

Universal Periodic Review – 18th Session
CSW – Stakeholder Submission
ERITREA

Introduction

1. Christian Solidarity Worldwide (CSW) wishes to draw attention to Eritrea's domestic human rights situation, over the period 2009-2013 with respect to Eritrea's international obligations.
2. Eritrea remains one of the most repressive states on the African continent. The Eritrean government is responsible for gross and systematic human rights violations against its population. Despite government denials, there is also evidence that the nation was adversely affected by a regional drought in 2011¹, particularly worrying in view of persistent reports of manipulation of food distribution in favour of government supporters.
3. Although the Eritrean government participated in its first Universal Periodic Review in 2009, there is little evidence to suggest it has taken action to implement the recommendations it was subsequently given.
4. In 2012, in recognition of the egregious violations occurring in Eritrea, the UN Human Rights Council (HRC) passed a resolution creating a Special Procedures mandate on the human rights situation in Eritrea². The mandate was subsequently renewed in 2013³.

Scope of international obligations

5. Eritrea is state party to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights as well as the International Convention on the Rights of the Child and the Convention on the Elimination of Discrimination against Women. Eritrea has ratified the African Charter on Human and People's Rights. It has not signed or ratified the Convention against Torture or the Convention for the Protection of All Persons from Enforced Disappearance. Eritrea is also not party to the Rome Statute of the International Criminal Court.

Recommendations:

6. **That Eritrea ratifies the Convention against Torture and the Convention for the Protection of All Persons from Enforced Disappearance;**
7. **That Eritrea ratifies the Rome Statute of the International Criminal Court;**
8. **That Eritrea upholds the rights outlined in international statutes to which it is party.**

Constitutional and legislative framework

9. Although Eritrea ratified a new Constitution in 1997, it has never been formally implemented, thus depriving the state of a stable framework within which to create consistent and just law, and equality of all citizens under the law. No national elections have been subsequently held.

¹ "Drought in Eritrea: Hunger despite government denials", via BBC News, <http://www.bbc.co.uk/news/world-africa-14779344>, accessed 15/06/13

² A/HRC/20/L.19/Rev.1

³ A/HRC/23/L.17

Recommendation:

10. **That Eritrea fully implements its ratified constitution and ensures the return of all rights enshrined within it, including the freedom of religion and belief, conscience, expression, opinion, movement, assembly and organisation.**

Interaction with international human rights mechanisms

11. In 2012 the HRC created a Special Procedures mandate on the human rights situation in Eritrea. Part of the mandate comprised the creation of a position of UN Special Rapporteur on the situation of human rights in Eritrea. The Special Rapporteur submitted her first report to the HRC in June 2013, and her mandate was renewed for a further year until June 2014.
12. In her first report the Special Rapporteur acknowledged that her office had had some interaction with Eritrean officials, but that this had not been sufficient for the purposes of her reporting, and that her requests to visit Eritrea never received an official response.
13. The Special Rapporteur highlighted a wide range of human rights violations occurring in Eritrea, including issues around “excessive militarization”, “no rule of law”, and “extrajudicial killings, enforced disappearances, indefinite incommunicado detention, torture, cruel, inhuman or degrading treatment, all of which are prevalent in Eritrea”. The report also suggested that “there are no internal mechanisms or institutions to hold to account those responsible for the pervasive human rights violations committed on a daily basis in Eritrea”.

Recommendations:

14. **That Eritrea fully implements the recommendations given in the first report of the Special Rapporteur on the situation of human rights in Eritrea;**
15. **That Eritrea cooperates fully with the office of the Special Rapporteur, including facilitating a visit by the Special Rapporteur to Eritrea at the earliest available opportunity;**
16. **That Eritrea extends an open invitation to all Special Procedures mandate holders.**

Servitude and the militarisation of Eritrean society

17. Eritrea allocates around 25 percent of its budget for military use, and of a population of around five million, 300,000 are in military service. The only university was closed down, and colleges and high schools serve as military boot camps. By law military service should last eighteen months; however, it is in reality open-ended, with many serving (and receiving minimal payment) until they are well over 50 years of age. Despite not having engaged in open warfare since 2000, the government refuses to demobilise the army in an attempt to maintain control over Eritrea’s youth. In addition, conscripts are also used as forced labour, and the sexual, emotional and physical abuse of female conscripts is rampant. The harsh military regime can cause psychological damage; symptoms include walking backwards, involuntary choking, and stress-induced blindness. More recently, reports have emerged of conscripts being used as cheap labour to build infrastructure around a mine owned by a Canadian company.

Recommendations:

18. **That Eritrea ensures the demobilisation of those who have served excessive tours of duty within the army;**
19. **That Eritrea ensures an end to the abuse of female conscripts, the right to conscientious objection, put an end to underage conscription, to the indefinite extension of the stipulated term for military service, and to the use of conscripts as forced labour.**

Arbitrary detention, torture, inhuman and degrading treatment

20. Continuing large-scale and lengthy detentions without charge or trial have led to the creation of an extensive network of detention centres around the country. Sheet iron warehouses, villas, metal shipping containers, fenced off open-air spaces in military camps and even caves function as makeshift holding facilities. The government's burgeoning security apparatus acts with impunity, utilising a legion of torture techniques that have been extensively documented. There are growing reports of prisoners dying in detention following torture, or due to malnutrition or lack or denial of medical attention. There are also reports of prisoners being used as forced labour in development projects or on farms owned by officials or government sympathisers.

Recommendations:

21. **That Eritrea grants immediate and unhindered access to long-term detainees for the International Committee of the Red Cross (ICRC) and/or any other competent international body, to assess their wellbeing and the conditions in which they are held, ensuring that the latter meet with UN minimum standards;**
22. **That Eritrea grants access for all detainees to immediate family members, as well as to medical treatment and legal representation;**
23. **That Eritrea puts an end to arbitrary arrest and indefinite detention without charge or trial. Eritrea should bring detainees immediately before recognised courts of law, in the presence of international observers, or release them;**
24. **That Eritrea ends all forms of torture, inhuman and degrading treatment in accordance with international law.**

Freedom of religion or belief

25. The first religious community to suffer repression in Eritrea was the Jehovah Witness movement. Its members effectively lost citizenship rights after refusing to participate in the national referendum on independence, and in active military service. Many were detained and tortured; some still remain in jail. A January 2012 report lists 48 imprisoned Jehovah Witnesses, most of who were detained for conscientious objection to the armed services or unspecified religious activity. Next, the government moved against the Muslim community. A government-approved Grand Imam was installed, hundreds of religious teachers and others deemed hostile to this move were detained, and an unknown number were reportedly executed extra-judicially.
26. While Jehovah Witnesses and some Muslims still experience periodic harassment and incarceration, they are no longer the primary focus of repression. On 15 May 2002, all churches that were not affiliated to the Catholic, Evangelical Lutheran and Orthodox denominations were effectively closed, and all other religious practices except Sunni Islam were ended. The government claimed religious groups could apply for official registration, but the registration process appears to have been designed to be obstructive, and the requirements were stringent, intrusive, and discriminatory, since they did not apply to government-sanctioned groups. An indication of the deliberately obstructive nature of the registration process is the fact that despite having submitted all relevant documentation, the Seventh Day Adventist Church, the Presbyterian Church, Faith Mission Church, and the Baha'i Faith are yet to receive registration. Arrests of Christians have continued since that time, with varying waves of intensity. The most recent wave began on 17 January 2013, with the detention of around 20 Christian leaders from a variety of churches. Most were arrested at their homes, pointing to the worrying possibility that underground church networks have been monitored and infiltrated. In March 2013 there were reports that police had raided homes and businesses in the town of Barentu, arresting

over 125 Christians. Another report claimed that 17 Christians, six of them female students, were arrested on 16 March 2013 as they gathered in a home in Keren.

27. The renewed spate of arrests are reported to have occurred in the wake of the circulation within the Eritrean Diaspora of an alleged prophecy originating from Eritrea claiming every prisoners would be released in March 2013, and indicating regime change. According to local sources, the Eritrean government was aware of rumblings of discontent and potential mutiny in the army. Consequently, a day before the January “coup”, security forces in Asmara launched the wave of arrests. The fact that 30 of the people arrested in January were seized while holding a house church service again implies a significant degree of infiltration by the government into the house church network.
28. Between 2,500 and 3,000 Christians are detained indefinitely at any given time. Although some were initially released after pledging to renounce their faith, none have been formally charged or tried and all are held pending similar denials of faith. Reports persist of prisoners dying after torture, or after being denied life-saving medication for refusing to deny their faith. The most recently confirmed death is that of Belay Gebrezgi Tekabo, whose demise was reported this year. In April 2012 he had been imprisoned for “praying and reading his bible” and subjected to military punishment in Ala Military Camp near the southern town of Dekemhare. Months later he was reportedly diagnosed with Leukaemia, but was refused medical treatment unless he agreed to renounce his faith.
29. Torture is rife in these detention centres, with prisoners being held in such inhumane conditions as metal shipping containers, underground cells, and in the open air in desert areas where they are surrounded by barbed wire or thorns. Female Christian prisoners are regularly beaten on the soles of their feet and their wombs, allegedly to prevent them from bearing children. In her autobiography, prominent former prisoner Helen Berhane vividly describes the condition of a lady beaten so severely that her uterus prolapsed and hung from her body⁴.
30. Barring a renunciation of faith, prison terms are harsh and lengthy. In December 2012, the government finally released 36 students arrested in 2006 for refusing to take part in Independence Day celebrations. Other prisoners are released after falling terminally ill.
31. Authorised denominations also suffer repression. Most significantly, in a series of government-initiated punitive measures from 2005-6, the legitimate patriarch of the Orthodox Church, Abune Antonios, was driven from office, replaced by a government-approved priest in violation of canonical law, and placed under house arrest, where he remains to date. The pontiff is an insulin-dependent diabetic and according to recent reports his health is declining. The government is effectively in control of the Church’s finances, and priests seen as sympathetic to the legitimate patriarch are detained and harassed. A 2011 report indicates that since the removal of Patriarch Antonios, around 1700 Orthodox clergy of all ranks have been forced out of the church; 1350 have been forcibly conscripted, 23 are known to be detained, fourteen have been banned from entering the compound of any church, seven are not allowed to leave the confines of Asmara and a number of others have fled the country, including 49 lay workers, 32 monks and five nuns. In addition the government has confiscated the Church’s historical artefacts, and around 1500 churches are reportedly slated for closure in the near future.

Recommendations:

32. **That Eritrea immediately releases all prisoners of conscience, without condition;**

⁴ Cited in: “Song of the Nightingale”, Helen Berhane, Authentic Press, 2009.

33. **That Eritrea ensures freedom of religion or belief for all of its citizens in line with its obligations under Article 18 of the ICCPR, and Article 8 of the African Charter.**

Freedom of opinion and expression

34. The situation has not changed since 2001 when all independent media outlets were closed. Independent journalists and eleven ruling party members who sought faster and greater democratisation were indefinitely detained in remote purpose-built camps, where temperatures can reach 50 degrees Celsius (122F). According to a former guard, a number have died following torture and privations. Arbitrary arrest and incommunicado detention in life-threatening conditions are now prevalent. Fundamental freedoms are non-existent, the judiciary is compromised, the national assembly has not met for years, and democratic elections are long overdue.
35. A fresh wave of arrests is reported to have broken out following the brief seizure of the Ministry of Information and state-owned EriTV in Asmara on 21 January 2013 by around 100 young soldiers who broadcasted a list of demands, including a call for the release of political prisoner and the implementation of the 1997 constitution. Sixty three military men and civilians are reported to have been arrested, including such prominent individuals as Amanuel “Hanjema” Haile, Political Commissar in Division 96 in the “Southern Red Sea” Front; Abdella Jaber the ruling party’s Director of Organisational Affairs and a member of its Executive Committee, and Mustafa Hussein, the Administrator (or governor) of the South Zone. In addition, the Eritrean Ambassador to the United Arab Emirates, Osman Jem’ee Idris, is thought to be either in prison or under house arrest.

Recommendations:

36. **That Eritrea immediately releases all journalists and all political prisoners;**
37. **That Eritrea ensures freedom of opinion and expression, including peaceful political expression, in line with its obligations under the ICCPR.**

Freedom of peaceful assembly and association

38. Only six non-governmental organisations (NGOs) currently operate in Eritrea, compared to nearly 40 in 2001. International aid is viewed with suspicion, with the government increasingly controlling distribution to entrench societal control. In 2005, USAID, which provided most of the food needed by Eritrea, was asked to cease operations. Also in 2005, the government confiscated over 100 United Nations vehicles, severely hampering the organisation’s operational capacity. In 2010, after suffering numerous and increasing restrictions, the British organisation Voluntary Service Overseas (VSO) ceased operations.

Recommendation:

39. **That Eritrea ends the harassment of civil society and ensures freedom of peaceful assembly and association in line with its obligations under the ICCPR.**