

Subject: Research Study on Detention Policies in Eritrea

25 March 2024

Dear Minister of Immigration,

I am writing to you on behalf of the Global Detention Project, a research organisation based in Geneva, Switzerland that studies the laws and policies concerning the detention of migrants, asylum seekers, and refugees worldwide. We are currently conducting a study of policies in the countries of North Africa, including Eritrea, because of the challenges facing the entire region in managing migration, ensuring security, and upholding the rights of all people.

According to information that we have received, immigration detention is not specifically used in Eritrea, although migrants, refugees, and asylum seekers may be detained if they are unable to pay a fee to extend their stay in the country. At the same time however, we are aware that your Legal Code (under Article 154-155 of the Penal Code notes that: "if a person is to be deported from Eritrea: a) he may remain under arrest until deportation, or b) he may remain in a determined place and at intervals decided by the Secretary, who may address the relevant authority." Therefore, due to lack of clarity on immigration detention practices in Eritrea, we kindly request information on this matter. In particular, we would be grateful if you could provide us with detailed information on the following points:

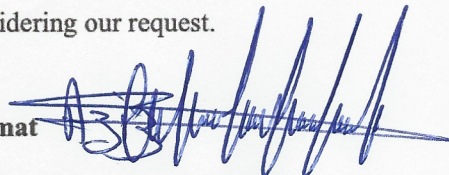
1. A list of detention facilities where migrants, asylum seekers, and non-citizens are currently being detained because of their non-citizen or immigration status.
2. The number of people placed in any form of immigration-related detention in 2023 as well as for any other years for which data is available, in addition to data about the numbers of women and children placed in this form of detention.
3. Information about the numbers of people deported from the country in 2023 as well as for any other year for which data is available.
4. Information about the legal framework governing immigration-related detention, including relevant procedures and safeguards in place to protect their rights.
5. Information about conditions and operations in these detention facilities, including access to healthcare and visits by family members, legal representatives, or detention monitoring bodies.
6. Any measures your office is taking to address the following concerns expressed during the Universal Periodic Review in 2019 & CRC 2015, including:
18. Efforts to combat and eradicate trafficking in persons had intensified, including at the regional level through the African Union-Horn of Africa initiative on human trafficking and smuggling of migrants. Many people had continued to fall victim to criminal networks of human traffickers. Eritrea had for years called for an independent international body to investigate and bring those responsible to justice.
19. "The Committee urges the State party to cease, with immediate effect, the excessive use of force against children, including at borders, and to take all possible measures to encourage children to continue residing in the country."

We would greatly appreciate your cooperation in providing us with the requested information, which will be invaluable to our research efforts. Please let us know if there are any protocols to follow or specific channels through which we should direct our inquiry.

Thank you for considering our request.

Sincerely,

Abdul Aziz Muhamat



Global Detention Project (Geneva, Switzerland)