

# GUIDANCE NOTE ON ERITREA

April 2026

## Background

1. This Guidance Note supersedes UNHCR's *Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea* of April 2011.<sup>1</sup>
2. Since its independence in 1993, Eritrea has been governed by the People's Front for Democracy and Justice (PFDJ), headed by President Isaias Afwerki, who serves as both Head of State and Head of Government.<sup>2</sup> No elections have been held since 1993.<sup>3</sup>
3. In 2002, the arbitral award by the Eritrea-Ethiopia Boundary Commission regarding the delimitation and demarcation of the border between the two countries was not implemented in full,<sup>4</sup> which led to an impasse, referred to by Eritrea as a situation of "no war, no peace".<sup>5</sup> The Government of Eritrea therefore adopted a strategy focusing on national security and self-reliance, in pursuit of which it consolidated power in the Executive branch, suspended the nation's Constitution, curtailed civil liberties, suspended the National Assembly, extended national service, postponed electoral processes, and incarcerated individuals without legal recourse on grounds of treason.<sup>6</sup> While relations with Ethiopia thawed in 2018,<sup>7</sup> more recently concerns have arisen about renewed tensions between the two countries.<sup>8</sup>
4. Eritrea reportedly continues to place restrictions on the enjoyment of basic human rights, including the rights to freedom of opinion, religion, and expression,<sup>9</sup> with particular concerns having been expressed about human rights violations in the context of Eritrea's national service.<sup>10</sup> The Special Rapporteur for the situation of human rights in Eritrea stated in May 2025: "Eritrea has yet to establish credible and effective mechanisms capable of addressing the prevailing impunity and providing redress to victims. This persistent failure to ensure accountability not only undermines the rule of law, but also signals tolerance for human rights violations, emboldening perpetrators and perpetuating cycles of abuse."<sup>11</sup>

<sup>1</sup> UNHCR, *Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea*, 20 April 2011, [www.refworld.org/policy/countrypos/unhcr/2011/en/79008](http://www.refworld.org/policy/countrypos/unhcr/2011/en/79008). The 2011 Eligibility Guidelines had superseded guidelines first published in 2009. UNHCR, *UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea*, April 2009, [www.refworld.org/policy/countrypos/unhcr/2009/en/66801](http://www.refworld.org/policy/countrypos/unhcr/2009/en/66801).

<sup>2</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 7 May 2024, A/HRC/56/24, [www.ecoi.net/en/file/local/2110397/g2407300.pdf](http://www.ecoi.net/en/file/local/2110397/g2407300.pdf), para. 35. See also, Freedom House, *Freedom in the World 2025 - Eritrea*, 2025, [www.ecoi.net/en/document/2129039.html](http://www.ecoi.net/en/document/2129039.html).

<sup>3</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 35.

<sup>4</sup> Permanent Court of Arbitration, *Eritrea-Ethiopia Boundary Commission*, <https://pca-cpa.org/en/cases/99/>, accessed 24 February 2026; UN, *Reports of International Arbitral Awards, Delimitation of the Border (Eritrea-Ethiopia): Demarcation of the Eritrea/Ethiopia Boundary Directions*, 8 July 2002, VOLUME XXV, [https://legal.un.org/riaal/cases/vol\\_XXV/207-215.pdf](https://legal.un.org/riaal/cases/vol_XXV/207-215.pdf), pp. 207-215.

<sup>5</sup> UN General Assembly, *Report of the Detailed Findings of the Commission of Inquiry on Human Rights in Eritrea*, 5 June 2015, A/HRC/29/CRP.1, [www.refworld.org/reference/countryrep/unhcr/2015/en/105184](http://www.refworld.org/reference/countryrep/unhcr/2015/en/105184), paras 121, 164-166.

<sup>6</sup> International Crisis Group (ICG), *Eritrea: Scenarios for Future Transition*, 28 March 2013, [www.ecoi.net/en/file/local/1204499/1226\\_1365071032\\_200-eritrea-scenarios-for-future-transition.pdf](http://www.ecoi.net/en/file/local/1204499/1226_1365071032_200-eritrea-scenarios-for-future-transition.pdf), pp. 13-16. In 2013, the Government of Eritrea blamed the "continued occupation of Sovereign Eritrean Territories by Ethiopia" for "the prolongation of the national service and other onerous burdens on the country and its people", including "expenditure for defense as well as undesirable delays in the constitutional process". UN General Assembly, *National Report Submitted in Accordance with Paragraph 5 of the Annex to Human Rights Council Resolution 16/21: Eritrea*, 8 November 2013, A/HRC/WG.6/18/ERI/1, [https://upr-info.org/sites/default/files/documents/2014-03/a\\_hrc\\_wg\\_6\\_18\\_eri\\_1\\_e.pdf](https://upr-info.org/sites/default/files/documents/2014-03/a_hrc_wg_6_18_eri_1_e.pdf), para. 91.

<sup>7</sup> Al Jazeera, *Ethiopia, Eritrea Sign Peace Deal at Saudi Arabia Summit*, 17 September 2018; [www.aljazeera.com/news/2018/9/17/ethiopia-eritrea-sign-peace-deal-at-saudi-arabia-summit](http://www.aljazeera.com/news/2018/9/17/ethiopia-eritrea-sign-peace-deal-at-saudi-arabia-summit); Deutsche Welle, *Ethiopia, Eritrea Officially End War*, 9 July 2018, [www.dw.com/en/ethiopia-eritrea-officially-end-war/a-44585296](http://www.dw.com/en/ethiopia-eritrea-officially-end-war/a-44585296).

<sup>8</sup> ICG, *Ethiopia, Eritrea and Tigray: A Powder Keg in the Horn of Africa*, 18 February 2026, [www.crisisgroup.org/brf/africa/ethiopia-eritrea/b210-ethiopia-eritrea-and-tigray-powder-keg-horn-africa](http://www.crisisgroup.org/brf/africa/ethiopia-eritrea/b210-ethiopia-eritrea-and-tigray-powder-keg-horn-africa); UNSG, *Statement Attributable to the Spokesperson for the Secretary-General - on the 25th Anniversary of the Algiers Agreement*, 12 December 2025, [www.un.org/sg/en/content/sg/2025-12-12](http://www.un.org/sg/en/content/sg/2025-12-12); BBC, *Eritrea Quits Regional Bloc as Tensions Rise with Ethiopia*, 12 December 2025, [www.bbc.com/news/articles/cly555k8de3o](http://www.bbc.com/news/articles/cly555k8de3o).

<sup>9</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, paras 53-61, 62-67; HRW, *World Report 2025 - Eritrea*, 16 January 2025, [www.ecoi.net/en/document/2120042.html](http://www.ecoi.net/en/document/2120042.html).

<sup>10</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, paras 24-33.

<sup>11</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 43.

5. Recent reports have highlighted instances of arbitrary detention and enforced disappearance,<sup>12</sup> problems with the rule of law and administration of justice;<sup>13</sup> surveillance of the population in violation of the right to privacy;<sup>14</sup> allegations of deployment of child soldiers;<sup>15</sup> restrictions on citizens' right to a free civic and democratic space and restrictions on political participation;<sup>16</sup> restrictions on the right to leave and enter one's own country;<sup>17</sup> restrictions on domestic and international human rights organizations;<sup>18</sup> the criminalization of consensual same-sex sexual activity between adults;<sup>19</sup> and child labour.<sup>20</sup>

## Refugees

6. By December 2025, UNHCR was aware of over 679,000 Eritrean refugees and asylum-seekers around the world, with Ethiopia, Sudan, Germany, Uganda, Egypt and Switzerland among the top host countries.<sup>21</sup>

## Humanitarian Situation and Challenges to Human Development

7. ACAPS notes that, "The Eritrean Government significantly restricts humanitarian access, resulting in limited information on humanitarian needs in the country."<sup>22</sup> Eritrea faces significant economic challenges. Ranked 178 out of 193 countries in UN Development Programme's Human Development Index, Eritrea has a Gross Domestic Product (GDP) per capita estimated at USD 656 in 2023,<sup>23</sup> and a life expectancy of 69 years.<sup>24</sup> Real GDP growth was estimated at 2.9% in 2023, the latest publicly available data.<sup>25</sup> Eritrea is extremely climate vulnerable and exhibits "limited adaptive capacity resulting from weak governance structures and inadequate infrastructures."<sup>26</sup> Around 70 per cent of Eritreans

<sup>12</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, paras 37-42. HRW, *World Report 2025: Eritrea*, 16 January 2025, [www.ecoi.net/en/document/2120042.html](http://www.ecoi.net/en/document/2120042.html).

<sup>13</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, paras 43-49; Defend Defenders, *Submission to the UN Human Rights Council's Universal Periodic Review (UPR) 46th Session of the UPR Working Group*, 11 October 2023, <https://defenddefenders.org/wp-content/uploads/2023/10/Eritrea-UPR.pdf>, pp. 3-6.

<sup>14</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, paras 28, 66, 68 and 70.

<sup>15</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 9 May 2023, A/HRC/53/20, [www.ecoi.net/en/file/local/2093254/G2309208.pdf](http://www.ecoi.net/en/file/local/2093254/G2309208.pdf), paras 32-33, 37. According to a May 2022 report by the Special Rapporteur on the situation of human rights in Eritrea, some witnesses reported the forced conscription of children as young as 14. UN General Assembly, *Situation of Human Rights in Eritrea*, 6 May 2022, A/HRC/50/20, [www.ecoi.net/en/file/local/2074150/G2233687.pdf](http://www.ecoi.net/en/file/local/2074150/G2233687.pdf), para. 27.

<sup>16</sup> In May 2025, the Special Rapporteur on the situation of human rights in Eritrea remarked that "Civic space remained entirely closed". UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 62.

<sup>17</sup> "The right to leave and to enter one's own country continues to be highly restricted. Eritreans are still required to obtain an exit visa in order to leave their own country. The vast majority of Eritreans do not have access to an exit visa, as this requires justification for travel. They are often issued based on personal connections and they are denied to persons of conscription age, which in practice, in recent years, encompasses those aged between 15 and 70 years of age. Most Eritreans do not own a passport, and its issuance also requires validation by the authorities." UN General Assembly, *Situation of Human Rights in Eritrea*, 9 May 2023, A/HRC/53/20, [www.ecoi.net/en/file/local/2093254/G2309208.pdf](http://www.ecoi.net/en/file/local/2093254/G2309208.pdf), para. 64.

<sup>18</sup> According to the law, "activities of every NGO shall be limited to relief and/or rehabilitation works." Eritrea, *Proclamation No. 145/2005 of 2005, Non-governmental Organization Administration Proclamation*, 11 May 2005, [www.refworld.org/legal/legislation/natlegbod/2005/en/95934](http://www.refworld.org/legal/legislation/natlegbod/2005/en/95934), Art. 7(1). See also, UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 67.

<sup>19</sup> "A person who performs with a person of the same sex an act corresponding to the sexual act, or any other indecent sexual act, is guilty of homosexual conduct, a Class 7 serious offence, punishable with a definite term of imprisonment of not less than 5 years and not more than 7 years." Eritrea, *Penal Code*, 15 May 2015, [www.refworld.org/legal/legislation/natlegbod/2015/en/106143](http://www.refworld.org/legal/legislation/natlegbod/2015/en/106143), Art. 310(1). See also, International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), *Our Identities Under Arrest*, November 2023, <https://ilga.org/resources/our-identities-under-arrest-2023/>, p. 68.

<sup>20</sup> US Department of Labor, *2024 Findings on the Worst Forms of Child Labor: Eritrea*, September 2025, [www.ecoi.net/en/file/local/2131722/Eritrea.pdf](http://www.ecoi.net/en/file/local/2131722/Eritrea.pdf).

<sup>21</sup> UNHCR, *Refugee Data Finder*, [www.unhcr.org/refugee-statistics](http://www.unhcr.org/refugee-statistics), accessed 24 February 2026.

<sup>22</sup> ACAPS, *Country Analysis: Eritrea*, [www.acaps.org/en/countries/eritrea](http://www.acaps.org/en/countries/eritrea), accessed 24 February 2026.

<sup>23</sup> United Nations Statistical Division, *Eritrea: Per Capita GDP at Current Prices – US Dollars*, last updated 26 March 2025, <http://bit.ly/4pcyAFW>, accessed 24 February 2026.

<sup>24</sup> United Nations Development Programme (UNDP), *Human Development Insights*, <https://hdr.undp.org/data-center/country-insights/#ranks>, accessed 24 February 2026; World Bank, *Eritrea*, <https://data360.worldbank.org/en/economy/ERI>, accessed 24 February 2026; Visual Capitalist, *Ranked: The 25 Poorest Countries by GDP per Capita*, 29 March 2023, [www.visualcapitalist.com/worlds-poorest-countries-2023-gdp-per-capita/](http://www.visualcapitalist.com/worlds-poorest-countries-2023-gdp-per-capita/). African Development Bank Group, *Eritrea Economic Outlook*, [www.afdb.org/en/countries/east-africa/eritrea-economic-outlook](http://www.afdb.org/en/countries/east-africa/eritrea-economic-outlook), accessed 24 February 2026.

<sup>26</sup> University of California, Berkeley, *Climate Crisis, Displacement, and the Right to Stay*, 2023, <https://belonging.berkeley.edu/climatedisplacement/case-studies/eritrea>. Eritrea ranked 185 out of 187 countries in the Notre Dame Global Adaptation Initiative (ND-GAIN) Country Index (scores for 2023), <https://gain.nd.edu/our-work/country-index/rankings/>, accessed 24 February 2026.

live in rural areas and are dependent on subsistence agriculture for their livelihoods.<sup>27</sup> Food insecurity as well as limited access to safe water, sanitation and health services present major concerns.<sup>28</sup> In 2022, Eritrea signed a five-year Sustainable Development Cooperation Framework with the United Nations.<sup>29</sup>

## International Protection Needs

8. UNHCR continues to call on all countries to allow civilians fleeing Eritrea access to their territories, to guarantee the right to seek asylum, and to ensure respect for the principle of non-refoulement at all times. UNHCR calls on States to register all arrivals who seek international protection and to issue documentary proof of registration to all individuals concerned.
9. All claims of Eritrean nationals seeking international protection should be processed through fair and efficient procedures in accordance with international and regional refugee law and other relevant legal standards. In countries where Eritrean asylum-seekers arrive in large numbers, represent a discernible and similar pattern in the nature of their claims, and where refugee status determination exceeds the local capabilities, UNHCR encourages the adoption of a prima facie approach in the processing of claims.

## Specific Profiles with International Protection Needs

10. Based on the available information about the human rights situation in Eritrea, including information provided to UNHCR by Eritreans abroad as part of UNHCR protection monitoring activities, UNHCR considers that many Eritreans will have international protection needs. As described below, there are serious limitations on information gathering in Eritrea, which make it difficult to obtain a comprehensive understanding of the treatment of Eritreans of different profiles across the country. Nevertheless, UNHCR has particular concerns about the international protection needs of persons belonging to the following risk profiles:
  - a. **Members of political opposition groups and government critics, including journalists and media professionals:** According to the Special Rapporteur on the situation of human rights in Eritrea, the ruling party is the only authorized party, while “[c]ivic space remained entirely closed, marked by suppression of the freedoms of expression, association and peaceful assembly, and of the right to participate in public affairs, leaving no room for independent media [...] or opposition political activity.”<sup>30</sup> The Special Rapporteur reports that the Government of Eritrea targets real or perceived government opponents for arbitrary detention, often for prolonged periods, and disappearance,<sup>31</sup> without any access to due process rights.<sup>32</sup>
  - b. **Draft evaders and deserters:** Eritrea introduced the National Service (Proclamation No. 82) in 1995,<sup>33</sup> outlining the compulsory duty of citizens between the ages of 18 to 40 years to perform

<sup>27</sup> Food and Agriculture Organization (FAO), *Striding for a Sustainable Change in the Lives of Vulnerable Communities in Eritrea*, 19 March 2024, <https://reliefweb.int/report/eritrea/striding-sustainable-change-lives-vulnerable-communities-eritrea>.

<sup>28</sup> UN Office for the Coordination of Humanitarian Affairs (OCHA), *Eritrea*, [www.unocha.org/eritrea](http://www.unocha.org/eritrea), accessed 18 December 2025.

<sup>29</sup> See UNDP, *Sustainable Development Cooperation Framework Between Government of the State of Eritrea and the United Nations 2022-2026*, 13 July 2022, [www.undp.org/eritrea/publications/sustainable-development-cooperation-framework-between-government-state-eritrea-and-united-nations-2022-2026](http://www.undp.org/eritrea/publications/sustainable-development-cooperation-framework-between-government-state-eritrea-and-united-nations-2022-2026).

<sup>30</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 62.

<sup>31</sup> “Disappearances are often targeted at individuals perceived to be opponents of the Government or who have challenged State narratives.” *Ibid.*, para. 40.

<sup>32</sup> “Due process rights continue to be systematically violated. Political cases, including the detention of dissidents, government critics, human rights defenders, religious leaders, journalists and draft evaders, are handled extrajudicially.” UN General Assembly, *Situation of Human Rights in Eritrea*, 7 May 2024, A/HRC/56/24, [www.ecoi.net/en/file/local/2110397/g2407300.pdf](http://www.ecoi.net/en/file/local/2110397/g2407300.pdf), para. 38. “Thousands of persons continued to be arbitrarily detained in the framework of the Government’s policy of a permanent crackdown on dissent. Eritrea continued to target and imprison real or perceived government critics and opponents without any access to due process rights, such as access to a lawyer, judicial review of the legality of the detention and without any legal process. Journalists, political opponents or politically active individuals, artists, people of faith, draft evaders and returned asylum-seekers continued to be arbitrarily detained, in many cases for prolonged periods of time.” UN General Assembly, *Situation of Human Rights in Eritrea*, 9 May 2023, A/HRC/53/20, [www.ecoi.net/en/file/local/2093254/G2309208.pdf](http://www.ecoi.net/en/file/local/2093254/G2309208.pdf), para. 44. See also, Freedom House, *Freedom in the World 2025 - Eritrea*, 2025, [www.ecoi.net/en/document/2129039.html](http://www.ecoi.net/en/document/2129039.html).

<sup>33</sup> *Proclamation on National Service No. 82/1995*, published in the Eritrean Gazette No. 11 of 23 October 1995, English translation available at [www.refworld.org/legal/legislation/natlegbod/1995/en/32119](http://www.refworld.org/legal/legislation/natlegbod/1995/en/32119).

active national service for a period of 18 months. Under Article 23 of the Proclamation, National Service members remain part of the reserve army until the age of 50. In practice, the duration of national service is arbitrary, with most Eritreans “forced to serve for periods spanning from several years to more than two decades, in both military and civil service roles.”<sup>34</sup> In addition, Eritreans outside the prescribed age range have been conscripted, including children aged 15-18 and persons over the age of 60.<sup>35</sup> The 1995 Proclamation makes certain provisions for exemption from both active and reserve national service, but these are reported to be inconsistently applied.<sup>36</sup> Eritrea established a Demobilization Commission in 2001, established an Emergency Demobilization and Reintegration Programme, and reported the successful demobilization of 104,400 personnel during the first phase ending in 2005.<sup>37</sup> Subsequent phases appear to have stalled, and the country has repeatedly prolonged the duration of National Service from the statutory eighteen months in response to regional political dynamics.<sup>38</sup> The Special Rapporteur for the situation of human rights in Eritrea has stated that the conditions of service amount to inhuman or degrading treatment in violation of Eritrea’s obligations under international human rights law.<sup>39</sup> The UN Committee on the Elimination of Discrimination against Women has found that, “Women performing national service continue to be victims of sexual violence, including rape, committed with impunity by male officers and recruits”.<sup>40</sup> The Commission of Inquiry on Human Rights in Eritrea concluded that the circumstances under which Eritreans are forced to work as part of the national service amount to forced labour and slavery.<sup>41</sup> Reports persist of mass roundups and forced conscription, with notable increases from 2022 onward as fighting resumed in Ethiopia’s Tigray region.<sup>42</sup> Draft evaders and deserters, as well as their families, may face punitive measures,

<sup>34</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 25.

<sup>35</sup> Ibid.

<sup>36</sup> In September 2023, the District Court of The Hague found that exemptions are inconsistently applied, including for women with children, and noted that even exempted individuals must undergo six months of military training, during which women face an increased risk of being exposed to sexual violence and abuse by military commanders. Finally, the Court held that an exemption from military service does not extend to the civilian component of the national service, which poses a real risk of violations of Article 3 ECHR and Article 4(2) ECHR (right not to be required to perform forced or compulsory labour). District Court of The Hague, *Applicant v State Secretary for Justice and Security*, 28 September 2023, <https://uitspraken.rechtspraak.nl/details?id=ECLI:NL:RBDHA:2023:14597> (English summary available at <https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=3811&returnurl=/pages/searchresults.aspx>). According to the Government of Eritrea, “[T]he GOE continued to periodically take various measures to mitigate the hardship. For women, National Service was usually limited to few years and not beyond the age of 27. Marriage was another factor that women could invoke for demobilization.” Eritrea, Ministry of Information, *National Service: Synopsis of Underlying Rationale and Past Trajectory*, 14 October 2019, <https://shabait.com/2019/10/14/national-service-synopsis-of-underlying-rationale-and-past-trajectory/>.

<sup>37</sup> A total of 104,400 soldiers were reported to be demobilized under the programme, against the original programme target of 200,000. World Bank, *Report No: ICR00001069 Implementation Completion and Results Report on a Credit in the Amount of SDR48.1 million (US\$60 million Equivalent) to the State of Eritrea for an Emergency Demobilisation and Reintegration Project*, 28 September 2009, <https://documents1.worldbank.org/curated/en/459161468246908156/pdf/ICR10690P0736010disclosed0101151091.pdf>, paras 4, 16, 21.

<sup>38</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 24; European Union Agency for Asylum, *Eritrea: National Service and Illegal Exit*, September 2019 [www.ecoi.net/en/file/local/2017271/2019\\_EASO\\_COI\\_Eritrea\\_National\\_service\\_exit\\_and\\_return.pdf](http://www.ecoi.net/en/file/local/2017271/2019_EASO_COI_Eritrea_National_service_exit_and_return.pdf), pp. 22-23 and sources quoted therein.

<sup>39</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 24, see also paras 26-33.

<sup>40</sup> UN Committee on the Elimination of Discrimination against Women, *Concluding Observations on the Sixth Periodic Report of Eritrea*, CEDAW/ERI/CO/6, 10 March 2020, [www.ecoi.net/en/file/local/2026584/N2006269.pdf](http://www.ecoi.net/en/file/local/2026584/N2006269.pdf), para. 10. In July 2022, the UN Committee Against Torture held that a female Eritrean national who left Eritrea to evade the national service would face “a foreseeable, real, present and personal risk of being subjected to torture if she is returned to Eritrea.” UN Committee Against Torture, *Decision Adopted by the Committee under Article 22 of the Convention, Concerning Communication No. 887/2018*, 30 January 2023, CAT/C/74/D/887/2018, [www.refworld.org/jurisprudence/caselaw/cat/2022/en/116925](http://www.refworld.org/jurisprudence/caselaw/cat/2022/en/116925), para. 8.13.

<sup>41</sup> In 2016, the Commission of Inquiry on Eritrea found that, in the context of national service, there were “reasonable grounds to believe that Eritrean officials have committed the crime of enslavement, a crime against humanity, in a persistent, widespread and systematic manner since no later than 2002.” UN General Assembly, *Report of the Commission of Inquiry on Human Rights in Eritrea*, 9 May 2016, A/HRC/32/47, [www.refworld.org/reference/countryrep/unhrc/2016/en/110476](http://www.refworld.org/reference/countryrep/unhrc/2016/en/110476), para. 68. See also, US Department of State, *2025 Trafficking in Persons Report: Eritrea*, 29 September 2025, [www.ecoi.net/en/document/2130572.html](http://www.ecoi.net/en/document/2130572.html); US Department of Labor, *2024 Findings on the Worst Forms of Child Labor: Eritrea*, September 2025, [www.ecoi.net/en/file/local/2131722/Eritrea.pdf](http://www.ecoi.net/en/file/local/2131722/Eritrea.pdf); UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 24, see also paras 17, 24, 47; UN General Assembly, *Situation of Human Rights in Eritrea*, 7 May 2024, A/HRC/56/24, [www.ecoi.net/en/file/local/2110397/g2407300.pdf](http://www.ecoi.net/en/file/local/2110397/g2407300.pdf), para. 30.

<sup>42</sup> HRW, *World Report 2023: Eritrea*, 12 January 2023, [www.ecoi.net/en/document/2085412.html](http://www.ecoi.net/en/document/2085412.html). As of May 2024: “The authorities continued to conduct *giffa*, or mass roundups, in towns and villages across the country, with the purpose of identifying and gathering draft evaders.” UN General Assembly, *Situation of Human Rights in Eritrea*, 7 May 2024, A/HRC/56/24, [www.ecoi.net/en/file/local/2110397/g2407300.pdf](http://www.ecoi.net/en/file/local/2110397/g2407300.pdf), para. 29. In February 2025, the Special Rapporteur “received information indicating that the Eritrean authorities had initiated nationwide mobilization.” UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 20.



including detention in inhumane conditions, torture and other inhuman or degrading treatment.<sup>43</sup> The Government of Eritrea notes that all 11<sup>th</sup> grade graduates go to the Sawa Centre for four-months military training and eight months of education and examination for the National High School Leaving Certificate.<sup>44</sup> However, concerns still abound about the use of educational institutions, notably the Sawa Centre, as potential conduits for military conscription.<sup>45</sup>

- c. Persons who left Eritrea illegally:** Eritrea imposes restrictions on the right to leave one's own country, requiring an exit visa for those wishing to leave; illegal departure is punishable by up to five years' imprisonment and/or a fine.<sup>46</sup> According to the Special Rapporteur on the situation of human rights in Eritrea, "[t]he vast majority of Eritreans do not have access to an exit visa", including because exit visas "are denied to persons of conscription age, which in practice, in recent years, encompasses those aged between 15 and 70 years of age."<sup>47</sup> Eritreans abroad who left their country illegally and who wish to avail themselves of consular services are required to pay a diaspora tax of 2 per cent of income earned abroad and to sign a letter of regret, acknowledging commission of a crime and accepting appropriate punishment.<sup>48</sup> However, signing the letter of regret does not obviate the risk for Eritreans of draft age (or approaching draft age) who are forcibly returned to Eritrea after having left the country illegally: they are likely perceived as evaders of the national service.<sup>49</sup> The Special Rapporteur further indicated that he received multiple credible reports that "returnees were subjected to interrogation, arbitrary detention, enforced disappearance and indefinite conscription."<sup>50</sup>
- d. Trade unionists and labour rights activists:** Under the Labour Proclamation of Eritrea No. 118/2001), workers in private-sector workplaces have the right to form and join trade unions to represent their interests, but prior permission to establish a union is required from the Ministry of

<sup>43</sup> "Those who attempt to desert or avoid the draft are regarded by the authorities as being disloyal to Eritrea and treated as traitors. They are punished accordingly, by prolonged arbitrary detention, enforced disappearance, torture and inhuman or degrading treatment. Their families and communities are also punished in order to elicit compliance." UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 27. See also, HRW, *Eritrea: Crackdown on Draft Evaders' Families*, 9 February 2023, [www.ecoi.net/en/document/2086721.html](http://www.ecoi.net/en/document/2086721.html).

<sup>44</sup> *Information from Government of Eritrea on National Service* (July 2025, unpublished).

<sup>45</sup> US Department of State, *2025 Trafficking in Persons Report: Eritrea*, 29 September 2025, [www.ecoi.net/en/document/2130572.html](http://www.ecoi.net/en/document/2130572.html); UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, paras 24, 31-33. The Government of Eritrea states that Sawa High School is fully administered by the Ministry of Education and is not under the responsibility of the Sawa National Military Service Centre, and that this duality of responsibilities and functions should not be misconstrued as militarization of education. As the two functions occur at different times under different administrative bodies, the Government of Eritrea maintains that education has not been militarized. *Information from Government of Eritrea on National Service* (July 2025, unpublished).

<sup>46</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 9 May 2023, A/HRC/53/20, [www.ecoi.net/en/document/2093254.html](http://www.ecoi.net/en/document/2093254.html), para. 64; Eritrea, *Proclamation No. 24/1992 Issued to Regulate the Issuing of Travel Documents, Entry and Exit Visa from Eritrea, and to Control Residence Permits of Foreigners in Eritrea*, [www.refworld.org/sites/default/files/attachments/54c0d9d44.pdf](http://www.refworld.org/sites/default/files/attachments/54c0d9d44.pdf), Article 29(2).

<sup>47</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 9 May 2023, A/HRC/53/20, [www.ecoi.net/en/document/2093254.html](http://www.ecoi.net/en/document/2093254.html), para. 64.

<sup>48</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 7 May 2024, A/HRC/56/24, [www.ecoi.net/en/document/2110397.html](http://www.ecoi.net/en/document/2110397.html), para. 63. The Special Rapporteur on the situation of human rights in Eritrea noted that, "Failure to fulfil those requirements results in the denial of Eritrean documents, including passports, diplomas and birth and marriage certificates, as well as services such as the execution of wills, the protection of business, land and property rights and the denial of burial in their homeland." See also, UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 72. In October 2022, the German Federal Administrative Court held that the requirement to submit a letter of regret was neither a reasonable act of cooperation with the Eritrean authorities nor a reasonable civic duty in view of the self-incrimination contained therein. Federal Administrative Court, *Urteil vom 11.10.2022 - BVerwG 1 C 9.21*, 11 October 2022, [www.bverwg.de/111022U1C9.21.0](http://www.bverwg.de/111022U1C9.21.0) (English summary available at <https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=3253>).

<sup>49</sup> In the case of *MST*, the UK Upper Tribunal rejected "the premise that those who have left Eritrea illegally as evaders or deserters have the ability to regularise their position by payment of the diaspora tax and letter of regret." Instead, the Upper Tribunal found that "Persons who are likely to be perceived as deserters/evaders will not be able to avoid exposure to such real risk [of persecution or serious harm on return] merely by showing they have paid (or are willing to pay) the diaspora tax and have signed (or are willing to sign) the letter of regret." United Kingdom, Upper Tribunal (Immigration and Asylum Chamber), *MST and Others (national service – risk categories) Eritrea CG*, [2016] UKUT 00443 (IAC), 7 October 2016, [www.refworld.org/jurisprudence/caselaw/gbrutiacc/2016/en/112990](http://www.refworld.org/jurisprudence/caselaw/gbrutiacc/2016/en/112990), para. 348; see also paras 10, 349-356. In May 2022 the Special Rapporteur on the situation of human rights in Eritrea reported that several of at least 68 Eritreans deported from Egypt to Eritrea between October 2021 and April 2022 had not been seen or heard from since their return to Eritrea and were believed to be held in incommunicado detention. UN General Assembly, *Situation of Human Rights in Eritrea*, 6 May 2022, A/HRC/50/20, [www.ecoi.net/en/document/2074150.html](http://www.ecoi.net/en/document/2074150.html), para. 53.

<sup>50</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 85. "The Special Rapporteur stresses the serious human rights consequences of forced removals to Eritrea, noting that torture, inhuman and degrading treatment, and extremely punitive conditions, have been extensively documented in the context of detention and of national service. He urges Member States to ensure access to asylum procedures, and to refrain from detaining and forcibly returning Eritrean asylum-seekers and refugees without assessing the individual human rights risks, and in breach of international human rights and refugee law."

Labour and Human Welfare.<sup>51</sup> In practice, reports indicate that there is only one umbrella trade union, the National Confederation of Eritrean Workers (NCEW) which is directly linked to the ruling party and which has taken no action against party-owned enterprises; no independent unions exist.<sup>52</sup> NGOs are reportedly not permitted to promote workers' rights, while nongovernmental gatherings of more than seven persons are prohibited by law.<sup>53</sup>

- e. **Members of ethnic minorities:** The Afar ethnic group have been disenfranchised and systematically discriminated against by the government, including by means of restrictions on their livelihoods, arbitrary arrests, disappearances, displacement and other forms of violence.<sup>54</sup> There continue to be reports of systemic discrimination against other ethnic minorities, particularly the Kunama and the Rashaida, with allegations that Eritrean troops have kidnapped Kunama refugees in Ethiopia and returned them to Eritrea.<sup>55</sup>
- f. **Members of minority religious groups:** Eritrea officially allows freedom of religion by law.<sup>56</sup> In practice, however the Government recognizes only four officially registered religious groups: the Eritrean Orthodox Tewahedo Church, Sunni Islam, the Catholic Church, and the Evangelical Lutheran Church of Eritrea.<sup>57</sup> The government restricts the activities of recognized religious groups and reportedly monitors them for any critical or political speech.<sup>58</sup> Members of unregistered religious groups, including the Jehovah's Witnesses, face arbitrary arrest and detention, enforced disappearance, harassment and the inability to build places of worship.<sup>59</sup>
- g. **Women and children with specific profiles:** The violation of women's and children's rights in Eritrea, stemming from entrenched patriarchal norms and harmful practices, leads to specific vulnerabilities and risks.<sup>60</sup> Within the military/national service context, reports of sexual and gender-based violence, particularly against female conscripts at the Sawa military training camp, remain prevalent.<sup>61</sup> Young girls are reported to attempt to avoid conscription by dropping out of school, early marriage and pregnancy.<sup>62</sup> Despite the practice of female genital mutilation / cutting (FGM/C)

<sup>51</sup> The private-sector workplace must have a minimum of 20 employees, with a minimum of 15 members to form a union; or alternatively groups of employees from different private-sector workplaces can join together to form a union, with a minimum of 20 members to form a union. Eritrea: *Labour Proclamation No. 118/2001 of 2001*, 15 November 2001, [www.refworld.org/legal/legislation/natlegbod/2001/en/76510](http://www.refworld.org/legal/legislation/natlegbod/2001/en/76510), Title VIII.

<sup>52</sup> US Department of State, *2024 Country Report on Human Rights Practices: Eritrea*, 12 August 2025, [www.ecoi.net/en/document/2128422.html](http://www.ecoi.net/en/document/2128422.html). See also, International Trade Union Confederation, *Eritrea: Legal Profile*, undated, [www.ituc-csi.org/spip.php?page=legal\\_info&cc=ERI&lang=en](http://www.ituc-csi.org/spip.php?page=legal_info&cc=ERI&lang=en), accessed 18 December 2025.

<sup>53</sup> US Department of State, *2024 Country Report on Human Rights Practices: Eritrea*, 12 August 2025, [www.ecoi.net/en/document/2128422.html](http://www.ecoi.net/en/document/2128422.html).

<sup>54</sup> US Department of State, *2023 Country Report on Human Rights Practices: Eritrea*, 23 April 2024, [www.ecoi.net/en/document/2107686.html](http://www.ecoi.net/en/document/2107686.html); Freedom House, *Freedom in the World 2024: Eritrea*, 2024, [www.ecoi.net/en/document/2108037.html](http://www.ecoi.net/en/document/2108037.html); UN General Assembly, *Situation of Human Rights in Eritrea*, A/HRC/53/20, May 2023, [www.ecoi.net/en/file/local/2093254/G2309208.pdf](http://www.ecoi.net/en/file/local/2093254/G2309208.pdf), paras 58-62.

<sup>55</sup> US Department of State, *2023 Country Report on Human Rights Practices: Eritrea*, 23 April 2024, [www.ecoi.net/en/document/2107686.html](http://www.ecoi.net/en/document/2107686.html); Freedom House, *Freedom in the World 2024: Eritrea*, 2024, [www.ecoi.net/en/document/2108037.html](http://www.ecoi.net/en/document/2108037.html); The New Humanitarian, *Ethiopian Minorities Remain Fearful Despite Peace Deal*, 16 February 2023, [www.thenewhumanitarian.org/news-feature/2023/02/16/Ethiopia-Tigray-Amhara-peace-minorities](http://www.thenewhumanitarian.org/news-feature/2023/02/16/Ethiopia-Tigray-Amhara-peace-minorities).

<sup>56</sup> US Department of State, *2023 Report on International Religious Freedom: Eritrea*, 26 June 2024, [www.ecoi.net/en/document/2120690.html](http://www.ecoi.net/en/document/2120690.html).

<sup>57</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 50; US Department of State, *2023 Report on International Religious Freedom: Eritrea*, 26 June 2024, [www.ecoi.net/en/document/2120690.html](http://www.ecoi.net/en/document/2120690.html). On the requirements for registration of religious groups, see Eritrea, *Proclamation No. 73/1995 of 1995, Proclamation to Legally Standardize and Articulate Religious Institutions and Activities*, 15 July 1995, [www.refworld.org/legal/legislation/natlegbod/1995/en/61889](http://www.refworld.org/legal/legislation/natlegbod/1995/en/61889).

<sup>58</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, paras 53-61; US Commission on International Religious Freedom (USCIRF), *2025 Annual Report: Eritrea*, March 2025, [www.ecoi.net/en/file/local/2124275/Eritrea 2025 USCIRF Annual Report.pdf](http://www.ecoi.net/en/file/local/2124275/Eritrea%2025%20USCIRF%20Annual%20Report.pdf); US Department of State, *2023 Report on International Religious Freedom: Eritrea*, April 2024, [www.state.gov/wp-content/uploads/2024/04/547499-ERITREA-2023-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf](http://www.state.gov/wp-content/uploads/2024/04/547499-ERITREA-2023-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf).

<sup>59</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, paras 53-61; US Department of State, *2023 Report on International Religious Freedom: Eritrea*, April 2024, [www.state.gov/wp-content/uploads/2024/04/547499-ERITREA-2023-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf](http://www.state.gov/wp-content/uploads/2024/04/547499-ERITREA-2023-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf). "Jehovah's Witnesses face severe persecution, including detention and denial of citizenship. Pentecostal and Evangelical Christians also face arbitrary arrest." Freedom House, *Freedom in the World 2024: Eritrea*, 2024, [www.ecoi.net/en/document/2108037.html](http://www.ecoi.net/en/document/2108037.html).

<sup>60</sup> UN Committee on the Elimination of Discrimination Against Women (CEDAW), *Concluding Observations on the Sixth Periodic Report of Eritrea*, 10 March 2020, CEDAW/C/ERI/CO/6, [www.ecoi.net/en/file/local/2026584/N2006269.pdf](http://www.ecoi.net/en/file/local/2026584/N2006269.pdf), paras 10, 12, 21, 23.

<sup>61</sup> US Department of State, *2025 Trafficking in Persons Report: Eritrea*, 29 September 2025, [www.ecoi.net/en/document/2130572.html](http://www.ecoi.net/en/document/2130572.html); UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, paras 24 and 33; UN Human Rights Council: Working Group on the Universal Periodic Review, *Summary of stakeholders' submissions on Eritrea*, 16 February 2024, A/HRC/WG.6/46/ERI/3, <https://documents.un.org/doc/undoc/gen/g24/025/88/pdf/g2402588.pdf>, para. 55; District Court of The Hague, *Applicant v State Secretary for Justice and Security*, 28 September 2023, <https://uitspraken.rechtspraak.nl/details?id=ECLI:NL:RBDHA:2023:14597> (English summary available at <https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=3811&returnurl=/pages/searchresults.aspx>).

<sup>62</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, paras 17, 33; CEDAW, *Concluding Observations on the Sixth Periodic Report of Eritrea*, 10 March 2020, CEDAW/C/ERI/CO/6, [www.ecoi.net/en/file/local/2026584/N2006269.pdf](http://www.ecoi.net/en/file/local/2026584/N2006269.pdf), para. 10.

having been prohibited in 2007,<sup>63</sup> and the decline in practice observed since then,<sup>64</sup> FGM/C is reported to persist.<sup>65</sup> Survivors of gender-based violence reportedly lack effective redress and suffer societal repercussions as a result of stigmas and taboos.<sup>66</sup>

- h. Individuals with diverse sexual orientations, gender identities and/or gender expressions (SOGIE):** Consensual same-sex sexual activity is prohibited by law in Eritrea and punishable by imprisonment from five to seven years; the law is reportedly enforced by the government.<sup>67</sup> Individuals of diverse SOGIE are reported to conceal their identity for fear of social repercussions and discrimination should their identity become known, including attempts to coerce them to change their identity.<sup>68</sup>
  - i. Survivors of trafficking and persons at risk of being trafficked:** Eritrean men, women and children are reportedly trafficked internally and internationally for forced labour and, to a lesser extent, sexual exploitation.<sup>69</sup> Many Eritreans who are unable to get exit visas are forced to use human smugglers to flee the country, rendering them vulnerable to trafficking.<sup>70</sup>
11. This list does not presume to be an exhaustive enumeration of all profiles of Eritreans who may have a well-founded fear of being persecuted. Each application for international protection should be assessed on its merits, considering the evidence provided by the applicant as well as all relevant country of origin information to the extent available. UNHCR notes that family members and others closely associated with persons at risk of persecution are frequently at risk themselves.<sup>71</sup>

## Availability of Protection

12. In light of the available information about human rights violations committed by State authorities, UNHCR does not consider that State authorities are willing or able to provide protection to Eritreans at risk of persecution, including, in some instances, societal forms of persecution at the hands of family members and other members of the community.

<sup>63</sup> Government of Eritrea, *Proclamation 158 /2007: A Proclamation to Abolish Female Circumcision*, 20 March 2007, [https://clr.africanchildforum.org/Legislation%20Per%20Country/eritrea/eritrea\\_fgm\\_2007\\_en.pdf](https://clr.africanchildforum.org/Legislation%20Per%20Country/eritrea/eritrea_fgm_2007_en.pdf).

<sup>64</sup> "Since the practice was criminalized in 2007, steady but uneven progress has been made. Some regions, such as the Southern Red Sea, continue to show high prevalence, while others, like Gash Barka, show lowest opposition. Girls from poor households and rural areas are disproportionately affected. [...] The FGM prevalence in girls under five years of age has dropped to approximately 1 in 20, from 1 in 10 in 2010." UNFPA and UNICEF, *Ending Female Genital Mutilation — Case Study: Catalyzing Change to End FGM in Eritrea*, September 2025, <https://eritrea.unfpa.org/sites/default/files/pub-pdf/2025-11/Case%20Study%20%20Catalyzing%20Change%20to%20End%20FGM%20in%20Eritrea.pdf>, pp. 1-2.

<sup>65</sup> While the rate of FGM/C has fallen over time, the prevalence of FGM/C among women aged 15-49 in Eritrea is reported to be 83.0%. FGM/C Research Initiative, *Eritrea*, undated, [www.fgmcri.org/country/eritrea/](http://www.fgmcri.org/country/eritrea/), accessed 18 December 2025. See also, CEDAW, *Concluding Observations on the Sixth Periodic Report of Eritrea*, 10 March 2020, CEDAW/C/ERI/CO/6, [www.ecoi.net/en/file/local/2026584/N2006269.pdf](http://www.ecoi.net/en/file/local/2026584/N2006269.pdf), para. 21.

<sup>66</sup> CEDAW, *Concluding Observations on the Sixth Periodic Report of Eritrea*, 10 March 2020, CEDAW/C/ERI/CO/6, [www.ecoi.net/en/file/local/2026584/N2006269.pdf](http://www.ecoi.net/en/file/local/2026584/N2006269.pdf), para. 23. See also, UN General Assembly, *Situation of Human Rights in Eritrea*, 7 May 2024, A/HRC/56/24, [www.ecoi.net/en/file/local/2110397/g2407300.pdf](http://www.ecoi.net/en/file/local/2110397/g2407300.pdf), para. 31.

<sup>67</sup> The 2015 Penal Code increased the penalties for same-sex sexual activity. Eritrea, *Penal Code*, 15 May 2015, [www.refworld.org/legal/legislation/hatlegbod/2015/en/106143](http://www.refworld.org/legal/legislation/hatlegbod/2015/en/106143), Art. 310(1). See also, Human Dignity Trust, *Eritrea*, [www.humandignitytrust.org/country-profile/eritrea/](http://www.humandignitytrust.org/country-profile/eritrea/), last updated 17 December 2024, accessed 18 December 2025; US Department of State, *2023 Country Report on Human Rights Practices: Eritrea*, 23 April 2024, [www.ecoi.net/en/document/2107686.html](http://www.ecoi.net/en/document/2107686.html); International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), *Our Identities Under Arrest*, November 2023, <https://ilga.org/resources/our-identities-under-arrest-2023/>, p. 68. In July 2019, the Swiss Federal Administrative Court held that a gay applicant had a well-founded fear of persecution for reason of his sexuality should he be returned to Eritrea. Federal Administrative Court, *A v. Staatssekretariat für Migration (SEM)*, 5 July 2019, D-6758/2017, <https://jurispub.admin.ch/publiw/download;jsessionid=8BCA5FCE06C0D64DC96227D070BBFCA8?decisionId=820cb2a0-a26b-463b-88d6-d33f46f26321> (English summary available at <https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=1611&returnurl=/pages/searchresults.aspx>).

<sup>68</sup> Human Dignity Trust, *Eritrea*, [www.humandignitytrust.org/country-profile/eritrea/](http://www.humandignitytrust.org/country-profile/eritrea/), last updated 17 December 2024, accessed 18 December 2025; US Department of State, *2023 Country Report on Human Rights Practices: Eritrea*, 23 April 2024, [www.ecoi.net/en/document/2107686.html](http://www.ecoi.net/en/document/2107686.html).

<sup>69</sup> US Department of State, *2025 Trafficking in Persons Report: Eritrea*, 29 September 2025, [www.ecoi.net/en/document/2130572.html](http://www.ecoi.net/en/document/2130572.html).

<sup>70</sup> Ibid.

<sup>71</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, paras 27, 29, 68, 72. See also, HRW, *Eritrea: Crackdown on Draft Evaders' Families*, 9 February 2023, [www.ecoi.net/en/document/2086721.html](http://www.ecoi.net/en/document/2086721.html).

## Internal Flight or Relocation Alternative

13. UNHCR does not consider it appropriate to deny international protection to Eritreans and former habitual residents of Eritrea on the basis of an internal flight or relocation alternative, given that the State may either be the persecutor or is unable or unwilling to provide protection.<sup>72</sup>

## Exclusion Considerations

14. Among Eritrean nationals seeking asylum, there may be individuals who have been associated with acts that bring them within the scope of the exclusion clauses contained in Article 1F of the 1951 Convention.<sup>73</sup> In such cases, it will be necessary to carefully examine any issues of individual responsibility for crimes which may give rise to exclusion from international refugee protection. In addition, to preserve the civilian character of asylum, States would need to assess the situation of arrivals carefully to identify those involved in military activities and separate them from the civilian refugee population.<sup>74</sup>

## Constraints on Assessing International Protection Needs

15. The current situation in Eritrea poses severe obstacles to the gathering of comprehensive information concerning the human rights situation in the country. Such obstacles include serious constraints on the media in Eritrea.<sup>75</sup> International media outfits cannot operate in the country, therefore the only media outlets are those directly controlled by the Ministry of Information.<sup>76</sup> In 2024 and 2025, Reporters Without Borders (RSF) ranked Eritrea as the most restrictive country in the world for press freedoms.<sup>77</sup> In addition, and as noted above, there are restrictions on civil society and human rights defenders, as well as a broader lack of access to information, including due to limitations in telecommunications and internet connectivity.<sup>78</sup>
16. The Eritrean government has refused access to the Special Rapporteur on the situation of human rights in Eritrea, appointed by the UN Human Rights Council, since the inception of the role.<sup>79</sup> In addition, international civil society organizations and independent human rights monitors are unable to access or operate in Eritrea.<sup>80</sup> The Government of Eritrea indicates it has recently facilitated short-term visits by different international organizations and entities.<sup>81</sup> However, the movements of foreigners, including employees of international organizations, within Eritrea remain highly regulated and access to military camps or the training centre at Sawa is tightly restricted.<sup>82</sup> There is no independent access to prisons

<sup>72</sup> An internal flight or relocation alternative (IFA/IRA) must be both relevant and reasonable. In the case of Eritrea, in many cases, the State will be the claimed persecutor, and therefore an IFA/IRA will not be relevant. In cases where the claimed persecutor is a non-State actor, UNHCR considers that the Eritrean government is unable or unwilling to provide protection, given available information about systematic due process violations and the lack of an institutional framework sufficient to protect persons from human rights abuses. UNHCR, *Guidelines on International Protection No. 4: "Internal Flight or Relocation Alternative" Within the Context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees*, 23 July 2003, [www.refworld.org/policy/legalguidance/unhcr/2003/en/32047](http://www.refworld.org/policy/legalguidance/unhcr/2003/en/32047), paras 7, 13-17.

<sup>73</sup> UNHCR, *Guidelines on International Protection No. 5: Application of the Exclusion Clauses: Article 1F of the 1951 Convention Relating to the Status of Refugees*, 4 September 2003, CR/GIP/03/05, [www.refworld.org/policy/legalguidance/unhcr/2003/en/14733](http://www.refworld.org/policy/legalguidance/unhcr/2003/en/14733).

<sup>74</sup> See UNHCR, *Guidance Note on Maintaining the Civilian and Humanitarian Character of Asylum*, December 2018, [www.refworld.org/policy/legalguidance/unhcr/2018/en/122651](http://www.refworld.org/policy/legalguidance/unhcr/2018/en/122651).

<sup>75</sup> Eritrea, *Press Proclamation No.90/1996*, 10 June 1996, [www.refworld.org/legal/legislation/natlegbod/1996/en/59023](http://www.refworld.org/legal/legislation/natlegbod/1996/en/59023). See also, Reporters Without Borders (RSF), *Eritrea*, accessed 28 November 2025, <https://rsf.org/en/country/eritrea>.

<sup>76</sup> Ibid. Eritrea is the only African country without any privately owned media outlets. OHCHR, *Statement of Dr. Mohamed Abdelsalam Babiker, UN Special Rapporteur on the Situation of Human Rights in Eritrea at the 59th Session of the Human Rights Council*, 16 June 2025, [www.ohchr.org/en/special-procedures/sr-eritrea](http://www.ohchr.org/en/special-procedures/sr-eritrea).

<sup>77</sup> RSF, *Eritrea*, <https://rsf.org/en/country/eritrea>, accessed 18 December 2025.

<sup>78</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, paras 65- 67.

<sup>79</sup> UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, paras 11 and 12.

<sup>80</sup> US Department of State, *2023 Country Report on Human Rights Practices: Eritrea*, 23 April 2024, [www.ecoi.net/en/document/2107686.html](http://www.ecoi.net/en/document/2107686.html). See also, Freedom House, *Freedom in the World 2024 - Eritrea*, 2024, [www.ecoi.net/en/document/2108037.html](http://www.ecoi.net/en/document/2108037.html). For relevant legal provisions related to the establishment and operation of non-governmental organizations, see Eritrea, *Proclamation No. 145/2005 of 2005, Non-Governmental Organization Administration Proclamation*, 11 May 2005, [www.refworld.org/legal/legislation/natlegbod/2005/en/95934](http://www.refworld.org/legal/legislation/natlegbod/2005/en/95934).

<sup>81</sup> Information provided by the Government of Eritrea (July 2025, unpublished). See also, Eritrea, Ministry of Information, *Professor Alena Douhan on the Negative Impacts of Unilateral Coercive Measures*, 11 February 2026, <https://shabait.com/2026/02/11/professor-alena-douhan-on-the-negative-impacts-of-unilateral-coercive-measures/>.

<sup>82</sup> Danish Immigration Service, *Eritrea: National Service, Exit and Entry*, January 2020, [www.ecoi.net/en/file/local/2024189/Eritrea\\_rapport\\_27012020.pdf](http://www.ecoi.net/en/file/local/2024189/Eritrea_rapport_27012020.pdf), p. 8.



or detention centres, preventing monitoring of detention conditions and making it difficult to ascertain the state of political prisoners and prisoners of conscience in Eritrea.<sup>83</sup> Often the only source of information on the human rights situation in the country is the Government of Eritrea.

17. Given the obstacles to independent information gathering and reporting in Eritrea, UNHCR calls on decision-makers on asylum applications by Eritrean nationals to refrain from drawing adverse inferences from the absence of verified country-of-origin information to support and corroborate aspects of the evidence provided by the applicant. In the current context, it will frequently be the case that human rights violations and abuses remain undocumented and unreported. The lack of country of origin information describing incidents or patterns of violations should therefore not in itself be a reason to doubt the applicant's credibility where the applicant's statements are otherwise coherent and consistent.

## Family Reunification

18. UNHCR continues to call on countries to facilitate family reunification processes for Eritreans whose families are left behind in Eritrea or who have been displaced across the region and beyond. The principle of family unity is protected under international law, including in binding regional legal instruments.<sup>84</sup> Family reunification is often the only way to ensure that the right to family life and family unity of refugees is respected. Considering the current situation in Eritrea, UNHCR is concerned that many Eritrean refugees may face considerable administrative barriers in realizing this legal right. Given the administrative challenges in obtaining Eritrean passports, exit visas, and/or other documentation requirements,<sup>85</sup> UNHCR advocates for receiving countries to consider these unique difficulties and to apply liberal and humane criteria in identifying qualifying family members for admission under these schemes.

## Returns to Eritrea

19. UNHCR recognizes individuals' fundamental human right to return to their country of origin based on a free and informed decision. UNHCR equally acknowledges that return may take place in adverse circumstances, in contexts where the standards for voluntary repatriation are not fulfilled. This may occur owing to several factors, including when protection is not adequately guaranteed in the country of asylum, making return the only viable alternative. Such returns should not be construed as being indicative of improved circumstances in the country of origin.
20. As noted above, there are significant obstacles to information gathering in Eritrea (see Constraints on Assessing International Protection Needs, paragraphs 16-18). In addition, due to operational constraints, UNHCR is unable to monitor the situation of Eritreans who return or who are returned to Eritrea. Against this background, UNHCR urges States to exercise caution when considering the forced return of individuals not found to be in need of international protection following a determination of their claims in fair and efficient refugee status determination procedures, including the right of appeal. UNHCR further advises against the return of Eritrean asylum-seekers to countries they may have

<sup>83</sup> US Department of State, *2023 Country Report on Human Rights Practices: Eritrea*, 23 April 2024, [www.ecoi.net/en/document/2107686.html](http://www.ecoi.net/en/document/2107686.html); see also, Freedom House, *Freedom in the World 2024 - Eritrea*, 2024, [www.ecoi.net/en/document/2108037.html](http://www.ecoi.net/en/document/2108037.html).

<sup>84</sup> UNHCR, *The Right to Family Life and Family Unity of Refugees and Others in Need of International Protection and the Family Definition Applied*, January 2018, [www.refworld.org/docid/5a9029f04.html](http://www.refworld.org/docid/5a9029f04.html) (see in particular Ch. 2); UNHCR, *Summary Conclusions on the Right to Family Life and Family Unity in the Context of Family Reunification of Refugees and Other Persons in Need of International Protection, Expert Roundtable*, 4 December 2017, [www.refworld.org/reference/confdoc/unhcr/2017/en/120836](http://www.refworld.org/reference/confdoc/unhcr/2017/en/120836) (see in particular para. 3 and references to regional legal instruments provided therein).

<sup>85</sup> Given methods of transnational repression practised by Eritrea, "requiring Eritreans to obtain documentation from Eritrean diplomatic outposts in order to regularize their situation or for the purposes of family reunification exposes them to harassment and coercion, placing an unreasonable burden on vulnerable individuals." UN General Assembly, *Situation of Human Rights in Eritrea*, 12 May 2025, A/HRC/59/24, <https://docs.un.org/en/A/HRC/59/24>, para. 89, see also paras 68-76. Abusive measures include forcing persons to sign an admission of "guilt" and pay a diaspora tax, or the complete refusal of consular services. Equal Rights Beyond Borders / International Refugee Assistance Project, *Access to Documents by Eritrean Refugees in the Context of Family Reunification*, April 2021, [https://refugeerights.org/wp-content/uploads/2021/05/report\\_access\\_to\\_official\\_documents\\_eritrea\\_equalrights\\_irap.pdf](https://refugeerights.org/wp-content/uploads/2021/05/report_access_to_official_documents_eritrea_equalrights_irap.pdf), pp. 31-38, 60-61.

transited or in which they may have been granted status, but from which there is a risk of refoulement or deportation.<sup>86</sup>

<sup>86</sup> UNHCR, *Advisory Opinion on the Extraterritorial Application of Non-Refoulement Obligations under the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol*, 26 January 2007, [www.refworld.org/policy/legalguidance/unhcr/2007/en/40854](http://www.refworld.org/policy/legalguidance/unhcr/2007/en/40854).