

**United Nations Human Rights Council
Universal Periodic Review
Eritrea**

Submission of Jubilee Campaign USA, Inc.

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Jubilee Campaign promotes the human rights and religious liberty of ethnic and religious minorities; advocates the release of prisoners of conscience; and protects and promotes the freedom and safety of children from bodily harm and sexual exploitation.

United Nations Human Rights Council Universal Periodic Review of Member-State Eritrea

Jubilee Campaign USA, Inc., in special consultative status with ECOSOC, submits this analysis of religious freedom and human rights in Eritrea as a contribution to the Universal Period Review of UNHRC member-state Eritrea.

Free Expression

1. Perhaps the most oppressive and secretive governmental regime in the world, Eritrea's human rights record is severe and worsening. President Isayas Afewerki has replaced an independent nation with extreme totalitarianism. The number of refugees fleeing oppression continues to climb as the government attempts to assert authority over political, social, economic, and religious realms of society. The press is owned and run by the government. National elections have not been held by Afewerki's regime. Human rights organizations are not allowed into the country. Few freedoms exist for Eritreans.
2. The State Department's 2008 World Report says the constitution, approved in 1997, has yet to be implemented and enforced in Eritrea. Without constitutional rights, citizens have no protection of their rights, including free speech, criticizing the government, and freedom of religion. While Eritrea's laws and constitution allow the freedom of speech and press, these provisions are not put into practice. Instead, those who publicly opposed the government were arrested or detained and private press was banned¹. A religious organization could not publish anything without the review of the government. The press organizations AFP, Reuters, and Al-Jazeera were reportedly allowed into the country, but could not file any stories.
3. Those who are detained face brutal treatment. Despite the information void, Human Rights Watch has done its best to document these abuses primarily affecting the Christian and Jehovah's Witness religious groups. A proper trial often does not occur and solitary confinement or being forcibly jailed into a metal container is common. In September, 40 community leaders were detained without reason, except that they had complained about President Isayas Afewerki 's economic policies at public meetings.¹

Religious Freedom

4. Freedom of belief and practice are heavily restricted in practice by the government. A recent article from the Catholic Exchange reports that security forces have "used bondage, heat exposure and beatings to punish people arrested for their religious beliefs."² A Compass Direct News article from September 24, 2008, notes that more than 2,000 Christians are imprisoned for their faith in Eritrea, including a Christian from a Full Gospel Church who was arrested in 2001 whose wife last saw him in June 2007.

¹ 2008 Human Rights Report: Eritrea. Bureau of Democracy, Human Rights, and Labor. *U.S. Department of State* 25 February 2009. <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119000.htm>.

² "An Unfolding Nightmare in Eritrea". *Catholic Exchange Online*. 27 March 2009, <http://catholicexchange.com/2009/03/27/117059>.

She and her children were rounded up from a prayer meeting in mid-July 2008 and placed in a metal shipping container until their release last month.³

5. Evangelical Christians not part of the three officially recognized denominations are especially persecuted and are often forced to sign a statement denying they are Christian and face torture if they refuse. Even within the recognized Catholic denomination, about twelve priests and nuns were expelled, sometimes without warning, from Eritrea last year. The government also seized land. In October, over 1,500 Bibles from incoming military trainees were burned by government official in an effort to prove their power to control citizens.⁴
6. On the individual level, citizens were tolerant of other groups except regarding Jehovah's Witnesses and Pentecostal groups. The government officially recognizes four religious groups: the Eritrean Orthodox Church, the Evangelical Lutheran Church, Islam, and the Roman Catholic Church. No one else may hold services or conduct religious activities.
7. If an organization wants to register, it must apply to the government. The end goal is to provide "an explanation of the uniqueness or benefit that the group offers compared with other religious groups already present, names and personal information of religious leaders, detailed information on assets and property owned by the group, and sources of funding from abroad."⁵ The government then chooses which applications would be best for society, but historically that has been limited to the four religious groups already established.
8. The un-ratified constitution contains strong provisions for religious freedom, yet government forces abuse, arrest, detain, and torture members of non-registered churches, sometimes resulting in death. The U.S. State Department's report showed evidence that security teams used extreme physical abuse and forced several to make false confessions denouncing their faith. Believers are being detained if they are not complicit, and this treatment has also lead to death or torture for many. 17 leaders of groups considered "noncompliant" were arrested in December 2008.⁵
9. Credible reports show the government has arrested more than 110 evangelical Christians. These groups also lose their property and face harassment on a regular basis. Hundreds, especially pastors and women, saw arrest, physical abuse, and torture as a commonplace for leaders or individuals the government perceives as a threat. The U.S. State Department Report documents a woman murdered in 2007 who was tortured to death because she refused to renounce her faith after being detained for more than 18 months. Jehovah's witnesses are also intensely persecuted for their refusal to engage in military service as they are a non-violent group.

³ "Eritrea: Christians Languish in Prison" *Compass Direct News* 24 Sept 2008, www.compassdirect.org

⁴ "An Unfolding Nightmare in Eritrea". *Catholic Exchange Online*. 27 March 2009, <http://catholicexchange.com/2009/03/27/117059>.

⁵ 2008 Human Rights Report: Eritrea. Bureau of Democracy, Human Rights, and Labor. *U.S. Department of State* 25 February 2009. <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119000.htm>.

10. The Human Rights Watch 2008 reports that Protestant sects are especially persecuted members of unregistered churches. "Over 3,000 members of unregistered churches are incarcerated" and are beaten or compelled to renounce their faiths.⁶ Detention can last months or years or indefinitely, but even legally recognized religious groups are not spared from persecution and a controlling grip by the government. Human Rights Watch documents the arrest of an 81-year-old patriarch of the Eritrean Orthodox Church, who continues in solitary confinement since May 2007 after refusing to counter a spiritual "renewal" movement within the church. The government has also implemented control over the Roman Catholic Church by taking over church schools, health clinics, and other social service facilities, and refusing to extend permits in order to expel missionaries. The government began to take the weekly offerings of the EOC in 2006, claiming it was to provide alms for the poor.⁷
11. As recently as May, the government issued identification cards to the recognized religious groups and told those who did not receive a card to report immediately for military training. Human Rights Watch reports that under a 1995 decree, all men between ages 18 and 50, and women between 18 and 27, must serve 18 months of military service. Men serve indefinitely and male minors are being recruited at younger ages. In 2008 the World Bank estimated that 320,000 Eritreans are in the military, where severe working conditions may lead to heat strokes, malnutrition, and rape with no access to medical care.

Women's Rights

12. While there were no reports of trafficking in persons because the borders to Eritrea are not porous in any way, the UN High Commissioner for Refugees released a report that violence against women is extremely prevalent in Eritrea, including domestic violence and rape. Rape inside marriage is not considered a crime. Other abuses are criminalized, but authorities often side with the offender instead of the victim. No legal penalties are imposed for domestic violence and victims of rape are encouraged to marry their rapists.⁸

Refugees

13. Despite risking death and the "shoot-to-kill" orders for those who cross the border, Eritreans flee the country by the thousands. Two new camps were opened by the United Nations High Commissioner for Refugees because of the overcrowding of a refugee camp in northern Ethiopia in 2008. The Catholic charity Aid to the Church in Need (ACN) has new evidence of an unfolding humanitarian crisis across the Horn of Africa as people flee the country desperate for food and shelter.⁹

⁶ 2009 Human Rights Watch World Report: Eritrea. 14 Jan 2009. <http://www.hrw.org/world-report-2009>.

⁷ 2008 Human Rights Report: Eritrea. Bureau of Democracy, Human Rights, and Labor. *U.S. Department of State* 25 February 2009. <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119000.htm>.

⁸ Refugees International, Ethiopia-Eritrea: Stalemate takes toll on Eritreans and Ethiopians of Eritrean origin, 30 May 2008, http://www.refugeesinternational.org/sites/default/files/Ethiopia_stateless0530.pdf.

⁹ "An Unfolding Nightmare in Eritrea". *Catholic Exchange Online*. 27 March 2009, <http://catholicexchange.com/2009/03/27/117059>.

14. Eritrean asylum-seekers flee to neighbouring Djibouti, Ethiopia and Sudan. The UNHCR reports that in 2008 alone, over 8,000 Eritreans sought asylum in Ethiopia. As of May 2008, there were approximately 18,000 Eritrean asylum-seekers and refugees in a second refugee camp in Mayani. In 2008, some 13,000 new asylum-seekers, a large number of whom were Eritrean, had been registered by UNHCR in Sudan by the end of October. Virtually all have claimed to be fleeing Eritrea because of military service and many are totally destitute. The State Department reports that over 2,500 Eritreans arrived in Israel by way of Egypt in the first nine months of 2008, where Egypt forcibly returned about 1,200 refugees to Eritrea. The women and children were ultimately released, but the repatriated men were put in jail at a notorious military camp called Wi'a.¹⁰
15. With such a large flow of escapees, the government exerts its control by using collective punishment to extort money. A family can be fined as much as 50,000 nakfa (\$3,000 USD) if a member has fled or avoided military service. A family that cannot pay must give up their land and is imprisoned. No law authorizes either practice.
16. The law and unimplemented constitution do not grant asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol. The government did not establish a separate system for providing protection to refugees, so it cannot provide legal refuge or asylum status. In practice, the government did provide some protection to some refugees from Sudan and Somalia. Reports indicated that the government provided resources to Ethiopian refugees only if the refugees joined Ethiopian opposition groups. Those who did not were harassed by government officials.

Relations with Neighboring Countries

17. Part of the tension rests in the split between Ethiopia and Eritrea after the war. A July 2008 peacekeeping force was dissolved by the United Nations because Eritrea was prohibiting fuel from crossing the border.¹¹ Ethiopia refuses to help Eritrea in any way and the respective troops are within meters of each other at the volatile border.
18. In June 2008, the Eritrean military opened fire on Djibouti after the military men ignored an ultimatum to return Eritrean troops, including officers, who had deserted. 35 died and dozens were wounded according to a UN investigation. Although the UN did not receive access to Eritrea to investigate the incursions, it concluded that Eritrea was the aggressor.

Recommendations

19. Jubilee Campaign recommends that the constitution of Eritrea be ratified and implemented immediately. Eritrean citizens need to have a system of protection over their rights, and the current power has no respect for this. Neighboring countries who are

¹⁰ Refugees International, Ethiopia-Eritrea: Stalemate takes toll on Eritreans and Ethiopians of Eritrean origin, 30 May 2008, http://www.refugeesinternational.org/sites/default/files/Ethiopia_stateless0530.pdf.

¹¹ 2009 Human Rights Watch World Report: Eritrea. 14 Jan 2009. <http://www.hrw.org/world-report-2009>.

looking to establish peace should promote democratic elections to select new leaders who will not cause a societal regression in the form of totalitarianism.

20. Jubilee Campaign also recommends that provisions to protect refugees be implemented into the constitution before it is ratified. Military service should not be forced on anyone, especially those who are pacifist and are being persecuted for it. A long-term peace agreement should be worked out with neighboring countries.
21. Finally, the lack of religious freedom in Eritrea is appalling. We urge international pressure to force this government into more tolerance for all faiths. Eritrea should begin by releasing all religious prisoners who were arrested for refusing to renounce their beliefs. An article protecting the individual's right to free speech and belief in the constitution should be a primary point of focus for Eritrea.