

## Introduction

1. CSW (Christian Solidarity Worldwide) and CSW-Nigeria seek to highlight the grave and continuing human rights violations committed by the government of Eritrea, and particularly violations of freedom of religion or belief (FoRB) and associated rights ahead of Eritrea's upcoming Universal Periodic Review (UPR). In its 2016 report, the Commission of Inquiry on the situation of human rights in Eritrea (COIE) identified persecution on religious grounds as being among several crimes against humanity committed by Eritrean officials since 1991.
2. Tens of thousands of Eritrean citizens remain detained without charge or trial in life threatening conditions in more than 300 sites across the country. Among those incarcerated are prisoners of conscience, some of whom have been detained for decades due to peaceably expressed political views or religious beliefs. Conditions in these facilities are unsanitary and unsatisfactory; detention facilities can include shipping containers, underground cells, and the open air in the desert, and access to food, water and medical attention is insufficient and often withheld as punishment.
3. Eritrea noted recommendations during the third cycle of the UPR regarding the need to review domestic legal provisions concerning religious groups and the strengthening of national legislation concerning FoRB. However, it is yet to review the onerous, intrusive, restrictive and inconclusive registration process for religious communities that has been in place since May 2002, when the government ordered the closure of all but four religious communities pending registration, in a contravention of Eritrea's ratified but unimplemented Constitution, which not only provides for FoRB, but also forbids discrimination on any grounds, including on the basis of religion. During the reporting period the government claimed to be drafting a new constitution; however no new document has emerged.
4. A campaign of arbitrary arrests and indefinite detentions targeting unregistered religious communities which began in 2002 continues to date. Moreover, even the four government-sanctioned religious groups which were exempted from the registration process – the Catholic, Evangelical Lutheran and Orthodox Christian denominations and Sunni Islam – experience similar harassment and arbitrary detention, indicating that a government obsessed with controlling every aspect of the lives of Eritrean citizens may have designed the policy to augment its control of this sector of society.

### Recommendations:

5. ***In the continuing absence of a new Constitution, Eritrea is urged to implement the ratified 1997 Constitution and facilitate all rights enshrined within it.***
6. ***Eritrea is encouraged to urgently review and repeal legislation or decrees that restrict the full enjoyment***

***of all citizens of the right to freedom of religion or belief, as articulated in the International Covenant on Civil and Political Rights, the African Charter of Human and Peoples Rights and other international and regional instruments to which it is party.***

7. ***Eritrea is also encouraged to fully cooperate with United Nations (UN) human rights mechanisms, including the Special Rapporteur on the situation of human rights in Eritrea, to extend a standing invitation to special procedure mandate holders, and to accept their visit requests.***

## Arbitrary Arrests and Detention

8. During the third UPR cycle, Eritrea supported five recommendations directly related to FoRB, namely, to promote religious freedom and harmony, to continue efforts aimed at respecting freedom of religion or belief, to ensure its free exercise, and to protect freedom of expression, peaceful assembly and association.
9. However, the rights to FoRB, peaceful assembly and association were routinely violated during the reporting period as Eritrea continued its campaign of arbitrary arrests and indefinite detention without due process of members of proscribed religious communities, often seizing them from their homes or during social gatherings such as weddings.
10. On 17 May 2019, 30 Evangelical Christians were arrested at gatherings in three locations in the Godaif district of Asmara. Earlier, 141 Christians, including 14 minors, were arrested in the Maitemenai area of Asmara, only 50 of were reportedly released. On 24 June 2019, a Catholic nun was detained in Keren. In August 2019, 80 Evangelical Christians from Godaif were detained, and November 2019 saw the arrests of at least 21 Muslims from Mendefera, Adi-Quala and nearby villages, who were transported to unknown locations. No reason was given for their arrests.
11. On 23 June 2019, security officers raided a gathering of members of the Faith Missions Church in Keren and arrested several people, including pregnant women, mothers, children and at least one entire family. They also confiscated property found at the venue.
12. Faith Missions Church was established in Eritrea in the early 1950s, yet, like the Meherte Yesus Evangelical Presbyterian Church, the Seventh Day Adventist Church and the Baha'i movement, it still awaits the presidential signature that would finalise its registration, despite having submitted the requisite documentation in 2002.
13. In April and June 2020, CSW UK and Nigeria received reports of the arrests and imprisonment of 45 Christians at Evangelical gatherings in Asmara. Fifteen were arrested as they attended a worship service in a home in Mai Chehot, Asmara, in April. They were initially held in a local police station for several days, before being transported to Mai Serwa Prison, which is infamous for its inhumane conditions. A second group of 30 people that included non-Christians, was arrested at the

wedding of a Christian couple in the last week of June 2020. This group was reportedly taken to Asmara's 2nd Police Station, known locally as Kalai Medeber.

14. These detentions came amidst increasing concerns about the potentially deadly impact of any outbreak of COVID-19 in Eritrea's extensive and overcrowded prison system.
15. August 2020 saw the release of 101 members of the Muslim community, who had been detained without charge or trial in connection with protests in 2017 and 2018 following the arrest and subsequent death in custody of respected elder Haji Musa Mohammed Nur, who had opposed the government's attempted expropriation of the Al-Diaa Islamic private school and its insistence that female students should no longer wear the hijab.
16. In August and September 2020, up to 64 Evangelical Christians who had been imprisoned for between two and 16 years were released. Their releases, which were not connected to the coronavirus outbreak, were accompanied by further arbitrary detentions, including of five Evangelical church leaders, around eight Christian women and the entire male population aged 14 and over from one community.
17. 4 December 2020 saw the release of 24 Jehovah's Witnesses, including the high-profile conscientious objectors Paulos Eyasu, Isaac Mogos and Negede Teklemariam, who had been held for 26 years. The releases appeared designed to distract international attention from credible reports of thousands of Eritrean refugees being forcibly returned from two camps in Ethiopia's Tigray region, many of whom were allegedly detained, and the emergence in January 2021 of satellite imagery revealing extensive and deliberate destruction of two of the four camps for Eritrean refugees and asylum seekers. Thirty-two Jehovah's Witnesses currently remain in prison (22 males and 10 females).<sup>1</sup>
18. On 27 January 2021, six female Evangelical Christians who were detained in September 2020 in Dekemhare, were released. They had been arrested after worshipping in public while walking down a street, an event which was caught on camera and circulated via social media. Then on 1 February 2022, 21 female and 43 male prisoners who had been held without charge or trial for periods of between two and 12 years were released from Mai Serwa and Adi Abeito prisons.
19. In March 2021, 22 women were arrested at a prayer meeting, taken to Mai Serwa prison, and eventually released in April 2021. Also in late March 2021, 12 Christians were arrested at a prayer meeting in a home in Assab and confined in harsh conditions in a nearby prison. Additionally, 14 Evangelical Christian men who had been arrested on the direct orders of Eritrea's

president in 2017 were released from Nakura prison in the Dahlek archipelago in April 2021.

20. While the releases were warmly welcomed, there was also speculation they were part of an effort by the Eritrean regime to distract international attention from its role in Tigray, where Eritrean troops were increasingly implicated in egregious violations which potentially amounted to crimes against humanity, war crimes and possibly genocide.
21. In March 2022, 29 Evangelical Christians were arrested during a raid on a prayer meeting in a house in Asmara and detained in Mai Serwa prison. In May 2022, 17 more were arrested while praying and were also transported to Mai Serwa prison. In September 2022, 150 Evangelical Christians were arrested in Asmara, 98 of whom remain in Mai Serwa.
22. In January 2023, 44 Christians were arrested in Asmara, and detained in Mai Serwa. In March 2023, 30 Evangelical Christians were arrested in a house in Keren. In mid-April, 103 Christian students were arrested while recording and uploading their second worship song to YouTube and detained in Mai Serwa prison. CSW UK and CSW-Nigeria were informed that 52 of the students – 42 girls and nine boys – were released in early September. In July 2023, 13 Evangelical Christians – seven women and six men – were released after reportedly spending ten years in prison.

## Recommendations

23. ***Eritrea is urged to end the practice of enforced disappearance, arbitrary arrest, indefinite detention without charge or trial, and the penalising of individuals for peaceably expressed beliefs, and to release all prisoners of conscience immediately and unconditionally, including those detained on account of their religion or belief.***
24. ***Eritrea's president is encouraged to finalise the registration of the four religious communities which fulfilled requirements for this process in 2002.***
25. ***Additionally, Eritrea must protect the rights of incarcerated persons by adopting and implementing the Nelson Mandela Rules, particularly with regard to sanitary conditions, food, drinking water, file management, non-discrimination and contact with the outside world.***

## Deaths in detention

26. On 30 January 2019, Haji Ibrahim Younus, a septuagenarian, died after an extended period in detention during which he had not receive adequate medical attention. Then in June 2019, Mr Said Mohamed died following harsh imprisonment and delayed medical attention while indefinitely detained in connection with the attempted seizure of the Al Dia'a Islamic School in

<sup>1</sup> Jehovah's Witnesses, 'Imprisoned for their faith – Eritrea', last accessed 10 October 2021, <https://www.jw.org/en/news/region/eritrea/jehovahs-witnesses-in-prison/>

Asmara. The circumstances surrounding these and subsequent deaths illustrated a continuing pattern of harsh arbitrary detention, medical neglect, and ongoing violations of FoRB.

27. During 2019 CSW UK and CSW-Nigeria received news of the deaths of two Evangelical Christian men in Dhalak and Mai Serwa prisons, who left families with four and three children respectively.
28. Perhaps the most prominent death was that of Abune Antonios, the legitimate patriarch of the Orthodox Church, who died on 9 February 2022, after enduring 16 years of arbitrary detention in the form of house arrest following his removal from office in violation of Canon law for objecting to repeated government interference in ecclesiastical affairs. Local sources reported the patriarch, who was severely diabetic and suffered from high blood pressure, was kept in isolation, even from family members, and was forcibly injected with unknown substances on at least two occasions prior to his death.
29. Another notable death in detention was that of Pastor Tesfay Seyoum, the founder and leader of Meserete Kristos Church who died on 9 April 2023 and was denied a burial place in his home area due to his religious beliefs. His body lay unburied for several days before eventually being laid to rest in a different area.
30. Pastor Seyoum had been detained in Mai Serwa prison for ten years, and had suffered a brain tumour. He was sent to hospital belatedly while still a prisoner, but died two months later, leaving behind a wife and daughter.

#### Recommendation

- 31. Eritrea is urged to adopt and implement the Nelson Mandela Rules, particularly with regard to prompt access to medical attention in urgent cases, and to conduct detailed, transparent investigations into all deaths in custody.**

#### Capture of the Eritrean Orthodox Church

32. The Eritrean government continues to tighten control of the Orthodox Church at home, administering Church finances, selling off its assets and approving its highest officials. Priests seen as sympathetic to the last legitimate patriarch continue to be detained, harassed, forced out or conscripted.
33. June 2019 saw the release of a statement ostensibly from six bishops but signed only by five of them, which accused Abune Antonios of having committed heresy and stripped him of all official authority. The letter effectively excommunicated the patriarch, stating that 'his name should never be mentioned and remembered, and those who do will be punished severely.'
34. However, in a smuggled video recorded on 19 April 2019 which was used as a pretext for his 'excommunication', Abune Antonios said of his detractors: 'The Eritrean Synod are the accusers and adjudicators, without listening to my side. They broke the law of the Eritrean

Orthodox Church.'

35. In May 2021 the Eritrean government announced the uncanonical election of 'Reverend Abune Qerlos' as the fifth patriarch. Also in 2021, reports emerged that the patriarch had been forcibly injected with an unknown substance for the second time since 2017 that was adversely affecting his health.
36. Five Orthodox priests from the Debre-Bizen Monastery in Northern Red Sea Region who were initially arrested in 2019 for supporting Abune Antonios, and protesting government interference in Church affairs, have been held incommunicado in the Wengel Mermera Investigation Centre in Asmara (also known as Karsheli), since 13 June 2021.
37. CSW's sources stated their arrests were linked to events that followed the death of an Orthodox bishop Abune Atnatewos, on 17 May 2019. Abune Atnatewos, had been the bishop of the Dioceses of Europe, Gash Barka, and Northern and Southern Red Sea region since 2005, and was also a member of the Church Synod. The bishop wished to be buried in Debre-Bizen, but his request was refused due to his acquiescence in the removal from office of Abune Antonios in 2006 in violation of Canon law.
38. Following the death of Patriarch Antonios in February 2022, an alliance was reached between Debre Bizen Monastery, Abune Andreas Monastery and Debre Tzege Abune Yonas Monastery, when representatives of these monasteries formed the Simret (Unity) Committee of Debre Bizen, Abune Andreas, and Abune Yonas Monasteries. After setting up the Committee, in March 2022 nine monks from the three monasteries went to see President Isaias Afewerki in person, and they talked with him, urging the government to end its interference in the Church's affairs, and also handed him a letter.
39. Abba Gerima and a fellow monk from the Abune Andreas Monastery were detained around April 2022, and are being held at Asmara's 5th Police Station. Also in April 2022, five of the monks from Debre Yonas Monastery were asked to go to Mendefera, where they were arrested. Another monk from the same monastery, who was based in Asmara, was also arrested. Officials from the Religious Affairs Department of Mendefera subsequently visited Debre Yonas monastery on two occasions, gathering nuns, students and the rest of the monks together, and threatening them with arrest if they refused to obey the authorities and accept the new patriarch. When the monks continued to insist on following Canon law, they were arrested and detained in Mendefera.
40. Over 40 more clergy and students, including eight to nine female nuns, were detained incommunicado. In addition, between 150 and 180 teachers and students were arrested at an Orthodox theological college in Asmara. Three monks from Debre Bizen Monastery who were members of the Unity Committee were also arrested. Two other monks, Abba Heryakos and Abba

Fenoteberhan Haddish, were detained in the 5th and 2nd Police Stations in Asmara respectively.

41. On 15 February 2023, Yeneta Ezra, 47, a strong supporter of the late patriarch, was found dead in his room in Debre Kemah Abune Merkoreos Monastery in the Debub region. Despite having suffered multiple knife wounds, government agents declared his death a suicide, and at their insistence, he was buried hurriedly on 16 February without receiving the appropriate religious rites.
42. Abba Yeneta had long been a target due to his fearless support for the late patriarch. For example, for simply attending Abune Antonios' funeral, he was imprisoned and fined 15000 Nakfa (around US\$ 1,000). He did not have the money to pay the fine, and in exchange, had been prevented from participating in church services.<sup>2</sup>
43. In July 2023, Abba Amha from Abune Andreas Monastery was released after 14 years in incommunicado detention. Prior to being detained in 2009, he had been imprisoned for around five years for refusing to support the Synod's actions against Abune Antonios.

#### Recommendations

44. ***Eritrea is urged to respect the separation of religion and state, and ensure non-interference in the election of a legitimate Orthodox patriarch in a manner stipulated by Canon law and Orthodox doctrine.***
45. ***Eritrea is also urged to release all imprisoned Orthodox clergy, nuns and students who have been detained arbitrarily and indefinitely simply for adhering to Canon law and Orthodox doctrine and traditions.***

#### Long-term Religious Prisoners

46. Several long-term religious prisoners are held without charge or trial, including seven church leaders who have been detained arbitrarily and incommunicado for almost two decades, reportedly in Asmara's Wengel Mermera Investigation Centre. Rev Haile Naizge, chair of the Full Gospel Church, and Dr Kuflu Gebremeskel, chair of the Eritrean Evangelical Alliance and visiting lecturer at the former University of Asmara, have been detained since 23 May 2004.
47. Rev Million Gebreselassie, leader of the Rhema Evangelical Church in Massawa and an anaesthetist at Massawa Hospital, was detained on 3 June 2004, and Rev Kidane Woldu, a senior pastor of the Muluwengel (Full Gospel) Church, has been held since 18 March 2005.
48. Additionally, Orthodox priests Dr Futsum Gebrenegus, at the time Eritrea's only psychiatrist, Dr Tekleab Menghisteb, a highly respected physician, and expert theologian Rev Gebremedhin Gebregiorgis, have been detained incommunicado since 19 November 2004. All three are from the Medhane Alem Church. On 5 June 2022, Rev Tsigeweyni Mekonen Haile, the wife of Rev

Gebremedhin Gebregiorgis and mother of their six children, died without having seen her husband for 18 years.

49. Another Orthodox clergyman, Abba Habtemichael from the Tsaeda Emba Monastery has been detained since 2007. He was initially held at Habero prison in Keren for one year; however, his current whereabouts are unknown.

#### Recommendations

50. ***Eritrea must end the practice of arbitrary arrests and indefinite detention without charge or trial, and release all who are currently subjected to arbitrary, prolonged and irregular detention.***
51. ***Eritrea is urged to implement the Nelson Mandela rules with regard to allowing prisoners to communicate and receive visits from family members under necessary supervision.***
52. ***Eritrea is also encouraged to adhere to the Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa and to ratify the International Convention for the Protection of All Persons from Enforced Disappearances.***

#### Arbitrary seizures and closures of property

53. On 12 June 2019, 21 health facilities owned by the Catholic Church were seized and closed in line with a government directive that was communicated verbally and enforced by police, soldiers and government doctors. The seizures took place after Eritrea's four Catholic bishops had issued a pastoral letter on 29 April calling for 'resolute and historical change' in the country through the setting up of a comprehensive truth and reconciliation plan.
54. In a letter dated 13 June 2019 and addressed to Eritrea's Minister of Health, Amna Nurhussein, the Catholic bishops described the confiscations as a potential violation of the Church's religious rights. They pointed out that several facilities were situated inside monasteries, and that in some instances, employees had been ordered to evict patients who were receiving medical treatment, and to close the buildings, thereby interfering with religious activities.
55. The bishops stressed that the buildings had not been handed over willingly, and that the closures jeopardise the work of the Church, which has been offering medical services since 1995, often in remote areas. They also declared themselves open to further dialogue on the matter, as long as it is pursued in a respectful and lawful manner.
56. On 2 July 2019, several Catholic nuns were evicted, and their belongings removed from health centres where they worked and lived in Eritrea's central zone. Photographs

<sup>2</sup> Human Rights Concern Eritrea, 'After years of persecution by the Eritrean government, a courageous monk has been found dead in his monastery residence with multiple stab wounds', 2 March 2023, <https://hrc-eritrea.org/after-years-of-persecution-by-the-eritrean-government-a-courageous-eritrean-monk-has-been-found-dead-in-his-monastery-residence-with-multiple-stab-wounds/>

of the evictions emerged on 3 July depicting around 25 men removing property belonging to the health centre, including beds, bedding, cupboards, chairs, and tables, and loading them onto a lorry, as a priest and five nuns looked on. Local sources reported no inventory had been taken of the property; consequently, there is no way of discovering where it was taken. The evictions began a little over a week after the Catholic nun had been arrested in Keren, and reportedly continued thereafter.

57. On 11 May 2021, Eritrean security agents closed the historic Al Mahad al Islami private school in Assab two days before Eid el Fitr. Prior to its forced closure the school had complied with orders to stop teaching primarily Islamic classes and include other subjects in its curricula, including Tigrinya.

### Recommendations

58. ***Eritrea is urged to end the expropriation of property owned by religious communities, and return buildings, furniture, medical and educational equipment it has seized, compensating those who were forcibly evicted from their homes as a result of the seizures.***
59. ***Eritrea must also ensure that religious communities are able to enjoy ‘the freedom to establish seminaries or religious schools and the freedom to prepare and distribute religious texts or publications.’<sup>3</sup>***

### Military/National Service and Conscientious Objection

60. The military service regime remains indefinite. Recruits receive minimal wages and are subject to forced labour. Young female recruits can face sexual harassment and violations by senior officers. Random military roundups continued to occur. On 4 February 2020 Shewit Yakob Gebretensae, 27, was shot dead in Mendefera by police who had attempted to seize him as he walked home.
61. To further maintain the war effort in Tigray, the Eritrean government resorted to intensified mass conscription, including of minors, the elderly and clergy, conducting door to door searches. In September 2022 a picture was released on social media, allegedly smuggled from Eritrea, depicting members and clergy of the Medhane Alem Church in Akrur, Segeneiti being forcibly conscripted.<sup>4</sup>
62. In addition, the Eritrean government extended its policy of collective punishment of the families of anyone who had fled the country or was otherwise avoiding military service. Initially, it would detain the eldest surviving member of an absconder’s family indefinitely. Later, it began seizing the belongings of family members, locking up their homes and depriving them of shelter. Moreover, anyone offering shelter to these people suffered the same fate.

### Recommendations

63. ***Eritrea is urged to end the indefinite extension of the legally stipulated 18-month term of military service, ensuring the immediate demobilisation of minors and the elderly, and the phased demobilisation of all who have served excessive tours of duty.***
64. ***Eritrea must end military roundups and the collective punishment of family members of military service absconders, releasing any who remain arbitrarily detained, and recognise the right to conscientious objection in law and practice, formulating civil service alternatives to active service.***
65. ***Eritrea must also ensure an end to sexual and gender-based violations in the context of military service, bringing the perpetrators to account, and terminate the use of military conscripts and detainees as forced labour, ensuring the conditions of military service comply with the ILO Abolition of Forced Labour Convention.***

### Transnational Violations

66. Eritrean forces are implicated in grave violations, including attacks on religious sites, massacres, refoulement, and the use of rape and starvation as weapons of war in Ethiopia’s Tigray region. For example, a renowned Orthodox monastery established in the 6th Century and one of the oldest mosques in Africa, were damaged by shelling, and were looted. Church compounds were used as military command centres despite the presence of clergy, and Catholic nuns were among over 10,000 reported rape victims.
67. The December 2020 massacre of around 700 people at the Maryam Zion Orthodox Church in Axum, which is believed to house the biblical Ark of the Covenant, propelled the violations underway in Tigray onto the international agenda. Many were dragged from the church and murdered in the streets. Survivors were not allowed to bury the dead until hyenas had descended on the town to consume them.
68. Clergy and worshippers died in large numbers during attacks on churches and monasteries. These attacks appeared timed to coincide with Orthodox religious festivals, clearly in order to inflict maximum casualties. Eritrean forces also embarked on extensive looting, with civilians forcibly deprived of money, jewellery and vehicles, homes comprehensively cleared, including of blankets, cutlery, shoes and clothing, and irreplaceable ancient documents, holy relics and artefacts looted from religious establishments. Hospitals were emptied of medication, factories of equipment, and stores of goods. Livestock were seized and eaten or killed, while crops that were not eaten were burnt in fields.
69. Eritrea still occupies parts of Irob and Kunama in Tigray,

3 United Nations Human Rights Committee, General Comment 22: Article 18, freedom of religion or belief, 30 July 1993, <https://www.refworld.org/docid/453883fb22.html>

4 Twitter (X), Gual Haile, 4 September 2022, <https://twitter.com/Eyuyeh/status/1566344367262031872>

in violation of the Pretoria Agreement, where rape, looting, extrajudicial killings, and other crimes continue to occur. Its forces are also implicated in forced returns of Eritrean refugees from Sudan, including at least 95 activists and government opponents, who are likely to have faced indefinite detention, forced conscription, enforced disappearance or death.

70. Since 2000, Eritrean authorities and human traffickers have regularly kidnapped refugees from Sudan. With the outbreak of fighting in Sudan, Eritrea appears to have taken advantage of the conflict to conduct largescale forcible returns, amid allegations of over 3,500 refugees being forcibly returned in late April-early May 2023.<sup>5</sup> Several refugees were reportedly seized by Eritrean troops while fleeing to Kassala for safety.

#### Recommendation

- 71. Eritrea must withdraw its forces immediately from the Irob and Kunama areas of Tigray, and desist from abducting and forcibly returning Eritrean citizens from countries where they have sought refuge.**

<sup>5</sup> The Guardian, 'Eritrea accused of forcibly repatriating civilians caught up in Sudan fighting', 7 May 2023, <https://www.theguardian.com/world/2023/may/07/eritrea-accused-of-forcibly-repatriating-civilians-caught-up-in-sudan-fighting>

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