

Flygtningenævnets baggrundsmateriale

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The main human rights concerns in Eritrea were the continued use of arbitrary detention as a means of suppression, the indefinite nature of the national service system, and violations of freedom of expression and of freedom of religion or belief.

In January, Eritrea became a member of the Human Rights Council. Following the peace agreement with Ethiopia in July 2018, Eritrea signalled that it wanted to renew its engagement with the UN through the Universal Periodic Review (UPR) process, and underwent examination in January ⁵⁰, accepting 131 of the 261 recommendations tabled. The UK welcomed Eritrea's engagement in the UPR process and tabled 3 recommendations, concerning reform of national service; action on political and religious detainees; and greater transparency of places of detention. We were disappointed that Eritrea did not accept any of the UK recommendations, but were encouraged by their support for recommendations from other States, covering the right to liberty and security of the person; the right to a fair trial for detainees; efforts aimed to improve the penitentiary system; and protection of the rights of detainees.

At the Human Rights Council in July, the UK co-sponsored a successful Item 2 resolution to renew the mandate of the UN Special Rapporteur on the situation of human rights in Eritrea. Eritrea continued to refuse to cooperate with the Special Rapporteur or any thematic rapporteurs.

Eritrea still operates a system of universal and compulsory national service, with few exemptions, that for many is open-ended. Roles are both military and civilian. The justification for such service had been the frozen conflict – ‘no war, no peace’ – which had existed between Eritrea and Ethiopia for 16 years. Following the signing of the peace agreement with Ethiopia in July 2018, the terms of the agreement had not been implemented by either side by the end of 2019, and indefinite national service remained. In July, the Eritrean government said that it would undertake a review of national service, but it gave no deadline for the review's completion.

Eritrea has no constitutional government or elections. 2019 saw a continued poor record on arbitrary detention, with the authorities in particular targeting political opponents and adherents to unapproved religions. The government does not allow access to places of detention and shares no information on detainees. There are, however, consistent reports that numerous high profile political figures remain in detention with no access to justice, some of whom have been detained for over 18 years following their criticism of the government.

The Government of Eritrea permits and regulates the practice of 4 religions - Orthodox Christianity, Catholicism, Lutheran Christianity, and Sunni Islam – whose adherents enjoy freedom of worship. Activity by adherents of other religions is suppressed, and there are frequent reports of groups of peaceful worshippers being detained. This was highlighted in the Bishop of Truro's Report ⁵¹ released in July. In May, our Ambassador raised concerns that the leaders of the Pentecostal church had been in jail for over 15 years without trial. That same month there were reports that more members of the Pentecostal church had been arrested. In July, the FCO (Foreign & Commonwealth Office) issued a tweet ⁵² following reports that the Patriarch of the Eritrean Orthodox Church, Abune Antonios, deposed in 2006 and held under house arrest, had been excommunicated for ‘heresy’. In June, in a measure to enforce a 1995 declaration to bring the provision of health services under state control, the government took over all the clinics managed by the Catholic Church. The government also continued its programme of transferring the management of religious schools to the state.

Eritrea was ranked 178 out of 180 in the World Press Freedom Index, with all internal media operated by the state. 16 journalists, arbitrarily detained without trial during the 2000s, remained incarcerated. In May, Eritrea's limited internet availability was reduced further when many of the internet cafes were closed down. A small number were subsequently reopened. There was, however, no attempt to block access to foreign satellite broadcasters.

In July, the Ministry of Justice agreed a comprehensive framework with the UN Office on Drugs and Crime to reduce crime, including: reform of the prison system bringing Eritrea in line with international standards and human rights norms; judicial reform including training for judges and prosecutors focusing on human rights and alternatives to imprisonment; law enforcement reform; and combatting transnational organised crime. This was part of the justice minister's plans to transform her ministry, including increasing capacity and the professionalisation of staff.

Eritrea continued to make improvements against the Sustainable Development Goals. In November, at the UN Population Fund's International Conference on Population Development in Nairobi, the Eritrean government committed to its goals on gender equality, including: the elimination of all forms of discrimination against women and girls; ending sexual and gender based violence, female genital mutilation, and early or forced marriage; the provision of sex education for all young people, especially girls; the elimination of preventable maternal mortality and morbidities by 2022; and the reformulation of how Eritrea addresses sexual and reproductive health interventions. During the year, Eritrea also made significant progress on its vaccination programme.

6.12 Iran

Iran continued to violate human rights during 2019, carrying out the most deadly crackdown against internal unrest since the 1979 revolution. The UK's main concerns were: the continued lack of fair trials; restricted access to legal representation, and due legal process, including for dual nationals (Chapter 3: consular assistance gives more detail); the widespread use of the death penalty; violations of the right to freedom of expression and to freedom of religion or belief; and the limitations on the right of women to participate fully in society.

It is difficult to monitor accurately how many executions take place each year in Iran, since not all are made public. Credible estimates suggested there were 235 executions in 2019. While this was a small reduction compared with the previous year, Iran still ranked as one of the most prolific users of the death penalty globally. This figure included at least 10 public executions, a practice which usually involves death by hanging in an open square, and 2 known executions of juvenile offenders who were under 18 years of age at the time of their deaths ²³. Such actions violated Iran's obligations under the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child, both of which Iran has ratified.

At least 32 executions for drug-related crimes took place in 2019, according to international estimates – an increase of more than 50% compared to 2018. This figure was particularly concerning given that the 2017 Anti-Narcotics Law, which applies retroactively, allowed the judiciary to review most sentences and reduce punishment to imprisonment if appropriate. The death penalty still applied to the production and distribution of large amounts of opium, heroin, and methamphetamine, as well as for armed smugglers, ringleaders, and financiers.

The Iranian authorities' response to the unrest in November, which was triggered by a sudden raise in petrol prices, was a serious and violent crackdown. There were credible reports of live fire against protesters and of mass arrests. Amnesty International stated that over 300 people died, and the Iranian media reported that Iran's Interior Minister told the country's parliament that an estimated 7,000 people had been arrested. European Union member states unanimously declared the widespread and disproportionate use of force as unacceptable, and called for the freedoms of assembly and of expression to be respected. The UN High Commissioner for Human Rights urged the release from detention of all protestors who had been arbitrarily detained, and to ensure their right to due process.

There were serious concerns about restrictions on freedom of expression in Iran. The authorities initiated a near-total shutdown of the country's internet and mobile data for more than a week during the November protests – the first time that this has occurred in Iran. Several foreign-based media outlets that reported on the unrest received threats to their staff, or to relatives in Iran, and some had assets frozen in retaliation. At least 15 journalists, bloggers, or social media activists were arrested during 2019. Several major social media websites, including Facebook, Twitter, and YouTube, remain banned.

The Iranian authorities continued to violate the right to freedom of religion or belief and discriminated against ethnic minorities. Members of religious minorities faced restrictions for peacefully manifesting their beliefs. The authorities continued to persecute Baha'is, including through shop closures and the denial of mainstream education. More than 30 followers were reportedly arrested during 2019, often on unclear charges. While Christians notionally benefit from constitutional recognition and protection, they continued to be persecuted in a systemic and institutionalised manner. In September, the Iranian authorities sentenced a pastor and 8 converts to Christianity to 5 years in prison, despite Iran's international obligation under the ICCPR to recognise an individual's freedom to choose their religion.

Women in Iran continued to be denied the same rights and privileges as men, and to face discrimination, including unequal rights in marriage, divorce, and child custody. Protests against the compulsory wearing of the hijab continued, resulting in the arrest and imprisonment of several women. Following the death of Sahar Khodayari, a female football fan arrested for watching men's matches, and FIFA's ultimatum to allow women's attendance, Iran responded to international pressure and permitted women to attend a game in October. However, this appeared to be a one-off concession, demonstrating the scale of the challenge to secure equal rights for women.

Iran continued to deny consular access to dual nationals in detention. In November, the Foreign Secretary, Dominic Raab, raised with the Iranian Foreign Minister the cases of a number of British-Iranians detained in Iran, including Nazanin Zaghari-Ratcliffe. We will continue to raise all of our dual national detainee cases with Iran, including making requests for them to receive appropriate medical treatment and due process.

In September, the UK brought the international community together at a UK-hosted event at the UN General Assembly to shine a spotlight on Iran's human rights abuses.

6.13 Iraq