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The Advocacy Department of Open Doors International submits this analysis of religious freedom in Eritrea as a contribution to the Universal Period Review of UN member-state Eritrea.

In addition to the wider ethnic and political conflict in Eritrea, serious violations of religious freedom also continue. Whereas most other Human Rights NGOs focus on the human rights situation in general, the Open Doors International Advocacy Department focuses on the situation of freedom of religion and belief, especially the position of Christian minorities in Eritrea.

Religious demography

Eritrea has a population of approximately 4 million people, roughly equally divided between (Orthodox) Christians and (Sunni/Sufi) Muslims, but other denominations are marginalized. Small evangelical churches have been closed and cannot obtain registration. Currently, the estimated number of imprisoned Christians in Eritrea is almost reaching 3,000.

Political and legal context

A border war between Ethiopia and Eritrea broke out in 1998 when Eritrean forces occupied disputed territory. A cease-fire agreement was signed in June 2000, calling for a truce, a UN-patrolled buffer zone (in Eritrean territory), and the demarcation of the border by UN cartographers.

Eritrea has signed and ratified among others the International Covenant on Civil and Political Rights (2002); the Convention on all forms of Discrimination against Woman (1995); the International Covenant on Economic, Social and Cultural Rights (2001); and the African Charter on Human and Peoples' Rights (2001).

A new constitution was ratified in May 1997 but has not yet entered into force. This Constitution guarantees the right to freedom of religion, freedom of thought and conscience, freedom of expression and freedom of association (Article 19). Article 14 safeguards equality and non-discrimination.



However, limitations are set on fundamental rights and freedoms, such as the right to freedom of religion and belief, “in the interest of national security, public safety or the economic well-being of the country, health or morals, for the prevention of public order or crime, or for the protection of the rights and freedoms of others” (Article 16.1); provisions which are not mentioned as legal limitations in the ICCPR.

Although Eritrea is a secular state with a secular law, the Islamic law (the Shariah) is still implemented by clerics (marriage, inheritance).

Freedom of Religion

The fundamental right to freedom of religion and belief is seriously violated in Eritrea with approximately 3,000 prisoners of conscience, detained under dire circumstances and without neither official charges nor convictions (The Government itself however, consistently denies any allegations in this respect).

In October 1994, President Issayas Afwerki issued a directive, effectively denying all members of the Jehovah’s Witnesses their basic civil; political; economic; and social rights, The Minister of Internal Affairs reiterated in 1995: “The Jehovah’s Witnesses lost their right to citizenship because they refused to accept the Government of Eritrea and the laws.” Jehovah’s Witnesses continue to refuse national military service and reportedly are routinely imprisoned because the law does not recognize conscientious objections against military conscription.

In 2002, the Minister of Information issued a decree that all religions, except for the Eritrean Orthodox Church; Islam; the Roman Catholic Church; and the Evangelical Church of Eritrea (affiliated to the Lutheran World Federation) must fill out registration applications and cease religious activities and services until these applications were approved.

Since 2002, several religious groups have applied for registration. Applicants include several protestant and Pentecostal evangelical denominations, Seventh Day Adventists, and the Baha’i. However, none of these groups have obtained registration. Allegedly, the Jehovah Witnesses were not offered the opportunity to register at all.

Reportedly, in early 2003, the authorities began a crackdown on the non-registered churches. Serious violations of the right to freedom of religion and belief are documented, reporting disruption of private worship, mass arrests of attendees at religious weddings, prayer meetings, and other gatherings. Over 2,000 members of unregistered churches and



suspect Muslims have been detained, generally without charges and for an indefinite period of time (this figure includes women and children)¹.

In 2006, the government began to attack registered churches as well. Reportedly, they aimed especially at the crackdown of the renewal movement in the Eritrean Orthodox Church: the Medhane Alem Orthodox church, arresting three orthodox priests. Moreover, the house arrest of Patriarch Abune, and his alleged incommunicado detention during the last months, is a clear example of government interference in religious matters².

Adherents to minority faiths are reportedly pressurized to sign a document stating not to get involved in any unregistered religious practice anymore. As soon as the signature is given, the prisoner can walk free. However, generally they refuse to sign.

Religious Registration issues

In May 2002, the Eritrean government ordered all unregistered religious communities to close their places of worship and stop practicing their faith until they were registered. They had to apply for registration with the Department for Religious Affairs in the Office of the President in accordance with the 1995 *Proclamation regarding legally elucidating and regulating of religious activities and religions declaration NO 73/1995*, the full implementation of which had been delayed.

According to the Department of Religious Affairs, in 2006, twelve religious organizations applied for registration. Four of them fully complied with the requirements and could gain official recognition, including three evangelical or protestant groups, namely the Episcopalians, the Seventh Day Adventists, and Faith Mission. A timeframe for registration has, however, not been given.

The Eritrean delegation to the UN Human Rights Committee in Geneva back in April 2005 declared that the Seventh Day Adventists would be accredited by the government soon. However, to date, the Seventh Day Adventists are still banned.

The authoritarian state rejects religions from the educational system and media and restricts their influence to the private sphere. Registered churches are subjected to state control. Only those religious leaders who accept state interference in the autonomy of the church and who are propagating the state policy are accepted by the authorities.

¹ For obvious reasons, these figures are hard to verify.

² Patriarch Abuna Antonios was reportedly arrested for his protests against the arrest of the three priests of the Meshane Alem Orthodox Church and his refusal to cooperate with the authorities in closing down this church.



World Watch List position:

The violations of religious freedom and the deplorable situation of Christian minorities in Eritrea resulted in its position of the ninth place on the Open Doors World watch List³.

Detention situations

Allegedly, the detention facilities are appalling. Many detainees are kept under abysmal circumstances in overcrowded prison cells, metal shipping containers placed in the burning sun during day and extreme cold during the night, or underground isolation dungeons in military camps with no light, limited food, and the possibility to relief themselves only once a day.

There are reports that torture has routinely been used as a punishment for critics of the government and members of minority faiths, as well as for offences committed by military conscripts. Reportedly, open evangelisation are included in these offences as well.

Women

The Constitution of the Eritrean Republic grants equal rights to both sexes. The traditional culture, however, is one of the main causes of discrimination against women in many ways.

The Islamic Law and the Islamic Court are among the main sources of discrimination against women (for instance, polygamy is legal and women are not equal to men in inheritance matters). In the Orthodox tradition, women are also not equal to men either.

The high rate of Female Genital Mutilation (FGM) in Eritrea irrespective of tribe or religion shows that the state and the religious leaders have not enacted laws and policies that are aimed at the elimination of FGM.

³ The Open Doors World Watch List is compiled from a specially-designed questionnaire of 50 questions covering various aspects of religious freedom. A point value is assigned depending on how each question is answered. The total number of points per country determines its position on the World Watch List. The questions differentiate between the legal, official status of Christians and the actual situation of individual Christians. Attention is paid to the role of the church in society and to factors that may obstruct the freedom of religion in a country.



Recommendations

1. Open Doors International Advocacy Department urges the Eritrean Government to immediately release all prisoners of conscience.
2. Eritrea is a state party to the International Covenant on Civil and Political Rights (ICCPR). The legislation regarding religious groups and organizations falls short to the obligations following this covenant. The registration requirements are complicated and all applications are pending since 2002. The Advocacy Department of Open Doors International urges the government of Eritrea to review the laws regarding religious groups and organizations and make sure that they comply with the obligations under the ICCPR. It also recommends a transparent registration process and asks the Government of Eritrea to recognize the applicants as soon as possible.
3. Open Doors International Advocacy Department urges to end the practise of incommunicado detentions and corporal punishment.
4. The Advocacy Department of Open Doors International urges the Eritrean Government to invite the UN Special rapporteur on freedom of religion and belief, the UN Special rapporteur on torture and other cruel, inhuman, or degrading treatment or punishment, as well as the International Committee of the Red Cross to assess the situation regarding the treatment of prisoners in Eritrea.
5. Democratisation in Eritrea, if any, is in a dormant state and the Constitution of 1997 still has to be implemented. Almost all national and international NGOs are prevented to operate. Open Doors International Advocacy Department is convinced that a vibrant civil society is crucial for the well-being of a country and its people. It therefore recommends the government of Eritrea to withdraw restrictive NGO laws enabling civil society to organize itself and make itself heard.
6. Open Doors International Advocacy Department urges the Eritrean government to respect its obligations under the Convention on all forms of Discrimination against Woman.