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THE SUPREME COURT OF ERITREA
ASMARA, ERITREA

_____	)	Case No.: <u>SC130726THO00001</u>
In the Matter of:	)	
	)	<i>The passport and exit visa case.</i>
Thomas Samuel Aron,	)	
plaintiff	)	
Vs	)	
Government of Eritrea,	)	
defendant	)	
_____	)	

STATEMENT OF AGREED FACTS

PROOF OF SERVICE was executed via CAAM on all parties.

STATEMENT OF AGREED FACTS

1. The plaintiff in this action is Thomas Samuel Aron. He was born in 1980 in Asmara, Eritrea.
2. In the summer of 1997, while he was in the tenth grade, Thomas began volunteering at the local administration office in his neighborhood. Within approximately one year, he became a vital member of the local administration.
3. By the summer of 1998, Thomas was scheduled to report to the Sawa Military Training Camp to commence his national service. However, the local administration requested that he be exempted from reporting on the ground that his services were essential to its operations. The request was granted, and Thomas continued serving at the local administration.
4. Several months later, the matriculation examination results were announced. Thomas did not obtain a score sufficient to qualify for admission to the University of Asmara, which was then the country's only university. Instead, his assignment to the local administration was formalized as his national service placement, and he continued serving in that capacity.
5. In the summer of 2004, Thomas was instructed to report to the Sawa Military Training Camp to undergo military training as part of the Thirteenth Round of National Service. He complied with the order and reported to Sawa.
6. Before departing for Sawa, Thomas knew that he suffered from chronic anemia and diabetes. Nevertheless, he did not hesitate to report for service. While at Sawa, his health deteriorated. Concerned about his condition, his colleagues reported him to the camp's medical authorities. He was subsequently referred to the camp's Medical Board to determine whether he was medically fit to perform national service. Following its examination, the Medical Board declared him medically unfit for national service.
7. Several months later, Thomas returned to Asmara. He approached the local administration where he had previously served and requested employment as a regular employee. The administration employed him. Although the remuneration he received, both as a member of the national service and later as an employee of the local administration, was modest, he continued working there until approximately 2019.
8. In 2019, Thomas was awarded a full scholarship to pursue college studies in Germany. Over the years, he had diligently improved his English-language proficiency while actively exploring scholarship opportunities abroad. His intended field of study was computer programming.
9. After securing admission, Thomas approached the Department of Immigration and Nationality in Asmara to inquire about obtaining an Eritrean passport. He had never previously held an Eritrean passport.

10. He was informed that he was required to obtain a no-objection letter from his local administration and, because he was employed by a government institution, a second no-objection letter from his employer. He was also required to provide proof of his exemption from national service.
11. Thomas complied with these requirements. He obtained the required no-objection letters from both the local administration in his neighborhood and the local administration that employed him. He also produced the Medical Board's certificate issued at Sawa declaring him medically exempt from national service. Together with these documents and the required identity documents, he applied for an Eritrean passport at the Department of Immigration and Nationality in Asmara.
12. His application was denied without explanation. He submitted additional applications on several occasions, but each was likewise denied without any stated reason.
13. Thomas was informally advised that he should seek intervention from the Office of the President. Because he was unable to approach that office directly, he sought assistance from several influential individuals, including senior government officials, requesting that they intervene on his behalf. Although some informed him that they had attempted to assist, no passport was issued.
14. Fearing that he would lose the educational opportunity he had secured, Thomas decided, out of frustration, to leave Eritrea without official authorization. In December 2019, he was apprehended by border guards near Teseney and was thereafter detained by the Government for approximately six months.
15. The circumstances surrounding Thomas's arrest, detention, treatment while in custody, and the legality of those actions are the subject of separate litigation and are therefore not included in this Statement of Agreed Facts.
16. Following his release, Thomas worked with the university in Germany and successfully deferred his admission to a later academic year.
17. In January 2021, Thomas again attempted to leave Eritrea. He was once more apprehended and detained, this time for approximately one year, before being released.
18. These repeated obstacles caused Thomas considerable disappointment and frustration and deprived him of the educational opportunity for which he had worked over many years.
19. Thomas has commenced the present action challenging the Government's refusal to issue him an Eritrean passport and an exit visa, thereby denying him his right to leave his country. The parties agree that the legal issues arising from that refusal are set forth in the Complaint.

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