

## **ERITREA: The Special Rapporteur's mandate was not established in response to the political situation in the Horn of Africa, but to address the egregious human rights violations committed by the Eritrean government against Eritrean civilians**

10 July 2019

Following the informal consultation on the draft resolution on Eritrea, tabled by Australia, Austria, Belgium, France, Germany and the Netherlands, we write to urge you to support the resolution, which renews the mandate of the special rapporteur on the situation of human rights in Eritrea, and also to clarify prevailing misconceptions.

**As you are aware, in 2016, a Commission of Inquiry mandated by the Human Rights Council found reasonable grounds to believe that Eritrean officials have been committing crimes against humanity since 1991. It also compiled a list of suspected violators that was deposited with the High Commissioner, awaiting a request from a member state for its release and investigations.**

The findings and recommendations of the Commission of Inquiry remain current and valid. The human rights situation has not improved since 2016. On the contrary, grave violations have continued to occur.

Most recently, in May and June 2019, and in actions that also targeted religious groups ostensibly permitted to operate in Eritrea, a 32 year old Muslim man died after severe torture while in detention and delayed medical assistance; five Orthodox monks and at least 171 Evangelical Christians were arrested, and 21 Catholic health centres located in remote areas of the country were closed, depriving the most vulnerable of access to affordable healthcare.

Last Monday, photographs emerged of priests and nuns being evicted from the centres where they had both lived and worked, while property was loaded on lorries and driven to an unknown location. Credible reports indicate that during the seizures, in-patients were forcibly discharged and, in some cases, even removed from oxygen, and that following the forced closures, a woman died following pregnancy complications.

Eritrea stands accused of committing the gravest of international crimes. Yet, the notion appears to have gained currency in some quarters that its removal from the Council's agenda will encourage peace in the Horn of Africa, despite the fact that the two issues are in no way related.

Limited Security Council sanctions imposed as a result of Eritrea's destabilising actions in the Horn region and for supporting the Al Shabaab were lifted following the rapprochement between Ethiopia and Eritrea in order to encourage the peace process. Moreover, Eritrea has already been rewarded with a seat on the Human Rights Council, which has led to no discernible improvements in human rights. Instead, government representatives consistently describe even the mildest suggestions that the country should take advantage of this position to improve its human rights record and fully engage with special procedures as "bullying."

The Eritrean regime has also been elevated to the chair of the Khartoum Process, despite the fact that its repressive policies are responsible for generating a refugee crisis that has emptied the country of at least 12% of its population. The exodus continues despite peace with Ethiopia, which is a further indication that the human rights crisis is ongoing.

In reality, the Special Rapporteur's mandate was not initiated in response to the political situation in the Horn, nor to deal with the conflict between Ethiopia and Eritrea, but to address the egregious human rights violations committed by the Eritrean government daily and routinely against Eritrean civilians, who remain its primary victims, and who have not benefited in any manner from the much vaunted peace initiatives. The continuing and flagrant violations, many of which have taken place in the lead up to, and even during the current HRC session, clearly indicate that the mandate is needed now more than ever.

In addition, while Eritrea's engagement with the Universal Periodic Review (UPR) is to be welcomed, its deliberate decision to limit acceptance of recommendations to a narrow selection of economic and development-related rights while refusing to address its comprehensive violations of civil and political rights undermines the entire process. If human rights are truly universal, inalienable, indivisible, interdependent, interrelated and mutually reinforcing, then the government must also respect and fulfil the civil and political rights of its citizens.

It has been asserted that the mandate of the Special Rapporteur on Eritrea is politicised. Yet, many who express this view most vociferously seek to end the mandate in order to advance a political objective that will in no way assist in realising human rights for the Eritrean people. It is also instructive that the countries that celebrated Eritrea the most during the informal consultation made no mention of the Eritrean people.

In reality, the emergence of the mandate is attributable to a deeply principled African diplomat, who championed human rights across the continent, standing in solidarity with some of its most vulnerable people. It emerged due to the genuine commitment to the guiding principles of the HRC on the part of the late Somali permanent Representative to the HRC, Yusuf Mohamed Ismail 'Bari-Bari,' a man of deep integrity, who also modelled positive engagement with a country mandate in the case of his own nation.

Upon learning of the suffering endured by the Eritrean people at the hands of its government, the ambassador advocated tirelessly on their behalf, as he did for persons with Albinism, who also continue to suffer unspeakable violations in certain African countries. Ambassador Bari Bari also spearheaded efforts for the creation of the Commission of Inquiry on Eritrea, and as was the case with the Special Rapporteur mandate, he was supported by Nigeria and Djibouti, with the Ambassador of Djibouti and the new Ambassador of Somalia picking up the mantle following his assassination in March 2015.

We end by expressing our deep gratitude to the core group of nations, for tabling the resolution, and to Djibouti, Somalia and Nigeria for facilitating it in the past.

We also urge to all Member States to ensure justice for Eritrean victims by not permitting this mandate to lapse. In particular, we appeal to the Africa Group to once again embrace the principled position of Ambassador Bari Bari by eschewing political exigencies, standing in solidarity with the people of Africa in a consistent manner, and rejecting the return of politicised solidarity that shields human rights violators merely because they are in power.



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