructure in Afar regional state.³⁸⁹

3.4. Treatment of persons crossing the border illegally

Pursuant to Proclamation 24/1992 (Article 29(2)), attempts to cross the border illegally or to help others to do so are punishable by a term of imprisonment of up to five years or a fine of up to 10 000 Birr³⁹⁰ (ca. EUR 600) or both.³⁹¹ The provisions of the National Service Proclamation and of the penal code cited in [Chapter 2.7](#), also apply to people who leave the country after deserting or evading the draft. According to Article 37(3) of the National Service Proclamation, records are kept of persons liable to serve in national service ('any citizen [...] knowing that he has the duty of serving in the National Service') who flee the country. If they do not return before their 40th birthday and complete their compulsory service, they may be imprisoned for five years up until their 50th birthday. They also lose the right to work and to own land. In this field, the law does not distinguish between legal and illegal exits.³⁹²

³⁸¹ Local source 5, Tigray regional state, interview, May 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019; Eritrean asylum seeker, Rama (Ethiopia), individual interview, 18 May 2019

³⁸² Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019

³⁸³ Diplomatic source 9, Asmara, interview, July 2019; Civil society source 2, Asmara, interview, July 2019; Mekonnen, D.R., telephone interview, 17 July 2019

³⁸⁴ Eritrea expert, telephone interview, 12 July 2019

³⁸⁵ Eritrea expert, telephone interview, 12 July 2019; Academic expert, email interview, 21 July 2019; Local source 5, Tigray regional state, interview, May 2019

³⁸⁶ Asmara Standard [Twitter], posted on: 19 August 2019, [url](#); Selam Kidane [Twitter], posted on 19 August 2019, [url](#); Eminetti [Twitter], posted on 19 August 2019, [url](#)

³⁸⁷ Local source 5, Tigray regional state, interview, May 2019; SFH, Eritreisch-äthiopisches Grenzgebiet [Eritrean-Ethiopian border area], 08 February 2017, [url](#), pp. 7-8

³⁸⁸ In Depth News, Continuous Influx of Eritrean Refugees Challenges Ethiopia, 22 June 2019, [url](#)

³⁸⁹ UNHCR, Update on renewed influx from Eritrea, 24 September 2018, [url](#); Plaut, M., Understanding Eritrea, 2016/2019, p. 164; Expertise France et al., Eritrea country statement, September 2017, [url](#), p. 7

³⁹⁰ The Eritrean currency nakfa (ERN) was introduced in 1997 with a ratio of 1:1 to the Ethiopian Birr (ETB). The official exchange rate is pegged to the US dollar in the ration 15:1, the black market exchange rate diverges from that.

³⁹¹ Eritrea, Proclamation No. 24/1992 of 1992 issued to regulate the issuing of travel documents, 1 April 1992, [url](#)

³⁹² Eritrea, Proclamation on National Service No. 82/1995, 23 October 1995, [url](#)

De facto, the treatment of persons apprehended when crossing the border is arbitrary and depends on numerous factors, such as:

- the unit or the responsible commander making the arrest;
- the place of the arrest;
- the national service status (deserter, draft evader, exempted/completed, too young);
- for deserters: the unit they belong to;
- the time of the year (i.e. harsher treatment when national holidays are approaching).³⁹³

The arrested person is usually held for some time in a cell at the border area and afterwards brought to prisons such as Barentu, Hashferay (for Gash-Barka), Adi Abeito, or Edaga (for Debub; see map in [Chapter 2.3.2.](#)). There, military and security officers investigate whether the person is a civilian or not. Torture such as beating or tying detainees up in painful positions is common during this investigation. The follow-up depends on their national service status.³⁹⁴ The following categorisation is based on the SEM's assessment of the available information and on statements by the sources mentioned in the footnotes.

- Deserters and draft evaders are treated as described in [Chapter 2.7](#). Due to their attempt to cross the border, the punishment may be more severe. In Assab, according to one source, deserters and draft evaders who are arrested while trying to leave the country illegally are detained for five years, while the commanders of other fronts are more lenient.³⁹⁵
- For deserters from the civilian national service, the ministry for which they are working decides on the treatment. Usually, they spend some time in prison, after which they are either sent to a military unit or, in some cases, returned to their previous assignment.³⁹⁶
- Persons in national service age who have never been summoned or drafted are treated the same as draft evaders, i.e. imprisoned and conscripted afterwards.³⁹⁷ According to one source, illegal exit at this age is considered as absconding from service duty.³⁹⁸ Referring to a prison in Zoba Debub, one source relates that women above 18 years have been released upon payment of a fee.³⁹⁹
- Minors are usually not brought to these prisons for investigation, but rather detained for a couple of weeks in a place close to the border and incidentally beaten or tied up, particularly boys. For their release, family members have to prove that they are not yet 18 years old and in some cases have to sign a guarantee that they will remain in the country or pay a fee.⁴⁰⁰ There are recent reports of minors who – after spending time in prison – were brought to military training centres⁴⁰¹; or to a prison-like boarding school in Nakfa for re-education. At

³⁹³ International organisation 3, Asmara, interview, July 2019; Legal expert, interview, Bern, 18 July 2019; Amnesty International, Amnesty International Report 2017/18, 22 February 2018, [url](#), p. 160

³⁹⁴ Legal expert, interview, Bern, 18 July 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019; Amnesty International, Eritrea: Repression without borders, 27 June 2019, [url](#), p. 7; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), pp. 3, 4, 6; Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), pp. 49, 61-62

³⁹⁵ Legal expert, interview, Bern, 18 July 2019; Local source 5, Tigray regional state, interview, May 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019

³⁹⁶ Legal expert, interview, Bern, 18 July 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019; Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 62

³⁹⁷ Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019; Eritrea expert, telephone interview, 12 July 2019

³⁹⁸ Eritrea expert, telephone interview, 12 July 2019

³⁹⁹ Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019

⁴⁰⁰ Legal expert, interview, Bern, 18 July 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019; Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019; Human Rights Watch, “They Are Making Us into Slaves, Not Educating Us”, August 2019, [url](#), p. 49

⁴⁰¹ Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Amnesty International, Amnesty International Report 2017/18, 22 February 2018, [url](#), p. 160; United States, USDOS, Trafficking in Persons Report 2018, June 2018, [url](#), p.

this school, the teachers are national service teachers who had equally been arrested while trying to leave illegally.⁴⁰²

- No recent information is available on the treatment of persons who had completed their national service duty or had been exempted from it, presumably since many of them were able to leave legally.⁴⁰³

Contrary to the SEM's findings, the Norwegian COI unit Landinfo holds that it is not possible to categorise arrested persons in groups with higher or lower probability for short- or long-term imprisonment.⁴⁰⁴

The information presented above primarily refers to the situation prior to the peace declaration with Ethiopia. Information on the treatment of persons crossing illegally after the closure of the border in December 2018/April 2019 is scarce, mainly due to the fact that the border guards are reluctant to interfere when people are crossing illegally, hence cases of arrest have become rare (see [Chapter 3.3.2.](#)).⁴⁰⁵ The former policy theoretically remains in place, though, and some border guards continue to follow it. According to anecdotal information by some sources, persons caught in the border areas are now often simply sent back to their places of origin.⁴⁰⁶ There have also been reports of persons detained, in which cases the treatment was similar as before peace with Ethiopia, including torture.⁴⁰⁷

The shoot-to-kill order on persons attempting to leave the country illegally, which had been introduced in 2004, has been applied inconsistently and rather rarely for a couple of years.⁴⁰⁸ Sporadic incidents of shootings on persons at the border continue to be reported, even after the peace declaration with Ethiopia.⁴⁰⁹ In these latest cases, it was not clear whether the persons concerned had just accidentally walked into a military area, or if the border guards had shot at them for attempting to cross.⁴¹⁰ There are reports of persons who have been taken back by Eritrean security forces after having crossed into Ethiopia (see [Chapter 4.2.](#)).⁴¹¹

For the treatment of family members of persons arrested at the attempt of border crossing, see [Chapter 2.7.1.](#)

180; Human Rights Concern Eritrea, A Submission on the Initial Report of the Government of Eritrea (1999-2016), 2018, [url](#), p. 60-64; Human Rights Watch, "They Are Making Us into Slaves, Not Educating Us", August 2019, [url](#), pp. 49-50

⁴⁰² Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019

⁴⁰³ Academic expert, email interview, 21 July 2019

⁴⁰⁴ Landinfo, Repons Eritrea: Faktagrunnlag og kildekritikk [Response Eritrea: Fact base and source criticism], 14 January 2019, [url](#), p. 3

⁴⁰⁵ Connell, D., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Horn of Africa expert, email interview, 23 July 2019;

⁴⁰⁶ Diplomatic source 1, Asmara, interview, July 2019; Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019

⁴⁰⁷ Academic expert, email interview, 21 July 2019

⁴⁰⁸ cf. EASO, Eritrea: National service and illegal exit, November 2016, [url](#), pp. 26, 28; SFH, Eritreisch-äthiopisches Grenzgebiet [Eritrean-Ethiopian border area], 08 February 2017, [url](#), p. 22

⁴⁰⁹ Diplomatic source 9, Asmara, interview, July 2019; Local source 5, Tigray regional state, interview, May 2019; UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Eritrea, 25 June 2018, [url](#), para. 61; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 14; Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 37 ; Van Reisen, M. and Mawere, M. (ed.), Human Trafficking and Trauma in the Digital Era, 2017, p. 362

⁴¹⁰ Local source 5, Tigray regional state, interview, May 2019

⁴¹¹ International organisation 4, Asmara, interview, July 2019; Local source 4, Tigray regional state, interview, May 2019

4. Treatment of returnees

As provided by Proclamations 62/1994 and 67/1995, Eritreans residing abroad are liable to pay 2 % of their income as Rehabilitation and Reconstruction Tax ('2 % tax', see [Chapter 4.1.1](#)).⁴¹²

A part of the Eritreans who return to their country have previously broken Eritrean laws – in particular Proclamation 24/1992, which lays down rules governing the entry to and exit from the country, and the National Service Proclamation on account of their desertion or draft evasion. The relevant provisions by these laws are described in [Chapters 2.7](#) and [3.4](#). However, more severe conditions apply for citizens who have absconded abroad compared to deserters and draft evaders apprehended inside Eritrea. According to Article 37(3) of the National Service Proclamation, records are kept of persons liable to serve in national service ('any citizen [...] knowing that he has the duty of serving in the National Service') who flee the country. If they do not return before their 40th birthday and complete their compulsory duty, they may be imprisoned for up to five years until their 50th birthday. They also lose the right to work and to own land. In this field, the law does not distinguish between legal and illegal exits.⁴¹³

De facto, various factors are relevant for the way the Eritrean authorities treat returnees:

- the way of return: voluntarily or forced;
- the way of exit from Eritrea: legal or illegal;
- the year of exit from Eritrea (i.e. before or after independence, the border war with Ethiopia);
- payment of the 2 % tax and signing of Form 4/4.2;
- political activities abroad: none, pro-government, anti-government;
- their national service status prior to their exit from Eritrea;
- duration of stay in Eritrea: short-term visitor or permanent returnee;
- personal contacts in the responsible authorities;
- arbitrariness.⁴¹⁴

This chapter differentiates between voluntary and forced returnees, and between short-term and permanent returnees.

4.1. Voluntary return

4.1.1. Conditions for return

Eritrean representations abroad are reported to set two conditions for giving Eritreans clearance to return and offer other consular services:

All Eritreans residing abroad – regardless whether they have left the country legally or illegally – are obliged to pay 2 % of their income (salary or welfare payments) as Rehabilitation and Reconstruction Tax (RRT), colloquially known as 2 % tax or diaspora tax. The payment of this tax is regulated in

⁴¹² Eritrea, Proclamation No 62/1994, A Proclamation to provide for payment of income tax, 5 October 1994, [url](#); Eritrea, Proclamation No 67/1995, Tax Payment Proclamation, 10 February 1995, [url](#); cf. Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para 70

⁴¹³ Eritrea, Proclamation on National Service No. 82/1995, 23 October 1995, [url](#)

⁴¹⁴ See sources listed in [Chapter 4](#); cf. Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 5; Norway, Landinfo, Respons Eritrea: Utstedelse av utreisetilattelse og ulovlig utreise [Response Eritrea: issuance of exit permit and illegal exit], 15 September 2016, [url](#), p. 6; Sweden, Migrationsverket, Eritrea: Familjemedlemmars kontakt med eritreanska beskickningar i utlandet [Eritrea: Family members' contact with Eritrean representations abroad], 26 April 2018, [url](#), p. 22; Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 63

Proclamations 62/1994 and 67/1995⁴¹⁵; it was initially introduced by Proclamation 17/1991.⁴¹⁶ Eritreans wishing to return have to pay the 2 % tax at the responsible representation for their country of residence. They get a receipt as a proof of payment.⁴¹⁷

Eritreans wishing to return who have not completed national service moreover have to sign Form 4/4.2, which is colloquially known as ‘form of repentance’ or ‘letter of regret’ and bears the title *Immigration and Citizenship Services Request Form*. In that form, they admit to having committed a criminal offence and accept the penalty for it.⁴¹⁸ The English translation of the original text (in Tigrinya) reads: ‘I ... confirm [...] that I regret having committed an offence by not completing the national service and am ready to accept appropriate punishment in due course.’⁴¹⁹ This applies to all Eritreans who have left the country illegally without completing national service; only persons who are exempted from national service or who have fulfilled their service duty are not asked to sign.⁴²⁰

De facto, a further condition applies: Persons wishing to return should have a minimum of loyalty towards the Eritrean government, i.e. not be politically active for the opposition abroad. Snitches in various countries are reported to collect information in this regard.⁴²¹

4.1.2. Follow-up upon arrival

Upon arrival at Asmara International Airport, the Eritrean immigration authorities usually screen and profile returning Eritreans. The screening includes checks on which Eritrean and foreign identity documents they have, if they have paid the 2 % tax and – if applicable – signed the Form 4/4.2. Sometimes, the officers have information on searched returnees. However, these procedures are inconsistent.⁴²² When travelling with an Eritrean passport, the immigration authorities can easily spot a person who has previously left the country illegally, since such a person lacks an exit stamp in the passport.⁴²³ If the authorities are suspicious of a person, interrogations may follow. Possible reasons are incomplete documents (such as lacking an Eritrean ID card) or non-payment of the 2 % tax.⁴²⁴

Some persons are arrested and brought to a police station or prison in downtown Asmara. According to some sources, this can happen if a returnee has not signed the Form 4/4.2 despite being required to do so. Also anti-government political activities abroad can have this consequence, as snitches in the diaspora countries are reportedly informing the authorities in Eritrea about such activities.⁴²⁵

⁴¹⁵ Eritrea, Proclamation No 62/1994, A Proclamation to provide for payment of income tax, 5 October 1994, [url](#); Eritrea, Proclamation No 67/1995, Tax Payment Proclamation, 10 February 1995, [url](#); cf. Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para 70

⁴¹⁶ Eritrea, Proclamation No 17/1991, Proclamation issued for the collection of a rehabilitation tax, [1991], [url](#)

⁴¹⁷ Eritrea expert, telephone interview, 12 July 2019; Connell, D., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 64; Bertelsmann Stiftung, Eritrea – National Service, Forced Labor and Mass Exodus, 2017, p. 235; Stauffer, H.-U., Eritrea: Der zweite Blick, 2017, p. 210; United States, USDOS, Country Reports on Human Rights Practices for 2018 – Eritrea, 13 March 2019, [url](#), p. 15

⁴¹⁸ Legal expert, interview, Bern, 18 July 2019; Sweden, Migrationsverket, Eritrea: Familjemedlemmars kontakt med eritreanska beskickningar i utlandet [Eritrea: Family members’ contact with Eritrean representations abroad], 26 April 2018, [url](#), p. 22; Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 63, 64; Bertelsmann Stiftung, Eritrea – National Service, Forced Labor and Mass Exodus, 2017, p. 234

⁴¹⁹ United Nations Security Council, Letter dated 11 July 2012 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council, 13 July 2012, [url](#), pp. 62-64

⁴²⁰ Academic expert, email interview, 21 July 2019; Horn of Africa expert, email interview, 23 July 2019

⁴²¹ Legal expert, interview, Bern, 18 July 2019; Plaut, M., Understanding Eritrea, 2016/2019, pp. 187-190

⁴²² International organisation 3, Asmara, interview, July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Connell, D., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019

⁴²³ Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 5

⁴²⁴ Mekonnen, D.R., telephone interview, 17 July 2019

⁴²⁵ Mekonnen, D.R., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Plaut, M., Understanding Eritrea, 2016/2019, pp. 187-190

4.1.3. 'Diaspora status'

Eritreans residing abroad are eligible to obtain a preferential status often referred to as 'diaspora status' from the Department for Immigration and Nationality. This status gives access to privileges: Holders are exempt from compulsory national service and – contrary to the provisions of Proclamation 24/1992 – may leave Eritrea again without an exit visa.⁴²⁶ On the other side, holders do not have access to government services meant for residents such as food coupons, or the right to buy and sell land.⁴²⁷

In order to obtain the 'diaspora status', Eritreans have to file in the following documents:

- proof of payment of 2 % tax;
- proof of signing Form 4/4.2 (if applicable);
- Eritrean ID card;
- an international travel document such as a passport or a 1954 Convention travel document;
- supporting letter from the responsible Eritrean representation abroad that proves that they have lived outside Eritrea for more than three years.⁴²⁸

The Department of Immigration and Nationality then issues a computer printout titled *Residence Clearance Form*. SEM has knowledge of such documents issued between 2014 and 2018 with similar layouts.⁴²⁹

S No	Document Required	Document Presented	Ref Date
1	National ID		2018-
2	B4/4.2 Ref No		2018-
3	Document Reference		2018-

Image 1: Residence Clearance Form issued in 2018 in Asmara, © State Secretariat for Migration SEM

The 'diaspora status' is primarily meant for Eritreans residing abroad and visiting Eritrea for short terms.⁴³⁰ According to information given by officials of the competent authority in 2016, it may also be obtained by persons who plan to resettle in Eritrea. According to the officials, applicants must have paid the 2 % tax, signed the Form 4/4.2 and have resided abroad for at least three years.⁴³¹ Independent sources add that informally, further conditions apply, such as unquestionable political

⁴²⁶ EASO, Eritrea: National service and illegal exit, November 2016, [url](#), p. 30; International organisation 3, Asmara, interview, July 2019

⁴²⁷ Yemane Gebremeskel, Minister of Information, Asmara, interview, 2 July 2019; Academic expert with Eritrean origin A, email, 10 December 2018

⁴²⁸ EASO, Eritrea: National service and illegal exit, November 2016, [url](#), p. 29-30; Strategic Initiative for Women in the Horn of Africa, A Report to the Commission of Inquiry on Human Rights in Eritrea, May 2015, [url](#), p. 11; Eritrea, Department of Immigration and Nationality, Residence Clearance Form, issued in 2018 [scan shown above]

⁴²⁹ Strategic Initiative for Women in the Horn of Africa, A Report to the Commission of Inquiry on Human Rights in Eritrea, May 2015, [url](#), p. 11; EASO, Eritrea: National service and illegal exit, November 2016, [url](#), p. 30; Eritrea, Department of Immigration and Nationality, Residence Clearance Form, issued in 2018

⁴³⁰ Sweden, Migrationsverket, Landrapport Eritrea (version 1.0) [Country report Eritrea (version 1.0)], 15 December 2015, [url](#), p. 21; SFH, Eritrea: Reflexverfolgung, Rückkehr und "Diaspora-Steuer" [Eritrea: Persecution of family members, return, and 'diaspora tax', 30 September 2018, [url](#), p. 10

⁴³¹ EASO, Eritrea: National service and illegal exit, November 2016, [url](#), p. 30

loyalty. Applicants who engaged in opposition activities abroad are not likely to obtain the status.⁴³² Two sources note that applicants need a valid residence permit or foreign citizenship abroad.⁴³³ According to two sources, most of those who benefit from the ‘diaspora status’ had left Eritrea before 2001.⁴³⁴ However, in 2016, SEM has been shown a Residence Status Forms issued to a person who had left Eritrea after 2001 and who held no residence permit abroad.⁴³⁵

Information about the term of validity of the ‘diaspora status’ and the Residence Clearance Form is contradictory. In 2016, officials stated a validity of three years.⁴³⁶ Independent sources named five or ten years, respectively.⁴³⁷ SEM has knowledge of a Residence Clearance Form issued in 2018 that has a term of validity of eight years (see photo above).⁴³⁸ The ‘diaspora status’ and Residence Clearance Form however do not authorize to stay uninterruptedly for its whole term of validity. Most sources contacted by the SEM as well as some publications mention that the permitted uninterrupted stay was limited either to six months⁴³⁹ or one year.⁴⁴⁰ One source reported that an uninterrupted stay of two years was possible.⁴⁴¹ One source relates that persons working in the Gulf States were permitted an uninterrupted stay of six months, while others could stay twelve months.⁴⁴² In 2016, the Department for Immigration and Nationality had communicated that an uninterrupted stay for the full three years of validity was permitted.⁴⁴³

All sources agree that persons who stay longer than the term granted for permanent stay are considered Eritrean residents again, losing the privileges of the ‘diaspora status’.⁴⁴⁴ Their treatment is described in [Chapter 4.1.5](#).

4.1.4. Return as a visitor

According to official figures, an average of 95 000 Eritreans living abroad travel to Eritrea yearly. This includes Eritreans who are residing abroad for decades and who have obtained other citizenships.⁴⁴⁵ International sources quote similar numbers⁴⁴⁶, but both sources are not verifiable. Visitors usually meet the requirements set by the authorities (payment of 2 % tax, signing Form 4/4.2) and are

⁴³² Mekonnen, SFH, Eritrea: Reflexverfolgung, Rückkehr und “Diaspora-Steuer” [Eritrea: Persecution of family members, return, and ‘diaspora tax’], 30 September 2018, [url](#), p. 10;

⁴³³ Sweden, Migrationsverket, Landrapport Eritrea (version 1.0) [Country report Eritrea (version 1.0)], 15 December 2015, [url](#), p. 21; Eritrea: Reflexverfolgung, Rückkehr und “Diaspora-Steuer” [Eritrea: Persecution of family members, return, and ‘diaspora tax’], 30 September 2018, [url](#), p. 10

⁴³⁴ SFH, Eritrea: Reflexverfolgung, Rückkehr und “Diaspora-Steuer” [Eritrea: Persecution of family members, return, and ‘diaspora tax’], 30 September 2018, [url](#), p. 10; Mekonnen, D.R., email, 18 March 2019

⁴³⁵ Returnees from Israel and Yemen, Asmara, interview, 2 March 2016

⁴³⁶ EASO, Eritrea: National service and illegal exit, November 2016, [url](#), p. 30

⁴³⁷ Legal expert, interview, Bern, 18 July 2019; Academic expert, email interview, 21 July 2019

⁴³⁸ Eritrea, Department of Immigration and Nationality, Residence Clearance Form, issued in 2018

⁴³⁹ Eritrea expert, telephone interview, 12 July 2019; Former resident of Asmara, email, 11 September 2018; Academic expert with Eritrean origin A, email, 10 December 2018; Academic expert with Eritrean origin D, email, 21 December 2018

⁴⁴⁰ Mekonnen, D.R., email, 18 March 2019; Former resident of Asmara, email, 11 September 2018; Academic expert with Eritrean origin B, email, 11 December 2018; Academic expert with Eritrean origin C, email, 13 December 2018; Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 63; Norway, Landinfo, Report Eritrea: Reactions towards returned asylum seekers, 27 April 2016, [url](#), p. 4

⁴⁴¹ Mekonnen, D.R., telephone interview, 17 July 2019

⁴⁴² SFH, Eritrea: Reflexverfolgung, Rückkehr und “Diaspora-Steuer” [Eritrea: Persecution of family members, return, and ‘diaspora tax’], 30 September 2018, [url](#), p. 10

⁴⁴³ EASO, Eritrea: National service and illegal exit, November 2016, [url](#), p. 30

⁴⁴⁴ EASO, Eritrea: National service and illegal exit, November 2016, [url](#), p. 30; Eritrea expert, telephone interview, 12 July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Academic expert, email interview, 21 July 2019; Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 02 April 2019, [url](#), p. 5; SFH, Eritrea: Reflexverfolgung, Rückkehr und “Diaspora-Steuer” [Eritrea: Persecution of family members, return, and ‘diaspora tax’], 30 September 2018, [url](#), pp. 9-11

⁴⁴⁵ Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 278

⁴⁴⁶ Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 64; Australia, DFAT, DFAT country information report Eritrea, 08 February 2017, [url](#), p. 29

therefore able to visit Eritrea temporarily. The Eritrean authorities say that although the signing of Form 4/4.2 is an admission of guilt, the punishment is *de facto* waived.⁴⁴⁷ The contacted sources generally confirm this policy; short-term visits of diaspora members to Eritrea under these terms are usually unproblematic.⁴⁴⁸

Meeting these conditions is, however, no guarantee against persecution.⁴⁴⁹ Some sources mentioned isolated events of visitors who were detained for reasons such as not signing the Form 4/4.2 or activities abroad which were perceived as anti-government⁴⁵⁰; and who were conscripted into national service or the People's Army.⁴⁵¹

4.1.5. Permanent return

In the recent years, Eritreans have returned to Eritrea on a more permanent base from several European countries, Israel, Saudi Arabia, Libya, Egypt and other countries. Returnees from Europe⁴⁵² and Israel⁴⁵³ include rejected asylum seekers and voluntary returnees. Returnees from Saudi Arabia and the Gulf States are mostly persons whose work permit had expired.⁴⁵⁴ In the first months of 2019, 68 Eritreans were reported to have returned from Libya because of the civil war and the precarious situation in the migrants' camps.⁴⁵⁵

The Eritrean government reported in 2018 that between 2013 and 2015 a total of 9 971 persons had returned to Eritrea and reintegrated into 'normal daily life'.⁴⁵⁶ The Eritrean government stated repeatedly that migrants can come back from abroad and will face no problems.⁴⁵⁷ Yemane Gebremeskel, the Minister of Information, stated that there would not be a general clemency, as this would motivate others to do the same illicit acts. In practice, however, clemency would be granted in many cases, while others had to undergo 'some kind of rehabilitation which is very lenient'.⁴⁵⁸

Most sources contacted by SEM had no recent information on the actual treatment of such returnees; their monitoring is not possible even for international organisations.⁴⁵⁹ Some sources had knowledge

⁴⁴⁷ EASO, Eritrea: National service and illegal exit, November 2016, [url](#), p. 29; Australia, DFAT, DFAT country information report Eritrea, 08 February 2017, [url](#), p. 29; Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 63

⁴⁴⁸ Eritrea expert, telephone interview, 12 July 2019; Legal expert, interview, Bern, 18 July 2019; Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 64; cf. EASO, Eritrea: National service and illegal exit, November 2016, [url](#), pp. 32-33

⁴⁴⁹ Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 63; Sweden, Migrationsverket, Eritrea: Familjemedlemmars kontakt med eritreanska beskickningar i utlandet [Eritrea: Family members' contact with Eritrean representations abroad], 26 April 2018, [url](#), p. 22

⁴⁵⁰ Mekonnen, D.R., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019

⁴⁵¹ Legal expert, interview, Bern, 18 July 2019, Former resident of Asmara, email, 11 September 2018

⁴⁵² Neue Zürcher Zeitung, Die Schweiz weist immer mehr Eritreer weg [Switzerland sends more and more Eritreans away], 13 May 2019, [url](#); Diplomatic source 1, Asmara, interview, July 2019

⁴⁵³ According to data of the Israeli Ministry of Interior, 2 318 Eritreans have returned voluntarily from Israel to Eritrea between January 2015 and the end of May 2018; Source: UNHCR Israel, email, 14 August 2019; cf. United Kingdom, Home Office, Home Office's Fact-Finding Mission to Eritrea, 7-20 February 2016, 7 August 2019, [url](#), para. 11.7.10; Haaretz, 5,667 African Refugees Who Left Israel Returned to Home Countries, 20 August 2015, [url](#).

⁴⁵⁴ Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 64

⁴⁵⁵ AfricaNews, Eritrea wants citizens home from Libya, summons UNHCR top official, 1 May 2019, [url](#)

⁴⁵⁶ Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 283

⁴⁵⁷ Eritrea, MoFA, Eritrea: Initial National Report (1999-2016), 28 March 2017, para. 283; New Humanitarian (The), Amid border wrangles, Eritreans wrestle with staying or going, 30 April 2019, [url](#); Deutsche Welle, Eritrea's Foreign Minister Osman Saleh Mohammed says Eritreans are welcome home, 28 August 2018, [url](#); EASO, Eritrea: National service and illegal exit, November 2016, [url](#), p. 29

⁴⁵⁸ Yemane Gebremeskel, Minister of Information, Asmara, interview, 2 July 2019; cf. Shabait, UNHCR Eligibility Guidelines: Factual Findings or Recycled Defamation? 17 December 2015, [url](#)

⁴⁵⁹ Diplomatic source 4, Asmara, interview, July 2019; Diplomatic source 3, Asmara, interview, July 2019; Diplomatic source 7, Asmara, interview, July 2019; International organisation 3, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Academic expert, email interview, 21 July 2019; Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 62-64; Plaut, M.,

of returnees who had successfully reintegrated into society. They were mostly pro-government and belonged to the older generation of migrants.⁴⁶⁰

In 2015 and 2016, the Eritrean authorities arranged meetings of voluntary returnees with European delegations and other visitors. The returnees had left Eritrea illegally and spent time in Israel, Sudan, and Yemen. They said they had paid the 2 % tax and signed the Form 4/4.2 prior to their return. The returnees claimed having not encountered any problems and being treated well. Government officials were present during these meetings; such statements are hence to be treated cautiously.⁴⁶¹ Some sources share the view that returnees who previously fulfilled the return conditions and registered for ‘diaspora status’ are upon return initially treated the same as visitors from the diaspora (see [Chapter 4.1.4.](#)).⁴⁶² Purportedly they get a ‘probation time’ before being summoned into national service⁴⁶³, or do not encounter major problems as long as they had made an ‘arrangement’ prior to returning and do not expose themselves too much.⁴⁶⁴ After a certain period spent permanently in Eritrea – most sources mention six to twelve months, see [Chapter 4.1.3.](#) – their preferential treatment or ‘diaspora status’ expires and they are treated like normal Eritrean residents again, liable to national service duty.⁴⁶⁵ Some returnees are reported to having left again to Ethiopia or Sudan.⁴⁶⁶

Returnees who are again considered residents and who have not fulfilled yet their national service duty can be summoned again into national service or People’s Army and eventually be punished for desertion, draft evasion or illegal exit.⁴⁶⁷ Whether they are effectively summoned or not is up to the discretion of the authorities⁴⁶⁸; cases of summons are however reported.⁴⁶⁹ One source reports that even prior to the expiry of the diaspora status, they may be caught in *giffas*.⁴⁷⁰ Another source has anecdotal knowledge of cases of returnees from Libya, Egypt and other countries who have been detained shortly after arrival. Reportedly, they were interrogated and tortured in prison and later sent to a military unit; a part of them fled the country again. The source indicates that a part of these cases had paid the 2 % tax and signed the Form 4/4.2 before returning. They had been treated somewhat better, but were still put into detention followed by military service.⁴⁷¹ Other sources share the view

Understanding Eritrea, 2016/2019, p. 185; Deutsche Welle, Eritrea's Foreign Minister Osman Saleh Mohammed says Eritreans are welcome home, 25 August 2018, [url](#)

⁴⁶⁰ Diplomatic source 1, Asmara, interview, July 2019; Horn of Africa expert, email interview, 23 July 2019.

⁴⁶¹ EASO, Eritrea: National service and illegal exit, November 2016, [url](#), pp. 30-31; United Kingdom, Home Office, Home Office’s Fact-Finding Mission to Eritrea, 7-20 February 2016, 7 August 2019, pp. 214-222, 228-241, [url](#); Stauffer, H.-U., Eritrea: Der zweite Blick, 2017, pp. 210-211

⁴⁶² Eritrea expert, telephone interview, 12 July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Former resident of Asmara, email, 11 September 2018

⁴⁶³ Connell, D., telephone interview, 17 July 2019

⁴⁶⁴ Eritrea expert, telephone interview, 12 July 2019

⁴⁶⁵ Mekonnen, D.R., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Academic expert with Eritrean origin D, email, 21 December 2018; Former resident of Asmara, email, 11 September 2018; SFH, Eritrea: Reflexverfolgung, Rückkehr und “Diaspora-Steuer” [Eritrea: Persecution of family members, return, and ‘diaspora tax’], 30 September 2018, [url](#), p. 9

⁴⁶⁶ Diplomatic source 3, Asmara, interview, July 2019; Yemane Gebremeskel, Minister of Information, Asmara, interview, 2 July 2019; Connell, D., telephone interview, 17 July 2019; Academic expert, email interview, 21 July 2019; Horn of Africa expert, email interview, 23 July 2019

⁴⁶⁷ Eritrea expert, telephone interview, 12 July 2019; Mekonnen, D.R., telephone interview, 17 July 2019; Legal expert, interview, Bern, 18 July 2019; Academic expert, email interview, 21 July 2019; Former resident of Asmara, email, 11 September 2018; SFH, Eritrea: Reflexverfolgung, Rückkehr und “Diaspora-Steuer” [Eritrea: Persecution of family members, return, and ‘diaspora tax’], 30 September 2018, [url](#), p. 11

⁴⁶⁸ Eritrea expert, telephone interview, 12 July 2019

⁴⁶⁹ Former resident of Asmara, email, 11 September 2018

⁴⁷⁰ Legal expert, interview, Bern, 18 July 2019

⁴⁷¹ Horn of Africa expert, email interview, 23 July 2019;

that such scenarios are possible.⁴⁷² One source states that ‘according to rumours, some are detained and others not.’⁴⁷³ In most cases, however, there is no information whatsoever (see above).

In a survey among 153 Eritreans in refugee camps in Ethiopia who had left Eritrea between 1998 and 2016, 96 % of the male and 97 % of the female respondents perceived returning to Eritrea to constitute a considerable threat to themselves and/or their families. 80 % of the respondents claimed that they would be in danger of arrest and detention as they had left Eritrea illegally.⁴⁷⁴

4.1.6. Return from Ethiopia

A special category of returnees are the Eritreans who left their country temporarily when the border to Ethiopia was open and mostly unregulated (see [Chapter 3.2.3.](#)) and returned home either during that period or afterwards. They left Eritrea unhindered, but had no exit stamp, exit visa or any other proof of legal exit as provided by Regulation 4/1992⁴⁷⁵, which formally continues to be applied. Also, those who decided to return were reportedly neither checked nor registered. Sources report that many of those who returned to Eritrea after a couple of days or weeks in Ethiopia encountered no problems, because their stay in Ethiopia had not been explicitly known to the Eritrean authorities.⁴⁷⁶

Among those travelling back and forth were also members of national service. Since there was no proper control at the border, they were generally not detected upon return to Eritrea.⁴⁷⁷ However, depending on the assignment within national service, time limits for the stay in Ethiopia applied informally.⁴⁷⁸ It was hence possible that their commander or ministry detected absences for overly long time frames or considered those not returning as deserters. One source reports that some teachers who had left to Ethiopia and eventually returned were first put in prison because of absconding. Due to the shortage of teaching staff, however, they were released after payment of a penalty and reinstated in their previous positions.⁴⁷⁹ Some incidents of forced returns from Ethiopia have also been reported. It is not known what happened to these returnees.⁴⁸⁰ Many national service members who had crossed the border opted to stay in Ethiopia.⁴⁸¹ Three sources assessed that there would probably be repercussions against such returnees.⁴⁸²

Sources reported that return to Eritrea was possible and unproblematic also after the border closure, even at the official entry points.⁴⁸³ One source however said that in some incidents, returnees have been mistreated by border guards.⁴⁸⁴ Furthermore, persons who wanted to return from Ethiopia either did not dare or had to pay fines.⁴⁸⁵ At the Omhajer/Humera crossing, minors were reported to

⁴⁷² Norway, Landinfo, Eritrea: Utreise [Eritrea: exit], 2 April 2019, [url](#), p. 5; SFH, Eritrea: Reflexverfolgung, Rückkehr und “Diaspora-Steuer” [Eritrea: Persecution of family members, return, and ‘diaspora tax’], 30 September 2018, [url](#), pp. 11-12; International organisation 3, Asmara, interview, July 2019; Academic expert, email interview, 21 July 2019

⁴⁷³ Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 62

⁴⁷⁴ Røsberg, A.H. and Tronvoll, K., Migrants or Refugees? ILPI, 14 February 2017, [url](#), p. 92

⁴⁷⁵ Eritrea, Regulation No 4/1992 on Travel Documents and Immigration, 15 July 1992, [url](#)

⁴⁷⁶ Mekonnen, D.R., telephone interview, 17 July 2019; Connell, D., telephone interview, 17 July 2019; Local source 1, Tigray regional state (Ethiopia), interview, May 2019; Civil society source 3, Asmara, interview, July 2019

⁴⁷⁷ Mekonnen, D.R., telephone interview, 17 July 2019; Connell, D., telephone interview, 17 July 2019

⁴⁷⁸ International organisation 4, Asmara, interview, July 2019; Horn of Africa expert, email interview, 23 July 2019

⁴⁷⁹ International organisation 4, Asmara, interview, July 2019; cf. UN Human Rights Council, Advance Version, Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea, 5 June 2015, [url](#), para. 1243

⁴⁸⁰ International organisation 4, Asmara, interview, July 2019; Local source 4, Tigray regional state, interview, May 2019

⁴⁸¹ Diplomatic source 9, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019;

⁴⁸² Diplomatic source 9, Asmara, interview, July 2019; Eritrea expert, telephone interview, 12 July 2019; Local source 1, Tigray regional state (Ethiopia), interview, May 2019

⁴⁸³ Diplomatic source 9, Asmara, interview, July 2019; Civil society source 2, Asmara, interview, July 2019; Mekonnen, D.R., telephone interview, 17 July 2019

⁴⁸⁴ Academic expert, email interview, 21 July 2019

⁴⁸⁵ Academic expert, email interview, 21 July 2019; Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019

stay on the Ethiopian side because they did not dare to return as they had left Eritrea without the necessary permission.⁴⁸⁶

4.2. Forced return

The Eritrean government opposes any forced return of its citizens.⁴⁸⁷ However, a Ministry of Foreign Affairs official told a delegation from the United Kingdom in 2016 that their policy was ‘to prefer voluntary returns. But if a host country decides to repatriate them by force, we will accept them. But we should negotiate this first.’⁴⁸⁸ Eritrea’s President Isaias Afewerki has criticised the countries, which send migrants back to Eritrea, for not supporting the returnees adequately. Isaias mentioned Israel’s policy of giving deportees USD 3 500 and said USD 50 000 would be more appropriate.⁴⁸⁹

Sporadic incidents of forced returns to Eritrea are recorded, mostly across the land borders. Between 2016 and 2019, they occurred rather seldomly. Forced returns prior to 2016 have been covered in EASO’s report *National service and illegal migration* ([Chapter 3.4](#)).⁴⁹⁰ SEM has knowledge of the following incidents:

- Most incidents of deportations to Eritrea are still known from **Sudan**. Multiple forced returns across the land border at Talatasher between Kassala and Tesseney were reported in 2016 and 2017: According to a number of sources, several hundred Eritrean migrants were repatriated from Sudan in 2016 alone.⁴⁹¹ In early 2017, another 115 Eritreans and Ethiopians were reportedly deported across the land border.⁴⁹² After the border closure in January 2018, no further incidents are documented.⁴⁹³
- One source reported in early 2017 that **Egypt** had deported 25 Eritreans to their home country. The source reported no further details.⁴⁹⁴
- Two interlocutors reported that during the time the Eritrean-**Ethiopian** border was open, Eritrean soldiers went into Northern Ethiopia in search of absconded national service members. Some of them allegedly were taken back, while others remained in Ethiopia. The Ethiopian authorities were not reported to be actively involved in these incidents.⁴⁹⁵
- On 6 June 2019, **France** deported an Eritrean woman by air via Istanbul, escorted by French policemen. The woman had been arrested in possession of counterfeit ID documents.⁴⁹⁶ The

⁴⁸⁶ NZZ (Neue Zürcher Zeitung), Flucht aus dem Kasernenstaat [flight from the garrison state], 20 February 2019, [url](#)

⁴⁸⁷ Eritrea, Ministry of Foreign Affairs, Asmara, interview, 2 July 2019; Netherlands, MoFA, Algemeen Ambtsbericht Eritrea [General official report Eritrea], 21 June 2018, p. 65; New York Times, Trump Administration Punishes Countries That Refuse to Take Back Deported Citizens, 13 September 2017, [url](#); Neue Zürcher Zeitung, Die Schweiz will Eritreer wegweisen, aber ein Abkommen zur Rückübernahme bleibt unrealistisch [Switzerland wants to send Eritreans away, but a readmission agreement remains unrealistic], 5 April 2018, [url](#); Amnesty International, Rückführungen nach Eritrea nicht möglich [repatriations to Eritrea not possible], 3 September 2018, [url](#)

⁴⁸⁸ United Kingdom, Home Office, Home Office’s Fact-Finding Mission to Eritrea, 7-20 February 2016, 7 August 2019, [url](#), para. 11.7.21

⁴⁸⁹ Shabait, Interview with President Isaias Afwerki: Domestic Issues, 31 January 2018, [url](#)

⁴⁹⁰ EASO, Eritrea: National service and illegal exit, November 2016, [url](#), p. 36

⁴⁹¹ Human Rights Watch, World Report 2017: Events of 2016, 12 January 2017, [url](#), p. 249; Amnesty International, Amnesty International Report 2017/18, 22 February 2018, [url](#), p. 159; Van Reisen, M. and Mawere, M. (ed.), Human Trafficking and Trauma in the Digital Era, 2017, pp. 142-146; Africa Monitors, Sudanese Government Sends the Janjaweed Against Eritrean Refugees, 29 August 2016, [url](#)

⁴⁹² Africa Monitors, Sudanese Authorities deport 115 Eritreans and Ethiopians Migrant, 1 March 2017, [url](#); cf. Plaut, M., Understanding Eritrea, 2016/2019, p. 161

⁴⁹³ Legal expert, interview, Bern, 18 July 2019; Horn of Africa expert, email interview, 23 July 2019

⁴⁹⁴ Africa Monitors, Egypt: deportation of migrants to Eritrea, 25 February 2017, [url](#)

⁴⁹⁵ International organisation 4, Asmara, interview, July 2019; Local source 4, Tigray regional state, interview, May 2019

⁴⁹⁶ RFI (Radio France Internationale), France: une femme expulsée en Érythrée, un des pays les plus répressifs au monde [France : one woman deported to Eritrea, one of the most repressive countries in the world], 12 June 2019, [url](#); Le Figaro, La France expulse une Érythréenne vers son pays, une «première» selon la Cimade, 12 June 2019, [url](#); La Cimade, La France expulse vers l’Érythrée, 12 June 2019, [url](#)

French NGO *La Cimade* reported that she had applied for asylum after being arrested, which had been rejected.⁴⁹⁷ A media report states that she did not speak English well and her first indications suggested that she had no fear in case of return.⁴⁹⁸

The United States announced in September 2017 the repatriation of 700 Eritreans.⁴⁹⁹ At the same time, the U.S. government complained that Eritrea refused to take back deported citizens.⁵⁰⁰ Nevertheless, the U.S. authorities reported to have ‘removed’ 41 Eritreans in 2017 and 62 in 2018.⁵⁰¹ These statistics do not show the destination country of the deportations; at least a part of the Eritreans were removed to third countries.⁵⁰² In some cases, they were deported to Cairo airport and handed over to the Egyptian police. In June 2018, an Eritrean deportee committed suicide in a cell at Cairo airport.⁵⁰³ As of August 2019, discussions continue between the United States and Eritrea on means for returning nationals to their country of origin.⁵⁰⁴ The SEM and a consulted U.S. non-governmental organisation have no knowledge of reports on any direct removals of Eritreans from the United States to Eritrea.⁵⁰⁵

Information about the treatment of the deported persons is scarce. Forced returnees usually have no opportunity to pay the 2 % tax and sign Form 4/4.2 and to thereby ensure a more lenient treatment.⁵⁰⁶ SEM observed that the fate of most deported persons upon arrival in Eritrea is unknown and undocumented. Information is available only regarding persons repatriated across the land borders from Sudan, and it is anecdotal. The available accounts describe that after arrival in Eritrea, most returnees were put in an underground prison near Tesseney, where the authorities screened and profiled them. Torture is reported from this prison.⁵⁰⁷ According to the accounts of deportees from Sudan who have left Eritrea again and sources who have been in touch with them, the follow-up depended on the profile:

- Persons who had not been conscripted yet were sent to military training e.g. in Afabet and later deployed to military units.
- Persons who had already been in military were sent to other prisons such as Hashferay or Adi Abeito.
- Younger children were released to their families.

⁴⁹⁷ La Cimade, *La France expulse vers l'Érythrée*, 12 June 2019, [url](#) ; Le Figaro, *La France expulse une Érythréenne vers son pays, une «première» selon la Cimade*, 12 June 2019, [url](#)

⁴⁹⁸ RFI (Radio France Internationale), *France: une femme expulsée en Érythrée, un des pays les plus répressifs au monde [France : one woman deported to Eritrea, one of the most repressive countries in the world]*, 12 June 2019, [url](#)

⁴⁹⁹ United States, U.S. Department of Homeland Security, *DHS Announces Implementation of Visa Sanctions on Four Countries*, 13 September 2017, [url](#); Human Rights Watch, *World Report 2019: Events of 2018*, 17 January 2019, [url](#), p. 4; UN Human Rights Council, *Report of the Special Rapporteur on the situation of human rights in Eritrea*, 25 June 2018, [url](#), para. 102; ABC News, *US deporting more and more people to Eritrea - a country it says tortures and kills its citizens*, 10 May 2019, [url](#)

⁵⁰⁰ United States, U.S. Department of Homeland Security, *DHS Announces Implementation of Visa Sanctions on Four Countries*, 13 September 2017, [url](#); New York Times, *Trump Administration Punishes Countries That Refuse to Take Back Deported Citizens*, 13 September 2017, [url](#)

⁵⁰¹ United States, ICE, *Fiscal Year 2018 ICE Enforcement and Removal Operations Report*, 2019, [url](#), p. 18

⁵⁰² NGO, USA, email, 16 August 2019

⁵⁰³ USNews, *Eritrean US Detainee Kills Himself at Egyptian Airport*, 9 June 2018, [url](#); Human Rights Watch, *World Report 2019: Events of 2018*, 17 January 2019, [url](#), p. 4; ABC News, *US deporting more and more people to Eritrea - a country it says tortures and kills its citizens*, 10 May 2019, [url](#)

⁵⁰⁴ USA, government official, email, 19 August 2019

⁵⁰⁵ NGO, USA, email, 16 August 2019

⁵⁰⁶ EASO, *Eritrea: National service and illegal exit*, November 2016, [url](#), pp. 36-37; SFH, *Eritrea: Reflexverfolgung, Rückkehr und "Diaspora-Steuer"* [Eritrea: Persecution of family members, return, and 'diaspora tax'], 30 September 2018, [url](#), p. 11

⁵⁰⁷ Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019; Van Reisen, M. and Mawere, M. (ed.), *Human Trafficking and Trauma in the Digital Era*, 2017, p. 146; cf. UN Human Rights Council, *Advance Version, Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea*, 5 June 2015, [url](#), para. 814, 1015, 1050, 1059, 1065

- Elderly were sent to the military or enlisted in the People's Army.⁵⁰⁸

Due to the small number of forced returns to Eritrea, the information on the treatment of the forced returnees from Sudan is based on a small sample of anecdotal information. However, these observations are generally in line with SEM's findings published in 2016.⁵⁰⁹

⁵⁰⁸ Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019; Local source 2, Tigray regional state (Ethiopia), interview, May 2019; Van Reisen, M. and Mawere, M. (ed.), *Human Trafficking and Trauma in the Digital Era*, 2017, p. 146; cf. UN Human Rights Council, Detailed findings of the Commission of Inquiry on Human Rights in Eritrea, A/HRC/32/CRP.1, 8 June 2016, [url](#), para. 98

⁵⁰⁹ EASO, Eritrea: National service and illegal exit, November 2016, [url](#), p. 36

Annex 1: Bibliography

Oral sources, including anonymous sources

Most oral sources asked to remain anonymous due to different concerns such as security or access to Eritrea and its authorities. Due to the very small number of potential sources, it has not been possible to describe them in more detail than presented below, as this could reveal their identity.

Academic expert with Eritrean origin A, email, 10 December 2018. Academic expert A is a researcher in the field of migration.

Academic expert with Eritrean origin B, email, 11 December 2018. Academic expert B lives in Europe and travels occasionally to Eritrea.

Academic expert with Eritrean origin C, email, 13 December 2018.

Academic expert with Eritrean origin D, email, 21 December 2018. Academic expert D has regular professional contact with newly arrived Eritrean migrants.

Academic expert, email interview, 21 July 2019

Academic source, Zoba Anseba, interview, March 2016

Civil society source 1, Asmara, interview, July 2019

Civil society source 2, Asmara, interview, July 2019

Civil society source 3, Asmara, interview, July 2019

Connell, D., telephone interview, 17 July 2019. Dan Connell is a Visiting Scholar at Boston University's African Studies Center and a retired senior lecturer in journalism and African politics at Simmons College. His work focuses mainly on Eritrea.

Diplomatic source 1, Asmara, interview, July 2019. Diplomatic sources are representatives of foreign embassies to Eritrea, based in Asmara or neighbouring countries, which the SEM has interviewed during the technical visit in July 2019.

Diplomatic source 2, Asmara, interview, July 2019

Diplomatic source 3, Asmara, interview, July 2019

Diplomatic source 4, Asmara, interview, July 2019

Diplomatic source 5, Asmara, interview, July 2019

Diplomatic source 6, Asmara, interview, July 2019

Diplomatic source 7, Asmara, interview, July 2019

Diplomatic source 8, Asmara, interview, July 2019

Diplomatic source 9, Asmara, interview, July 2019

Eritrea expert, telephone interview, 12 July 2019

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Eritrean asylum seekers, Rama (Ethiopia), group interview, 18 May 2019. This is a group of seven Eritreans who arrived to Ethiopia in May 2019. They were interviewed by the SEM during the technical visit in May 2019.

Eritrean asylum seeker, Rama (Ethiopia), individual interview, 18 May 2019. The SEM conducted two individual interviews with participants of the group interview mentioned above.

Eritrean refugees, Addis Ababa, individual interviews, 21 May 2019. The SEM has interviewed individually a group of seven Eritreans who have left Eritrea between 2017 and 2019 and settled in Addis Ababa during the technical visit in May 2019.

Eritrean refugees, Mai Aini (Ethiopia), group interview, 20 May 2019. This is a group of 20 Eritreans who have left Eritrea between 2017 and 2019 and were living in Mai Aini refugee camp in May 2019. They have been interviewed as a group by the SEM during the technical visit in May 2019, followed by individual interviews with two persons.

Eritrean refugee, Mai Aini (Ethiopia), individual interview, 20 May 2019. The SEM conducted two individual interviews with participants of the group interview mentioned above.

Former resident of Asmara, email, 11 September 2018

Horn of Africa expert, email interview, 23 July 2019

International organization 1, Asmara, interview, July 2019

International organization 2, Asmara, interview, July 2019

International organization 3, Asmara, interview, July 2019

International organization 4, Asmara, interview, July 2019

Legal expert, interview, Bern, 18 July 2019. The legal expert is an Eritrean national who is familiar with the legal framework of Eritrea and its implementation.

Local source 1, Tigray regional state (Ethiopia), interview, May 2019. The local sources in Tigray are persons who have been in touch with Eritrean migrants and/or have observed the opening and closure of the land border crossings in 2018 and 2019 due to work or personal relations.

Local source 2, Tigray regional state (Ethiopia), interview, May 2019

Local source 3, Tigray regional state (Ethiopia), interview, May 2019

Local source 4, Tigray regional state (Ethiopia), interview, May 2019

Local source 5, Tigray regional state (Ethiopia), interview, May 2019

Mekonnen, D.R., email, 18 March 2019. Daniel R. Mekonnen is a lawyer and human rights activist who has published books and articles about Eritrea.

Mekonnen, D.R., telephone interview, 17 July 2019

NGO, USA, email, 16 August 2019. The NGO is active in the field of human rights.

Returnees from Israel and Yemen, Asmara, interview, 2 March 2016

Returnees from Sudan and Israel, Keren, interview, 9 March 2016.

UNHCR Israel, email, 14 August 2018

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Annex 2: Terms of Reference

This report updates the questions dealt with in EASO's 2016 report on national service and illegal exit in the light of the developments since 2016, most notably the peace agreement between Eritrea and Ethiopia in 2018. The following are the guiding questions:

1. Is there a punishment in place for deserters, draft evaders and persons who left the country illegally – be it when arrested in Eritrea, when trying to cross the border legally or illegally, or upon return to Eritrea? If so, how severe are the punishments?
2. Are the punishments meted out according to law and does legal certainty exist (procedural guarantees, written judgments, possibilities of appeal)?
3. Are the punishments and conditions of detention for deserters, draft evaders and people who left the country illegally more degrading and/or more brutal than those for people who have committed an offence under another generally applicable law?
4. Did the peace agreement with Ethiopia in 2018 lead to any change of policies in national service, particularly regarding recruitment, the duration of service and punishments?
5. Have the remuneration reforms announced in 2015 and 2016 been implemented?
6. What are or have been the possibilities for legally leaving and re-entering Eritrea upon the opening of the land border crossings with Ethiopia in 2018?



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