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USCIRF Annual Report 2010 - Countries of Particular Concern: Eritrea

FINDINGS: Systematic, ongoing, and egregious religious freedom violations continue in Eritrea. These violations include: arbitrary arrests and detentions without charge of members of unregistered religious groups; torture or other ill-treatment of religious prisoners, sometimes resulting in death; a prolonged ban on public religious activities by all unrecognized religious groups; closure by the authorities of the places of worship of these groups; inordinate delays on registration applications from religious groups; and the disruption of private religious gatherings and social events of members of unregistered groups.

In light of these violations, USCIRF again recommends in 2010 that Eritrea be designated as a "country of particular," or CPC. Since 2004, Eritrea has been recommended for CPC status by the Commission and designated as such by the State Department. In September 2005, when renewing the CPC designation, the State Department announced the denial of commercial export to Eritrea of defense articles and services covered by the Arms Export Control Act. This was the first, and so far only, unique presidential action under the International Religious Freedom Act of 1998 (IRFA) in response to a CPC designation.

The religious freedom situation in Eritrea remains grave, particularly for Jehovah's Witnesses, members of other smaller, non-traditional religious groups such as Evangelical and Pentecostal Christians, and dissident Muslims. The government continues to intervene in the internal affairs of the Orthodox Church of Eritrea, the country's largest Christian denomination, and to suppress Muslim religious activities or groups viewed as radical or simply as opposed to the government-appointed head of the Muslim community. Despite these well documented reports, Eritrean officials continue to deny that there is religious repression in Eritrea, claiming that their actions are necessary to maintain social harmony.

PRIORITY RECOMMENDATIONS: USCIRF recommends that, in addition to continuing the existing IRFA sanction on Eritrea, the U.S. government should impose targeted sanctions against individuals and institutions identified as responsible for, or complicit in, serious human rights abuses, as well prohibit any foreign company's raising capital or listing its securities in the United States while engaged in developing Eritrea's mineral resources. USCIRF further recommends that the U.S. government engage in vigorous advocacy of religious freedom at all levels of involvement with the government of Eritrea, draw international attention to religious freedom abuses in Eritrea, encourage unofficial dialogue with Eritreans on religious freedom issues, condition any resumption of development assistance to Eritrea on measurable improvements in religious freedom, and intensify international efforts to resolve the current political impasse between Eritrea and Ethiopia. Additional recommendations for U.S. policy toward Eritrea can be found at the end of this chapter.

Religious Freedom Conditions

Government Policies toward Religious Groups and Activities

Eritrea has been ruled by the Popular Front for Democracy and Justice (PFDJ) since the country gained independence from Ethiopia in 1993, following a lengthy war (1961-1991). The former leader of the successful national liberation movement and the current head of the PFDJ, Isaias Afwerki, was chosen President in 1993 by the Transitional National Assembly. After an initially promising start toward democratization, the PFDJ government has become increasingly repressive, with power concentrated in the hands of the President and a small cadre of associates who fought in the liberation struggle. In 2001, following a second war with Ethiopia (1998-2000), the government suspended implementation of a democratic constitution, canceled elections, curtailed press freedom, began a crackdown on political opponents, and restricted religious groups it perceived as undermining national unity. The government maintains the country on a near-war footing, reportedly anticipating renewed hostilities with Ethiopia.

The Eritrean government officially recognizes four religious communities: the (Coptic) Orthodox Church of Eritrea; Sunni Islam; the Roman Catholic Church; and the Evangelical Church of Eritrea, a Lutheran-affiliated denomination. Although there is no state religion, the government has close ties to the Orthodox Church, the largest and oldest of Eritrea's Christian communities, and is hostile toward newer Christian groups particularly Evangelical and Pentecostal denominations.

Government officials have criticized "non-traditional" Christian denominations for engaging in evangelism that is allegedly socially divisive, aggressive, and alien to Eritrea's cultural traditions. Government officials have also pointed to the actions of foreign or foreign-inspired Muslim fundamentalists as seeking to radicalize the traditional Eritrean practice of Islam and thus possibly create tensions in a society that is roughly half Christian and half Muslim. Government concerns regarding foreign backing of religious groups have resulted in strict controls both on humanitarian activities by international faith-based organizations and on foreign funding to indigenous groups for religious or charitable activities.

The government's concerns regarding religious activities appear to be linked to real or perceived security threats, and government spokespersons have cited Pentecostals, along with Muslim extremists, as threats to national security. None of the accused Christian groups are known to have engaged in or advocated violence.

In 2002, the government imposed a registration requirement on religious groups other than the four "sanctioned" religions, requiring detailed financial and membership information as well as background on their presence in Eritrea. Among those affected were Protestant Evangelical and Pentecostal Christian denominations, as well as the Baha'is. Some of these faith communities have operated in Eritrea for several decades. Jehovah's Witnesses were not offered the opportunity to register. By stipulating that there could be no public religious activities until registration has been approved by the government, the decree effectively closed places of worship and prohibited public religious activities, including worship services, of all unregistered religious communities. Although some groups submitted the required applications, none have been approved during the past eight years since the imposition of the requirement. As a result of the registration requirement and of the government's inaction on registration applications, all of Eritrea's religious communities, except the four government-sanctioned ones, lack a legal basis on which to practice their faiths publicly.

The Situation of Evangelical and Pentecostal Christians

As part of the campaign against the religious activities of those persons not belonging to officially recognized religious denominations, Eritrean security forces continue to disrupt private worship, conduct mass arrests of participants at religious weddings, prayer meetings, and other gatherings, and detain those arrested without charge for indefinite periods of time. Evangelical and Pentecostal Christians frequently have been targeted.

Because of government restrictions and the fact that releases sometimes go unreported, it is difficult to determine the precise number of persons imprisoned for their membership in or activities with unregistered religious groups. International human rights and Christian advocacy groups estimate those imprisoned on religious grounds as numbering 2,000 to 3,000, with the number reportedly declining toward the end of the reporting period. According to the State Department, Eritrean "authorities continued to detain, harass, and abuse hundreds of followers of various unregistered churches (mostly Protestant) during [2009]." For example, in December 2009 a group of 30 women, many described as "elderly" members of the Faith Mission Church, were arrested during a private prayer meeting at a home in Asmara. Although all were subsequently released, this mass arrest continued a pattern of disruption by the security forces of private religious and social gatherings of unregistered religious groups, thus denying these individuals the opportunity of even private worship.

Persons detained for religious activities often were not formally charged, permitted access to legal counsel, accorded due process, or allowed access to their families. Some prisoners were released after detentions of several days or less, but others spent longer periods in detention. The government held individuals who were jailed on account of their religious affiliation at a variety of venues, including facilities administered by the military. There are credible reports, including during the past year, that the security forces have used coercion on detainees to secure repudiations of faith; some prisoners were required to recant their religious beliefs as a precondition of release. During the past year, there have been occasional reports of deaths of religious prisoners who refused to recant their beliefs and who were denied medical care or otherwise subjected to ill treatment. Detainees imprisoned in violation of freedom of religion and related human rights have reportedly been beaten, tortured, confined in crowded conditions, or subjected to extreme temperature fluctuations.

Government violations of religious freedom are alleged to be particularly severe in the armed forces. During the war with Ethiopia, some Eritrean soldiers accepted various forms of Protestantism, reportedly alarming government officials and leading to the banning of prayer meetings among armed forces members. Attendance at such meetings is punishable by imprisonment. Moreover, armed forces members and national service inductees reportedly face severe punishment for possession of religious literature, including Bibles.

The Situation of Dissident Muslims

In addition to Evangelical and Pentecostal Christians, scores of members of Eritrea's large Sunni Muslim community are reportedly imprisoned, some for over 15 years. In January 2009, the security forces arrested 30 individuals described by the government as "radical Muslims." They were subsequently released with warnings to cease their alleged radical activities and to keep their beards shaved. Eritrea has legitimate concerns regarding violent Islamists. Before Eritrea and Sudan normalized relations in 2006, Islamists operating out of Sudan engaged in a low-level insurgency against the Eritrean government, occasionally employing terrorism in their campaign to establish an Islamic state. International human rights organizations report, however, that many of the Muslims detained without charge are non-violent critics of the government-imposed leadership of the Muslim community or policies that discriminate against independent Muslims. Ironically, during the reporting period, Eritrea has faced mounting international pressure over its support of Islamist groups in Somalia opposed to Somalia's Transitional Federal Government, which is recognized by Ethiopia.

The Situation of the Jehovah's Witnesses

Since 1994, the government of Eritrea has denied a range of government services and civil and political rights to members of the country's small community of Jehovah's Witnesses. Many Jehovah's Witnesses refused on religious grounds to participate in the 1993 referendum on independence or to accept the national military service required of all citizens, both male and female. The government chose to interpret these actions as a rejection of Eritrean citizenship. In accordance with a decree issued in October 1994 by

Eritrea's current President, Jehovah's Witnesses are barred from obtaining government jobs, business licenses, and government-issued identity and travel documents. Without Eritrean identity cards Jehovah's Witnesses are prevented from obtaining legal recognition of marriages and land purchases.

Due to their beliefs on conscientious objection to military service, the requirement of a military training component for secondary school graduation without a non-military alternative service option effectively denies educational and employment opportunities to young Jehovah's Witnesses, causing many to flee the country. Some children of Jehovah's Witnesses have been expelled from school because of their refusal to salute the flag or to pay for membership in the officially sanctioned national organization for youth and students.

There are 60 Jehovah's Witnesses currently detained in Eritrea without trial, or administrative appeal, in violation of minimal rights to due process. Although the maximum legal penalty for refusing to perform national service is two years, some Jehovah's Witnesses who have refused to serve in the military have been detained without trial for more than 15 years. Other Jehovah's Witnesses have been arrested and imprisoned for meeting together for worship or for expressing their faith to others. Some of those arrested have been quickly released, while others have been held indefinitely without charge. On June 28, 2009, 23 members of one congregation of Jehovah's Witnesses in Asmara were arrested when gathered for private worship. No reason was given for their arrests. In contrast to arrests of draft-age individuals made because of alleged refusal to participate in national service, a third of the Jehovah's Witnesses currently detained are reported to be over 60 years of age.

Jehovah's Witnesses released from detention have reported being kept for months in a 20-foot metal shipping container holding over 20 individuals, most of whom were Jehovah's Witnesses but including several Pentecostals. Prisoners were permitted to leave the container for limited periods twice a day. Prisoners were urged to renounce their faith in writing, to return to their "previous faith" (understood to be the Coptic Orthodox Church), and ordered not to pray aloud, sing, or preach. No books were allowed. The punishment for disobedience was to be chained outdoors for a day and a night.

The Situation of the Coptic Orthodox Community

Since 2005, the government has intervened in the internal affairs of the Orthodox Church of Eritrea, the country's largest Christian denomination and the institutional expression of the country's traditionally-dominant Coptic form of Christianity. Security forces targeted reformist elements in the Orthodox Church, arresting religious activists and preventing their meetings. In July 2005, the government revoked the exemption of Orthodox priests, monks, and deacons from mandatory national service, reportedly resulting in a shortage of clergy, particularly in smaller, rural churches. Patriarch Abune Antonios reportedly opposed the government's actions. In 2006, Patriarch Antonios was deposed and placed under a strict form of house arrest, prevented from communicating with the outside world, and reportedly denied medical care. In May 2007, a new, more compliant Orthodox Patriarch was installed under government pressure. A government-appointed administrator who is not a member of the Orthodox clergy manages the Church's affairs and controls the Church's finances. However unlike previous years, there were no reports of new arrests of reformist members of the Orthodox clergy in 2009.

U.S. Policy

According to the State Department, U.S. interests in Eritrea include encouraging the government of Eritrea to contribute to regional stability, consolidating the peace with Ethiopia and Djibouti, encouraging progress toward establishing a democratic political culture, supporting Eritrean efforts to become involved constructively in solving regional problems, assisting Eritrean efforts in dealing with its humanitarian and development needs, and promoting economic reform. The United States closed its USAID Mission in December 2005, however, after the Eritrean government requested the termination of

U.S. development assistance.

U.S. relations with Eritrea have been heavily influenced, often adversely, by strong U.S. ties with Ethiopia. The United States opposed self-determination for Eritrea in the early 1950s, favoring a union with Ethiopia. In 1961, Eritrean resistance to Ethiopian rule escalated into a 30-year old liberation struggle. During the first half of the conflict, Ethiopia received U.S. support; during the second, the Soviet Bloc intervened unsuccessfully by supporting the Ethiopian Mengistu regime against the Eritrean insurgents.

After independence in 1993, Eritrea fought a costly border war with Ethiopia in 1998-2000. The United States, the UN, the European Union, and the now-defunct Organization of African Unity were formal witnesses to the 2000 accord ending that conflict. However, Eritrean-Ethiopian relations remain tense due to Ethiopia's refusal to permit demarcation of the boundary according to the 2002 decision of an independent commission based at the International Court of Justice. The U.S. government views the commission's decision as "final and binding" and expects both parties to comply. The United States was the largest financial contributor to the now-defunct UN peacekeeping force – the UN Mission in Ethiopia and Eritrea (UNMEE) – separating the two armies. The UN Security Council terminated the mandate of UNMEE in July 2008 "in response to crippling restrictions imposed by Eritrea on UNMEE."

The State Department designated Eritrea a CPC under IRFA in September 2004. When renewing the CPC designation in September 2005, the State Department announced the denial of commercial export to Eritrea of defense articles and services covered by the Arms Export Control Act, with some items exempted. This represents the only unique presidential action to be undertaken via the IRFA regime in response to a CPC designation. The Eritrean government subsequently intensified its repression of unregistered religious groups with a series of arrests and detentions of clergy and ordinary members of the affected groups.

On December 23, 2009, the United States joined in a 13-member majority on the UN Security Council in adopting Resolution 1907, sanctioning Eritrea for having "provided support to armed groups undermining peace and reconciliation in Somalia" as well as for not having withdrawn its forces following clashes with its smaller neighbor Djibouti. There was only one vote against the measure (Libya), with China, a Permanent Member of the Security Council, abstaining. The sanctions include an arms embargo, travel restrictions, and asset freezes for the Eritrean government's political and military leaders and other individuals designated by the Security Council's Committee on Somalia Sanctions. The sanctions, which had been called for by the African Union, are in response to Eritrea's refusal to withdraw troops from a border dispute with Djibouti and its arming, training, and equipping of armed opposition groups in Somalia, particularly the Islamist insurgent group Al-Shabaab, which is designated by the U.S. government as a "foreign terrorist organization."

Recommendations

I. Advancing Religious Freedom through IRFA Mechanisms

In addition to continuing to designate Eritrea as a CPC, the U.S. government should:

- maintain the denial of commercial export to Eritrea of defense articles and services covered by the Arms Control Export Act, with some items exempted, as announced by the Secretary of State in September 2005;
- impose targeted sanctions, such as asset freezes and travel bans, against individuals and institutions identified as responsible for, or complicit in, serious human rights abuses, including, as appropriate, the President, the government-appointed administrator of the Orthodox Church of Eritrea, the security forces and their officers, and the ruling party and ruling party officials; and

- prohibit any foreign company's raising capital or listing its securities in U.S. markets if it is engaged in the development of Eritrea's mineral resources or involved with ventures with the government or government-controlled entities.

II. Pressing for Immediate Improvements to End Religious Freedom Violations

The U.S. government should urge the government of Eritrea to undertake immediately the following actions to improve respect for religious freedom in that country:

- release detainees held solely on account of their peaceful religious activities, and release the deposed Orthodox Patriarch Abune Antonios from house arrest and permit him to receive needed medical attention;
- implement the constitution's existing guarantees of freedom of thought, conscience, and religion, including the freedom to practice any religion and to manifest such practice, regardless of registration status;
- institute a registration process for religious groups that is transparent, non-discriminatory, not overly burdensome, and otherwise in accordance with international standards;
- promptly register those religious groups that comply with the requirements issued in 2002, and not require religious groups to provide identifying information on individual members;
- take official, public action to permit religious groups to resume their public religious activities pending registration, including reopening of places of worship closed by the ban in 2002;
- issue a public order to the security forces reminding them that religious practice is not to be interfered with, except in those circumstances permitted by international law; and
- extend an official invitation for visits by the UN Special Rapporteur on Freedom of Religion or Belief and the UN Working Group on Arbitrary Detention.

III. Advancing Religious Freedom through Other Bilateral and Multilateral Efforts

The U.S. government should:

- engage in vigorous advocacy of religious freedom and other universal human rights at all levels of involvement with the government of Eritrea and draw international attention to religious freedom abuses there, including in multilateral fora such as the UN;
- seek the creation by the UN Human Rights Council of a Special Rapporteur position for Eritrea or, or failing that, a visit to Eritrea by a team of thematic Special Rapporteurs, including the Special Rapporteurs on Freedom of Religion or Belief and Freedom of Opinion and Expression;
- condition any resumption of development assistance to Eritrea on measurable improvements in religious freedom and, if such assistance is to be resumed, ensure that it is directed to programs that contribute directly to democracy, human rights, and the rule of law;
- encourage unofficial dialogue with Eritreans on religious freedom issues, specifically by:
 - promoting a visit to Eritrea by U.S. leaders concerned with freedom of

thought, conscience, and religion or belief to meet with Eritrean authorities and other opinion-makers and to facilitate dialogue among all of Eritrea's religious communities;

- expanding the use of educational and cultural exchanges, such as the Fulbright Program, the International Visitor Program, and lectures by visiting American scholars and experts, to introduce more Eritreans to the workings and benefits of societies in which religious freedom and other human rights are respected;
- seek the cooperation of other countries in promoting greater understanding by Eritreans of international standards regarding freedom of religion or belief;
- intensify international efforts to resolve the current impasse between Eritrea and Ethiopia regarding implementation of the boundary demarcation as determined by the "final and binding" decision of the International Boundary Commission that was established following the 1998-2000 war; and
- in the event of the future creation, as previously recommended by USCIRF, of an independent national human rights commission in Eritrea, work to ensure that such a commission receives appropriate technical training in human rights and the law, operates according to due process and international human rights standards, and is established in accordance with the Paris Principles⁵ for such organizations, including independence, adequate funding, a representative character, and a broad mandate that includes freedom of thought, conscience, and religion or belief.

⁵ *Principles Relating to the Status and Functioning of National Institutions for Protection and Promotion of Human Rights*, found in the Annex to *Fact Sheet No. 19, National Institutions for the Promotion and Protection of Human Rights*, Office of the High Commissioner for Human Rights (<http://www.unhchr.ch/html/menu6/2/fs19.htm>).
