

Open Letter to the Permanent Representatives of Members and Observer states of the UN Human Rights Council regarding the Human Rights Situation in Eritrea

16 June 2016

Re: Renewal of the mandate of the Special Rapporteur on the human rights situation in Eritrea; and the establishment of a structure to assist with accountability

Excellences,

In light of the finding by the Commission of inquiry into the situation of human rights in Eritrea (COIE) of reasonable grounds to conclude that crimes against humanity had been committed by Eritrean officials against Eritrean citizens since 1991, we write to urge your delegation to sponsor or co-sponsor a resolution that would **renew the mandate of the Special Rapporteur on the situation of human rights in Eritrea, and that establishes a structure within the Office of the High Commissioner for Human Rights (OHCHR) to assist with monitoring human rights and ensuring accountability for identified perpetrators, and justice for victims.**

The findings of the Commission of Inquiry make for disturbing reading. Identified widespread, systematic and ongoing crimes include enslavement, whereby around 400,000 people in indefinite national service are subjected to forced labour, with many female conscripts forced to endure domestic servitude and sexual abuse; imprisonment; enforced disappearance; torture; other inhumane acts, persecution, rape and murder. In addition, the Commission notes the persistence of the gross human rights violations highlighted in its previous report, including arbitrary detention, enforced disappearances, torture, killings, sexual and gender-based violence, discrimination on the basis of religion and ethnicity, and reprisals for the alleged conduct of family members.

Excellences,

The crimes outlined in the Commission's report are part of the totalitarian practices adopted by the Eritrean government and ruling party to perpetuate their power.¹ There is therefore little likelihood of the Eritrean authorities bringing these practices to an end of their own volition. Thus there is a very clear need for the entire international community to "keep Eritrea under close scrutiny until consistent and tangible progress with regard to the situation of human rights is evident."² Renewing the mandate of the Special Rapporteur will assist in ensuring Eritrea not only complies with recommendations it has already accepted, but also brings its policies and practices in line with humanitarian and human rights norms, instituting rule of law, and effectively addressing the pervasive crimes against humanity underway within its borders.

The Commission has made over 40 recommendations to the Eritrean government, and notes that those contained within its first report remain valid. In addition, the findings and important recommendations contained within the Special Rapporteur's previous reports continue to require monitoring and implementation. The magnitude of follow up required and the fact that crimes against humanity constitute the gravest of violations, that there is no statute of limitation and that files of alleged perpetrators have been handed over to the High Commissioner for Human Rights for further action, necessitate "the establishment of a structure by the Office of the United Nations High Commissioner for Human Rights with a protection and promotion mandate, in particular to assist in ensuring accountability for human rights violations in Eritrea, especially where such violations amount to crimes against humanity."³

¹ A/HRC/42, paras 24-25

² A/HRC/32/CRP.1 para 363 (a)

³ A/HRC/32/CRP.1 para 358 (c)

Excellences,

The latest COIE report marks the beginning of, and provides a road map for, the vital process of assessing and identifying the full extent of human rights abuses in Eritrea, but there is extensive work that still needs to be done to end the atrocities and ensure justice for victims. After the mandate of the Commission of Inquiry on North Korea came to an end, a field office was established by the OHCHR based in Seoul to assist in continued human rights monitoring and in taking forward recommendations. We feel it is essential that a similar structure is created for Eritrea, based at OHCHR headquarters in Geneva.

Excellency,

Thousands of Eritreans continue to flee their country each month to escape the repression. According to the Office of the High Commissioner for Refugees (UNHCR), 12% of the population has become refugees or asylum seekers.⁴ Eritreans risk abduction for ransom, torture and gender-based violence by traffickers and hostile local communities in countries they traverse in their desperate search for refuge. However, the UNHCR figure only attests to those who can be accounted for. Unknown numbers have been shot dead attempting to cross borders with their bodies left to rot in the open air, or murdered in foreign lands, or succumbed to privations in detention centers in the Middle East and North Africa region. Countless others have died crossing deserts and seas in pursuit of sanctuary from all-encompassing repression in Eritrea. April 2016 marked the first anniversary of the murder of 86 Eritreans, who were pictured being shot or beheaded by Islamic State (IS) extremists in Libya. November will mark the third anniversary of the deaths in the Mediterranean of over 300 people, most of them Eritreans, in a shipwreck near the island of Lampedusa. More recently, many of the 700 people reported to have drowned in the Mediterranean in April this year have now been identified as Eritreans, including a dead baby photographed in the arms of a devastated German rescuer.⁵ In a tragedy that is an indictment of their government and unique to their nation, Eritrean citizens are fully cognizant of these appalling dangers ahead, but still choose to risk these perils rather than remain.

Excellences,

Twenty-five years is too long. We therefore respectfully urge your delegation to advance the process of securing justice for the people of Eritrea by sponsoring, co-sponsoring or otherwise supporting a resolution that, inter alia:

- **Condemns the systematic and widespread crimes against humanity that have been underway in Eritrea for the last 25 years and that continue to occur;**
- **Renews the mandate of the Special Rapporteur, urging the Government of Eritrea to allow access to all special mechanisms of UNHRC and the African Commission on Human and People's Rights;**
- **Establishes a secretariat within the OHCHR to assist in monitoring the human rights situation, following up recommendations and ensuring accountability.**

We thank you for your attention to these concerns and remain available to provide further information as may be useful.

Respectfully,



⁴ UNHCR figure cited in A/HRC/32/CRP.1 para 70

⁵ <https://www.washingtonpost.com/news/worldviews/wp/2016/05/30/a-dead-baby-becomes-the-latest-heartbreaking-symbol-of-the-mediterranean-refugee-crisis/>