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**SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR  
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 (C) OF THE  
ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

**Eritrea\***

The present report is a summary of 17 stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review.

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\* The present document was not edited before being sent to the United Nations translation services.

## **I. BACKGROUND AND FRAMEWORK**

### **A. Scope of international obligations**

1. Joint submission 1 (JS1) informed that Eritrea has ratified the ICCPR, ICERD, ICESCR, CEDAW, CRC and the African Charter on Human and Peoples' Rights (ACHPR), and that most reports are due to the United Nations treaty bodies.<sup>2</sup> Human Rights Watch (HRW) recommended that the Government of Eritrea sign and ratify the Rome Statute, CAT, CED and ICCPR-OP 1 and 2.<sup>3</sup> Open Society Justice Initiative (OSJI) recommended that Eritrea considers accession to the two treaties on statelessness.<sup>4</sup>

### **B. Constitutional and legislative framework**

2. JS1 noted that the Government of Eritrea is using the Penal Code Proclamation of 1957 as a "temporary" document for the last 18 years<sup>5</sup> and that Eritrea is ruled by a series of unilateral declarations and proclamations.<sup>6</sup> It added that a Constitution was ratified by a constituent Assembly in 1997 and has been shelved since its adoption.<sup>7</sup> The Constitution grants various protections for religious freedom, according to the European Centre for Law and Justice (ECLJ).<sup>8</sup> Open Doors International (ODI) considered that limitations are set on the right to freedom of religion and belief in this Constitution.<sup>9</sup> HRW recommended that the Government implement the Constitution, approve a political party law, and begin preparations for democratic elections with international monitoring throughout the process.<sup>10</sup>

## **II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND**

### **A. Cooperation with human rights mechanisms**

3. JS1 considered that the Government is openly hostile to all human rights mechanisms which it considers as inappropriate violations of Eritrea's sovereignty.<sup>11</sup> HRW recommended that the Government issue a standing invitation to United Nations special procedures to investigate and report on allegations of serious abuses in Eritrea.<sup>12</sup>

### **B. Implementation of international human rights obligations**

#### **1. Equality and non discrimination**

4. ODI stated that the Constitution grants equal rights to both sexes and that the traditional culture is one of the main causes of discrimination against women. Sexual Rights Initiative (SRI) noted that much of society remains traditional and patriarchal and most women have an inferior status to men in their homes and communities. Males retain privileged access to education, employment, and control of economic resources, with more disparities in rural areas.<sup>13</sup> SRI reported that in Eritrea several traditional practices are harmful to the wellbeing of girls, including early marriage, dowry and polygamy.<sup>14</sup>

5. OSJI recommended that Eritrea ensure that citizens are not deprived of their nationality on discriminatory grounds; make available judicial review and effective remedies in all cases of deprivation of nationality; and treat equally citizens by birth and citizens by naturalization in matters of deprivation of nationality.<sup>15</sup> It also recommended that Eritrea amend its nationality law to guarantee non-discrimination in access to citizenship, in particular by removing any provisions that are directly or indirectly discriminatory on grounds of disability; amend its nationality law to guarantee the acquisition of Eritrean nationality for stateless children born on its territory; and grant citizenship to stateless persons permanently resident in Eritrea, whether

of a neighbouring country's origin or those who physically came from this neighbouring country, who have not acquired citizenship of another State.<sup>16</sup>

## 2. Right to life, liberty and security of the person

6. HRW reported that the Eritrean Government is responsible for extra-judicial killings and that some deliberate killings occur during detention but more occur when prisoners attempt to escape confinement or flee the country.<sup>17</sup> According to Eritreans for Human and Democratic Rights-United Kingdom (EHDR-UK) / Release Eritrea (RE), in July 2005, it was reported that up to 161 young people were brutally gunned down, whilst attempting to flee from Wi'a military camp. The Government never acknowledged the incident took place and to date, the families are not aware the fate of those killed.<sup>18</sup>

7. JS1 informed that there are thousands of prisoners who were not formally charged and who have disappeared.<sup>19</sup> Amnesty International (AI) added that it is very difficult to obtain information on people who 'disappear' into secret detention.<sup>20</sup> HRW also stated that some families finally learn of their relatives' fate only when informed of death in custody (but not its cause).<sup>21</sup> AI further indicated that families face reprisals from authorities for inquiring about an arrest or communicating with international human rights organisations.<sup>22</sup> HRW recommended that the Government immediately allow independent monitors access to all known and secret Eritrean detention facilities; register and notify family members of the whereabouts of detainees; restore visiting rights, access to legal representation and respect international standards of law in the treatment of prisoners.<sup>23</sup> JS1 recommended that every case of disappearance must be investigated and those responsible for extra-judicial killings must be pursued and brought to justice.<sup>24</sup>

8. International PEN (IP) noted serious concerns regarding the health and well being of all prisoners and mentioned that detainees are denied family visits, are believed to be denied access to medical treatment and many are being held in harsh conditions and subjected to torture or cruel, inhumane or degrading treatment or punishment.<sup>25</sup> HRW noted that deaths in custody are common as a result of ill-treatment, torture, starvation, and denial of medical care.<sup>26</sup> HRW recommended that the Government investigate and prosecute all officials including military officers suspected of committing murder, rape, torture or cruel and degrading treatment of detainees and national service conscripts.<sup>27</sup> AI called on the Government to immediately end the practice of torture and other ill-treatment; establish independent and impartial investigations into all allegations of torture or other ill-treatment of prisoners; and bring the perpetrators to justice in accordance with international standards of fair trial.<sup>28</sup>

9. AI received reports that individuals have been tortured to force them to denounce their faith or to punish them for performing religious activities while in detention. It added that prison conditions are generally harsh, cells and other confinement spaces are overcrowded, damp and unhygienic and prisoners are often malnourished and do not have access to clean drinking water.<sup>29</sup> AI has received reports of deaths in detention of religious prisoners as a result of harsh conditions and treatment or from lack of medical care for treatable diseases.<sup>30</sup>

10. AI stated that at least eleven former Government ministers and Eritrean liberation veterans who called for democratic reform and greater respect for human rights remain in secret detention following their arrest on 18 September 2001. Known as the G-15, they have never been charged or appeared in court to face trial. Similar information was provided by IP,<sup>31</sup> EHDR-UK/RE<sup>32</sup> and HRW.<sup>33</sup> AI noted that their exact location and health status have never been revealed by the Government and that at least one of the eleven reportedly died in custody due to harsh conditions

and lack of access to medical treatment.<sup>34</sup> EHDR-UK/RE recommended that all political prisoners be released, including the G-15 and journalists.<sup>35</sup>

11. SRI mentioned that Female Genital Mutilation (FGM) is widespread and practiced by almost all ethnic and religious groups.<sup>36</sup> It recommended that the Government pursue educational efforts to eradicate FGM; criminalize it in the Penal Code; set up the required programmes to provide assistance to victims; and that international organizations and donors support the work of civil society in this regard.<sup>37</sup>

12. SRI stated that the Government has taken a firm public stance against domestic violence, especially wife beating, which is widespread and that marital rape is not categorically outlawed in Eritrea.<sup>38</sup> It added that women and girls are subjected to sexual violence within the community and that girls are also subjected to violence at the hands of State agents in the context of the recurrent armed conflict with a neighbouring country. SRI indicated that child soldiers, including girls, have reportedly been used in the fighting, contrary to international standards.<sup>39</sup> Conscience and Peace Tax International (CPTI) said that the status of women in the army has suffered a sharp reversal and that by 2004, the perception that female conscripts faced sexual slavery led to violent confrontations with recruiters in some Muslim communities. CPTI added that rape is reportedly widespread leading to frequent pregnancies and resulting in release from the military but subsequent social stigmatisation.<sup>40</sup>

13. While noting that overall the Government has failed to protect women from violence,<sup>41</sup> SRI recommended that the Government: criminalize marital rape; conduct public awareness-raising campaigns on rape as a crime and empower victims and their families to expose it; amend the necessary legislation so marriage to the victim does not result in charges of rape being dropped; take immediate action to stop the practice of recruiting children as soldiers while also duly investigating and punishing those responsible for it and providing assistance to victims.<sup>42</sup>

14. The Global Initiative to End All Corporal Punishment of Children (GIEACP) reported that corporal punishment is lawful in the home<sup>43</sup> and in alternative care settings under the provisions for the “right of correction” in the Transitional Penal Code.<sup>44</sup> A code of conduct states that corporal punishment should not be used in schools, but there is no explicit prohibition in law.<sup>45</sup> GIEACP noted that it has been unable to ascertain the legality of corporal punishment as a disciplinary measure in penal institutions, that in the penal system, corporal punishment is lawful as a sentence for crime under article 172 of the Transitional Penal Code and that it is abolished in the Draft Penal Code.<sup>46</sup>

15. According to HRW, Eritreans who criticize the President or question Government policies, practice a religion that the Government deems objectionable, or attempt to evade prolonged and indefinite compulsory “national service” are frequently arrested and detained for months or years without charge or trial. HRW added that thousands - and possibly tens of thousands - of Eritreans are currently estimated to be incarcerated in various known and secret detention facilities.<sup>47</sup>

16. HRW also stated that thousands of less prominent people have been arrested and incarcerated without charge, trial, or opportunity to appeal and without access to family, lawyers or independent prison monitoring organizations.<sup>48</sup> EHDR-UK/RE added that people can be arrested for any reason by any ‘official’ and that it is almost impossible to know the exact reasons for detention or even place of detention. It reported that the various security forces belonging to the President, the National Security or the generals can detain a person, that these arrests take place outside the normal justice system and that the civilian courts including the

High Court, cannot intervene.<sup>49</sup> JS1 said that the Government must bring an immediate end to arbitrary detentions.<sup>50</sup>

### **3. Administration of justice, including impunity, and the rule of law**

17. JS1 mentioned that most extra-judicial arrests are of a political nature and cases are seen by a special court whose judges are ranking People's Front for Democracy and Justice (PFDJ) officials.<sup>51</sup> According to EHDR-UK/RE, this special court, set up by the President to allegedly fight corruption, violates the very basic principles of justice. It is presided over by three army officers with no legal background, its rulings are final and it can overturn any court's decision. Trials before this court fall short of international fair trial standards.<sup>52</sup> Similar information was provided by CSW/HRCE.<sup>53</sup> EHDR-UK/RE recommended that the special court should be disbanded and all prisoners sentenced by the court released until all its decisions are reviewed by an internationally recognised court.<sup>54</sup>

18. JS1 stated that Eritrea is divided into Military Command Zones paralleling the civilian Administrative Regions, that the military exercises full executive, legislative and judiciary authority starting at the lowest units and that offences deemed serious are transferred to Brigade commands: colonels and upwards have the authority to pass death sentences and execute soldiers for trying to escape, abandoning position or simply for "cowardice."<sup>55</sup> JS1 indicated that the Government should not control justice and should put clear rules on the means and measures taken by police force, especially regarding the detention and that the military should not be in charge of civil police activities under control of justice.<sup>56</sup>

### **4. Right to privacy, marriage and family life**

19. JS1 reported that people do not confide to anyone except to trusted family members, assume that their telephones are bugged and speak in code with one another.<sup>57</sup> JS1 asked that the Government stop spying on Eritrean citizens inside and outside the country.<sup>58</sup>

20. JS1 considered that the conscription-without-end makes planning for marriage and family virtually impossible<sup>59</sup> and requested the Government to adopt objective rules regarding conscription with the aim to allow young people to plan for marriage and family.<sup>60</sup>

21. Joint submission 2 (JS2) indicated that Eritrea maintains criminal sanctions against sexual activity between consenting adults of the same sex<sup>61</sup> and recommended that Eritrea bring its legislation into conformity with its international human rights obligations by repealing all provisions which criminalise sexual activity between consenting adults of the same sex.<sup>62</sup>

### **5. Freedom of movement**

22. For HRW, Eritrea severely restricts the movement of its citizens within and outside the country and requires all national service conscripts to have written permission to travel within the country. Military checkpoints along all roads check travel permits to assure that travel has been authorized and even Eritreans not actively serving in national service must present identity cards at every check point. HRW stated that the Government does not issue travel documents or exit visas to Eritreans eligible for national service and children older than 14 are not allowed to travel outside Eritrea.<sup>63</sup> AI mentioned that at least four journalists have been imprisoned since 2005 for attempting to enter two neighbouring countries.<sup>64</sup>

## **6. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life**

23. AI indicated that members of banned religious groups are at risk of arrest and incommunicado detention and that only four faiths are officially recognised in Eritrea: the Orthodox, Catholic and Lutheran Churches and Islam. It added that in 2002, the Government banned all minority religious groups and over 3,000 members of religious minority groups are believed to be detained without charge or trial and often subjected to torture or other ill-treatment.<sup>65</sup> Similar information was reported by ODI,<sup>66</sup> Jubilee Campaign (JC)<sup>67</sup> and the Institute on Religion and Public Policy (IRPP).<sup>68</sup> The latter stated that the situation of religious freedom in Eritrea is widely recognized by governmental and non-government actors to be among the worst in the world.<sup>69</sup>

24. HRW added that Jehovah's Witnesses face elevated levels of discrimination. It reported that after they failed to vote in a 1993 referendum on independence and because their religion does not permit them to participate in military service, the Eritrean Government in effect stripped Jehovah's Witnesses of their citizenship.<sup>70</sup> The European Association of Jehovah's Christian Witnesses (EAJCW) mentioned that many of the individuals who were arrested and refused to join the military have been severely beaten.<sup>71</sup> It indicated that all Jehovah's Witnesses were not allowed to work in any Government offices, their business licenses were revoked, and their identity cards and travel documents were taken from them.<sup>72</sup> It said that currently, 42 Jehovah's Witnesses are in prison for their religious beliefs.<sup>73</sup> AI reported similar information.<sup>74</sup>

25. EAJCW appealed to the authorities to promptly take positive steps to protect the freedom of religion of Jehovah's Witnesses and release all those detained and urged them to grant permission for a delegation of Jehovah's Witnesses to visit Eritrea to meet personally with President Afewerki to clear up any misunderstandings with a view to peacefully resolving these issues.<sup>75</sup> HRW recommended that the Government issue clear public orders to the security forces to cease arbitrary arrest, detention, and torture of people based on their religious beliefs.<sup>76</sup>

26. IRPP indicated that the Government interferes in the everyday workings of registered religious groups at the highest levels and that the Eritrean Orthodox Church, the Evangelical Lutheran Church, the Roman Catholic Church, and the Muslim community have faced abuses and interference in their religious affairs by the Government, which required all four of the officially registered religions to submit reports on the sources of their funding and a complete list of personnel and property.<sup>77</sup>

27. AI reported that on 27 May 2007, the Government announced that it had appointed a new Patriarch, in spite of rules set out by the Orthodox Church which forbids the appointment of a new Patriarch while the current One is still alive.<sup>78</sup> Similar information was reported by HRW<sup>79</sup> and IRPP.<sup>80</sup> According to AI, the authorities have detained a number of Muslims for opposing the Government appointment of the Chief Mufti and on 13-14 August 2008, at least forty Muslim clerics and scholars from the Saho ethnic group were arrested in the middle of the night and taken away in unmarked cars.<sup>81</sup>

28. ODI urged the Government to review the laws regarding religious groups and organizations and make sure that they comply with the obligations under the ICCPR. It recommended a transparent registration process and asked the Government to recognize the applicants as soon as possible.<sup>82</sup> IRPP recommended that the military reform its treatment of religious groups and allow equal treatment and freedoms for all individuals regardless of their

religious creed and that the Government allow for more than 4 religious communities to exist openly and freely in the country.<sup>83</sup>

29. According to IP, Eritrea is the only country in Africa to have no privately owned news media, all media is State-controlled and more journalists are imprisoned in Eritrea than in any other African country.<sup>84</sup> AI reported that no independent or private press has been permitted by the authorities following the closure of all independent media in late September 2001 and that ten journalists who protested against the closure of the media were arrested in late September 2001.<sup>85</sup> Similar information was reported by JS1.<sup>86</sup> IP thought that a more likely explanation of the crackdown is that it was an attempt to stamp out political dissent. It noted that all the journalists detained have had their bank accounts frozen and assets confiscated.<sup>87</sup> AI informed that they remain in incommunicado detention and have never been charged or brought before a court to face trial and that the Government has refused to confirm their location and health status.<sup>88</sup> According to IP, in May 2007, the African Commission on Human and Peoples' Rights ruled that the detention of journalists was arbitrary and unlawful and called on the Government to release and compensate the detainees. However, the Eritrean Government has not yet complied with this ruling.<sup>89</sup> AI said that four of the journalists are believed to have died in custody.<sup>90</sup> Similar information was provided by IP.<sup>91</sup>

30. For AI, the Government has, since 2001, tightly controlled all media and continues to clamp down on any perceived dissent within the state media.<sup>92</sup> STP and CSW/HRC-Eritrea<sup>93</sup> informed that on February 22, 2009 the Government authorities ordered a raid on the premises of Radio Bana and that the entire staff of around 50 journalists was arrested and taken to the Doboziro detention centre in Asmara. Some were released, several remain detained.<sup>94</sup> AI indicated that no reason has been given for their arrest and they have not been charged with any offence.<sup>95</sup> JS1 noted that foreign journalists are censored and often expelled if they file a report not cleared by the Government, which controls all radio, television and print media and even monitors the Internet.<sup>96</sup>

31. AI called on the Government to immediately and unconditionally release all prisoners detained solely because of their political, religious or other conscientiously held beliefs; charge all other prisoners with a recognisable criminal offence and try them in court in accordance with international standards for fair trial; confirm the names, locations and health status of all detainees, and confirm any deaths which have occurred in detention; allow the International Committee of the Red Cross immediate, full and unconditional access to all detainees; and provide all detainees immediate access to a lawyer of their choice, to their families and to any medical treatment they may require.<sup>97</sup> IP made similar recommendations and called on the Government to uphold its commitments to the ICCPR, by ending the imprisonment of writers and journalists, and allowing the re-establishment of an independent media.<sup>98</sup>

32. CSW/HRCE stated that human rights organisations and human rights defenders cannot operate within Eritrea.<sup>99</sup> JS1 added that the diaspora-based Eritrean human rights organizations have been declared enemies of the State and are subjected to harassment by the supporters of the Government.<sup>100</sup> It mentioned that foreign NGOs are all virtually banned now under the pretext of "self-sufficiency".<sup>101</sup> Neither consultation nor dialogue with the civil society has been organised by the Government with regard to the UPR.<sup>102</sup> JS1 said that the Government must accept human rights groups to be active in Eritrea and should protect independent human rights promotion activities and stop the harassment of human rights defenders.<sup>103</sup> ODI recommended that the Government withdraw restrictive NGO laws in order to enable civil society to organize and make itself heard.<sup>104</sup>

33. Christian Solidarity Worldwide (CSW)/ Human Rights Concern-Eritrea (HRCE) stated that since the independence, Eritrea has been ruled by the Peoples Front for Justice and Democracy party (PFDJ), a provisional Government led by President Isaias Afewerki. According to these organisations, to date no elections have been conducted and opposition parties are prohibited. The party has not held its own congress since 1994, and the succeeding years have been marked by increasing repression.<sup>105</sup> Similar information was provided by JS1.<sup>106</sup>

34. HRW reported that no political organizations other than the ruling PFDJ are permitted and that it was told by eyewitnesses that actions as innocuous as signing a petition for changes in educational policy resulted in imprisonment and beatings. HRW said that the Government prohibits the formation of private associations not under its leadership and control, including labor unions and self-help organizations and that gatherings of more than three persons require Government permission, a prohibition that has particular impact on the practice of religion.<sup>107</sup> CSW/HRCE reported similar information.<sup>108</sup>

35. According to AI, the Eritrean authorities have frequently arrested suspected Government critics; there is little tolerance of dissent and no permitted forum for independent expression of political opinion or political association.<sup>109</sup> Society For Threatened Peoples (STP) mentioned that three students were arrested in an internet cafe in Asmara on 26 December 2008 for visiting opposition websites and that some 40 community leaders were arrested in September 2008 after they had publicly criticized the economic policy of the Government.<sup>110</sup> EDHR-UK/RE recommended that the Government commit to a concrete plan for free and fair elections without delay and with full participation of all Eritrean political forces.<sup>111</sup>

## **7. Right to work and to just and favourable conditions of work**

36. According to JS1, officials of all State apparatuses are former combatants and the small private sector is owned and run by supporters and sympathizers of the ruling party.<sup>112</sup> By monopolizing all aspects of life, the Government has denied the people the right to entrepreneurship and creating wealth and entry to the market is next to impossible because the Red Sea Trading Corporation, the party's economic arm, monopolizes shipping, insurance, banking, transportation, communication, fisheries, agriculture, mining, construction and even retail trade.<sup>113</sup> Similar information was reported by CSW/HRCE.<sup>114</sup> JS1 stated that there are no labour rights or free labour unions to defend them and that trade union leaders were arrested in 2005.<sup>115</sup> It added that the Government must allow free and independent economic activity, especially when the initiative comes from Eritreans living inside or outside of the country.<sup>116</sup>

37. CPTI stated that Eritrea has called up both men and women for military service in regular recruitment rounds since May 1994 and that under the "Proclamation on National Service" all between the ages of 18 and 40 are liable to national service comprising six months military training followed by twelve months of "active" military service or development service under the control of the army, and to subsequent reserve duties up to the age of 50. However, it noted that in situations of mobilisation or war, not only are reserves subject to recall, but "active" national service can be extended indefinitely.<sup>117</sup>

38. JS1 mentioned that tens of thousands of youth have been conscripted for indefinite periods and if not in active military duty, they are bonded into forced "national development" labour.<sup>118</sup> HRW recommended that the Government end the practice of indefinite national service, begin a process of phased demobilization for those who have served for more than the statutory



18 months and cease using national service conscripts as forced labor for private enterprises.<sup>119</sup> CSW/HRCE recommended that the Government ensure that conscientious objection is respected and non-punitive alternative civilian services provided.<sup>120</sup>

39. JS1 added that the Government does not recognize the freedom of people to work and earn for themselves and considers human resources a nationalized asset that it owns like any other property.<sup>121</sup> CPTI mentioned that avoidance or attempted avoidance of military service by any means is punishable by a fine and two years imprisonment<sup>122</sup> and that Eritreans who leave the country to avoid military service and return at above the age of 40 are liable to imprisonment for five years, or until the age of 50, whichever is longer. Those who are still within the recruitment age on return are not only liable for military service, but are also subject to military punishment.<sup>123</sup>

40. HRW mentioned that the Government punishes family members for the actions of relatives who flee national service or the country, whether or not they were aware of the relative's actions or had the ability to control them. The family is fined an extremely large sum and family members are routinely imprisoned if the fine is not promptly paid. Similar information was provided by CSW/HRCE.<sup>124</sup> HRW added that in some instances, the family's land is forfeited and that the Government also arrests Eritreans whose expatriate family members have not paid the extraterritorial income tax that Eritrea attempts to impose on Eritreans living abroad, the so-called 'two percent' tax.<sup>125</sup> Similar information was reported by CPTI<sup>126</sup> and CSW/HRCE.<sup>127</sup>

## **8. Right to social security and to an adequate standard of living**

41. CSW/HRCE indicated that the Government has begun to monopolize food distribution and that most of the population is dependent on food and financial aid, which is disallowed by the Government, for fear of losing control of the population to foreign elements. CSW/HRCE informed that most of the international NGOs have been expelled and those remaining are subject to unnecessary and severe restrictions. They mentioned that as a result, food is emerging as a primary means of societal control and that at present, a full-blown famine is raging all over Eritrea. According to these organisations, the Government has refused to accept food aid from donors and has opted for "Cash for Work" aid, which it has been misappropriating without giving any account,<sup>128</sup> the only food outlets where food can be legally purchased are run by the Government and tiny amounts of food are sold at inflated.<sup>129</sup>

42. EDHR-UK/RE indicated that there is a visible increase in the number of beggars in the streets of the main cities, that the Government's refusal to accept food aid and humanitarian relief is making thousands destitute and that there are even reports of death resulting from hunger.<sup>130</sup> EDHR-UK/RE recommended that the Government allow humanitarian aid to enter the country and be distributed to the needy without delay.<sup>131</sup> HRW recommended that the Government invite independent and impartial humanitarian agencies seeking to provide assistance to assess humanitarian needs and facilitate their unhindered access to civilians in need.<sup>132</sup>

43. SRI reported that Eritrea faces a rapid expansion of the HIV/AIDS pandemic within the next few years, that the number of people infected by HIV could increase significantly<sup>133</sup> and that the country's health system is unprepared for such a rapid increase.<sup>134</sup> It recommended that the Government make some stable funds available for civil society projects to fight HIV/Aids and work with the media to define AIDS as a disease which should be cured and addressed, and not a cause for social scandal or stigma.<sup>135</sup>

44. SRI recommended that the Government legalize therapeutic abortion, facilitate medical assistance, especially in the remote areas of Asmara and provide clinics with female doctors, as the traditions sometimes made it harder for women to visit male gynecologists.<sup>136</sup>

### **9. Right to education and to participate in the cultural life of the community**

45. According to JS1, the right to education is negatively impacted by two Government's policies: militarization and cultural homogenization.<sup>137</sup> Beginning in eighth and ninth grades, students spend the larger part of their summer break in military-supervised outings assisting the Government-owned agro-businesses. The nation's only 12th grade classes are all located in Sawa, which is also the nation's major military boot camp. Because students associate education with conscript service, many have dropped out and there is an incentive to do poorly and repeat classes.<sup>138</sup> JS1 informed that the Government pursues a policy of equality of languages which is hindered by the lack of resources and the Government's tendency to use Tigrinya as the default official language.<sup>139</sup> JS1 requested that the Government abolish all military linked summer break activities and replace them with summer break activities organised by the Ministry of education to which young people can assist on a voluntary basis.<sup>140</sup>

### **10. Minorities and indigenous peoples**

46. JS1 indicated that by promoting a "one nation, one people" policy, the Government promotes cultural homogenization and discriminates against way of life of minorities.<sup>141</sup>

### **11. Migrants, refugees and asylum-seekers**

47. JC indicated that despite risking death and the "shoot-to-kill" orders for those who cross the border, Eritreans flee the country by thousands. The Catholic charity Aid to the Church in Need has new evidence of an unfolding humanitarian crisis across the Horn of Africa as people flee the country desperate for food and shelter, according to JC.<sup>142</sup>

48. According to JS1, the greatest number of refugees languishing in a neighbouring country for decades belongs to groups whose representation in the Government is almost nil. More than 150,000 Eritrean refugees still languish in refugee camps in this neighbouring country and about 30,000 returned to Eritrea with promises of rehabilitation and most have since returned to the refugee camps as second time refugees due to the repressive nature of the Government.<sup>143</sup>

49. CPTI stated that in 2007, some 36,000 Eritreans filed asylum claims, which represents over six per thousand of the total national population, a ratio not reached anywhere else. It reported that avoidance of or desertion from military service motivates most refugees and asylum seekers and that Eritrea is the one country at present from which a large number of people have become refugees because of their conscientious objections to compulsory military service.<sup>144</sup>

### **12. Internally displaced persons**

50. JS1 mentioned that since 1998, the people living in southern Eritrea, along the designated 15 mile stretch of buffer zone with a neighbouring country, have been displaced, their lives disrupted, and their villages abandoned. It noted that the land is heavily mined thus endangering the lives of the people.<sup>145</sup>

51. According to JS1, the Government has recently embarked on the forceful resettlement of villagers from the Akele Guzai and Seraye regions ("South Zone") to the Gash-Barka region. Villages are being forcefully uprooted from their ancestral lands and this is protested both by the

settlers and the indigenous inhabitants of the region and has the potential to create communal strife.<sup>146</sup>

### III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

N/A.

### IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

N/A.

### V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

N/A.

*Notes*

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org). (One asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council.)

*Civil society*

AI	Amnesty International, London, United Kingdom*
CPTI	Conscience and Peace Tax International, Leuven, Belgium*
CSW/HRCE	Christian Solidarity Worldwide, Human Rights Concern – Eritrea, New Maldon, United Kingdom
EAJCW	The European Association of Jehovah's Christian Witnesses, Kraainem, Belgium
ECLJ	European Centre for Law and Justice, Strasbourg, France
EHDR-UK/RE	Joint submission by: Eritrean for Human and Democratic Rights-United Kingdom and Release Eritrea, United Kingdom
GIEACP	Global Initiative to End All Corporal Punishment of Children, London, United Kingdom
HRW	Human Rights Watch, Geneva, Switzerland*
IP	International PEN, London, United Kingdom*
IRPP	The Institute on Religion and Public Policy, Washington, DC, United States of America
JC	Jubilee Campaign, Fairfax, VA, United States of America
JS1	Joint Submission 1 is a coalition of: Eritrean Global Solidarity; Network of Eritrea Civil Societies-Europe; Suwera Center for Human Rights – Sudan; The Eritrean community in Australia Inc; Eritrean Australian Mercy Association Inc; Awate Foundation
JS2	ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association); ILGA-Europe; Pan Africa ILGA; International Gay and Lesbian Human Rights Commission; ARC International
ODI	Open Doors International, AA Harderwijk, The Netherlands*
OSJI	Open Society Justice Initiative, New York, United States of America
SRI	The Sexual Rights Initiative, Buenos Aires, Argentina
STP	Society for Threatened Peoples, Gottingen, Germany*.

<sup>2</sup> JS1, p. 3, paras. 15 and 16.

<sup>3</sup> HRW, p. 6.

<sup>4</sup> OSJI, p. 6, para. 18.

<sup>5</sup> JS1, p. 2, para. 7.

<sup>6</sup> JS1, p. 2, para. 9.

<sup>7</sup> JS1, p. 2, para. 8.

<sup>8</sup> ECLJ, p. 1, para. I A.

<sup>9</sup> ODI, p. 2.

<sup>10</sup> HRW, p. 6.

<sup>11</sup> JS1, p. 3, para. 14.

<sup>12</sup> HRW, p. 6.

<sup>13</sup> SRI, p. 1, para. 4.

<sup>14</sup> SRI, p. 3, para. 13.

<sup>15</sup> OSJI, p. 4, para. 12.

<sup>16</sup> OSJI, p. 6, para. 18.

<sup>17</sup> HRW, p. 2.

<sup>18</sup> EDHR-UK/RE, p. 3, para. 11.

<sup>19</sup> JS1, p. 4, para. 21.

<sup>20</sup> AI, p. 4.

<sup>21</sup> HRW, p. 2.

<sup>22</sup> AI, p. 4.

<sup>23</sup> HRW, p. 5.

<sup>24</sup> JS1, p. 5, para. 24.

<sup>25</sup> IP, p. 3.

<sup>26</sup> HRW, p. 2.

<sup>27</sup> HRW, p. 5.

<sup>28</sup> AI, p. 5.

<sup>29</sup> AI, p. 3.

<sup>30</sup> AI, p. 4.

<sup>31</sup> IP, p. 2.

<sup>32</sup> EDHR-UK/RE, p. 2, para. 8.

<sup>33</sup> HRW, p. 1.

<sup>34</sup> AI, p. 4.

<sup>35</sup> EDHR-UK/RE, p. 5.

<sup>36</sup> SRI, p. 2, para. 6.

<sup>37</sup> SRI, p. 2, para. 12.

<sup>38</sup> SRI, p. 2, para. 8.

<sup>39</sup> SRI, p. 2, para. 10.

<sup>40</sup> CPTI, p. 2, para. 4.

<sup>41</sup> SRI, p. 2, para. 11.

<sup>42</sup> SRI, p. 2, para. 12.

<sup>43</sup> GIEACP, p. 2, para. 1.1.

<sup>44</sup> GIEACP, p. 2, para. 1.4.

<sup>45</sup> GIEACP, p. 2, para. 1.2.

<sup>46</sup> GIEACP, p. 2, para. 1.3.

<sup>47</sup> HRW, p. 1.

<sup>48</sup> HRW, p. 2.

<sup>49</sup> EDHR-UK/RE, p. 1, para. 3.

<sup>50</sup> JS1, p. 5.

- <sup>51</sup> JS1, p. 4, para. 23.
- <sup>52</sup> EDHR-UK/RE, p. 1, para. 4.
- <sup>53</sup> CSW/HRCE, p. 3, para. 6.
- <sup>54</sup> EDHR-UK/RE, p. 5.
- <sup>55</sup> JS1, p. 4, para. 24.
- <sup>56</sup> JS1, p. 5.
- <sup>57</sup> JS1, p. 6, para. 31.
- <sup>58</sup> JS1, p. 6.
- <sup>59</sup> JS1, p. 6, para. 30.
- <sup>60</sup> JS1, p. 6.
- <sup>61</sup> JS2, p. 1.
- <sup>62</sup> JS2, p. 2.
- <sup>63</sup> HRW, p. 4.
- <sup>64</sup> AI, p. 5.
- <sup>65</sup> AI, p. 3.
- <sup>66</sup> ODI, p. 2.
- <sup>67</sup> JC, pp. 1-2, paras. 5-9.
- <sup>68</sup> IRPP, p. 1, paras. 1, 13-15 and 18.
- <sup>69</sup> IRPP, p. 1, para. 1.
- <sup>70</sup> HRW, p. 3.
- <sup>71</sup> EAJCW, p. 3.
- <sup>72</sup> EAJCW, p. 2.
- <sup>73</sup> EAJCW, p. 2.
- <sup>74</sup> AI, p. 3.
- <sup>75</sup> EAJCW, p. 3.
- <sup>76</sup> HRW, p. 5.
- <sup>77</sup> IRPP, p. 2, para. 9.
- <sup>78</sup> AI, p. 3.
- <sup>79</sup> HRW, p. 3.
- <sup>80</sup> IRPP, pp. 2-3, para. 10.
- <sup>81</sup> AI, p. 4.
- <sup>82</sup> ODI, p. 5.
- <sup>83</sup> IRPP, p. 5, para. 23.
- <sup>84</sup> IP, p. 1.
- <sup>85</sup> AI, p. 4.
- <sup>86</sup> JS1, p. 5, para. 28.
- <sup>87</sup> IP, p. 2.
- <sup>88</sup> AI, p. 4.
- <sup>89</sup> IP, p. 2.
- <sup>90</sup> AI, p. 4.

<sup>91</sup> IP, p. 2.

<sup>92</sup> AI, p. 5.

<sup>93</sup> CSW/HRCE, p. 3, para. 6.

<sup>94</sup> STP, p. 1.

<sup>95</sup> AI, p. 5.

<sup>96</sup> JS1, p. 5, para. 29.

<sup>97</sup> AI, p. 5.

<sup>98</sup> IP, p. 3.

<sup>99</sup> CSW/HRCE, p. 4, para. 12.

<sup>100</sup> JS1, p. 3, para. 10.

<sup>101</sup> JS1, p. 3, para. 11.

<sup>102</sup> JS1, p. 3, para. 12.

<sup>103</sup> JS1, p. 3.

<sup>104</sup> ODI, p. 5.

<sup>105</sup> CSW/HRCE, p. 2, para. 9.

<sup>106</sup> JS1, p. 2, para. 4.

<sup>107</sup> HRW, p. 3.

<sup>108</sup> CSW/HRCE, p. 4, para. 10.

<sup>109</sup> AI, p. 4.

<sup>110</sup> STP, p. 1.

<sup>111</sup> EDHR-UK/RE, p. 5.

<sup>112</sup> JS1, p. 6, para. 32.

<sup>113</sup> JS1, p. 6, para. 36.

<sup>114</sup> CSW/HRCE, p. 7, para. 28.

<sup>115</sup> JS1, p. 6, para. 33.

<sup>116</sup> JS1, p. 7.

<sup>117</sup> CPTI, p. 1, para. 1.

<sup>118</sup> JS1, p. 6, para. 34.

<sup>119</sup> HRW, p. 5.

<sup>120</sup> CSW/HRCE, p. 8, para. 33.

<sup>121</sup> JS1, p. 6, para. 35.

<sup>122</sup> CPTI, p. 4, para. 14.

<sup>123</sup> CPTI, p. 4, para. 15.

<sup>124</sup> CSW/HRCE, p. 6, para. 25.

<sup>125</sup> HRW, p. 5.

<sup>126</sup> CPTI, p. 5, para. 22.

<sup>127</sup> CSW/HRCE, p. 9, para. 32.

<sup>128</sup> CSW/HRCE, p. 7, para. 29.

<sup>129</sup> CSW/HRCE, p. 7, para. 30.

<sup>130</sup> EDHR-UK/RE, p. 3, para. 13.

<sup>131</sup> EDHR-UK/RE, p. 5.

<sup>132</sup> HRW, p. 6.

<sup>133</sup> SRI, p. 4, para. 24.

<sup>134</sup> SRI, p. 5, para. 26.

<sup>135</sup> SRI, p. 5, para. 29.

<sup>136</sup> SRI, p. 4, para. 21.

<sup>137</sup> JS1, p. 7, para. 39.

<sup>138</sup> JS1, p. 7, para. 40.

<sup>139</sup> JS1, p. 7, para. 41.

<sup>140</sup> JS1, p. 7.

<sup>141</sup> JS1, p. 4, para. 17.

<sup>142</sup> JC, p. 4, para. 13.

<sup>143</sup> JS1, p. 8, para. 45.

<sup>144</sup> CPTI, p. 4, para. 12.

<sup>145</sup> JS1, p. 8, para. 48.

<sup>146</sup> JS1, p. 8, para. 49.

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