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USCIRF STATUS: Tier 1 Country of Particular Concern

BOTTOM LINE: Religious freedom conditions continue to be extremely grave in Eritrea, with torture or other ill-treatment of 2,000 to 3,000 religious prisoners, arbitrary arrests and detentions without charges, a prolonged ban on public religious activities, and interference in the internal affairs of registered religious groups.

EXECUTIVE SUMMARY

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 particularly severe violations, USCIRF again recommends in 2013 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. An estimated 2,000 to 3,000 religious prisoners continue to languish in prison. USCIRF interviews with Eritrean refugees in late 2012 heard credible reports indicating many prisoners are subjected to torture and other inhumane treatment. The situation is particularly dire for Jehovah's Witnesses and members of other small, disfavored religious groups, such as Evangelical and Pentecostal Christians. The government dominates the internal affairs of the four recognized

religious, but especially the Orthodox Church of Eritrea, the country's largest Christian denomination. The government has appointed over community objections the heads of both the Orthodox and Muslim communities. The government-deposed Eritrean Orthodox Patriarch Abune Antonios remains under house arrest since 2007.

PRIORITY RECOMMENDATIONS: USCIRF recommends, in addition to again designating Eritrea as a CPC, continuing the existing presidential action against Eritrea of an arms embargo. In addition, the U.S. government should utilize 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 work to limit the Eritrean government's ability to levy and forcibly collect a "diaspora tax" on Eritreans living in the United States; 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; and condition any resumption of assistance to Eritrea on measurable improvements in religious freedom and human rights conditions. 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 insular and repressive as the ailing President Isaias has become exceedingly fearful about losing control. The constitution and elections have been indefinitely suspended. Thousands of Eritreans 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. On January 21, 2013 a small group of soldiers attempted a "coup d'etat," briefly taking over the Ministry of Information before being removed.

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.

In 2002, the government imposed a registration system for all religious groups other than the four officially-recognized religions, requiring communities to provide detailed information on their finances, membership, and activities. Since 2002, the government has not registered any religious group, despite the Presbyterian Church, Methodist Church, Seventh-day Adventists, and Baha'i community all submitting the required applications. Without registration, religious communities

lack a legal basis on which to practice their faiths publicly in the country. Unrecognized groups' places of worship have been closed and public religious activities prohibited. Further restrictions are described below.

Government violations of religious freedom are particularly severe in the armed forces and national service. Eritrean refugees told USCIRF in late 2012 that soldiers are frequently banned from engaging in religious activities, subject to penalty of imprisonment, and face severe punishment for possessing religious literature, including Bibles and Qur'ans.

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 are Evangelical or Pentecostal Christians. Religious prisoners 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 interviewed by USCIRF report having been confined in cramped conditions, such as 20-foot metal shipping containers or underground barracks, some located in areas subject to extreme temperature fluctuations. The refugees also told USCIRF that security forces beat detainees and coerce them to renounce their faith, at times as a precondition of release. Persons detained for religious activities, serving both short- and long-term sentences, often are not formally charged, permitted access to legal counsel, accorded due process, or allowed access to their families. Reports continue to arise of deaths of religious prisoners who refused to recant their beliefs, were denied medical care, or were subjected to other ill treatment.

In 2007, 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 despite suffering from severe diabetes. There is no new information on the three reformist Orthodox clergy who were imprisoned in 2005.

Fifty-one 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, and 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 the government has imprisoned more than 180 Muslims because of their opposition to the state's appointment of the Mufti of the Eritrean Muslim community. Other Muslims are detained without charges because of their non-violent criticism of policies that discriminate against the independent practice of Islam.

There were reports of two new mass arrests during the reporting period. Twenty-one evangelicals who had gathered to worship on Good Friday were reported to have been rounded up and continue to be detained, with unconfirmed reports that they were being held in metal shipping containers and were undergoing military punishment. Seventeen Christians, including several women, were arrested in October following a raid on a house in Emba-Derho where they had gathered for a service and remain detained. In addition, several Protestant pastors were reported arrested following the January 2013 "coup."

THE SITUATION OF UNREGISTERED RELIGIOUS GROUPS

Jehovah's Witnesses

President Asaias 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 them as rejecting the duties of Eritrean citizenship, due to their refusal on religious grounds to participate in the 1993 independence referendum or to perform mandatory national military service. 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, which they allege is socially divisive and alien to Eritrea's cultural traditions. The regime also fears co-religionists in the United States could encourage these religious communities to take actions against the government's undemocratic rule. Refugees told USCIRF that government officials often refer to Evangelical and Pentecostal Christians as CIA agents, and that they are frequently discriminated against in employment and housing opportunities. As discussed above, in the past year Eritrean security forces conducted 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. All religious workers including those from registered religious communities must participate in national military service; according to the State Department, 3,000 religious workers from recognized religious communities have been compelled to participate in the national military service against their will.

Eritrean Orthodox Church

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. According to Eritrean Orthodox refugees interviewed by USCIRF, government interference in church affairs began increasing in 2005 when the government revoked the exemption of Orthodox priests, monks, and

deacons from mandatory national service. This resulted in the closure of smaller, rural churches due to a shortage of clergy, and increased opposition within the church to the government's religious policies. Security forces began targeting reformist elements in the Orthodox Church, arresting religious activists, and preventing their meetings. 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 independent Muslim religious activities or groups it considers "radical." Government officials point to the actions of foreign or foreign-inspired Muslim fundamentalists, whom they believe are seeking to radicalize traditional Eritrean Islam and thus possibly create tensions in a society that is roughly half Christian and half Muslim.

Additionally, the International Crisis Group reports that the only military and government officials arrested following the "coup" were Muslims and that President Isaias stated that they were engaging in "jihad."

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 the number of Eritrean refugees to be more than 250,000. While the majority of Eritrean refugees are escaping mandatory military service, large numbers are fleeing religious persecution, including religious leaders forced to participate in the national service despite their religious objections. Pentecostal Christians make up a large percentage of these cases, followed by Jehovah's Witnesses. Christian Solidarity Worldwide reports an increase in the number of Eritrean Orthodox clergy leaving the country since the government revoked their exemption from mandatory military service. Many Eritrean refugees become victims of human trafficking, sometimes suffering torture and ill-treatment, as they attempt to move from refugee camps in Ethiopia or Sudan to Europe.

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 from 1998 to 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 taken under IRFA 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 continued the presidential action of the arms embargo.

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.

UN resolution 1907 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." The Eritrean government relies heavily on its controversial two percent diaspora tax to boost its poor economy. According to the Eritrean government, the mandatory "donations" are used for "recovery and rehabilitation" and to assist the country's national defense. U.S. government officials, the UN Somalia and Eritrea Monitoring Group, and Eritrean diaspora report that those who refuse to pay are subject to threats, intimidation, and coercion. The families back in Eritrea are also targeted for harassment. In 2011, the United Kingdom suspended collection of this tax stating that it may contravene the Vienna Convention on Diplomatic Relations. In 2012 the Eritrean consulate in Ottawa, Canada agreed to stop collecting the tax after Canadian threats to remove the Eritrean Ambassador. This move corresponds with Canadian efforts to make it illegal to finance the Eritrean military in compliance with UNSC Resolution 1907. The Netherlands and Germany are also considering ending the collection of the diaspora tax within their territories.

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;
- 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;
- work to limit the Eritrean government's ability to levy and forcibly collect a "diaspora tax" on Eritreans living in the United States; and
- condition any resumption of assistance to Eritrea's people on measurable improvements by the government to religious freedom conditions 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 other nations, especially those with mining interests in and large diaspora communities from Eritrea, 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 the visit to Eritrea by the special rapporteur on human rights in Eritrea and 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 Eritrean authorities on religious freedom issues by promoting a visit by U.S. and international religious leaders to facilitate dialogue among all of Eritrea's religious communities and expand the use of educational and cultural exchanges, such as the Fulbright Program, the International Visitor Program, and lectures by visiting American scholars and experts;
- further target assistance to UNHCR and nongovernmental organizations to provide support to Eritrean refugees, especially those with psychosocial needs due to torture and other ill-treatment; 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.