

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	329
Land:	Eritrea
Kilde:	Amnesty International
Titel:	Eritrea: Repression Without Borders. Threats to Human Rights Defenders Abroad
Udgivet:	juni 2019
Optaget på baggrundsmaterialet:	2. september 2019



ERITREA: REPRESSION WITHOUT BORDERS

THREATS TO HUMAN RIGHTS DEFENDERS ABROAD

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First published in 2017

by Amnesty International Ltd

Peter Benenson House, 1 Easton Street
London WC1X 0DW, UK

Index: AFR 64/0542/2019

Original language: English

amnesty.org



Cover photo: Abraham Fissehay protests in front of EU Headquarters in Brussels
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EXECUTIVE SUMMARY

On 12 October 2018 the UN General Assembly elected Eritrea to be one of 47 member states of the UN Human Rights Council (UNHRC), despite its appalling human rights record. UNHRC membership comes with certain commitments, including the requirement to “uphold the highest standards in the promotion and protection of human rights, [and to] fully cooperate with the Council [...]”. The Eritrean government falls far short of these requirements in practice – both domestically and internationally.

This briefing highlights the routine and widespread use of harassment and threats by the Eritrean government and its supporters against Eritrean human rights defenders (HRDs) in the diaspora, in an apparent bid to muzzle criticism of its human rights record. The briefing covers the period from 2011 to May 2019 and shows that supporters of the Eritrean government assault, harass and threaten HRDs with the apparent support of the ruling party, the People’s Front for Democracy and Justice (PFDJ).

Physical assaults, verbal threats, rude remarks, and character assassination are used to harass and threaten HRDs and political opponents critical of the Eritrean government and its human rights record. Eritrean government officials, including the minister of information, the ambassadors to Kenya and Japan, and the permanent representative of the UN in Geneva have insulted and harassed HRDs abroad - online and offline. The former UN Special Rapporteur on Eritrea, Sheila Keetharuth, was among those who encountered hostility from Eritrean officials in the course of doing her work, including a personal attack by the Eritrean Ambassador in Geneva, who referred to her as a 'naked Empress with no clothes' in June 2017.

Inside Eritrea itself, anyone who publicly criticizes or is perceived as critical of the government is arrested and held in indefinite incommunicado detention without charge or trial. For many years, the Eritrean government has rejected all criticism of its human rights record, especially its indefinite and compulsory national service programme, describing it as necessary in light of the border dispute with Ethiopia, its southern neighbour. However, since the two countries signed a peace deal and restored diplomatic relations in July 2018, significant numbers of Eritreans remain trapped in the national service programme. Months after the peace deal, the Eritrean government has yet to release any of the politicians, journalists and religious leaders who have been held in incommunicado detention for close to two decades.

According to the United Nations Commission of Inquiry on Eritrea (UN COIE) report published in 2016, there are reasonable grounds to believe that Eritrean government officials are responsible for grave and systematic human rights violations that amount to crimes against humanity. Human rights violations in Eritrea, according to the UN COIE’s final report, include rape, extrajudicial killings, enforced disappearances, torture and a national service programme that is indefinite and compulsory, which amounts to slavery.

For this briefing, Amnesty International interviewed 18 HRDs working on Eritrea – both Eritreans and non-Eritreans - and documented the harassment and threats they have faced over the years due to their work. Amnesty International supplemented the interview findings with additional publicly available evidence of online and offline harassment of HRDs, as well as court judgments. Amnesty International wrote to Eritrea’s Minister of Foreign Affairs and the Director General of Kenya’s National Intelligence Service in June 2019 presenting its findings and seeking their responses, but had not received a reply by the time of publication.

Amnesty International calls on the Eritrean government to immediately end its policies and practices of harassing, intimidating and attacking dissidents both in Eritrea and abroad. The Eritrean authorities must respect, protect, promote and fulfil the rights to freedom of expression, association and peaceful assembly, both at home and abroad. They must also investigate, independently and thoroughly all allegations of harassment, threats and assaults on HRDs by members and supporters of PFDJ and the Young People’s Front for Democracy and Justice (YPFDJ) and engage constructively with regional and UN human rights special mechanisms by facilitating unfettered access to the country.

Amnesty International also urges the governments of Kenya, the UK, the Netherlands, Italy, Switzerland, and Sweden to provide and ensure effective protection to all Eritrean and non-Eritrean HRDs residing and operating in their respective countries. These include investigating all allegations of harassment, threats

and assaults on HRDs, taking necessary and proportionate security and protection measures to ensure the right of Eritreans and non-Eritreans to freely associate and express their views without fear of reprisal. They should also take diplomatic and administrative measures to ensure that Eritrean embassies and consulates do not in their activities infringe on the rights of Eritreans and non-Eritreans to freely associate and express their views.

1. CONTEXT: FREEDOM OF EXPRESSION AND ACCESS TO INFORMATION IN ERITREA

1.1 FREEDOM OF EXPRESSION

Amnesty International remains concerned about the continued detention of political dissidents and journalists in Eritrea, whose detentions amount to enforced disappearances as their fate and whereabouts remain unknown.¹ In addition, Eritrean authorities have continued to arbitrarily restrict the right to freedom of expression within the country, particularly media freedom and independence.²

In 2001, the human rights situation in Eritrea deteriorated drastically after the Eritrean government arrested 11 high-profile politicians who wrote and published a letter demanding democratic reform.³ Authorities also arrested journalists that published the letter and subsequently closed all independent newspapers. Eritrea remains one of the worst jailors of journalists in the world.⁴ At least 17 journalists are in prison in the country, and 11 have been since 2001.⁵ Even though Eritrean government officials acknowledged the arrest and detention of the 11 politicians and 17 journalists, they have never revealed where they are detained.

The government used the protracted border dispute with neighbouring Ethiopia as justification for widespread restriction of freedoms. However, repression of political dissent in Eritrea continues despite the 2018 peace deal with Ethiopia. On 16 September 2018, three months after the rapprochement, Eritrean security forces arrested Berhane Abrehe, former Minister of Finance, barely a week after he published a book entitled *Eritrea Hageray*, (Eritrea My Country).⁶ The book criticized the Eritrean government and called on Eritreans to use peaceful means to bring about democracy in the country. Ahead of his book launch on 11 September, Berhane had challenged President Isaias Afwerki to a televised public debate to discuss the suffering he said the president had caused Eritreans.⁷ Efreem Berhane, Berhane Abrehe's son, told Amnesty International that his father's whereabouts remained unknown as of April 2019.⁸

1.2 ACCESS TO INFORMATION

Eritrea has no independent media. Eri-TV, the public broadcaster, is the country's only media outlet, and

¹ Amnesty International, *Eritrea: 20 years of Independence, but still no freedom*, (Index: AFR 64/001/2013), pp. 16 - 19.

² Freedom House, *Freedom in the World 2018*, Eritrea, available at <https://freedomhouse.org/report/freedom-world/2018/eritrea>

³ Amnesty International, *25 Years of Independence: Whither the Eritrean Dream?* (Index: AFR 64/4089/2016), p. 3.

⁴ Committee to Protect Journalists, "Hundreds of Journalists Jailed Globally Becomes the New Normal", 13 December 2018, available at <https://cpj.org/reports/2018/12/journalists-jailed-imprisoned-turkey-china-egypt-saudi-arabia.php>.

⁵ Freedom House, *Freedom of the Press 2016*, available at <https://freedomhouse.org/report/freedom-press/2016/eritrea> There are unconfirmed reports that four out of the 11 journalists in prison since 2001 have died in prison. See Abraham T. Zere, "If we don't give them a voice, no one will: Eritrea's forgotten journalists, still jailed after 14 years", *The Guardian*, available at www.theguardian.com/world/2015/aug/19/eritrea-forgotten-journalists-jailed-pen-international-press-freedom

⁶ Amnesty International, *Eritrea: Release former finance minister immediately and unconditionally*, 19 September 2018.

⁷ Amnesty International, *Eritrea: Release former finance minister immediately and unconditionally*, 19 September 2018.

⁸ Email communication, Efreem Berhane, 6 March 2019.

as such, the primary source of information for the Eritrean public.⁹ Eritreans remain largely disconnected from the rest of the world due to limited internet access in the country. In 2017, only 1.3% of the population was estimated to have internet access,¹⁰ and with only 600 broadband internet subscriptions,¹¹ Eritrea is one of the least digitally connected countries in the world.

Mobile cellular subscriptions cover only 13.7 percent of the population in 2017.¹² Administrative and financial restrictions impede access to mobile phone services.¹³ To get a mobile phone sim card, it is necessary to obtain clearance letters from local administration officials, as well as at the District and Zone (Zoba) levels. Each of the authorities levy fees before issuing clearance letters. The fees vary depending on the whim of officials but can collectively amount to 1,000 Eritrean Nakfa (ERN), approximately USD 65.¹⁴ According to interviews with former national service conscripts, people actively serving the national service military programme and national military service trainees in Sawa national service training camp¹⁵ are not allowed to own and have access to mobile phones without permits from senior officials.¹⁶ In the absence of official and definitive figures on the number of people actively serving in the national service programme, the 2016 report of UN COIE has estimated that more than half of the 201,750-strong Eritrean army are national service conscripts.¹⁷

1.3 INDEFINITE TERMS OF NATIONAL SERVICE

Since 1995, Eritrea has had a mandatory national service programme. The National Service Proclamation No. 82/95 requires all Eritreans between the age of 18-40 inclusive to undertake six months of national service training followed by 12 months of national military service.¹⁸ However, this period is often extended indefinitely. Eritrea's indefinite national service is one of the main reasons people flee the country. Eritrea has been, for many years, one of the world's largest refugee producers,¹⁹ even though the country has not been in any major conflict since the end of its 1998-2000 border war with Ethiopia.

Eritreans caught attempting to cross the country's borders without government permission faced incommunicado detention without being formally charged in court. Other risks they faced included torture and other ill-treatment, including beatings, rape, and being tied in painful positions for extended periods of time.²⁰

On 9 July 2018, the Eritrean and Ethiopian governments signed a Joint Declaration of Peace and Friendship, which among other things opened three border crossing points between the countries on 11 September 2018.²¹ From 12 September to the end of December 2018, the Ethiopia-Eritrea border was open to unregulated free movement of people.²² The period witnessed an exponential increase in the number of Eritreans crossing the border and seeking asylum in Ethiopia. Between 12 September and 2 October 2018, close to 10,000 Eritreans sought asylum in Ethiopia, with daily arrivals increasing from an average of 53 to 390 people.²³ The profile of those fleeing Eritrea changed during this period, with 90%

⁹ Eri-TV is housed within the Eritrean Ministry of Information and functions as the ministry's communications outlet.

¹⁰ World Bank, Databank, Eritrea, available at

https://databank.worldbank.org/data/views/reports/reportwidget.aspx?Report_Name=CountryProfile&Id=b450fd57&tbar=y&dd=y&inf=n&zm=n&country=ER and CIA, The World Factbook, available at www.cia.gov/library/publications/the-world-factbook/geos/er.html

¹¹ CIA, The World Factbook, available at <https://www.cia.gov/library/publications/resources/the-world-factbook/geos/er.html>

¹² World Bank, Databank, Eritrea, available at

https://databank.worldbank.org/data/views/reports/reportwidget.aspx?Report_Name=CountryProfile&Id=b450fd57&tbar=y&dd=y&inf=n&zm=n&country=ER

¹³ Amnesty International interview with Tesfa Gebremariam (name changed), Hitsats Refugee Camp, Tigray, Ethiopia, 12 October 2017.

¹⁴ Amnesty International interview with Fasil Zerai (name changed), Hatsats Refugee Camp, Tigray, Ethiopia, 12 October 2017.

¹⁵ Sawa National Service Training Centre is located in Zoba Barka, south west of Asmara, Eritrea's capital city.

¹⁶ Amnesty International interviews with eight Eritrean refugees, Hitsas and Mai Aini Refugee Camps, Tigray, Ethiopia, 10-12 October 2017.

¹⁷ UN Human Rights Council Commission of Inquiry on Eritrea, Detailed findings of the Commission of Inquiry on Human Rights in Eritrea, A/HRC/32/CRP.1, 8 June 2016, para. 1178.

¹⁸ Eritrea, Proclamation No. 82/1995, Proclamation of National Services, 23 October 1995, article 8.

¹⁹ UNHCR, *UNHCR Statistical Yearbook 2016*, available at www.unhcr.org/en-us/statistics/country/5a8ee0387/unhcr-statistical-yearbook-2016-16th-edition.html table 2, p. 13.

²⁰ UN Human Rights Council Commission of Inquiry on Eritrea, Detailed findings of the Commission of Inquiry on Human Rights in Eritrea, A/HRC/32/CRP.1, 8 June 2016, para. 217.

²¹ While there were not prolonged military hostilities between the two countries since 2001, there has been a stalemate regarding the implementation of the Decision by the Ethio-Eritrea Border Commission that created a tense no war no peace situation between Ethiopia and Eritrea. The peace deal between the two countries in July 2018 ended the stalemate.

²² The free movement of goods and people came to an abrupt end at the beginning of January 2019, as the Eritrean authorities closed the border crossing points in Rama and Zalambessa. On 7 January 2019, Prime Minister Abiy Ahmed and President Meles Zenawi officially opened the Humera border crossing point, which was later closed in April 2019 together with the Bure border crossing point.

²³ UNHCR Ethiopia, Update #2 on renewed influx from Eritrea, 5 October 2018, available at <https://reliefweb.int/report/ethiopia/update-2-renewed-influx-eritrea-5-october-2018>

of the newcomers being women and children.²⁴ According to the UN Refugee Agency (UNHCR), the change in the make-up of new arrivals was probably due to:

“the reopening of border crossing points, which has facilitated easy transit and safe travel for women and children. Registration data indicate that, in addition to the standard reasons for leaving Eritrea, family reunification is cited as an additional motive for movement by 83% of the newly registered.”²⁵

Contrary to reasonable expectations and calls,²⁶ the rapprochement has not yet been followed by any meaningful change in Eritrea’s human rights situation. The Eritrean government has continued to conscript students in their final year of high school into the National Service Programme. The latest batch (32nd round) of national service recruits reported to Sawa - the National Service Training Centre - in August 2018.²⁷

At the same time, the prospect of release for those who have already served more than 18 months - the maximum length of national service sanctioned by the law - remains elusive. At the time of writing, it has been eleven months since the signing of the peace deal in July 2018. Yet, the Eritrean government has not released, or made any commitment to release, people who have been in national service longer than the mandated 18 months. Previous research by Amnesty International revealed that conscripts were forced to serve for an indefinite period well after the expiry of the 18 months of mandatory national service term.²⁸ Many conscripts had been forced to serve for a decade or more. After the 2018 peace agreement with Ethiopia, Eritreans who flee the country continue to cite the mandatory and indefinite national service programme for leaving Eritrea and seeking asylum in other countries.²⁹

²⁴ UNHCR Ethiopia, Update #2 on renewed influx from Eritrea, 5 October 2018, available at <https://reliefweb.int/report/ethiopia/update-2-renewed-influx-eritrea-5-october-2018>

²⁵ UNHCR Ethiopia, Update #2 on renewed influx from Eritrea, 5 October 2018, available at <https://reliefweb.int/report/ethiopia/update-2-renewed-influx-eritrea-5-october-2018>

²⁶ Human Rights Watch, “Eritrea-Ethiopia peace deal offers hope for reform: Eritrea should halt indefinite conscription”, July 18, 2018, available at www.hrw.org/news/2018/07/18/eritrea-ethiopia-peace-deal-offers-hope-reform

²⁷ Eritrea Ministry of Information, Seminar to members of 32nd round national service, 1 October 2018, available at <http://shabait.com/news/local-news/27150-seminar-to-members-of-32nd-round-national-service> and Sawa: The Platform for Youth Development and Empowerment, 7 December 2018, <http://shabait.com/articles/nation-building/27562-sawa-the-platform-for-youth-development-and-empowerment->

²⁸ Amnesty International, *Eritrea: Just Deserters, Why Indefinite National Service in Eritrea has Created a Generation of Refugees: Revised Edition*, (Index: AFR/64/4794/2016).

²⁹ UNHCR Ethiopia, Update #2 on renewed influx from Eritrea, 5 October 2018, available at <https://reliefweb.int/report/ethiopia/update-2-renewed-influx-eritrea-5-october-2018>.

2. THE LONG ARMS OF PFDJ

Leaving Eritrea does not necessarily mean escaping the repression in Eritrea. The long arms of the state, stretching through Eritrean diplomatic missions and members and supporters of the ruling PJD party, closely monitor activities and unleash various forms of threats, attacks and harassment on Eritreans and non-Eritreans who are real or perceived critics of the government and its human rights record. The government has mobilized and uses the ruling party's youth wing, which is active abroad, notably in the United Kingdom, Switzerland, the Netherlands, Sweden, Norway, and Kenya, to harass, intimidate and threaten individuals and entities that criticize the Eritrean's government's human rights record. The long arms of the Eritrean government did not also spare foreign journalists and UN representatives from direct or state sponsored physical and online harassment and intimidation. The following cases are emblematic of the repression beyond borders.

2.1 KENYA: HARASSMENT OF LEADERS AND FOUNDERS OF EDEA

Eritreans living in Kenya established a civic organization called Eritrean Diaspora for East Africa (EDEA) in 2014. EDEA was established with the objective of supporting Eritrean asylum seekers in Kenya and neighbouring countries.³⁰ However, the Eritrean Embassy in Nairobi actively opposed EDEA's establishment since its conception, and targeted EDEA's founders, leaders and supporters.

Founders of EDEA told Amnesty International that the Eritrean Embassy's push to discourage the formation of EDEA began in the form of verbal warnings to the founders, relayed to them through other Eritreans.³¹ According to the founders, trusted interlocutors told them to halt EDEA's registration or they would face adverse consequences should they continue forming the association.³² The founders told Amnesty International that the Eritrean Embassy stepped up its effort to obstruct EDEA's establishment and operationalization in Kenya as they continued with the formation of their organization.³³

On 20 November 2013, the Eritrean Embassy in Nairobi revoked the Eritrean passport of Hussein Osman Said, EDEA's Chairman and co-founder, through a letter addressed to South Sudanese authorities while Hussein was in South Sudan on a business trip. South Sudanese police arrested Hussein from his hotel on 21 November 2013. Hussein told Amnesty International:

"The police told me they had an order to arrest and extradite me to Eritrea on top of the cancellation of my passport. However, they released me once I told them why the Eritrean government was seeking my extradition. Apparently, the Eritrean authorities reported me as a terrorist. They told me that I was accused of sabotage by the Eritrean government."³⁴

Stranded without valid travel documents, Hussein had to spend three weeks in South Sudan before he was able to arrange alternative travel documents and travel back to Kenya. The Embassy provided no explanation for the cancellation of Hussein's passport. Hussein told Amnesty International that he is not aware of any judicial or administrative proceeding that ordered the cancellation of his passport.

Despite intimidation from the Eritrean embassy, EDEA was successfully registered in Kenya in 2014 but the pressure continued. On 20 February 2015, two officials, who identified themselves as members of the Kenyan National Intelligence Service (NIS), came to EDEA's scheduled launch event at Laico Regency

³⁰ EDEA, Mission Statement, available at <http://edeakenya.org/our-mission/>.

³¹ Amnesty International interview with founders of EDEA, (names withheld due to security risks), Nairobi, Kenya, 28 June 2017.

³² Amnesty International interview with founders of EDEA, (names withheld due to security risks), Nairobi, Kenya, 28 June 2017.

³³ Amnesty International interview with founders of EDEA, (names withheld due to security risks), Nairobi, Kenya, 28 June 2017.

³⁴ Amnesty International interview with Hussein Osman Said, Nairobi, Kenya 5 July 2017.

Hotel in Nairobi. According to the founders of EDEA, the officers ordered them and the hotel staff not to proceed with the launch event alleging that they had received intelligence that EDEA had been established to overthrow the Eritrean government.³⁵ The founders told Amnesty International that the NIS officials summoned EDEA leaders to the NIS office two weeks later to ask questions about EDEA's legality.³⁶ One of the founders told Amnesty International that it took an additional two months for NIS to inspect EDEA's documents and clear the association of the Embassy's allegations.³⁷

In March 2017, some Eritreans living in Kenya, including members of EDEA, organized a photo exhibition in their individual capacities in a bid to campaign for Eritrea's capital Asmara to be added to United Nations Educational, Scientific and Cultural Organization (UNESCO)'s list of World Heritage Sites. Asia (Sic) Abdulkadir, an active member of EDEA, was one of the organizers of the photo exhibition. The Eritrean Embassy in Kenya officially designated the 13 people she had invited as "subversive individuals"³⁸ in a *note verbale* to the United Nations Office in Nairobi (UNON) that hosted an additional photo exhibition for the same cause.³⁹ In the *note verbale*, dated 23 March 2017, the Eritrean Embassy requested UNON to deny entry to the 13 individuals who had been invited to attend the earlier photo exhibition stating that:

"The Embassy would, additionally, like to request for the cooperation of the UNON in ensuring individuals who would claim to be Eritreans but are subversive individuals that are actively engaged in activities against the Government of Eritrea are not granted entry into UN Compound to partake in the exhibition."⁴⁰

The letter was also sent to Kenya's Ministry of Foreign Affairs, negatively impacting the organization's profile with the Kenyan government. The *note verbale* that calls out the "Asaia Group" (sic) as subversive shows that the Embassy harassed not only active members of EDEA but also people perceived as friends or supporters of the organization.⁴¹

Leaders of EDEA told Amnesty International that the association is not yet fully operational due to the Embassy's continued harassment and intimidation. Lacking sufficient membership support, EDEA is experiencing challenges raising funds to rent permanent offices and to recruit permanent staff. The attack on EDEA seem to have a much broader chilling effect. EDEA's leaders believe that Eritreans in Kenya refrain from supporting Eritrean civic organizations with funding or ideas since they have seen first-hand the consequences of openly supporting EDEA.⁴² Eritrean passport holders living in Kenya depend on the Embassy to renew their passports periodically, which directly impacts their ability to work and travel freely.

³⁵ Amnesty International interview with founders of EDEA, (names withheld due to security risks), Nairobi, Kenya, 28 June 2017.

³⁶ Africa Express, "The Ridiculous and Silly Reaction of Eritrean Embassy in Nairobi on the Diaspora Meeting", 9 March 2015, available at www.africa-express.info/2015/03/09/ridiculous-silly-reaction-eritrean-embassy-nairobi-announcement-meeting-diaspora/ Though the founders sent an invitation letter to the Embassy, the messenger brought the letter back to the founders because the Embassy refused to accept the letter from EDEA. Amnesty International, interview with founders of EDEA, (names withheld due to security risks), 28 June 2017.

³⁷ Amnesty International, interview with a founder of EDEA, (names withheld due to security risks), 28 June 2017, Nairobi, Kenya.

³⁸ Amnesty International interview, Asia Abdulkadir, Nairobi, Kenya, 31 August 2017.

³⁹ Figure 1. picture of note verbale, p. 2 to UNOC by the Eritrean Embassy in Kenya.

⁴⁰ See Figure 1. picture of note verbale p. 2 to UNON by the Eritrean Embassy in Kenya.

⁴¹ Amnesty International interview with Asia Abdulkadir, 31 August 2017, Nairobi, Kenya. See also the copy note verbale, reproduced in figure 1 which designated the individuals as "Asaia Group" (sic).

⁴² Amnesty International interviews with the founders of EDEA, (names withheld due to security risks), 28 June 2017, Nairobi, Kenya.

The Embassy would, additionally, like to request for the cooperation of the UNON in ensuring individuals who would claim to be Eritreans but are subversive individuals that are actively engaged in activities against the Government of Eritrea are not granted entry into the UN compound to partake in the exhibition.

The subversive individuals, that constitute a group calling itself “Asaia group” who might be Eritrean nationals, will use foreign identification documents or passports of countries other than Eritrea.

The Embassy herewith attaches a list containing the names of the subversive individuals.

Furthermore, the Embassy wishes to kindly request the UNON to vet journalists covering the exhibition to ensure the event is not politicised. The Embassy anticipates media coverage of the event will be focused only on the exhibition.

The Embassy of the State of Eritrea avails itself of this opportunity to renew to the United Nations Office at Nairobi the assurance of its highest consideration. *f*

March 23, 2017



United Nations Office at Nairobi
Nairobi

Cc: -

- Africa and AU Directorate, Ministry of Foreign Affairs of the Republic of Kenya
- Mr. Chris Mensah, Secretary of Governing Council, UN Habitat
- Director, Office of the Minister, Ministry of Foreign Affairs of the State of Eritrea

Figure 1: note verbale p. 2 to UNON by the Eritrean Embassy in Kenya

2.2. ATTACKS ON UN HUMAN RIGHTS EXPERTS

Eritrean diplomatic missions and suspected PFDJ members and supporters in the diaspora repeatedly tried to frustrate the UN COIE, which was established by the UNHRC in 2014 to investigate violations of human rights in Eritrea. Suspected PFDJ members and supporters assaulted members of the UN COIE in Geneva, Switzerland on 22 June 2015, just a day before the commission members presented the findings of their inquiry to the HRC.⁴³ The group of assailants was part of a protest crowd that was coordinated and organized by the European chapters of the PFDJ. The chapters organized similar protests in 2015 and 2016 protesting the UN COIE reports.⁴⁴ Accordingly, the President of the HRC, when opening the interactive dialogue on human rights in Eritrea in June 2015, said:

“...the members of the Commission of Inquiry on Eritrea have been subjected to various threats and acts of intimidation in their hotel and in the streets since their arrival in Geneva. Security around members of the commission has had to be redoubled and contacts established with the host country's police. ... Substantive disagreement with members of the Col or other mandate holders can always be expressed. It is however totally unacceptable for them to be subjected to threats and intimidation in the context of discharging their mandates which are established by the United Nations Human Rights

⁴³ UN Web TV, Commission of inquiry on Eritrea – 23rd Meeting 29th Regular Session of Human Rights Council, 23 June 2015, available at <http://webtv.un.org/watch/id-commission-of-inquiry-on-eritrea-23rd-meeting-29th-regular-session-of-human-rights-council/4317580716001#full-text>

⁴⁴ Eritrea Ministry of Information, Geneva Demonstration, #IStandwithEritrea, 24 June 2016, available at www.shabait.com/articles/q-a-a/22077-geneva-demonstration-stand-with-eritrea

Council.”⁴⁵

The UNHRC, alarmed by the gravity of human rights violations in Eritrea, as reported by the UN COIE during the Council’s 29th Session, extended the mandate of the UN COIE for one year. The Council also instructed the UN COIE to “investigate systematic, widespread and gross violations of human rights in Eritrea with a view to ensuring full accountability, including where these violations may amount to crimes against humanity.”⁴⁶

Denied access to the country, the UN COIE solicited submissions about the human rights situation in Eritrea from Eritreans globally.⁴⁷ According to the UN COIE report Eritrean Embassy officials coerced Eritreans abroad to make submissions to the Commission depicting Eritrea in a positive light.⁴⁸ Some Eritrean embassies were also involved in the preparation of apparently government-sponsored submissions to the UN COIE. The UN COIE summarised the efforts of the Eritrean government to influence the contents of the submissions as follows:

“...many of the Eritreans in one country who were contacted by the Commission said they were illiterate and had received assistance from the Eritrean Embassy in formulating letters to the Commission. When their letters were read back to them, some agreed with some parts of the letters sent in their names but not others. ... [T]here were some letters that had been submitted involuntarily, namely, either because the author had been coerced or the letter had been submitted without the knowledge of the signatory. In one country, a significant number of contributors stated that they had not appended their names to a petition and that their signatures had therefore been forged. Of greatest concern were those witnesses in States where Eritreans tend to be guest workers rather than refugees or dual nationals, who informed the Commission that Eritrean officials had made it known that Eritreans who did not write to the Commission supporting the Government would not have their passports renewed. Without a valid passport, Eritrean workers would not have their visas renewed.”⁴⁹

The UN COIE report highlights one of the ways in which the Eritrean government abused its immigration and diplomatic privileges to disrupt the UN COIE’s documentation of Eritrea’s human rights situation. In some countries, for example, countries in the Gulf, Eritreans depend on a valid passport not only to avoid statelessness, but also for their economic livelihood.

Eritrean authorities have also intimidated and scolded the former UN Special Rapporteur on Eritrea, Sheila Keetharuth, during the HRC’s interactive dialogue in June 2017. OHCHR reported this attack as follows:

“The Special Rapporteur on the situation of human rights in Eritrea, Ms Sheila Keetharuth, has also faced considerable hostility in conducting her work, including a personal attack by the Eritrean Ambassador during her interactive dialogue at the Human Rights Council session in June. The Ambassador referred to her as a ‘naked Empress with no clothes’ and accused her of acting like a ‘Viceroy over Eritrea,’ and carrying out a witch-hunt.”⁵⁰

2.3. HARASSMENT OF HUMAN RIGHTS DEFENDERS BY PFDJ MEMBERS AND SUPPORTERS ABROAD

Since the start of the armed struggle for independence in the 1960s, the Eritrean diaspora has had a long history of playing an active role in Eritrean affairs and has always been an important constituency providing financial and political support to the PFDJ. After independence, in addition to Eritrean embassies, the

⁴⁵ UN Web TV, Commission of Inquiry on Eritrea – 23rd Meeting 29th Regular Session of Human Rights Council, 23 June 2015, available at <http://webtv.un.org/watch/id-commission-of-inquiry-on-eritrea-23rd-meeting-29th-regular-session-of-human-rights-council/4317580716001#full-text>

⁴⁶ UN Human Rights Council, Resolution 29/18, Situation of human rights in, adopted by the Human Rights Council, 2 July 2015, A/HRC/RES/29/18, para. 10.

⁴⁷ UN Human Rights Council, Detailed findings of the Commission of Inquiry on Human Rights in Eritrea, A/HRC/32/CRP.1, 8 June 2016, paras. 14 and 16.

⁴⁸ UN Human Rights Council, Detailed findings of the Commission of Inquiry on Human Rights in Eritrea, A/HRC/32/CRP.1, 8 June 2016, paras. 44 and 45.

⁴⁹ UN Human Rights Council, Detailed findings of the Commission of Inquiry on Human Rights in Eritrea, A/HRC/32/CRP.1, 8 June 2016, paras. 44 and 45.

⁵⁰ OHCHR, Press briefing note on Attacks/threats by States against UN human rights experts, 21 November 2017, available at www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22421&LangID=E

PFDJ utilized some of its overseas party structures to threaten and harass HRDs and political opponents or those perceived as criticising the Eritrean government. YPFDJ is the youth arm of PFDJ,⁵¹ which operates in Europe and the United States of America.

During YPFDJ's eleventh anniversary in Berlin, Yemane Gebreab, Head of Political Affairs for PFDJ, confirmed that the Eritrean government established the YPFDJ⁵² and explained to Eritreans attending the YPFDJ's meeting that fighting the country's "enemies" was their top priority:

"Enemies who don't tire and don't sleep, who try to bring our downfall ... Therefore, our first objective – as YPFDJ and as Eritrean youth, and as community ... is to conclusively defeat this hostility hovering over our nation. That remains the job."⁵³

After analysing this alliance and the existence of a direct link between the PFDJ and the YPFDJ, a Dutch court established that:

"...YPFDJ receives instructions from the PFDJ, that the YPFDJ has supporting the regime of Afewerki as its goal and that members of the YPFDJ are acting as informants for (the embassies of) the regime in Eritrea. The YPFDJ can thus, at this point, be called the extended arm of a dictatorial regime."⁵⁴

All the Eritrean and non-Eritrean human rights defenders interviewed for this briefing told Amnesty International that they have been threatened and sometimes assaulted by known or suspected members of the PFDJ abroad because of the work they do on Eritrea. As a result, all of them had to live with constant threats to their own security and the security of their relatives in Eritrea. They continue to take security precautions when conducting public advocacy. Born and brought-up in Italy, Winta Yemane was eager to connect to her roots and began to frequent the Eritrean Community Centre in Milan, Italy. Winta began to associate and meet with other Eritreans and the Eritrean consular office in Milan. She joined the YPFDJ chapter in Milan and volunteered to help the chapter with their communications and social media engagement. In 2011, she was part of the delegation of YPFDJ's Milan chapter that attended the YPFDJ annual conference in Oslo, Norway. PFDJ officials, Yemane Gebreab, Head of PFDJ's Political Affairs and Presidential Advisor, and Yonas Manna, Eritrea's Chargé d'Affaires to Scandinavia, who were attending the workshop, invited Winta and the other participants to share their vision for Eritrea. However, they quickly grew annoyed with her during her speech. Winta told Amnesty International:

"I mentioned human rights, a constitution and independent judiciary as part of my wish list for Eritrea. My list did not fare well with the two YPFDJ officials. The PFDJ officials attending the workshop said that I am a victim of misinformation by the western propaganda and enemies of Eritrea. They also said that my comments do not have weight because I am a minor. Three of the organizers even threatened to throw me out of the conference."⁵⁵

When she returned to Milan, she started noticing unfamiliar people following her on her way home from school. She told Amnesty International:

"The stalking continued for more than two weeks until I reported the matter to the police. But then the attacks and harassment start[ed] to come through phone calls from 'private' numbers, and character assassination on Facebook. The most repeated one was that 'I poison or spike people's drinks'. I think that was done to estrange me from the Eritrean community so that I wouldn't contaminate others with notions of human rights or the constitution."⁵⁶

Winta told Amnesty International that she reported this harassment and intimidation to the local police but remains concerned for her safety.

Martin Plaut, former BBC Africa Editor and Senior Research Fellow at the Institute of Commonwealth Studies, University of London, has also been targeted by supporters and members of the PFDJ due to his

⁵¹ "YPFDJ is the youth arm of People's Front for Democracy and Justice (PFDJ). We are determined to continue the legacy of the People's Front (Hizbawi Ginbar) that made Eritrea's independence a reality. . . .", YPFDJ website, <http://ypfdj.com/about-us/>

⁵² 11th Euro YPFDJ Conference, available at www.youtube.com/watch?v=hgybg30fyRo

⁵³ 11th Euro YPFDJ Conference, available at www.youtube.com/watch?v=hgybg30fyRo

⁵⁴ Court of Amsterdam, 10 February 2016, Judgement, C/13/596714/KG ZA 15-1352 CB/MV case *Bahlbi vs Reisen*, para. 4.4.

⁵⁵ Amnesty International telephone interview with Winta Yemane, Rome, 28 January 2019.

⁵⁶ Amnesty International telephone interview with Winta Yemane, Rome, 28 January 2019.

journalistic and human rights work on Eritrea. Amnesty International interviewed Martin Plaut about the frequency and magnitude of online and offline attacks on himself and other real or perceived critics of the Eritrean government. He told Amnesty International about several instances of intimidation, and harassment he experienced including being publicly shouted at and accused of taking bribes by the First Secretary to the Eritrean Embassy in UK during a conference at the University of London on 3 February 2014.⁵⁷

The latest attack on Martin Plaut was on 30 November 2018. A man who identified himself as ‘Yakob Gabriel’ called Martin Plaut, saying that he wanted to arrange a meeting and give him footage smuggled out of Eritrea. They agreed to meet at the British Library in London. While at the reception waiting for the meeting, Yacob called Martin Plaut to meet him at a café in the courtyard of the library. Once Martin Plaut arrived at the café, the man brought a bucket full of liquid and splashed the liquid on him. The attacker and other Eritreans around filmed the attack and called Martin Plaut a “traitor”.⁵⁸

The Eritrean Ambassador in Japan was quick to appreciate this harassment in his twitter post, indicating government encouragement, if not approval, of the assault.⁵⁹



Figure 2: Tweet of Eritrean Ambassador to Japan about the attack on Martin Plaut.

Father Mussie Zerai, a well-known Eritrean Catholic priest receives distress calls and messages from migrants crossing the Mediterranean Sea and relays them to the Italian Coast Guard and other organizations who provide search and rescue services. In recognition of his service to humanity, Father Mussie was nominated for the prestigious Nobel Peace Prize in 2015.⁶⁰ However this selfless act of humanity has not spared him from attacks by YPFDJ members. He told Amnesty International:

“Supporters of the Eritrean Government, especially members of the YPFDJ, regularly disrupt conferences I organize or attend on the human rights situation in Eritrea.”⁶¹

Online and offline threats and attacks on HRDs often related to their organization or participation in meetings or events on Eritrea is a common trend. Father Mussie told Amnesty International about his experience of online harassment:

“I also noticed social media attacks on my credibility through character assassination, including

⁵⁷ Amnesty International telephone interview with Martin Plaut, 16 November 2017.

⁵⁸ Email exchange with Martin Plaut, 31 January 2019. Martin Plaut also informed Amnesty International that the “attacker was arrested by the police and prosecuted. He was found guilty of assault and fined and instructed by the court not to be in contact with me except via his lawyer”.

⁵⁹ Tweet by @AmbassadorEstif, 2 December 2018, available at <https://twitter.com/AmbassadorEstif/status/1069108686101012481> Amnesty International has confirmed that the Twitter account belongs to the Ambassador from the official website of the Eritrean Embassy (www.eritreanembassy-japan.org/) that linked to the Facebook account of the Embassy (www.facebook.com/embassyoferitreaintokyo?sk=wall). The Embassy Facebook account posted the twitter account of the Ambassador <https://twitter.com/AmbassadorEstif/status/1070231528355971073> on 3 December, affirming that the twitter account belongs to the Ambassador.

⁶⁰ *The Telegraph*, “The little-known priest giving the Pope a run for Nobel Peace Prize”, 4 Oct 2015, available at www.telegraph.co.uk/news/worldnews/europe/italy/11910942/The-little-known-priest-giving-the-Pope-a-run-for-Nobel-Peace-Prize.html

⁶¹ Amnesty International telephone interview with Priest Mussie Zerai, 17 November 2017.

allegations that I connive with the traffickers for financial gain.”⁶²

Similarly, Daniel Mekonnen, Director of the Eritrean Law Society (ELS), a professional association of Eritrean lawyers in exile that advocates for human rights, told Amnesty International:

“On 8 June 2015, right after my interview with Al-Jazeera, a series of explicit Twitter attacks, interpreted by myself as death threats, were communicated by a pseudonymous Twitter account that goes by the name [of] Hager Eritrea (meaning State of Eritrea). One of the most explicit comments reads: ‘All Eritreans shall rise up to bring to justice ... Daniel Mekonnen. He should be hunted for justice in Eritrea. Daniel Mekonnen ... will be brought to justice through collaboration with others & face Eritreans in Eritrea ... [he] will pay for his crimes against the Eritrean people. He thinks the West will bail him out but he will have to face Eritreans.’”⁶³

Daniel shared with Amnesty International a tweet from an anonymous twitter account @hagereritrea, which has been consistently justifying the human rights and political situation in Eritrea.⁶⁴

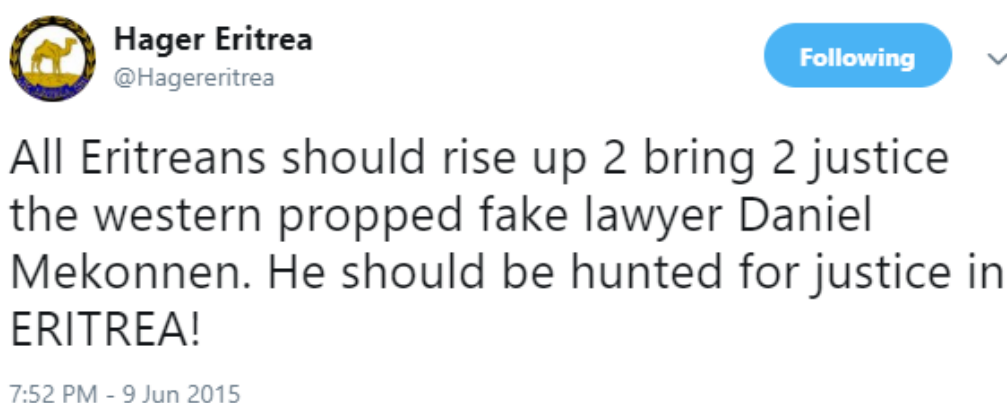


Figure 3: Tweet from Hager Eritrea on 9 June 2015

Meron Estefanos is a journalist and human rights activist. She is a contributor to the leading Eritrean diaspora news site Asmarino, and a presenter for Radio Erena. Meron is well known for her advocacy for the rights of Eritrean asylum seekers that were kidnapped and tortured by armed Bedouin militia in the Sinai Peninsula of Egypt to extort ransom money from their families in the diaspora. She co-authored two books, *Human Trafficking in the Sinai: Refugees between Life and Death* and *Human Trafficking Cycle: Sinai and Beyond*. Similar to Daniel, Meron told Amnesty International that she had faced various allegations by supporters of PFDJ suggesting her connivance with human traffickers and alleging that she receives money from the traffickers by publicizing stories of Eritreans kidnapped and tortured in Sinai, Egypt.⁶⁵

The multiple tweets by Eritrean officials targeting the organizers and participants of a conference in London entitled ‘Building Democracy in Eritrea’ on 24 and 25 April 2019 demonstrate the commitment of Eritrean officials to discourage dissent and criticism of the Eritrean government. Tweets by Yemane Gebre Meskel,⁶⁶ Minister of Information, Ambassador Estifanos Afeworki,⁶⁷ (Eritrean Ambassador to Japan) and Ambassador Beyene Russom⁶⁸ (Eritrean Ambassador to Kenya) harassed and disparaged the organizers and participants of the conference (See figures 4-6). Eritrea Focus, an association of HRDs concerned with the human rights situation in Eritrea, organized the conference. The conference brought together close to 70 veteran Eritrean politicians, activists, and experts on Eritrea to discuss the potential for

⁶² Amnesty International telephone interview with Priest Mussie Zerai, 17 November 2017.

⁶³ Daniel Mekonnen, written communication to Amnesty International, 15 September 2017.

⁶⁴ Tweet by @hagereritrea, 9 June 2015, available at <https://twitter.com/Hagereritrea/status/608315836298874880>

⁶⁵ Amnesty International telephone interview with Meron Estifanos, 15 August 2018.

⁶⁶ Yemane Gebre Meskel, tweet, available at https://twitter.com/hawelti/status/1121688952681820160?ref_src=twsrc%5Etfw

⁶⁷ Ambassador Estifanos Afeworki, tweet, 27 April 2019, available at <https://twitter.com/AmbassadorEstif/status/1122046413402017792/photo/1>

⁶⁸ Ambassador Beyene Russom, tweet, 1 May 2019, available at <https://twitter.com/BeyeneRussom/status/1123519153506279424>

democracy in Eritrea following the rapprochement with Ethiopia.⁶⁹



Figure 4: Tweet by Yemane Gebre Meskel, Minister of Information



Figure 5: Tweet by Ambassador Beyene Russom

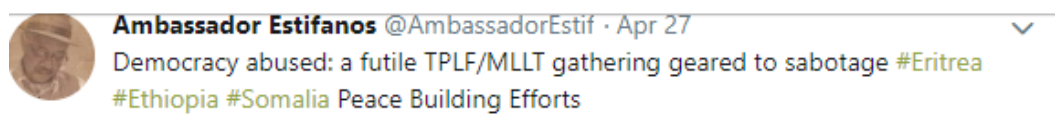


Figure 6: Tweet by Ambassador Estifanos

Daniel Mekonnen was also assaulted by supporters of the Eritrean government at the Pregny Gate entrance of the United Nations Office at Geneva after delivering a speech during the Interactive Dialogue with the UN COIE on 21 Jun 2016. Daniel told Amnesty International that the group of assailants were part of a protesting crowd that was coordinated and organized by European chapters of supporters of the PFDJ.⁷⁰ He shared the complaint he made to the Swiss police, and related the experience to Amnesty International as follows:

“When I left the UN grounds to catch bus number 8 at Appia bus station, a large group of government supporters, who were just dispersing from their demonstration, were passing by the bus station.

A government supporter who came closer to the bus station, to dump empty beer bottles, recognized

⁶⁹ Eritrea Focus, Building Democracy in Eritrea Conference Programme, available at https://gallery.mailchimp.com/3f67f79586677af7b98af8b58/files/b6a1bce7-c81a-4cbd-9156-63fb806b252e/Eritrea_Conference_2019_Programme_.pdf

⁷⁰ Eritrea Ministry of Information, Geneva Demonstration, #ISStandwithEritrea, 24 June 2016, available at www.shabait.com/articles/q-a-a/22077-geneva-demonstrationistandwitheritrea

me. He went to his group, alerting them: “this is the so-called Dr. Daniel.” The group returned to the bus station, shouting swearwords, such as “traitor, *agame*,”⁷¹ etc., all of which are offensive words commonly used by government supporters against critics of the Eritrean government [...]

Noticing that I was under extremely dangerous circumstances, I had to run away to seek protection from UN security personnel at Pregny Entrance. All the way, I was followed by a group of [about] 10 Eritrean government supporters, who were shouting: ‘catch him! This is the traitor, this is the *agame*! Look, how this coward is running to his hiding, catch him!’ It was an extremely frightening situation. . . I felt that at one point the attackers were even confronting the UN security personnel, apparently, requesting them to bring me out from my ‘hiding.’ [...]

I consider the attack as part of a well-established pattern of reprisals by Eritrean government supporters that has been targeted at me for a long period of time. ...This is the second time in a year that I have been openly and gravely threatened by pro-government individuals.⁷²

Meron Estifanos, Selam Kidane, and Vanessa Tsehay are prominent women HRDs focusing on the Eritrean human rights situation. Selam Kidane is a writer and a human rights campaigner on Eritrea. Vanessa Tsehay is campaigning for the release of her journalist uncle, Seyoum Tsehay, and established an organization called One Day Seyoum. All three of them faced endless threats, assaults, intimidation and blackmail, both online and offline.

Meron Estifanos was threatened with her life because of her article about Dawit Issac, a Swedish-Eritrean journalist detained without charge in Eritrea since 2001.⁷³ In 2010, Meron wrote a column on an opposition website about Eritrean political divisions that divided Eritrean families into pro-government and anti-government camps.⁷⁴ Meron told Amnesty International that:

“During the annual Gothenburg Book Fair in 2011, a known supporter of the Eritrean government, approached me and threatened to slit my throat if I ever write again about his family. The person is a known supporter of the Eritrean government.”⁷⁵

Amnesty International also interviewed an Eritrean HRD in Europe who did not want to be identified because of potential repercussions for a family member of hers in Eritrea.⁷⁶ She told Amnesty International:

“Whenever I attend and speak criticizing the human rights situation in Eritrea, my [close family member] in Asmara receives calls and visits from government security forces to harass and threaten him/her because of me. They usually tell her I have to stop criticizing the Eritrean government and working for the Ethiopians”.⁷⁷

⁷¹ A Tigrinya term in Eritrea with a derogatory connotation, originally referring to the people from a district in Northern Ethiopia, Tigray Region.

⁷² Daniel Mekonnen, a written complaint on the attack of 21 June 2016 against Daniel Mekonnen, shared with Amnesty International, 9 September 2017.

⁷³ The UNESCO Courier, Dawit Isaak: a symbol of press freedom who must be freed, July - September 2017, available at <https://en.unesco.org/courier/july-september-2017/dawit-isaak-symbol-press-freedom-who-must-be-freed>

⁷⁴ The UNESCO Courier, Dawit Isaak: a symbol of press freedom who must be freed, July - September 2017, available at <https://en.unesco.org/courier/july-september-2017/dawit-isaak-symbol-press-freedom-who-must-be-freed>

⁷⁵ Amnesty International, telephone interview with Meron Estifanos, 15 August 2018.

⁷⁶ Amnesty International telephone interview with Meron Estifanos, 15 August 2018. CPJ, “Journalists face threats in covering Isaac imprisonment”, 26 September 2011, available at <https://cpj.org/2011/09/journalists-face-threats-in-covering-isaac-impriso.phpv> On 12 December 2011, the District Court of Gothenburg convicted the person for assault against Meron Estifanos.

⁷⁷ Amnesty International phone interview with Bruktawit Amanuel (name changed due to the security risks to the interviewee), 22 November 2017.

⁷⁸ Amnesty International phone interview with Bruktawit Amanuel (name changed due to security risks to the interviewee), 22 November 2017.

RECOMMENDATIONS

This briefing demonstrates widespread and routine harassment, intimidation, assault, and repression that the Eritrean authorities, directly or through members and supporters of the ruling party abroad, employ to silence individuals, groups and mechanisms that criticize the human rights situation in Eritrea including those appointed by the UNHRC.

Amnesty International calls on the Eritrean government to immediately end its policies and practices of harassing, intimidating and attacking dissidents both in Eritrea and abroad. The Eritrean authorities should respect, protect, promote and fulfil the rights to freedom of expression, association and peaceful assembly, both at home and abroad.

Amnesty International further recommends that the Government of Eritrea should:

1. Publicly denounce patterns of harassment by members and supporters of PFDJ and YPFDJ and call for full respect of the right of Eritreans and non-Eritreans to freely associate and express their views without any fear of reprisals;
2. Investigate, independently and thoroughly all allegations of harassment, threats and assaults on HRDs, associations and independent human rights experts abroad, including possible criminal responsibility of diplomatic staff, PFDJ officials and other state officials;
3. Engage constructively with regional and UN human rights special mechanisms, including by allowing and facilitating unfettered access to the country to the UN Special Rapporteur on Eritrea and relevant Special Mechanisms of the African Commission on Human and Peoples' Rights;
4. Accept concluding observations and implement, without any further delay, all recommendations adopted by the African Commission in 2018 during its 63rd Ordinary Session.

Amnesty International also urges the governments of Kenya, the UK, the Netherlands, Italy, Switzerland, and Sweden to provide and ensure effective protection to all Eritrean and non-Eritrean HRDs residing and operating in their respective countries, including by:

1. Investigating all allegations of harassment, threats and assaults on HRDs, associations and independent human rights experts and prosecute those reasonably suspected in courts of law that meet international standards of fair trial;
2. Taking necessary and proportionate security and protection measures to ensure that the activities of members and supporters of PFDJ and YPFDJ do not infringe upon the rights of Eritreans and non-Eritreans to freely associate and express their views without any fear of reprisals;
3. Taking necessary diplomatic and administrative measures to ensure that the activities of Eritrean embassies and consulates do not infringe upon the rights of Eritreans and non-Eritreans to freely associate and express their views.

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ERITREA: REPRESSION WITHOUT BORDERS

THREATS TO HUMAN RIGHTS DEFENDERS ABROAD

Amnesty International's briefing highlight routine and widespread use of harassment and threats against Eritrean human rights defenders (HRDs) in the diaspora by the Eritrean government and its supporters, from 2011 to May 2019, in an apparent bid to muzzle criticism of Eritrea's human rights record. Physical assaults, verbal threats, rude remarks, and character assassination are used to harass and threaten HRDs and political opponents critical of the Government of Eritrea's human rights record. Amnesty International calls on the Eritrean government to immediately end its policies and practices of harassing, intimidating and attacking dissidents both in Eritrea and abroad. They should also investigate, independently and thoroughly all allegations of harassment, threats and assaults on HRDs by members and supporters of PFDJ and the Young People's Front for Democracy and Justice (YPFDJ), and engage constructively with regional and UN human rights special mechanisms by facilitating unfettered access to the country. Amnesty International also urges the governments of Kenya, the UK, the Netherlands, Italy, Switzerland, and Sweden to provide and ensure effective protection to all Eritrean and non-Eritrean HRDs residing and operating in their respective countries.