

Introduction

1. CSW (Christian Solidarity Worldwide) is a human rights organisation specialising in the right to freedom of religion or belief (FoRB).
2. In May 2002 Eritrea effectively outlawed religious practices not affiliated with the Catholic, Evangelical Lutheran or Orthodox Christian denominations, or Sunni Islam. Other religious groups must register to practise their faith; however, the process is onerous, intrusive, restrictive and inconclusive. Moreover, the government-sanctioned religious groups also experience repression.

Detention of religious adherents

3. Since 2002 thousands of adherents of non-recognised creeds have been detained without charge or trial in inhumane, life threatening conditions, experiencing torture or even death.
4. While Eritrea may be seen to be cooperating with the international community, and selectively engaging with UPR recommendations, domestically, the human rights situation remains unchanged.
5. In 2018 CSW ascertained that 345 church leaders and officials were being held in over 300 prisons, while estimates of imprisoned lay persons range from 800 to 2,000. Additionally, there are currently 52 members of the Jehovah's Witness movement in detention.
6. In a statement in April 2020, the Special Rapporteur on the situation of human rights in Eritrea, Daniela Kravetz, reported that over 200 individuals were imprisoned because of their faith in 2019 alone.¹
7. During May 2019 171 Christians, including at least 14 minors, were arrested in the Godaif district of Asmara, and on 18 August Eritrean security officials detained over 80 Christians, again most of them from Godaif.
8. Among those currently imprisoned is Abune (Father) Antonios, the legitimate patriarch of the Eritrean Orthodox Church. The nonagenarian patriarch has been under official house arrest since January 2007, after being removed from office in 2006, in violation of canon law, for objecting to the government's repeated interference in ecclesiastical affairs and refusing to excommunicate members of Medhanie Alem, the

Orthodox renewal movement. With the exception of a tightly-managed appearance in July 2017, he has not been seen in public, except in smuggled videos where he criticises the conditions and grounds of his detention.

9. Patriarch Antonios, who is severely diabetic and suffers from high blood pressure, is currently reported to be held in isolation and is not allowed visits, even from family members. In July 2019 five pro-government bishops issued a statement, signed by only four of them, accusing him of committing heresy, stripping him of all official authority, and effectively excommunicating him.
10. On 13 June 2019 five Orthodox priests from Debre-Bizen Monastery in the Northern Red Sea Region were detained, reportedly for supporting Patriarch Antonios and protesting government interference in church affairs.
11. On 28 November 2019 over 21 Muslims were arrested at their homes and workplaces in Mendefera, Adi Quala and surrounding villages in the southern region, and taken to unknown destinations.

Deaths in detention

12. In June 2019 Said Mohamed, a Muslim, died in detention following severe mistreatment and delayed medical treatment.
13. CSW also received news of the deaths of two detained Christians during 2019. One died in Dhalak prison; the other died in Mai Serwa. They are survived by their wives, and four and three children respectively.

Military service

14. Military service is meant by law to last for 18 months, but remains indefinite. Recruits receive minimal wages and can experience forced labour. Young female recruits regularly face sexual harassment and violations by senior officers.
15. Military round-ups continue to occur. On 4 February 2020 27-year-old conscript Shewit Yakob Gebretensae, was shot dead in Mendefera by police who had attempted to seize him as he walked home. According to Human Rights Concern-Eritrea, he had undergone many years of military service without infringing

¹ United Nations Human Rights Office of the High Commissioner, 'Eritrea must free political prisoners and low-risk offenders to reduce COVID-19 threat in crowded jails, says UN expert', 2 April 2020

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25764&LangID=E>

regulations before leaving without permission to assist his younger brother to care for their disabled mother.²

16. Members of the Jehovah's Witness movement have suffered severe mistreatment due to doctrinal exigencies that meant they did not vote during the 1993 independence referendum, and requested to participate only in non-military aspects of national service. In 1994 Jehovah's Witnesses were stripped of citizenship rights, dismissed from the civil service, and their schools and businesses were forcibly closed.
17. Jehovah's Witnesses Paulos Eyasu, Isaac Mogos, and Negede Teklemariam have been in Sawa prison since 17 September 1994 for conscientiously objecting to participating in active national service. Any Jehovah's Witnesses caught meeting clandestinely face detention and harassment, including children and the elderly.
18. In June 2016, the UN Commission of Inquiry on Human Rights in Eritrea (COIE) "found reasonable grounds to believe" that crimes against humanity, "namely enslavement, imprisonment, enforced disappearance, torture, other inhumane acts, persecution, rape and murder" have been committed in a "widespread and systematic manner" since 1991. These crimes were deemed to have been committed largely but not exclusively within the context of military service.

Seizure of religious properties

19. Throughout 2019 CSW received reports of the seizure and forced closure of properties belonging to religious groups.
20. On 12 June, 22 Catholic-owned health facilities were seized and closed in line with a government directive that was communicated verbally and enforced by police, soldiers and government doctors. In-patients were ejected, nuns living in the premises were evicted, and equipment and furniture were removed to unknown locations.
21. On 23 June Eritrean security agents raided a Faith Missions Church gathering in Keren. Several people, including pregnant women, mothers, children and at least one entire family, were arrested, and property found at the venue was confiscated. Detained church

members are currently held in Hashefrey camp. Faith Missions Church is one of four faith groups still awaiting registration despite submitting documentation in 2002.

22. In September 2019, three Catholic-run secondary schools were closed and confiscated, along with five others run by Protestant and Muslim congregations.

COVID-19

23. In April 2020, SR Kravetz expressed concern regarding COVID-19 in Eritrea and its potential effects on the country's prison population, calling for the release of "all political prisoners, low-risk offenders and others such as the sick and elderly who are particularly vulnerable to illness or death."³
24. In an article, Rev. Dr Berhane Asmelash of Release Eritrea said: "I have always been concerned regarding the prisoners' health given the overcrowded conditions and severe malnutrition. ... the situation is unimaginably difficult, there is no medical care whatsoever, there is no way anyone would survive a viral outbreak such as COVID-19 in that condition."
25. Eritrea has since claimed to have defeated COVID-19. However, there has been no independent verification, and in the period following this claim Uganda reported it had turned away 25 truck drivers at its border for testing positive for COVID-19, including one from Eritrea.⁴
26. CSW is calling for the immediate and unconditional release of prisoners detained arbitrarily, especially in view of a pandemic which poses a risk to life for those still held in inhumane conditions.

Conclusion

27. Eritrea is entering its second year of membership on the Human Rights Council; however, its human rights crisis remains acute. A Special Rapporteur on the situation of human rights in the country therefore remains essential, given the lack of progress towards meeting modest human rights benchmarks articulated in the Special Rapporteur's 2019 report.

² Human Rights Concern-Eritrea, 'A 27 year old Eritrean is shot dead in the street by armed police', 10 February 2020 <https://hrc-eritrea.org/a-27-year-old-eritrean-conscript-is-shotdead-in-the-street-by-armed-police/>

³ United Nations Human Rights Office of the High Commissioner, 'Eritrea must free political prisoners and low-risk offenders to reduce COVID-19

threat in crowded jails, says UN expert', 2 April 2020 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25764&LangID=E>

⁴ "Uganda removes truck drivers from COVID-19 count, reduces national tally" <https://africa.cgtn.com/2020/05/21/uganda-removes-truck-drivers-from-covid-19-count-reduces-national-tally/>

Recommendations

To the United Nations Human Rights Council (HRC):

- Renew the mandate of the Special Rapporteur on the situation of human rights in Eritrea at the 44th HRC Session.
- Urge the African Union (AU) to follow up on the Council's reporting; and encourage and support the establishment of an AU judicial mechanism to bring to justice those responsible for crimes against humanity.

To the African Union:

- Establish a judicial mechanism to hold identified perpetrators of gross violations and crimes against humanity to account.

To the government of Eritrea:

- Implement the ratified constitution, facilitating all rights enshrined within it.
- Release all prisoners of conscience, including those detained on account of their religion or belief, immediately and without precondition.
- Immediately and unconditionally release and reinstate the legitimate patriarch of the Eritrean Orthodox Church, Abune Antonios.
- End the indefinite extension of military service, ensure the demobilisation of those who have served excessive tours, and terminate the use of conscripts and detainees as forced labour.
- Adhere to the Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa; end enforced disappearance, arbitrary arrest, incommunicado detention and indefinite detention without charge or trial; and bring long-term detainees before recognised courts of law in the presence of international observers, or release them.
- Implement the Nelson Mandela Rules for the treatment of prisoners, and conduct full and transparent investigations into deaths in detention facilities.
- Either return all seized educational and health facilities seized from faith communities or compensate them for their losses.
- Align secondary and tertiary education with international norms.
- Co-operate fully with the Special Rapporteur on the situation of human rights in Eritrea.

- Develop and implement a plan to meet human rights benchmarks, in consultation with the Special Rapporteur and the Office of the High Commissioner for Human Rights (OHCHR).