

Permanent Mission of Eritrea  
to the United Nations  
GENEVA



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البعثة الإرترية الدائمة لدى الأمم المتحدة  
جنيف

Statement of the  
Delegation of Eritrea  
during

The Adoption of the Addendum to National Report  
of the Universal Periodic Review  
(A/HRC/WG.6/18/ERI/1)

delivered by

H.E. Mr. Tesfamicael Gerahtu

Geneva, 20 JUNE 2014

20 June 2014

## **ERITREAN DELEGATION STATEMENT ON UPR OUTCOME ADOPTION**

Mr. President,

From the outset let me express my delegation's appreciation to you, Mr. President, and your office for the cooperation extended to my delegation in our engagement in the UPR process. Special thanks also goes to the Troika, composed of Austria, Indonesia and Sierra Leone, and to the Secretariat who closely worked hard with my delegation in the UPR endeavor. There have been several constructive comments and recommendations from the floor which my delegation wishes to present its deep appreciation to all member states and civil societies. Certainly Eritrea is enriched by this exercise.

My delegation will highlight the approach and the general nature of those recommendations by dwelling on some important issues and points from what has been presented in the National Report and its Addendum namely; (A/HRC/26/13 and A/HRC26/13/add.1).

Mr. President,

From the outset let me reiterate Eritrea's position that the UPR as the most effective tool at the disposal of the Human Rights Council to promote engagement, dialogue and cooperation to advance the protection and promotion of human rights and fundamental freedoms. Hence, Eritrea strongly objects both in principle and practice the politically motivated country specific resolution as it is counterproductive.

### **1. Accepted UPR Recommendations and the Rational**

The Government of Eritrea has made a careful study of all the recommendations presented during the 18<sup>th</sup> Working Group session of the UPR in February 2014. Thus, a systemic approach was used and every recommendation was examined on its own merit. There were 200 recommendations, of which 92 are accepted by Eritrea.

The GOE believes that the validity, relevance, practicality and timing of the recommendations has been predicated on meticulous appraisal of the prevailing institutional, human and organizational capacity in the country, at this point in time, and the associated challenges of implementation, including the situation influencing the security and development of the country.

On the basis of this approach, a broad range of recommendations that cover the economic, social, cultural, civic and political rights have been considered and accepted, reflecting Eritrea's commitment to advancing human rights. Furthermore, Eritrea's decision to ratify **international legal instruments**, such as Conventions on Torture, Migrants, Disabilities, Genocide and the ILO convention on Worst Forms of Child Labor has been reflected in the recommendation and further effort to assess others in the future is also considered.

From a different angle, the recommendation to "fully implement the UN resolution 2023 of 2011 which condemns Eritrea's use of the "Diaspora tax" to destabilize the Horn of Africa region" is not recognized as it is not consistent with the Institutional Building package. Eritrea is not duty bound to accept recommendations which are abusive of the kind. I urge Mr. President that you rule it out.

Mr. President,

The various recommendations on **economic, social and cultural rights** which acknowledge the tangible achievements made and the challenges confronted have been overwhelming indeed. Eritrea has committed to give further impetus to broaden and upgrade social services to all, including to remote and difficult to reach areas. It has also committed to continue its efforts to the eradication of poverty and adequate standard of living.

Eritrea supports the constructive recommendations in the areas of **civic and political rights** as a way forward for further efforts in promoting and addressing basic human right issues and fundamental freedoms. Eritrea cherishes and pledges to guarantee the full rights and opportunities of all, women, children, disabled persons, and other disadvantaged groups being the prime target. Furthermore, it has reaffirmed its commitment to continue its efforts to strengthen democratic institutions, including political and social institutions vital for broader governance structures at various levels. Above all the issue of Constitution will also be viewed in connection to the recent announcement by the President of Eritrea to launch the drafting of a new constitution to chart out the political road map for the future governmental structure in Eritrea based on lessons learned over the last two decades as a nation. It will be a participatory constitution making process. The transformation of the judicial system will also be an integral part of the development.

On the other hand, however, a forward looking stance is considered as some of the recommendations not accepted, contain certain aspects already accepted but include additional points that my delegation has expressed its position. The recommendation

cannot be split into two on the basis of the established practice. One such example is the call for engagement with the international community and to receive the **Rapporteur on Eritrea**, formulated in a single recommendation. While the engagement with the UN and other relevant bodies and actors is welcome, receiving the Special Rapporteur is not acceptable to my delegation. Nonetheless, let me underline, Mr. President, that Eritrea is committed to consolidate its efforts and step-up cooperation in the promotion and protection of human rights and fundamental freedoms.

Mr. President,

The recommendations on "*compulsory military training for children*", "*lifting the state of emergency*", and "fear of repatriation to Eritrea" require further clarification which my delegation will share its views in this statement as they are based on countless assumptions which negate the reality in the country.

Repeatedly the "**conscription of children into the military**" is only raised as an attack to the National service system. Let's be clear. There is no practice of recruitment of children into the military. The issue of students finishing their last year of Secondary education is also an additional excuse raised to attack the system. This can never be taken as a militarization of secondary education and the students are given the opportunity to continue their education directly depending on the attained result during that year and do not go to military service.

The characterization of Eritrea as an "**emergency state**" and pre-constitutional Government is also totally rejected. This goes along with the "myth of a failed state" in Eritrea that has been repeated time and again in more than 10 years. It only reflects the mind set of all those who have ill intention on the future of this country. Indeed these are threats that violate the rights of the Eritrean people to live in peace. Nonetheless, Eritrea has always shown restraint and has focused on development without compromising the national security stance, with all aspects of the State functioning in systemic way despite enormous challenges and constraints, with peace and stability a distinctive feature of the society.

**The migration of Eritreans** has also been presented in sensational ways with some manipulated statistical figures. This is not to mention that there are thousands and thousands of other nationals from some neighboring countries who ask asylum as Eritreans, a choice that has developed because of the preferential treatment given to Eritreans for political purposes. It is an insult to the intelligence of the member states and the Council that a senseless imagination of exodus where no one would remain in

Eritrea after some years has been portrayed by some including the Special Rapporteur on Eritrea.

Nevertheless, the truth is that the overwhelming majority is attracted by the economic drives for better standard of living; a common trend by no means peculiar to Eritrea. The biggest problem is the concerted effort to lure the young generation to an "easy" life in western countries. Many are, however, settled in their new areas of naturalization and contribute to the growth of these societies, but have a very strong bond with their country of origin and people, and in fact go back to Eritrea to visit their families.

Hence, Eritreans living abroad by law are accorded equal rights and opportunities like all citizens, and thus fulfill their obligation to the nation in accordance with the Eritrean law, while they actively participate in the national development of the nation. To the contrary some member states and even the Special Rapporteur have wrongly indicated that there is "**fear of repatriation to Eritrea**". To the dismay of many hostile corners, the dream of having an Eritrean Diaspora with antagonistic position on their beloved country has thus failed.

## **2. Implementation of UPR recommendations**

The UPR exercise with its recommendations is important in intensifying internal coordination, continuous dialogue and collective follow up among all stakeholders, which is a critical component in the consolidation of actions on all human rights. In this vein Eritrea commits to,

- strength the implementation of the UPR recommendations within its means and capabilities;
- raise its efforts aimed at enhancing human rights awareness to all sectors of the society;
- step up and elevate its engagement with the Human Rights Council, Office of the High Commissioner and other UN bodies to further promote cooperation in the field of human rights;
- consolidate partnerships with member states at bilateral level to advance human right causes and ideals;
- intensify its efforts to explore the opportunities of utilizing thematic mandates and other mechanisms on a case by case basis as a way of strengthening the UPR implementation

## **3. On Special Rapporteur**

Eritrea believes country specific resolutions do not promote dialogue. Furthermore the role of the SR in the last two years has been counterproductive:

- The SR continues to deny the realities in Eritrea and has involved herself in a campaign trail to influence public opinion and act as an activist rather than a mandate holder under UN principles.
- The selective, biased and fabricated collection of information has continued as a pattern of compiling her report and has failed to accommodate diverse views which compromised her neutrality.
- Although the SR met a number of Eritrean Government officials, she has not included the information she was provided with in her reports nor did she refer to the official responses of the government. This is a violation of Article 13 in HRC/RES/5/2.

**Let me conclude my remarks, with the following appeals:**

- Urge the member states drop the Resolutions and the special mandate holder on Eritrea as progress could only be achieved by strengthening the process of dialogue, engagement and cooperation on the basis of the UPR National Report and the accepted recommendations
- Reiterates its call to address the continued occupation of sovereign Eritrean territories as defiance to international law and a violation of the human rights of the Eritrean people in the relevant agenda item of the HR.

Thank you Mr. President!