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Human Rights and Democracy: The 2012 Foreign & Commonwealth Office Report - Section IX: Human Rights in Countries of Concern - Eritrea

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The Eritrean government took no concrete steps in 2012 to improve its poor human rights record, including on key issues such as religious freedom, freedom of the media, freedom of expression and assembly, arbitrary and inhumane detention and prolonged national service, despite showing more willingness to engage with the international community on issues including human rights. The government reiterated Eritrea's commitment to promoting and protecting human rights, but cited the continued state of "no war, no peace" with Ethiopia as the major obstacle to progress and to Eritrea's development in general.

Bilaterally in London and Asmara, and as part of the EU, we made clear in 2012 that we were looking for Eritrea to make progress on meeting its international obligations. Our Ambassador raised human rights when she met President Isaias in October, and FCO Minister Mark Simmonds did the same when he met the Eritrean Presidential Adviser in New York in September in the margins of the UN General Assembly (UNGA). The EU held a dedicated session with the Eritrean government at the end of 2012 covering the full range of issues, including democratic freedoms, freedom of opinion and expression, freedom of religion, arbitrary imprisonment, civil society/NGOs and economic, social and cultural rights. We also drew attention to our serious concerns about human rights in Eritrea in separate statements in June and September at meetings of the Geneva-based UN Human Rights Council. The UK supported UN Human Rights Council resolution 20/20, adopted by consensus on 6 July, which strongly condemned human rights abuses in Eritrea and created a Special Rapporteur for Eritrea. But the Special Rapporteur appointed, Sheila Keetharuth, has so far been denied access by the government and is having to fulfil her mandate from outside the country. We have urged the Eritrean government to allow her to visit the country, work with her and treat her appointment as an opportunity to make progress. Similarly, we have urged Eritrea to strengthen cooperation with the UN High Commissioner for Human Rights more generally, including by allowing visits by the thematic Special Rapporteurs. Eritrea currently has five outstanding requests.

Eritrea accepted a substantial number of recommendations made by the 2009 Universal Periodic Review but has not implemented them. Along with EU partners in Asmara, the UK has urged the Eritrean government to meet its Universal Periodic Review commitments and stressed that we are ready to support the implementation process.

The UK's priorities in Eritrea are to support improvements to freedom of expression, freedom of religion and the rule of law, with the ultimate objective being the implementation by the government of a national human rights strategy. During 2013, we will continue to raise human rights issues with the Eritrean government, both bilaterally and through the EU. We will encourage the government to strengthen engagement with the international community and to translate this into tangible progress. We will urge the government to work constructively with the UN High Commissioner for Human Rights and relevant Special Rapporteurs. We will give particular priority to encouraging and helping Eritrea to implement those Universal Periodic Review recommendations that it has accepted. We will encourage and support the rapid implementation of the reinstated UN and EU development assistance programmes, as well as encouraging Eritrea to accept further assistance, including in human rights areas. We will follow up discussions we have had with the government on human trafficking and offer to provide practical support to Eritrea's anti-human-trafficking and victim protection efforts. We will continue to stress the link between improving human rights and the achievement of Eritrea's development goals.

Elections

Eritrea is a one-party state. The Eritrean constitution ratified in 1997 provides for an elected National Assembly. The constitution has not formally been implemented, although it is used as the basis for legislation. There have been no national elections since independence in 1993. Regional elections which should have taken place in 2009 have yet to be held.

Freedom of expression and assembly

The Eritrean state controls all media outlets. Only officially approved views are heard. There are no independent journalists. Speaking out against the government of Eritrea can lead to detention. The Reporters Without Borders Press Freedom Barometer for 2012 reports that there are at least 28 journalists in prison, held without trial or access to a lawyer. Eritrea is ranked last out of 179 countries in the Reporters Without Borders Press Freedom Index for 2011–2012. Assembly during religious festivals and national celebrations is tightly policed. Unlawful assembly is not tolerated.

September 2012 marked the eleventh anniversary of the detention without trial of a group of 11 Eritrean members of parliament (the G-11) and 10 journalists who had called for democratic reform. The UK supported a statement by the EU High Representative issued on this anniversary. We regularly raise these cases with the Eritrean government, as well as those of others detained since without trial. The UK has discussed reports of the deteriorating health of Petros Solomon, one of the G-11, with human rights activists in London, and has lobbied in Asmara, bilaterally and through the EU. In August, our Ambassador, with EU counterparts, raised our concerns about reports that only four journalists detained in September 2001 were still alive.

Access to justice and the rule of law

The judicial system in Eritrea is opaque, often arbitrary and harsh. The independence of the judiciary is limited. When trials do occur they are conducted in secret, often in special courts where judges also serve as prosecutors, and the accused have no access to defence counsel. For the most part those detained are not brought to trial. The government does not allow access to most of its prisons and there are no accurate figures on the number of prisoners. The number of those in detention on political and religious grounds could be in the tens of thousands. The Eritrean

government has ignored frequent calls for political and religious prisoners to be brought to justice or released and refuses to give details of their whereabouts and fate, citing national security. Eritrea continues to hold a number of Djiboutian Prisoners of War, captured during the 2008 border conflict, without access to the International Committee of the Red Cross.

Torture and detention conditions

The UN Special Rapporteur on Torture has been asking to visit Eritrea since 2005. Since 2009, the government has not responded to any written requests for information or to the outstanding visit requests. In his March 2011 report, the Special Rapporteur expressed concern about the well-being of a number of named individuals and said that the conditions of their detention amounted to inhuman and degrading treatment. As the Eritreans do not allow access by family members or human rights organisations to prisoners, we are reliant on reports from those escaping detention or from prison guards who have left the country for evidence of torture and inhumane treatment. There are unconfirmed reports that many detainees have died in captivity.

Death penalty

There were no reports of the death penalty being used in 2012. In November, the British Ambassador joined the EU Ambassador in lobbying the Eritrean government to support the draft UN General Assembly resolution on a moratorium on the use of the death penalty.

Conflict and protection of civilians

As of January, there were 4,726 refugees and asylum seekers in Eritrea, mainly Somalis, Sudanese and Ethiopians. The government of Eritrea continues to work with the UN High Commission for Refugees to ensure adequate provision of education and healthcare. The Eritrean government does not operate a system of forced repatriations but works with the UN High Commission for Refugees to return to their country of origin those who express a desire to go home. It cooperates on arrangements for the departure of those offered settlement in third countries (to date, some 165 refugees).

Freedom of religion or belief

Only members of the four traditional religions (Orthodox Christian, Sunni Muslim, Catholic and the Lutheran Evangelical Church of Eritrea) are allowed to worship in Eritrea. It is reported that there are a large number of detainees from non-state-sanctioned religions, including 56 Jehovah's Witnesses. The UK and EU counterparts have collectively called on the Eritrean government to release all prisoners detained for religious beliefs, or for them at least to be brought before a court for a public hearing and fair trial.

Women's rights

The position of women is comparatively well protected by the constitution, but implementation of women's rights is hampered by cultural attitudes and lack of capacity. Female genital mutilation is illegal but widespread. Allegations of sexual abuse of women during national service are common. The Eritrean government has implemented programmes to support the mainly female heads of households in rural communities, improving their access to water and sanitation and livelihoods.

DFID continues to fund programmes run by UNICEF providing water and sanitation and a supplementary feeding programme for women in rural communities.

Children's rights

Children's rights are comparatively well protected in law but implementation is hampered by cultural attitudes and lack of capacity. Child labour below the age of 14 is illegal but in practice common. There is a shortage of schools and teachers at all levels. The Eritrean government has continued to build new schools and expand education to rural and nomadic communities, working in partnership with UNICEF.

Military service

Obligatory and indefinite national service continues to be a major driver for illegal migration. In 2011, the government ordered that the maximum 18-month term of national service be adhered to and that conscripts be allowed to complete their period of service in their own districts, allowing access to families. We are not yet able to assess whether this is happening in practice. There has been no change for those who have already been on extended national service – in some cases in excess of ten years. Conscripts are often required to perform non-military activities such as harvesting and construction work for the government and state-owned companies, which may amount to forced labour. There are reports that military officials have used conscripts to perform personal tasks.

Migration and human trafficking

The prolonged national service obligation coupled with poor economic conditions continue to fuel illegal migration, especially of the young. UNHCR registers around 3,000 Eritrean refugees every month. The true migration figure is likely to be much higher, as many migrants do not register. Illegal migrants are at risk of abuse at the hands of human traffickers; kidnapping, torture and the trafficking of body parts are among the allegations of abuse that have been made. There have also been allegations that some Eritrean officials, including those in the military, are themselves involved in human trafficking. There is no proof of systematic government involvement. The government of Eritrea denies allegations that it operates a "shoot to kill" policy along its border against Eritreans seeking to leave the country illegally. Concerns arose during the year about the trafficking of Eritreans through the Sinai and across the Mediterranean. FCO officials in London and the British Ambassador in Asmara have held constructive discussions with Eritrean officials, representatives of the Diaspora and UNHCR.

Human rights defenders

No active human rights NGOs or groups operate in Eritrea. The government of Eritrea does not permit human rights groups to visit the country. Civil society is tightly controlled, with no effective fully independent civil society groups.

Minority rights

Of the nine official ethnic groups in Eritrea, the Tigrigna dominates politically and culturally. The other groups complain of discrimination and violation of their rights. Relations between the

government and the Kunama and Afar in particular are tense, with reports of skirmishes along the border with Ethiopia between Afar opposition groups and government troops.

Freedom of movement

Restrictions on travel for diplomats noticeably eased in 2012, although travel permits continued to be frequently denied. Restrictions for Eritreans on holding a passport or travelling outside the country remain in place.

Development assistance

We welcomed Eritrea's decision in mid-2012 to reinstate international development programmes. The British Ambassador in Asmara and officials from DFID were able to visit projects run by UNICEF in Eritrea. They agreed that these are making real impact and represent good value for money. The UN assesses that Eritrea is one of the few countries in Africa making steady progress towards achieving the health-related Millennium Development Goals on the reduction of child and maternal mortality and combating HIV/AIDS. It is also making progress on environmental sustainability. However, much remains to be done, especially with regard to goals on the eradication of extreme poverty and hunger and attainment of universal primary education. DFID has continued to support UNICEF programmes in the areas of water, sanitation and nutrition with a grant for 2011–2012 of £5 million. The British Embassy in Asmara supported a food security programme operated by the UN Food and Agriculture Organization and is currently supporting a further programme in this area.
