

ERITREA COUNTRY STATEMENT

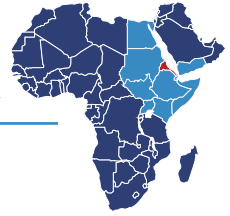
ADDRESSING MIGRANT SMUGGLING AND HUMAN TRAFFICKING IN EAST AFRICA

September 2017

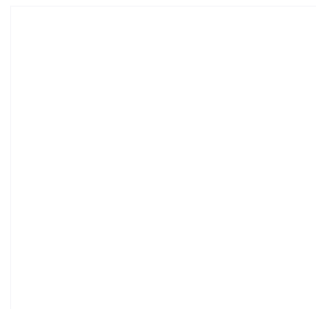
This report is one of 10 country statement reports covering:
Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, Uganda and Yemen

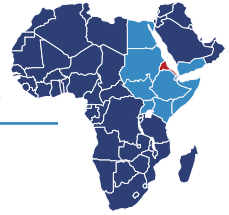


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Eritrea Country Statement:
Addressing Migrant Smuggling and
Human Trafficking in East Africa





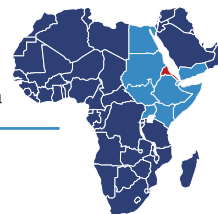
This report is one of a series of ten country statements, produced as part of the project “*Addressing Mixed Migration Flows in Eastern Africa*”, funded by the European Commission (EC) and implemented by Expertise France.

The overall project consists of three components:

- Assisting national authorities in setting up or strengthening safe and rights-respectful reception offices for migrants/asylum seekers/refugees.
- Supporting and facilitating the fight against criminal networks through capacity building and assistance to partner countries in developing evidence-based policies and conducting criminal investigations, most notably by collecting and analysing information about criminal networks along migration routes.
- Supporting local authorities and NGOs in the provision of livelihoods and self-reliance opportunities for displaced persons and host communities in the neighbouring host countries.

As part of the second component, Expertise France contracted the Regional Mixed Migration Secretariat (RMMS) in Nairobi to implement the project “*Contributing to enhanced data collection systems and information sharing on criminal networks involved in facilitating irregular migration in the Eastern Africa region*”. This project aims to provide updated knowledge on migration trends and related issues, as well as technical assistance to partner countries on data collection, analysis and information sharing. In all the country statements, the focus is on human trafficking and migrant smuggling.

These country statements are the output of this project. They provide a technical appraisal of existing data related to mixed migration, including data on trafficking: insight on routes and *modi operandi* of criminal networks involved in facilitating irregular migration; and assessments of existing national data collection systems and government capacity to address migrant smuggling and human trafficking. The analysis highlights technical capacity gaps and challenges faced in responding to such phenomena, aiding the identification of capacity-building needs in the areas of data collection, analysis and information sharing.

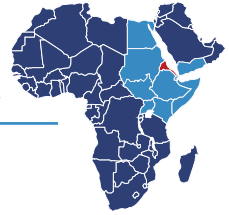


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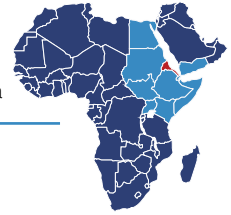
The research was commissioned by Expertise France, in the wider context of the EU-Horn of Africa Migration Route Initiative (the “Khartoum Process”). The research was conducted in 2016 by an international consultant, in cooperation with national researchers under the operational management and technical oversight of RMMS in Nairobi.

The lead researcher and author of this report was Mr. Peter Tinti (an international consultant). The final English editor was Mr. Anthony Morland.



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EXECUTIVE SUMMARY

Despite its small size and population, Eritrea is a significant source of the migrants travelling within the mixed flows in the Horn of Africa, North Africa, and even Europe. A 2015 report by the United Nations Human Rights Council estimated that as many as 5,000 Eritreans leave their country every month.¹ Eritreans were the single largest group of migrants arriving in Italy in 2015, comprising 25 per cent of all arrivals.² In the first 11 months of 2016, almost 21,000 Eritreans arrived in Italy, comprising 12 per cent of all arrivals (second only to migrants from Nigeria).³ There were 161,165 Eritrean asylum seekers in Ethiopia at the end of August 2016⁴ and 101,751 in Sudan in May 2016.⁴

In order to leave the country, many migrants seek the services of smugglers while still in Eritrea, and also once outside to facilitate onward transit through Sudan to Libya or Egypt, from where they attempt to reach Italy by boat. The vast majority are granted asylum status on arrival in Europe. The smuggling networks facilitating these flows stretch from the Horn of Africa to Europe, with varying degrees of organization and coordination. Eritreans are also trafficked within these irregular flows, with those transiting through Sudan, Egypt, and Libya particularly vulnerable to exploitation.

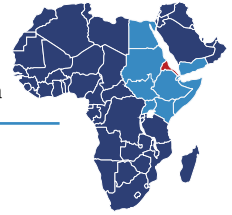
There are several clear avenues through which international partners and policymakers can seek to cooperate with Eritrea on this issue. Technical assistance aimed at strengthening legal and institutional frameworks to counter migrant smuggling and human trafficking networks should be made a priority in the immediate term. Training for judges, prosecutors, law enforcement officials, and other relevant actors should be expanded and reinforced. Lastly, budgetary and organizational support for the establishment of a data collection system and database on migrant smuggling and human trafficking should be offered alongside the development of a uniform mechanism for reporting information collected by relevant intelligence services, law enforcement agencies, and government organizations.

1 United Nations Human Rights Council (2015). Report for the commission of inquiry on human rights in Eritrea. Available at: http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColEritrea/A_HRC_29_CRP-1.pdf

2 RMMS (2016). Country Profile: Eritrea. Available at: <http://www.regionalmms.org/index.php/country-profiles/eritrea>

3 Updated statistics available from UNHRC at: <http://data.unhcr.org/mediterranean/country.php?id=105>

4 United Nations High Commissioner for Refugees (2016). Refugees and Asylum-seekers in Ethiopia: 31 August 2016. Available at: <http://www.refworld.org/docid/57e1241a4.html>



1.0

METHODOLOGY

This report is a technical-level qualitative study combining field work in Eritrea with a comprehensive desk review of existing literature on migrant smuggling and human trafficking in Eritrea and the Horn of Africa. In addition to research conducted outside Eritrea by an international consultant, fieldwork was carried out by a consultant in the Eritrean capital, Asmara. Skype interviews were also conducted with Eritreans living in Ethiopia, Sweden, and Norway. The report is also informed by fieldwork carried out by an international consultant in Khartoum, Addis Ababa, and Cairo, as well as by local researchers in eastern Sudan, Addis Ababa, and Cairo.⁵

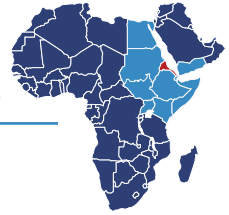
Interview subjects included government officials, representatives from international organizations, foreign diplomats, key interlocutors who are familiar with migrant smuggling and human trafficking networks in the region, and migrants themselves. Due to the sensitive nature of the subject, interviewees were granted anonymity on request.

Although there are some reports on the plight of Eritrean asylum seekers transiting through East Africa, North Africa, and Europe, and the human trafficking networks that exploit them, there is relatively little information regarding the networks that facilitate irregular migration out of Eritrea, and beyond. Much of the existing literature is several years old and predates the collapse of the Libyan state, which is widely believed to have been a pull factor for Eritrean asylum seekers attempting to reach Europe via maritime passage from North Africa.

Attempting to triangulate key pieces of information from all of the sources above, such as prices paid to smugglers and the structure of migrant smuggling and human trafficking networks proved difficult. As a result, the author of this report erred on the side of caution when citing data and other material published elsewhere, adding caveats where necessary. A select bibliography of pertinent literature is included at the end of this report.

This report defines migrant smuggling and human trafficking according to the definitions outlined by the United Nations Convention against Transnational Organized Crime (UNTOC). Article 3 of the *Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime* (the Migrant Smuggling Protocol) defines migrant smuggling as “...the procurement, in order to obtain,

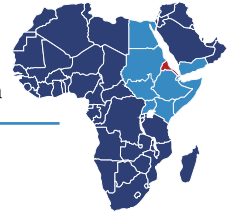
⁵ For various reasons, a ‘gap analysis’ workshop could not be organized. Contrary to most other reports in this series, this report therefore does not include an annex with outcomes of the workshop with government officials.



directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a state party of which the person is not a national.”⁶

Human Trafficking, as defined by Article 3, paragraph (a) of the *Protocol to Prevent, Suppress and Punish Trafficking in Persons* is “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”

6 United Nations Office on Drugs and Crime (2004). United Nations Convention against Transnational Organized Crime and the Protocols Thereto. Available at: [https://www.unodc.org/documents/treaties/ UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf](https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf)



2.0

INTRODUCTION

Eritrea, a small country located in the Horn of Africa, is one of the world's principal sources of migrants.⁷ In late 2014, UNHCR reported that some 5,000 people were leaving the country every month.⁸ This figure has since gained currency.⁹ After achieving independence from Ethiopia in 1993, the first population census in Eritrea was scheduled to take place in 1998 but was postponed because of renewed conflict with Ethiopia¹⁰ and has yet to take place. The Eritrean government asserts the country's population is 3.6 million. Others have estimated it to be between six and seven million.¹¹ Even if the larger estimates are accurate, with several thousand, mostly young, Eritreans leaving the country every month, the net outflows are very significant. Almost all Eritreans who leave the country do so irregularly, crossing into eastern Sudan or northern Ethiopia, with refugee camps in both countries often serving as the first stop on itineraries of onward migration to North Africa and Europe.¹²

As of May 2016, 101,751 Eritrean asylum seekers and refugees were registered in Sudan.¹³ The actual number of Eritreans living in or transiting through Sudan, however, is likely much higher. In 2014, Sudanese commissioner for refugees estimated that two-thirds of Eritrean migrants passing through Sudan did not register as refugees.¹⁴ More recently, an official from the

7 International Crisis Group (2014). Eritrea: Ending the Exodus. Update briefing. Available at: <http://regionalmms.org/images/sector/Eritrea%20-%20Ending%20the%20exodus.pdf>

8 UNHCR (2014). Sharp increase in number of Eritrean refugees and asylum-seekers in Europe, Ethiopia and Sudan. Available at: <http://www.unhcr.org/news/briefing/2014/11/5465fea1381/sharp-increase-number-eritrean-refugees-asylum-seekers-europe-ethiopia.html>

9 Reuters (2016). Eritrea won't shorten national service despite migration fears. Available at: <http://www.reuters.com/article/us-eritre-politics-insight-idUSKCN0VY0M5>

10 International Crisis Group (2014). Eritrea: Ending the Exodus. Update briefing. Available at: <http://regionalmms.org/images/sector/Eritrea%20-%20Ending%20the%20exodus.pdf>

11 United Nations Human Rights Council (2016). Detailed findings of the commission of inquiry on human rights in Eritrea. 2 June 2016. Available at: http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColEritrea/A_HRC_32_CRP1_read-only.pdf

12 RMMS (2016). Country Profile: Eritrea. Available at: <http://www.regionalmms.org/index.php/country-profiles/eritre>

13 Ibid.

14 RMMS (2014). Going West: Contemporary Mixed Migration Trends from the Horn of Africa to Libya & Europe. Available at: <http://www.regionalmms.org/>



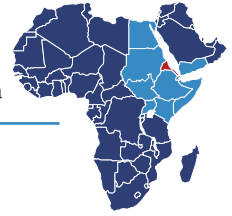
Sudanese migration department estimated that 150 Eritreans entered Sudan every day.¹⁵ Eritrean migrants also leave to Ethiopia, with UNHCR having registered 161,615 Eritrean asylum seekers there as of the end of August 2016.¹⁶ As in the case of Sudan, these numbers are also believed to be an under-representation, as not all Eritreans seek protection from UNHCR or register with the Ethiopian government, preferring to continue directly to the Ethiopian border with Sudan.

Beyond Africa, Eritreans were the single largest national group of migrants arriving in Italy, comprising 25 per cent of all arrivals.¹⁷ As of the end of November 2016, close to 21,000 Eritreans arrived in Italy, comprising 12 per cent of all arrivals (second only to migrants from Nigeria).¹⁸ Since 2008, according to the UN Special Rapporteur on the situation of human rights in Eritrea, children from Eritrea have constituted the largest national group of unaccompanied minors arriving in Italy, about 3,394 out of 13,026 in 2014 and 3,092 out of a total of 12,360 in 2015.¹⁹ The vast majority of Eritreans arriving in Europe are granted asylum upon arrival²⁰. From July 2015 to June 2016, seven European countries granted asylum to all applicants from Eritrea.²¹

Such policies have led some Ethiopian irregular migrants, especially ethnic Tigrinya speakers, to pose, having entered another country legally, as Eritreans at some point in their journey in order to increase their chances of receiving international protection. This trend further hampers accurate estimation of the true extent of the number of Eritreans leaving Eritrea, Sources in Khartoum as well as aid and humanitarian workers asserted that Ethiopians were able to purchase detailed biographies and elaborate “Eritrean life stories” for use during their asylum applications.

images/ResearchInitiatives/Going_West_migration_trends_Libya_Europe_final.pdf

- 15 StarAfrica (2016). At least 150 Eritreans flee their country every day – official. Available at: <http://en.starafrica.com/news/at-last150-eritreans-flee-their-country-every-day-official.html>
- 16 United Nations High Commissioner for Refugees (2016). Refugees and Asylum-seekers in Ethiopia: 31 August 2016. Available at: <http://www.refworld.org/docid/57e1241a4.html>
- 17 RMMS (2016). Country Profile: Eritrea. Available at: <http://www.regionalmms.org/index.php/country-profiles/eritrea>
- 18 Updated statistics available from UNHCR at: <http://data.unhcr.org/mediterranean/country.php?id=105>
- 19 United Nations Human Rights Council (2016). Statement by Ms. Sheila B. Keetharuth, Special Rapporteur on the Situation of Human Rights in Eritrea at the 31th session of the Human Rights Council. Available at: <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=17224&LangID=E>
- 20 Horwood, C. and Hooper K. (2016). Protection on the Move: Eritrean Refugee Flows Through the Greater Horn of Africa. Available at: <http://www.migrationpolicy.org/research/protection-move-eritrean-refugee-flows-through-greater-horn-africa>
- 21 Overseas Development Institute (2016). Europe’s Refugees and Migrants: Hidden flows, tightened borders and spiraling costs. Available at: <https://www.odi.org/sites/odi.org.uk/files/resource-documents/10887.pdf>



3.0

MIGRANT SMUGGLING AND HUMAN TRAFFICKING IN ERITREA

Migrant smuggling out of Eritrea

The few Eritreans who cross into Sudan without the assistance of a smuggler almost always travel on foot, often walking for several days to avoid detection by Eritrean authorities. After crossing the border, most migrants seek transportation, either aboard private vehicles or those provided by Sudanese authorities, in order to reach the various reception centres located in eastern Sudan. From there, Eritrean asylum seekers are taken to the Shagarab refugee camps where they register with UNHCR and the Sudanese government. Others seek transportation with the help of migrant smugglers directly to Khartoum, from where they may arrange the next leg of their journey.

Those migrants who do use smugglers have a range of services available to them.²² Some pay for passage only to eastern Sudan, or to Khartoum, while others pay for “full-package” schemes covering journeys all the way to Libya or Egypt, and even onward to Italy.²³ The latter schemes are much less common, and most multi-country itineraries are arranged in Khartoum, where more sophisticated migrant smuggling networks operate.²⁴ Groups facilitating passage from Eritrea into Sudan are often drawn from communities that live on both sides of the border. The Rashaida, for example, were cited in interviews in Sudan and Eritrea, and are referenced widely in the existing literature about migrant smuggling and human trafficking of Eritreans in Sudan. Other border communities are also involved in migrant smuggling, though information remains scarce and the specifics cited in interviews for this report varied widely and were inconsistent.

Eritreans pay smugglers between USD 960 and USD 9,600 to leave Eritrea, depending on the starting point, destination, and mode of travel, according to a 2014 RMMS report.²⁵ Fieldwork carried out for this report indicated that the cost to go from Asmara to Sudan or Ethiopia is typically in the range of USD 3,000 to USD 5,000, with prices fluctuating in line with the number of crossings and the corresponding level of security alertness.²⁶ Although a

22 Key informant interviews in Sudan, Eritrea, Ethiopia and Egypt, July-August 2016.

23 Ibid.

24 Key informant interviews in Sudan, August 2016; Ethiopia, June 2016.

25 Ibid.

26 Key informant interviews in Eritrea, August 2016.



smuggler might charge as little as USD 100 to take a migrant on a very short journey out of Eritrea, where they have to do little more than pay off a border guard, in general smugglers in Eritrea charge much more than amounts their counterparts in other countries in the region charge for far longer trips.²⁷

Interviews conducted for this report indicated that the majority of Eritreans find their smugglers by word of mouth, often receiving referrals from friends, family members, or other acquaintances who have already left the country or know someone who has.²⁸ There are several different payment structures and modes of payment available. Less expensive smuggler services, in which migrants pay for passage only across the border, often only being guided on foot, are almost always paid either in cash up front, or half in advance and half on arrival.²⁹ More expensive packages, starting as far back as Asmara and the Red Sea port city of Massawa, are usually paid in instalments, using informal money transfer systems, also known as *hawala* transfers, or formal banking institutions and wire transfers.³⁰ Interviews in Asmara indicated that relatives sometimes make final payments only upon confirmation that a migrant has completed a certain leg of their journey, with payments made in USD either via *hawala* transfers or to designated bank accounts.³¹

Migrant smuggling outside Eritrea

Once in Ethiopia, Eritrean migrants who are detected by Ethiopian soldiers or who report to authorities are usually transported to the nearest registration centre and then on to one of the four refugee camps in northern Ethiopia. Others will seek to avoid detection altogether, having paid smugglers in Eritrea for services that include crossing both the Ethiopian and Sudanese borders.³² Eritreans who have registered as refugees in northern Ethiopia are not allowed to travel outside certain areas without authorization, which leads many to pay smugglers who can facilitate crossings near Humera - an Ethiopian town near the borders of Sudan and Eritrea - either by avoiding detection by the authorities or by bribing them.³³ The refugee camps serve as way stations where migrants can arrange onward journeys to Sudan Humera.³⁴ In 2010, the Ethiopian government introduced an “Out of Camp Policy”, which is only applicable to Eritreans and authorises some Eritrean refugees to live in Addis Ababa and other locations provided they have the means to financially support themselves and have no criminal record. Some Eritrean refugees and other interlocutors have suggested the policy deters onward migration to Europe because it grants freedom of movement as well as opportunities to pursue education and employment in the informal sector.

27 Key informant interviews in Sudan, August 2016.

28 Key informant interviews in Eritrea, August 2016; Ethiopia, 2016.

29 Key informant interviews in Sudan, August 2016.

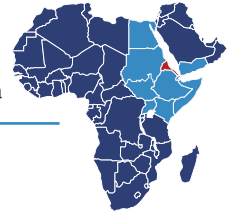
30 Ibid.

31 Ibid.

32 Key informant interviews in Sudan, August 2016; Ethiopia, June 2016.

33 Key informant interviews in Sudan, August 2016.

34 North Africa Mixed Migration Task Force (2015). Conditions and Risks of Mixed Migration in North East Africa: Study 2. Available at: <http://www.mixedmigrationhub.org/wp-content/uploads/2015/11/Conditions-and-Risks-in-MixedMigration-in-North-East-Africa.pdf>



Prices for smuggler-facilitated journeys from Ethiopia into Sudan vary according to the final destination and the mode of transportation. Interviews conducted for this report indicated that Eritreans pay between USD 200 and USD 500 to cross near Humera. Smugglers offering motorized transport for the entire journey, which would require avoiding checkpoints or paying bribes, charge more than those who lead migrants across the border on foot to avoid detection altogether.³⁵ Eritrean migrants who enter Sudan via Ethiopia usually head straight to Khartoum, a key hub of secondary migration in East Africa. Some may pay smugglers in eastern Sudan to bypass Khartoum altogether and go directly to Libya or Egypt.³⁶

Eritreans who cross directly from Eritrea into Sudan may choose to register at the Shagarab refugee complex. Those who wish to forego registering as refugees seek passage to the town of Kassala, a major migrant smuggling hub in eastern Sudan. One driver who regularly transports migrants from the Eritrean border highlighted different routes along which he and other drivers pick up migrants and take them to Kassala. A southern route involves migrants crossing close to Al-Lafa and Jira, and continuing through Al-Sawagi villages and Mastura, south of Kassala town. The latter area, particularly near Mastura, is a stronghold of the Rashaida, a nomadic Bedouin community whose members live in Eritrea, Sudan, and Egypt and which has roots in Saudi Arabia and Kuwait, and is widely implicated in kidnapping migrants for ransom (see next section).³⁷

In eastern Sudan, Eritrean brokers and recruiters leverage their common ties of kinship, nationality, and language to act as intermediaries linking newly arrived migrants with smugglers who can facilitate onward transport to Khartoum, or directly to Libya and Egypt.³⁸ Existing literature and interviews with key informants indicate that migrant smuggling networks moving Eritreans out of Khartoum, facilitating flows to Libya and Egypt, carry out their activities within a broad spectrum of criminality. This ranges from highly organized crime syndicates operating across several key hubs along the migration trail to loosely linked criminal entrepreneurs who move migrants only from one hub to the next as opportunities present themselves. Sources interviewed for this report offered competing viewpoints regarding the degree of organized criminality among migrant smuggling networks in Sudan and the prevalence of highly structured, multinational migrant smuggling syndicates.³⁹

Foreign diplomats in Khartoum, as well as a government interlocutor familiar with these networks, suggested that such networks comprise a relatively small group of actors, albeit one that is consolidating control over the trade as they pave paths of corruption and entrench relationships with facilitators and brokers along migration routes.⁴⁰ Smaller players in the smuggling world, meanwhile, face market barriers in form of increased government scrutiny and the protectionist business practices of the larger, more organised networks.

35 Key informant interviews in Sudan, August 2016.

36 Ibid.

37 Key informant interviews in Sudan, July-August 2016.

38 Ibid.

39 Key informant interviews in Sudan, August 2016; Ethiopia, June 2016.

40 Key informant interviews in Sudan, August 2016.



A small number of Eritrean “kingpins” are reported to control some of these larger networks which facilitate flows from Sudan to Europe via North Africa. Some observers indicated the emergence of family-based organized crime, in which Eritrean and Ethiopian families with connections in source, transit, and destination countries facilitate irregular migrant flows hidden within their legitimate business enterprises.

According to a report by the Sahan Foundation, “irregular migration from the Horn of Africa is dominated by highly integrated networks of transnational organized criminal groups” that are “coordinated by kingpins based chiefly in Libya and the Horn of Africa.” The report lists several Eritrean nationals, based in Europe, Libya, and Sudan, operating sophisticated smuggling networks that span several countries, with financial transactions taking place in Israel and Dubai.⁴¹ Interviews with western diplomats and law enforcement officials in Sudan and Ethiopia indicated that there are likely five to ten such highly organized networks that have command and control centres in Europe, Libya, Sudan, Ethiopia, Eritrea and Somalia.⁴² The work of Italian law enforcement officials as part of the “Operation Tokhla” and “Glauco II” investigations in which alleged kingpins overseeing networks stretching from Europe to Sudan, Ethiopia and Eritrea were arrested, lends credence to these claims of highly integrated transnational criminal networks.⁴³

Still, several law enforcement officials and diplomats in the region said that many migrant smugglers facilitating the flows of Eritreans from Sudan to Libya and Egypt may be coordinating with each other in an organized manner that is layered rather than hierarchical or integrated. Smugglers develop trust and relationships built upon frequent business transactions with same core groups of actors throughout the migratory routes. This repetition may give these more disparate networks the appearance of a structure, integration and top-down command that does not actually exist.⁴⁴

Over the course of 2016, Sudanese security forces stepped up their efforts to control onward migration from the Horn of Africa to Europe. In May, for example, they rounded up 900 Eritreans in Khartoum and arrested 400 more *en route* to Libya and deported them to Eritrea.⁴⁵ There were several other mass deportations of Eritreans from Sudan in 2016.

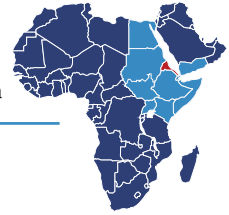
41 Sahan Foundation and IGAD Security Sector Program (2016). Human Trafficking and Smuggling on the Horn of Africa-Central Mediterranean Route. Available at: http://igad.int/attachments/1284_ISSP%20Sahan%20HST%20Report%20%2018ii2016%20FINAL%20FINAL.pdf

42 Key informant interviews, June-August 2016.

43 See: Statement of UNODC Executive Director Yury Fedotov on Italian criminal investigation known as “Glauco 1.” Available at: <https://www.unodc.org/unodc/en/press/releases/2016/February/statement-of-unodc-executive-director-yury-fedotov-on-italian-criminal-investigation-known-as-glauco-1.html>; and Tondo, L. and Kingsley, P. (2016). Police investigating if wrong man caught in anti-smuggling operation. The Guardian. Available at: <https://www.theguardian.com/world/2016/jun/08/police-investigating-if-wrong-man-caught-in-anti-smuggling-operation>

44 Key information interviews in Addis Ababa, June 2016; Cairo, July 2016.

45 Siegfried, K. (2016). Sudan and Eritrea crackdown on migrants amid reports of EU incentives. IRIN. Available at: <http://www.irinnews.org/news/2016/05/25/>



Sudanese authorities do not always allow UNHCR to access these migrants before deporting them.⁴⁶

Trafficking of Eritreans in Sudan, Egypt and Libya

Widespread human trafficking of migrants and asylum seekers from Eritrea takes place in parallel to and within the context of migrant smuggling. Cases of Eritreans being trafficked in Sudan and Egypt were reported as far back as the 1990's, and reached unprecedented levels between 2009 and 2013, when Eritrean migrants increasingly began seeking asylum in Israel, travelling there via the Sinai in Egypt.⁴⁷

Several detailed reports published over the last five years document the extent to which migrants are vulnerable to kidnapping by gangs which specialize in extortion and human trafficking in eastern Sudan.⁴⁸ According to the report by the Sahar Foundation, Eritreans crossing into Sudan for onward migration to Libya prefer to go directly to Khartoum in order to avoid being kidnapped by trafficking gangs who have abducted people directly from refugee camps in eastern Sudan, particularly the Shagarab camp.⁴⁹ UNHCR and the Sudanese government have asserted that abductions from these refugee camps and their environs have decreased significantly due to better security measures in and around camps and reception centres.⁵⁰ But local researchers in eastern Sudan, as well as activists with the

sudan-and-eritrea-crackdown-migrants-amid-reports-eu-incentives

- 46 Human Rights Watch (2016). Sudan: Hundreds Deported to Likely Abuse. Available at: <https://www.hrw.org/news/2016/05/30/sudan-hundreds-deported-likely-abuse>
- 47 RMMS (2014). Going West: Contemporary mixed migration trends from the Horn of Africa to Libya & Europe. Available at: http://www.regionalmms.org/images/ResearchInitiatives/Going_West_migration_trends_Libya_Europe_final.pdf
- 48 See: Human Rights Watch (2014). I wanted to Lie Down and Die: Trafficking and Torture of Eritreans in Sudan and Egypt, <https://www.hrw.org/report/2014/02/11/i-wanted-lie-down-and-die/trafficking-and-torture-eritreans-sudan-and-egypt>; and Humphris, R (2013). Refugees and the Rashaida: Human smuggling and trafficking from Eritrea to Sudan and Egypt. *New Issues in Refugee Research*, Paper No. 254. Available at: <http://www.unhcr.org/51407fc69.pdf>; and Mezzofiore, G. (2016). Sudan: Rashaida kidnapers demand \$5,000 ransom and threaten death for Eritrean captives. *International Business Times*. Available at: <http://www.ibtimes.co.uk/sudan-rashaida-kidnappers-demand-5000-ransom-threaten-death-eritrean-captives-1504974>
- 49 Sahar Foundation & IGAD (2016). Human trafficking and smuggling on the Horn of Africa-Central Mediterranean route. Available at: http://www.igad.int/index.php?option=com_content&view=article&id=1284:the-human-smuggling-and-trafficking-on-the-horn-of-africacentral-mediterranean-route-re-port-launched&catid=45:peace-and-security&Itemid=128
- 50 UNHCR and IOM (2015). The United Nations and IOM reinforce their support to Sudan in combatting human trafficking and smuggling of persons. Available at: <https://sudan.iom.int/sites/default/files/PR%20Anti%20Trafficking%20and%20Smuggling%20Strategy%20Sudan%2027%20May%202015.pdf>



International Commission on Eritrean Refugees in Stockholm, dispute this.⁵¹ Interviewees in eastern Sudan said that smuggling networks continue to operate in and around numerous refugee camps and reception centres, and that this has prompted Eritrean nationals to offer services to move Eritreans either to Khartoum or directly to Libya or Egypt from eastern Sudan.

Human traffickers are believed to target Eritreans because the existence of the large global Eritrean diaspora, built up over three decades of secessionist war and more than 20 subsequent years of authoritarian government, increases the likelihood that Eritreans have family in North America or Europe with the resources to pay ransoms.⁵² A 2014 report by Human Rights Watch estimated that between 25,000 and 30,000 people were victims of trafficking in the Sinai between 2009 and 2013, of whom between 5,000 and 10,000 died.⁵³ As of 2012, during the height of human trafficking in the Sinai, an estimated 95 per cent of people trafficked into Egypt were Eritrean.⁵⁴

Human trafficking gangs kidnap Eritreans traveling along well-worn migration routes, from key migrant hubs, as well as from within or near refugee camps in Sudan and Ethiopia. Others are reportedly kidnapped inside Eritrea with the explicit purpose of procuring a ransom. Sometimes the extortion process starts when migrants seek the services of a smuggler, who then “sells” his clients to traffickers who specialise in kidnapping for ransom, either while migrants are still in Sudan, or once they arrive in Egypt or Libya. Smugglers might also sell their clients to a trafficker if they prove unable to pay agreed fees.

These kidnappings are reportedly mainly organized by members of the Rahsaida community, who upon kidnapping or purchasing a victim, demand ransoms as high as USD 50,000 per individual.⁵⁵ Traffickers have been known to take their victims to torture camps inside Egypt in order to extract the maximum payment from victims’ families.⁵⁶ According to Interpol,

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- 51 Key informant interviews in Sudan, July-August 2016. See Also: Mezzofiore, G. (2016). Sudan: Rashaida kidnapers demand \$5,000 ransom and threaten death for Eritrean captives. *International Business Times*. Available at: [http:// www.ibtimes.co.uk/sudan-rashaida-kidnappers-demand-5000-ransom-threaten-death-eritrean-captives-1504974](http://www.ibtimes.co.uk/sudan-rashaida-kidnappers-demand-5000-ransom-threaten-death-eritrean-captives-1504974) 90 Key informant interviews in Sudan, July-August 2016.
- 52 van Reisen, M., Estefanos, M., and Rijken, C. (2012). *Human Trafficking in the Sinai: Refugees between Life and Death*. Brussels: Tilburg University/EEPA. Available at: http://www.ehrea.org/report_Human_Trafficking_in_the_Sinai_20120927.pdf
- 53 Human Rights Watch (2014). *I wanted to Lie Down and Die: Trafficking and Torture of Eritreans in Sudan and Egypt*, Available at: <https://www.hrw.org/report/2014/02/11/i-wanted-lie-down-and-die/trafficking-and-torture-eritreans-sudan-and-egypt>
- 54 van Reisen, M., Estefanos, M., and Rijken, C. (2012). *Human Trafficking in the Sinai: Refugees between Life and Death*. Brussels: Tilburg University/EEPA. Available at: http://www.ehrea.org/report_Human_Trafficking_in_the_Sinai_20120927.pdf 94 Ibid.
- 55 RMMS (2014). *Going West: Contemporary mixed migration trends from the Horn of Africa to Libya & Europe*. Available at: http://www.regionalmms.org/images/ResearchInitiatives/Going_West_migration_trends_Libya_Europe_final.pdf
- 56 van Reisen, M., Estefanos, M., and Rijken, C. (2012). *Human Trafficking in the Sinai: Refugees between Life and Death*. Brussels: Tilburg University/EEPA. Available at: http://www.ehrea.org/report_Human_Trafficking_in_the_Sinai_20120927.pdf



ransom payments are paid using legitimate money transfer services and formal bank accounts, with middle men in Gaza, Israel, Jordan, and Lebanon facilitating transfers. Cash handlers in Europe collect money from the European sponsors of victims.⁵⁷

Since 2013, irregular migrant flows into Israel from Egypt have virtually dried up due to changes in Israeli policy, increased border security measures, and Egyptian military operations against Islamist militants in the Sinai area.⁵⁸ While this had led to an attendant drop in trafficking operations in the Sinai, abductions in Sudan are still being reported.⁵⁹ Interviews in Cairo suggested that some of the kidnap-for-ransom operations previously conducted in the Sinai may have moved southward, closer to the border with Sudan. Other reports suggest that Eritreans are being kidnapped for ransom by armed groups in southern Libya, with Sinai-style torture camps emerging both in southern and northern Libya.⁶⁰ Eritreans may also find themselves in scenarios in which smugglers incorporate extortion and abuse into their business models, while still providing smuggler services and facilitating the overall journey, placing their activities in a grey area between migrant smuggling and human trafficking.⁶¹

org/report_Human_Trafficking_in_the_Sinai_20120927.pdf

57 RMMS (2014). Going West: Contemporary mixed migration trends from the Horn of Africa to Libya & Europe. Available at: http://www.regionalmms.org/images/ResearchInitiatives/Going_West_migration_trends_Libya_Europe_final.pdf

58 Ibid.

59 Key informant interviews in Sudan, July-August 2016. See Also: Mezzofiore, G. (2016). Sudan: Rashaida kidnapers demand \$5,000 ransom and threaten death for Eritrean captives. International Business Times. Available at: <http://www.ibtimes.co.uk/sudan-rashaida-kidnapers-demand-5000-ransom-threaten-death-eritrean-captives-1504974>

60 Amnesty International (2015). 'Libya is Full of Cruelty': Stories of abduction, sexual violence and abuse from migrants and refugees. Available at: https://www.amnesty.org.uk/sites/default/files/libya_is_full_of_cruelty.pdf

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61 For more on this, see: RMMS (2015). Beyond Definitions: Global migration and the smuggling-trafficking nexus. Available at: http://www.regionalmms.org/images/DiscussionPapers/Beyond_Definitions.pdf



4.0

THE ERITREAN GOVERNMENT'S FRAMEWORK TO RESPOND

4.1 Legal and institutional frameworks

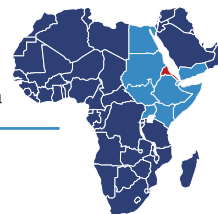
On 25 September 2014, Eritrea acceded to the United Nations Convention against Transnational Organized Crime (UNTOC)⁶² and to its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.⁶³ The Eritrean government is not, however, a party to the UNTOC Protocol against Smuggling of Migrants by Land, Sea, and Air.

There are several laws directly and indirectly related to human trafficking within Book III, Chapter 2 of the 2015 Penal Code of the State of Eritrea. Article 297 on Enslavement and Abetting Traffic states that “any person who sells, alienates, pledges buys, trades, traffics or otherwise enslaves another person; keeps or maintains another person in a condition of slavery even in disguised form; or knowingly, transports whether by land, sea or air, persons enslaved or aids and abets such traffic whether within Eritrean territory or otherwise, is guilty of enslavement and abetting traffic.” The offence is punishable by imprisonment of not less than seven years and not more than 10 years. If the person enslaved is under 18 years of age, the offence is punishable with a prison term of not less than 13 years and not more than 16 years.

Article 315 on Traffic in Women, Infants and Young Persons defines any person who “for gain or to gratify the passions of others” traffics in women or infants and young persons, “whether by seducing them, by enticing them or by procuring them or otherwise inducing them to engage in prostitution or production of pornography or pornographic performances, even with their consent,” or who “keeps such a person in a disorderly house or to let them out to prostitution,” as guilty of trafficking in women infants and young persons. The offence is punishable by imprisonment for less than five years and not more than seven years.

62 United Nations Convention against Transnational Organized Crime. Available at: https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12&chapter=18&clang=_en

63 United Nations Protocol Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime. Available at: https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18&clang=_en



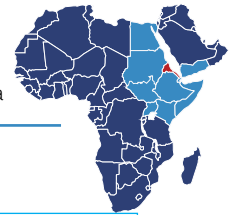
Article 316 on Aggravated Traffic in Women, Infants and Young Persons, increases the punishment for crimes outlined in Article 315 to from seven to 10 years in prison for perpetrators if:

- He professionally procures children under 15 years of age;
- He professionally procures his wife or his descendants, his adopted child or the child of his spouse, his brother or his sister, or his ward or anybody entrusted to his custody or care;
- He has taken unfair advantage of the physical or mental distress of his victims, or his position as a protector, employer, teacher, landlord or creditor, or any other like situation;
- He has made a use of trickery, fraud, violence, intimidation or coercion, or where he has misused his authority over the victims;
- He intends to deliver the victim to a professional procurer, or the victim is taken abroad or the victims whereabouts or place of abode cannot be established; or
- The victim had been driven to suicide by shame, distress or despair.

Article 317 on Organization in Traffic in Persons states that any person who makes arrangements or provisions of any kind for the trafficking of women, or infants and young persons, is guilty of “organization of traffic of persons” which is punishable with a term of imprisonment of not less than three years and not more than five years. Under Article 318, Aggravated Organization of Traffic in Persons, a person who commits the same offences outlined in Article 217 as a “professional procurer and fully makes arrangements involving many victims” is guilty of aggravated organization of traffic in persons, and faces from five to seven years in prison.

Eritrean Penal Code measures related to trafficking in persons

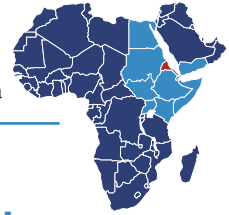
Article	Offence	Class of Offence	Minimum Period of imprisonment	Maximum Period of imprisonment
Art 297 Enslavement and A betting Traffic	Enslavement and trafficking of person >18 year of age	Class 6 serious Offence	7 years	10 years
	Enslavement and trafficking of person <18 year of age	Class 4 Serious Offence	13 years	16 years



<p>Art 315 Traffic in Women, Infants and Young Persons</p>	<p>Traffic in women, infants and young children, Procurement of person for prostitution</p>	<p>Class 7 Serious Offence</p>	<p>5 years</p>	<p>7 years</p>
<p>Art 316 Aggravated Traffic in Women, Infants and Young Persons</p>	<p>Applies to person who commit offences under Article 315 and who are:</p> <ul style="list-style-type: none"> engaging in such activities professionally who are taking unfair advantage of person either through their position or trickery, fraud etc. 	<p>Class 6 Serious Offence</p>	<p>7 years</p>	<p>10 years</p>
<p>Art 317 Organization of Traffic in Persons</p>	<p>A person who makes arrangements or provisions of any kinds for the trafficking of women, infants, and young persons</p>	<p>Class 8 Serious Offence</p>	<p>3 years</p>	<p>5 years</p>
<p>Art 318 Aggravated Organization of Traffic in Person</p>	<p>A person who commits an offence under Article 317 as a professional procures involving many victims</p>	<p>Class 7 Serious Offence</p>	<p>5 years</p>	<p>7 years</p>

The legal measures outlined above are not entirely in line with the norms, definitions, and guidelines stipulated in UNTOC Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. There are no laws in the 2015 Penal Code of the State of Eritrea outlawing migrant smuggling, nor is the difference between smuggling and trafficking outlined anywhere in the document.⁶⁴

64 Penal Code of the State of Eritrea (2015). Available at: <http://www.refworld.org/pdfid/55a51ccc4.pdf> 107 Key informant interviews. August 2016.



4.2 Government structures to collect, analyse and share information

There are no publicly available data on the prosecution of smugglers or traffickers in Eritrea. It is the military rather than civilian justice system that is more likely to handle such cases. The age group of many people accessing smuggler services is such that those caught will be processed within the framework of desertion from national service. The same is true of those who facilitate smuggling out of Eritrea.

According to the US State Department, the Eritrean government has made efforts to “warn its citizens of the dangers of trafficking, but authorities lacked basic understanding of the crime and conflated it with transnational migration.”⁶⁵

Eritrea is part of the AU-Horn of Africa Migration Route Initiative, also known as the Khartoum Process. Initiated in 2014, this seeks to “undertake concrete actions to prevent and tackle the challenges of human trafficking and smuggling of migration between the Horn of Africa and Europe, in the spirit of partnership, shared responsibility and cooperation.”⁶⁶ Now in its first phase, the initiative aims to develop cooperation between origin, transit, and destination countries to stem irregular migrant flows through technical assistance, law enforcement assistance, capacity building, information sharing, identifying and prosecuting criminal networks, supporting victims of human trafficking and protecting the rights of smuggled migrants, fostering sustainable development to tackle the root cause of migration, and developing a regional framework to support the return of migrants to their country of origin.⁶⁷

In 2015, European and African leaders met in Malta at the Valetta Summit on Migration to build on initiatives such as the Khartoum Process. They formally launched a USD 1.8 billion EU Emergency Trust Fund for Africa to tackle the root causes of irregular migration in the Sahel region, the Lake Chad area, the Horn of Africa, and North Africa.⁶⁸

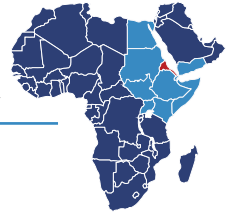
Eritrea is also receiving EUR 200 million in “new long term support to promote poverty reduction and economic development” as part of the EU’s National Indicative Programme. The project, which started in 2015 and is scheduled to last until 2020, aims to assist the Eritrean government in the areas of energy and governance. The programme aims to support the energy sector to allow the Eritrean people (through access to electricity) better access

65 US State Department (2016). Trafficking in Persons Report: Eritrea. Available at: <https://www.state.gov/j/tip/rls/tiprpt/countries/2016/258763.htm>

66 Declaration of the Ministerial Conference of the Khartoum Process (EU-Horn of Africa Migration Route Initiative). Rome, 28th of November 2014. Available at: <http://italia2014.eu/media/3785/declaration-of-the-ministerial-conference-of-the-khartoum-process.pdf>

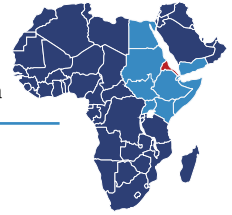
67 Adam, A.H. (2015). Giving money to Eritrea and Sudan to stop refugees is “almost satire.” Available at: <https://www.theguardian.com/world/2015/nov/13/migration-summit-refugees-sudan-eritrea>

68 EU emergency trust fund for Africa Factsheet (2016). Available at: https://eeas.europa.eu/headquarters/headquarters-homepage/9894/eu-emergency-trust-fund-for-africa_en



to social services, including schools, hospitals and health centres, and to facilitate irrigated agriculture and develop the country's fishing potential. In the sphere of governance, the project aims to strengthen the Eritrean government's capacity to better manage public finances, and to support the production of reliable statistics to help build a "conducive environment" for the private sector.⁶⁹

69 European Commission (2015). EU announces support for poverty eradication in Eritrea. Available at: http://europa.eu/rapid/press-release_IP-15-6298_en.htm



5.0

RECOMMENDATIONS

The below recommendations to Eritrea's partners focus on measures, which may be ambitious but are achievable in the short-to-medium term.

- Assist the Eritrean government in drafting anti-human trafficking and smuggling legislation that is in accordance with the protocols supplementing UNTOC.
- Provide technical assistance and organizational support to the Government of Eritrea in developing a uniform mechanism for reporting information collected by relevant intelligence services, law enforcement agencies, and government institutions.
- Provide technical support on international cooperation with countries of transit and destination of Eritrean migrants and neighbouring countries to combat trafficking and smuggling (e.g. bilateral and multilateral arrangements on law enforcement, investigation and information sharing).
- Enhancing cooperation with and between different actors within the government structures, as well as cooperation between donors and relevant UN agencies to ensure effective and efficient coordination and avoid duplication of efforts.
- Increase the capacity of the police to conduct criminal investigations into human trafficking and migrant smuggling by training law enforcement agents, reinforcing operational management between law enforcement services.



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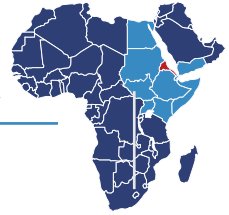
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This report is one of a series of ten country statements, produced as part of the project *Addressing Mixed Migration Flows in Eastern Africa*. These reports provide an updated overview of migrant smuggling and human trafficking trends and dynamics and the modus operandi of criminal networks involved in facilitating irregular migration. The reports also highlight capacity gaps and challenges faced by governments in the region in responding to these phenomena, informing the identification of capacity-building needs in the areas of data collection, analysis and information sharing. The project is managed by Expertise France and is funded by the European Commission in the context of the EU-Horn of Africa Migration Route Initiative (the Khartoum Process).

This report is one of 10 country statement reports covering: Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, Uganda and Yemen



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