

# POLICY BRIEF

## Protecting Eritrean Refugees Amidst Shifting Policies and Conflict<sup>1</sup>

### Introduction

Ethiopia, once known for its open-door policy for refugees, has seen a regression in its protection standards, particularly when it comes to Eritrean refugees. The sudden revocation of prima facie refugee status in January 2020 marked a turning point for refugee protection. The onset of the Tigray war in November 2020 further worsened conditions for Eritrean refugees, as camps were attacked and destroyed, and Eritrean forces engaged in abductions. This policy brief highlights the challenges faced by Eritrean refugees and offers recommendations to address immediate needs and systemic gaps.

### Research summary

The analysis of Eritrean refugee protection policies in Ethiopia revealed significant failures during two distinct periods: the pre-war period (2018–2020) and the intra-war period (2020–2022). These failures were marked by systemic policy shifts, deteriorating protection measures, and escalating violations of refugee rights, culminating in a humanitarian crisis for Eritrean refugees during the two year war period in Tigray, Ethiopia.

### Pre-War period (2018–2020):

The study identified the 2018 Peace Agreement signed between Ethiopia and Eritrea as a critical event that influenced Ethiopia's policies. While the agreement improved bilateral relations, it coincided with detrimental policy shifts for Eritrean refugees:

- *Revocation of prima facie recognition:* In January 2020, Eritreans lost automatic refugee recognition and were subjected to individual Refugee Status Determination (RSD) processes, despite the fact that the situation in Eritrea, which prompted refugees to flee in first place, had not changed. There has been no prior indication nor consultation with the UN

### Executive Summary

This policy brief examines the critical shifts in Ethiopia's refugee protection policies and the plight of Eritrean refugees in Tigray. Analysis of two key periods in Ethiopia: the pre-war period (2018–2020) and the intra-war period (2020–2022), showed that Eritrean refugees faced unprecedented levels of endangerment. The abrupt revocation of prima facie refugee status for Eritreans in 2020 and subsequent destruction of refugee camps during the war in Tigray (2020–2022) have exposed refugees to heightened vulnerability, including abduction.

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<sup>1</sup> The policy brief has been compiled on the basis of research by Melicherová, K. (2024). The Turning Points towards the Unequal Protection of Eritrean Refugees in Ethiopia: From Protection to Abduction. In: Van Reisen, M. & Mawere, M. (eds.) Tigray. The Hysteresis of War, Volume 1. Langaa, Bamenda. Pp. 473-532. Book URL: [https://www.researchgate.net/publication/385202452\\_Tigray\\_The\\_Hysteresis\\_of\\_War](https://www.researchgate.net/publication/385202452_Tigray_The_Hysteresis_of_War)

Refugee Agency (UNHCR) which would justify this the revocation of prima facie refugee status recognition.

- *Introduction of exclusion criteria:* The Ethiopian federal government adopted so-called 'exclusion criteria' in March 2020, preventing a large number of Eritrean asylum seekers from obtaining recognition as refugees, including unaccompanied and separated minors.
- *Closure of Hitsats refugee camp:* The federal government announced the abrupt closure of Hitsats camp which at the time hosted about 10,000 Eritrean refugees. The plan was to transfer refugees to other refugee camps in Tigray without securing proper infrastructure or capacities.

These measures were announced abruptly, unexpectedly, without proper procedural considerations and without any consultation with the UNHCR or organisations working with Eritrean refugees in Tigray. Occurring in the context of the global COVID-19 pandemic, these moves weakened Ethiopia's long-standing commitment to refugee protection, leaving Eritrean refugees increasingly vulnerable.

### **Intra-War period (2020–2022)**

The outbreak of the Tigray war in November 2020 marked a dramatic escalation in the plight of Eritrean refugees. The involvement of Eritrean military forces, which sided with Ethiopian National Defence Forces in the conflict, was identified as a pivotal event with profound consequences.

- *Caught amidst fighting:* Fighting between the warring sides occurred in an indiscriminate manner, with civilians including refugees caught in the crossfire.
- *Targeted attacks on refugee camps:* Eritrean troops attacked, looted, and destroyed refugee camps in Tigray which housed Eritrean refugees.
- *Abductions and forced repatriations:* Refugees were forcibly returned to Eritrea, where they faced potential persecution, conscription, and/or detention. Eritrean forces started this tactic from the early stages of war by rounding up refugees and forcing them to board the trucks or buses that took them to Eritrea.
- *Displacement from urban areas:* Refugees in search of safety migrated to Addis Ababa from where they were forcibly returned to non-functional camps in conflict zones.
- *Humanitarian situation:* Total siege of Tigray region, looting and destruction caused critical shortages of resources, food, and medical supplies.

## Recommendations for International & EU Policymakers:

**Initiate independent investigation:** Launch an independent probe into the crimes committed against refugees during the war in Tigray, identifying instruments for holding perpetrators accountable.

**Strengthen international frameworks:** Advocate for the reinforcement of international policy frameworks protecting refugees, ensuring that accountability procedures are put in place for violations, such as the forced return of refugees to their home countries.

**Advocate for refugee rights:** Use diplomatic channels to advocate for the rights of Eritrean refugees, urging the Ethiopian federal government to adhere to international obligations regarding refugee protection.

**Facilitate safe passage:** Work with neighbouring countries to create safe corridors for refugees fleeing conflict zones, ensuring they have access to asylum and protection.

**Promote diplomatic engagement:** Encourage diplomatic efforts to address the root causes which prompt refugees to flee their countries, focusing on peacebuilding goals.

**Increase humanitarian support:** Allocate resources for humanitarian assistance to support Eritrean refugees in Ethiopia, particularly in areas affected by conflict, ensuring access to basic needs, including mental health support, and protection services.

**Support regional initiatives:** Collaborate with African Union and regional bodies to support initiatives aimed at improving the protection of refugees and addressing the challenges faced by Eritrean refugees in Ethiopia.

**Enhance monitoring mechanisms:** Establish independent monitoring bodies to oversee the treatment of refugees in conflict zones, ensuring compliance with international refugee protection standards.

## Recommendations for NGOs:

**Conduct further research:** Engage in further (scholarly) research to document the experiences of Eritrean refugees, particularly those who went missing during the conflict, to inform advocacy efforts.

**Provide legal assistance:** Offer legal support to Eritrean refugees facing challenges in the asylum process, ensuring they understand their rights and have access to necessary resources.

**Advocate for policy change:** Work with local and international partners to advocate for policy changes that enhance the protection of Eritrean refugees, focusing on the need for accountability and adherence to international law.

**Establish support networks:** Create networks of support for Eritrean refugees, providing them with access to mental health services, legal aid, and community resources to aid their integration.

**Raise awareness and mobilize action:** Mobilize public support and awareness campaigns to highlight the plight of Eritrean refugees, encouraging community involvement and action to support their rights and protection.