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THE STATE OF HUMAN RIGHTS - Report by Suwera Rights

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Suwera Centre for Human Rights

SCHR

THE STATE OF HUMAN RIGHTS in Eritrea 2008

Eritrea : Basic Facts

Official Name: The State of Eritrea.

Date of Independence : The Ethiopian occupation army was pushed out of the country in struggle, but Eritrea officially gained its independence from Ethiopia on 24th of May 1991 under the auspices of the United Nations.

Geographically: Location: East of Africa, on the western coast of the Red Sea; borders with Sudan on the north and west and Djibouti on the south east .It has a coastline of more than 1000 kilometers. Capital City: Asmara.

Population: It had a population of approximately 5 million in 2008 with an annual growth rate of 1.8%.

Economy: National currency: Nakfa. GDP: 1.2 billion in 2007 with growth rate of 1.8%, C

Political system: Although Eritrea's constitution which was ratified in 1997 institutes and guarantees a democratic political system, the current system is a one party regime under the absolute control of the P

He has remained in office since independence. No national elections have been conducted

Human Rights Conventions that Eritrea is party to:

Eritrea is a state party to the following core Human Rights treaties:

- 1/ Convention on the Rights of the Child(CRC), August 1994.
- 2/ Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- 3/ International Convention on Economic, Social and Cultural Rights (ICESCR),April 2001
- 4/ Convention on the Elimination of All Forms of Racial Discrimination (CERD), JULY 1965
- 5/ International Covenant on Civil and Political Rights (ICCPR) June 2002.

Eritrea is not party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It is a party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Also it is not party to the Convention on the Rights of Persons with Disabilities.

List of Abbreviations

| | |
|-------|--|
| AI | Amnesty International |
| ARRA | Administration of Refugees and Repatriation Authority |
| AU | African Union |
| CEDAW | Convention on Elimination of all forms of Discrimination against Women |
| COR | Sudan Commission of Refugees |
| CR | Care and Relief |
| CSW | Christian Solidarity Worldwide |
| ELF | Eritrean Liberation Front |
| EDA | Eritrean Democratic Alliance |
| FGM | Female Genital Mutilation |
| GDP | General Domestic product |

| | |
|----------|---|
| GER | General Enrollment Rate |
| HIV/AIDS | Human Immunodeficiency Virus/ Acquire Immune Deficiency Syndrome |
| HMW | Hotline for Migrant Workers |
| HRW | Human Rights Watch |
| ICDIP | International Centre for the Development of Immigration Policies |
| ICR | Italian Council of Refugees |
| IGAD | Inter Governmental Authority on Development |
| IMC | International Medical Corps |
| IOP | International Organization for Peace |
| IPS | International Press Services |
| IRC | International Rescue Committee |
| NRDP | National Relief and Development Program |
| NUEW | National union of Eritrean women |
| NSP | National Service Program |
| ODO | Open Doors Organization |
| PFDJ | Peoples Front for Democracy and Justice |
| RRF | Refugees Rights Forum |
| RSF | Reporters Sans Frontières |
| SC | Security Council |
| SCHR | Suwera Centre for Human Rights |
| UNHCR | United Nations High Commission for Refugees |
| UNMEE | United Nations Mission in Ethiopia and Eritrea |
| UNHRC | United Nations Human Rights Council |

| | |
|-----|---------------------------|
| WFP | World Food Program |
| WHO | World Health Organization |
| ZOA | Netherland's Refugee Care |

The State of Human Rights in Eritrea, 2008

Introduction

This is the third report issued by the Suwera Centre for Human Rights (SCHR). The first two reports highlighted the developments in the implementation of human rights in Eritrea since its liberation. The second report, on human rights in Eritrea during 2006, was issued in April 2007. The third report for the year 2007 was not issued for reasons beyond the capacity of the Centre to be resolved. Nevertheless, this report, which covers the year 2008, includes also the most important human rights developments and events of the year.

As was the case with the previous issues, the SCHR again had to work from outside Eritrea. Since the country does not allow human rights organizations, whether national or international, to operate freely, the Centre had to work in changed circumstances which affected mobility and freedom of work, the Centre this time in collecting the materials and data of this report than in preparing the two previous issues. In addition, the team of field work had performed its assignments and duties with highly commendable results. At this juncture, we feel obliged to express our special thanks and appreciation to those who help the Centre in these circumstances. Special mention should be made of the friends of the Centre in Australia who provided moral and material support alongside the friends in Sweden, and the Eritrean League for Human Rights for their considerable financial support. Our deep thanks also go to Dr. Mohammed Khair Omar in Addis Ababa for his support to the Centre.

Because of working mainly from abroad, the report does not contain detailed events and dates. However, though it highlights the most important events in the human rights context through interviews with human rights escapees from Eritrea, and by visits of our field teams to the refugee camps in Sudan and Ethiopia. The Centre also made use of the reports issued by international organizations concerned with the social and economic rights of these world organizations are: the World Health Organization (WHO), the World Bank, the United Nations High Commissioner for Refugees (UNHCR), and the reports of the UN on human development. The Centre also consulted committees concerned with monitoring the application of the conventions on human rights. Finally, the Centre consulted international organizations concerned with the defense of human rights, especially those in

Egypt, Israel, Libya and Europe in addition to reports of specialized organizations which use the information and statistics in the report were taken from reports issued by the Eritrean government.

Eritrea is considered as one of the poorest states of the world. Its situation is worsened as a result of its low level of human development. In the 2006 report, Eritrea was the 164th state down the list of countries. Throughout the past years, Eritrea faced acute food shortage. Since interdependence, it has been unable to meet its needs annually. In a survey conducted by the International Institute for Food Policy, Eritrea was found to be a country whose people suffered from acute and chronic food problems.⁽²⁾ Due to this food shortage, there has been a significant increase in malnutrition.⁽³⁾

Eritrea's weak economy continued its decline. The country's worth from its exports of commodities fell from 29.6 million US dollars in 1997 to only 7 millions US dollars in 2007. The per capita income was only 70 US dollars i.e. less than one dollar per day.⁽⁴⁾

The government's expenditures on health services, compared to the gross domestic product, fell from 4.5% in 2006.⁽⁵⁾ Eritrea occupied the 174th position out of 179 states in the total enrollment in primary and university levels of education.⁽⁶⁾ In 2003, Eritrea occupied the first rank in the world in terms of GDP.⁽⁷⁾ Likewise, Eritrea was only second to Israel in the world for having the largest number of people with its total population.⁽⁸⁾

Despite the fact that Eritrea is party to many international conventions and agreements pertaining to human rights, it is ~~are~~ considered the worst violator of these rights in the world. Eritrea is party and signatory to the International Covenant on Economic, Social and Cultural Rights as well as of the International Convention of Civil and Political Rights. The government bans its citizens from forming trade unions and from securing fair wages. It also denies its citizens the right to take vacations, the right for promotion and their right of resigning office and looking for a better job.

The government does not give any priority to vital development issues including those of social and economic development because of its tyrannical and whimsical behavior in implementing the National Service Programme. Many youths fled the country to neighboring states and from there they ventured on dangerous and arduous journeys which led to the death of hundreds during the past years.

The increasing number of those fleeing the country as refugees entailed profound and dangerous consequences for the lives of people inside Eritrea.

The Eritrean government is tightening its ban and restrictions on political freedom. It keeps a close watch on the government, monitoring its performance, holding it accountable to an elected legislative body through various methods.

In addition, the Eritrean government does not respect its citizens' civil and fundamental rights. It oppresses Eritreans. It practices torture in its prisons. It limits freedom of movement, and violates its

restricts religious freedoms, and imposes tight restraints on citizens' religious practices and reason of practicing religion; and intervenes in the administration of the religious institutions and freedom in the country. A report issued by the Reporters without Borders (RSF) considers press freedom in the year 2007.⁽⁹⁾

Furthermore, Eritrea is the only state in Africa without private press.

On another level, despite Eritrea's ratification of the Convention on the Rights of the Child, it has not taken any measures or enacted the pertinent laws necessitated by the convention.

Instead, the government committed violations against children such as recruiting them for the NSP and banning their travel outside the country. The Committee on the Rights of the Child, in its observations and remarks on the Eritrean government's report on implementation of the convention, discussed in its New York meeting of 2nd June 2008.

The government is ignoring of the children's concerns and interests. In this respect, we find Eritrea to be one of the states in Africa with respect of children's care according to the report on children's welfare.

Though Eritrea is party to the Convention on Elimination of all forms of Discrimination against Women, discrimination and violence against women are still continuing. The rate of girls' enrollment in schools has decreased as well as the rate of their attendance to schools especially in intermediate and secondary schools. The employment of women in work is in retreat in addition to the health care given to them. However, violence against women is a trend, especially violence that practiced or legalized by the government.

In conclusion, this SCHR report includes five sections and recommendations. The first section deals with fundamental freedoms and civil rights. This includes six themes as subdivisions, which are: trade union activities, religious freedoms, freedoms of speech, expression and the press, freedom of travel and movement in addition to the issue of the violations in the implementation of the convention. The second deals with discrimination and violence against women. The third deals with arbitrary arrests and detentions. The fourth deals with the situation of Eritrean refugees in different parts of the world. The fifth deals with the international community to violations of human rights in Eritrea. The report is concluded with recommendations to concerned circles and organizations as to the situation of human rights in Eritrea.

The objectives of the Centre in issuing annual reports are not only to monitor the violations of human rights and the evaluation and assessment of its compliance with national laws and international law, but also to undertake and task of formulating a viable work programme for confronting those violations. The Centre hopes that this present report would be a credible reference for human rights activists and scholars to monitor the developments of the situation of human rights and help in forming a data base with this information. The Centre hopes that its report would contribute to clarifying and defining the size of the challenges

Eritrea to the regional and international humanitarian conscience and accordingly help in conditions for the emergence of an international solidarity to confront them. The Centre and Eritrean activists and their organizations and other friends in the distribution and reprinting the desired impact.

Finally, we say thank you to all friends who have made the publication of this report possible support. Thanks are also extended to the friends who have corrected and revised the report who translated it to English and those who revised the English version of the SCHR report thanks and heartfelt gratitude for their generosity, patience, dedication and their noble help.

Suwera Centre for Human Rights

July 2009

Section One

Civil and Political Rights

The Eritrean Government continued its violations of the civil and political rights of its citizens stated in its suspended Constitution of 1977 and also stipulated in the International Convention the government acceded to on 22 June, 2002. The government pursued its repressive policies made against it during the past years by the national and international human rights organizations the world community.

1/Freedoms of Practicing Political and Trade Unionist Activities:

The People's Front for Democracy and Justice (PFDJ), the ruling party in the country, committed political abuses during the year 2008. The government of the PFDJ didn't allow the presence of political parties. Accordingly, it arrested all those whom it suspected of having opposing stands. The Constitution has been shelved since its approval. No general elections have been conducted in the country. The President of state of Eritrea has been monopolizing all powers and authorities, i.e. he is the head of state, speaker of parliament and the head of the ruling party, PFDJ. All the military and security forces are under his control. The President didn't declare his intention of stepping down from power at any time or organizing

candidates to succeed him in office. The non-elected parliament didn't meet since February. President Isaias Afwerki, to meet for the condemnation of the group of reformists (G-15).

During 2008, the government didn't allow the establishment of any independent trade union. The ruling party proceeded in its monopoly of trade union activities including those of student institutions. The ruling party deprived the civil service employees of their rights of having these employees were prohibited from resigning their jobs. And instead of applying work authorities put those who absented themselves from work for some reasons in prison and psychological torture.

Due to the banning of any opposition activity within the country, opposition to the government especially in neighboring countries, Europe, North America and Australia. Furthermore, the community within the framework of EDA subsequent to its convening of a unification conference reemphasized and underscored its demands of democracy and respect of human rights.

The Eritrean communities, the civil society organizations and the political opposition groups activities such as sit-ins, marches and gatherings for exposing the government's non-abandonment. The popular opposition demanded and called for establishing a democratic system of government.

2/ Religious Freedoms:

The government recognizes only four religious groups in Eritrea: Islam, the Orthodox, Catholicism and Protestantism. In this context, the government demanded from the rest of religious denominations in May 2002 to register their Affairs in the Ministry of Local Government. However, despite the fact that many of these groups applied for registration at the said Department after meeting all the required conditions, none of these religious bodies which are not recognized by the government remained to be considered.

On the other hand, the Mufti who is the principal religious leader for Muslims, remained unelected for the job by the Aukaf Council but appointed by the government because of his absolute obedience to its orders. The government prohibited any criticism to him from the followers. Many people have been arrested due to their differences with him over religious matters or Islamic Aukaf affairs. Hundreds of Muslims who have been arrested at the beginning of the year because of their alleged sympathy with the Jihad movement are still under detention. The sympathy was the outward religious appearances of their long beards and of wearing jalabiyas like the teachers who used to teach at the religious institutes. All these have remained under arrest. At the end of 2008 it was not known whether they are still alive or dead.

Also tens of the followers of the sect of Ansar Al-Sunnat are still languishing in detention. However, renewed its crack down on them and its campaign in August 2008 led to the arrest of many more.

members. The government continued the imposition of unjust restrictions on the Islamic r of Islamic charity organizations in the country. In addition, it is keeping the accounts, asse Council under the government's own tight control.

The restrictions imposed by the government on the Orthodox Church are still continuing. ' legitimate Patriarch of the Orthodox Church, is still under house arrest until end of 2008.] (Council) under the directives of the government replacing him with another person. The detention those priests who have been arrested because of their reformist ideas which the; illegal detention had been the root cause of the conflict and differences between the Patria Besides, the other two churches recognized by the government, i.e. Catholic Church and I exposed to various restrictions and severe measures such as confiscations of their properti to the non-Christian sects that are not registered, the government continued arresting their accusation of practicing unauthorized religious rites or performing marriage ceremonies o occasions.

Hundreds of the followers of these sects remained in prisons until the end of the year 2008 prison because they were told they could be released only after signing a written pledge o religious rites of their sect or after forsaking their new sect and rejoining their former one government.

The government continued also its persecution of the followers of the Jehova Witnesses. I them to restore and reclaim their identities and their houses which it confiscated because c referendum of 1993. It also banned their recruitment for state jobs in addition to its depriv or receiving loans from the banks.

Three of the followers of this sect remained in prison for 13 years for refusing to attend th reasons pertinent to their religious creeds despite the fact that the decree of the national se the maximum penalty for such cases to be two years imprisonment or the fine of 3000 Nal

3/ Freedom of Expression and Press:

The government didn't allow, as in previous years, the existence of free means of verbal c absolute control of the radio service, T.V. and newspapers as well as on cultural activities other forms of expression. The government didn't permit the publication of any books wh supervision or those which do not serve its policies. Also, it subjected the entry of foreign newspapers etc.) under ~~to~~ strict control.

Likewise, the government did not allow resumption of work by independent newspapers r not release from detention any of the journalists who were arrested in its campaign agains

2001 or those detained in the following years. This action contravened stipulations in the s No. 90 of 1997 regarding the media.

Further, the government restricted the movement of foreign correspondents, and intervene work. It also imposed more monitoring and restrictions on the Internet and punished any c services or satellite channels that usually express views opposed to the policies of the gov maintain total control and strict guidance over the State information media: newspapers, r people working in these media outfits are subjected to intensified monitoring in what they transmission. Their mobility is also under control for fear of their escaping outside the co 2001.:-

The government demanded from all those working in its mass media, including drivers an Antonio, who was head of the Eritrean Ministry of Information's branch in the South Red in April 2008 after harassments and many threats to his life, told the press in the Sudan th: correspondents of the broadcasting service, T.V. and the news agency were subjected to c himself prior to their release to the public. He mentioned that he had been reprimanded an about famine in Tio in the Dankalia region. In this incident, he was told by the governor o supposed to prepare an internal report about the matter and not a news report that would b

On the other hand, many Eritrean journalists had been arrested during the years 2007 and suspicions that they were planning to escape or for keeping contacts with their colleagues

Although there are no exact statistics as to the number of the journalists arrested in Eritrea among them 8 journalists who had been detained since 2001. Some unconfirmed reports s that there were many deaths among the detained journalists. The latest reported death in J: Yohannes known by the nickname "Joshu".⁽¹²⁾

Journalist Paulos Kidane died while attempting to escape to Sudan on 10 July 2007. He w death he walked long distance under conditions of extremely severe hot weather. His colle some villagers in a hamlet near the Sudanese border because he could no longer continue territory. He died in that village and was buried there. The authorities notified his family c

4/ The Right to a Fair and Just Trial:

The judiciary in Eritrea is not independent, and it has remained to be so during the year 20 interventions in the work of the judiciary. Needless to say, persons brought to trial before tribunals during the years 2007 and 2008 did not enjoy just trials. Many people were infor cells - without ever standing in front of the courts which tried them and passed the sentenc worked at the detention camps that some of the army officers used to pass judgments arbit

without the latter appearing before them. He said he even observed some officers passing receiving a summary of the accusations. This eyewitness added that in the detention camp persons were transferred to prisons where they were kept without sending with them paper date of their arrest and other necessary information. In many cases, the prison warden only sentenced persons with each name and the length other their the period of his imprisonment.

These special courts where the military officers assume the role of the judiciary continued cases without giving the accused their right to obtain legal consultations or the right to appeal. Judges do not refer in their judgments to any written laws, but they pass sentences according

5/ The Rights to Privacy and Freedom of Movement:

The government continued its unwarranted interferences in the private lives of its citizens telephones and cell phones in addition to their ordinary post and e-mails.⁽¹⁴⁾ It also restricted travel outside the country.

Under the pretext of searching for those evading and escaping National Service, the security forces searched thousands of houses. They also assaulted and stormed houses belonging to unregistered Christians practicing unsanctioned collective religious rites in these houses.

All these acts were carried without obtaining the legal permission or authorization. Besides block-road and check-points searching for evaders of National Service or other suspect persons.

The government made tight restrictions on issuing exit visas to citizens even for emergency cases. The application of its restrictions of 2006 which prohibit the travel of children outside the country is above. It returned back from ports of exit many children who were accompanied by their parents. Persons of travel abroad of the age group 18-55 except for those whose work demanded travel overseas. To leave the country have to submit and make financial or personal guarantees to assure their return.

6/ Violations in the Application of the NSP law:

The government continued its implementation of the NSP decree without observing and respecting the 1995/82 Decree which organizes it and which was published in the government gazette of the Decree defines the compulsory nature of the NSP for the persons of the age group 18-50. In some cases for the NSP persons below the age of 18 or above 50. Despite the fact that paragraph 10 of the Decree provides for a punishment of five years to the person who escapes in evasion of the NSP. Instead, the authorities only fined evaders and fined their families with great sums of money. At the same time, it kept those evaders in prison until they paid the money or brought their sons and daughters back home. The application of these measures caused a lot of deaths especially among mothers and children who were detained and for long periods.

The authorities continued chasing the evaders of the NSP and set check-points on roads and in villages. The security elements climbed over the walls and stormed headquarters of private businesses. In these operations many citizens were killed after being shot by the security forces. Those arrested in these campaigns were imprisoned and tortured.

The authorities pursued their shoot-to-kill policy against those who attempted to cross the border. One of those escaping the NSP was Abdu A. who told the SCHR that one of his friends by the name of Mohammed Ali was shot and injured while attempting to run away from a military camp. The authorities recruited the conscripts of the NSP without taking into consideration their families. SCHR that despite the martyrdom of his two brothers during the period of the liberation struggle, his mother had no one to support her.⁽¹⁷⁾

The government, in contravention of Article (8) of the Decree which limits the duration of military service to 18 months. The 18 months includes the period of military service which was supposed to be completed by the NSP called A. Haile Mariam said that he was in the first batch of NSP in 1994. He finished his period. Nevertheless, he was called to service again after the outbreak of war. He continued his military service until he was able to escape from the country in December 2007.⁽¹⁸⁾

These NSP conscripts receive less than 20 US dollars worth of the local currency per month. This is not enough and cannot meet or cover the essential expenses and needs of the conscript. This led to many conscripts to flee from the camps in search for work in order to help their families. Also many conscripts were recruited by making them work in their private farms. They also used the female conscripts in their houses.

The commanders of the military units imposed heavy penalties of hard labour for 6 months for deserting their units. Others attempted to escape to change the dire living conditions of the camps. They were treated like the others and were subjected similar suffering.

Section Two

Violence and Discrimination against Eritrean Women

Irrespective of the fact that the suspended Eritrean Constitution prohibits discrimination and as a state party to CEDAW (1995), the Eritrean women suffered from discriminations and have had due to the shortcomings in some legislations and the lack of government interest in their interests, a negative impact of the prevailing political, social and economic orientations by the State.

This discrimination against women is manifest more in the fields of education, employment and health. In the field of education, there is a great margin of difference between females and males. The rate of education is increasing with the passage of time. The rate of females registered in tertiary level of education had decreased from 45.5% to 37.72% in the school year 2000-2001. The enrollment of girls in the secondary schools in the school year 2000-2001 was estimated at 10.8% in rural areas, their total enrollment dropped to only 10.8% in the school year 2004-2005.¹⁹ For the year 2007-2008, Eritrea occupied the 184th position out of a total of 190 countries in the registration of females in schools, compared to males in the year 2004. Again, Eritrea was ranked 184th in the year 2006, according to an updated UN report published in 2008.²⁰

The total rate of the registration of females in school in Eritrea in the year 2006 was 27.6%.

As a result of their low educational level, women obtained low payments and less opportunities. Of the working women know how to read; it is only 35% of employed women that had received

According to the indicators of the UN referred to above, the percentage of women who ca among men is 71.5% in 2006.

Women receive low wages than men at a rate of 50-80% and they only constitute 7.4% of However the low rate of the employment among females in the field of teaching, which is demonstrates the big margin between males and females in the employment market. Wom staff in the intermediate and secondary school stages in the school year 2002-2003.²³

On the other hand, health service and medical care available for women faced serious dete pregnant women who suffered from malnutrition reached 64% in some regions of the cou pregnant women (child and mother care) had also deteriorated. While the rate of medical i pregnant women was 1:280 in 2004, this rate went down to 1:530 in the year 2005. Only 8 medical assistance in Barka-Gash Region, and 9.3% in North Red Sea Region in the year And because of the severe shortages in health and medical care and due to the high rate of has the highest rate in the deaths of pregnant women in the world.²⁴

AIDS spread fast among girls of the age group 15-24, affecting 7.4% of them while the na working in bars, hotels and shopping centres the rate is 11.9%.²⁵

Women continued to suffer from home and societal violence as well as from drastic gover NSP laws. Even though the government has no statistics on the matter, violence against w accepted form of conduct under the circumstances of the absence of legal protection and l family and the society.

Many girls were raped at the NSP camp of Sawa and were made to serve at the homes of t resisted this was arrested and tortured. A girl by the name of Sennayit T., who managed to she was called at midnight by the commanding officer to come to his house in the camp, a she was made aware that a call this hour was for raping her. The second day, she was calle solitary imprisonment for 7 days with her hands tied. She was later on transferred to another Mothers and wives, were arrested because their sons/daughters and husbands fled the cou from prison until they paid the required fines. Some of the arrested pregnant women gave died and lost their children by death due to lack of adequate child and mother health care. anguish because of the disappearances of their children and husbands who take high risks There is continued loss of contact between disrupted families because families cannot esta surveillance put by state authorities on every home. Many of the girls who try and fail to e detention conditions. A great number of the escaping girls were raped while on their way were apprehended while trying to go from the Sudan or Ethiopia to a third country also fa

organizers of their escape routes. Many of the asylum seekers, among them women died in the Sahara desert, while others drowned in rivers, seas and ocean waters. Still others were shot at the Egyptian –Israeli borders. Some women who escape from Eritrea to the Sudan are held as persons when their relatives fail to pay the sums of money agreed upon. One eyewitness in Sudan reported that escapee girls were held hostage in the suburbs of Kassala. They were released after a relative contacted the Sudanese authorities. Security agents besieged the village and set the girls free.

On 20 March, 2007 the Eritrean government issued Decree No. 2007/158 banning the practice of female genital mutilation (FGM). The decree includes five articles. Under the fourth article, it states that anyone who practices FGM shall be imprisoned from 2 to 3 years and pay the fine of 5,000 to 10,000 Nakfa (local currency). In case of death, the imprisonment can be between 5 to 10 years. The Decree punishes anyone who practices the circumcision of females by providing tools or other means by imprisonment from 6 months to 1 year and pay the fine of 1,000 Nakfa. And if the one practicing circumcision is working on the health services, the punishment shall be to suspend professional licenses for a period of up to two years. The Decree fines 1,000 Nakfa anyone who practices FGM while knowing a practice of circumcision or one carried out without warning.² Since the Decree, no one was reported to have been or put in custody under the stipulations made in the Decree.

The government to date hasn't published any statistics about the Decree's contribution in reducing the practice of circumcision or FGM in Eritrea which reached 89% according to the Eritrean government's report in New York in 2006. At all events, the issuance of the Decree to ban circumcision of females was not in isolation. It is interconnected with deep traditions and cultures. It would necessitate adequately raising the status of women and empowering them to take initiatives themselves towards establishing independent roles. The government does not allow this to happen. It only gives license to its foster organization to continue to oppress women. And this organization is an affiliate to the ruling party (PFDJ).

Accordingly, the NUEW is concerned only of implementing the ruling party's policies and not of protecting Eritrean women's interests. This type of Decree would not of course resolve the problem of FGM or the problem of low level of education of Eritrean women is tackled. This is closely connected with the burdened over women/girls in addition to early marriage and the outworn backward tradition of males over that of females.

The government hasn't included the terms of CEDAW in the national legislations nor has it guaranteed compliance with it. Thus, in case of conflicts the priority for national courts is to uphold the national laws. The government continued superficially to mandate NUEW the monitoring of its compliance with CEDAW. It is not serious in establishing a real and credible monitoring mechanism regarding this issue. Many women remained in detention camps because of their political opinions or religious beliefs. They are kept in prisons without allowing their children or relatives to visit them. Among these who have

end of 2008 include: Aster Fessehatsion (2001), Mariam Hagos, Sennayit Debessai and A

Section Three

Arbitrary Arrests and Torture

Arbitrary arrests in Eritrea under the current regime started in May 1991 when freedom fighters were transferred to prisons in the newly liberated towns and cities. New prisons were established in secret locations. The fate of those imprisoned in 1991 still remains unknown. Those imprisoned immediately after liberation included personalities like judge Mohammed Mar in 1991.

One of the former military leaders of the EPLF, General Bitwodded Aberha, was arrested in 1998 but soon rearrested and is still detained in solitary confinement in 'Wenjel Merme' prison. A source, a Sudanese national who was detained near his cell, General is in a very bad psychological state. Those who were imprisoned after a major military protest against the then Government of Eritrea in 1995 continued to be detained. Their families were not allowed to visit them. The authorities had executed many of those who participated in peaceful protests after appearing before Kangaroo courts military tribunals.

The fate of those who were detained in the beginning and in mid-nineties because of suspicion of involvement in the Jihad Movement is still unknown. Their place of detention is not known and their families are not allowed to visit them. The fate of those arrested in a concerted campaign in 1995 that was directed at former ELF fighters remains unknown to this day. There are indications that the arrest of former EPF fighters could have been a measure to bring them back to the liberation struggle days. Mahmoud Dinai, who was the ELF regional military commander in the sixties, and Mohammed Osman Dayer who was one of those who held high leadership positions among those who disappeared in detention, Like the others, no one knows if they are alive or dead. Others who were believed to have been arrested in October 1995 because of suspicious views such as Mohammed Khair Musa, Saleh Osman Arey and Ibrahim Mohammad Ibrahim.

The Government refused to make known the whereabouts of the detained members of the Eritrean People's Front (EPF) in September 2001. This refusal was spelt out in the Government's response to an appeal presented by Mesfun (Mesfun who has a German citizenship, and Habtom Yohannes with a Dutch citizenship,) in 2007. The appeal was made on their behalf by Lisbeth Zegveld on 01.02.2007. The Government refused to make their places of detention known for fear of their security as it claimed that they have no control over them. The Government further stated that bringing them to justice depends on the end of war with Ethiopia. The Government is exploiting the 'no-peace no-war' state with Ethiopia to tighten its grip on the country and to continue to worsen the human rights situation.

The journalists who were arrested in 2001 and detained in secret locations as a part of a campaign in prison and their families were not allowed to visit them and the Government declined to the exception of Dawit Isaac who was released from prison for two days and was re-arrested in Asmara in 2005.

The persons that were detained by the virtue of their religious faith and who belonged to Christian Witnesses continue to be in prison. Some of them have now been in prison for more than the national military service program which they see as contradicting to their faith. Prisoners of Sunna' Islamic faith have also been in prison since 2004 with no family visits.

Many members of the Kunama ethnic group remain in prison since the last war with Ethiopia they sympathised with Ethiopia and opposed the Eritrean Government for the injustices they

The fate of ELF- RC leadership members who kidnapped from Kassala , the Sudan , on 2 (Weddi Bashai) and Waldemariam Bahlibi) and Ghebreberhan Zere, head of an organization in 1997 from the Ethiopian border town of Humera remained unknown until the end of 2008

Though none of the detainees of conscience that were mentioned in our report in 2006 were released in the last two years some Sudanese prisoners. This seemed to reflect the improvement in Sudan. Yet the fate of some of the Sudanese that were imprisoned in the mid-nineties such as (Waldemariam Bahlibi) and Ghebreberhan Zere, head of an organization in 1997 from the Ethiopian border town of Humera remained unknown in 2008. The Eritrean Government informed last July the relatives of the Sudanese prisoner who was arrested in 2001 that he died in prison after two weeks of his arrest. It is possible to speculate that his relatives have informed our Centre that he was very healthy before his detention.

Though our Centre has conducted tens of interviews since its establishment in 2005 with those who worked with the Government and some were detained before their escape, we have not been able to identify prisoners of conscience, including of those who were imprisoned in the early nineties, Nor have the reformist group members have been detained, many of the former senior party and government officials.

The security apparatus of the regime arbitrarily detained thousands of Eritrean citizens in 2007 and 2008 including Christian religious leaders as well as thousands of those who dodged the military national service during varying periods. It also detained many citizens from the Kunama ethnic group.

Unconfirmed reports have circulated in 2007 and 2008 which indicated that a number of those who were imprisoned died in prison. Taha Mohammed Nur who was one of the founders of the Eritrean Liberation Front liberation struggle died in prison in February in 2008. As people who visited him in the hospital he died after he was transferred in a state of coma to a hospital from 'Wenjel Mermera' prison in 2005. He probably died due to lack of medical attention in the prison and the delay to transfer him to a hospital.

Names of Persons Arbitrarily Arrested During the years 2007 and 2008 and not Released

- Mr. Mohammed Shafuk** : tribal chief, arrested in Dase in October 2007.
- 2/ **Mr. Gugul Bidda**: arrested in Tole Tarodani in September 2007.
- 3/ **Mr. Ogba Michael**: priest belonging to the Second Life religious sect(Kali Hewit). Ar
- 4/ **Mr. Abdalla Salih Ibrahim**: arrested in his home town Suwera in the first week of Jan
- 5/ **Mr. Abdalla Omer Jemie** : medical doctor. Arrested in Keren in 2007.
- 6/ **Mr. Mohammed Adem Bassim**: medical laboratory technician. Arrested in 2007.
- 7/ **Mr. Ahmed Deen Omer Ismaeel** : arrested in his town Suwera in the first week of Jan
- 8/ **Mr. Abdalla Salih**: arrested in his town Gohaito in the first week of January 2008.
- 9/ **Mr. Tara Kobaba**: a journalist arrested in his town Haikota in February 2008.
- 10/ **Mr. Yonas Jakomino**: arrested in Bimbilna in February 2008.
- 11/ **Mr. Zeru Biddo**: arrested in Keren town in April 2008.
- 12/ **Mr. Sulaiman Wad Shum**: was arrested in Hazamu- Iba in August 2008. Accused of sect.
- 13/ **Mr. Yassin Sulaiman Ahmed**: arrested in Hazamu- Iba in August 2008 . Accused of sect.
- 14/ **Mr. Ibrahim Mohammed Sulaiman**: arrested in Hazamu- Iba in August 2008. Accu religious sect.
- 15/ **Mr. Mohammed Bashai Omer**: arrested in Senafe township in August 2008. Accused sect.
- 16/ **Mr. Omer Telki**: arrested in Adi Caigh in August 2008. Accused of belonging to Ans
- 17/ **Mr. Siraj Ali**: arrested in Senafe in August 2008. Accused of belonging to Anssar – S
- 18/ **Mr. Mohammed Saleh Abdalla**: arrested in Senafe in August 2008. Accused of belor
- 19/ **Mr. Sulaiman Ali**: arrested in Senafe in August 2008. Accused of belonging to Anssa
- 20/ **Mr. Ahmed Ismaeel**: arrested in Senafe in August 2008. Accused of belonging to An
- 21/ **Mr. Mohammed Kheir Haj Mousa**: arrested in Adi Caigh in August 2008. Accused sect.
- 22/ **Mr. Osman Mohammed Adem**: arrested in Adi Caigh in August 2008. Accused of b

sect.

23/ **Mr. Abdalla Adnan:** arrested in Adi Caigh in August 2008. Accused of belonging to

24/ **Mr. Ibrahim Abdalla:** arrested in Adi Caigh in August 2008. Accused of belonging to

25/ **Mr. Mohammed Ahmed Saeedai Hamidi:** kidnapped and high-jacked with his car a

26/ **Mr. Asfadai Ansra:** arrested in Keren in October 2008.

Names of Sudanese Detainees whose Names not included in the SCHR 2006 Report:

1/ **Mr. Abd Al Azim Abu-AL-Gasim AL-Shiekh Ali:** Imprisoned at Karshly prison in A

2/ **Mr. Abd AL-Rahman Shamoun Abdalla:** a citizen of Kassala, Sudan.

3/ **Mr. Azhari Hassan Alama:** his place of detention unknown.

The names of the following whose names are already included in the arbitrary arrest still in prison until the end of 2008:

1. **Mr. Mohammed Maranet Nessour:** was a judge in Keren who was arrested in 1991 1997 but he has been moved to an unknown place therefore his contacts with his family have been filed against Mr. Nessour nor been brought to a court.
2. **General Bitwodded Abreha:** was senior military officer and former member of the Eritrean People's Liberation Front who was arrested in 1992 but released for a while in 1998 during the Eritrean-Ethiopian conflict. He was detained at Marmara prison in Asmara. No charges have been filed against General Abreha nor has he been brought to a court.
3. **Mr. Mohammed Ibrahim Malik:** was a teacher at the Islamic Institute at Keren. He was arrested in 1992.
4. **Mr. Osman Mohammed Nour:** was a teacher at the Islamic Institute at Keren. He was arrested in 1992.
5. **Mr. Osman Abdelnour Muhammed:** was a teacher at the Islamic Institute at Keren arrested in 1992.
6. **Mr. Musa Ibrahim Fargallah:** was a teacher at the Islamic Institute at Keren. He was arrested in 1992.
7. **Mr. Ahmed Masmaz Hazout:** was a teacher at the Islamic Institute at Keren. He was arrested in 1992.
8. **Mr. Idriss Muhammed Saïd:** was a teacher at the Islamic Institute at Keren. He was arrested in 1992.
9. **Mr. El Hassan Ali Azouz:** was a teacher at the Islamic Institute at Keren. He was arrested in 1992.
10. **Mr. Ibrahim Gam'ei Hamid:** was a teacher and director of the Islamic Institute at Keren. He was arrested in 1992. He was detained at Karshili prison in Asmara until 1997 then he has been moved to an unknown place. No charges have been filed against him nor has he been brought to a court.
11. **Mr. Mohammed Tahir Hamid Okod:** was a teacher and deputy director of the Islamic Institute at Keren. He was arrested in 1992. He was detained at Karshili prison in Asmara until 1997 then he has been moved to an unknown place. No charges have been filed against him nor has he been brought to a court.
12. **Mr. Ibrahim Bakheit Malik:** was a teacher at the Anabasa Wazantet Islamic Institute at Keren. He was arrested in 1992. He was detained at Karshili prison in Asmara until 1997 then he has been moved to an unknown place. No charges have been filed against him nor has he been brought to a court.
13. **Mr. Abdalim Mohammed Ali Zar'oum:** was a teacher at the Anabasa Wazantet Islamic Institute at Keren. He was arrested in 1992. He was detained at Karshili prison in Asmara until 1997 then he has been moved to an unknown place. No charges have been filed against him nor has he been brought to a court.

14. **Mr. Abdelrahman Ali Amharai:** was a teacher at the Anabasa Wazantet Islamic Ins detained at Karshili prison in Asmara until 1997 then he has been moved to an unknc not known. No charges have been filed against him nor has he been brought to a cour
15. **Mr. Mohammed Hamid Osman:** was a teacher at the Islamic Dia (light) Institute w detained at Karshili prison in Asmara until 1997 then he has been moved to an unknc not known. No charges have been filed against him nor has he been brought to a cour
16. **Mr. Abubaker Ali Nour:** arrested in 1993 together with his son who was a teacher a not known. No charges have been filed against him nor has he been brought to a cour
17. **Mr. Omer Abubaker Ali Nour:** a teacher at Wazantet and Anabasa Institutes, arrest known. No charges have been filed against him nor has he been brought to a court.
18. **Mr. Shom Salih Ya'goub:** was a separation advocate. Arrested in Addis Ababa in 19 charges have been filed against him.
19. **Mr. Nafié Ibrahim Fikkak:** was a teacher at the Islamic Dia (light) Institute at Kara whereabouts is not known. No charges have been filed against him.
20. **Mr. Faraj Abubakr El Haj:** was a teacher at the Islamic Dia (light) Institute at Kara whereabouts is not known. No charges have been filed against him.
21. **Mr. Abdelwahab Ibrahim Gama Hamid:** was a student at the Islamic Institute at F whereabouts is not known. No charges have been filed against him.
22. **Mr. Yaseen Hamid Nafie:** was a teacher at the Ansaba Islamic Institute at Keren w whereabouts is not known. No charges have been filed against him.
23. **Mr. Osman Mohammed Ali Ibrahim Gedem:** he was the Imam of the Grand Mos His whereabouts is not known. No charges have been filed against him.
24. **Mr. Ahmed Masmal Ibrahim:** he was a teacher at the Ansaba Islamic Institute at F whereabouts is not known. No charges have been filed against him.
25. **Mr. Yaseen Ahmed Zayed:** was a teacher at the Ansaba Islamic Institute at Keren w whereabouts is not known. No charges have been filed against him.
26. **Mr. Gabir Hussein:** is a merchant arrested at Keren in 1994. His whereabouts is not against him.
27. **Mr. Gabir Hamid ukad:** is a merchant arrested at Keren in 1994. His whereabouts i against him.
28. **Mr. Mohammed Adam Da'oud:** He was a head of Senhet Regiona Parliament, arre known. No charges have been filed against him.
29. **Mr. Idriss Mohammed Ali:** was a director of the Islamic Dia (light) Institute who w not known. No charges have been filed against him.
30. **Mr. Mahmoud Ali Gam'ei:** was a teacher at the Islamic Institute at Keren who was known. No charges have been filed against him.
31. **Mr. Fuáad Mahmoud Omer:** was a director of the Charity Offerings Organization 1994. His whereabouts is not known. No charges have been filed against him.
32. **Mr. Hassan Abdelrahman Dirar:** was a teacher at El dia Islamic Institute in Keren whereabouts is not known. No charges have been filed against him.
33. **Mr. Hassan Ali Nour Dirar:** was a teacher at the Islamic Institute in Keren who wa known. No charges have been filed against him.
34. **Mr. El Shaikh Mohammed Ibrahim Shedly:** arrested at Mansoura in late 1994. His have been filed against him.
35. **Mr. Idriss Saíd Ari:** was a teacher at El Dia Islamic Institue in Keren, arrested in 19

charges have been filed against him.

36. **Mr. Paolous Eyaso:** a member of Jehovah Witnesses. He was arrested on 24th Septe participate in the military service program on religious grounds. He is detained in Sav allowed to visit him not he has been brought to court.
37. **Mr. Nagdi Takhlimariam:** a member of Jehovah Witnesses. He was arrested on 24^t participate in the military service program on religious grounds. He is detained in Sav allowed to visit him not he has been brought to court.
38. **Mr. Issak Mogos:** is also a member of Jehovah Witnesses. He has been arrested on 2 participate in the military service program on religious grounds. He is detained in Sav allowed to visit him not he has been brought to court.
39. **Mr. Mohammed Osman Dayr:** one of the early freedom fighters who joined Eritrea the country after independence. Mr. Dayer was arrested on 25th May 1995 when he l needs. He never returned to this hotel. He is diabetic and he was in his fifties when he allowed to visit him moreover, his whereabouts is not known. No charges have been
40. **Mr. Abdelallah Ibrahim Idris Adra:** originally from Andrayeib /Agordat. He was c his arrested in 1995. His whereabouts is not known. No charges have been filed again
41. **Mr. Mogos Tesfamariam:** was kidnapped from Ethiopia in 1995 because of allegati then he is imprisoned in Wenjel Marmara prison. When investigators did find eviden bailer which he rejected since no charge has been proved against him.
42. **Mr. Salih Osman Arey:** was a former leader of the National Council, an ELF faction liberation. Mr. Ari was arrested on 3rd October 1995 at Keren, he was at his forties. F His wife who is based in Sudan tarvelled to Eritrea three times and met several offici meet him or informed about his whereabouts. No charges were filed against him or b
43. **Mr. Mahmoud Dinai:** one of the early freedom fighters who joined the ELF in early Commander of the 1st Military Region in 1965. Mr. Danay was arrested on 10th Octo regional Parliament of El Gash – Barka region. He was at his sixties. His family was whereabouts is not known. No charges have been filed against Mr. Dinia nor has he t
44. **Mr. Sulaiman Zkaria:** was a former fighter in the 1st Military Region. He was arres sixties at that time. Authorities did not allow his family to visit him. His whereabouts filed against him.
45. **Mr. Mohammed Khair Musa:** was a former leader in the National Council, a factio after independence. When he was arrested on 10th October 1995 at Keren where he v region, he was at his late fifties. Authorities did not allow his family to visit him, disc against him nor took him to a court .
46. **Mr. Ibrahim M. Ibrahim:** was a former leader in the ELF - the Unified Organizatio October 1995 in Agrdat where he was a judge in the Regional Court of Baraka-Gash Authorities did not allow his family to visit him, disclosed his whereabouts, filed cha
47. **Mr. Mohammed Salih Mahmoud:** was a former leader in the ELF – the National C independence in early 1950s. Mr. Mahmoud was arrested on 10th October 1995 in A Regional Court of Braka-Gash Region. Authorities did not allow his family to visit h him to a court.
48. **Mr. Mohamoud Khalid:** was a former leader in the ELF who returned to the countr arrested on 10th October 1995 in Agordat where he was an officer in the Municipality Authorities did not allow his family to visit him, filed charges against him nor took him to

1. **Mr. El Amin Hamid Karrar:** he was in charge of co-operative associations in Baral October 1995 in Agordat. Authorities did not allow his family to visit him, disclosed him nor took him to a court.
2. **Mr. Salih Mohammed Idris Abu Ajaj:** is one of the first generation of fighters in the early 1960s. Mr. Abu Ajaj was arrested on 10th October in Agordat, he was at his ear allow his family to visit him, disclosed his whereabouts, filed charges against him no
3. **Mr. Muhammed Ali Ibrahim:** is one of the first generation of fighters in the Eritrea 1960s. Mr. Ibrahim was arrested on 10th October 1995. Authorities did not allow his whereabouts, filed charges against him nor took him to a court of law.
4. **Mr. Ismail Idriss Karkas:** was a former fighter within the ELF, the National Council: aftermath of independence. He was arrested in late Novemer 1995. Authorities did not his whereabouts, filed charges against him nor took him to a court of law.
5. **Mr. Idriss Dinai:** was a former fighter with the ELF which he joined in 1980s. He re and arrested in late November 1995. He was at his thirties at the time of arrest. Authc him, disclosed his whereabouts, filed charges against him nor took him to a court .
6. **Mr. Muhammed Banni:** was a former fighter with the ELF. He was arrested in 1996 family to visit him, disclosed his whereabouts, filed charges against him nor took him
7. **Mr. Adam Ibrahim:** Was graduated from Um Durman Islamic University.

He was arrested in 1996.

1. **Mr. Suliman Abou Bker Ebraheem:** He was arrested in 1996 at Sanafi town. His killed during arrest. His whereabouts is not known. No charges have been filed again
2. **Mr. Abdellah Ali Nassir:** arrested in 1996 at Sanafi town. His whereabouts is not kn him.
3. **Ibrahim Omer Bahibaish:** He was arrested in 1996 in Sanafi. His whereabouts is no against him.
4. **Mr. Amir El Sir:** a Sudanese national, arrested in 1996. His whereabouts is not know him.
5. **Osman Salih Hamid:** He was arrested in 1996 in Hagaat.
6. **Mr. Ibrahim Idirss Mohammed Ali (Mangous):** arrested in El Gash in 1997.
7. **Mr. Hamid Omer Hashishai:** arrested in 1997. His whereabouts is not known. No c
8. **Mr. Gshi Mahari Tsfamariam:** was arrested in 1997 under allegations of receiving (*riba*) but he has not been brought to an open court.
9. **Mr. Mansour Walday:** was arrested in 1998 under allegations of illegal money lend an open court.
10. **Mr. Adam Burhan Bayan:** was arrested in 1998 under allegations of illegal money brought to an open court.
11. **Mr. Ghebrehiwet Geleta:** is a journalist who was kidnapped earlier in 1988 from Ka independence. He has been arrested again in 2002 when he was working for an indep known. No charges have been filed against him nor has he been brought to a court.
12. **Mr. Mohammed Daoud Mohammed Osman Daoud:** a religion man, arrested in G known. No charges have been filed against him>
13. **Mr. Adam Muhammed Osman Daoud:** a religion man, arrested in Gonia in 1999.
14. **Mr. Petros Solomon:** is one of the earliest members of the Eritrean People's liberat

security service attached to the Front for several years. After independence he has been including minister of Foreign Affairs and Defense. Before is dispute with President A and Marine Resources and an MP. He is married to Esteir Yohannes who is also in d have four children. Solomon was arrested On 18/9/2001. Authorities did not allow his whereabouts, filed charges against him nor took him to a court.

15. **Mr. Mahmoud Ahmed Sherifo:** is one of the earliest fighters who joined revolution the EPLF. He assumed a number of senior positions within the Front during struggle assumed a number of ministerial portfolios, most recent of them was the Ministry of terms of protocol as the second man in the state. Mr. Sharifo was also an MP. He is n arrested on 18th September 2001. His family is not allowed to visit him, his whereabouts against him and he has not been brought to a court .
16. **Mr. Haile Woldtenesae:** is one of the earliest members of the Eritrean People's liber Economics and then Foreign Affairs and member of the current Parliament. He was Alger Agreement on behalf of the Government of Eritrean. Mr. Tenesae was arrested and a father. He is diabetic. His whereabouts is not known, his family is not allowed him and he has not been brought to a court.
17. **General Uqbe Abrha:** is a former Chief of Command and former minister. He was a not allowed to visit him, his whereabouts is not known, no charges were files against court of law. General Abrha is suffers from asthma According testimonies gathered b conscripts who escaped the country, General Abrha died last year because of lack of Cemetery at Ginda 45 km from Asmara.
18. **General Berhane Gerezgrzghihier:** was a retired General former commander of the member in the leadership of the Eritrean People's liberation Front since 1977. His wl allowed to visit him, no charges were filed against him and he has not been brought t
19. **Ms. Astier Fessehatsion:** was the director at the Ministry of Labor and Social Affair September 2001. She suffers from ulcer. Her whereabouts is not known, her family is filed against her and she has not been brought to a court.
20. **Mr. Salih Kikia:** was a former manager of the Office of the President, a former Min Transportation and member of both leadership of the ruling party and the Parliament. was arrested on 18th September 2001. His whereabouts is unknown and his family is r filed against him nor been taken to a court.
21. **Mr. Hamid Himed :** was a former Ambassador to Suadi Arabia and Sudan, head of t Ministry of Foreign Affairs, member of the leadership of the ruling and an MP. Mr. F arrested on 18th September 2001. His whereabouts is unknown and his family is not : filed against him nor been taken to a court.
22. **General Estifanos Seyoum :** a retired army officer, in charge of income taxes, meml and an MP. He was arrested on 18th September 2001. His whereabouts is unknown a No charges were filed against him nor been taken to a court.
23. **Mr. Germano Natti:** was a former regional governor and MP. He was arrested on 18th unknown and his family is not allowed to visit him. No charges were filed against him
24. **Beraki Ghebreselassie:** a former Ambassador to Germany, a former minister of Info was arrested on 18th September 2001. His whereabouts is unknown and his family is filed against him nor been taken to a court.
25. **Ms. Mariam Hagous:** was in charge of cinema sector has been arrested on 6th Octo Hagous is unknown and her family is not allowed to visit her. No charges were filed

court.

26. **Mr. Yousif Mohammed Ali:** Editor-in-Chief of Sganai newspaper. He was arrested a hunger strike in early April 2003, he has been moved from a police detention center. Charges have been filed against Mr. Ali nor been brought to a court.
27. **Mr. Matiwos Hebteab:** a journalist, was editor-in-Chief of *Magalih* newspaper. Was arrested in April 2003 he was moved from police custody in Asmara to unknown place upon participation in hunger strike. Charges have been filed against Mr. Ali nor been brought to a court.
28. **Mr. Dawit Habtemichael:** was an assistant to the editor-in-chief of *Maglih* He was arrested in April 2003 he was moved from police custody in Asmara to unknown place upon participation in hunger strike. Charges have been filed against Mr. Ali nor been brought to a court.
29. **Mr. Medhanie Haille:** is a journalist, was an assistant editor-in-chief and board member. He was arrested in September 2001. In early April 2003 he was moved from police custody in Asmara to unknown place upon participation in hunger strike. No charges have been filed against Mr. Ali nor been brought to a court.
30. **Mr. Temsghen Ghebresus:** is a journalist, an assistant editor-in-chief and board member. He was arrested in September 2001. In early April 2003 he was moved from police custody in Asmara to unknown place upon participation in hunger strike. No charges have been filed against Mr. Ali nor been brought to a court.
31. **Mr. Emanuel Asrat:** is a journalist, was an editor-in-chief of *Zaman* newspaper. He was arrested in April 2003 he was moved from police custody in Asmara to unknown place upon participation in hunger strike. Charges have been filed against Mr. Ali nor been brought to a court.
32. **Mr. Fessaye Yohannes (Joshua):** was a journalist with *Steit* newspaper. He was arrested in April 2003 he was moved from police custody in Asmara to unknown place upon participation in hunger strike. Charges have been filed against Mr. Ali nor been brought to a court.
33. **Mr. Sa'id Abelgadir:** is a journalist, was an editor-in-chief of Admas newspaper. He was arrested in April 2003 was moved from police custody in Asmara to unknown place upon participation in hunger strike. Charges have been filed against Mr. Ali nor been taken to a court.
34. **Mr. Seyoum Tsehaye:** was a freelance photographer. He was arrested in September 2001. He was moved from police custody in Asmara to unknown place upon participation in hunger strike. Charges have been filed against Mr. Ali nor been brought to a court.
35. **Mr. Dawit Issac:** was a journalist with *Steit* newspaper. He holds both Eritrean and Sudanese citizenship. Eritrean authorities have released him in November 2005 and re-arrested him two days later as a member of his sympathizers. He is detained at Wenjel prison in Asmara. No charges have been filed against him nor been taken to a court.
36. **Mr. Ali El Amin:** was an employee of the Embassy of the USA who was arrested in Asmara. His whereabouts is unknown and his family is not allowed to visit him. No charges have been filed against him nor been taken to a court.
37. **Mr. Kflom Ghebremichael:** was also an employee of the Embassy of the USA who was arrested in Asmara for spying for the Embassy. His whereabouts is unknown and his family is not allowed to visit him nor been taken to a court.
38. **Mr. Idriss Ab'aari:** is a writer and a former director at the Ministry of Labor. Mr. Ab'aari was arrested in Asmara during the liberation war. Mr. Ab'aari has been arrested towards the end of 2001. His whereabouts is unknown and his family is not allowed to visit him. No charges were filed against him nor been taken to a court.
39. **Mr. Kidane Kebreab:** was a member of the ruling party who was arrested in early 2001. He was moved from police custody in Asmara to unknown place upon participation in hunger strike. Charges have been filed against him nor been taken to a court.
40. **Mr. Tesfai Gherma :** was a member of the ruling party who was arrested in early 2001. He was moved from police custody in Asmara to unknown place upon participation in hunger strike. Charges have been filed against him nor been taken to a court.

41. **Mr. Alazar Mesfun:** was a member of the ruling party and former Governor of Kere whereabouts is unknown and his family is not allowed to visit him. No charges were court.
42. **Mr. Kiros Tesfamichael (Awer):** was a member of the ruling party and former Dire arrested in early 2002. His whereabouts is unknown and his family is not allowed to visit him nor he been taken to a court.
43. **Mr. Beesrat Yemane:** was a member of the ruling party and former Consular in Fra whereabouts is unknown and his family is not allowed to visit him. No charges were court.
44. **Mr. Firon Woldu:** was a member of the ruling party and former director at the Mini arrested in early 2002. His whereabouts is unknown and his family is not allowed to visit him nor been taken to a court.
45. **Mr. Ibrahim Siraj:** was a member of the ruling party and former diplomat in Suadi whereabouts is unknown and his family is not allowed to visit him. No charges were court.
46. **Mr. Hamid Mohammed Sa'id:** a journalist who was arrested in March 2003 when he was detained in Wenjel Marmara prison in Asmara. No charges were filed against him nor
47. **Mr. Salih El Gaza'eri:** is a journalist, was arrested in March 2003 when he was working in Masses). He is detained in Wenjel Marmara prison in Asmara. No charges were filed
48. **Mr. Aho Mohammed Aho:** was a Secretary of the Parliament of the South Red Sea. whereabouts is unknown and his family is not allowed to visit him. No charges were court.
49. **Mr. Ali Mohammed Ibrahim:** was arrested in 2002. His whereabouts is unknown and No charges were filed against him nor been taken to a court.
50. **Mr. Ibrahim Sa'id:** was a former officer at the Commission of Humanitarian Aid and 2003. His whereabouts is unknown and his family is not allowed to visit him. No charges taken to a court.
51. **Mr. Akhlilu Mogos:** was a member of the ruling party who was arrested in early 2003. His family is not allowed to visit him. No charges were filed against him nor been taken to a court.
52. **Mr. Berhe Tesfamariam:** is an engineer and was a member of the ruling party who whereabouts is unknown and his family is not allowed to visit him. No charges were court.
53. **Mr. Ermias Debessai:** was a member of the ruling party, a former Ambassador in Cl court and condemned of corruption. He served his prison sentence but re-arrested in 2003. His whereabouts is unknown and his family is not allowed to visit him. No charges were filed against him
54. **Mr. Ghermai Yohannes:** was a sportsman who was arrested in November 2003. His whereabouts is not allowed to visit him. No charges were filed against him nor been taken to a court.
55. **Colonel Yemane Fesseha:** (Wad Rago) was a police officer who was arrested in November 2003. His whereabouts is unknown and his family is not allowed to visit him. No charges were filed against him
56. **Mr. Mohammed Osman:** the former Secretary of Gash- Barka Regional Parliament whereabouts is unknown and his family is not allowed to visit him. No charges were court.
57. **Mr. Solomon Habtom:** was a member of the ruling party and former head of one of

Communication and Transportation. He was arrested in June 2003. His whereabouts to visit him. No charges were filed against him nor been taken to a court.

58. **General Habtetsion Hadgu:** is the former commander of Air Force. He was arrested been arrested for some months. His whereabouts is unknown and his family is not all against him nor been taken to a court.
59. **Ms. Asnayit Debessai:** is a guitarist and was a member of the ruling party and mother Wenjel Marmara in Asmara because she requested divorce through court from her in to Kenya). A police officer visits Asnayit every three months asking her whether she she insists on divorce she is returned to prison every time. Asnayit who claims to be she prefers prison to keeping her marriage bond.
60. **Mr. Ibrahim Ismail Omer:** a schoolteacher graduated from Saudi Arabia, arrested in No charges have been filed against him.
61. **Haj Idriss:** was a mosque Imam at Adardi Mosque. He was affiliated to Ansar El Sunna political activism. He has been detained since November 2003 at Wingil Marmara pr
62. **Ms. Astier yohannes:** was an MA student in the US and wife of the former minister September 2001. She returned upon guarantees by the authorities that she will not be airport and was not allowed even to see her children and mother who were waiting at allow any type of visits to Ms. Johannes including herfamily. She is kept in solitary d
63. **Mr. Taha Abdelgadir:** is a member of Ansar El Sunna Islamic group and was active He is at his twenties. He was arrested in 2004 and detained at Wenjel Marmara but ha
64. **Ms. Hayat Ibrahim Nour Hussien:** was affiliated to Asnar El Sunna. She has been a in Wenjel Marmara but has not been brought to court.
65. **Mr. Mohammed Salih Adam:** a member of Ansar El Sunna Islamic group, arrested he has been informed by the prison director that he had been sentenced to four years : prison.
66. **Mr Ahmed Siraj:** a member of Ansar El Sunna Islamic group, arrested in Asmara in informed by the prison director that he had been sentenced to four years imprisonment
67. **Mr. Mohammed Burhan:** a member of Ansar El Sunna Islamic group, arrested in A has been informed by the prison director that he had been sentenced to four years imprisonment.
68. **Mr. Abdelrahman Mohammed Nour:** a member of Ansar El Sunna Islamic group, said that he has been informed by the prison director that he had been sentenced to fo at Simble prison.
69. **Muhmaad Omer Ismail:** Graduated in Cairo University. He was arrested in 2004.
70. **Fr. Haili Niazgi:** the head of the Full Gospel Church, arrested on 23rd May 2004.
71. **Dr. Kafli GabremasgAl:** head of the Eritrean Protestant Alliance. Arrested on 23rd 1
72. **Fr. Tesfasion Hagous:** of the Protestant Rima Church. Arrested on 27th May 2004.
73. **Fr. Kedani Waldai:** arrested in 2004.
74. **Fr. Abraham Blai:** arrested in 2004.
75. **Mr. Adam Ali Ismail:** arrested in May 2004 and has been moved from Tesnai prison
76. **Fr. Gabr Medhanie Ghbregargis:** a priest in Orthodox Church, the biggest church in November 2004.
77. **Dr. Tekhliab Mengestab:** a priest in the Orthodox Church. He was arrested in late N
78. **Dr. Fazom Gabringous:** a priest in the Orthodox Church. He was arrested in late N
79. **Fr. Kidani Ghbremosgal:** is a priest at the Full Gospel Church. He is at his fifties. F

- been deported from a policestation in Asmara to Semble Prison.
80. **Fr. Fanuel Mehretab:** is a priest at the Full Gospel Church too. He is at his fifties. He has been deported from a policestation in Asmara to Simble Prison.
 81. **Mr. Towlde Ghbremedhin:** was a trade unionist who was arrested on 30th March 2005. His family is not allowed to visit him. No charges were filed against him nor been taken to a court.
 82. **Mr. Menési Andzion:** was a trade unionist who was arrested on 30th March 2005. He is not allowed to visit him. No charges were filed against him nor been taken to a court.
 83. **Mr. Hebtom Wadmichael:** was a trade unionist too who was arrested on 11th April 2005. His family is not allowed to visit him. No charges were filed against him nor been taken to a court.
 84. **Mr. Tekhli Tesfai:** is 73 years old and affiliated to Jehovah Witnesses. He has a dual citizenship. He was arrested on 27th May 2005 and informed by the director of Wengl Marmar prison that he would be imprisoned.
 85. **Salih Ali Abo Ali:** used to work in trading between Sudan and Eritrea, arrested in June 2005. His whereabouts is unknown.
 86. **Mr. Fotoy Gazai:** works for the USA Embassy in Asmara as a web editor. Was arrested in November 2005. Information accused him of trafficking.
 87. **Mr. Benyam Germai:** the deputy manager of the buildings at the USA Embassy in Asmara. He has been accused of trafficking, which mostly means helping others to leave the country.
 88. **Mr. Idirs Mohammed Ali:** one of the most prominent singers in the country, arrested in November 2005.
 89. **Mr. Salah Grenit:** was an employee of the Eritrean Airlines in Asmara, arrested in November 2005.
 90. **Mr. Geime Saíd Kemel:** was a reporter and sport journalist at Eritrea El Haditha newspaper, arrested in November 2005.
 91. **Mr. Mohammed Geime Arri:** was a police officer, arrested in November 2005.
 92. **Mr. Adam Salih:** a journalist arrested in November 2005 in Asmara.
 93. **Mr. Abubaker Bareg Ramadan:** Was an employee at the Administration of Keren town, arrested in November 2005.
 94. **Mr. Abdlallah Ramadan:** a businessman, arrested in late November 2005.
 95. **Mr. Omer Kikia:** was an employee at the Ministry of Education in Keren, arrested in November 2005.
 96. **Mr. Mohammed Nour Ahmed:** arrested in late November 2005.
 97. **Mr. Mohammed Abdelhalim Hamouda:** a writer and a businessman, arrested in Barento in November 2005.
 98. **Mr. Mohammed Adam Shalshal:** was a police man arrested in November 2005.
 99. **Mr. Ahmed Musa Geime:** was an army officer, arrested in November 2005.
 100. **Mr. Nasr El Din El Silaihahi:** a Sudanese national, arrested in November 2005. He was in Barento.
 101. **Mr. Khalil Mohammed Khalil:** a Sudanese national, arrested in December 2005. He was in Barento.
 102. **Mr. Ahmed Bokari:** was a government employee arrested in Dankalia in December 2005. He was in Dankalia prison.
 103. **Mr. Ibrahim Lee:** trader works at the Yemen-Eritrea borders, arrested in December 2005.
 104. **Mr. Nouri Ahmed:** arrested in South Dankalia in early 2006.
 105. **Mr. Wad Garray:** arrested in Tesnei in April 2006.
 106. **Mr. Tesmgen Barhi:** arrested in Tesnei in April 2006.
 107. **Ms El Ganish Fesha:** mother of the officer Alexander Aragi, arrested in 2006.
 108. **Mr. Malaki Mabrahtu:** arrested in Tesnei in April 2006.
 109. **Mr. Abdlallah El Faki:** a tailor arrested in Barento in May 2006.
 110. **Mr. Mohammed Ibrahim Ahmed:** was a commissioner of Af Hambul, then moved to Barento in May 2006.
 111. **Mr. Idirs Musa Kalam (Wad Barento):** an owner of a tourism office. Arrested in Asmara in May 2006.
 112. **Mr. Hamid Mahmoud Dalli:** a mechanic, arrested in Barento in May 2006.

113. **Mr. Omer Malik Baro:** was a judge, arrested in Barento in May 2006.
114. **Mr. Musa Osman Kheyar:** arrested in Barento in May 2006.
115. **Mohammed Ismail Anga:** a journalist in Eritrea El haditha newspaper and painter, a
116. **Mr. Salah Idris (Sinyous):** a former editor-in-chief of El Nabd, the newspaper of the
May 2006.
117. **Mr. Hussien Musa Halab:** arrested in Tesnei on 5th August 2006.
118. **Omer Humad:** arrested in Agordat in December 2006.
119. **Mr. Totai Mohammed Salih Ali:** arrested in Ablet district in September 2006.
120. **Mr. Hebti Tekhle Sambet:** arrested in Haikuta in September 2006.
121. **Mr. Omer Ali:** arrested in Kellit I September 2006.
122. **Mr. Abdllah Salih Nassir:** arrested in Tesney in September 2006.
123. **Mr. Ibrahim Abdelgader Jailani:** was an officer in the Endowment Department, an
124. **Mr. Salih Osman Ali (El Rashid):** from Id Ibrahim village in western Eritrea. Grad
Worked as an instructor at the Military Academy in Asmara and trainer in Sawa cam
2006.
125. **Mr. Sharif Ali Idirs:** arrested immediately after independace and released. Worked i
Arrested in November 2006.
126. **Mohammed Ali Osman Yousif (Abu Samira):** worked as a commissioner for Gern
late November 2006.
127. **Mr. Ibrahim Mohammed Omer:** worked for ruling party then for the Conderation c
Arrested in late November 2006.
128. **Mr. Mahmoud Haj Omer:** arrested in Agordat in December 2006.
129. **Mr. Yaseen Hamid:** arrested in Hagat town in December 2006.
130. **Mr. Omer Abu Alsadig:** a former soldier, arrested in December 2006.
131. **Dr. Omer El Din Ibrahim:** a dentist graduated from Damscus University, arrested in
132. **Mr. Ezra Agba Selassie:** a merchant in Tesnei, arrested in December 2006 and is pr

The Conditions of Prisons

The prisons which were essentially designed and built to negatively affect the mental and be at a very bad state. The places of detention where prisoners of conscience are kept, are underground or at times containers are used for the purpose. One interrogator who worke and who escaped from Eritrea informed our Centre that the detention place has 9 rooms (4 23-26 prisoners. The detention place is in a mountainous area where no-body passes by. E for investigation and torture which is built of cement. The prisoners were allowed to go o they are made to walk without shoes. The prisoners were allowed to bathe once a week bu months.³¹

There are no health facilities in Eritrean prisons especially at the secret locations. Prisoner they suffered from serious diseases which caused many deaths which remained secret. Th ground or on small thin mats of woven palm leaves. Many are not allowed to use a pillow muscular ailments and pain for a long time.

Provision of food to prisoners consists of two little meals served daily without meat or vegetables to many diseases due to malnutrition in addition to the physical and mental torture they were subjected to denial to see their families. Some of the prisoners are detained in solitary confinement where they do not know for how long they will be detained. Due to all these factors mental illnesses are widespread and common without any medical services.

The interrogator mentioned above indicated that he also served in another prison between Asmara and the town of Mendefera. He said that the prison consists of containers, in each one there will be between 12 – 15 prisoners. He was later transferred and located between the towns of Mendefera and Arezza. He also indicated the prisons where he served. Torture includes beating with whips, plastic tubes and electricity. At noon, tying the hands and feet like the figure of 8, tying the hands and feet backwards (forcing the head down into a container with very cold water, beating the heels of the feet and so on). The interrogator is allowed to use whatever fantasy that comes to his mind.

The Eritreans that were deported from the Sudan and Egypt and other countries and are accused of leaving the country without permission are made to work like slaves in road building, in agriculture and working bare-footed so as not to escape.

SECTION FOUR

State of Eritrean Refugees

The total number of Eritrean refugees and asylum seekers in different countries, mostly in Europe, has reached hundreds of thousands. The percentage of those fleeing the country has been in continuous increase. According to the United Nations High Commissioner for Refugees (UNHCR), the number of Eritrean refugees increased to 36,000 in 2007 showing an increase of 85%. As a result, Eritreans are ranked first among the nationalities of asylum seekers in the world. Eritreans are also ranked as first followed by Sudanese in their asylum applications. In 2007, out of 36,000 Eritrean applicants for asylum, 17,900 were granted asylum.

The risks that face Eritreans escaping from their country or trying to enter other countries are high. The security forces in Eritrea have been shooting at those seen to cross the border to Sudan and arresting many in the process. Others had died trying to cross the Setit River in eastern Sudan. Many died on their way to Egypt, and others had died on their way to Libya due to the hardships and dangers when they were deserted by smugglers in wilderness to meet their tragic fate.

Many Eritrean refugees also died crossing the Red Sea and the Gulf of Aden to Yemen. O

make a needs assessment. Some of the refugees are totally dependent on help, others need their own small businesses while others are in need of resettlement in third countries. But the renewal of refugee status to some 70,000 people who have lost that status when the UN introducing the legal screening and many have refused to be screened in 2004.

B/ Conditions of those who had Refuge after Independence:

These are those who came due to the break out of the recent war between Eritrea and Ethi people. They escaped as a result of the unlimited extension of the military service and the the Eritrean Government's military camps due to the repressive military practices or due to reach Sudan through Wed Sherifey, Hamdayet, and Gergef to Kassala State and Garora as they move to the Shegerab camp for their legal refugee screening. Most of the refugees ha their applications are processed. Many of them escaped from these reception centres and e long waiting period to be screened, add to that shortages of food and harsh living conditio get very hot in summer. Some of these tents were burned in June 2008. One refugee had to for the passport size pictures needed to complete the registration procedure.

Some refugees died because of the risky and dangerous routes the smugglers use to take th case was when 15 Eritreans and 5 Somalis who were trying to cross the Atbara River on a way to Khartoum, drowned.³⁴

C/ Deportation of Eritrean Asylum Seekers from Sudan

The Sudanese authorities had repatriated forcibly to Eritrea, hundreds of Eritreans betwee violating Sudanese immigration laws, after appearing shortly in courts in Kassala and Kha In 2008, 217 Eritreans, of the age group 20-30 years, of whom 38 were females, were dep Although the Centre can not verify if any of those possessing refugee identity cards issued deported, the way the deportations were conducted were not legal according to Abbas Sai defend the Eritrean asylum seekers in Kassala.³⁵ Said made the following remarks about

1. The Sudanese immigration law was applied as basis for deportation, although the Suc international treaties on refugee and asylum seekers, protection should have been app
2. At times, one trial was held for 15 people as a group in one session that did not last fo
3. No proper translation facilities from Tigrinya to Arabic were provided as most of the
4. Many were deported before the deadline for appeal was over.

A lot of the refugees tried to resist these deportations and one of them even demanded to b he was going to face the same fate.³⁶ An eyewitness reported that many of them were hol deportation cars that their fingers were bleeding. Another eye-witness to the deportations : after being handed over to the Eritrean security but were shot at, some died and others we

Because of the deteriorating conditions at reception centres in Eastern Sudan, the long time that most of the new refugees are single youth and they do not see any hope or future there particularly Khartoum looking for work and for educational opportunities, which is regarded as a barrier to cross the border to Egypt and then to Israel or to Libya where they cross the sea to European cities in Sudan were presented to trials and penalized up to one month imprisonment and confiscation of possessing refugee cards issued in Sudan.

The refugees pay thousands of dollars to smugglers who will take them across the border on cars to make it to Egypt or on unreliable boats to Europe risking their lives out of desperation in the deserts or in the middle of seas or oceans and escape if they sense that they have been caught by patrols.

2) Conditions of Refugees in Ethiopia

Ethiopia is a signatory to the Convention relating to the Status of Refugees and its 1967 Protocol and the Asylum and Repatriation Authority (ARRA) is a government body that deals with such issues.

The flow of Eritrean refugees to Ethiopia started at the end of the war between Eritrea and Ethiopia and they settled in the Shimelba camp in the Tigray region since 2004 when they were transferred from the proximity to the Eritrean border. The Shimelba camp is located 33kms south of Sheraro town in Mai Ayni away from the Eritrean border as the first one was full to capacity.

The WFP estimated the number of Eritrean refugees in Ethiopia by the end of 2008 to be around 100,000 at the Shimelba camp. In 2008, around 7800 asylum seekers were registered in Ethiopia at the Shimelba camp. There are also two refugee camps in the Afar Region in Ethiopia hosting about 6,000 from the Afar region. The camp is under the UNHCR and the ARRA administration. The refugees receive food help provided by some NGOs like IRC, ZOA and NRDP.

Two members of the Suwera Centre visited the Shimelba camp in June 2008 and conducted interviews at the camp and the refugees had problems of transportation to and from the camp and there were no schools.

In 2008, the Ethiopian government said that it will allow Eritrean refugees to live in cities and attend higher educational institutions in Ethiopia as long as they can depend on themselves.

The Ethiopian Government, volunteered in November to accept around 100 asylum seekers from the Shimelba camp. The government was planning to deport back to Eritrea. They were taken to Shimelba camp again to verify their eligibility for asylum.

Resettlement

In 2007 and 2008, hundreds of Eritreans from Shimelba camp were resettled in third countries.

These were especially from the Kunama ethnic group of whom 700 were resettled in the US. The US Office of Immigration and Refugees Affairs announced that refugees in the Shimelba camp in the US according to the following:

- 1) Eritrean refugees along with their families who had been registered by the UNHCR in the Shimelba camp and were accepted at Shimelba in November 2004
- 2) Refugees registered by the UNHCR between December 2004 and 7 August 2007.³⁹

After the resettlement programme is over, the Shimelba camp will be closed and the remaining refugees will be resettled in a new established camp in Mai Ayni.⁴⁰

3) Conditions of Refugees in Egypt

Egypt is considered to be one of the first countries that received Eritrean refugees in the 1950s. This was in opposition to Emperor Haile Selassie's unilateral dissolution of the Federation of Eritrea with Ethiopia. Many Eritreans fled to Cairo for continuing their education after Ethiopia banned education in Amharic. Most of those arrived through Sudan without travel papers. The Egyptian government provided political asylum and scholarships to students. The 1960s also witnessed a flow of large numbers of Eritreans to Sudan without travel papers and were welcomed by the Egyptian Government the same way. The ELF, the front that started the armed struggle for liberation in Eritrea was established in exile and students who were among the refugees of the 1950s in Egypt.

Refugees continued to flow to Egypt in the 1970s for educational opportunities. Many Eritreans used Egypt as a transit to travel to other countries. In fact, thousands of Eritreans migrated to Europe, Australia and the USA in the 1980s and 1990s.

Egypt is a signatory to the 1951 Convention relating to the Status of Refugees and its 1968 African Union Convention of 1969 governing the specific aspects of refugee problems in Africa. The Egyptian government signed a memorandum of understanding with the UNHCR to decide on asylum cases to Egypt.

UNHCR statistical data shows that there were 20 Eritrean asylum seekers in Egypt in 1995 and 1999 when the war between Eritrea and Ethiopia was at its peak. But the number increased significantly. The Suwera Centre could not get the exact number of Eritrean asylum seekers by the end of 2008, but the Egyptian government had deported back 1200 Eritrean refugees in 2008 and unknown numbers of Eritrean refugees, estimated at 5000 have crossed to Israel through the Sinai desert.

The Egyptian security agents have been shooting at those seen crossing the border and refugees, among them Eritreans, had been killed at the Egyptian-Israeli common border.

human right groups.⁴² Those arrested were made to appear in military courts and sentence imposed.⁴³

In 2008, the Egyptian authorities have tightened control over areas in its southern border where asylum seekers cross to Egypt, thus leading to the arrest of hundreds of Eritreans. The first group of those arrested trying to reach Cairo after crossing the border with Sudan 28 were women. These appeared for trials in April 2008 at the "Genah Drawa" court in Aswan. Thirteen of the group were presented to the court on 13/4/2008 under case number 625 of Egyptian territory without possession of passports or any other valid documents. The court charged according to articles 1/41/ 1,2 and 4 of the Presidential Decree no. 89 of 1960 which of 1996 and legal act no. 88 of 2005.

The other 58 asylum seekers were made to appear in court under the case no. 661 of 2008 the same day. Two other groups, the first made up of 24 and the second composed of four "Kom Ambo" Court on 20/4/2008 and 16/4/2008 respectively. On 23/4/2008, 32 Eritreans, were presented to the "Genah Adfo" Court. On 26/4/2008, 25 Eritreans, 6 women and one to the same court.⁴⁶ According to lawyer, Mustafa al Hassan, who defended the asylum seekers at other places which 'Hisham Mubarak Center' did not know about and the districts

- Nasr al Nuba city had 71 refugees which later rose to 188 during the deportations.
- Aswan police station had 38 refugees
- Central Security forces camp in Shelal had 66 refugees
- Qina city had 61 refugees
- Mersa Alem city had 110 refugees in addition to 18 who died on the way
- Al Qerdeqa city had 147 refugees

In addition to the above - mentioned detention centres, others were held in the Genater pri Ras Qarib police station.⁴⁷

Due to the poor detention conditions especially in the Nuba police station, most of the asy diseases and other sicknesses that result of over crowdedness and poor ventilation. There and the detainees were not allowed to go out in the sun except for a very limited time.⁴⁸

Court Rulings Cases of Asylum Seekers

A group of lawyers from the 'Hisham Mubark Center defended the asylum seekers and ap the charges they were facing. The lawyers depended on their defense, on the 1951 Refuge on the Presidential Decrees numbers 231 and 333 of 1980 issued on their basis according The defense also demanded that the UNHCR be allowed to meet the detainees.

All of the above - mentioned courts passed rulings of one month imprisonment not to be e not respect these rulings and continued detaining them.⁴⁹

Deportation Processes

The Egyptian authorities gathered hundreds of asylum seekers from their detention centre after informing them that they will be handed over to the UNHCR. A group of 200 asylum 11/6/2008 from which they were deported on a special Egypt Air flight to Asmara, such tr of the same month. Despite pleas by local and international organizations, the authorities (number reached 1200 by 19/6/2008.⁵⁰ The Egyptian authorities had deported 4 Eritreans allowing the UNHCR to meet them and see their cases⁵¹

On 19/6/2006, 18 Egyptian civic organizations sent a letter of appeal to the Egyptian Mini immediate suspension of deportations and asked for increased cooperation with the UNHC investigate the asylum cases of Eritreans. Thirty other African organizations also demanded African Union Summit in Sharm El Sheikh in June 2008 to:

1. Request the Egyptian government to respect its international commitment and stop th who will face risks of torture and unlawful treatment if returned to their home countr
2. Demand the Eritrean government to stop all forms of indiscriminate arrests, torture a
3. Ask that UNHCR be given free access to meet imprisoned Eritrean asylum seekers a
4. Demand that the Eritrean and Egyptian authorities allow and enable the Human Righ detainees without delay, and respect their human rights in accordance to the African Charter on Human and Peoples Rights.
5. Call on the special representatives of Refugees, Returnees and Internally Displaced P these cases.⁵²

Many international organizations, such as (AI) and (HRW) released statements and appea the deportation n of Eritrean asylum seekers back to Eritrea. The Human Rights Commiss expressed her dismay on the Egyptian government's deportation of Eritrean asylum seeker

On 15 June, the Egyptian Foreign Ministry sent a letter to the United Nations High Comm commitments on protecting refugees and allowing the UNHCR in Cairo to meet with the a illegally. The office of the High Commission looked into 179 asylum cases in the detentio right of refuge status in Egypt. However, hundreds of other Eritreans remained under arre: UNHCR.

After halting the deportation process for six months and ignoring the international and loc handed back by the Israelis after they crossed to Israel were deported to Eritrea on Decem

As expected and feared by the aforementioned international organizations, those deported sent to the 'Wia' camp for imprisonment to be sent later to the military service.

(4) Conditions of Refugees in Israel

Although Israel is a state party of the Refugee Convention of 1951 and its protocol of 1967 and has only accepted 170 refugees since its signature of the treaty, of whom a hundred left. In 2002, the Israeli Interior Ministry set up an advisory committee to oversee the asylum cases in any case.

The first group of Eritrean asylum seekers reached Israel in mid 2007 after crossing the Egyptian border. Israeli authorities and later moved from the prison to agricultural areas where they started working. In legislations to protect workers in these areas, they faced exploitations such as low wages and long hours. An Israeli organization has estimated the number of Eritrean asylum seekers in Israel by November 2007. While the number was 28 in 2006, it had increased to 1,763 in 2007.⁵⁶

In 25/12/2007, Israel stated that it will give Eritrean asylum seekers six-month working permits. 2000 Eritreans were given work permits. On February 2008, the authorities started rounding up refugees in Tel Aviv, including those with work permits and protection cards issued by the UNHCR and forcing them to go back to their home country, but instead issued work permits for 600 more refugees, who were given a pre-condition of not working in Tel Aviv. This shows that the Israeli government has no intention of respecting the Refugee Convention of 1951. The Israeli Interior Ministry refused the UNHCR's request to renew the work permits which were about to expire. Those who lost their jobs as a result.⁵⁸ In August 2008, for the first time, the Israeli authority carried out a mass renewal of cases and renewed the expired work permits for one month, but still did not give refugees the status of asylum seekers under the Convention of 1951 and did not allow the UNHCR to meet with the Eritrean asylum seekers.

Deportation of Eritrean Refugees from Israel

In an interview with 'Haaretz', an Israeli newspaper, the Eritrean ambassador to Israel objected to the issuing of work permits to the Eritreans and considered them either as economic immigrants or so-called 'illegal workers'. He did not regard them as political refugees.

Israel's Interior Minister had said that the reason for the issuing of work permits to Eritreans was the repressive and the Israeli embassy in Asmara sent a report stating that Eritreans who returned to Israel were being persecuted. After the increasing flow of African refugees to Israel through the Egyptian border, Israel passed a law of 1954 known as the "Hot Return", by which the Israeli Armed Forces return any illegal immigrants to the concerned bodies to look into his asylum case. The first victims were 6 Eritreans who were deported back to Israel by the Israeli army.⁶⁰ Another group was deported back in August 2008.⁶¹

The legal advisor of the Israeli government explained this as an action against illegal entry and stated that Israel does not respect its commitment to the international treaties by returning them to Egypt who re-

There is fear for the future of Eritrean asylum seekers in Israel as it depends on Israeli international commitments as it had not given asylum to any Eritrean until the end of 2008. As a result, on 16/12/2008, Eritreans in Tel Aviv demonstrated against not being acknowledged as refugees under the Refugee Convention of 1951.⁶³ Some Eritrean Civil Society Groups and Human Rights Activists appealed to the interior Minister in support of the demonstrators and expressed their willingness to help in providing asylum seekers.⁶⁴

5/ Conditions of Refugees in Libya

There is no exact statistical data on the number of Eritrean refugees in Libya, as they only visit European countries and stay there for only a short period of time till they are ready to move and attempt to cross the sea.

Libya is not a signatory of the Geneva Convention for the Protection of Refugees of 1951 and lacks national legislation on refugees, nor does it have a memorandum of understanding signed with UNHCR in Libya.⁶⁵

Most of the Eritrean Refugees reach Libya through a lot of risky smuggling routes from the Sahel track in the Sahara or during attacks by bandits or the smugglers themselves. Libya does not cooperate with UNHCR, and is detaining many of them. About 700 Eritrean refugees, among them 30 children, are held in prison in Mesrata, east of the capital, until the end of 2008.⁶⁶ These refugees were arrested by Libyan naval patrols, or during round ups against foreigners.

The refugees are detained under harsh condition, with no health care services, and there were reports that some of them had depression. There were also pregnant women, among the detainees, some of whom died after birth, while some were raped during the first weeks.⁶⁷

Eritrean refugees in Libya live in fear since 2004 when Libya deported back Eritreans.⁶⁸ Libya has deported Eritreans back, despite pleas by international organizations and despite the fact that the constitution guarantees the right of political refugees. The legal act no. 20 of 199 also gives the right of protection for refugees.

By deporting the Eritrean asylum seekers, Libya had disregarded its commitment to the Treaty of Amman, the African Convention on Civil and Political Rights and the African treaty against deporting refugees.

In January 2008, the Libyan authorities issued a decision to deport people who do not possess valid documents. The number of deporting more Eritreans increased in June 2008 when authorities prepared travel documents for those who promised that they were to be resettled in Italy, while in reality, there were no such arrangements.

In July 2008, the UNHCR signed treaties with 3 Libyan organizations: The IOP, CR, CDII and the Eritrean Community. The UNHCR is monitoring the refugees and asylum seekers in Libya, but there is no independent verification of the a

protection to asylum seekers from being deported.⁷¹

6/ Conditions of Refugees in Yemen and Saudi Arabia

There are thousands of refugees in Yemen, some of whom have escaped during the Eritrean civil war in Yemen ever since. Most of the Eritrean refugees live in a camp in "Al- Khokha", situated in the north of Yemen. The Yemeni Authorities recently stated that they will allow the return of Eritrean refugees to their respective countries, a matter that the UNHCR requested be made clear, in line with the 1951 Convention of 1951 and its Protocol of 1967.⁷²

The Yemeni Authorities have arrested several Eritrean asylum seekers during the years 2004 and 2005 as well.⁷³

There is no accurate statistical data on the number of Eritrean refugees in Saudi Arabia. The UNHCR work plans in the Gulf countries, the number of Eritrean refugees in Saudi Arabia was estimated to be around 10,000 in 2008.⁷⁴

During 2004, 215 Eritrean soldiers sought asylum in Saudi Arabia, and were given refugee status in Riyadh, and the Saudi government provided residence and means of living for them, though not in line with the Convention for the Protection of Refugees or its protocol of 1967. Due to the refugees military movements were restricted. During 2006 and 2007, 185 of the Eritrean refugees there, were resettled in America, while the remaining 32, who were joined by the end of December 2006 by two more, remained to the end of the year without being resettled.⁷⁵ 14 of the Eritrean asylum seekers participated in a strike in August 2008, demanding their speedy relocation.⁷⁶

Many Eritreans who live and work in Saudi Arabia with UN refugee travel documents issued by the Sudanese government, due to the withdrawal of Sudan by the UNHCR in 2004. However, the Sudanese embassy in Riyadh had renewed its request for the intervention of the regional office of the UNHCR in Riyadh in an exceptional manner and

In a telephone call to the Centre from Saudi Arabia, one of the Eritrean refugees, who posed that he had renewed it in Sudan in 2007, but it had expired by August 2008, and stated that he wanted to travel to Sudan to visit his ailing mother.

7/ Conditions of Refugees in Europe and North America

There are tens of thousands of Eritrean refugees and asylum seekers in Europe and North America, many of whom arrived through illegal ways. According to a report by the UNHCR about the trends of refugees in 2008, 4,044 Eritreans requested asylum in these countries during that period. The European countries with the highest number of asylum requests by Eritreans are Britain (995), Norway (760), Switzerland (736), Sweden

The Eritrean refugees were ranked first amongst those nationals whose asylum application. However, European countries have, in few cases, deported Eritreans from their territories, deported two Eritrean asylum seekers, Yonas Haile Mehari and Petros Afeworki Mulgeta feared that they were arrested upon their arrival in Asmara and transferred to an unknown

Section Five

The International Community's Response on the Violations of Human Rights

Background

The adventurous policies adopted by the Eritrean government during the years 2007 and 2008 have caused the international community. Accordingly, the Security Council by its Resolution No. 1827 passed the mandate of the UN Peacekeeping Mission to Eritrea and Ethiopia (UNMEE). As a result of the common borders between the two countries have been without international monitoring, a state of hostilities any time. Again the Eritrean government's intervention in Somalia and its support to the Transitional Government in addition to the hosting of the leaders of the Islamic Courts in Somalia. UN's resolution of the arms embargo against Somalia- all these acts caused more and more tension between the government and the international community which extended its recognition and support to the government. Also the conflict between the government of Eritrea and the State of Djibouti added more tension to the international community.

Eritrea during 2007 and 2008 didn't participate in the summits and meetings of the African Union in Addis Ababa as its headquarters and also because of its dissatisfaction at the stands of the organization which suspended its membership in IGAD because of its differences with this organization over the border conflict. Tension was also heightened with the USA during the year 2008 against the background of the USA and America of alignment and backing of Ethiopia's position on the border conflict. The USA's support to the Islamists in addition to continued American criticism of the Eritrean government's record on human rights relations. The deterioration reached its height when the USA threatened in August 2007 to stop sponsoring terrorism if it did not stop its support to the Islamists in Somalia. (81)

In this context, American officials met during the year 2007 and 2008 with leading members of the Isaias' regime. The officials also met with leaders of opposition parties and members of the Eritrean Diaspora.

Most of the international organizations which used to be active in the fields of development and human rights departed from the country because of the Eritrean government's restrictions on their work.

expressed their concern about the serious situation of human rights in Eritrea especially the journalists and the group of reformists in September 2001 in addition to the reports of the congressmen demanded from Secretary Rice to investigate those reports which spoke about the Eritrean authorities to uncover openly and immediately the whereabouts and places of detainees and declare whether there were deaths among them. They requested in particular information about the detention of journalist Fessahaye Yohannes (Joshua).⁽⁸⁸⁾ The congressmen asked Secretary Rice to urge the Eritrean government to immediately and unconditionally release all the detainees and prisoners. The ex-ambassador of the USA in Eritrea, Scot Delcy, directed, after he departed from his post, that the people of Eritrea in which he said that despite the escalating violations to human rights and the principles of democracy committed by the Eritrean government, the government of the USA will support the people will enjoy the fruits of their heroic struggle for independence.⁹⁰

The American Ambassador T. Vance McMahan, representative of the US in the UN Economic and Social Council forum on 24 July 2008 in New York about the situation of human rights in a number of states. He mentioned Yohannes, an activist in the field of human rights and sister of Aster Yohannes presently in detention, the conditions of the detention of her sister and the others arbitrarily arrested in Eritrea.⁽⁹¹⁾

3- International and Regional Human Rights Organizations:

(a) UN Human Rights Committee:

1- In response to a complaint made by two Eritrean citizens, the group responsible for arbitrating human rights, the Human Rights Committee, considered the continued detention of the 11 Reformists (G-15) as a violation of the International Convention pertaining to civil and political rights and it demanded from the Eritrean government the release.⁽⁹²⁾

2- The then UN Commissioner of Human Rights, Louise Arbor, said she was extremely concerned about the deportation of 700 Eritrean refugees asylum seekers to their country by the Egyptian authorities and urged the Egyptian government not to repatriate more Eritrean refugees.⁽⁹³⁾

(b) Committee for the rights of the Child:

This Committee, which is mandated to monitor the implementation of the UN Agreement on the Rights of the Child, issued its final remarks on the second and third regular reports of the Eritrean government which the Committee convened at Geneva on 2 June, 2008. The Committee noted the Eritrean government's non-compliance with the spirit and intent of the UN Declaration and Convention on the Rights of the Child. The Committee expressed its concern about the harsh conditions under which the Eritrean children are living at present because of the violations such as detention, torture and recruitment to military service.⁽⁹⁴⁾

(c) African Commission for Human and Peoples Rights:

The Commission had previously taken a resolution in its 34 session convened at Gambia (complaint made by an Eritrean citizen, Mussie Ephrem, about the detention of the (G-15). government was abrogating and contradicting some of the articles of the African Charter (demanded the immediate release of the members of the Reformist Group and asked the go period of detention.

In subsequent years, this Commission made other resolutions regarding Eritrea, including held in December 2004 denouncing the violations of human rights and the suppression of Bahame T.M. Nyandunga in his report to the Commission said that he did not conduct an there was no agreement on a date for making a visit to Eritrea since his appointment in 20 submit report during the said period .He added that the Commission, however, found Eritr Charter especially of denying suspects and accused persons, the rights of obtaining and re the right to organize , to assemble and the right to free press in addition to imprisoning op

4- Non-Governmental Organizations (NGOs) Concerned About Human Rights Issue

This organization published many reports and appeals on the situation of human rights ir conditions of Eritrean refugees and asylum seekers. It gave great attention to the deportati and those threatened for deportation by some European states. Amnesty also issued a state of the group of reformists (G15) and independent journalists.

Reporters Sans Frontières (RSF):

This organization published many reports and statements regarding the situation of humar worst country in the world to journalistic freedom for the year 2008. The organization der during the meeting of Euro-African Summit in December 2007 to consider President Isaia grata in the states of the EU due to their gross human rights violations. The organizers cor Tsehaye, detained since September 2001, the journalist of the year 2007. During 2007 and on the anniversary of the closure of independent newspapers and the detention of indepen freedom of the press in Eritrea.

(c) Human Rights Watch:

On its report this organization also issued several statements and reports on the situation o Middle East section showed great concern for the dire conditions and misery of deported l under threat of deportation from Egypt. In this respect, the organization in repeated request stop deportations and to allow the UN High Commission for Refugees to meet the Eritrean

(d) Other Organizations:

Many other organizations showed their great concern about the situation of human rights. Committee to Protect Journalists based in New York. The latter had in 2002 granted its an Eritrean journalist Fessahaye Yohannes "Joshua". Besides, there is the CSW which publishes reports on the suppression of Christian sects in Eritrea. There is also the Swedish National freedom of speech and press freedom for year 2007 to the detained journalist Dawit Issac.

Recommendations

During the year 2008, violation committed in all fields against Eritrean citizens by the Eritrean government did not release from detention all those it had arrested in previous years. It even and didn't allow their families to visit them. All these illegal acts and suppressive policies international pressure. The numbers of those fleeing the country have increased. Those who were in a sad situation in it were exposed to all types of risks and dangers. Hundreds of asylum seekers of thirst or were shot dead by border guards of the countries which they attempted to enter. Governments deported hundreds of these refugees ignoring the directive of UN High Commissioner instructions to all states clearly requested that Eritrean seeking refuge should not be deported, imprisoned and tortured.

The Suwera Centre for Human Rights (SCHR), in the light of its present report, makes the institutions of civil society active in the field of human rights and to the international organizations expresses the hope that the year 2009 would witness firmer positions against the Eritrean government ; positive role being played towards improving the conditions of Eritrean refugees and other the Eritrean government against its own people.

1- The Eritrean Organizations Concerned with the Defence of Human Rights:

- (a) To coordinate and boost efforts in exposing the Eritrean government's violations before
- (b) To organize worldwide campaigns with the participation of friends of the Eritrean people. Eritrean government to stop its violations against human rights of Eritreans and to set free
- (c) To step forward for adoption and sponsoring of the cases of the individuals who suffer by concerned regional and international organizations.
- (d) To give more emphasis to the work of raising consciousness and awareness of Eritrean

conventions of human rights. Eritreans indeed need training on monitoring, reporting and rights, including the ones committed against Eritrean refugees and asylum seeker.

(e) To play an active role in extending aid and support to Eritrean refugees and engage with them on the risks and dangers of illegal migration. In addition they should work for creating their circumstances and the names of the dead refugees and asylum seekers among those who way to take refuge in other countries.

2- The African Commission for Human and Peoples Rights:

We recommend its continuation of applying pressure on the Eritrean government to respect in the African Charter for Human and Peoples Rights, and to comply with the Commission which called for the release of the group of reformists (G-15) and compensating them for allow the rapporteur whom the Commission appointed to visit Eritrea for assessing the situation.

3- The UN Human Rights Council:

The Suwera Centre for Human Rights (SCHR) urges this international body to work towards rights in Eritrea because of the gravity and extent of continued human rights violations .

4- The UN High Commissioner for Refugees (UNHCR):

(a) To sponsor and call for the convening of an international conference on the situation of finding solutions for their problems.

(b) To re-emphasize the directives which it issued in 2004 for stopping the deportation and seekers. We also urge the Commission to address the states which deported the Eritrean as demand that they should not repeat such inhumane acts.

(c) To investigate the cases of the deaths of some asylum seekers during their attempts to make known the names of those who died so that their families could be informed of their

(d) To give more concern and emphasis to the situation of Eritrean refugees especially in particular to their food, health and education services and freedom of movement.

(e) To make concerted efforts in convincing states to accept more Eritreans in the third- countries.

5- The International Organizations On Human Rights:

(a) To exert more pressure on the Eritrean government to allow them to visit Eritrea to observe conditions of the arbitrarily arrested persons in several prisons.

(b) To persuade Western countries to give Eritrean refugees increased opportunities for re-

(c) To address and make pressure bear on the UN Human Rights Council to appoint a Spe

Suwera Centre for Human Rights

(SCHR)

The Suwera Centre for Human Rights (SCHR) is a non-profit independent Eritrean Cent promotion of Human rights in Eritrea. Its goals are as following:

1. Defending human rights and dignity of the citizen in Eritrea.
2. Raising the awareness of Eritreans in human rights and their knowledge about inter mechanisms.
3. Striving to enhance the sprit of tolerance and the respect for the plurality of faith as Eritrea.
4. Upholding women's rights that are stipulated in international human rights law, and

discrimination and violence.

5. Protecting children's rights against all kinds of violations they may be exposed to.
6. Working for establishing the rule of law in Eritrea, including the independence of the and summary courts;
7. Ensuring freedom of expression and press in Eritrea.
8. Working towards promoting and defending the rights of all Eritrean citizens in social
9. Working in solidarity with all human rights organizations for the protection, promotion international level.

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