



# General Assembly

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## Human Rights Council

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Agenda item 2

**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General**

### **Written statement\* submitted by Christian Solidarity Worldwide, 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.

[30 May 2023]

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



## Situation of Eritrean Refugees

1. CSW (Christian Solidarity Worldwide) is a human rights organisation specialising in the right to freedom of religion or belief (FoRB) through research and advocacy.
2. This written submission to the 53rd session of the Human Rights Council (HRC) draws the Council's attention to the concerning situation of Eritrean refugees in Ethiopia and the Sudan, including those who have fled Eritrea on account of their religion or belief.
3. When Eritrea won de facto independence from Ethiopia in 1991 hopes were high it would become a beacon of good governance. However, indefinitely deferred democratic elections were replaced by rule by presidential decree under one-party. A visceral response by the ruling Peoples Front for Democracy and Justice (PFDJ) towards even the mildest dissent has meant the extensive rights enshrined within the unimplemented national constitution remain disregarded. Although the PFDJ claims to be drafting a new constitution, one is yet to materialise.
4. The regime violates rights comprehensively. In October 1994 a presidential directive effectively ended the civil, political, social economic and cultural rights of Jehovah's Witnesses. They could no longer access government employment, accommodation, schools, hospitals or other services generally available to citizens, and were denied the official identity cards necessary for, among other things, registration of births, deaths, and marriages, purchasing property, and gaining passports, internal and external travel permits, and commercial licenses. A year later, the faith community lost the right to citizenship. Four conscientious objectors to military service detained at that time were only released 26 years later.
5. Also in 1994, several hundred Muslims were detained on the pretext of having links with the largely Muslim opposition Eritrean Liberation Front (ELF), or of supporting an Islamist jihadi movement, or of links with the Muslim Brotherhood in the Sudan, or of opposing the government-installed Sunni Grand Mufti. Many endured torture; some were disappeared and around 150 were allegedly killed extra-judicially. Arrests continue intermittently.
6. September 2001 saw the end of free press, expression and association as government officials who had called for democratisation were imprisoned along with independent journalists. All remain imprisoned incommunicado to date, amid credible allegations several have died.
7. 2001 also saw the closure of the country's only university, and in 2003 the militarisation of education began as children were obliged to complete their final year of secondary school at Sawa military camp while also undergoing extremely harsh military service, marking the commencement of the indefinite conscription that drives thousands to flee the country.
8. In May 2002 Eritrea effectively outlawed religious practices not affiliated with the Catholic, Evangelical Lutheran or Orthodox Christian denominations, or Sunni Islam pending fulfilment of an onerous, intrusive, restrictive, and ultimately inconclusive registration process. Moreover, even the four government-sanctioned religious groups experience the same harassment and arbitrary detention meted out to members of unregistered religious communities since 2002. In 2016 the legitimate Orthodox patriarch was removed illegally for opposing government interference in church affairs and remained under house arrest until his death in 2022.
9. Comprehensive repression continues to rise as the government invents new ways to mistreat citizens. For example, relatives of individuals who avoid military conscription are rendered homeless and destitute as their belongings are seized, their homes are locked, and anyone attempting to assist them risks similar punishment.<sup>1</sup>

## **The Situation for Eritrean Refugees in Ethiopia.**

1. Citizens continue to flee Eritrea, even though neighbouring states have become increasingly insecure.

The vulnerability of Eritrean refugees in Ethiopia increased exponentially with the war in the Tigray region, and they remain at risk despite the November 2021 peace agreement, due to the continuing presence of Eritrean troops in Tigray and also across Ethiopia in defiance of this agreement.

2. There is evidence Eritrean soldiers participated in extensive looting and destruction of property, including of cultural heritage sites. They are also implicated in atrocity crimes, including massacres and using rape and starvation as weapons of war.
3. Shimelba and Hitsats camps, which housed Eritrean refugees, were emptied of occupants, looted, burnt, and destroyed.<sup>2</sup> Several vocal anti-government activists were reportedly killed extrajudicially after being identified by government agents who posed as refugees prior to the Eritrean invasion.
4. CSW received credible reports some 6000 refugees were forcibly returned, potentially to indefinite detention, forced conscription, torture, or death. Other credible reports indicate many refugees from the Kunama ethnic group, a tribe identified by the UN Commission of Inquiry as having suffered persecution on the grounds of ethnicity, may have been forced to return on foot.<sup>3</sup>
5. Many refugees fled elsewhere. Some attempting to risk the crossing to Europe, often at the compelling of traffickers, suffered incarceration and torture in Libya, or drowning in unseaworthy vessels. Those remaining in Ethiopia following the peace agreement, are vulnerable to Eritrean agents, who continue to operate there, or to mistreatment by civilians and officials hostile to the official Eritrean presence.
6. On 29 May, CSW was informed refugees in Dabat in the Amhara region were 'in a bad condition.' In early May, a photograph emerged allegedly depicting 13 Eritrean Afar refugees aged below 18 who were detained in Asaita in Ethiopia's Afar region. Reports also emerged that over 200 refugees were picked up randomly from streets and cafés in Addis Ababa's Gotera suburb and detained.<sup>4</sup>

## **The Situation for Eritrean Refugees in the Sudan**

1. Thousands of refugees escaped Ethiopia for the Sudan, where the UN estimates some 126,000 reside, many in Khartoum. In an echo of events prior to the commencement of hostilities in Tigray, which were preceded by visits to Eritrea by the Ethiopian leader and vice versa, weeks before the outbreak of the Sudan conflict, photos of a visit to Eritrea by the Rapid Support Force (RSF) leader, provided worrying indications of his relationship with President Afewerki.
2. Particularly since 2000, the Eritrean authorities and human traffickers regularly kidnapped refugees from the Sudan, while corrupt Sudanese officers in Khartoum blackmailed them, forcing them to pay hefty sums or face arbitrary detention in makeshift prisons. They were arrested violently, and credible reports indicate both male and female refugees suffered sexual violence while in detention.
3. The Eritrean regime is reportedly taking advantage of the current conflict to conduct large-scale forcible returns, amid allegations of over 3,500 refugees forcibly returned in late April-early May.<sup>5</sup> Several refugees were reportedly seized by Eritrean troops while fleeing to Kassala for safety. By 7 May, at least 11 Eritrean refugees were confirmed killed in crossfire in different parts of the Sudan.
4. Some refugees who escaped fierce fighting in Khartoum are currently in Gadarif and nearby villages, reportedly sheltering in mosques and churches, but lacking sufficient food and assistance. Over 700 arrived in South Sudan along with other evacuees. While other nationals return to their countries, Eritreans cannot. They are not permitted to stay in the capital, since there are no camps, neither are they allowed to board flights to seek

refuge elsewhere. Instead they eke out gruelling existences in this resource-challenged nation which emerged relatively recently from unrest.

## **Conclusion**

1. Despite findings in 2016 by a UN Commission of Inquiry that Eritrea has committed crimes against humanity since 1991, and that its human rights situation constitutes a threat to peace and security, the international community has failed to act. Now Eritrea's military adventurism risks critically destabilising the fragile Horn region. Having exported repression abroad, Eritrea stands accused of atrocity crimes in Tigray, and may be acting nefariously in the Sudan.
2. The mandate of the Special Rapporteur on human rights in Eritrea is crucial to ensuring the exposure of perpetrators of the deplorable human rights violations in the country and transnationally. The international community's commitment to its robust renewal is vital for securing justice and accountability. It is the sole means of independent international UN monitoring.

## **Recommendations to the Human Rights Council:**

1. Call on Eritrea to release all prisoners of conscience immediately and without precondition.
2. Call on Eritrea to end indefinite extension of the legally stipulated 18-month term of military service, ensure demobilisation of those who have served excessive tours, and terminate the use of conscripts and detainees as forced labour.
3. Call for the immediate withdrawal of all Eritrean military personnel from Tigray.
4. Urge Ethiopia to ensure Eritrean refugees and asylum seekers there are treated humanely, that any detained arbitrarily are released, and that their rights and persons are protected.
5. Request the Office of the High Commissioner for Refugees to ensure any humanitarian assistance is also extended to Eritrean refugees and asylum seekers in Khartoum and Gadarif.
6. Call on Member States to provide additional resources to South Sudan to assist with accommodating Eritrean refugees in the short term, while formulating alternative sanctuaries for the longer term.
7. Establish judicial mechanisms to hold identified perpetrators of severe violations and atrocity crimes in Eritrea, Ethiopia and the Sudan accountable.

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1.CSW, Oral statement at 52nd HumanRightsCouncil, 6March2023, <https://www.csw.org.uk/2023/03/06/report/5948/article.htm>  
2.CSW, Written statement to 47th HumanRightsCouncil, 17June2021, <https://www.csw.org.uk/2021/06/17/report/5299/article.htm>  
3.Ibid  
4.Twitter, SiemMJ, 3May2023, [https://twitter.com/Siem\\_MJ/status/1653845091792953344?s=20](https://twitter.com/Siem_MJ/status/1653845091792953344?s=20)  
5.TheGuardian, 'Eritrea accused of forcibly repatriating civilians caught up in Sudan fighting', 7May2023, <https://www.theguardian.com/world/2023/may/07/eritrea-accused-of-forcibly-repatriating-civilians-caught-up-in-sudan-fighting>