



General Assembly

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Human Rights Council

Twentieth session

Agenda item 4

Human rights situations that require the Council's attention

Djibouti, Nigeria, Somalia* : draft resolution

20/... Situation of human rights in Eritrea

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the international covenants on human rights and other relevant international human rights instruments,

Recalling resolution 91 and decisions 250/2002 and 275/2003 of the African Commission on Human and Peoples' Rights, the joint statement on the situation of human rights in Eritrea, signed by forty-four States Members of the United Nations and tabled at the nineteenth session of the Human Rights Council under item 4, and the deep concern expressed by the United Nations High Commissioner for Human Rights at the twentieth session of the Council,

Expressing deep concern at the ongoing reports of grave violations of human rights by the Eritrean authorities against their own population and fellow citizens, including violations of civil and political rights, as well as economic, social and cultural rights, and the alarming number of civilians fleeing Eritrea as a result of those violations,

Expressing grave concern at the use of forced labour, including of conscripts and minors in the mining industry,

Expressing deep concern at the alarming number of civilians fleeing Eritrea,

Reaffirming that everyone has the right to leave any country, including his or her own, and to return to his or her country,

Reaffirming also that all States are bound to promote and protect all the human rights and fundamental freedoms enshrined in the Charter, the Universal Declaration of Human Rights and international human rights treaties to which they are party,

* Non-Member State of the Human Rights Council.

1. *Strongly condemns:*

(a) The continued widespread and systematic violations of human rights and fundamental freedoms committed by the Eritrean authorities, including arbitrary and extrajudicial executions, enforced disappearances, systematic use of torture, arbitrary and incommunicado detention without recourse to justice, and detention in inhumane and degrading conditions;

(b) The severe restrictions on freedom of opinion and expression, freedom of information, freedom of thought, conscience and religion, and freedom of assembly and association, including the detention of journalists, human rights defenders, political reformists, religious leaders and practitioners;

(c) The forced conscription of citizens for indefinite periods of national service, which amounts to forced labour, the coercion of minors into the military and the mining industry, as well as the intimidation and detention of family members of those suspected of evading national service;

(d) The shoot-to-kill practice employed on the borders of Eritrea to stop Eritrean citizens seeking to flee their country, the cases of violence in the collection of the mandatory tax from the Eritrean diaspora, and various punishments, including the detention of Eritrean citizens who are forcibly repatriated;

(e) The lack of cooperation with international and regional human rights mechanisms;

2. *Calls upon* the Government of Eritrea, without delay:

(a) To end its use of arbitrary detention of its citizens, and to end the use of torture, including the use of inhumane and degrading treatment and punishment;

(b) To release all political prisoners, including the “G-11”;

(c) To ensure free and fair access to an independent judicial system for all people who are detained in Eritrea, and to allow regular access to prisoners for relatives, legal advocates, medical care, representatives of the International Committee of the Red Cross, and other appropriate parties;

(d) To put an end to the policy of indefinite military service;

(e) To allow human rights and humanitarian organizations to operate in Eritrea without fear of intimidation;

(f) To respect everyone’s right to freedom of expression and freedom of religion or belief;

(g) To implement the recommendations accepted during its universal periodic review and to report on progress made;

(h) To end “guilt-by-association” policies that target family members of those who evade national service or seek to flee Eritrea;

(i) To cooperate fully with the Office of the United Nations High Commissioner for Human Rights by, inter alia, allowing access to a mission by the Office as requested by the High Commissioner, the human rights treaty bodies, all mechanisms of the Human Rights Council and with all international and regional human rights mechanisms;

(j) To fulfil its international obligations, honour its commitments and abide by the terms of all relevant resolutions of the Security Council, including resolutions 1907 (2009) of 23 December 2009 and 2033 (2011) of 5 December 2011;

(k) To provide the Office of the High Commissioner with all relevant information on the identity, safety, well-being and whereabouts of all detained persons and persons missing in action, including Djiboutian combatants and journalists;

(l) To implement the Constitution of Eritrea adopted in 1997;

3. *Urges* Eritrea to make available information pertaining to Djiboutian combatants missing in action since the clashes of 10 to 12 June 2008 so that those concerned may ascertain the presence and condition of Djiboutian prisoners of war;

4. *Decides* to appoint a special rapporteur on the situation of human rights in Eritrea, to report to the Human Rights Council and the General Assembly;

5. *Requests* the Secretary-General to provide the Special Rapporteur with the resources necessary to fulfil the mandate;

6. *Decides* to remain seized of the matter.
