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Human rights situations that require the Council's attention

Written statement* submitted by the Jubilee Campaign, 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.

[14 February 2011]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The continuing human rights crisis in Eritrea: the need for urgent international action**

The Eritrean government remains one of the most repressive in the African continent. It continues to be one of the foremost global violators of religious freedom, and is the world's worst abuser of the media.¹ The country was recently identified as one of the few suffering extreme levels of hunger,² a worrying statistic given persistent reports of manipulation of food distribution in favour of government supporters.

Repression of political opposition, of the press, and of civil society

The prospect of a third war with Ethiopia is used to justify extreme societal control. In 2001, 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 mistreatment.³ Arbitrary arrest and incommunicado detention in life-threatening conditions are now commonplace. Fundamental freedoms are non-existent, the judiciary is compromised, the national assembly has not met for years, and democratic elections are overdue.

Only six non-governmental organisations (NGOs) currently operate, compared to nearly 40 in 2001. International aid is viewed suspiciously, 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 (UN) 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.

Repression of religious activity

The first religious community to suffer repression were the Jehovah Witnesses, who 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. Next, the government moved against the Muslim community. A government-approved 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.

Muslims and Jehovah Witnesses still experience periodic harassment and incarceration, but are no longer the main focus of repression. On 22 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 requirements

** Christian Solidarity Worldwide, an NGO without consultative status, also sharing the views expressed in this statement.

¹ Reporters Sans Frontiers (RSF, Reporters Without Borders) Press Freedom Index 2010. <http://en.rsf.org/press-freedom-index-2010,1034.html>

² The 2010 Global Hunger Index, the International Food Policy Research Institute (IFPRI), report by Welthungerhilfe and Concern Worldwide.

³ <http://www.asmarino.com/news/625--eraero-prison-guard-revels-his-shocking-account->

were stringent, intrusive, and discriminatory, since they did not apply to government-sanctioned groups. Between 2,500 and 3,000 Christians are currently detained. Although some were released after pledging to renounce their faith, none have been formally charged or tried. Reports persist of prisoners dying after being denied life-saving medication for refusing to deny their faith.⁴ Female Christian prisoners are regularly beaten on the soles of their feet and their wombs, allegedly to prevent them from bearing children.⁵ In her autobiography, a former prisoner vividly describes the condition of a lady beaten so severely that her uterus prolapsed and hung from her body.⁶

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 in violation of canonical law and placed under house arrest, where he remains to date. The government is now in effective control of the Church's finances, and priests seen as sympathetic to the legitimate patriarch are detained and harassed.

Arbitrary detention, torture, inhuman and degrading treatment

Due to continuing large-scale detentions without charge or trial, conventional prisons are filled to capacity. Now, open-air areas in army camps encircled by barbed wire, villas and even caves function as makeshift facilities. The government's burgeoning security apparatus acts with impunity, utilising torture technique that have been extensively documented.⁷ There are growing reports of prisoners dying in detention following torture, or due to malnutrition or lack 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.⁸

A heavily militarised society

Eritrea allocates around 25 percent of its budget for military use, and of a population of about 4 million, 300,000 are in military service. The only university was closed down, and colleges serve as military boot camps. By law service should last 18 months, but is essentially open-ended and indefinite, with many serving - and receiving minimal payment - until they are well over 50. Despite having no war since 2000, the government refuses to demobilise the army, in an attempt to maintain control of Eritrea's youth. Conscripts are used as forced labour, and the sexual, emotional and physical abuse of female conscripts is rampant.⁹ The harsh regime can cause psychological damage; symptoms include walking backwards, involuntary choking, and stress-induced blindness.¹⁰

⁴ "Religious Freedom in Eritrea", Dr Khataza Gondwe, Team Leader, Africa and Middle East, Christian Solidarity Worldwide (CSW), Post-UPR Hearing, UN Human Rights Council, Geneva, 30 November 2009

⁵ CSW interviews with refugees; 2005-2010

⁶ Cited in: "Song of the Nightingale", Helen Berhane, Authentic Press, 2009.

⁷ Documented by Amnesty International, CSW, Human Rights Watch, and most recently featured on Wikileaks

⁸ "Religious Freedom in Eritrea", CSW Post-UPR Presentation

⁹ Sexual Violence Against Female Conscripts in Eritrea, CSW, December 2008

¹⁰ CSW Visit to the Horn of Africa 2010

Refugee Crisis

Comprehensive repression has occasioned a mass exodus. Unable to acquire exit visas, tens of thousands cross without permission into Ethiopia and Sudan, some travelling as far as Latin America, Europe, and the United States in search of refuge. En route, refugees are exploited physically and financially by people smugglers. An unknown number have died while crossing the Sahara into Sudan, or onwards into Libya, or crossing the Mediterranean to Europe. Several have been killed by Egyptian border guards while crossing into Israel. The Eritrean government has responded by instituting its own shoot-to-kill border policy for escapees. It also imprisons the oldest member of escapee families pending payment of an excessive fine.

Government agents/supporters also harass refugees in third countries. In Sudan, Eritrean agents regularly conduct round-ups and forced returns in cities and refugee camps. Egypt has forcibly repatriated over 1000 refugees. On 3 January 2010, and allegedly at the behest of the Eritrean Embassy, government supporters broke into the residence of an Orthodox priest in Nairobi, Kenya, removing all his belongings.¹¹ In February 2010, Libya allowed Eritrean officials to select 12 high-profile refugees for forcible return.¹² Following the institution of UN sanctions, the newly-opened Eritrean Consulate in Uganda reportedly attempted to intimidate refugees into signing anti-sanctions petitions. In May 2010, the publisher and editor of a monthly Tigrinya newsletter, was assaulted by government supporters in Houston, Texas as he attempted to participate in a public seminar on UN sanctions.¹³

Lack of action at international level

There is disappointment in all but pro-government circles that current UN sanctions focus solely on ending Eritrea's obstructive actions towards Djibouti and Somalia, and make no mention of ensuring an end to the appalling mistreatment of the Eritrean people.

The Jubilee Campaign and Christian Solidarity Worldwide (CSW) therefore call on the Human Rights Council to urge the Eritrean government to ensure:

- The immediate granting of unlimited 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;
- Access for all detainees to immediate family members, medical treatment and legal representation;
- The implementation of Eritrea's ratified constitution and the return of all rights enshrined within it;
- The right to conscientious objection, and an end to underage conscription, to the practice of indefinitely extending the legal term for military service, and to using conscripts as forced labour;

¹¹ http://www.inchainsforchrist.org/index.php?option=com_content&view=article&id=91:another-eritrean-priest-forced-into-hiding&catid=40:press-releases&Itemid=59

¹² "Secret Deportation of 12 Eritreans from Libya", Human Rights Concern-Eritrea, 18 February 2010, <http://www.hrc-eritrea.org/article.php?id=85>.

¹³ <http://www.asmarino.com/press-releases/691-the-association-of-eritrean-journalists-in-exile-aeje-strongly-condemns-the-vicious-attack-on-tedros-mengistu->

- An end to arbitrary arrest and indefinite detention without charge. The Eritrean Government should be urged to bring detainees immediately before recognised courts of law – which should include international observers – or release them;
- Sign and ratify the United Nations Convention against Torture (CAT), since Eritrea has already acceded to the International Covenant on Civil and Political Rights (ICCPR) and the African Charter, both of which prohibit this practice.

The Human Rights Council is also urged to:

- Encourage member states to urgently work towards facilitating an actual demarcation of the Ethiopia-Eritrea border;
 - Encourage signatory states to the UN Refugee Convention to honour the non-return advisory regarding Eritrean refugees issued by the Office of the United Nations High Commissioner for Refugees, and thoroughly investigate any reports within their borders of harassment of members of the Eritrean Diaspora.
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