



If We Were Free We Would Not Be Risking Our Lives

Introduction

The world is facing the worst humanitarian crisis in modern times; not ever have so many people been displaced both within and outside their own countries. The European Union's failure to deal with this taunting issue has left millions of refugees vulnerable to a migration policy that never really was created to serve the migrants. The Eritrean refugee group is one of the groups that have been affected the worst by this. Despite the country's small size, with more than 5,000 people fleeing every month, Eritrea constitutes one of the biggest refugee groups coming to Europe every year.[1] Ever since 2008, Eritreans have been subject to human traffickers and other groups who have used their vulnerability and desperation to use them for their own interests, whether it is money or religion. In this paper, I am going to illustrate the road of the Eritreans migrants' quest for freedom; from their decision to leave their country to the challenges they encounter on the way to their final destination. Furthermore, I am going to look at the reasons to why these challenges emerged and at possible solutions to what seems to be a never-ending crisis.

Why are Eritreans fleeing?

According to the United Nations High Commission on Refugees (UNHCR), more than 5,000 people flee Eritrea every month.[2] There are several reasons to this mass exodus, and all of them are rooted in the political situation. Since Eritrea gained its independence in 1991, there has only been one president and there have not been any elections for any public offices. In 2001, the regime shut down all free press and imprisoned all politicians and journalists who had expressed criticism against the president. Today, the political situation has not improved, instead it has only become worse. In 2015, Freedom House gave Eritrea the worst rating when it comes to Freedom, civil liberties and political rights.[3] For 9 years in a row, the Committee to Protect Journalists (CPJ) has ranked Eritrea as the worst country in the world when it comes to respecting press freedom, after countries such as Syria, Iran and even North Korea.

Apart from the systematic infliction on individual human rights, the Eritrean people are also subject to a government program called "national service". For their final year in high school, all students spend their last year at the Sawa military base to undergo military training. Only the students who are accepted to the one college that exist in the country are free to leave, the rest are forced to stay in the program and work for the government. Deserters are severely punished. It is referred to as indefinite national slavery, because even though Eritrea's National Service Proclamation states that the mandatory national service should not be longer than 18 months, most constricts are there for years. Eritreans with jobs and lives are very often conscripted to the national service program where the average salary is 500 nakfa (10 dollars) a month.

Eritrean refugees road to Europe

Leaving Eritrea

In order to leave Eritrea, you have to be issued an exist visa from the government. These visas are very rarely given out. Those who do get these are very young children, elderly and people who are leaving the country to receive medical care that cannot be received in Eritrea. Due to this, people fleeing Eritrea have to leave the country illegally. In order to do this, many are forced to turn to smugglers to take them over the Eritrean border. However, since it is illegal for Eritreans to cross the border without an exit-visa, the borders are under heavy surveillance. One of the methods the Eritrean government use to control the border is the shoot-to-kill policy that gives the officials by the border the right to shoot and kill whoever crosses the border without an exist visa (this is everyone, since those who have an exist visa logically would take the plane out of the country.) Many loose their lives to the shoot-to-kill policy and even more are imprisoned. As soon as they are over the border, many of the refugees pay guides to help them reach the refugee camps at Mai Aini (Ethiopia) or Shagarab (Sudan).

Policies preventing Eritrean refugees from taking safe roads to Europe.

On 28th of June, a EU directive was supplemented to the Schengen Area of 1985. This directive is called **financial penalties on carriers** and it states, "Carriers must ensure that non-EU nationals who intend to enter the territories of EU countries possess the necessary travel documents and, where appropriate, visas. They have the obligation to return a non-EU national in transit who has been refused entry to the territories of EU countries (...) [4] This directive makes it impossible for refugees to fly in to the EU due to the fact that they most likely do not have the possibility to seek the appropriate visas and get the necessary travel documents.

You cannot apply for asylum to European countries at their embassies.[5] This means that even though you're eligible to receive asylum, *there are no legal ways to Europe for them to get it*. Therefore, the Eritrean refugees are forced to use alternative methods.

The Dublin Regulation (Dublin III Regulation) is the EU law that decides what EU members' states is responsible for what asylum seekers. The regulation decided that the first EU member state a person applies for asylum in is the only EU members state that person can seek asylum in. [6] In 2003, the EURODAC (European Dactyloscopy) regulation was established to keep track of who have applied for asylum where.[7] The EURODAC regulation states that every asylum seeker or illegal immigrant that has been caught over the age of 14 must leave its fingerprints to which is kept in the EURODAC data system.[8] All EU countries including Norway, Iceland and Switzerland have signed the regulation.[9]

In 1995, the EU created the **Schengen area**. Within the Schengen Area there is a common visa policy, all internal border controls were abolished and free movement for EU citizens was established.[10] All EU countries except for the UK, Ireland Romania, Bulgaria and Cyprus[11] are a part of the Schengen agreement, including Norway and Iceland.[12] The creation of a common area evolved to the creation of a common border management field and in October 2004, *European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union* (Frontex) was established.[13] As soon as the refugee enters any European country, they must seek asylum, otherwise they are residing illegally. Since internal border controls had been abolished, naturally emphasize had to be out on the external borders of the Schengen area. However, if the refugees seek asylum in Greece, Italy or Malta, their fingerprints are taken by Frontex and they are from there not permitted to seek asylum anywhere else. Therefore, the boats carrying the asylum seekers started taking more dangerous routes trying to reach deserted coasts from where they can try to escape to the nearest city and transport themselves to another European country in where they feel safe to seek for asylum.

In 2008, a united NGO statement was presented by a wide range of NGO's in front the UNHCR Standing Committee in where they criticized Frontex for preventing asylum seekers from coming in to Europe and by that preventing them from claiming protection under the 1951 Refugee Convention.[14] They were referring to Frontex's co-operation agreement with Libya in where they cooperated to push back migrants to Africa instead of coming to Europe.[15] Additionally, Frontex were accused of sinking boats carrying asylum seekers.[16] The same year, Libya and Italy signed an agreement with the purpose to prevent African migrants to reach Italy.[17] Once back in Libya, the refugees faced persecution or in the worst case, deportation back to Eritrea.[18] Therefore, the routes to Europe started to become very dangerous and even more expensive.

Kidnappings on the way to Libya.

In 2006, thousands of Eritreans started to get kidnapped from refugee camps and other places in Sudan and Ethiopia to the Sinai desert. For a very long time, these kidnappings and the kidnappers atrocious methods were kept from the public eye. However, in 2008, human rights activist and journalist Meron Estefanos unraveled the horrific story, told the world and started to advocate on their behalf. Apparently, refugees were kidnapped to the basements of Bedouins in the Sinai desert where they were ransomed for money while being subjected to cruel torture, rape and even murder. One of the reasons to why it was possible for refugees to be kidnapped to Sinai and be kept there without any legal intervention was because the Sinai Peninsula was, a "law-less" area. This changed after the Arab spring when the Muslim Brotherhood settled down in Sinai. The spontaneous battles and the heavy military presence made it impossible for the kidnappings to continue.

Unfortunately, this was not the end of the kidnappings of Eritrean refugees. Instead, the amount of kidnappings by different types of groups has steadily increased. Members of the Rashadia ethnic group were heavily involved in the trafficking to Sinai. Today, the traffickers are instead staying in Sudan. From that period to today, the ransom has gone from 2,500 dollars to 15,000 dollars per person.[19]

Another group of people who traffic Eritrean refugees are the Chadians. This started to occur between the border of Sudan and Libya sporadically 2 ½ years ago but today it is practically happening all the time. This border in the Sahara desert is constantly crossed by groups of Eritrean refugees that have paid smugglers to take them in busses to the Libyan coast. The traffickers are heavily armed with weapons and surround the busses so the refugees simply cannot run away. Even if they would escape the bus, they are in the middle of the desert, which would make it easy for the traffickers to shoot them and harder for them to find somewhere to flee to. The methods of torture used by the Chadians are very similar to the ones used in Sinai. One of the most used methods is starving the refugees and refusing them hydration. Many have died because of this while waiting for their families to pay the ransom. The refugees are also very often severely burnt under their feet. These traffickers are solely interested in extracting money from the refugees and as soon as all of the refugees have paid their ransom, they are released. If some members of the group are having a hard time getting the required money, the group may get a discount.

ISIS

After that the Eritrean refugees have crossed the Sudanese-Libyan border and starts heading towards Tripoli, there is a huge risk for the refugees to be kidnapped by ISIS. This started when ISIS gained influence in Libya. During the past 2 months, there have been at least 6 confirmed kidnappings. On the 18th of April 2015, a video was released by ISIS where 28 people were beheaded. It later turned out that the video had been edited (most likely to hide the surroundings) and that in fact were 82 people present in the video. This was the first video of this kind to be released but it was not the first group of Eritrean refugees to be kidnapped by ISIS.

What separates ISIS from the other kidnappers and traffickers that Eritrean refugees over the years have encountered are their motives. Whilst the others have had financial motives, thus releasing the refugees as soon as the ransom is collected, ISIS does not even demand a ransom. The objective of ISIS is to create an Islamic State and to recruit as many people as possible to this "revolution". The refugees are given a choice; either they convert to Islam and join ISIS or they are killed. For a devoted Christian, the choice is very clear. However, even for someone who would not mind converting to Islam, considering the situation at the ISIS camps and what the members are forced to do, joining ISIS could be worse than death.

13 of the refugees that were kidnapped in April were unaccompanied minors. First they were forced to witness the beheadings of the other refugees and then they were given a choice to either join them or to be killed in the same way. Traumatized by what they just have seen, all of the children decided to convert to Islam and join ISIS. Two months later, when a battle occurred in the area, they managed to flee the camp and reach Libya's coast. The lack of help from European NGOs and governmental agencies forced them risk their lives one more time by crossing the Mediterranean Sea.

An additional of 10 more refugees, all women with children, were forced to witness the beheadings. One of the women had a sick child that was taken by one of the members of ISIS. A couple of days later, the member returned with the corpse of the woman's child. She never found out what her child died of.

From Libya to Europe

Most Eritreans either walk to the Ethiopian/ Eritrean or Sudanese/Eritrean border or are trafficked by car with an extremely expensive fee.[20] After reaching Sudan/Ethiopia, human traffickers are hired to transport the refugees to Libya. As a refugee, the only way to get from Libya to Europe is though taking a boat. Because of fear of getting their fingerprints taken at the border, the boats travel at nights and on dangerous routes. Already in June this year, UNHCR reported that at least 2,500 people have drowned this year in the Mediterranean in an effort to reach Europe.[21]

Reasons to the emergence of this crisis.

One can identify two different reasons to the emergence of this crisis:

- 1) The political situation in Eritrea that are forcing them to flee.
- 2) The EU's migration policy that is forcing them to take dangerous and long routes to Europe.

Possible solutions.

Looking at the primary reasons to the emergence of this crisis, finding a solution to end it is not very hard.

Since the documented human rights abuses in Eritrea is considered a primary reason to the mass exodus, a change in the political situation in Eritrea would heavily decline the amount of people fleeing the country. However, instead of putting pressure on the Eritrean government to implement democratic changes in the country, the EU is giving Eritrea 200 million dollar in aid[22]. Since Eritrea is arguing that the refugees are not fleeing of political reason and that they instead are economical refugees, the EU are trying to show their respective voters that they are doing what they can to stop the refugee crisis in Europe. However, giving money to Eritrea will only continue to fuel the apparatus that systematically is suppressing its own population and causing them to flee.

The reason to why refugees are forced to take the dangerous routes to Europe is the migration policies presented in the beginning of this paper. If legal ways would be implemented for refugees to reach Europe, Eritrean refugees would not be forced to go through Libya and across the Mediterranean Sea. One way this could be enforced is through allowing refugees to apply for asylum on embassies outside of Europe.

[1] UNHCR (09/07/2015)

[2] Ibid

- [3] Freedom House (2015)
- [4] Summaries of EU legislation 'Financial penalties on carriers'- 29 April 2004 (Last updated 03/05/2010)
- [5] Amnesty international 'Vägen till Europa' – (23 July 2013)
- [6] Ibid
- [7] Datainspektionen
- [8] Ibid
- [9] Information commissioren – Republic of Slovenia – 'EURODAC AND PERSONAL DATA PROTECTION'
- [10] Ibid.
- [11] Axa Schengen
- [12] Ibid
- [13] Frontex official website
- [14] Wayback archive (2008)
- [15] Fisher, 'For African Migrants, Europe Becomes Further Away', *The New York Times* (26 August 2007.)
- [16] Op cit. Wayback archive.
- [17] M. Estefanoes *The European Union policy on Refugees and its effect on Eritrean refugees* page 4.
- [18] Ibid.
- [19] Interview with Meron Estefanos
- [20] Op.cit *The human trafficking cycle: Sinai and beyond* page 50.
- [21] UNHCR (28 August 2015) <http://www.unhcr.org/55e06a5b6.html>
- [22] Reuters (17/10-2015)