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## Eritrea and the Migration Dilemma in the Horn of Africa

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## **Eritrea and the Migration Dilemma in the Horn of Africa**

### **Abstract:**

The state of Eritrea is gradually losing its population. A variety of human rights violations including mandatory indefinite conscription is contributing to many Eritrean citizens' choice to flee. Those that do flee, tend to go to Sudan or Ethiopia as there is a long historical and cultural connection between the three countries. Additionally, Sudan and Ethiopia have a variety of laws and institutions in place to help the various refugees they take in. However, despite this legislation, refugees are still vulnerable members of the population who face many troubles. This shared history, culture and the legal protections afforded to refugees, are some of the reasons why Eritreans choose to flee to Sudan or Ethiopia. Some refugees use Sudan and Ethiopia as a stepping stone on the way to Europe, since this shared culture and history provides them with a taste of home while attempting to flee to a better life and the protection afforded by legal institutions whether they choose Sudan or Ethiopia or continue on their journey to Europe

### ***Understanding the Exodus of Eritreans***

Eritrea is quickly becoming a nation with no people. Around 12% of the Eritrean population is a refugee or asylum seeker (Eritrea: Events of 2016). They are fleeing from their own country, headed by President Isaias Afwerki, who stands accused by the United Nations of crimes against humanity, including mandatory indefinite military conscription that some argue amounts to slavery (Stavis and Parkinson). Due to these allegations, Eritrean refugees have prima facie designation status, meaning those fleeing from Eritrea are assumed to have valid asylum claims (Laub). Eritreans face many push factors that force them to leave Eritrea and pursue a better life in Sudan or Ethiopia. This is compounded by the fact that Eritrea, Ethiopia

and Sudan have a long-shared history and many cultural ties, which affects life in refugee camps located there. In addition, laws passed by Sudan and Ethiopia are meant to ensure the protection of these refugees. Life in the camps is, however, far from good. This paper serves to analyze why Eritreans are fleeing their country and why they still choose to go to and sometimes permanently stay in Ethiopia and Sudan.

To provide context for why individuals are choosing to leave Eritrea, it is important to understand the human rights violations perpetuated by the government of Eritrea. Then the history of Eritrea, Ethiopia and Sudan will be explored to show its role in the creation of the refugee communities in Ethiopia and Sudan and to show the historical connection between these three nations in the Horn of Africa. The cultural ties between Eritrea, Ethiopia and Sudan, another pull factor for Eritreans fleeing to Sudan and Ethiopia, can explain why Eritreans would feel comfortable in those neighboring countries. Finally, there will be a short introduction of the various refugee camps in both Ethiopia and Sudan and some of the problems refugees face. This historical and legal perspective will offer insights into why Eritrean refugees are fleeing, the legal protections they are apparently guaranteed and the problems they face after they have fled their home country.

### **Human Rights Violations**

Eritrea is currently tied for third place, along with North Korea, as one of the worst nations in the world for not protecting the freedom of its citizens (Aghekyan et al). The Eritrean government forces its people into indefinite military service (Freedom in the World 2018: Eritrea 2017; Alfred). In addition, Eritreans are subjected to disappearances and arbitrary detention without a trial (Freedom in the World 2018: Eritrea 2017; Alfred). Mandatory conscription started in 1995 with the Proclamation of National Service which mandated that men and women

between the ages of 18 to 50 would serve for 18 months in military, government, civil service or administrative positions (Plaut 150-1). Conscription is indefinite, and the wages they are paid for their conscription are not enough to live on (Plaut 151). Additionally, women often face sexual abuse and assault by military officials (Plaut 151-2). According to a former military teacher, “*sexuelle Gewalt in Sawa [sei] geradezu «normal»*”, that is sexual assault is considered to be normal in the main military training camp (Swiss Refugee Council 13). It should be noted: women are partially exempt from the mandatory national conscription (Swiss Refugee Council 11). Women who have children or are married are partially exempt from serving so many girls stop going to school early to get married and have children to avoid conscription (Swiss Refugee Council 11). Nonetheless, there are still gender related consequences to this situation. Women are not the only vulnerable population affected by mandatory conscription. For those with medical conditions, exemption is almost impossible to receive (Swiss Refugee Council 14). Even those who are injured are forced to serve even if they were previously deemed unfit to serve (Swiss Refugee Council 14). Eritrea issued the Warsay Yikealo Development Campaign, also known as “Eritrea’s Marshall Plan”, which came into place in 2000 after the border war with Ethiopia (Swiss Refugee Council 8). This program is both a conscription requirement and a development program enforced by the Eritrean government (Swiss Refugee Council 8).

Additionally, Eritrea is known to impose extreme restrictions on freedom of speech, association and expression (Eritrea: Events of 2016.). The only media present in Eritrea is state owned (Eritrea: Events of 2016.). In 2001, Eritrea closed all independent news sources and jailed all journalists (Eritrea: Events of 2016.). No journalists have been to trial and instead are detained in solitary confinement (Eritrea: Events of 2016.). It is also believed, according to their prison guards, that half of these journalists died in prison (Eritrea: Events of 2016.). Moreover,

Eritrea only recognizes four religions and it is believed that at least 3,000 people are in prison for following an unrecognized religion (Alfred). Additionally, Eritrea has jailed over 10,000 political prisoners (Alfred). For those who try to leave Eritrea, they must worry about repercussions faced by the family they left behind. “This physical trauma was experienced during a period of imprisonment because of being either politically or religiously different from what the government thinks is their own or because of a family member fleeing the country” (Arega 99)<sup>1</sup>. Due to the targeting of family members, women and children are then forced to flee and then may face hardship (Arega 99).

Eritrea’s governing structure also contributes to the human rights abuses. Eritrea has a constitution which was ratified in 1997 but not implemented (The World Factbook: Eritrea.). A new constitution has been created and is still being worked on to this day (The World Factbook: Eritrea.). Presidential elections are supposed to be held every five years with the president holding office for two terms, but the only election was held in 1993, leading to the election of Isaias Afwerki. From then on, elections were indefinitely postponed (The World Factbook: Eritrea.). Eritrea has not had a legislature since 2002 (Eritrea: Events of 2016.). There is only one political party allowed in Eritrea, which is the People’s Front for Democracy and Justice (The World Factbook: Eritrea.). These repressive governmental institutions lead to a variety of human rights abuses which cause many Eritreans to flee.

What does the Eritrean government think about this exodus of people fleeing? The Eritrean government has issued a scathing response to allegations that its citizens are fleeing their country. On their Ministry of Information website, they allege that the United Nations is

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<sup>1</sup> To read more see Natnael Terefe Arega’s article, “The Plights of Eritrean Refugees in the Shimelba Refugee Camp, Ethiopia.” Located in the *International Journal of Migration, Health and Social Care*, vol. 13, no. 1, 2017, pp. 93–105., doi:10.1108/ijmhsc-02-2016-0007.

fraudulently adding over 185,000-210,000 to the actual refugee figures (Sewra). They claim that the figures presented are subject to politicization and that the United States, Europe and Israel are waging a “human trafficking scheme designed to weaken and destabilize the country” (Sewra). The article that was published by the Danish Immigration Report that the Eritrean government cites to justify its belief that the UN has fraudulent figures on Eritrean refugees has been derided by academics and human rights activists (Plaut 92). While the Eritrean government issues these statements, it is important to take into consideration that there are a variety of other sources indicated above that give details on the human rights abuses that are taking place in Eritrea and explain why Eritreans are fleeing. Let us now turn to the question where they are choosing to go.

Many Eritrean refugees have headed to Europe. Eritrea is on the list of the top ten countries that refugees attempting to get to Europe are coming from (Plaut 92). However, with attitudes towards refugees changing in Europe, governments have begun to argue that the human rights situation in Eritrea is not as bad as it once was; this is a disguised attempt to justify that they do not have to accept Eritrean asylum seekers (Plaut 92). Some European countries have caught ahold of the Danish Immigration Report, and even though it has been denounced by two of the three authors and the Danish Immigration Service decided not to use the report, it inspired other European countries to alter their information on the human rights situation in Eritrea (Plaut 92-93). This has allowed European regimes to become more selective when accepting Eritrean asylum seekers (Plaut 93). In fact, refugees have gone to Sudan and Ethiopia, both of which border Eritrea. There are reported to be a combined total of around a quarter of a million Eritrean refugees in Sudan and Ethiopia (Laub). Additionally, the border between Eritrea and Sudan is easy to cross as it is not well defended due to its size (Johnson 1). Refugees also choose to migrate to Sudan because they view Sudan as being a transit destination (Johnson 1). They feel it

is easier to get to Europe, the United States, or other countries from Sudan, so it is merely a stop on their journey (Johnson 1).

While Europe accommodates tens of thousands of Eritreans, there are around 250,000 Eritrean refugees in Ethiopia and Sudan (Laub). However, it is important to understand that there could be more refugees as some may not register as refugees or asylum seekers. Eritrea has a complicated history with Sudan and Ethiopia, and this history begs the question of how their shared past and foreign policy impacts the Eritrean diaspora in each of these countries. The most obvious answer is that the border tensions with Ethiopia are one of the justifications Eritrea gives for mandatory conscriptions (Alfred). The Eritrean government argues that Eritrea is still at war with Ethiopia due to the latter occupying territory that belongs to Eritrea (Stevis and Parkinson). Ethiopia denies this charge (Stevis and Parkinson). While many Eritreans are going to Europe, there is a great number of refugees still within the Horn of Africa. Although Europe and the US are showcased in the media as favorite destinations for migration, it is important to recognize the significant number of refugees in this region. A brief look at the history of the region will help to shed light on this East African refugee crisis.

## **History of Eritrea, Ethiopia and Sudan**

### *Background of the Conflict*

Eritrea was once a part of Ethiopia. In 1889, Ethiopian Emperor Menelik traded what is now Eritrea to the Italians in return for supporting his claim to the throne (Kuhlman 34). Italy believed that it would be possible to capture the rest of Ethiopia and so it “supported” Emperor Menelik’s claim to the throne and then attempted to capture Ethiopia (Kuhlman 34). This did not happen. Ethiopia was able to fend off the Italians, resulting in Eritrea being colonized while

Ethiopia retained its independence (Kuhlman 34). This started the process of Eritrea and Ethiopia becoming separate entities (Kuhlman 34). In 1896, Ethiopia forced the Italians to sign treaties that created a border between the Italian colony of Eritrea and Ethiopia, although during World War II, Ethiopia was controlled by Italy (Plaut 9). At the end of World War II, the British took possession of both Eritrea and Ethiopia (Kuhlman 34). The British reestablished the Ethiopian monarchy but kept Eritrea under their control (Kuhlman 34).

However, this all changed in 1952. The United Nations determined that Eritrea would become an autonomous region within Ethiopia (The World Factbook: Eritrea.). In response to this ruling, Ethiopia began violating Eritrean rights including: rigging elections; abolishing the official languages of Eritrea, Tigrinya, Arabic as well as Tigre, and infringing on the rights of freedom of speech and movement (Kuhlman 35-6; Plaut 11). There were additional religious tensions that occurred, which also served to cause unrest and fear about the individual groups and their ability to control one another. The future Christian majority that would be created when Ethiopia and Eritrea were unified worried the Muslim minority, although there were also those Christian and Muslims that went against their own groups' interests, favoring independence for their own personal reasons (Kuhlman 35). These factors, combined with other nations interfering to ensure their interests were protected, eventually led to a civil war between Eritrea and Ethiopia (Kuhlmann 35).

### *The Civil War*

Starting in September 1961, the civil war between Eritrea and Ethiopia broke out (Plaut 11). In response to the civil war, Ethiopia absorbed Eritrea, ending the latter's status as an autonomous region (Plaut 11). The main resistance group, composed mainly of Muslims, called itself the Eritrean Liberation Front (ELF) (Plaut 11-12). The ELF was discriminatory towards

Christians who wanted to join the movement; this discrimination resulted in the creation of another resistance group, the Eritrean People's Liberation Front (EPLF), which claimed to be secular but was dominated by the Christians (Plaut 12). The groups began to fight for control, which the EPLF ultimately won (Plaut 12). The largely Muslim ELF chose to move operate out of Sudan (Plaut 12).

In addition to the Eritrean problem, Ethiopia was also facing another uprising in the Tigray region of its territory (Plaut 12). While the two groups leading the Tigray Revolution and the EPLF were ideologically and politically different, they cooperated with one another, which led to military successes (Plaut 21-22). Eventually, the EPLF took the capital of Eritrea, Asmara, while the Tigray People's Liberation Movement took control of Ethiopia and overthrew the Derg in 1991 (Plaut 22). Due to the existing relationship between the resistance movements, foreign relations between Eritrea and Ethiopia were good (Plaut 22). Eritrea and Ethiopia agreed to free movement between their people, a common currency and trade of Ethiopian goods in Eritrea (Plaut 22). Eritrea held a referendum and declared its independence which was supported by the new Ethiopian regime (Plaut 22). The president of Eritrea became Isaias Afwerki and he has remained in power since Eritrea became an independent country on May 24, 1991 (The World Factbook: Eritrea.). Despite the initial goodwill that prevailed between Eritrea and Ethiopia, there is, however, still conflict over border disputes today (The World Factbook: Eritrea.). The Eritrean War of independence set off the flow of refugees out of Eritrea and into Ethiopia and Sudan which has continued ever since and has contributed to the building of communities and the start of the conflicted ties between Eritrea, Ethiopia and Sudan.

*Regional Dynamics: Eritrea, Sudan and Ethiopia before Eritrean Independence*

To complicate matters in the Horn of Africa, Eritrea and Sudan have both played active roles in each other's foreign policy. Sudan frequently used Eritrea as a chess piece to advance its foreign policy, but conversely, was also vital to the Eritrean independence movement (Plaut 74). During the creation of the Eritrean state, many Eritrean nationalists and political activists fled to Sudan with the numerous other citizens who fled from cities due to unemployment (Reid 73). However, Sudanese foreign policy towards Eritrean refugees was not positive. At first, Sudan's President Aboud worked closely with Ethiopia's Emperor Haile Selassie against Eritrea (Reid 74-75). This ensured that Ethiopia would not intervene in the uprisings in southern Sudan (Reid 74-75). However, this all changed when President Aboud was overthrown in 1964 and replaced by Ismail Al-Ashari until 1969 (Reid 75).

The Al-Ashari government of Sudan began supporting many other liberation movements, including the Eritrean refugee community in Sudan (Reid 75). They even allowed the ELF to receive arms from Syria and gave them free movement throughout Sudan (Reid 75). In response, the Ethiopian government decided to step up attacks on Sudanese villages on its border and began aiding the southern Sudanese rebels (Reid 76).

The situation between Eritrea, Sudan and Ethiopia again shifted when the Sudanese regime changed in 1969 (Reid 76). The new Sudanese government, headed by Gaafar Nimeiry, came to an agreement with the Ethiopian government where neither government would allow weapons to reach rebel groups; each government agreed to remove any refugees involved in "subversive activities" and to close rebel training centers within their respective countries (Reid 76). This change in relations did not last however, and soon Ethiopia and Sudan were on the verge of war which was narrowly averted (Reid 76-77).

Sudanese and Ethiopian relations managed to improve when the Addis Ababa Agreement came to fruition in 1972 (Reid 77). This agreement ended the civil war in southern Sudan and also ended Sudan's active support of the Eritrean refugee community (Reid 77). The border between Eritrea and Sudan closed, and Sudan began trying to stop weapons from reaching the Eritreans (Reid 77). In 1973, however, the Emperor of Ethiopia, Haile Selassie, was overthrown, and the new rulers of Ethiopia, the Derg, launched a full-scale attack on the capital of Eritrea (Reid 78). This caused millions of Eritreans to flee to Sudan (Reid 78). In response to this, Sudan sanctioned the ELF to operate out of Sudan and allowed shipments of supplies from Cuba to help the Eritreans (Reid 78). Essentially, the foreign policy between Eritrea, Sudan and, peripherally, Ethiopia could be understood as explained by Martin Plaut, "The degree of freedom of action for Eritrean organisations operating in Sudan became a barometer of the Sudanese relationship with Ethiopia" (Plaut 75).

Eventually, Ethiopia chose to resume diplomatic relations with Eritrea, albeit unsuccessfully. They sent a representative who had ties to both Eritrea and Ethiopia to try to ensure the success of reestablishing ties (Reid 79). To end the Eritrean war of independence, Ethiopia sent a treaty to Sudan called the Nine Point Programme, which the Eritreans rejected in 1976 (Plaut 76). The Nine Point Program or the Nine Point Peace Plan was a treaty written by Ethiopia in an attempt to end the Eritrean War of Independence but failed to recognize many of the demands of the Eritreans groups fighting for liberation (Clapham 208). The treaty would not acknowledge an independent Eritrea and instead wanted Eritrea to unify with Ethiopia (Clapham 208). This treaty would not give concrete border limitations between Eritrea and Ethiopia, and instead offered to allow the EPLF to "participate in in building an Ethiopian national revolution" (Clapham 208). The Eritreans could not accept this treaty as Ethiopia was not attempting to

recognize them as an independent state which is what the EPLF and the ELP were fighting for (Clapham 208). During this time, the Sudanese government suffered a failed coup and blamed Ethiopia (Plaut 76). In retaliation, Sudan threatened to raise an army of Ethiopian and Eritrean refugees living in Sudan in order to invade Ethiopia and overthrow the Ethiopian government (Plaut 76). This did not come to pass, but it shows the interconnected tensions between Sudan, Eritrea and Ethiopia, since Sudan was using Eritrea as a bargaining chip against Ethiopia. Once Sudan and Ethiopia's relationship began to improve, that resulted in Sudan completely changing its policy on Eritrean refugees (Reid 80). Sudan announced the only solution to the Eritrean issue was to unite them with Ethiopia (Reid 80). Eventually, the Sudanese regime of Nimeiry was overthrown and a new regime under Ahmed al-Mirghani came to power in 1986, but this regime change did not alter the Sudanese position on Eritrean refugees (Reid 81). The anti-Eritrean refugee sentiment actually increased massively during this time and could even be seen in Sudan's mass media (Reid 81).

Then came the 1989 coup in Sudan which brought Omar al-Bashir to power. During this time, the relationship between Eritrea and Sudan became belligerent (Reid 83). This was due in part to Eritrea espousing the separation of religion and politics, Isaias Afwerki declared, "In order to safeguard Eritrea's national unity and Eritrean political independence... parties should not be founded on a religious, ethnic, racial or tribal basis" (Reid 83). Additionally, Eritrea felt Sudan was trying to destabilize them by supporting Eritrean extremist groups (Reid 84). Eritrea in fact sent a memorandum to the United Nations claiming Sudan was supporting extremist groups and helping them to pervade the Eritrean border (Reid 84). This was confirmed by Jamal Ahmed el-Fadl, who was a member of al-Qaeda (Reid 88). While Sudan was hosting al-Qaeda, they donated \$100,000 to improve Islamic extremist military activity against Eritrea (Reid 88).

Eventually, Eritrea chose to end diplomatic ties with Sudan due to the heightened tensions (Reid 85). Eritrean, Ethiopian and Sudanese relations during this time show the volatility present in the Horn of Africa. Even before Eritrea became an independent nation, Ethiopia and Sudan were doing what they could to ensure their political and regional interests would be met and even when Eritrean independence was attained, this activity did not stop.

### *Eritrean Independence*

Eritrea declared its independence from Ethiopia in 1991, but independence was not officially recognized until 1993 (Plaut 27). Even though the initial relationship between Eritrea and Ethiopia in the early 1990s was good, it did not last long. After Eritrean independence, the members of the Eritrean government forced Ethiopian administrators and military members to return to Ethiopia (Plaut 25). As a result, 120,000 Ethiopians were forced to leave Eritrea (Plaut 25). An Ethiopian forced to leave had this to say, ““The Eritrean soldiers told us we were strangers. But I was born in Eritrea like everyone else in my family”” (Plaut 26). Many of those forced to leave were Eritrean women and children due to their marriage or relations with Ethiopians (Plaut 26). Labelled collaborators, they were viewed as traitors (Plaut 26).

This devolution between Eritrea and Ethiopia was not just apparent between one government to a group of people, it was also apparent in government to government relations. The communications between Eritrea and Ethiopia proved cause for conflict. Eritrea and Ethiopia did not establish an official interstate communications network (Plaut 26). Instead, communications took place between people relying on personal relationships which made communications highly volatile (Plaut 26). Relations further deteriorated as disputes over the shared border began to erupt (Plaut 27). Relations continued to decline when Eritrea introduced its own currency fueling a trade dispute (Plaut 30). Eritrea instituted a partial trade embargo until

border conflicts erupted into a border war, causing Ethiopia to stop trade completely (Plaut 31). In 1998, there was a border war between Ethiopia and Eritrea (Plaut 33-34). Over 100,000 were killed, and millions of civilians were forced to flee (Plaut 34). The two-year war ended in 2000, but over 1/3 of the Eritrean population was forced to flee from their homes (Plaut 39). Additionally, during the war Ethiopia removed any Eritrean civilians living within their borders (Plaut 40). If they possessed Ethiopian citizenship, it was revoked, families were separated, and around 75,000 people who had never been to Eritrea, were forced from their homes and sent to their “home country” of Eritrea (Plaut 40). Eritrea, at first, said they would not send Ethiopians living in Eritrea back to Ethiopia but this policy changed as the war continued (Plaut 40). Eventually, Eritrea pursued a policy of repatriation that continued even after peace was attained (Plaut 40). Ethiopia and Eritrea had a border war that ended in 2000, but the border that was decided was never officially implemented (Plaut 151). As a result, Eritrea felt as if they must constantly be ready for war.

While the border war was ongoing with Ethiopia, Eritrea’s ties with Sudan continued to be destabilized. Eritrea realized that an effective way to strike back at Sudan for its attempt to destabilize the Eritrean regime was to set up training camps for groups opposed the government in Sudan (Reid 89). Thus, they began actively supporting anyone working to undermine the Sudanese regime (Reid 89). Ethiopia, an ally of Eritrea at the time, alongside Eritrea, Uganda and the United States began actively attacking and helping the Sudanese opposition take territory in Sudan (Reid 90). This failed due to Ethiopia and Eritrea launching the border war, causing Ethiopia to switch its allegiance to Sudan (Reid 91). During this war, Eritrea was able to avoid more collateral damage with the help of Qatar and managed to restore its diplomatic relationship with Sudan (Reid 91-2). However, the Eritrean government was also able to reassure the

Sudanese opposition groups they still had their support (Reid 91-2). This began a time where relations between Sudan and Eritrea were in a constant state of flux based on the regime currently in power (Reid 93). Sudan and Ethiopia eventually accused Eritrea of being a destabilizing force in Africa and in 2003, Sudan arrested many Eritrean nationals and also closed down centers for Eritreans located in Sudan (Reid 93-4). Sudanese relations with Eritrea improved with the peace agreement between Sudan and the Eastern Front brokered by Eritrea (Reid 94-5). The current relationship between Sudan and Eritrea is that of close diplomatic ties (Reid 95) to the point that Sudan actually banned Eritrean opposition groups from operating within their borders (Reid 95).

Despite their convoluted history, the Sudanese and Eritrean relationship tends to be more stable than Eritrea's rapport with Ethiopia. When Eritrea was fighting for independence from Ethiopia, Sudan allowed Eritrea to use them as a rear base (Plaut 79). Eritrea and Sudan share a 660-kilometer border that does not require visa checks (Plaut 79). Eritrea has also used eastern Sudan to smuggle weapons (Plaut 79). Additionally, Eritrea has intelligence running out of Sudan that keeps an eye on its Eritrean diaspora community, along with the situation Sudan and South Sudan (Plaut 80). Sudan and Eritrea's history reflects a complex relationship where Eritrean refugees are often used as bargaining chips. This constant manipulation impacts their living standards and their safety. The Eritrean regime continues to watch its emigre communities in other countries and the nations of Sudan and Ethiopia who have been both allies and enemies. This historical perspective allows for a greater understanding of what ties Eritrea, Ethiopia and Sudan together and yet at the same time drives them apart. Their history shows that Eritrea, Ethiopia and Sudan are tied together through shared struggles and violence, and their shared history has been influential in establishing long running refugee communities.

## **Demographic Similarities between Ethiopia, Eritrea and Sudan**

Along with a long-shared history, Ethiopia, Sudan and Eritrea have many demographic similarities that have contributed to the ease with which refugee communities have formed. Ethiopia's main ethnic group is that of the Oromo followed by the Amhara, Somali and Tigrinya ethnic groups (The World Factbook: Ethiopia.). Eritrea recognizes only nine ethnic groups, but the main one is that of the Tigrinya (The World Factbook: Eritrea.). The Tigrinya people are located in Southern Eritrea and Northern Ethiopia, speak the same languages as one other and have a common heritage, that of the Axumaite people (Al-Mahdi). Their languages share an alphabet and are of the same language family: Semitic languages (Al-Mahdi). Christian Tigrinya people are followers of the Orthodox Coptic Church and there are a large number of Muslims in both Eritrea and Ethiopia (al-Mahdi).

Additionally, there is an overarching similarity between various cultural aspects like food, dress music and wedding and mourning customs (al-Mahdi). As former Prime Minister of Sudan, Al-Saddig Al-Mahdi says, "Since the sixties of the twentieth century, events have increased interchange between peoples of the Horn of Africa in an unprecedented way, particularly in terms of refugees, and sanctuary for opposition movements" (al-Mahdi). According to Estifanos Gebremedhin, the head of the legal and protection department at the Administration for Refugee and Returnee Affairs, "We are the same people, we share the same blood, even the same grandfathers" (Jeffrey). Even though there is a shared background between Eritrea and Ethiopia, their history of conflict is hard to overcome, "People recognize the shared culture and ethnic background, and that helps for many things, but there's still distrust because of the 30-year-war [for independence], and mostly due to 1998-2000 border conflict and related mass displacement..." (Jeffrey). This cultural similarity contributes to the reasons

Eritrean refugees choose to flee to Ethiopia and Sudan. There is already a long-shared history with a community that has put down roots and established themselves. Refugees who choose to come to Ethiopia and Sudan will be somewhat familiar with the various cultural practices of their new home. These cultural links provide some reassurance in a tumultuous situation. In addition to the shared cultural ties, Sudan and Ethiopia have both legislated policies to ensure the protection of refugees, however, there is still much that remains to be changed to ensure the safety of Eritrean refugees.

### **Legislation on Refugees and Life in the Camps**

#### *Sudanese Legislation and Refugee Camps*

Now that the history of Eritrea and Sudan's relationship is understood, it is possible to dive deeper into the Eritrean refugee community that exists currently in Sudan. As of 2018, there are believed to be around 103,000 Eritrean refugees and asylum seekers ("The World Factbook: Sudan."). Sudan has always been an attractive option for Eritrean refugees due to the shared ethnic groups and seasonal job opportunities (Smock 451). Kassala, Gedaref and Port Sudan are major cities that are near the border (Johnson 1). The Kassala region in Sudan hosts many Eritrean refugees and has a long history of doing so (Kuhlman 1). The first major influx of Eritrean refugees came in 1967, and due to the size of the population, they established an area for refugees at Qalaa en-Nahal (Kuhlman 48-9). The composition of Eritrean refugees has changed since refugees have first begun coming to Sudan. Before 1975, when the civil war with Ethiopia was continuing, refugees were usually from rural areas, and they were of lower economic classes (Smock 453). Additionally, the majority of refugees were located in rural areas (Smock 453). After 1975, when fighting increased, refugees began to disperse more even between urban and rural centers (Smock 453). Eritreans are able to get across the border into Ethiopia and Sudan

due to high ranking governmental officials smuggling people out of Eritrea (Plaut 154).<sup>2</sup> Around 5,000 Eritreans choose to leave Eritrea every month (Stavis and Parkinson). Due to the number of people fleeing, there are direct and indirect legal structures in Sudan to help settle Eritrean refugees.

During the Civil War, the Eritrean People's Liberation Front created an organization aimed at helping displaced Eritreans called the Eritrean Relief Association (Smock 457). This association was centrally focused on helping Eritreans still in Eritrea, but they were slightly concerned with Eritreans in Sudan (Smock 457). And yet, they did not want to help too much as they were concerned that if the situation in Sudan became too comfortable, the Eritreans who resided there would not return home (Smock 457). Sudan, on the other hand, has several foreign policies in place for refugees. In 1974, they passed the Sudanese Asylum Act which defines refugees as "people fleeing their country as a result of political national or religious oppression" (Kuhlman 50-51). This legislation is actually more liberal than most other countries' refugee laws (Kuhlman 51). Refugees must register once they enter the country, and from then on, they are viewed as a refugee until their application to obtain the status as refugee is rejected (Kuhlman 51). This ensures that bureaucratic delays do not endanger anyone who is fleeing (Kuhlman 51). Despite its liberalism, the Sudanese legislation gives the government the right to place the refugees anywhere (Kuhlman 51). This clause and the difficulty in becoming registered, prevents many Eritrean refugees from registering, which in turn prevents them from working and going to school (Kuhlman 51). Additionally, Sudan does not allow for a refugee's involvement in any activities that are political in nature (Nobel 21). Refugees are also not allowed to leave the

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<sup>2</sup> A key figure is reported to be General Teklai Kifle Manjus who runs the Eritrean border force (Plaut 154). He smuggles people the same route that he uses to smuggle weapons (Plaut 154). This is not done because he wants to help Eritreans across the border, instead he charges exorbitant fees for people who wish to flee (Plaut 155).

locality where the Sudanese government has placed them (Nobel 21). The Sudanese Asylum Act also allows for the detention of refugees (Nobel IV), although Sudan has ratified the Convention Relating to the Status of the Refugees of 1951, and the Organization of African Unity's Convention Governing Specific Aspects of the Problem of Refugees in Africa of 1969 (Nobel 8). Yet, the Refugee Convention was not created with Africa in mind and thus was not particularly helpful (Nobel 8).

The Organization of African Unity's Convention supplemented the United Nations Refugee Convention (Nobel 9). The OAU convention strengthens the definition of territorial asylum laid out in the UN's convention (Nobel 11). Additionally, it provides for temporary asylum and security for the refugees (Nobel 11-13). States must move refugees away from the country they are fleeing from (Nobel 13). One caveat: this applies to permanent refugee camps and not to transit camps (Nobel 13). Most significantly, just because there are laws protecting Eritrean refugees does not mean that Sudan has the economic or political ability to act on them. Sudan does not have the economic ability to meet the needs of their refugees (Assal 11). Additionally, since the 1960s the Sudanese government has not tried to integrate Eritrean refugees into their society (Assal 13). Even though Sudan has established these various laws and institutions aimed at protecting refugees, they still face many hardships and concerns about their future. Despite Sudan's laws on the status of refugees, they do not have the means to support their own citizens, let alone refugees who have fled to them for protection.

### *Ethiopian Legislation and Refugee Camps*

Even though Eritrea and Ethiopia have had a complicated conflict-laden history, Ethiopia still takes in Eritrean refugees and has a variety of reasons to do so. This is in part due to their shared history and culture, but also due to their belief that hosting these refugees will be

beneficial to them in the future (Jeffrey). There is also the benefit of financial incentives from hosting refugees and the hope that their hosting of refugees will distract the world from their own on-going human rights abuses (Jeffrey). Ethiopia's legislation on refugees is similar to Sudan's. Ethiopia's government is a signatory for all United Nations' refugee conventions and protocols as well as the African Union's conventions and protocols (Arega 94). In Ethiopia, Eritrean refugees receive asylum on a prima facie basis (Getachew). Since the border war that ended in 2000, Ethiopia has enacted an open border policy on Eritrean refugees (Getachew). Despite these policies, Ethiopia is difficult to reach. The Eritrean-Ethiopian border is highly militarized on both the Eritrean and Ethiopian sides (Getachew). When fleeing from Eritrea into Ethiopia, Eritrean border guards routinely shoot people (Alfred). Additionally, the regional terrain is difficult to cross (Getachew). Eritreans who are debating about fleeing do not have access to information regarding the journey or the situation that refugees face in Ethiopia (Getachew).

Currently, it is believed that there around 167,000 Eritrean refugee and asylum seekers in Ethiopia ("The World Factbook: Ethiopia."), and many of them are children (Plaut 165). Additionally, around 45,000 Sudanese refugees and asylum seekers are also present in Ethiopia ("The World Factbook: Ethiopia."). There are Eritrean refugee communities in Ethiopia based in Afar and Shire (Plaut 164). There are also refugee camps located in the north of Ethiopia ("15,000 Eritrean Refugees..."). In total there are four refugee camps in the north of Ethiopia and two refugee camps in the north-eastern part of Ethiopia (Arega 93).

A study in the Shimelba Refugee camp in Ethiopia found that refugees within the camp worried about several major issues: concern for the future and those they left behind; lack of social support; lost jobs; privacy and health care access; and fear of legal procedures (Arega 100). Not all is well in these refugee camps, as was clear back in 2013 when there were riots in

the Adi Harush and Mai Aini refugee camps where protestors were alleging corruption and anger at the inability to be resettled internationally (Jeffrey).

Around 8,000 Eritrean refugees are living and working in the capital of Ethiopia, Addis Ababa, and these programs have proven to work to ensure that Eritreans do not try to migrate to Europe or Israel (Plaut 166). There is also the Adi-Harush refugee camp located near the Simien Mountains, which is known for being the starting point for fleeing to Europe (Stavis and Parkinson). The most recent refugee camp which opened in 2013, is in the Tigray National Regional State in northern Ethiopia which is called the Hitsats refugee camp (Getachew). A significant number of Eritrean refugees from the Hitsats refugee camp are leaving and use smugglers to get out of Ethiopia (Getachew). Ethiopia has begun to move refugees further inland in Ethiopia and is averaging around 100 people a day (“15,000 Eritrean Refugees...”). In contrast to the Eritreans living in Addis Ababa, there is no employment or opportunity for education for those who live in refugee camps so many have decided to try the journey to Europe (Plaut 165). Refugees in Ethiopia are not given work permits so they are not able to hold jobs (Getachew). Ethiopia has responded to this by allowing some Eritreans to live outside of these camps (Plaut 166). They have also begun to allow a minority of Eritreans to study at universities (Plaut 166). Even though Ethiopia has legislation concerning refugees, it does not go far enough to ensure their protection and integration into the greater Ethiopian society. Eritreans in these camps face many hardships that force them to consider fleeing to Europe to try to seek a better life, even with these laws and institutions already in place that are supposed to protect them.

### **Conclusion**

Eritrea, Ethiopia, and Sudan have a shared cultural identity, history, and legacy of colonialism. They have created laws and policies to enforce and protect migration, and yet, there

appears to be no end in sight for the safe migration of Eritreans. Their government is resistant to change, and for as long as they continue to violate their citizens' human rights, Eritreans will continue to flee. The Horn of Africa faces many current and future problems, especially relating to human rights and migration. While Sudan and Ethiopia have tried to help the fleeing Eritreans by establishing various laws and protections, their support is fickle and dependent on the moods of their political leaders, leaving Eritreans vulnerable for exploitation. The various laws that are aimed at protecting refugees do not do enough to protect this population. It appears that Eritrea will continue to lose its population, and eventually it may become a state with no people inside its borders.

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