

Made on behalf of: Defendant
Witness: A Brewer
Statement number: 1

Date made: February 2015

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

BETWEEN:

Mahder Zeregergis

Claimant

- and -

THE HOME OFFICE

Defendant

WITNESS STATEMENT OF ANNE BREWER

I, Anne Georgina Brewer, Senior Executive Officer, Country Manager Africa 1 of the Country Returns Operations and Strategy team, Home Office, 18th Floor, Lunar House, Croydon, CR9 3BY will say as follows:-

1. I am employed by the Defendant as a Senior Executive Officer, Immigration Enforcement. My title is County Manager, Africa 1, in Country Returns, Operations and Strategy (CROS). The facts in this statement are true to the best of my knowledge and belief and are derived from information contained in Home Office files and computer records, save where otherwise indicated.
2. I make this statement as the Country Manager in Africa 1. This is a specialist team within the Home Office that plays a liaison role (sometimes in conjunction with the Foreign and Commonwealth Office) to facilitate the provision of travel documentation through diplomatic engagement with the country of nationality where a person has failed to provide the normal travel and identity documentation required to enter the UK. We are also involved in the development of country focused returns strategies for Sub-Saharan Africa and Algeria. This specialist team is assisting in the management of the Claimant's case.

3. There is no formal document from the Eritrean authorities that sets out the requirements for an application for Emergency Travel Documents (ETDs). However, over a series of meetings the requirements at any one time have been established and they are set out in the internal CROS advice that is available on the information system accessible by Home Office caseworkers. I can confirm, through personal experience as Country Manager for Eritrea that the current situation with regards to obtaining an emergency travel document from the Eritrean authorities is that the following supporting original documentary evidence must be provided: original expired passport, original birth certificate and original ID card.
4. Since 2010 there has been 1 enforced return and 7 voluntary returns to Eritrea.
5. The Eritrean Embassy will currently only consider applications from those who have the documents listed above under the regular ETD system so other cases would have to be dealt with on a 'special case basis' as the subject of special negotiation, to obtain ETDs
6. I can confirm that in 2013 an individual was returned to Eritrea on the basis of a national identity document being used in support of an ETD application. Without further supporting evidence being required., This was a voluntary removal where special arrangements were made with the Eritrean Embassy on behalf of the individual outside the ETD process with the support of Eritrean nationals in the UK.
7. Between 2008 and 2011, the Eritrean Government had documented a number of individuals but these were not utilised either for internal administrative reasons or due to court injunctions (ETDs are valid for use in a limited time period). This meant that the Eritrean Government had been put to the trouble of preparing ETDs with the associated verification processes in Eritrea without the ETDs being used. Consequently, there was an expression of discontent by the Eritrean Government at a political level through the Eritrean Special Advisor to the President indicating in 2012 that Eritrea would not continue to support the ETD process. In fact, there was no change to the standing arrangements between CROS and the Eritrean Embassy so there would have been no bar to presenting an ETD application to the Eritrean Embassy, though as it happened there were no applications at the presentation stage at that time. The volume of applications for ETDs received by CROS is very low. The concerns of the Eritrean Government were addressed at a political/diplomatic level in the dialogue on migration-related issues between the two countries that has been positive and constructive in relation to improving the existing process. Most recently, on 27 November 2014 there was a meeting with the Immigration and Security Minister James Brokenshire and the Eritrean Foreign Minister Osman Saleh on in Rome.
8. Following this meeting, a joint Home Office/Foreign & Commonwealth Office official delegation visited Asmara, Eritrea, on 9-11 December 2014. The delegation – co-led by Home Office and Foreign & Commonwealth Office Senior Civil Servants and including the UK Ambassador in Asmara, met the Eritrean Foreign Minister,

government officials and representatives of the international community in Asmara. These discussions were positive and constructive and covered a number of areas. Both sides confirmed the willingness to continue a dialogue about controlling irregular migration between Eritrea and the UK and the factors driving it (i.e. the number of Eritrean entering the UK illegally). The discussion indicated a willingness on the part of the Eritrean Government to consider greater flexibility on re-documenting their nationals to facilitate returns. Work is ongoing to take forward potential areas of co-operation.

9. The facts in this witness statement are true to the best of my knowledge and belief.

SIGNED:

A. G. Brewer

ANNE BREWER

DATED:

26th February 2015