

ERITREA: Current concerns

I. The issues

Eritrea remains the largest refugee-generating country on a per capita basis, despite a governmental shoot-to-kill border policy, the potential of being held hostage by Bedouin traffickers or being kidnapped from Sudanese refugee camps and facing extreme brutality and extortion, and the possibility of dying in the Sahara or while crossing the Mediterranean in unseaworthy vessels.¹ Eritrean citizens cannot leave the country without an exit visa, and these are rarely granted. Nevertheless, during 2012, a total of 305,723 Eritreans fled the country, with between 2,000 and 3,000 leaving the country every month.² Worryingly, an increasing number are unaccompanied minors who are extremely vulnerable to abuse.³

Lampedusa

Reports detailing the suffering or tragic demise of Eritrean refugees and asylum seekers are legion. However, none have managed to capture and sustain international attention to the extent of the tragedy that occurred on 3 October near Lampedusa, Italy, when at least 366 men, women and children, most of them Eritreans, drowned after their boat capsized in the Mediterranean. Worse still, it was recently disclosed by survivors that many of these victims had endured rape and torture in a detention centre in Libya, and had been forced to pay up to \$3,500 (around £2,139) prior to this ill-fated journey.⁴

The tragedy was played out in front of the world's media and appears to have led to a shift in awareness at international level. While there is still a tendency among elements of the Western media to characterise these Eritreans as economic migrants, an international community that in the past showed intermittent but short-lived concern for the plight of Eritrean refugees and asylum seekers, generally reacted with renewed and sustained concern. The tragedy was a stark illustration of "the desperation of those who decide to flee, despite the extreme dangers along escape routes and an unknown future,"⁵ effectively compelling the international community to examine and perhaps ultimately address the root cause of the vast numbers of Eritrean refugees. Thus the comprehensive repression occasioned by arbitrary one-man rule, and particularly the hopelessness engendered by indefinite military service on minimum wages, are finally being highlighted regularly by the international media.

The Lampedusa drownings immediately preceded the first interactive dialogue by the Special Rapporteur on human rights in Eritrea at the United Nations General Assembly (GA), giving added urgency to the Special Rapporteur's message to the GA and poignancy to victim testimonies at a side event organised by human rights NGOs. In the lead up to the tragedy, and in stark contrast to its usual bullish and isolationist behaviour, Eritrea had made efforts as the outgoing chair of the Africa

¹ *Global Post*, 'Priest claims Eritrea spies hunting shipwreck survivors in Italy', 31 October 2013

<http://www.globalpost.com/dispatch/news/afp/131031/priest-claims-eritrea-spies-hunting-shipwreck-survivors-italy>

² ReliefWeb, 'Situation in Eritrea 'desperately bleak,' UN expert warns urging aid for fleeing refugees', 24 October 2013 <http://reliefweb.int/report/eritrea/situation-eritrea-%E2%80%98desperately-bleak%E2%80%99-un-expert-warns-urging-aid-fleeing-refugees>

³ *ibid.*

⁴ Yahoo News, 'Italy shipwreck migrants raped, tortured: police', 8 November 2013

<http://news.yahoo.com/somali-arrested-italy-shipwreck-tragedy-101432466.html>

⁵ Sheila Keetharuth, UN Special Rapporteur on human rights in Eritrea, cited in the *Guardian*, 'Eritrea's human rights record comes under fire at United Nations', 25 October 2013

<http://www.theguardian.com/world/2013/oct/25/eritrea-human-rights-united-nations>

delegation to garner African diplomatic support prior to the interactive dialogue. This included spearheading an *amicus curiae* intervention appealing against the International Criminal Court's rejection of Kenyan vice-president William Ruto's request to be excused from continually being present in court - an appeal that was co-signed by Tanzania, Rwanda, Burundi and Uganda.⁶ However, in the words of a former refugee, the deaths of the victims "spoke louder than any living activist."⁷

Government reaction

As the Lampedusa tragedy unfolded, the Eritrean Government initially exhibited complete indifference. Despite widespread local mourning as the names of victims filtered through to families in Eritrea via overseas networks, the government allegedly denied the victims were Eritreans.⁸ Even as African Union heads of government expressed sincere and deep condolences to victims' families and committed themselves to addressing the root causes of and finding lasting solutions to the "irregular migration" of African youth to Europe, the Eritrean Government consistently insisted the dead were not genuine asylum seekers or refugees. They instead attributed the exodus to human trafficking allegedly encouraged by NGOs and CSOs⁹ or crimes against the Eritrean people perpetrated by the United States.¹⁰

The Eritrean Government has a residue of ardent supporters in the international diaspora. However, its reaction reportedly caused several erstwhile supporters to undertake some deep soul searching. Most significantly, twenty-two Eritrean scholars based in the United Kingdom, the United States and Botswana, who had never articulated any opposition to the government, a message to every Eritrean politely requesting, among other things, for the implementation of the constitution, an end to indefinite military service, the return of the rule of law, the release of prisoners of conscience and the reopening of Eritrea's only university.¹¹ Perhaps stung by the overwhelmingly negative reaction to its handling of the crisis, the regime changed tack and is now issuing vociferous demands for the speedy repatriation of victims' remains.¹²

Sudden military round-ups occasion unrest

Eritrea is the world's second most militarised country – of an estimated population of five million, over 350,000 men and women are in active military service. Moreover, despite a national life expectancy of 61, Eritrean men are obliged to serve in the military until they reach 65.

While the official compulsory period for military service is 18 months, many conscripts have served for 17 years¹³ or more, initially receiving a little over \$9 (£5.50 or €6.64) per month, which rises to \$30 (£18.33, or around €22) after a year's service. Students are required to complete their final year of secondary school at the Sawa Training Centre. There are no provisions for conscientious

⁶ Joint *Amicus curiae* Observations of the United Republic of Tanzania, Republic of Rwanda, Republic of Burundi, State of Eritrea and Republic of Uganda on the Prosecution's appeal against the "Decision on Mr Ruto's Request for Excusal from Continuous Presence at Trial", *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang* (ICC-01/09-01/11), Appeals Chamber, 17 September 2013 <http://www.icc-cpi.int/iccdocs/doc/doc1645647.pdf>

⁷ Email from CSW contact, October 2013

⁸ TesfaNews, 'Eritreans held Memorial Service for Lampedusa Victims', 24 October 2013

<http://www.tesfanews.net/eritreans-held-memorial-service-for-lampedusa-victims/>

⁹ Raimoq, 'Declaration on the Lampedusa (Italy) tragic boat incident', October 2013 http://www.raimoq.com/wp-content/uploads/2013/10/Ext-Assembly-AU-Dec-Decl- E_0-Lampedusa-lite.pdf

¹⁰ Eritrean Ministry of Information, 'Press Statement by the Government of Eritrea', 9 October 2013

<http://www.shabait.com/news/local-news/14893-press-statement-by-the-government-of-eritrea>

¹¹ Dissident Diaries, 'Twenty-two intellectuals call Eritrean government to care', 7 November 2013

<http://dissidentdiaries.wordpress.com/2013/11/07/twenty-two-intellectuals/>

¹² Raimoq, 'Eritrean Ministry of Foreign Affairs calls again for speedy repatriation of the bodies of the victims of the Lampedusa Tragedy', 6 November 2013

<http://www.raimoq.com/eritrean-ministry-of-foreign-affairs-calls-again-for-speedy-repatriation-of-the-bodies-of-the-victims-of-the-lampedusa-tragedy/>

¹³ Awate, 'Younis: Disengage from Isaias Afwerki; Engage Alternative Voices', 28 October 2013

<http://awate.com/younis-disengage-from-isaias-afwerki-engage-alternative-voices/>

objection, and the exemption for clergy from government-approved faiths no longer exists. Only a certified chronic illness or disability can guarantee exemption from conscription.

The government regularly conducts military round-ups (*giffa*) of people aged between 18 and 50 throughout the country, setting up roadblocks and checkpoints to capture potential draft evaders or deserters. The process is notoriously humiliating; people caught in the round-up often suffer assaults, and at times those who have been officially allowed to leave the army can find themselves being conscripted again. In 2005 an Italian diplomat captured on camera the execution-style killing on the streets of Asmara of a young man who had sought to evade a round-up.¹⁴

Perhaps unsettled by what has been described as the eerie pall of mourning that descended in the country following the Lampedusa drownings, and in a bid to stem a further exodus, the Eritrean president initiated a mass campaign particularly targeting Asmara, Mendefera, Dekemhare, Segeneiti, Keren, Massawa and Ghinda, rounding up young people in these areas. The campaign began on 27 October and continued over three days. According to one estimate, some 1,500 young people were detained in Asmara alone and were subsequently sent to Sawa and Wi'a Camps for military training.¹⁵ However, the government made the error of assigning the round-up to the Tigre People's Democratic Movement (TPDM), a client militia known locally as *Demhit* and opposed to the regime's arch enemy Ethiopia, causing outrage and violence. In Asmara, fighting is reported to have broken out between the militia and young Eritreans in several neighbourhoods, with rock throwing and gunshots continuing into the evening. Violence was also reported at the bus depot and market area of Ghinda Town.

A national security meeting was allegedly convened on 5 November to discuss the unrest and to brainstorm ways of quelling further insurrections. It emerged during the meeting that the ostensible reason for the use of the Tigrean militia was that, as with most things in Eritrea, the decision to commence the round-up was an arbitrary one taken by President Afewerki seemingly spontaneously and without consultation and that the only forces available for use within the stipulated timescale were TPDM cadres. Significantly, there was a suggestion that in at least one instance military service conscripts had refused to enforce the round-up, leaving the task to TPDM forces. Moreover, in the days before the round-up, there had been no electric power in Asmara. Consequently police radio batteries were not charged, and when the fighting broke out in the city it was difficult to make timely calls for reinforcements.¹⁶

President Afewerki's sudden decision to initiate these mass round-ups in the aftermath of Lampedusa is an indication of his sense of insecurity. In addition, the use of a foreign client militia to round up Eritrean citizens not only underlines the lack of legitimacy of an unelected president who has wielded absolute power in an arbitrary manner for over two decades; it also highlights a lack of faith in the Eritrean Defence Forces (EDF). In January 2013, members of the EDF briefly occupied the Ministry of Information, and issued a communique calling for the implementation of Eritrea's suspended constitution, and for the release of political prisoners of everyone detained for attempting to flee the country illegally.¹⁷ Earlier, in March 2012, the EDF had done little to halt an Ethiopian incursion into the country, having been depleted by defections and demoralised by years of erratic policy that have undermined its effectiveness as a fighting force.¹⁸ "The rule of Isaias Afwerki [sic] is absolute. He

¹⁴ Eritrean Human Rights Electronic Archive, 'Lists of execution of some prisoners and others since 1991'

<http://www.ehrea.org/excupj.htm>

¹⁵ Asmarino, 'Report from Eritrea part II', 28 October 2013 <http://asmarino.com/eyewitness-account/1902-report-from-eritrea-part-ii>

Asmarino, 'Riot on the Streets of Asmara', 27 October 2013 <http://asmarino.com/news/1899-riot-on-the-streets-of-asmara>

¹⁶ Awate, 'National Security Team Discusses TPDM Role in Roundup', 5 November 2013 <http://awate.com/national-security-team-discusses-epdm-role-in-roundup/>

¹⁷ http://en.rsf.org/eritrea-what-really-happened-at-asmara-s-24-01-2013_43947.html

¹⁸ Awate, 'A Mercenary Army: Isaias Afwerki's Last Stand', 30 October 2013 <http://awate.com/a-mercenary-army-isaias-afwerkis-last-stand/>

controls the state media, the security apparatus, its army, its finance, its housing, its fuel supply, its land distribution, its potable water distribution...Isaias Afwerki decides which singers should go on which tours, which pavement should be patched, what crop should the farmers sow this year, how far they should plough, which private hospital should be closed, which shop keeper should be licensed, what curriculum should be taught; who should be sentenced for years and who for life sentence...whose wife should be abused so that the husband will be humiliated: the ultimate insult in Eritrean culture. He is the one who declares war and peace; at the same time he is the one who decides what colour should be painted a certain house.”¹⁹

Freedom of Religion or Belief (FoRB)

A campaign of arrests of Christians from both prescribed and proscribed groups has continued with varying waves of intensity since 2002. The latest wave began on 17 January 2013, with the detention of around 20 Christian leaders from a variety of churches. Most were arrested at their homes, pointing to the worrying possibility that underground church networks are being infiltrated and monitored.²⁰ In March 2013 came reports that police had raided homes and businesses in the town of Barentu, arresting over 125 Christians.²¹ Another report claimed that 17 Christians, six of them female students, were arrested on 16 March 2013 as they gathered in a home in Keren.²²

The next indication of infiltration came in October with the arrests of 180 Christians from the Living God (Hiyaw Amlak) network as they were praying together in Asmara. In November around 80 women and children were released after signing an agreement not to meet together for prayer. However, all the men of the group, and any who refused to sign the agreement, remain detained and may be sent to military prisons.

Abductions

Around 4,000 Eritrean hostages are estimated to have died at the hands of Sinai Bedouin between 2008 and 2012.²³ Although no less brutal, the frequency of these abductions to the Sinai has subsided somewhat, with numbers falling to 100-150 from a high of around 800 in 2010. The decline has been due either to increasing publicity that has shed unwelcome light on a previously hidden brutality, or to the emergence of an anti-trafficking network of Bedouin sheikhs that assists abductees, or to the fact that the services of Bedouin are being avoided as news of the abuse has filtered through; or perhaps to a combination of all three factors.

However, as the flow has eased, Eritrean refugees are now being abducted from Shegarab, the United Nations High Commissioner for Refugees (UNHCR) camp complex in eastern Sudan. The UNHCR's documented cases of abducted refugees rose from 51 in 2011 to 551 in 2012, with many more believed to be unreported. For example, four refugee women disappeared during the night or early hours of 21-22 January 2013, causing serious fighting between camp residents and local people, that necessitated official intervention by the host nation's security forces. There are even disturbing indications that some abductions may not be by traffickers, but by criminal locals who now view Eritreans as a means of getting rich quickly. Worse still, there is now evidence of Eritreans being abducted not only from as far afield as Khartoum, but even from border areas within Eritrea.

¹⁹ Awate, 'Younis: Disengage from Isaias Afwerki; Engage Alternative Voices', 28 October 2013

<http://awate.com/younis-disengage-from-isaias-afwerki-engage-alternative-voices/>

²⁰ Asmarino, 'New and targeted wave of arrests against underground church leaders', 28 January 2013

<http://asmarino.com/press-releases/1637-new-and-targeted-wave-of-arrests-against-underground-church-leaders>

²¹ Charisma News, 'Totalitarian Government of Eritrea Beats, Detains 125 Christians', 7 March 2013

<http://www.charismanews.com/world/38556-totalitarian-government-of-eritrea-beats-detains-125-christians>

²² Nselam, 'Eritrean Christian dies in prison', 28 March 2013 <http://www.forto21.nselam.com/?p=694>

²³ Asmarino, 'The Rerouted Trafficking in Eritrean Refugees', 9 October 2013

<http://www.asmarino.com/articles/1879-the-rerouted-trafficking-in-eritrean-refugees>

Indefinite detention and lack of due process

Tens of thousands of Eritreans continue to be detained without charge or trial in life threatening conditions, in more than 300 sites across the country where torture is routinely practised.

An increasing number of people are currently languishing in jail due to a practice known locally as *atsnehaley*. This phenomenon has long been practised in Eritrea and gives an added dimension of irregularity to arbitrary detention. It essentially involves prison authorities detaining a person at the request of a government official, almost as a favour, and without being informed of the offence he or she is supposed to have committed. Consequently, the detainee is held until the person who requested the imprisonment deigns to permit their release. However, since such arrests are highly arbitrary, they are not registered officially and detainees cannot be traced even by family members. Consequently, if the official who requested the detention is transferred, flees the country or meets an unfortunate end, such detentions can literally amount to life imprisonment.

The collective punishment of family members of those who flee Eritrea continues. A recent high profile case involves the father, brother and daughter of Ali Abdu, the regime's former spin doctor and Information Minister, who fled the country in November 2012. His 15-year-old daughter Ciham, 86-year-old father Abdu Ahmed Yonis, and 38-year-old brother Hassen Abdu Ahmed, have been detained incommunicado ever since.²⁴

While the untimely deaths of Eritrean refugees and asylum seekers are now receiving increasing international attention, a report from within Eritrea contends that deaths within the extensive prison system, where inmates suffer torture, inhuman and degrading treatment and all manner of deliberate privations "far outstrips those dying outside the country."²⁵ In October came reports that Wehazit Berhane Debesai, a Christian woman, had died of pneumonia in an unspecified prison after being denied medication due to a refusal to renounce her faith.²⁶

Diaspora tax

The UN Security Council sanctions against Eritrea for its alleged support for Islamist militant groups, including Somalia's al-Shabaab, now include a block on the 2% remittance tax imposed on Eritrean nationals overseas, also known as the 'diaspora tax'.

In May 2013 the Canadian Government ordered Semere Ghebremariam Micael, head of the Eritrean Consulate General in Toronto, to leave the country by June for continuing to demand payments of the 2% diaspora tax and 'national defence' fees from Eritrean expatriates living in Canada. In 2012 the German Government also demanded an end to the collection of this tax. However, Eritrean embassies throughout the world generally continue to collect it. Of particular note, despite being told in 2011 to end this practice since it is potentially in breach of the Vienna Convention on Diplomatic Relations, the Eritrean Embassy in London continues to collect it unhindered.²⁷

²⁴ Asmarino, 'Eritrea: More punishment of the innocent', 6 November 2013 <http://asmarino.com/press-releases/1918-more-punishment-of-the-innocent>

²⁵ Asmarino, 'Report from Eritrea part I', 27 October 2013 <http://asmarino.com/eyewitness-account/1900-report-from-eritrea>

²⁶ Charisma News, 'Christian Woman Dies in Eritrean Jail as Prisoner of Conscience', 4 November 2013 <http://www.charismanews.com/world/41626-christian-woman-dies-in-eritrean-jail-as-prisoner-of-conscience>

²⁷ *International Business Times*, 'Eritrea Extorts UK Refugees to Fund Somalia's al-Shabaab Islamist Fighters', 29 July 2013 <http://www.ibtimes.co.uk/articles/495268/20130729/eritrea-shabaab-somalia-diaspora-tax-horn-islam.htm>

2. Conclusion and recommendations

Christian Solidarity Worldwide calls on members of the international community to urge the Government of Eritrea to ensure:

- The immediate granting of unlimited and unhindered access to long-term detainees for the International Committee of the Red Cross (ICRC) and/or any other competent international body, to assess their wellbeing and the conditions in which they are held, ensuring that the latter meet with UN minimum standards;
- Access for all detainees to immediate family members, medical treatment and legal representation;
- Release of all detainees subjected to irregular detention under the *atsneha* policy;
- The implementation of Eritrea's ratified constitution and the return of all rights enshrined within it, including the freedoms of religion or belief, conscience, expression, opinion, movement, assembly and organisation;
- An end to the indefinite extension of the legally stipulated 18-month term of military service, and to the use of military conscripts and detainees as forced labour;
- The demobilisation of those who have served excessive tours of duty within the army;
- The urgent demarcation of the Eritrea-Ethiopia border in line with the international ruling, in order to eliminate a justification for continued repression;
- Access for relevant UN special mechanisms and credible human rights organisations to carry out a thorough, independent and impartial investigation into all serious violations of human rights in the country;
- The right to conscientious objection, and an end to underage conscription, to the indefinite extension of the stipulated term for military service, and to the use of conscripts as forced labour;
- An end to arbitrary arrest and indefinite detention without charge or trial. The Eritrean Government should be urged to bring detainees immediately before recognised courts of law, in the presence of international observers, or release them;
- The signing and ratification of the United Nations Convention against Torture (CAT). Eritrea has already acceded to the International Covenant on Civil and Political Rights (ICCPR) and the African Charter, both of which prohibit this practice;
- As evidence of its bona fides with regard to tackling the trafficking, torture and extortion of its citizens, the signing of the UN Convention on Transnational Organised Crime, and with international assistance, the enactment of local legislation by which perpetrators can be punished.

CSW also urges members of the international community:

- To review the activities of Eritrean diplomatic missions within their borders, specifically the collection of tax from local Eritrean communities, in order to determine whether this practice is in breach of the Vienna Convention on Diplomatic Relations;
- To investigate all reports of harassment within their borders of members of the Eritrean diaspora;
- To take coordinated action to address the kidnapping and torture of Eritrean refugees and asylum seekers, and the extortion of the Eritrean diaspora by international trafficking syndicates, bringing those involved to justice;
- For signatory states to the UN Refugee Convention, to honour the non-return advisory regarding Eritrean refugees issued by the Office of the United Nations High Commissioner for Refugees; and for signatories to the African conventions relating to refugees, to assist and protect refugees in accordance with the stipulations contained therein.