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USCIRF Annual Report 2012 - Countries of Particular Concern: Eritrea

FINDINGS: Systematic, ongoing, and egregious religious freedom violations continue in Eritrea. These violations include: torture or other ill-treatment of thousands of religious prisoners; arbitrary arrests and detentions without charges of members of unregistered religious groups; a prolonged ban on public religious activities; revocation of citizenship rights of Jehovah's Witnesses; interference in the internal affairs of registered religious groups; and inordinate delays in responding to registration applications from religious groups.

In light of these violations, USCIRF again recommends in 2012 that Eritrea be designated as a "country of particular concern," or CPC. Since 2004, the Commission has recommended, and the State Department has designated, Eritrea as a CPC. The State Department most recently re-designated Eritrea as a CPC in September 2011.

The religious freedom situation in Eritrea under the regime of President Isaias Afwerki remains extremely grave, with an estimated 2,000 to 3,000 religious prisoners and reports of torture and other inhumane treatment of religious prisoners. The situation is particularly dire for Jehovah's Witnesses and members of other small and non-traditional religious groups, such as Evangelical and Pentecostal Christians. The government dominates the internal affairs of the Orthodox Church of Eritrea, the country's largest Christian denomination, and suppresses Muslim religious activities or groups viewed as radical or opposed to the government-appointed head of the Muslim community. The

government has appointed the heads of both the Orthodox and Muslim communities, despite community objections, and has kept the government-deposed Eritrean Orthodox Patriarch Abune Antonios, who protested government interference in his church's affairs, under house arrest since 2006.

PRIORITY RECOMMENDATIONS: USCIRF recommends that, in addition to continuing the existing presidential action against Eritrea, the U.S. government should employ the International Emergency Economic Powers Act to impose targeted sanctions against individuals and institutions identified as responsible for, or complicit in, serious religious freedom and human rights abuses. USCIRF further recommends that the U.S. government prohibit any foreign company from raising capital or listing its securities in the United States while engaged in developing Eritrea's mineral resources; work with international partners to draw attention to religious freedom abuses in Eritrea and advocate for the release of religious prisoners, including Orthodox Patriarch Abune Antonios; engage in vigorous advocacy of religious freedom at all levels of involvement with the Eritrean government; condition any resumption of development assistance to Eritrea on measurable improvements in religious freedom and human rights; 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 President Isaias Afwerki and the Popular Front for Democracy and Justice (PFDJ) since the country gained independence from Ethiopia in 1993. After an initially promising start toward democratization, the Isaias regime has become increasingly repressive. President Isaias is said to be exceedingly fearful about losing control, concentrating power in his hands and those of a small cadre of associates who fought in the liberation struggle. The constitution and elections have been indefinitely suspended. Thousands of Eritreans with religious or civil society affiliations and allegiances are imprisoned for their real or imagined opposition to the government, and arbitrary arrests, torture, and forced labor are extensive. No private newspapers, opposition political parties, or independent non-governmental organizations exist. Independent public gatherings are prohibited.

In this context, the Eritrean government officially recognizes only 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. The government imposes a number of invasive controls over the four recognized religious

groups that prevents their ability to operate freely. The government is also hostile toward other Christian groups, particularly Evangelical and Pentecostal denominations.

In 2002, the government increased its control over civil society following a second war with Ethiopia, and imposed a registration requirement on all religious groups other than the four officially-recognized religions. The requirement mandated that communities provide detailed financial and membership information, as well as background on their activities in Eritrea. Among those affected were Protestant Evangelical and Pentecostal Christian denominations, as well as the Baha'is. Some of these religious communities have operated in Eritrea for decades.

Because of the government's registration requirement, no group can legally hold public religious activities until its registration is approved. This effectively makes unregistered religious activity "illegal," which has resulted in places of worship being closed and public religious activities, including worship services, of all unregistered religious communities being prohibited. No religious group has been registered since 2002, although the Presbyterian Church, Methodist Church, Seventh-day Adventists, and Baha'i religious community all submitted the required applications. As a result of the registration requirement and 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, including holding prayer meetings or weddings. Further restrictions are described below.

Government violations of religious freedom are particularly severe in the armed forces, where members are banned from attending Protestant prayer meetings, subject to punishment by imprisonment. Armed forces members and national service inductees reportedly face severe punishment for possessing religious literature, including Bibles.

Arrests, Detention, and Torture

The State Department, non-governmental human rights organizations, and Christian advocacy groups estimate that 2,000 to 3,000 persons are imprisoned on religious grounds in Eritrea, the vast majority of whom are Evangelical or Pentecostal Christians. In 2006, the government deposed Eritrean Orthodox Patriarch Abune Antonios and placed him under house arrest after he protested the Eritrean Department of Religious Affairs' interference in his church's affairs.

Since then, he has been prevented from communicating with the outside world and reportedly denied medical care. There is no new information on the three reformist members of the Orthodox clergy who have been imprisoned since 2005.

Fifty-three Jehovah's Witnesses are detained without trial or administrative appeal. A third of the Jehovah's Witnesses currently detained are reported to be over 60 years old, well beyond draft age. Additionally, three Jehovah's Witnesses – Paulos Eyassu, Isaac Mogos, Negede Teklemariam – have been held for more than 15 years despite the maximum legal penalty for refusing to perform national service being two years. International human rights organizations report that many of the Muslims detained without charge are non-violent critics of the government-imposed leadership of the Muslim community or of policies that discriminate against independent Muslims. Those detained include more than 180 Muslims opposed to the state's appointment of the Mufti of the Eritrean Muslim community.

Detainees imprisoned in violation of freedom of religion have reportedly been beaten and tortured. Prisoners are not permitted to pray aloud, sing, or preach, and no religious books are allowed. Released religious prisoners report being confined in cramped conditions such as 20-foot metal shipping containers or in underground barracks, some located in areas subjecting prisoners to extreme temperature fluctuations. There are credible reports, including during the past year, that the security forces have coerced detainees to renounce their faith; some prisoners were required to recant their religious beliefs as a precondition of release. Persons detained for religious activities, in both short- and long-term detentions, often are not formally charged, permitted access to legal counsel, accorded due process, or allowed access to their families. There continue to be reports of deaths of religious prisoners who refused to recant their beliefs, were denied medical care, or were subjected to other ill treatment.

There were several reports of new incidents of mass arrests in late 2010 and throughout 2011. In November 2010, 40 parishioners from the Kale-Hiwet and Mulu-Wengel evangelical churches were arrested. Two of the women were released in March prior to giving birth; the others remain in custody. On December 30, 2010, more than 100 Christians, including the entire congregation of the Philadelphia Church of Asmara, were arrested and allegedly beaten. In May 2011, 64 evangelical Christians were arrested; only six have been released. On June 2, 2011, 26 Christian college students were arrested for reportedly refusing to participate in Independence Day celebrations; they were released a few weeks later. On July 3, 35 Pentecostal Christians were arrested and continue to be imprisoned.

The Situation of Unregistered Religious Groups

Jehovah's Witnesses

Since 1994, the government of Eritrea has denied Jehovah's Witnesses citizenship and a range of government services, as well as civil and political rights. President Isais Afwerki

issued a decree in October 1994 specifically barring Jehovah's Witnesses from obtaining government jobs, business licenses, and government-issued identity and travel documents. He reportedly viewed their refusal on religious grounds to participate in the 1993 independence referendum or to perform mandatory national military service as a rejection of Eritrean citizenship. Without Eritrean identity cards Jehovah's Witnesses cannot obtain legal recognition of marriages or land purchases.

The government requires a military training component for secondary school graduation, with no non-military alternative service option, which 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.

Evangelical and Pentecostal Christians

The government's campaign against religious activities by persons belonging to unregistered denominations frequently targets Evangelical and Pentecostal Christians. Government officials have criticized "non-traditional" Christian denominations for engaging in evangelism that they allege is socially divisive and alien to Eritrea's cultural traditions. The ruling party also fears that these religious communities could be encouraged by their co-religionists in the United States to take actions against the government's undemocratic rule. As discussed above, in the past year Eritrean security forces continued to conduct mass arrests of Evangelical and Pentecostal Christians, including at prayer meetings, although fewer such arrests were reported than in previous years.

The Situation of Recognized Religious Groups

The government strictly controls and dominates the internal affairs of the four recognized religions, including appointing religious leaders and overseeing and monitoring religious activities. The recognized groups are required to submit activity reports to the government every six months. In December 2010, the Eritrean Department of Religious Affairs reportedly told these groups to stop accepting funds from co-religionists abroad. The Eritrean Orthodox Church reportedly said it would not comply with the order.

Eritrean Orthodox Church

The government's interference in the internal affairs of the Orthodox Church began increasing in 2005, after the Church started resisting Asmara's demands. The Orthodox

Church of Eritrea is the country's largest Christian denomination and the institutional expression of the country's traditionally-dominant form of Christianity. Security forces began targeting 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. In May 2006, the government appointed a new Patriarch of the Orthodox Church of Eritrea, replacing Patriarch Antonios and placing him under house arrest.

According to the Eritrean Orthodox Church North America Archdioceses, more than 1,700 Orthodox clergy have been forced out of the church, including 24 imprisoned, 14 banned from entering Eritrean Orthodox Church properties, and seven restricted from leaving Asmara. Hundreds have fled the country. In addition, a government-appointed administrator, who is not a member of the Orthodox clergy, manages the Church's affairs and controls its finances.

Eritrean Muslim community

The Department of Religious Affairs appoints the Mufti of the Eritrean Muslim community, despite community protests. The government does not permit Muslim religious activities or groups it views as "radical." Government officials point to the actions of foreign or foreign-inspired Muslim fundamentalists, whom they believe are 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.

Eritrean Refugees

Hundreds of thousands of Eritreans have fled the country, mostly to Ethiopia and eastern Sudan, due to the Eritrean government's oppression and human rights violations. The office of the UN High Commissioner for Refugees estimates more than 220,000 Eritreans have been forced to flee. While the majority of Eritrean refugees are escaping mandatory military service, UNHCR reports that increasingly large numbers are claiming religious persecution. Pentecostal Christians make up a large percentage of these cases, followed by Jehovah's Witnesses. Christian Solidarity Worldwide reports that the number of Eritrean Orthodox clergy leaving the country has increased since the government revoked their exemption from mandatory military service.

U.S. Policy

Relations between the United States and Eritrea remain poor. The U.S. government has long expressed concern about Eritrea's human rights practices and its activities in the

region, including its support of Islamist insurgents in Somalia. The government of Eritrea expelled USAID in 2005, and U.S. programs in the country ended in fiscal year 2006. Eritrea has refused to accredit the proposed new U.S. ambassador to the country since July 2010; in response the U.S. government revoked the credentials of the Eritrean ambassador to the United States.

U.S. relations with Eritrea have been heavily influenced, often adversely, by strong U.S. ties with Ethiopia. After independence in 1993, Eritrea fought a costly border war with Ethiopia in 1998-2000. The United States, the United Nations, 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 and January 2009, 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 through the IRFA regime in response to a CPC designation anywhere in the world. 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. The State Department most recently re-designated Eritrea as a CPC in September 2011, and imposed as the presidential action the existing, ongoing arms embargo referenced in 22 CFR 126.1(a).

In December 2009, the United States joined 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 Djibouti. The sanctions include an arms embargo, travel restrictions, and asset freezes on the Eritrean government's political and military leaders, as well as other individuals designated by the Security Council's Committee on Somalia Sanctions. In April 2010, President Obama announced Executive Order 13536 blocking the property and property interests of several individuals who have "engaged in acts that threaten the peace, security, or stability of Somalia," "obstructed

the delivery of humanitarian assistance to or within Somalia," "supplied arms or related materiel in violation of the United Nations arms embargo on Somalia," or "provided support for any of these activities." Among those listed was Yemane Ghebreab, head of political affairs and senior advisor on Somali issues for the Eritrean president.

In December 2011, the United States voted in favor of UN Security Council Resolution 2023, which was prompted by the UN Monitoring Group on Somalia's findings that Eritrea planned to bomb civilian and government targets in Addis Ababa to disrupt a 2011 African Union summit and that it continued to support Somali extremists. The resolution calls on UN member states to implement the sanctions in Resolution 1907 and "undertake appropriate measures to promote the exercise of vigilance" in their dealings with Eritrea's mining industry to prevent those monies from being used to support activities which would destabilize the region. It also condemns Eritrea's two-percent tax on the diaspora, used "for purposes such as procuring arms and related materiel for transfer to armed opposition groups."

Recommendations

In response to the policies and practices of Eritrea's government, the U.S. government should press for immediate improvements to end religious freedom violations in Eritrea and advance religious freedom through sanctions and other bilateral and multilateral efforts.

I. Advancing Religious Freedom through Sanctions

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

- maintain the existing, ongoing arms embargo referenced in 22 CFR 126.1(a), as decided by the Secretary of State in August 2011;
- prohibit any foreign company from raising capital or listing its securities in U.S. markets if it is engaged in the development of Eritrea's mineral resources or involved in ventures with the government or government-controlled entities;
- employ the International Emergency Economic Powers Act (IEEPA) to impose economic sanctions on senior Eritrean officials in response to their undermining of democratic institutions and engaging in gross human rights abuses, including abuses of religious freedom, in that country, including, as appropriate, the President, the security forces and their officers, and the ruling party and ruling party officials; and
- condition any resumption of development assistance to Eritrea's people on measurable improvements by the government to 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.

II. Advancing Religious Freedom through Other Bilateral and Multilateral Efforts

The U.S. government should:

- work with international allies and religious freedom partners and counterparts to draw attention to religious freedom abuses in Eritrea and advocate for the unconditional and immediate release of religious prisoners, including Orthodox Patriarch Abune Antonios;
- request a briefing at the UN Security Council on religious freedom and human rights in Eritrea by the Office of the High Commissioner for Human Rights and seek to send a team of thematic Special Rapporteurs to the country, including the Special Rapporteurs on Freedom of Religion or Belief and Freedom of Opinion and Expression and the UN Working Group on Arbitrary Detention;
- encourage unofficial dialogue with Eritreans on religious freedom issues, by promoting a visit to Eritrea by U.S. and international leaders concerned with religious freedom to meet with Eritrean authorities to facilitate dialogue among all of Eritrea's religious communities and 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; and
- 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.