

**“Listen to our agony” - responding to  
the Eritrean crisis**

**December 2014**

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### **Introduction**

Eritrea is haemorrhaging people. As many Eritreans are fleeing their country, seeking refuge in the rest of the world, as Syrians. Yet Syria is in the grip of a deadly civil war and Eritrea is not.

Eritreans are driven into exile by the regime’s gross violations of human rights and the endless military service which has created a cycle of poverty. Young men, women and children now arrive in leaky boats on the shores of Italy. From January to August 2014 alone, more than 28,000 Eritreans, including almost 3,000 unaccompanied children, came to Italy alone by sea.<sup>1</sup> From there they make their way to wherever they can find sanctuary – whether in Sweden, Germany or the Netherlands. Hundreds camp in Calais hoping to find a way across the Channel and into Britain.

Policy makers across the European Union are grappling with how best to respond.

Some suggest higher fences and a greater security at Europe’s ports. Others have already cut back the rescue services in the Mediterranean – effectively leaving the passengers to drown. This inhuman policy has been widely condemned.<sup>2</sup> But in recent months an alternative response has been quietly proposed: a new engagement with the Eritrean government. It is this policy that we will now examine.

As we shall show, attempts at a ‘new engagement’ have been tried before – following the government’s extinguishing of the semblance of democratic rights in 2001 and then again in 2009. On both occasions the initiatives failed. European diplomats have acknowledged privately that attempting to engage with President Isaias Afewerki are “useless”.

### **Why Eritrean refugees flee their country**

The repressive nature of the Eritrean regime has been recorded by numerous human rights organisations. This is the summary provided by Human Rights Watch:<sup>3</sup>

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<sup>1</sup> In the same period 24,000 Syrians arrived in Italy. *So close yet so far from safety*, UNHCR, October 2014

<http://www.unhcr.org/cgi-bin/texis/vtx/home/opedocPDFViewer.html?docid=542c07e39&query=mediterranean>

<sup>2</sup> It is estimated that 3343 people have lost their lives this year while making such journeys, 2755 of them since the start of July. UNHCR Briefing Note, 17 October 2014.

<http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=5440ffa16&query=mediterranean>

<sup>3</sup> <http://www.hrw.org/africa/eritrea>

“Torture, arbitrary detention, and severe restrictions on freedom of expression, association, and religious freedom remain routine in Eritrea. Elections have not been held since Eritrea gained independence in 1993, the constitution has never been implemented, and political parties are not allowed. There are no institutional constraints on President Isaias Afewerki, in power now for twenty years. In addition to ongoing serious human rights abuses, forced labor and indefinite military service prompt thousands of Eritreans to flee the country every year.”

The UN Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth, made much the same point in her report to the UN Human Rights Council on 13 May 2014.<sup>4</sup>

“She confirmed [in her first report] that violations of human rights in Eritrea included indefinite national service; arbitrary arrests and detention, including incommunicado detention; extrajudicial killings; torture; inhumane prison conditions; infringement to freedoms of movement, expression and opinion, assembly, association and religious belief; sexual and gender-based violence; and violations of children’s rights. Information gathered for the present report confirms that the above-mentioned violations continue unabated.”

These gross violations of human rights are undeniable: they form the background to the exodus of young Eritreans. But, for the young, it is conscription that is the main driver. As the United Nations High Commission for Refugees stated in November 2014: “The recent arrivals told us that they were fleeing an intensified recruitment drive into the mandatory and often open-ended national service.”<sup>5</sup>

The result is an unprecedented flight across Eritrea’s borders. Quoting UNHCR again: “During the first ten months of 2014, the number of asylum-seekers in Europe from Eritrea has nearly tripled. In Ethiopia and Sudan, neighbouring Eritrea, the number of Eritrean refugees has also increased sharply. So far this year (2014), nearly 37,000 Eritreans have sought refuge in Europe, compared to almost 13,000 during the same period last year.”

Eritrean refugees arriving in Europe in record numbers is clearly what concerns European politicians. One EU member state, Denmark, resorted to handling the refugee crisis by producing a spurious report, with apparent academic credibility. Worried by the arrival of increasing numbers of Eritrean refugees in Denmark, the authorities sent a ‘fact finding mission’ to Eritrea and the region. The widely criticised<sup>6</sup> Danish Immigration Service report<sup>7</sup> concluded: that “the human rights

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<sup>4</sup> Report of the Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth, United Nations, A/HRC/26/45, 13 May 2014

<sup>5</sup> UNHCR briefing note, 14 November 2014  
<http://www.unhcr.org/5465fea1381.html>

<sup>6</sup> Danish report on Eritrea faces heavy criticism <http://www.thelocal.dk/20141201/danish-report-on-eritrea-faces-heavy-criticism>

<sup>7</sup> <http://www.nyidanmark.dk/NR/rdonlyres/B28905F5-5C3F-409B-8A22-0DF0DACBDAEF/0/EritreareportEndeligversion.pdf>

situation in Eritrea may not be as bad as rumoured” resulting in Denmark no longer giving blanket asylum to Eritreans. This ‘study’ dismissed the authoritative work of the United Nations Special Rapporteur on the Human Rights situation in Eritrea and other respected human rights organisations. Their brief visit to Eritrea was conducted with only one purpose in mind: to provide the evidence needed to justify curbing the number of Eritrean refugees arriving in Denmark.

This trend has resulted in two changes of policy. Firstly it has led to a scaling-back of rescue efforts in the Mediterranean, in the hope that Eritreans will see the crossing as too dangerous to undertake.<sup>8</sup> “There will be more dead at sea,” warned Gunter Burkhardt of Germany’s Pro-Asyl group. The second policy change is an attempt at a “new engagement” with the Eritrean regime.

### **A ‘new engagement’**

This is mainly discussed in corridors and behind closed doors, but it is now clear that the European Union is beginning to re-consider its relationship with Eritrea. This was acknowledged in the recent publication by the Royal Institute of International Affairs – Chatham House.<sup>9</sup> Jason Mosely wrote:

“The creation of the position of the EU Special Representative (EUSR) for the Horn of Africa in 2012 offers the possibility of a new kind of engagement between the EU and both Eritrea and Ethiopia. In terms of engagement with Eritrea, in particular, the EU is hampered on two fronts. First, as a guarantor of the Algiers Agreement, its influence in Eritrea has suffered from its perceived failure to enforce compliance by Ethiopia. Second, the EU also has a diplomatic stance rooted in a human-rights based approach to foreign policy, although it is not the only actor in the region in this regard. Neither of these factors leaves it well placed to act as an ‘honest broker’ from Asmara’s perspective.

However, the EUSR, Alex Rondos, has managed to cultivate a functional relationship with Eritrea. With the goal of improving overall regional stability in mind, and thus consistent with his mandate, it is possible that his office could play an important role in improving relations between Eritrea and the EU and its member states.”

The somewhat dismissive reference to human rights is worrying. It suggests that rights are regarded as an inconvenient adjunct to foreign policy; an encumbrance that might be disposed of. We have no quarrel with this as an academic debate, but in recent months it has become apparent that a shift in policy is being considered within the EU.

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<sup>8</sup> <http://www.voanews.com/content/lives-at-risk-as-europe-cuts-back-mediterranean-rescue-mission/2506337.html>

<sup>9</sup> Jason Mosely, *Eritrea and Ethiopia: beyond the impasse*, Chatham House, 1 April 2014 <http://www.chathamhouse.org/publications/papers/view/198954>

The clearest sign of this came in July this year, when Italy's Deputy Minister of Foreign Affairs, Lapo Pistelli, made an official visit to Asmara. He was fulsome in his praise for his hosts, saying that he found them "well informed and keen to engage." The enthusiasm with which he greeted this "new beginning" was reflected in the official communiqué put out by the Italian government:<sup>10</sup>

"It's time for a new start". This was Deputy Minister Pistelli's comment during his visit to Asmara – the first visit to Eritrea by a member of the government since 1997, with the mission by the President of the Republic at that time, Oscar Luigi Scalfaro. "I am here today to bear witness to our determination to revitalise our bilateral relations and try to foster Eritrea's full reinstatement as a responsible actor and key member of the international community in the stabilisation of this region".

This is a matter of deep concern since the evidence of Eritrea's response to previous initiatives of this kind has been far from encouraging. Equally erroneous was a recent Danish Immigration Service report, which was riddled with inaccuracies and misquoted the key academic source that it used.<sup>11</sup> The report was comprehensively rejected, but it was a clear attempt to provide a justification for a reversal of well-established policies.

### **How did the Eritrean regime respond to previous attempts at 'engagement'?**

The European response to Eritrea has developed over many years. It should not be forgotten that Europe supported the Eritrean people even before the de-facto independence of the country in 1991: especially during the 1984 – 85 famine, when European countries were major donors. Cross-border operations fed millions who would otherwise have starved.

Since de-jure independence in 1993 was ratified by the United Nations, Europe has attempted to build a relationship with the Eritrean government. This has not proved easy. Under President Isaias Afewerki, Eritrea has become one of the most inward looking, repressive of states – a fact attested to by numerous reports from Human Rights Watch and Amnesty International.<sup>12</sup>

### **Mishandling the 2001 government crackdown**

In 2001 there was a generalised clampdown on all forms of opposition. Independent media were closed and senior government officials and journalists – the "G-15" – were arrested and disappeared from public view. They have never been formally charged, much less tried, and have been held incommunicado.

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<sup>10</sup> Deputy Minister Pistelli's mission to the Horn of Africa. Visit to Eritrea, Roma 02 July 2014, [http://www.esteri.it/MAE/EN/Sala\\_Stampa/ArchivioNotizie/Comunicati/2014/07/20140702\\_eritrea.htm](http://www.esteri.it/MAE/EN/Sala_Stampa/ArchivioNotizie/Comunicati/2014/07/20140702_eritrea.htm)

<sup>11</sup> <http://www.thelocal.dk/20141201/danish-report-on-eritrea-faces-heavy-criticism>

<sup>12</sup> Human Rights Watch World Report 2013, Eritrea <http://www.hrw.org/world-report/2013/country-chapters/eritrea>

Among those in detention is Dawit Isaak, a Swedish-Eritrean journalist, arrested in the 2001 round-up. The EU has repeatedly called for his release and for EU representatives to actively take up his case.<sup>13</sup>

When the arrests took place the Italian Ambassador to Eritrea, Antonio Bandini, presented a letter of protest to the authorities. He was promptly expelled and other European ambassadors were withdrawn in response. The EU presidency said relations between the EU and Eritrea had been “seriously undermined” by the government’s action.<sup>14</sup>

An internal EU document explained just how poorly the EU responded to the situation.<sup>15</sup> The report said that it had been decided at the time that European ambassadors would be: “conditioning their return on the willingness of President Isaias to engage on human rights dialogue. This request was never satisfied, but EU Ambassadors nevertheless returned to Eritrea, in a non-coordinated way.”

Even when it is not beset by these kind of problems, providing aid to Eritrea has proved notoriously difficult. Most aid agencies were forced to leave after a law was enacted by the regime to control their activities in May 2005.<sup>16</sup> This required NGO’s to pay taxes on all goods imported into the country and prohibited international agencies from engaging in ‘development,’ surely among their core activities.

As time passed the EU re-assessed its relations with Asmara.<sup>17</sup> Although there had been no sign of movement on human rights by the regime it was decided to attempt to try to have a ‘new beginning’ with Eritrea. In May 2007 President Isaias visited Brussels and was “warmly welcomed” by the Development Commissioner, Louis Michel.<sup>18</sup> In the light of the talks that were held the European Commission altered its stance towards Eritrea, as the internal report made clear.

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<http://www.europarl.europa.eu/document/activities/cont/201109/20110920ATT27041/20110920ATT27041EN.pdf>

14 <http://www.europeanvoice.com/article/eu-protests-after-eritrea-expels-envoy-bandini/>

15 *Background Note on Eritrea*, October 2008, Directorate-General for external policies of the Union, Directorate B, Policy Department.

<http://eu-information-service.rs-consulting.com/Policy%20Department%20for%20External%20Relations/Countries%20and%20Regions/ACP%20Countires%20%28African,%20Caribbean,%20Pacific%29/2.%20Country%20Notes/Eritrea/Eritrea%20country%20note%202008.pdf>

16 Dan Connell and Tom Killion, *Historical Directory of Eritrea*, Second Edition, Scarecrow Press, Toronto, 2011, p. 399

17 *Background Note on Eritrea*, October 2008, Directorate-General for external policies of the Union, Directorate B, Policy Department.

<http://eu-information-service.rs-consulting.com/Policy%20Department%20for%20External%20Relations/Countries%20and%20Regions/ACP%20Countires%20%28African,%20Caribbean,%20Pacific%29/2.%20Country%20Notes/Eritrea/Eritrea%20country%20note%202008.pdf>

18 [http://www.eepa.be/wcm/dmdocuments/2010-07-16\\_Eritrea\\_and\\_Isaias\\_Afewerki\\_a\\_cold\\_logic.pdf](http://www.eepa.be/wcm/dmdocuments/2010-07-16_Eritrea_and_Isaias_Afewerki_a_cold_logic.pdf)

“In June 2007 the European Commission changed its strategy and initiated a process of political re-engagement with Eritrea. The main reason for Commissioner Louis Michel’s change of approach was his determination to ignite a positive regional agenda for the Horn of Africa, where Eritrea has a major role to play in view of its presence in the conflicts in Sudan and Somalia.”

The document concluded that for this “political re-engagement” to work both sides would be required to show that they were serious about it. Concrete evidence was required:

“Both sides need political dialogue to bring some results: the European Commission needs a visible sign of cooperation from Eritrea in order to continue to justify its soft diplomacy, while the increasingly isolated Eritrean regime might need to keep a credible interlocutor and a generous donor. The liberation of Dawit Isaak based on humanitarian grounds could be such a sign but, although welcome, it would only be a drop in the ocean.”

Instead of the making improvements to human rights, the Eritrean government ensured that Dawit Isaak remained in jail, as did the other political prisoners. There was no softening in President Isaias’s stance, despite the aid that the EU was delivering. Despite this the EU pressed ahead with its ‘renewed engagement’ strategy. Brussels had learnt nothing from the mistakes made following the 2001 withdrawal of its ambassadors. Asmara, on the other hand, had learnt that if it remained obdurate European politicians and civil servants would, in time, give in to its demands. President Isaias was determining the agenda and had no intention of softening his stance on his people’s democratic rights.

On 2nd September 2009 the EU and Eritrea signed a Country Strategy for 2009 – 2013.<sup>19</sup> This acknowledged the impact of Eritrea’s 2001 crackdown on dissent, albeit in diplomatic language. “From 2001 to 2003, there was a slowdown in EU-Eritrea development cooperation, and the Political Dialogue process witnessed the emergence of substantially divergent views on developments in Eritrea and the Region.” The report talked about “limited” political dialogue, but said that regular meetings were planned.

A mission by the Development Committee of the European Parliament in late 2008 painted a more gloomy, but more accurate, picture.<sup>20</sup> The fact-finding mission by a delegation from the EU Development Committee to the Horn found that:

“Since the interruption of the democratisation process in 2001, EC cooperation with Eritrea has been confronted with major political and technical difficulties. Cooperation was frozen for several years in reaction to

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<sup>19</sup> [http://ec.europa.eu/development/icenter/repository/scanned\\_er\\_csp10NEW\\_en.pdf](http://ec.europa.eu/development/icenter/repository/scanned_er_csp10NEW_en.pdf)

<sup>20</sup> Report of the fact-finding mission of a Delegation of the Development Committee of the European Parliament to the Horn of Africa (Eritrea, Djibouti, Ethiopia) (25 October-2 November 2008)

the expulsion of the Italian Ambassador, which led to a certain backlog with the 9th EDF funds.”

At the same time the delegation was able to report that the situation had improved in recent years and funds had begun to flow once more.

Buoyed up by an apparently more positive situation the EU Development Commissioner, Louis Michel, opened talks with Eritrea. By August 2009 he was sufficiently encouraged by his discussions to visit Asmara, after receiving assurances from an Eritrean diplomat that Dawit Isaak, would be released into his care.<sup>21</sup> Having booked a ticket for Dawit to return with him to Europe, Louis Michel left for Asmara. But once he met President Isaias it became immediately apparent that the President had no intention of allowing Dawit to go free. Indeed, Mr Michel was not even permitted to visit the prisoner.

### **A ‘useless’ engagement**

Despite these setbacks the EU has remained wedded to attempting to secure its relationship with Eritrea. It is noteworthy that in October 2009, despite the fiasco surrounding the Louis Michel visit, European foreign ministries were prepared to take a considerably softer line towards Eritrea than their American counterparts. A US diplomatic cable, released by Wikileaks, reported how one European representative after another called for restraint, while opposing extending sanctions against the Afeworki regime.<sup>22</sup>

“Italy described Eritrea as governed by a ‘brutal dictator,’ and noted that Italy had not gotten results from its efforts at engagement. He cautioned, however, against ‘creating another Afghanistan’ by applying Eritrea-focused sanctions. The Italian representative questioned whether the sanctions should be focused on spoilers in general and include others beyond Eritrea. The French said that while engagement was ‘useless,’ France would continue on this track as there was no other option.”

Speaking at the same day-long meeting the British official, Jonathan Allen, said: “London has already made clear to Asmara that the UK was aware Eritrea was supporting anti-Western groups that threatened British security.” In reply the American senior representative, the Deputy Assistant Secretary for African Affairs, Karl Wycoff pointed out what were described as: “the inconsistency between the private acknowledgement that Asmara was not only playing a spoiler role with regard to Somalia but also supporting violent, anti-West elements and the provision by some countries provided assistance packages to Asmara. He also noted that strong actions, including sanctions, were needed to have a chance of changing Isaias's behaviour.”

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<sup>21</sup> <http://www.asmarino.com/news/435-an-afternoon-with-louis-michel-in-the-european-parliament>

<sup>22</sup> <http://www.telegraph.co.uk/news/wikileaks-files/somalia-wikileaks/8302251/EUROPEANS-TRACK-U.S.-ON-EAST-AFRICA-BUT-REMAIN-RELUCTANT-TO-SANCTION-ERITREA.html>



Despite the American concerns the EU pressed ahead with its strategy: a strategy in which it had little faith and which its representatives described as 'useless'. It remains a strategy that has never been publicly acknowledged or openly discussed.

The situation was reviewed once more in 2011, when the EU drew up a 'Strategic Framework for the Horn of Africa'.<sup>23</sup> This laid out Europe's relationship with the region as a whole: "The EU is heavily engaged in the region, with involvement focused around five main areas: the development partnership, the political dialogue, the response to crises, the management of crises and the trade relationship."

The document then elaborates on how this would be achieved.

"The development of democratic processes and institutions that contribute to human security and empowerment will be supported through:

- promoting respect for constitutional norms, the rule of law, human rights, and gender equality through cooperation and dialogue with Horn partners;
- support to security sector reform and the establishment of civilian oversight bodies for accountable security institutions in the Horn countries;
- implementing the EU human rights policy in the region;"

The Framework also declared that it was committed to involving what it describes as the "large Horn diaspora living in Europe" in the achievement of these goals. In line with these policies it was decided to provide Eritrea with aid worth €122 million between 2009 and 2013.<sup>24</sup>

Since the Strategic Framework was drawn up the situation inside Eritrea has gone from bad to worse. This has driven Eritreans into exile in record numbers. Although the EU continued to raise the human rights situation in Eritrea under its Article 8 dialogue, there has been no progress on the release of political prisoners, the implementation of the Constitution or on freedom of expression.<sup>25</sup> The country remains a one-party state, locked into permanent repression.

The United Nations Human Rights Council's rapporteur on human rights in Eritrea, Sheila Keetharuth, made it clear in her 2014 report that there was no improvement in the situation and that: "The violations described in the present report are committed with impunity." As Ms Keetharuth made plain, she received no co-operation from the Eritrean authorities in carrying out her mission and was repeatedly denied access to the country.<sup>26</sup>

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<sup>23</sup> *A Strategic Framework for the Horn of Africa*, EU 14 November 2011

[http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/foraff/126052.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/foraff/126052.pdf)

<sup>24</sup> [http://www.eeas.europa.eu/delegations/eritrea/eu\\_eritrea/political\\_relations/index\\_en.htm](http://www.eeas.europa.eu/delegations/eritrea/eu_eritrea/political_relations/index_en.htm)

<sup>25</sup> <https://www.gov.uk/government/publications/eritrea-country-of-concern/eritrea-country-of-concern-latest-update-31-march-2014>

<sup>26</sup> Report of the Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth, 13 May 2014, A/HRC/26/45

So concerned has the international community become at the situation inside Eritrea that in June 2014 it took the rare step of establishing a Commission of Inquiry into the country's human rights.<sup>27</sup> This initiative received the support of all EU member states.<sup>28</sup>

### **Lessons learnt**

This is the background against which any consideration of a “new engagement” with Eritrea must be judged. The following lessons can be drawn from the EU's previous attempts to build a relationship with the regime.

1) There is no evidence that President Isaias and his government has any intention of moving away from its current policies, which involve the systematic denial of human rights. As the EU representatives acknowledged privately in 2009, attempts at engagement are ‘useless.’<sup>29</sup>

2) Repeated attempts to win over the regime have ended in failure. Past promises of reform, made by Eritrean diplomats, carry no weight. The political prisoners remain in detention, democratic rights are denied and there is no freedom of conscience or religious expression. Rather, as the EU's experiences in 2001 and 2009 indicate, any softening of pressure is regarded by President Isaias as a sign of the weakness of international resolve. The regime believes it can out-last any external criticism.

3) Promises of aid and international assistance have not resulted in any softening of this stance.

4) Achieving a ‘new engagement’ with Eritrea without seeing concrete, verifiable changes in the policies and practices of the regime would require abandoning the human rights agenda that is an integral part of European development policy.

### **Is there a way forward?**

Eritreans, who fought for their independence against all odds for over three decades, have not taken their government's repression lying down. Opposition is growing among Eritreans, both internally and externally. Increasingly ordinary men and women are risking their lives to speak out. Recently members of the resistance gave an interview, describing the harsh reality that they face and ending with this call to the international community: “Listen to our agony. We thank you for giving shelter to Eritrean refugees abroad, but if you are a decision-maker we beg you to keep up the pressure on the Eritrean regime.”<sup>30</sup>

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<sup>27</sup> <http://daccess-dds-ny.un.org/doc/UNDOC/LTD/G14/062/46/PDF/G1406246.pdf?OpenElement>

<sup>28</sup> <http://www.hrw.org/news/2014/09/26/eritrea-un-names-commission-inquiry>

<sup>29</sup> <http://www.telegraph.co.uk/news/wikileaks-files/somalia-wikileaks/8302251/EUROPEANS-TRACK-U.S.-ON-EAST-AFRICA-BUT-REMAIN-RELUCTANT-TO-SANCTION-ERITREA.html>

<sup>30</sup> Eritrean resistance steps up pressure on President Isaias Afewerki, The Guardian, 28 October 2014.

<http://www.theguardian.com/global-development/poverty-matters/2014/oct/28/eritrean-resistance-pressure-isais-afewerki>

Eritreans like these, living with the daily reality of the regime's repression, should guide the EU's policy. So too should the recommendations to the UN by the Special Rapporteur. In her most recent report Sheila Keetharuth explained clearly what was required. They are a comprehensive list of measures that would free Eritrea from its repression, and are contained at the end of this document.

Once progress has been made, and been verified to have been made, on these issues by Sheila Keetharuth in her capacity as Special Rapporteur, the way can then be open for a 'fresh start' and the resumption of 'full engagement', aid and other assistance to Eritrea.

Until this takes place the EU must remain true to its commitment to human rights as an integral part of its relationship with its development partners. To do otherwise will only serve to strengthen the regime and to perpetuate the tragic exodus of Eritreans from their country, to drown in the Mediterranean, or arrive on the shores of Europe.

*Signatories:*

Eritreans for Human and Democratic Rights – UK (EHDR-UK)

Stop Slavery in Eritrea Campaign (Pan European)

Release Eritrea (UK)

Freedom Friday (Arbi Harnet, Global)

Citizens for Democratic Rights in Eritrea (CDRiE, Global)

Coordinamento Eritrea Democratic (Italy)

Eritrean Initiative on Refugee Rights (Sweden)

Human Rights Concern Eritrea (UK)

## **Appendix 1 – recommendations of the UN Special Rapporteur on the situation of human rights in Eritrea<sup>31</sup>**

The Special Rapporteur makes the following recommendations to the

Government of Eritrea:

- (a) Respect all obligations under international human rights treaties to which Eritrea is a party; ratify and implement other international human rights instruments, in particular the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol;
- (b) Bring the provisions of the 1995 National Service Proclamation No. 82/1995 and the Warsai Yikaalo Development Campaign into line with international human rights standards;
- (c) Discontinue the indefinite national service, demobilize those who have completed the 18 months of service originally envisaged, and stop using national service conscripts who serve more than 18 months as forced labour;
- (d) Ensure that children are not being conscripted into the military;
- (e) Promptly investigate allegations of extrajudicial killings, torture, rape and sexual abuse within the national service, and bring perpetrators to justice;
- (f) Provide for conscientious objection by law, in accordance with international norms;
- (g) Put an immediate end to human rights violations committed against conscripts during national service, including freedom of expression and freedom of religious practice;
  
- (h) Stop the practice of “guilt by association” and the punishment of the families of draft evaders and deserters, including the exacting of the payment of 50,000 ERN;
  
- (i) Close all unofficial and secret places of detention; guarantee the physical integrity of all prisoners; ensure access to medical treatment for those in need, paying special attention to the needs of women detainees; and improve the conditions of detention in accordance with international standards;
  
- (j) Immediately release, or charge and bring before a court of law, the members of the “G-15” and the journalists arrested in 2001;
  
- (k) Immediately permit unhindered access by international monitors to all detention facilities; allow them to conduct regular and unannounced visits; and act upon their recommendations promptly;
  - 1. End restrictions on the freedom of movement within Eritrea and travel outside the country without requiring an exit permit and treat returnees according to the principles of human right enshrined in international law.
  - 2. The Special Rapporteur makes the following recommendations to the

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<sup>31</sup> *Report of the Special Rapporteur on the situation of human rights in Eritrea*, Sheila B. Keetharuth, 13 May 2014, A/HRC/26/45

International community:

(a) Ascertain that all development cooperation undergoes stringent due diligence processes to ensure that it fully respects international human rights norms and standards;

(b) Businesses investing in Eritrea should take into consideration the United Nations Guiding Principles on Business and Human Rights, in particular principle 12 on the responsibility of business enterprises to respect human rights, and ensure that these norms are applied in the recruitment of their workforce, so as to prevent the use of forced labour in the course of their operations;

(c) Bilateral and multilateral actors, including the United Nations, should advocate for the release of all political prisoners and those detained for their religious beliefs; call for an immediate stop to incommunicado detention; an end to torture; for those who have been detained without charges to be promptly brought before a judge or released; and for access of international monitors to prisons;

(d) Strengthen efforts to ensure the protection of those fleeing Eritrea, in particular unaccompanied children, by respecting the principle of non-refoulement and by granting at least temporary refuge or protection;

(e) Promote legitimate channels of migration from Eritrea so as to reduce clandestine channels and promote inter-country cooperation to counter human smuggling and trafficking.