



ERITREA
SUBMISSION TO THE UN UNIVERSAL PERIODIC
REVIEW
32nd SESSION OF THE UPR WORKING GROUP

Submitted 12 July 2018
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Introduction:

The Eritrean Lowlanders League (ELL) is a civil society organization established in 29/03/2014 in London. Its primary objectives are to inform, inspire and empower the people to promote and defend their legitimate rights and interests, contribute positively, alongside other national components and organisations, in monitoring the human rights obligations and practice of the Eritrean state and actively play its role in realizing the aspired democratic changes in Eritrea. ELL focuses on the works that mitigate or alleviate the injustices and persecutions that has inflicted the lowland society in particular and the Eritrean people in general at the hands of the incumbent government. It strives in cooperation with other human right organizations towards respecting and observing the basic human rights and dignity of the citizen that is denied by the current Eritrean ruling government in Eritrea.

UPR Report on the Eritrean government's violations of human and Peoples rights

Introduction:

Since the ascension of the current government and its ruling party PFDJ to power 26 years ago in Eritrea, it has displayed disregard and disdain to its national and international obligations concerning human rights. Not only that but it persistently has committed grave human rights violations against its people. Thus denying the people their legitimate basic human rights and systematically violating and abusing that. Hereunder we briefly highlight some of the most eye catching ongoing violations and abuses that are in clear contrast to the state claims in the recent report forwarded in the 36 conference of the African Peoples & Human Right Commission in Nouakchott, Mauritania in May 2018, were none of the 22 recommendations set by the special Rapporteur since 2012 had been implemented, as the indefinite national service program is still ongoing, No, prisoners of conscience were released, freedom of expression, public freedoms and cultural rights are still being violated, most recently the crackdown on peaceful demonstrations in neighborhood in the capital city Asmara, and the mass arrests of citizens without bringing them to fair trials, including Sheikh Musa Mohamed Nur, who died in prison as a result of bad health treatment. As well the general human rights violations. And the grab of the private property by confiscation of land from its original owners.(1)*

" We recommend that the State of Eritrea work to implement the recommendations contained in the report of the Special Rapporteur "

(1)* Report of the Special Rapporteur on the situation of human rights in Eritrea* A/HRC/38/50

1. Civil & Political Rights:

i) The Right to Life:

God given natural right including the respect of man's dignity; is not only denied but also grossly violated by the ruling government in Eritrea. Consequently, many lives are intentionally and systematically endangered and many people's lives are unnecessary exposed to risks ,hazards and fatal measures:

- Non-judicial and indefinite arrests of individuals and groups that early began with the mass arrests of private Islamic school teachers and old veteran fighters in 1994, whose fate similarly the fate of all other prisoners has remained unknown until now.

- Other blatant abuses to the right to life have become a common and regular routine practices exercised by the government such as torture, killings, disappearances, and ethnic cleansing. That in an unabatedly continued pace throughout the reign of the incumbent regime in Asmara. Practices that are considered as flagrant violations to the right to life for all Eritrean citizens whose lives are risked and held ransom at the mercy of the regime whims.(2)*

ii) **The right to Freedom:**

- The government claims in its last report to the African Commission for Human and Peoples Rights conference (May 2018) in Nouakchott, Mauritania that ‘the arrests it has carried out so far only involved people ‘who are considered risky and pose serious dangers to the security of the nation’. An unwitty and false justification to legalize their illegal actions that contradict the essence of the right to freedom that any individual is entitled to enjoy. Under that false pretext, tens of thousands of people are indefinitely detained. Thus lost their right to freedom and without any legal judicial process remaining arbitrarily detained without any charges or access to justice and proper information about their where about. This applies to thousands of prisoners ranging from political dissidents, reformists, critics of the regime's policies, religious personalities, community leaders and elders who are all languishing in prison dungeons under extremely inhumane and unbearable life conditions some in incommunicado. Moreover, all exposed to torture and extra judicial executions, killings, and disappearances.
- Other harsh repressive measures, use of disproportionate violence, assaults, and indiscriminate arrests of peaceful demonstrators exercised simply for reasons of expressing views and demanding rights. As the case of the Afar women who demonstrated in Bada region in the province of Afar Dankalia in November 2016 standing up for their right to food against interference by the regime’s security agents. And, as in the case of the Al-Diaa private school demonstrations in Asmara in January 2018 where hundreds of participants including breath-feeding mothers, children and elders still remain in custody for demonstrating for their right to freedom of education choice.(2)*

iii) **The right to Equality:**

The regime's inherent nature of hegemony and domination, and its policies and practices contradict and violate the essence of the right to equality and nondiscrimination between people, as it favours certain social groups and practices policies based on grounds of ethnicity, culture, religion, and language; whereby the regime continuously excludes, oppresses, and marginalizes the majority of the Eritrean national components. A matter that will negatively impact the future of peaceful coexistence that has prevailed for long periods among the diverse Eritrean communities.(2)*

"We recommend that the State of Eritrea should abide by the basic principles contained in the Universal Declaration of Human Rights"

(2)* A Catalogue of Human Rights Violations in Eritrea by Centre for Human Rights, PULP.

Eritrea, Shadow Report to the African Commission on Human and Peoples Rights by Amnesty International

iv) **Freedom of Religion & Belief:**

Despite the regime's claims of being secular, in reality it practices biased policies against Muslims and adherents of other minority Christian denominations in the country. It widely interferes with religious freedoms such as the appointment of religious leaders to control and administer how they go about their religious affairs. Muslims cannot choose their Mufti - their chief spiritual figure – freely, have been deprived of access to and use of many of their mortmain (habous), cannot build or renew mosques as needed, and it goes without saying that support from the government is non-existent, while benevolent endowments by faith followers from abroad for the running, maintenance, and repairs of mosques are severely restricted under the false pretext of curbing Jihadist inclinations. (1)*

v) **Freedom of Expression:**

The Eritrean regime has been notoriously dubbed the North Korea of Africa for its damning record for continuous and persistent breach of the right to freedom of expression in its different forms. It has committed violations of this right ranging from banning of free press, imprisonment of independent journalists, and the suppression of all other forms of freedom of expression. Therefore, no wonder Eritrea has been deservedly considered the most dangerous place for journalists thus holding the bottom rank in list of countries based on the degree of freedom of expression in the world.

vi) Women in the developing countries generally are subjected to dual oppression from society and governments. In Eritrea, they suffer even more as a consequence of being drafted to the compulsory military service

that callously subject them to forced labour, risks of rape by senior officers, and various forms of degradation, persecutions, torture, and imprisonment.

- vii) Waves of forced human migration continuously flow outside the country monthly in their thousands. Especially youth who in their effort to escape compulsory indefinite military service and seek safe havens; face enormous risks of the regime's official "shoot-to-kill" policy, falling victims to criminal rackets of human traffickers, encountering fatal hazards in deserts and oceans, as well as enslavement by outlaw bandits. They brave all these perils in order to escape the miserable, inhumane, and hopeless conditions imposed by the regime in Eritrea.(1)*

2. Social, Cultural, and Economic Rights:

The regime has not only totally abandoned its responsibilities and duties towards observing and realizing the needs of its people in the different aspects of life - political, economic, and cultural rights and aspirations of the people but persistently denied and violated all basic rights and freedoms of the Eritrean people.(1)*

i) The right to Property and Land ownership:

The regime has carried land and property confiscations, particularly in the Eritrean Lowlands. This systematic policy has been pursued with the aim of causing demographic changes in the Lowlands that by expropriating and displacing the original inhabitants for that purpose. A matter criminalized by all international laws and norms, inter alia, Article 19 of the African Union Charter that criminalizes the illegal seizure of property of third parties despite the fact that the Eritrean regime is one of its signatories.

Traditional land ownership that prevailed from time immemorial among different societies in Eritrea recognize society members' right to the land where their ancestors lived, but the government confiscated their right to own that land declaring itself through "Land Reform Proclamation" the sole land owner. This decree has mostly been applied in the vast pastoral land areas of the Eritrean Lowlands. Where the original inhabitants are either internally displaced or not allowed to return from refugee camps in the Sudan since the mid-sixties of the last century. The new settlements program of Highlanders is causing a demographic change in the Lowlands. This is a recipe for the breakout of internal violent civil conflicts between the original owners and the new settlers.

- ii) Forced and unwarranted displacements of citizens in towns and villages such as Adi Kayeh, Tessenie, Karkabt, Arrafli, and Hagat have been carried, in 2017. Either by forcibly evicting them after demolishing their houses or displacing them without prior notification and legal justification and without any compensation and provision of alternative accommodations and land.
- iii) The recurring bombardment of the Red Sea Afar fishers one of which took place in May 2017 denying their right to earn their living as they have always done for generations on the Red Sea coast.(1)*
"we recommend that the Eritrean state should commit to human rights of its citizens"

(1)* Report of the Special Rapporteur on the situation of human rights in Eritrea* A/HRC/38/50

iv) **The right to Work:**

The government discourages and even prevents some entrepreneurs from working for their own interests by indirectly trying to outcompete them from the market or directly interfering by withdrawing their business and trade licenses in imports & export, construction & building licenses, transport, and other businesses.

Drafting and engaging most of the work capable force in an indefinite compulsory military conscriptions is not only depriving the country of its productive man-power, the youth but also forcing people to work against their will and without or for little reimbursement in return. Which is in clear contradiction with their right to work and the right to choose the type of job where job satisfaction and proper commensuration is obtained.(2)*

v) **The right to Health:**

The government has never formally declared a budget for the country so far. Thus, not allocated adequate funds to cover necessary expenses for basic public services including health service. The Health service as a vital sector apparently lacks enough investment to run and develop. Consequently, it is badly suffering from the lack of professional personnel, necessary facilities, and medical supplies. Where the population at large is paying the price through suffering from health problems particularly the vulnerable sectors; children, women, and the elderly.(2)*

vi) **The right to Education:**

The last stage of secondary education in Eritrea is closely linked to the compulsory military service. Thus, those who try to avoid the military conscription lose the opportunity of completing their secondary

education in other words lose the chance of pursuing further university studies. Many girls stop going to school at early stages and get married in order to escape military conscription with all the risks that it entails. In addition, some adherents of Christian Pentecostal denominations, such as Jehovah's Witnesses whose beliefs do not accept militarization, are all denied the chance of finishing basic secondary education levels. A matter that is considered a violation of the right to education for all.(2)*

vii) **The right to Housing:**

The government has - re owned the illegally nationalized people's properties from the Derg, former Ethiopian military regime - but instead of redistributing these properties to their original legal owners, it endorsed the status quo. It also confiscated properties belonging to political opposition figures and levied retroactive high taxes back to the times of Ethiopian occupation period on properties of war-displaced citizens, either thus extorting astronomical sums that in many cases exceed the price of the property or indirectly forcing owners to abandon claiming them back. The regime has also conducted many campaigns to forcibly evict and demolish properties of individuals in a number of cities under the pretext of re-planning purposes, doing so without prior notice or compensation to the owners leaving many families homeless.(2)*

vii) **The right to Food:**

Eritrea most of the time suffers from lack of producing adequate food reserves due to recurrent draughts and ill-managed economy and land policies. The government is always in utter denial of this fact, to the extent of refusing access to or receive help from humanitarian and relief organizations. The indefinite military conscription has engaged almost the entire working power in nonproductive military service, and therefore created a drastic shortage in work capable and skilled hands that are necessary to farm and food production.(2)*

"We recommend that the Eritrean state should comply to the basic humanitarian rights"

(2)* A Catalogue of Human Rights Violations in Eritrea by Centre for Human Rights, PULP.

3. Crimes against Humanity:

The government executes a policy of terror and fear to rule country. In so doing, it commits systematic and wide spread gross violations of human rights that amount to levels of crimes against humanity. Throughout the years of its rule, the government has inflicted untold sufferings on the citizens by engaging people forcibly in indefinite military conscription and forced labor without proper pay or acceptable work surroundings. It continues imprisonment of tens of thousands without charges recourse to justice, while kept under inhumane conditions, where murder, extra-judicial executions, torture, rape, enforced disappearances are the norm, not the exception.(1)*

4. Women's Rights:

The regime not only failed to preserve the traditional uphold respect and rights of women in Eritrea but systematically violates and abuses their rights on all aspects of life; particularly in education, land and property ownership, health, sexual gender-based discrimination, violence and rape which have become common practices in military camps and detention centers.(1)*

"We recommend that the Eritrean state should immediately stop human rights violation, and implement the special Rapporteur recommendations"

(1)* Report of the Special Rapporteur on the situation of human rights in Eritrea* A/HRC/38/50

Conclusion:

The Eritrean regime has never complied with its international obligations as a signatory of most of the international conventions and resolutions concerning human rights. Far from, it persistently has continued to violate and abuse the human rights with impunity. Despite, details of these violations recurrently have been reported by local and international human rights organizations, the most important of which the series of reports compiled by the Special Rapporteur on the situation of Human Rights in Eritrea, Ms. Sheila B. Keetharuth and the Commission of Inquiry on Human Rights in Eritrea. These reports unequivocally confirmed that systematic violations of human rights in all aspects of life have been committed in Eritrea throughout the years of the regime's rule, which the gravity of some amount to the level of crimes against humanity.

We therefore appeal to the Human Rights Council and the international community in general not only to stop short off condemning the Eritrean regime's violations and abuses of the human rights only, but also to keep the monitoring process and holding it accountable for violations committed in for the International Criminal Court.