



# General Assembly

Distr.: General  
19 February 2020

English only

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## Human Rights Council

### Forty-third session

24 February–20 March 2020

Agenda item 5

Human rights bodies and mechanisms

### **Written statement\* submitted by Elizka Relief Foundation, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[01 February 2020]

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\* Issued as received, in the language(s) of submission only.

GE.20-02542(E)



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## **Cooperation between Eritrea and the UN bodies**

### **Introduction**

Despite the emerging efforts of the Eritrean authorities in preserving and settling peace, especially with its neighbor, Ethiopia, the human rights situation is still clearly deteriorating, starting from the low economic and social levels and the closure of the political environment where there is a lack of freedom of opinion and expression and the limited participation of civil society in addition to the deteriorating conditions of Eritrean refugees and displaced persons, through forced labor and forced recruitment, to non-cooperation with the international mechanisms, specifically the United Nations High Commissioner for Human Rights.

In this context, the Zika Relief Foundation submits this intervention to monitor the extent of cooperation between the Eritrean government and the Commission for Human Rights and the mechanisms for the promotion and protection of human rights within the country.

### **Eritrea's position on the international mechanisms**

Although Eritrea has been a member state to the Human Rights Council since January 2019, the human rights situation in Eritrea is critically and clearly deteriorated and can be stressed upon through reviewing the activity of the Eritrean state within the various international mechanisms.

#### **First: Eritrea's position on the Universal Periodic Review mechanism**

Eritrea periodically submits its reports in the universal periodic review mechanism. It underwent the review mechanism three times before; the first session was in November 2009, and the second was in January 2014 and then the third and last session was in January 2019, to submit the next review in January 2024. Indeed, despite Eritrea's periodic participation in the review mechanism, it has not undertaken any real national consultations on reviewing these recommendations and developing a plan to operationalize these recommendations within its strategic and national plans. Not to mention its selective policy with regard to the recommendations submitted to it. For example, in its last review, conducted in January 2019, it made reservations to 130 recommendations out of 261 submitted to it, which is almost half. The number of rejected recommendations is really huge, and proves the state's lack of willingness to cooperate with the mechanism.

#### **Second: Eritrea's Position on the Contractual Committees**

Although Eritrea has ratified a number of treaties related to contractual committees, including the Convention on the Rights of the Child and its two protocols, the International Convention on the Elimination of all Forms of Discrimination against Women, the Treaty on the Elimination of all Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and finally the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in September 2014.

It has not, however, ratified the Optional Protocol to the Convention against Torture, nor has it ratified the International Convention for the Protection of all Persons from Enforced Disappearance, the International Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families, or the International Covenant on the Rights of Persons with Disabilities. It has also not ratified the second Optional Protocol to the International Covenant on Civil and Political Rights, aiming to abolish the death penalty.

In reality, however, Eritrea's ratification of these international instruments is considered unreal. Although it ratified most of the agreements, it did not submit its reports for review on a regular basis regarding participation in the sessions held in most contractual bodies. For

example, the state did not submit its report in the Committee for the Elimination of Torture in October 2015, and with regard to the Special Committee for Civil and Political Rights, the state did not submit its report in the 123 and 125 sessions, that is in 2018 and 2019, respectively.

### **Third: Eritrea's position on the Special Rapporteurs**

Although there is a special rapporteur on the situation of human rights in Eritrea specifically, but the state continues to prevent the rapporteur from visiting the country and monitoring the human rights situation there, making the rapporteur rely on field missions in other countries and her works with stakeholders to write its report.

Not to mention the applications placed on hold by special rapporteurs on substantive mandates, for example, the application of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment was suspended in 2005 in addition to the two reminders in 2007, 2010, and 2019. The visit of the Special Rapporteur on freedom of religion or belief, who submitted the application in 2004, was also suspended, and the state had also been reminded several times, most recently in 2019. The Working Group on Arbitrary Detention submitted its application in 2018, but all those applications were suspended and all reminders were ignored.

Human rights defenders and collaborators with international human rights mechanisms of the United Nations, such as the Special Rapporteur and members of the International Commission of Inquiry, have been intimidated and threatened by the citizens themselves not the government officials or the like. This reflects, however, the authorities' determination to consider all UN officials as undesirable people. Eritrea is one of 16 countries that have not received any country visits, despite invitations and reminders were sent to the Eritrean authorities, but without a response.

### **Fourth: Eritrea's position on the Sustainable Development goals**

Working on sustainable development goals is an integral part of working within the international mechanisms, through the United Nations High-level Political Forum on Sustainable Development, which is a subsidiary body of the United Nations General Assembly and the United Nations Economic and Social Council. It is mentioned that, since 2015, starting from the adoption of the 2030 Agenda for Sustainable Development, the country has not submitted any national reports on its achievements in the sustainable development goals, which is considered one of the several ways to promote human rights within the country and one of the most active areas in which the state can cooperate with the United Nations bodies. To date, the country has not announced its participation in the events of the upcoming forum in 2020.

### **Recommendations**

Zika Relief Foundation makes several recommendations, as follows:

- Commitment to submit all reports of its participation in the international mechanisms, especially the contractual committees that it has ratified so far, in addition to the universal periodic review reports and voluntary reports for sustainable development, and ratifying treaties and optional protocols thereto, which have not yet been ratified.
- The Eritrean government should consider favorably the recommendations submitted to it, integrate them into its national legislations, and stop the selective policy regarding accepting the recommendations.
- The government should include civil society in preparing the national reports submitted to the UN mechanisms, especially the universal periodic review mechanism in which the state participates periodically, in order to achieve a broader view and greater credibility in these reports.

- The government should allow UN bodies and their representatives, especially the Special Rapporteur on human rights in Eritrea, to conduct country visits to the country to assess the human rights situation there, including detention centers and training facilities.
- The Eritrean authorities should hold the perpetrators of violations against UN officials accountable, and raise awareness about the importance of these officials' actions to promoting human rights within the country.
- We recommend the government to work towards achieving the sustainable development goals, linking them with the development of human rights, try to submit a voluntary report on the extent to which the sustainable development goals are achieved, and accept the recommendations of other countries and regard them as assistance not as an interference in internal affairs.
- We recommend the government to benefit from being a member to the Human Rights Council, and to request technical, technical and institutional support as a mean and motive for the promotion and protection of human rights.

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