



DEFENDDEFENDERS

East and Horn of Africa Human Rights Defenders Project

ERITREA

4TH UPR REVIEW

Key issues and recommendations

DefendDefenders, 15 February 2024



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ABOUT DEFENDDEFENDERS

- DefendDefenders was established in 2005 as the **East and Horn of Africa Human Rights Defenders Project**. It has its headquarters in Kampala, Uganda and an office in Geneva, Switzerland.
- DefendDefenders exists to strengthen the work of **human rights defenders (HRDs)** in the East and Horn of Africa sub-region by reducing their vulnerability to the risk of persecution and by enhancing their capacity to effectively defend human rights.
- DefendDefenders serves as the Secretariat of the East and Horn of Africa Human Rights Defenders Network (EHAHRD-Net) representing thousands of HRDs and their organisations. DefendDefenders draws its membership from Burundi, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Somalia (with Somaliland), South Sudan, Sudan, Tanzania, and Uganda. It also hosts and coordinate the Pan-African Human Rights Defenders Network (**AfricanDefenders**).
- See <https://defenddefenders.org>

ERITREA'S 4TH UPR

- In its submission for the upcoming 4th UPR of Eritrea, DefendDefenders examines the government of Eritrea's record with regard to the rights to freedoms of **peaceful assembly, association, and opinion and expression**, as well as the **situation of HRDs**, and assesses Eritrea's implementation of recommendations received during the 3rd UPR cycle, in 2019.
- Eritrea will undergo its 4th UPR on 6 May 2024. This is the last year of its membership term in the UN Human Rights Council. We emphasise the importance of continued **“cross-fertilisation” of recommendations** by UN bodies and mechanisms, i.e., of continuing to cross-reference recommendations made by the HRC, treaty bodies, special procedures (including the Special Rapporteur on Eritrea), the Commission of Inquiry (2014-2016), and those made in the context of the UPR.

CONTEXT OF ERITREA'S REVIEW

- Our **submission** (with full list of recommendations) is available at:

<https://defenddefenders.org/submission-to-the-un-human-rights-councils-eritrea-upr/>

- Eritrea has been the subject of international concern due to a **longstanding human rights crisis**. Reports by OHCHR, the UN Special Rapporteur, and the former Commission of Inquiry (CoI) demonstrated that grave violations, including possible crimes against humanity, have been and continue to be committed in the country.

- See, e.g., the last civil society letter prepared for HRC53 (June-July 2023):

<https://defenddefenders.org/eritrea-hrc-strong-resolution-2023/>

GENERAL RECOMMENDATIONS

- Immediately **implement the 1997 Constitution** to set out the structures of the Government and outline corresponding powers and responsibilities.
- Extend a standing invitation to all **special procedure mandate-holders**.
Allow access, as a matter of priority, to the Special Rapporteur on the situation of human rights in Eritrea.



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FREEDOM OF PEACEFUL ASSEMBLY & ASSOCIATION

- In the absence of a functioning Constitution, Eritrea operates under an **environment of fear**, where citizens are unable to seek justice for government violations and abuses. The government wields **unchecked authority** through executive orders, and there are no independent mechanisms or processes through which citizens can voice their grievances or challenge government decisions. Arbitrary arrests and incommunicado detentions of individuals and groups critical of the authorities persistently instil fear and effectively suppress freedoms of assembly and association. The People's Front for Democracy and Justice continues to be the sole authorised party in Eritrea.
- The occurrence of protests or public gatherings is exceptionally rare in Eritrea.

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- There are currently **no functional independent national or international nongovernmental organizations** (NGOs) operating in Eritrea. The 2005 Proclamation Determining the Administration of NGOs heavily restricts CSO work, imposing unreasonable reporting guidelines and empowering the authorities to exert control over the activities of CSOs.
- Eritrean authorities also impede the political organization and participation of **Eritreans abroad** and seek to interfere with the activities of CSOs based abroad, in the diaspora.



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SELECTED RECOMMENDATIONS

- Foster a safe and enabling environment for civil society, including by repealing the 2005 Proclamation determining the administration of non-governmental organizations.
- Allow public gatherings of over seven persons without prior authorization; in line with international standards and African Commission on Human and Peoples' Rights' (ACHPR) Guidelines on Freedom of Association and Assembly in Africa, ensure that a mere “notification” regime governs the holding of public gatherings and assemblies.

FREEDOM OF OPINION & EXPRESSION

- The Press Proclamation No 90/199610 (Part II, Section 4) grants the government powers to **censor all mass media**. While foreigners cannot own media outlets, Eritreans wishing to establish media organizations are mandated to undergo an onerous licensing exercise.
- **Eritrea lacks independent national media**. The government has controlled all media outlets since 2001, including print, television, and radio outlets.
- Eritrea consistently ranks among the worst countries in global freedom indices. At least 11 journalists remain in incommunicado detention since 2001.

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SELECTED RECOMMENDATIONS

- Unconditionally release all journalists and HRDs who have been arbitrarily detained, including incommunicado, for expressing opinions that are not in line with the Government's views.
- Review and amend Press Proclamation No 90/1996 and ensure it is in line with international standards.
- Reinstate all media outlets that have been unwarrantedly closed and ease requirements for owning and operating media outlets.

HRDs, CIVIL SOCIETY ACTIVISTS & JOURNALISTS

- While the operating environment makes it impossible for independent civil society groups to operate in Eritrea, the regime targets and disrupts the work of civil society groups and HRDs in the diaspora.

SELECTED RECOMMENDATIONS:

- Unconditionally and immediately release all HRDs, including journalists and bloggers, detained solely for exercising their fundamental rights.
- Conduct impartial, thorough and effective investigations into all cases of attacks against HRDs bring the perpetrators of such offences to justice.

THANK YOU



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