



PUBLIC STATEMENT

Index: AFR 64/4089/2016
24 May 2016

25 years of independence: Whither the Eritrean dream?

In May 2001, my parents and other government critics were suspended after they published an Open Letter calling for peaceful, democratic dialogue. It sealed my parents' fate: on 18 September 2001 they were picked up by security agents and never seen again.¹

Amnesty International had said at the time of Eritrea's independence:

A new chapter has opened in the region's turbulent history. There is now a real chance to break with the past, to put human rights protection to the top of the agenda for the future and to offer respite and hope to people who have suffered so much.²

However, since independence Eritreans have not increasingly enjoyed the fulfilment of their human rights. Rather, systemic and widespread human rights violations have resulted in the exodus of Eritrean youth. Eritrea has remained a besieged state with neither constitutionalism nor the rule of law, independent media and civil society.

The Commission of Inquiry on Human Rights in Eritrea has found that systematic, widespread and gross human rights violations have been and are being committed by the Government of Eritrea and that there is no accountability for them. The enjoyment of rights and freedoms are severely curtailed

¹ Kristin Hulaas Sunde, *Born on Eritrea's Battlefields*, 22 June 2015, available at <https://www.amnesty.org/en/latest/campaigns/2015/06/born-on-eritreas-battlefields/> (Last accessed on 17 May 2016).

² Amnesty International, *Ethiopia and Eritrea: The Human Rights Agenda*, (AFR 25/09/91), November 1991, p 1.

in an overall context of a total lack of rule of law. The Commission also finds that the violations in the areas of extrajudicial executions, torture (including sexual torture), national service and forced labour may constitute crimes against humanity.³

Arbitrary Arrest and Detention

The International Covenant on Civil and Political Rights states that “[N]o one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.”⁴

However, Amnesty International has documented that throughout the 25 years of Eritrea’s independence the People’s Front for Democracy and Justice (PFDJ) has used arbitrary arrest and detention without trial to crush all perceived or real opposition, silence government critics and punish anyone who refuses to comply with government-imposed restrictions on human rights. The arbitrary arrest and detention that began immediately after de facto independence on 24 May 1991 – before Eritrea’s independence was officially recognised – has continued to this day.⁵

Mohamed Meranet, a Judge in the city of Keren, was arrested on 17 July 1991, shortly after Eritrea’s de facto independence from Ethiopia. No reason was given for his arrest but he was suspected of relations with the Ethiopian government. There were unconfirmed reports that he was detained in Karchele prison in Asmara until 1997 then moved to an unknown location. His family have heard no news of him since that time. Mohamed Meranet has spent nearly 25 years in arbitrary detention without charge, trial, judicial oversight or access to a lawyer. His case, perhaps the earliest arrest of a suspected political opponent in the new Eritrea, set the precedent for countless similar detentions subsequently.⁶

Amnesty International’s records also reveal that, in the quarter of a century after secession from Ethiopia, the Eritrean Government has arbitrarily detained politicians, journalists, members of

³ Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea, A/HRC/29/CRP.1, Para 1507.

⁴ International Covenant on Civil and Political Rights (ICCPR), <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>, Article 9.

⁵ Amnesty International, *Twenty Years of Independence but Still no Freedom*, (AFR 04/001/2013), May 2013, p 11.

⁶ Ibid, p 15.

registered and unregistered religious groups as well as national service evaders and deserters, among others.⁷

Even top officials of the PFDJ, including those who fought for independence alongside President Isaias Afwerki, have not been spared from arbitrary arrest and detention merely for exercising their right to freedom expression and opinion. When a Group of 15 (the G15 as they became known), wrote an open letter to members of the PFDJ in May 2001 in which they issued ‘a call for correction, a call for peaceful and democratic dialogue...a call for the rule of law and for justice,’ eleven of the group were arrested on 18 September 2001. Three of the remaining members avoided arrest and the final member retracted his signature.⁸

Amnesty International has documented that members of the Jehovah’s Witness faith are among those systematically persecuted by the Eritrean Government.⁹ Since 1994, the Eritrean Government has stripped Jehovah’s Witnesses of their citizenship because they refused to vote in the independence referendum, as their faith demands political neutrality, and their refusal to take part in the compulsory period of national service because their faith prohibits bearing arms. Many Jehovah’s Witnesses have been arrested for conscientious objection to national service and have been indefinitely detained, without charge or trial.

The right to freedom of expression and media freedom in Eritrea remains absent, with Eritrea being the worst jailer of journalists in sub-Saharan Africa.¹⁰

Arbitrary arrest and detention in Eritrea amounts to enforced disappearance. The authorities refuse to confirm arrests or will conceal the whereabouts or fate of the arrested person, placing him or her outside the protection of the law. In a number of cases, the authorities also refuse to confirm or deny, or even investigate unofficial reports of deaths in custody.

⁷ Please see: Amnesty International, *Eritrea: Torture/Prisoners of conscience*, ([AFR 64/013/2006](#)), 3 November 2006; *Eritrea: Fear of torture/prisoners of conscience*, ([AFR 64/012/2005](#)), 12 October 2005; and *Eritrea: Further information on Fear for safety*, ([AFR 64/004/2002](#)), 24 April 2002.

⁸ Amnesty International, *Twenty Years of Independence but Still no Freedom*, ([AFR 04/001/2013](#)), May 2013 p 16.

⁹ *Ibid*, p 22.

¹⁰ International Committee to Protect Journalists (CPJ), *China, Egypt imprison record numbers of journalists*.

Amnesty International has repeatedly reiterated that detention without contact with the outside world, the condition in which thousands of prisoners of conscience and political prisoners are held, significantly increases the risk of being subjected to further violations.¹¹

Torture

The ICCPR states that "[N]o one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."¹² Eritrea has also acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2014.¹³

Amnesty International has documented that the 25 years of Eritrean independence is also tarnished by widespread and systematic use of torture. People caught trying to flee the country are routinely tortured and ill-treated. Prisoners are tortured as punishment to extract confessions and information on their plans for leaving the country. Former detainees have told Amnesty International that, during interrogation, they were compelled to admit they had intended to desert their country and were questioned about why they tried to leave and who had assisted them to flee.

Strikingly, the torture methods the Derg¹⁴ used before independence are replicated by the PFDJ post-independence. In 1991, Amnesty International reported on torture methods used by the Derg in Asmara:

Two torture methods were used routinely for many years in security detention centres in...Asmara...The first method - beatings on the soles of the feet – was...common. In the second common torture method, the prisoner was blindfolded and gagged, with the wrists secured behind the back. The wrists were then tied to a rope attached to a hook or pulley on the ceiling. The victim was then lifted off the floor by the rope and left suspended for a prolonged period. The victim might in addition be beaten in this position on the arms, shoulders and back with a whip or electric cable."¹⁵

¹¹ Ibid, p 18.

¹² ICCPR, Article 7.

¹³ <http://indicators.ohchr.org/> (last accessed on 17 May 2016).

¹⁴ The Derg, (Ge'ez: ዲርግ, meaning "committee" or "council") is the short name of the Coordinating Committee of the Armed Forces, Police, and Territorial Army, Chaired by Col. Mengistu Hailemariam, that ruled Ethiopia from 1974 to 1987. It took power following the ousting of Emperor Haile Selassie I. Soon after it was established, the committee was formally renamed the Provisional Military Administrative Council, but continued to be known popularly as "the Derg".

¹⁵ Amnesty International, Ethiopia and Eritrea: The Human Rights Agenda, (AFR 25/09/91) November 1991, p

In 2013, Amnesty International highlighted the different techniques of torture and other ill-treatment used as depicted in the following testimonies:

"Common methods of torture include being tied with ropes in painful positions for extended periods. Often the prisoner, while tied, is left exposed to the sun for long periods of time. Prisoners have often been subjected to prolonged periods of beating with whips and kicking."¹⁶

"When you're arrested because you try to escape the country the punishment is very hard. They beat me so badly, with plastic and wooden sticks, that I couldn't move my body for ten days."¹⁷

"The guy was tied in the helicopter – ankles and wrists tied together behind your back with your stomach on the ground. The blood was pouring from his nose and mouth. The prisoners tried to give him first aid. Another officer ordered him untied... The man died on the way to the clinic."¹⁸

Amnesty International also has records of female detainees being beaten for refusing the sexual advances of officers and prison guards.¹⁹

Detention Conditions

According to the ICCPR, "people deprived of their liberty must be treated with humanity and with respect for the inherent dignity of the human person."²⁰

Amnesty International has previously revealed that detention conditions in Eritrea violate international standards.²¹ The appalling conditions of detention in Eritrea amount to cruel, inhuman or degrading treatment. Cells and other confinement spaces are generally overcrowded, damp and unhygienic. Numerous detention centres use underground cells or metal shipping containers as cells. Many of these detention centres are in desert locations, meaning that detainees in the underground cells or in shipping containers experience extreme heat during the day and extreme cold during the nights.²²

11-12.

16 Amnesty International, *Twenty Years of Independence but Still no Freedom*, (AFR 04/001/2013), May 2013, p 39.

17 Former detainee at Tessenei (name withheld), Amnesty International interview, Kenya, September 2012.

18 Former detainee in Wi'a who watched a fellow prisoner punished for collapsing during labour detainees were forced to undertake (name withheld), Amnesty International interview, Uganda, April 2011.

19 *Twenty years of Independence but Still no Freedom*, p 39.

20 ICCPR, Article 10 (1).

21 *Twenty Years of Independence but Still no Freedom*, p 39.

²² *Ibid*, p 39.

According to numerous testimonies from former detainees, underground cells and shipping containers are usually unventilated and prisoners are denied access to daylight. The cells have no sanitation facilities and prisoners are only allowed out for short periods to go to the toilet, once or twice a day.

They pushed us into the room – a former cistern originally created for the water supply. Then, I saw that there were already lots of people, I could see the ones standing next to me. They were naked except for the underpants. It was unbearably hot. I also could not keep my clothes on and undressed except for the underpants. The floor is terribly hot.

In the morning and in the evening, they let us out to go to the toilet. It feels horrible to step out of the darkness and into the burning sunlight, with blisters all over your body. We were walking accompanied by soldiers. This was an additional punishment.

My body was covered with blisters and bruises from head to toe. I was not able to sleep, sometimes for days. All I could do was standing there. But by the time you're too weak to do so, you just fall to the ground which is covered with clothes, and then you are sleeping like a dead man. And when you eventually get up, the clothes stick to your body and the skin peels off.

There were about 400 people cramped down there. There was no air left to breathe. Even with everybody standing, there was not enough space.²³

Indefinite National Service

Forced and indefinite national service characterises the major part of the 25 years of Eritrean independence.²⁴ In 1995, the government issued the Proclamation of National Service (No 82/1995) that declared mandatory national service for men and women between the ages of 18 and 50. Active national service is compulsory for all citizens between the ages of 18 to 40, followed by additional reserve duties. The initial national service period is 18 months long, generally consisting of six months' military service followed by 12 months' deployment in military or public service.

²³ Former detainee at Wi'a, detained for attempting to claim asylum abroad (name and date withheld), Amnesty International interview, 2010.

²⁴ Amnesty International; *Just Deserters: Why Indefinite national service In Eritrea Has Created a Generation of Refugees*, (AFR 64/2930/2015), December 2015.

However, this period is frequently extended indefinitely. Much of the adult population of Eritrea is currently engaged in mandatory national service; many of them having been conscripted for over ten years. There is no exemption from military service for conscientious objectors.

All schoolchildren are required to complete their final year of schooling (Grade 12) at Sawa military training camp, where military training is conducted alongside schoolwork. This system effectively conscripts children into the military. A number of children aged between 15 and 17 are also reported to have been caught in national service “round-ups” – when the authorities go around houses, offices and shops searching for people of national service age who appear to be avoiding conscription.²⁵ This is in violation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, to which Eritrea is a state party, which states that “[s]tates Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces.”²⁶

In 2014 and 2015, the Eritrean government assured several Eritrean asylum-seeking destination countries that it would comply with the 18 months national service period under Eritrean law. However, research undertaken in 2015 by Amnesty International revealed that the practice of indefinite conscription continued, contrary to the assurances of the Eritrean government.²⁷ Conscripts continue to be deployed to a range of civilian as well as military roles in a system that amounts to forced labour, and are paid low wages insufficient to meet a family’s basic needs. Many are assigned to posts far from their families, receive limited and arbitrarily-granted leave and multiple family members are conscripted at the same time, which all result in disruptions of family life.

After my older brother escaped from the country I was the oldest child, with a younger brother and sister. It was difficult for my family to survive, so I left school and went to work so that the family could have money.²⁸

Indefinite compulsory national service has affected every aspect of life and is increasingly impacting children. Children have dropped out of school early to avoid conscription and assumed the economic burden of families. Girls are married off earlier in the hope that they will be ineligible for national service.

²⁵Ibid, p 21-25.

²⁶ Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, General Assembly Resolution A/RES/54/263 of 25 May 2000, Article 2.

²⁷ *Just Deserters: Why indefinite national service in Eritrea has created a generation of refugees*, p 26.

²⁸ Amnesty International interview, female, 16 years old, Rome, Italy, 6 September 2015.

Since September 2014, the Eritrean Government has remobilised older men and women throughout the country into the "People's Army" – a civilian militia, wherein they are assigned duties with no pay under threat of penalties, including detention for failure to comply.

Celebrating Independence

The Silver Jubilee on 24 May 2016 is an important opportunity for the Eritrean authorities to put human rights at the centre of their policies and to reverse a culture of impunity that continues to fuel further human rights violations.

The Eritrean government should commit itself to respecting, protecting and fulfilling the human rights of everyone if its independence is to become reality.

Amnesty International therefore calls on the Government of Eritrea to:

- Immediately release all political prisoners and provide information on the whereabouts of several victims of enforced disappearances, as well as ensure accountability for the human rights violations;
- Put in place policies and procedures to ensure that arrest and detention and conditions of prison meet international norms and standards;
- Ensure effective judicial oversight of arrests and conditions of detention;
- Ensure prompt, thorough, impartial, independent and transparent investigation of allegations of torture and other ill-treatment in all detention centres, publicize the findings of any such investigation and bring any suspected perpetrators to justice in fair trial and without recourse to the death penalty;
- Design and implement measures for the demobilization of national service conscripts who have served the statutory period and ensure that the period of national service aligned to the 18 months period provided for in law;
- Take effective measures to avoid the conscription of children under the age of 18 in national service.