

United Kingdom Foreign & Commonwealth Office

Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report

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Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty

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Eritrea

The real lack of progress over recent years in addressing the human rights situation in Eritrea is particularly worrying. The Eritrean government says that tensions resulting from the ongoing border dispute with Ethiopia underpin current restrictions on freedoms in Eritrea. It says that the country must remain on a “war footing”, which prevents it from making policy changes relating to human rights. We recognise that the Eritrean government has valid security concerns, but reject the notion that this justifies the current severe restrictions on human rights.

During 2010 we raised human rights issues with the Eritrean government on many occasions. Parliamentary Under-Secretary of State Henry Bellingham discussed human rights with the Eritrean foreign minister in New York in September, emphasising in particular our concerns over the imprisonment of people for their political and religious views. We raised human rights issues in Asmara with the Eritrean Ministry of Foreign Affairs and senior ruling party officials, and in London with the Eritrean ambassador. We emphasised the importance of adhering to international human rights standards. We also stressed the negative impact that the human rights situation has on other issues, including the high number of Eritreans leaving the country and the reluctance of some foreign investors to be associated with a country with a poor human rights record. In addition, human rights concerns were raised as part of a regular political dialogue between the EU and the Eritrean government. A number of specific cases were raised, including political prisoners, religious freedoms and freedom of the press. The dialogue also covered areas where there have been positive developments, such as health and education.

Addressing human rights issues in Eritrea is very difficult. There are serious obstacles to obtaining reliable information from inside the country: there are no independent journalists in Eritrea; foreign diplomats require travel permits to travel outside Asmara, which are often refused; and the Ministry of Information tightly controls access to information and will not engage with foreign embassies or international bodies unless approved at a very senior level. The Eritrean government frequently claims that reports on Eritrea’s human rights situation are

outdated or inaccurate. We have called on the Eritrean government to allow access to the country and to the people of Eritrea by journalists, human rights groups and foreign embassies to ensure accurate reporting. The Eritrean government has consistently refused these requests.

In 2011 we expect large numbers of Eritreans, particularly those who are young and educated, to continue to leave the country illegally. As a result, pressure on the Eritrean government to address the causes of this emigration will remain high. We expect a growing international focus on commercial opportunities in Eritrea as the first gold is extracted from the country's mines. Some foreign companies, however, may feel uncomfortable with close association with a country whose human rights record is so flawed.

In our engagement with the Eritrean government, both bilaterally and through the EU, we will advocate the importance of human rights as universal values, and we will emphasise the relationship between progress on human rights and economic growth, development, political stability and reduced emigration. While we will remain clear that the border dispute with Ethiopia does not justify the current human rights abuses in Eritrea, we will also continue to encourage both countries to find ways to resolve their dispute, including allowing demarcation of the border in line with the Eritrea–Ethiopia Boundary Commission's ruling.

Elections

The Eritrean constitution, which was ratified in 1997, provides for a National Assembly elected by all citizens over 18 years of age. However, the constitution has not been implemented and there have been no national elections since Eritrea gained formal independence in 1993. Eritrea is presently a one-party state. Regional representatives for the National Assembly are elected, although the elections are tightly controlled. Local elections for village elders also take place.

Access to justice

The judicial system in Eritrea is often opaque, arbitrary and harsh. It is impossible to obtain accurate figures on the number of political and religious prisoners as the Eritrean government does not allow access to most of its prisons, but some

estimates are in the tens of thousands. These include the so-called “G11”; 11 senior government officials imprisoned without trial since 2001 after openly criticising President Isaias Afwerki. The condition of the 11, or even whether they are still alive, is not known. Basic legal rights afforded by Eritrean law, including the prohibition of arbitrary and indefinite detention, are routinely violated. President Isaias confirmed this approach in May 2009 when he said publicly, in reference to the detention of Swedish-Eritrean journalist Dawit Isaac, “We will not have any trial and he will not be released”. In August, a senior government official confirmed that, in the case of Mr Isaac, “it was a conscious decision from the government not to hold a trial”. A special court is widely held to exist where judges who also serve as prosecutors are selected by, and only accountable to, the president. Trials are conducted in secret and defendants are not allowed legal representation. Released prisoners and other sources also describe a system of extra-judicial sentencing by secret committees. Although we have no reports of the death sentence being passed by the courts there are numerous reports of summary executions.

Prisons and detention issues

Conditions in prisons and detention centres are reported to be harsh and life-threatening. The location of most detention centres is not publicised and visits are usually prohibited, including by family members, who are often not officially informed of the detention. The International Committee of the Red Cross is denied access to Eritrean prisoners. Many sites are below ground where prisoners are kept in dark cells. Elsewhere, detainees are held in metal shipping containers where temperatures are believed to reach the high 40s (°C). There are reports of severe overcrowding. Former guards and detainees describe food, water and medical supplies being strictly limited or withheld. There are multiple reports of systematic torture and people dying in detention. Detainees have described a series of punishments where people are tied in painful positions, for as long as weeks at a time.

Freedom of expression

Eritrea’s un-implemented constitution was intended to guarantee freedom of speech and the media. However, independent civil society has effectively been shut down. NGOs are not allowed to operate independently and there are presently no

independent journalists in Eritrea. The Reporters Without Borders 2010 annual report ranked Eritrea bottom of 178 countries worldwide for press freedom, and the organisation estimated that around 30 journalists were imprisoned in Eritrea. Political opposition and dissenting views are not tolerated and people are liable to be imprisoned for expressing opposing opinions.

Freedom of religion and belief

The Eritrean government permits four faiths: the Orthodox, Catholic and Lutheran churches and Islam. All other religious practice and worship was banned in 2002. During 2010 there were many reports of arrests during religious gatherings. High-profile religious figures in detention include Abune Antonios, the patriarch and former head of the Eritrean Orthodox Church, who has been under house arrest since May 2007 for resisting government interference in church affairs. Pastor Ogbamichael Teklehaimot of the Kale Hiwot Church has been in detention since his arrest in October 2007.

Women's rights

The Eritrean government made progress on gender equality in 2010. It demonstrated a commitment to preventing female genital mutilation, which is still practised in some regions, by making the practice illegal and working with local communities on the issue. Our Embassy in Asmara supported the Eritrean government's work in this area by funding initiatives led by UNICEF in conjunction with the National Union of Eritrean Women. Our Embassy also funded UN and British Council leadership and management training for women.

Children's rights

In 2010 more schools were constructed in Eritrea, especially in rural areas, and there was a particular improvement in girls' access to primary education. The Eritrean government also made progress on children's health, and the child mortality rate was reduced. Our Embassy in Asmara supported two youth education projects; one on drought risk reduction, based in Asmara; the other on food security and the environment, in the rural communities of Gash Barka and Dehub. The projects ran in conjunction with the National Union of Eritrean Youth and Oxfam GB, and targeted schools in areas affected by these issues to address the problem of recurring

drought and to promote the voluntary contribution of youth in development efforts, especially food security.

Minorities and other discriminated groups

The Eritrean government does not recognise the specific needs of minority groups, and we had particular concerns over the treatment of the Kunama, one of the country's smallest ethnic groups, in 2010. Relations are tense between the Kunama and the Eritrean government, and there is periodic armed conflict. There have been reports by Kunama refugees of the Eritrean government obstructing the Kunama from performing traditional worship and seeking to drive them from their land. Tensions are also high between the Eritrean government and the Afar, which has resulted in armed skirmishes and deaths on both sides.

Protection of civilians

Eritrea is not a signatory to the 1951 Refugee Convention but its government works with the UN High Commissioner for Refugees to ensure that refugees are treated properly, including having access to education and healthcare. There are two main refugee camps in Eritrea: Elit, which houses around 600 Sudanese refugees, and Emulkulo, which houses around 3,500 Somalis. There are also a number of Ethiopian refugees, with more arriving daily, who are kept in a separate camp believed to be in Asmara. Eritrea does not operate a system of forced repatriations but assists those who wish to return to their country of origin and cooperates with the UN High Commissioner by allowing those offered settlement in a third country to leave Eritrea.

Other issues: Freedom of movement

Movement in Eritrea is restricted and travel permits, or proof of completion of national service, are required for Eritreans to travel between towns and regions. Eritreans are prevented from holding a passport unless they can prove that they have completed national service. Married women with children are exempt from national service but because they have not completed national service they still cannot obtain a passport. Thousands risk their lives to leave the country illegally every month, despite the shoot-to-kill policy reported to be in force on the border. This is fuelling a demand for people smugglers. Unable to leave by normal means,

many Eritreans decide to risk kidnap, extortion, rape and death at the hands of the smugglers in order to leave the country. Despite government statements regarding the status of those who return having left illegally, the reality is unclear. Many are afraid to return as they fear detention and forced entry into national service.

Military service

Young Eritreans are obliged to undertake national service, which for many means conscription into military service. The duration is officially 18 months, but many thousands are trapped in indefinite military service, often serving more than 10 years in very harsh conditions and receiving extremely low remuneration. The uncertainty around the length of service and the notoriously harsh conditions awaiting those called to do military service are believed to be significant reasons for the high number of young Eritreans illegally leaving the country.

Right to health

In 2010 the Eritrean government increased the provision of healthcare, an area which it prioritises, and made progress on a range of health indicators, including maternal health and the number of incidences of malaria. We supported work in this area by contributing to UN and Oxfam projects providing water and sanitation outside Asmara. Eritrea's progress in this area could be more rapid if the Eritrean government was more willing to accept assistance from NGOs and international development agencies.