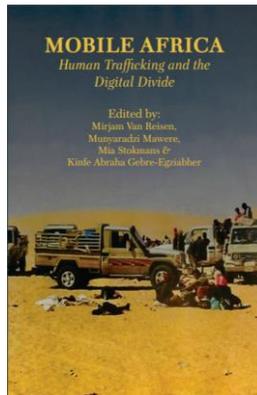


Uncomfortable Aid: INGOs in Eritrea

Makeda Saba

Chapter in: Mobile Africa: Human Trafficking and the Digital Divide

From the book Series:
**Connected and Mobile: Migration and Human Trafficking in
Africa**



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Uncomfortable Aid: INGOs in Eritrea

Makeda Saba

Introduction

Any international organisation working in Eritrea must safeguard against operating as an extension of the government, which has been accused of ongoing crimes against humanity (UN Human Rights Council, 2016) and appears to have no intention of revising its policies to address human rights issues (UN Human Rights Council, 2018; Keetharuth, 2018; UN Human Rights Council, 2019). The Government of Eritrea's attitude towards independent civil society organisations – including national and international non-governmental organisations (NGOs and INGOs), national religious organisations, community-based organisations, and international bilateral and international donors – is

marked by suspicion and antagonism. This was clearly expressed by Dr Nerayo Teklemichael, head of the Eritrean Relief and Rehabilitation Agency, the government agency set up to supervise the

INGOs in Eritrea operate in a highly restricted space under the direct supervision and control of the government. Three NGOs still work in Eritrea in the development sector, including in education. As the legal basis for their work is uncertain, they depend on the personal favour of key persons in power. As the government has integrated education with the Warsay Yikaalo National Development Programme and indefinite National Service, which involves forced labour, these NGOs are propping up a system that uses slave labour and a government that oppresses its people and has been accused by the Commission of Inquiry on Human Rights in Eritrea of ongoing crimes against humanity.

activities of NGOs: “it is naïve to believe that NGOs always carry out their activities with integrity. Some have a hidden agenda and engage in activities which the government and the people do not want” (Adgoi, 1994). According to the Eritrean government, all civil society organisations must be mobilised and organised by the government and aligned with national priorities and strategies (Bertelsmann Stiftung, 2018).

This centralised approach started during the liberation struggle in the 1970s. At that time, the Eritrean People’s Liberation Front (EPLF), now in government as the People’s Front for Democracy and Justice (PFDJ), mobilised the population to support the struggle. The mass mobilisation strategy was in line with Leninist thinking that revolutions cannot be expected to happen spontaneously, they must be planned and have a theoretical framework, and that it is the role of the elites to plan and implement such revolutions (Lenin, 1987). In the case of Eritrea, the EPLF, and subsequently the PFDJ, assumed the role of planning and implementing the revolution, based on the assumption that the party works in the interest of the people.

Post liberation (1991), the Government of Eritrea has continued with the control of mass organisations. Therefore:

... [Associations] and interest groups acting independently of the PFDJ are prohibited. The party claims that the Eritrean people are a single mass sharing the same interest and that it’s the only organisation representing the interest of all social groups... (Bertelsmann Stiftung, 2018)

Therefore, the only types of civil society organisations that are acceptable in Eritrea are the mass movement organisations established by the PFDJ, such as the National Confederation of Eritrean Workers (NCEW); National Union of Eritrean Women (NUEW); and National Union of Eritrean Youth and Students (NUEYS). Operating as extensions of the government, these groups implement government priorities in their sectors, as opposed to representing the interests of their constituencies in the process of policy formulation.

This policy of the government has led to the severe restriction of civil society organisations and a cycle of expulsion of INGOs, which started as early as 1992, with the expulsion of SOS Sweden Children's Village, and culminated in 2011, when Oxfam GB, Vita, Lutheran World Federation, and Norwegian Church Aid were asked to close their programmes. Currently, there are three INGOs working in Eritrea: Finn Church Aid (FCA), the Norwegian Refugee Council (NRC) and Vita. These INGOs are working in education, livelihoods and capacity building. They operate in a context where the Government of Eritrea keeps strict control over all aspects of life, severely constraining all political and civil rights, and where serious human rights abuses are taking place, including ongoing crimes against humanity (UN Human Rights Council, 2016).

According to Van Reisen and Estefanos (2017), such policies are guided by the deliberate impoverishment of the people, as a strategy to curb any potential opposition. This strategy juxtaposes the state against the people of Eritrea, raising questions about the assumption that the civil space is organised by the PFDJ for the wellbeing of the Eritrean people. The question then is, are the three INGOs working in Eritrea entrenching authoritarian rule? Specifically, how do the INGOs in Eritrea understand their accountability in the restricted context of Eritrea? Is it possible to be accountable to both the Eritrean government and its people? How is the responsibility to 'do no harm' to the people of Eritrea upheld? And, finally, what is the legitimacy of the INGOs in working with the Government of Eritrea, if this government is a threat to the wellbeing of the Eritrean people?

The accountability of INGOs is governed by the interaction of moral and ethical responsibilities and national and international frameworks for human rights and humanitarian law (ICRC, 2004), as well as codes of conduct and guidelines such as the Humanitarian Charter (OHCHR & UNDP, 2004; Sphere Project, 2018; see also OHCHR, n.d.). As INGOs are guided by their own mission and principles, which explicitly state accountability towards the people served by their actions, the dilemma is stark. If the Government of Eritrea is

unable or unwilling to serve the interests of the Eritrean people, what is the *raison d'être* for the three INGOs to be present in the country and can they escape government control to serve the interests of the Eritrean people? The main research question investigated in this chapter is, therefore: *Are the three INGOs currently working in Eritrea able to uphold their duty to the people of Eritrea to 'do no harm'?*

Theoretical framework

This chapter analyses the ethical/human rights accountability of INGOs working in Eritrea through the deontological lens of human rights duty bearers (Breakey, 2015), who are required to 'do no harm' (Anderson, 1999a). The accountability model applied (Breakey 2015), states that human rights duties arise as a result of:

- **A duty bearer's specificity:** A duty bearer's responsibility covers a specific time and is specific to the particular duty bearer.
- **Relationship tracking:** This links the duty bearer's responsibility to a given situation or relationship. When a duty bearer has caused a situation, especially any sort of harm, the duty bearer is morally responsible for the outcome. When the duty bearer has an existing relationship with one of the right holders, it is even more appropriate for the duty bearer to bear rights-based duties (Breakey, 2015).

The Humanitarian Charter was developed as a result of the efforts of the International Federation of Red Cross and Red Crescent (IFRCRC) and various NGOs to improve the quality of their response during emergencies, as well as their accountability to the people they serve. It incorporates both human rights and humanitarian law (i.e., its scope is not limited to conflict). The charter requires NGOs to act:

... in accordance with the principles of humanitarian action set out in this Charter and with the specific guidance in the Code of Conduct for the International Red Cross

and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief. (Sphere Project, 2018, p. 31)

The IFRCRC's code of conduct, which is part of the Humanitarian Charter, requires NGOs to work impartially and independently from governments and not to become, either knowingly or through negligence, tools and extensions of governments (IFRCRC, 2002).

The key principles of the Charter (Sphere Project, 2018; OCHA, 2012) are:

- **Humanity:** Human suffering must be addressed wherever it is found.
- **Neutrality:** Those who provide aid must not take sides in conflicts or engage in hostilities of a political, racial, religious or ideological nature.
- **Impartiality:** Aid is to be provided on the basis of need alone, giving priority to the most urgent cases, irrespective of nationality, race, gender, religious belief, class or political opinion.
- **Independence:** Those who provide aid must be autonomous from the political, economic, military or other objectives with regard to areas where assistance is being provided.

Both the FCA and NRC are signatories to the IFRCRC code of conduct, which is now part of the Humanitarian Charter (Sphere Project, 2018) In addition, for FCA, the ACT Alliance Code of Conduct incorporates the spirit of the Charter through the following provisions:

- *Acting in ways that respect, empower and protect the dignity, uniqueness, and the intrinsic worth and human rights of every woman, man, girl and boy;*
- *Working with communities and individuals on the basis of need and human rights without any form of discrimination, ensuring that the capacities and capabilities of communities are considered at all times, and especially targeting those who are discriminated against and those who are most vulnerable;*

- *Speaking out and acting against those conditions, structures and systems which increase vulnerability and perpetuate poverty, injustice, humanitarian rights violations and the destruction of the environment;*
 - *Working in ways that respect, strengthen and enable local and national-level capacity;*
 - *Not using humanitarian or development assistance to further a particular religious or political partisan standpoint;*
 - *Upholding the highest professional, ethical and moral standards of accountability, recognizing our accountability to those with whom we work, to those who support us, to each other, and ultimately to God;*
 - *Meeting the highest standards of truthfulness and integrity in all of our work; and*
 - *Endeavouring not to act as instruments of government foreign policy.*
- (ACT Alliance, 2011)

Although Vita is not a signatory to the Humanitarian Charter, from its reports and its mission statement it is clear that Vita aspires to the same principles (Vita, 2017). And, given that, in addition to being a statement of shared beliefs, the Humanitarian Charter is as statement of recognition of established legal rights – i.e., human rights and humanitarian law (Sphere Project, 2018) – despite the fact that Vita is not a signatory, the Charter provides a basis for measuring the ethical and human rights duty of the organisation.

According to Breakey's (2015) accountability model, the three INGOs, presently working in Eritrea have an overarching duty based on ethical and human rights standards to the people of Eritrea, and specifically to their beneficiaries, to 'do no harm'. They have a duty to ensure that their actions do not cause harm, for example, by strengthening the restrictive environment by entrenching authoritarian rule, which is preventing the people of Eritrea from exercising choice and restricting their freedom and opportunities, where opportunities are understood as contributing to the development of capabilities (i.e., what a person can do by accessing the means available to them) (Sen, 2004).

Methodology

The study was conducted as a desk review of available data and information (such as documentaries, documents, and codes of conduct for INGOs), including the author's direct observations and experience in governance in Eritrea. For reasons of security, the author has published this chapter under a pseudonym.

Policy framework for government control

President Isaias Afwerki has been in power since 1991 and has never been endorsed by elections. The Government of Eritrea has no democratic institutions. The National Assembly has not met since 2002 and, hence, there is no parliamentary oversight. In addition, the President is not subject to any inner party (i.e., PFDJ) review or elections – the last PFDJ congress was in 1994 (Bertelsmann Stiftung, 2018). National budgets are not published and there is no rule of law or independent judiciary. Political parties are banned and the 1997 Constitution remains unimplemented. Government institutions report directly to the President and a group of trusted PFDJ senior officials appointed by the President, who report directly to him (Human Rights Concern Eritrea, 2018).

It was hoped that the peace process with Ethiopia would mean a change in the current situation, especially government control over the countries' labour force. However, since the Government of Eritrea signed the peace agreement in June 2018, there has been no indication that it intends to reform its development model and associated policies, or restart the democratisation process and re-open political, social, and economic space. Despite this fact, the Eritrea-Ethiopia border posts of Om Hajer (The Citizen, 2019), Zalembessa and Burre have been opened (Shabait.com, 2018).

Restrictions on international cooperation

Soon after independence from Ethiopia in 1991 the then Provisional Government of Eritrea started restricting political and civil society space through the following actions: the banning of political parties; closure of existing civil society organisations; introduction of

Proclamation No. 60 of 1994 (Schröder, 2004); introduction of a Proclamation for the Administration of NGOs; and constraints on religious bodies through Proclamation No. 73 of 1995, A Proclamation to Legally Standardise and Articulate Religious Institutions (Schröder, 2004; UN Human Rights Council, 2015, Annex 3), which requires religious groups to register with the government and limits them to pastoral work. (Human Rights Concern Eritrea, 2018).

The NGO Proclamation No. 60 of 1994 governs the administration of NGOs and was a precursor to Proclamation No. 145 of 2005, A Proclamation to Determine the Administration of Non-Governmental Organisations (UN Human Rights Council, 2015, Annex 3). Prior to the enactment of the 1994 Proclamation, the Eritrean government had already started to impose restrictions on civil society organisations that were not mass movement organisations (i.e., the NCEW, NUEW or NUEYS).

In 1994, following the enactment of Proclamation No 60/1994, Dr Nerayo Teklemichael, who was at the time the head of the government's Eritrea Relief and Rehabilitation Agency (which later became Eritrean Relief and Rehabilitation Commission), introduced the 1994 NGO Proclamation. He explained that the purpose of the proclamation was to restrict the activities of NGOs and ensure the government's control of the sector. According to Dr Nerayo:

.... [the proclamation] is mainly designed to make NGOs, be they international or local, realise that ERRA [Eritrea Relief and Rehabilitation Agency] is there to supervise their work. ... [Supervising the work] of NGOs is important because NGO activities anywhere, without outside control might create a situation where the inhabitants of a certain village or province secure relief aid while those in other localities get none. ... [I]n some countries NGOs perform tasks which under normal circumstances, should be undertaken by national governments like the implementation of health, educational, agricultural and other projects. (Adgoi, 1994)

By 1997, despite the fact that Eritrea was a newly-formed state with many humanitarian and post-conflict needs, local NGOs were closed, and INGOs either left the country or were expelled. All NGO property was confiscated. National organisations closed included national religious organisations and churches, such as Kalehiwet Church of Eritrea (Human Rights Concern Eritrea, 2018).

The government's view that civil society has no role to play in the development of the country, except as an extension of the government, was confirmed during a joint evaluation of Swedish, Norwegian and Danish projects:

Regarding NGOs (both foreign and local) the GoE [Government of Eritrea] does not see a major role for NGOs in Eritrea's development efforts in its aid policy. Increasing bilateral donor support through NGOs and their subsequent increase in numbers has played an important role in restricting NGOs activities in 2005 by the GoE. (Michael, Ooichen, Slob & Jerve, 2008)

As a result of government policies, both local NGOs and INGOs experience difficulties in terms of their operations in Eritrea.

Humanitarian assistance

Following the Eritrea-Ethiopia border war (1998–2000), more than one million Eritreans (i.e., approximately one-third of the population) were internally displaced (State of Eritrea, 2004). Humanitarian assistance was needed, and the government welcomed international and independent NGOs.

National and international NGOs, the UN and other agencies contributed to a swift emergency response, not only during the post-border war emergency, but also during the drought that followed in 2002 and 2005. All of this received very little recognition from the government, which portrayed itself in the local media as the only actor responsible for the response.

The hope was that this pragmatic opening of space for civil society actors would herald a new approach not only towards civil society,

but also in the area of human, civil and political rights. It was hoped that the 1997 Constitution would be implemented, political parties established, electoral laws enacted, and, finally, at the end of 2001, that there would be a general election, which never happened.

2001 crackdown and international response

In 2000 and 2001, there was public demand for accountability and more open public participation and consultation on how the country should be managed (Human Rights Concern Eritrea, 2018). In 2001, these demands were championed by Cabinet members (now referred to as the G15) as well as students. However, these ‘dissenters’ were arrested by the government. More than 5,000 university students were arrested and taken to Wi’a and Gelalo, two notorious military prisons, where they were tortured and made to do forced labour, leading to the death of many (Van Reisen & Estefanos, 2017).

The draconian action taken by the Eritrean government in response to dissent by the students and members of the G15 resulted in a formal protest by the European Union (EU). Subsequently, in 2001, the Italian Ambassador, Mr Antonio Bandini, who was the EU Senior Ambassador to Eritrea, was expelled from Eritrea. EU countries responded by withdrawing their ambassadors and expelling the Eritrean Ambassador to Italy. According to the EU, relations with Eritrea had been seriously undermined by the Eritrean government’s actions and normalisation of EU-Eritrea relations would require Eritrea to improve its human rights situation (Plaut, 2016, p. 87). For some donors: “The deterioration of the political, social and economic environment of Eritrea, which started in 2001, had set the stage for scaling down or outright discontinuation of overall bilateral aid to Eritrea” (Michael *et al.*, 2008).

The 2001 government crackdown against political dissidents, the closure of the independent press and the expulsion of the Italian Ambassador to Eritrea provoked a tense relationship between the Eritrean government and the international diplomatic community (i.e., donors) (Michael *et al.*, 2008). Unfortunately, although there has been no improvement of the human rights situation in Eritrea, since

2001, many EU countries have normalised diplomatic relations with the country (Plaut, 2016).

From 2002, the Government of Eritrea has pursued a policy of shrinking civil space through the expulsion, de-registration and restriction of the movement of NGOs. The latter is achieved through intense National Service roundups; the enforcement of the requirement for travel permits not only for nationals, but also for internationals; checkpoints; and the denial of fuel, even if fuel is allocated through fuel coupons (author's observation and experience).

In the US State Department's *Country Report on Human Right Practices – Eritrea*, the Department states that: “In May the government cut off fuel supplies to international NGOs. Similar restrictions were placed on UN agencies in April. These restrictions have prevented NGOs from visiting project sites, implementing new projects or carrying out resettlements” (US Department of State, 2008). The movement of staff of NGOs and INGOs was also restricted, which impeded the monitoring of projects, and entry and exit visas were denied for key staff. In addition, offices were raided by the military and key staff members were harassed and arrested. Finally, in 2011, the remaining INGOs were asked to close their projects by end of 2011, forcing a closure of operations. Lutheran World Federation, Norwegian Church Aid and Oxfam GB closed their operations and had their assets confiscated (US Department of State, 2011).

In addition, in 2002/2003, Danish Church Aid/Demining Group and Halo Trust were expelled, and, by 2005, the World Food Programme's operations were closed following a programming dispute regarding the shift from food aid to cash for work, and the government confiscated the World Food Programme's warehouses and food supplies from the European Commission and Mercy Corps (Plaut, 2006). These actions were followed by the confiscation of the United Nations High Commissioner for Refugees (UNHCR) warehouses and 44 UN vehicles that had been assigned to various projects with the government, as well as NGOs (36 of the vehicles

had been assigned to the United Nations Development Programme [UNDP]-funded Mine Action Capacity Building project, as observed by the author).

In 2002, the UN Secretary General and UNDP Eritrea attempted to stop or delay the expulsion of mine clearers from Eritrea, but their requests were ignored (Africa Intelligence, 2002). A delegation headed by the UNDP Resident Representative and Humanitarian Coordinator in Eritrea and the Head of the UN Mine Action Service met with President Afwerki in his Asmara office. They asked the President to give the mine clearance experts more time to hand over their activities to Eritrean counterparts, but the President refused. Following the expulsion of Danish Church Aid/Demining Group, the Danish government closed its embassy and terminated its bilateral relationship with Eritrea, which had been in place since 1993 (Michael *et al.*, 2008).

At the time, of the closure of the World Food Programme's operations in Eritrea, according to WikiLeaks, the total amount of food aid confiscated by the Eritrean government was 90,000 tonnes. Some of it was supplied to the army, but the bulk expired in a warehouse:

The GSE [Government of the State of Eritrea] extended its control over the economy by recently confiscating grain from many private wholesalers and traders, although grain was seized, much of it disappeared into the black market. The GSE has also forced farmers to sell their harvest to government traders at deeply discounted prices. Again, government policy forced much food supply into the black market.
(WikiLeaks, 2008)

An attempt to distribute expired corn-soya blend in 2006 was protested against by health personnel. Regardless of their protest, expired material was distributed under duress and many children were poisoned and had severe diarrhoea (Hagdu, 2009).

By July 2005, the Government of Eritrea requested the United States Agency for International Development (USAID) to terminate its development programme in Eritrea. USAID said that this was:

...at a time when it was estimated that due to the ongoing drought and the impact of the recent border war, there were a 2 million Eritreans (population estimate 3.5 million) at risk of food insecurity and requiring an 352,900 metric tons of food aid. (USAID, 2005a)

No reason was given for the request. At the time, US Ambassador, Scott De Lisi, stated that: “The government has told us they are uncomfortable with the activities of USAID” (BBC, 2005).

Continued closing of space for INGOs

Following the enactment of Proclamation No. 145/2005 on the administration of NGOs (UN Human Right Council, 2015) restrictions escalated. Independent, national NGOs that had been established since 2000 were deregistered. Although some, such as Haben, appealed their deregistration, their appeals were not successful. At this time, some of the INGOs that objected to the operational restrictions imposed by Proclamation No. 145/2005 left Eritrea. Others applied for registration, but were rejected. A total of two-thirds of the NGOs working in Eritrea ceased operations; of the 37 NGOs present in the country at that time, only 13 remained (Hoapoliticalscene.com, 2007). By 2006, a further 9 INGOs (6 Italian and 3 from other countries) were denied registration and expelled. Their equipment and supplies were confiscated (Hagdu, 2009; Sudan Tribune, 2006).¹

The remaining four INGOs – Lutheran World Federation, Norwegian Church Aid, Oxfam GB, and Vita (Hoa-

¹ Some were not able to renew their NGO registration, others were asked to leave and others still were asked to complete their projects by a specific time, irrespective of the status of the project (US Department of State, 2008). During the year the government demanded that departing NGOs hand over paperwork and documents to government officials. After the forced closure of several NGOs in 2005 and 2006, the government required that all NGO property be turned over to it, including such items as computers, printers and vehicles.

politicalscene.com, 2007) – adapted, hoping that they could continue to work in the country (author’s observation and experience). Irrespective of the provisions of Proclamation No. 145/2005 restricting the work of NGOs to humanitarian work, with the tacit consent of the government, the remaining INGOs started carrying out development work on water and sanitation, nutrition, food security and livelihoods. The projects implemented retained elements of humanitarian response, but were increasingly focused on development.

Despite these efforts, in 2011, the Eritrean Ministry of Labour and Human Welfare, requested that the four INGOs complete all projects by 31 December 2011. This directive was irrespective of the fact that Lutheran World Federation, Norwegian Church Aid, Oxfam GB, and Vita were implementing multi-year projects and that there were also a number of multi-year projects in the pipeline awaiting final approval (US State Department, 2011; author’s observation and experience).

The government’s decision to close INGO projects by 31 December 2011 was made without consulting the relevant line ministries or the NGOs – it was a clear ‘get out notice’. Consequently, during 2011, Lutheran World Federation, Norwegian Church Aid and Oxfam GB closed their operations in Eritrea. However, Vita remained and struggled with the uncertainty till 2013. At this time, Vita signed a tripartite agreement with the Irish Agriculture Research Agency, Teagasc, and the National Agricultural Research Institute, an agency within the Ministry of Agriculture of Eritrea. At the end of 2011, Vita was the only INGO operating in Eritrea.

Vita did not close its operations. The Vita audit reports of 2010 and 2011, contrary to their claims regarding transparency (Vita, 2014), do not mention the request by the Ministry of Labour and Human Welfare for INGOs to close all projects by the end of 2011, nor do they mention the closure of Lutheran World Federation, Norwegian Church Aid and Oxfam GB (Vita, 2010; 2011). In the 2010 annual audit report, Vita mentions that in response to regulatory changes in both Eritrea and Ethiopia they implemented administrative changes

(i.e., the appointment of National Directors). In the report, Vita also refers to the impact of the Eritrean government's control on projects:

... [The government's stringent] control on NGO work has impacted Refugee Trust Ireland (RTI now Vita) Limited's ability to deliver change on the ground and in 2011 Vita (RTI) Limited will have to be flexible to changing circumstances and possible risk... (Vita, 2010)

The process of restricting and closing the space for all independent national civil society organisations, including for national religious organisations, continues to this day. The government has closed the Catholic School, Medhanie Alem Minor Theology School, the Orthodox School at Enda Mariam, and the primary health care centres operated by the Catholic Church. It has also attempted to close Al Diia Muslim School. All of these actions have been accompanied by threats and acts of intimidation, including arrests and disappearances, and has led to the death of school leaders (UN Human Rights Council, 2018; Human Rights Concern Eritrea, 2019).

Ongoing crimes against humanity

There is no freedom of speech in Eritrea, with the government silencing and imprisoning its opponents. For example, in early September 2018, former Minister of Finance Berhane Abrehe, in a recorded message to the Eritrean people, emphasised the fact that the National Assembly (i.e., parliament) has not met since 2002 (Abrehe, 2018; Tefala, 2018). He reminded President Isaias Afwerki that although many of the members of the National Assembly are in exile, have been arrested and are even dead, it is still the legitimate legislative body of the country and must be called into session. In addition, he challenged the President to a national televised debate as to the status of the country, pointing out that for Eritrea to move forward it is necessary for President Isaias to resign.

The Eritrean government's response was to arrest the former Minister on 17 September 2018 and, like so many others before him, his whereabouts are currently unknown (Keetharuth, 2018). This is a

clear message that in 2018, just like in 2001, there is no freedom of speech in Eritrea and no capacity or willingness on the part of the government to engage constructively with dissent or to discontinue the one-party, one-man rule. The situation of the country is well summarised by Ms Sheila Keetharuth in the latest UN Human Rights Council press release:

... [During] the past 17 years, the Government of Eritrea has maintained tight control over the country, stifling any form of public debate and participation. I have received reports that the former Minister of Finance, who recently wrote two books on the current state of affairs in the country, including the rule of law, has been arrested in Asmara during the morning of 17 September 2018. If confirmed, this arrest on the eve of the anniversary of the 2001 clampdown would add to the apprehension that improvements in Eritrea's external relations are not mirrored inside, especially regarding respect for fundamental rights and freedoms.... [Comprehensive] reforms at the domestic level are required on the path towards a free, just and democratic society, with citizens enjoying all their human rights...
(Keetharuth, 2018)

Therefore, the conditions that have given rise to human rights violations in Eritrea and that are linked to the impoverishment of the population (Van Reisen & Estefanos, 2017), through a process of reduction of opportunity and of choice, as well as means (i.e., capabilities), remain. It is argued, therefore, that FCA, NRC and Vita – which are currently operating in Eritrea under such conditions are not able to maintain a position of impartiality and independence from the Government of Eritrea (The Sphere Project, 2018).

INGO engagement in Eritrea

Any INGO working in Eritrea must safeguard against operating as an extension of the Government, which has been accused of crimes against humanity (UN Human Right Council, 2018; Keetharuth, 2018; UN Human Rights Council, 2019). However, presently, there is no evidence that FCA, NRC and Vita can function independently in Eritrea, due to the legal framework for NGOs in Eritrea and the practices of the Eritrean government. This section presents the

findings of this study in terms of the ability of the three remaining INGOs operating in Eritrea to do so independently, for the benefit of the Eritrean people, without entrenching the authoritarian regime.

Article 7 (1) of Proclamation No. 145/2005 (Government of State of Eritrea, 2005) restricts the work of NGOs in Eritrea to humanitarian responses: “The activities of every NGO shall be limited to relief and rehabilitation work”. However, as already stated, FCA, NRC, and Vita are working in education and sustainable livelihoods, which are development areas. Although Article 7 (2) allows NGOs to apply to the Ministry of Labour and Human Welfare in writing for a change in programme, there is no evidence that FAC, NRC, and Vita have actually been provided with any formal authorisation to work in development-oriented programmes. However, this is overlooked by the government. There seems to be a state of ambiguity that everybody is willing to live with.

Article 7 (4) goes on to provide that NGOs wishing to engage in development need the support of the relevant line ministry. However, this is subject to approval by the Ministry of Labour and Human Welfare and, the line ministries are not consulted by the government (i.e., the President) when decisions, such as the one taken in 2011 that led to the closure of the Lutheran World Federation, Norwegian Church Aid and Oxfam GB programmes, are taken.

Post 2004, the government shifted its focus from recovery and reconstruction and reintegration to development (State of Eritrea, 2004), therefore, also shifting the focus of the work of the remaining INGOs, but without amending Proclamation 145/2005, thereby establishing a shadowy system for the sector and ensuring that ongoing NGO operations are dependent on the good will of the government and not the rule of law. This system also allows the government to expel organisations at will, as it has done in 1997, 2002, 2003, 2005, and more recently in 2011. As nothing has changed, any INGO working in development must do so under the supervision of the government and their programmes are subject to the benevolence of the top leadership of the government, which has

historically been whimsical and arbitrary, therefore undermining the independence of these INGOs (Hagdu, 2009; US Department of State, 2005; 2011). In addition, by having to partner with the government to implement development programmes, the INGOs operating in Eritrea severely compromise their independence and risk working only to the governments' objectives (US Department of State, 2011).

According to Proclamation No. 145/2005, NGOs in Eritrea are obliged to work with the concerned government entities (Article 6) and INGOs must have a component for institutional capacity building and training (Article 9). In this way, the three NGOs working in Eritrea are enhancing the capacity of the Government of Eritrea, a one-man, one-party government charged with ongoing crimes against humanity (UN Human Rights Council, 2016). There is no evidence that the three NGOs have considered the possibility that their work in Eritrea is sustaining the continuation of such human rights abuses. Nor is there any evidence that they have taken precautions to avoid harming the Eritrean people.

As well as strengthening the government's capacity, the three INGOs operating in Eritrea also strengthen the government economically. NGOs are required to open foreign currency and nakfa accounts for their projects and transfer funds from the foreign account to the nakfa account as the project progresses. Such transfers are made at the government-controlled rate, which does not reflect the economic reality of the country. The Foreign Currency Oversight Board, which is charged with the management of foreign currency accounts, is comprised of the Ministry of Finance, Bank of Eritrea, Commercial Bank of Eritrea, and PFDJ Economic Affairs Department. However, the Board has not met since 2009 (UN Security Council, 2011). Instead, the management and oversight of foreign currencies in Eritrea is carried out by the PFDJ Economic Affairs Director, Hagos Gebrehiwot (also known as Kisha), including funds deposited by INGOs into foreign currency accounts:

According to several former Eritrean Government officials involved in finance and intelligence operations, Mr. Gebrehivot is the overall financial coordinator of all hard currency operations relating to Eritrea's procurement activities, including support to armed groups in the region. (UN Security Council, 2011, p. 99)

The PFDJ's control of economic space in Eritrea involves a much higher proportion of hard currency transactions than the formal sector. Hard currency transactions are almost all entirely managed off shore through the PFDJ's network of companies, individuals and bank accounts. In many cases, affiliation with the PFDJ or Eritrea is not made known. The impact of this is to render both the Ministry of Finance and the Central Bank of Eritrea (i.e., the Treasury), two essential state institutions, irrelevant to the economy of the country (Human Rights Concern Eritrea, 2018).

It can be concluded from this that the INGOs working in Eritrea are indirectly funding illicit and illegal activities. In such a situation, FCA, NRC and Vita cannot guarantee that their presence and their work avoids complicity with crimes against humanity by increasing the power of the PFDJ, which is in full and sole control of the policies perpetuating these crimes.

Requirement to work only with government

FCA claims that it is a rights-based organisation guided by international humanitarian standards and principles and that it actively: “defends [the] space that civil society actors need for their work and supports actors in strengthening their capacities” (FCA, 2017b; see also FCA, n.d.). Vita (n.d.) recognises that Eritrea is a country where it is not able to engage the government on issues of governance and human rights. Accordingly, Vita undertakes that it:

... will take cognisance of in-country human rights issues in programme countries and will take appropriate precautions and mitigating actions where external factors relating to human rights and governance impose critical risks to programme delivery, staff safety, impact and sustainability. (Vita, 2016)

NRC, like FCA, is committed to the international humanitarian standards and principles (NRC, n.d.) and simply states that: “The Norwegian Refugee Council is an independent humanitarian organisation helping people forced to flee”. However, how this independence is realised is unclear, because in Eritrea the government has ordered that any INGO working in the country can only work with government entities (see Proclamation No145/2005, State of Eritrea, 2005)

In Eritrea, the government is not just developing key policies that must be considered, nor is it a simple regulator, it demands that it be the main partner and intermediary between NGOs and the Eritrean people (State of Eritrea, 2005; author’s observation and experience). In addition, the ability of NGOs to conduct wide and independent assessments to develop their own strategies and priorities is severely limited by travel restrictions, as well as the fact that it is not possible to conduct such assessments independently. Finally, as already mentioned in this chapter, the government is historically suspicious of autonomous NGOs, considering them tools of foreign domination and undercover spy operations that need to be brought under its control.

FCA, NRC and Vita have accepted these restrictions in their bid to work in Eritrea. Consequently, like the mass movement organisations (NCEW, NUEW, and NUEYS), they are operating as extensions of the Government of Eritrea. This undermines any claims they may have of benefiting the people of Eritrea or ‘doing no harm’.

Complicity with forced labour

According to FCA, the objective of its programme is to improve the facilities at Mai Nefhi Technical College and Hamemalo Agricultural College (TesfaNews, 2015; Madote, 2016). Such efforts directly link the FCA’s programme to Eritrea’s militarised education system, which is designed to develop human resources for deployment to the National Service/Warsay Yikaalo National Development Programme, as recently confirmed by the Minister of Local Government (Eritrea Profile, 2019). This programme has been

labelled by the UN Commission of Inquiry on Human Rights in Eritrea as forced labour tantamount to slavery (UN Human Rights Council, 2015). This is also confirmed by Eritrean students, interviewed by the author, who have laboured under this system, who consistently say that the situation in Eritrea is modern-day slavery (NTN various interviews with author, face-to-face, Kenya, 24 May–10 June 2018). Hence, through its programme, the FCA can be said to be maintaining, and perhaps even contributing to, the system of forced labour and slavery in Eritrea.

Putting local staff in danger

The extensive network of spies and informants of the PFDJ means that there are people who inform and report on activities of international organisations and their employees. This way of controlling NGOs is well a documented practice in Eritrea, as reported by the Commission of Inquiry on Human Rights in Eritrea: “The Commission collected a body of testimony that indicates the existence of a complex and multi-layered system to conduct surveillance of and spying on the Eritrean population, both within and outside the country” (UN Human Rights Council, 2015, para. 340)

Eritrean citizens, particularly those working for international organisations, are subjected to comprehensive surveillance that is based on a distributed intelligence system up to a neighbourhood level, with informants reporting to the power structure of the regime, the PFDJ. A former NGO worker told the Commission that NGOs are under constant surveillance. He said:

[The] Government was spying on what we do. The executive committee usually has meetings with them. One of the university students, he was part of the national security, he sometimes came to the association [...] I was under their surveillance. When we had the general assembly, we reported to them, if they had questions, we answered them professionally. They knew in detail what projects we were doing. I usually did not mention any political opinion. I even tried to act as if I was sympathetic of the Government because everywhere there are spies. [...] Everywhere

there are spies. In Eritrea you do not really trust anyone next to you. (UN Human Rights Council, 2015, para. 345)

Foreigners, including diplomats and journalists, are also under a high level of scrutiny. A former UN staff member recalled:

[At] a sensitive meeting with a certain diplomat, I was told that we should meet on the terrace as the office security may be compromised. The diplomat informed me that he had just attended a meeting with the Government where certain things he had said confidentially and in the privacy of his office to other diplomatic members of his office, had been repeated to him precisely. (Anon., personal communication with author, Asmara, 2005)

The government's prevailing attitude is that NGOs have hidden agendas, therefore, Eritreans working for NGOs and other international organisations are working as spies for foreigners. (Adgoi, 1994). For this reason, the activities of INGOs attract scrutiny and their Eritrean employees become the target of attention from the national security apparatus.

Consequently, NGO staff are harassed, threatened and routinely arrested. Such arrests often happen when they are on leave or immediately after an NGO had been asked to leave the country or has left. This process is designed to instil fear in local staff. Exposing national staff to such risks is contrary to the principle of 'do no harm' (Hagdu, 2009; US Department of State, 2008).

Government suspicion extends to national staff working with embassies and the UN. From 2001 to 2010, the Eritrean Government arrested 48 employees of the US Embassy. Some have never been released, others were detained in horrible conditions for years or months and then released. No charges have been brought against them. Ali Alamin and Kiflom Gebremichael (both translators), Fitwi Gezae (webmaster), and Biniam Girmay (facility management assistant) were all arrested in 2001 and are still held to date without charges (Awate, 2018).

The arrest of US Embassy staff in 2001, at the height of the then political crisis, served as a warning to all Eritreans employed by international organisations, including the UN and other embassies, that they were on a watch list and targets of the national security apparatus. There is no evidence that FCA, NRC, and Vita have considered such issues or that they have conducted any due diligence assessment to ensure that they are able to protect their local staff from such risks (Anderson, 1999a; 1999b).

Promoting the government's agenda

The three INGOs working in Eritrea have unwittingly become promoters of the Eritrean government's political agenda. FCA's development project is in higher education and it has signed a memorandum of understanding with the National Commission of Higher Education, an entity established in 2006 (now known as the National Higher Education Research Institute) to manage and coordinate the higher education sector, which reports directly to the Office of the President.

The highly-political nature of the relationship that the FCA has entered into with the government is highlighted by the fact that under present arrangements, it reports to the head of the PFDJ's Political Affairs, Yemane Gebreab (observed by the author in Asmara, August 2016) and Dr Haile Mihtsun, head of the Medical Board, which is responsible for approving Eritrean citizens travel for medical treatment, and head of the National Higher Education Research Institute, which is responsible for coordination of the higher education sector. According to information received, Dr Mihtsun, despite the availability of funds, halted the Italian-funded programme that facilitated the hiring of international qualified staff (i.e., including diaspora Eritreans) by colleges of higher education (GF, personal communication, Facebook Messenger, 14 June 2018), a clear indication that their relationship depends on the benevolence of the government elites and that there is no interest on the part of the government in developing an open and transparent higher education sector. Both Yemane Gebreab and Dr Haile Mihtsun are trusted political fixers for President Isaias Afwerki. In the case of Dr

Mihtsun, he has recently been identified by witnesses as the doctor responsible for visiting political prisoners (i.e., G15). Therefore, he is closely connected with the ongoing detention of political dissidents without trial and the associated human rights violations (Human Rights Concern Eritrea, 2018).

Hence, it can be concluded that FCA is operating directly under the instruction and supervision of the Office of the President and the President's inner circle, for whom the key nation building project is the horizontal integration of National Service with the Warsay Yikaalo National Development Programme and education, a policy directly responsible for the indefinite National Service and the institutionalisation of forced labour in Eritrea.

The 2003 education reform replaced Asmara University with unaccredited colleges in various parts of the country that were not ready to receive students, as their physical infrastructure and academic resources were inadequate (Riggan, 2016). The reform integrated education with National Service and the Warsay Yikaalo Development Programme – all policies that are directly responsible for the indefinite National Service by Eritrean youth. The formation of the National Higher Education Research Institute was not part of the 2003 education reform strategy. Much like the Warsay Yikaalo National Development Programme, it is an initiative of President Isaias Afwerki, who has centralised all aspects of the governance of Eritrea within his office, bypassing all government institutions. In education, as in other sectors (i.e., finance), the President operates parallel systems (Van Reisen & Estefanos, 2017; UN Security Council, 2011).

The NRC is implementing a vocational training programme targeting students who for various reasons, including the government's policy of not re-admitting students who have dropped out, are not in school. According to the NRC, graduates from the vocational training project are assisted to establish cooperatives and find employment within the private sector (NRC, 2017). However, this strategy of the NRC overlooks the fact that there is no legal framework in Eritrea to

establish cooperatives and that to establish a business Eritreans are required to have a licence, which is only available to those who have completed National Service. Therefore, graduates will have the following options:

- join the National Service, which could be indefinite
- pay an official or other person to obtain a licence irrespective of the fact that they have not completed National Service
- join the informal economy

The higher education programme presently implemented by the Eritrean government, which starts from grade 12, is designed to ensure that there are a large number of youth available for National Service and the Warsay Yikaalo National Development Programme, and to contain and destroy any independent student movement in Eritrea, as evidenced by the closure of Asmara University (Kibreab, 2014). Therefore, collaboration with the education system promotes the government's political agenda. Specifically, it serves to obscure the terrible state of education in the country, without any way of improving it and the fact that the whole system is providing labour for National Service and the Warsay Yikaalo National Development Programme. It is important to note that, at this stage, despite the peace process with Ethiopia, there is no plan to delink the education system from National Service and the Warsay Yikaalo National Development Programme (Chapter 5, *'Sons of Isaias': Slavery and Indefinite National Service in Eritrea*, by Mirjam Van Reisen, Makeda Saba & Klara Smits).

Legitimising the government

As NGOs, FCA, Vita and NRC are ethically required 'to do no harm'. International norms and their own codes of conduct also require that they work independently of the government and in the interest of the people. However, they are working within a context that does not tolerate such independence, legally or in practice (see Proclamation No.145/2005, State of Eritrea, 2005). Therefore, like the Eritrean mass movement organisations (NCEW, NUEW, and NUEYS), they are operating as an extension of the Eritrean Government.

Vita, in particular, has given the government a political platform in the EU, as explained in this blog post on Shedelli:

It seems that Vita has given Isaias Afewerki the pleasure of acquiring his own diplomatic Trojan horse. Far from its mission of helping poor farmers improve their livelihoods, it is actually endangering their lives. By playing the role of lobby group and enabling one of the top advisers of the criminal regime to appear at a conference at the EU, it is helping the regime gain diplomatic ground that will allow it to continue to commit more crimes against its own people. (Yohannes, 2016)

The education system that these three INGOs are supporting has become a major mechanism for the recruitment of Eritreans into the National Service and Warsay Yikaalo National Development Programme (Kibreab, 2014). It is also the education system that in 2017 was the principle source of public protest, as a result of the government's efforts to implement restrictions on religious bodies and bring faith-based schools directly under government control. Journalist Brummelman reported last year on the protests associated with the education reform:

However, it is not just Muslims, but also Christians that participate in the protest. "Muslims and Christians are united. They want the government to stop meddling in their education. That is why people took to the streets," according to the spokesperson in Asmara, who himself is not a Muslim. And, he adds, it is not just about the restriction of religious freedom. "This regime restricts all possible freedom of its citizens. That is why so many people flee Eritrea. This has to stop. That is why we pray for this government to disappear."

The banned Eritrean opposition, which is operating without any political space and with great fear for their life, has asked the international community to pay attention to the repression in Eritrea. "Foreign countries must send observers to find out what is happening here," according to an opposition member speaking over the phone from the Eritrean capital of Asmara to a journalist. (Brummelman, 2017a).

Although this unrest has died down, resistance is likely to continue. The same source in Asmara states:

Of course, I am afraid. So many people are afraid. We are under great risk. However, new protests will emerge. Maybe they will be small in the beginning, in different places. And maybe they will grow into something big. That is why it is so important for the world to know what is going on here (Brummelman, 2017b).

Vita is one of the International NGOs that was asked to close its programme by the end of 2011. However, Vita found a way to stay, building an alliance with Irish research and marketing institutes for potato farming, and signing a memorandum of understanding with the National Agricultural Research Institute of Eritrea (Vita, 2012).

Vita has established a strong link with the Irish government (one of its main donors) and Irish potato farming institutions. Such links are instrumental in the initiative taken by Member of the European Parliament, Brian Hayes, to organise an event on the ‘Future development of Eritrea’, at the time of the Irish Presidency of the EU, in 2016. The conference provided the Eritrean government with a valuable platform in the EU Parliament for political messaging (Yohannes, 2018; Chyrum, 2016). The EU meeting was attended by high-level political representatives of President Isaias Afwerki, Yemane Gebremeskel (Minister of Information) and Saleh Osman (Minister of Foreign Affairs). Prior to the conference and to his visit to the Vita project in Eritrea, in March 2016, Member of the European Parliament Hayes stated in a YouTube video that: “[We] need to ensure that human rights are defended in the circumstances where there is such corruption in Eritrea ... [there] must be conditionality ... [in] terms of human rights” (Hayes, 2016b, transcribed by author).

No such conditionality or defence of human rights in Eritrea was in evidence at the conference on the ‘Future development of Eritrea?’. At the conference, there was no engagement with Eritrea on human rights or on its National Service or the Warsay Yikaalo National Development Programme. The meeting provided the Eritrean government with an international platform to assert, with no challenge, that thanks to the policies it is implementing, Eritrea is

progressing, therefore, standing in contradiction to the findings of the UN Special Inquiry on Eritrea and the UN Commission for Human Rights (Hayes, 2016a).

In addition, during the 37th session of the Human Rights Council in March 2018, the Eritrean government hosted a side event with the participation of representatives from Nevsun Resources Ltd, a Canadian mining company, and Danakali Ltd, an Australian mining company. The objective of the event was to dispel the findings of the UN Commission that the mining sector in Eritrea, in contravention of international law, is using forced labour (Eritrea Profile, 2018; TesfaNews, 2018).

Vita's Chief Executive Officer, John Weakliam, was at the meeting as part of the government and mining industry-led panel, legitimising the position of the Government of Eritrea that mining companies have not used, and do not use, forced labour (TesfaNews, 2018). However, it is common knowledge that mining companies contract national construction companies, which are owned by different sectors of the government (such as the PFDJ and military) and they all use National Service personnel and, therefore, forced labour. (Eritrea Focus, 2018; UN Human Rights Council, 2015; 2016; UN Security Council, 2011; 2017; Human Rights Watch, 2013).

Commenting on the event, the Director of Legal Advocacy at the Australian Human Rights Law Centre, Keren Adams, was of the view that, given the Eritrean government's poor human rights record, the promotion of its record by the Australian company (Danakali Pty Ltd) was deeply concerning:

Eritrea's record has come under consistent criticism at the United Nations... [An] estimated 5,000 refugees flee the country's repressive policies every month. In these circumstances, for an Australian company to participate in a staged public relation exercised for the Eritrean Government is staggering. (Human Rights Law Centre, 2019)

If the participation of Danakali Pty Ltd in such event was ‘staggering’, how much worse is the participation of Vita, which, as an INGO, is supposed to ‘do no harm’ and maintain a position of: humanity, neutrality, impartiality and independence? Vita’s actions have legitimised the Government of Eritrea and helped it to restore its reputation abroad.

To assist with public relations exercises that present the Eritrean totalitarian government in the best possible light, Nevsun has hired Ruby Sandhu, a former partner of Brooks Consultancy LLP;² founder of RS Collaboration;³ and Bronwyn Bruton, Deputy Director of the Africa Centre at the Atlantic Council (Christophe, 2017; Vincent & Plaut, 2019). Ms Sandhu was initially hired as Nevsun’s Business and Human Rights Consultant (Nevsun, 2015) and has since repeatedly intervened, through social media, to ridicule and diminish the findings of the UN Commission of Inquiry as to Human Rights in Eritrea. The most recent effort is a Twitter post of 16 March 2019 in support of the Eritrean government’s denial of any human right crisis in Eritrea during the UN Human Right Councils Enhanced Interactive Dialogue on the Situation of Human Rights in Eritrea (Sandhu, 2019; UN Human Right Council, 2019). Similarly, Ms Bronwyn Bruton, through her articles (Bruton, 2016), interviews (Castiel, 2015; Saba, 2019), workshops and representations to the US government (Christophe, 2017; House Foreign Affairs Committee Republicans, 2016), has also worked to present the Government of Eritrea in a positive light. In each case, Ms Bruton accepts that there are human right abuses and then proceeds to defend the status quo. This defence overlooks the fact that there is no independent economic sector, due to the policies that the government has implemented as well as its efforts to control the economic sector through its policy of indefinite National Service (Human Rights Concern Eritrea, 2018; UN Security Council, 2011).

² <https://www.thebrookeconsultancy.com/>

³ <https://www.rscollaboration.com/>

Irrespective of these efforts, the issue of the use of forced labour by Nevsun Resources Limited is presently a matter of dispute in the Canadian courts (Alsharif, 2016; Anderson, 2019; CBC News, 2016; Geoffrey, 2018; Kassam, 2017; Plaut, 2018, 2019). The presentation of a rosy picture of Eritrea overlooks the concerns of the World Bank and the EU that Nevsun mislead investors, that the government has a history of taking over profitable businesses and that the potential: “...environmental impact and the effect of mining on the local communities will be significant” (Mines and Communities, 2012). This picture also overlooks the fact that as there is no published budget for the country, there is no transparency or accountability of the government, and revenue from the mining sector is not accounted for (UN Security Council, 2015).

Conclusion

The three remaining INGOs working in Eritrea, FCA, NRC and Vita, are working in a country run by a totalitarian regime, headed by President Isaias Afwerki. This regime has been found by the UN Commission of Inquiry on Human Rights in Eritrea to have committed crimes against humanity, which are ongoing (Keetharuth, 2018; UN Human Rights Council, 2015, 2016). As a result of this, and the government’s policy of indefinite National Service, Eritrea has become the ninth largest producer of refugees (UNHCR, 2017).

FCA, NRC and Vita, through their interventions in agriculture, vocational training and education, state that they intend to prevent the exodus of Eritreans. But, in reality such interventions are not addressing the Government’s human rights record and policy framework responsible for the impoverishment of Eritreans, as well as the exodus resulting from indefinite National Service and forced labour (Van Reisen & Estefanos, 2017; Melicherová, 2019).

The presence of INGOs in Eritrea is currently merely a political expedient. Although, FCA, NRC and Vita may have good intentions, given the restrictive context of the country, its history of contempt for civil, political, and religious freedom, and the finding of crimes

against humanity by the UN Commission of Inquiry on Human Rights in Eritrea (UN Human Rights Council, 2016) it is argued that their presence in the country is misguided, harmful and contrary to the principle of ‘do no harm’ and the Humanitarian Charter (Sphere Project, 2018). It is also contrary to human rights and humanitarian law, as well as the International Federation of the Red Cross and Red Crescent Code of Conduct and these INGOs’ own codes of conduct and guidelines (FCA, 2017a; IFRCRC, 2002; Act Alliance, 2011).

Since the start of the Ethiopia-Eritrea peace process in June 2018, Eritrea has restored regional diplomatic relationships. Despite the Eritrean government’s human rights record and the mass exodus of refugees, border posts have been reopened. However, there has been no indication that the military will be demobilised, National Service will be limited to the statutory 18 months, the constitutional government will be restored, the government’s policy of integrating of National Service, the Warsay Yikaalo National Development Programme and education will be rescinded, the ban on opposition political parties will be lifted, or political and religious prisoners will be released. Nor has there been any indication that the PFDJ will hold a National Congress, internal elections, or a review of the state of the nation, as well as of PFDJ.

The presence of INGOs in Eritrea is politically convenient, as it creates an image of engagement and openness and promotes the government’s political goals. However, tight constraints on INGOs remain and there is no indication of an opening of space for national NGOs.⁴ The three INGOs operating in Eritrea are overlooking these restrictions on freedom of speech, assembly and association, the banning of any national civil society that is not directly controlled by the government, and the repeated expulsion of INGOs. Their presence legitimises the Government of Eritrea and its restrictions on civil society.

⁴ According to Eritrean Ambassador to the UN, Mr Gerhartu, the Eritrean government is busy creating a proliferation of mass movement like organisation (Gerhartu, personal communication, Geneva, 2017).

By providing legitimacy by acting as ‘civil society’ and ‘independent donors’, while in reality working under direct instructions of the government, FCA, Vita and NRC are reducing the scope for national civil society to fight for space in Eritrea and ignoring the call by Eritrean citizens for international observers to monitor the human rights situation in the country (Plaut, 2017). FCA, Vita and NRC have failed to take into consideration the risk to Eritrean citizens as a result of their presence and the implementation of their projects. In this totalitarian environment, FCA, Vita and to a lesser extent NRC, in addition to acting as an extension of the government whose legitimacy is questionable, are providing it with legitimacy and an international platform for its political messages. Hence, it is concluded that these INGOs are entrenching the authoritarian regime in Eritrea and enabling it to pursue its policy of forced labour, creating complicity in relation to crimes against humanity.

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