

Eritrea: Freedom of religion or belief

September 2018 · For public use

Introduction

Although Article 19 of Eritrea's constitution, ratified in 1997, states that 'no person may be discriminated against on account of...religion', the ruling People's Front for Democracy and Justice (PFDJ) has not implemented this document, and claims to be drafting a new one.

From May 2002 the government effectively outlawed religious practices not affiliated with the Catholic, Evangelical Lutheran or Orthodox Christian denominations, or with Sunni Islam. Other religious groups must register in order to practise their faith; however, the registration process is onerous, overly intrusive, restrictive and inconclusive.

Detentions

Since 2002 thousands of adherents of non-recognised creeds have been detained without charge or trial in inhumane, life threatening conditions, where they may experience torture or even death.

2017 witnessed a renewed intensity in the crackdown on non-sanctioned churches, including a campaign of house to house raids in several cities targeting church members. In May 2017, 45 Christians were arrested during raids in Adi Quala, including entire families, the elderly and a disabled woman; leaving 23 children without parental care. Thirty-three women who were among the first to be arrested in the raids in May were detained in an infamous island prison. Most were young mothers whose husbands were either military conscripts or were eking out existences elsewhere. Their arrests deprived 50 children of parental care.

During the first week of August 2017 alone, 23 Christians were rounded up in the capital city, Asmara. Most were detained following raids on their homes, while a few were arrested at prayer meetings. In August 2017 Fikadu Debesay, a Christian mother of four detained during the house-to-house raids in Adi Quala in May 2017 and held in a desert camp, died on her way to hospital following mistreatment, poor conditions and delayed medical assistance. Her husband and eldest son, who had also been detained, only found out about her death when they were released weeks later.

Patriarch Antonios

Abune (Father) Antonios is the legitimate patriarch of the Orthodox Church. He has effectively been under house arrest since January 2007 after having been removed from office, in violation of canon law, for repeatedly objecting to government interference in ecclesiastical affairs and for refusing to excommunicate members of the Orthodox renewal movement known as Medhanie Alem.

On 16 July 2017 the patriarch, who is 90 years old, was seen in public for the first time in over a decade. It is widely believed that his tightly-managed appearance at St Mary's Cathedral in Asmara was aimed at convincing the international community that the human rights situation was improving, and more significantly, at convincing the Eritrean people that the division caused by the patriarch's removal was over, in order to pave the way for a pro-government successor. After his reappearance, the patriarch was relocated to a guarded villa housing two junior bishops. Church sources allege that while Patriarch Antonios is able to receive the occasional selected visitors, he is not permitted to discuss his situation with them. He is also being pressurised to resign in favour of the pro-government bishop. Recent information indicates that the patriarch's health is deteriorating. In early 2018 a monk named Abba Amaha was detained for calling for the patriarch's release and reinstatement.

Education

In October 2017 the government imprisoned another nonagenarian. On 20 October 2017 Hajji Musa Mohammed Nur, the respected Honorary President of Al Diaa Islamic School in Asmara, was arrested along with several others after expressing opposition to the government's decision to expropriate the Al Diaa Islamic School, and for resisting pressure for female students to stop wearing hijabs. The expropriation was in line with a plan devised by the Ministry of Education in 2014 to transfer control of every school to local communities. The arrests sparked unprecedented protests in Asmara, led by schoolchildren; these protests were suppressed by police using live ammunition. Children aged between 13 and 15 were then arrested in a series of roundups. On 3 March 2018 the family of Haji Musa was told to recover his body from a government hospital. They later learned he had died on the previous day in Asmara's 5th Police Station, where he had been held since his arrest. Following his burial, hundreds were arrested, again mainly male, and some as young as 13.

Similarly, on 18 September, the Education Minister for the Central Region (Zoba Ma'ekel) wrote to the Director of the Medhane Alem Secondary School in Asmara demanding the closure of the school and a list of all of its students. Following an unfruitful appeal to officials, church leaders decided not to close the school. The authorities responded by detaining Abba Haile Paulos, a diocesan priest who volunteered to take the Director's place in jail, and Sister Tinsae, a Comboni nun. They were reported to have been released weeks later. However, the school remains closed and the government is alleged to have transferred students to 'other schools', although some

CSW everyone
free to believe

are believed to have been sent into military service. It also prevented Catholic nuns and clergy from pursuing further studies abroad, and made it difficult for clergy based overseas to obtain visas.

Military service

Military service, which is meant by law to last for 18 months, is in reality indefinite. Recruits receive minimal wages, are subjected to forced labour, and young female recruits are subject to sexual harassment and abuse by senior officers. In its second report, released on 8 June 2017, the UN Commission of Inquiry on Human Rights in Eritrea (COIE) 'found reasonable grounds to believe' that crimes against humanity, 'namely enslavement, imprisonment, enforced disappearance, torture, other inhumane acts, persecution, rape and murder' have been committed in a 'widespread and systematic manner' since 1991. These crimes were deemed to have been committed largely but not exclusively within the context of the military service regime.

Members of the Jehovah's Witness movement have suffered severe mistreatment on account of doctrinal exigencies that meant they did not vote during the 1993 independence referendum, and had later announced they would participate only in non-military aspects of national service. Not only was the community stripped of citizenship rights, those who had declined active military service were detained indefinitely, and any caught meeting clandestinely face detention and harassment, including children and geriatrics. Jehovah's Witnesses Paulos Eyassu, Isaac Mogos, and Negede Teklemariam have been incarcerated since 1994 for conscientious objection. Ten other men have been in prison for over ten years.

Refugees

Thousands of Eritreans continue to flee their country each month to escape the pervasive repression. According to the UN Office of the High Commissioner for Refugees (UNHCR), 12% of the population had become refugees or asylum seekers as of June 2016. However, several countries are failing in their duty to provide protection for refugees and asylum seekers. In August 2017 Sudanese courts forcibly returned 104 Eritrean asylum seekers for 'illegal infiltration into the Sudanese territory', with an additional 36 deported in September 2017. In December 2017 the Israeli Knesset passed a bill allowing the government to indefinitely detain or deport Eritrean and Sudanese asylum seekers. On 6 June 2018 Zeresenay Ermias Tesfatsion, 34, who was denied asylum in the United States (US), committed suicide at Cairo International Airport while awaiting a flight to Asmara. In September 2018 the UN criticised Switzerland for failing to properly investigate the plight of an Eritrean torture survivor before deporting him to Italy under the Dublin Regulation.

Rapprochement

While the recent rapprochement between Ethiopia and Eritrea was preceded by human rights improvements in Ethiopia, similar developments are yet to occur in Eritrea. Initial reports of 400 Christians being released, ostensibly as part of the peace dividend, soon proved false. In reality 35 individuals were released who, over four years earlier, had signed a requisite undertaking to abandon Pentecostalism, but were only freed at that time.

On 19 July the first Ethiopian Airlines flight in decades landed in Asmara, carrying a variety of Ethiopian business people and an Ethiopian televangelist, who was extensively photographed, and was also filmed preaching in a street in Asmara before an assembled crowd. CSW has learned that by mid-August, the Eritrean government had identified and arrested 48 people using video and photographs of the televangelist's activities, some of whom were non-Christian passers-by. Reports have also emerged belatedly of the arrests of 19 members of the Full Gospel Church in Godaif, Asmara, on 21 July, and of at least 20 Christians at a gathering in Asmara on 20 August.

Religious detainees

There are currently a total of 53 members of the Jehovah's Witness movement in detention. The number of Christian prisoners is more difficult to ascertain, but CSW can confirm that 345 church leaders and officials are currently held in over 300 prisons, while estimates of imprisoned lay persons range from 800 to 2,000. The most prominent long-term Christian detainees are Reverend Haile Naizge, chairman of the Full Gospel Church, and Dr Kuflu Gebremeskel, chairman of the Eritrean Evangelical Alliance, both detained since May 2004; Orthodox priest Dr Futsum Gebrenegus, Eritrea's only psychiatrist, Dr Tekleab Menghisteab, a respected physician and Reverend Gebremedhin Gebregiorgis, an expert theologian, detained since November 2004; and Reverend Kidane Weldou, Senior Pastor of Muluwengel Full Gospel Church and a member of the Executive Committee of Gideons International, detained since March 2005.

Recommendations

- Urge the government of Eritrea to implement its ratified constitution and facilitate all rights enshrined within it.
- Encourage the government of Eritrea to grant immediate, unlimited and unhindered access to the International Committee of the Red Cross (ICRC) and/or any other competent body to long-term detainees in order to assess their wellbeing and ensure conditions in which they are held meet UN minimum standards.
- Urge the government of Eritrea to end arbitrary arrest and indefinite detention without charge or trial, and to bring all long-term detainees before recognised courts of law in the presence of international observers, or release them. All detainees subjected to arbitrary and irregular detention should be released immediately.
- Call on the government of Eritrea to end incommunicado detention and grant access for all detainees to immediate family members, timely medical treatment and legal representation.
- Urge the government of Eritrea, which ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1995 without reservations, to end gender-based violence and abuse in the context of military service and to bring perpetrators to justice.
- Encourage the government of Eritrea to end the indefinite extension of the legally stipulated 18-month term of military service, to ensure the demobilisation of those who have served excessive tours of duty, and to terminate the use of military conscripts and detainees as forced labour.
- Given the ending of hostilities with Ethiopia, urge the government of Eritrea to facilitate the ending of the civilian militia, and the aligning of secondary and tertiary education with international norms.
- Urge the government of Eritrea to extend invitations to relevant UN Special Procedures, enabling them to conduct unhindered, thorough, independent and impartial human rights investigations, and permitting access to all long term detainees.

To the European Union

- Urge the European Union to reconsider its migration policies, which contradict European human rights norms and democratic traditions, given the fact that the root causes of the refugee crisis they seek to address are the atrocity crimes committed by the government.

To the United Nations

- Encourage UN member states to review the activities of Eritrean diplomatic missions within their borders, specifically the manner of collection of the 2% diaspora tax, in order to determine whether it is in breach of the Vienna Convention on Diplomatic Relations.
- Encourage UN member states to investigate reports of harassment of members of the Eritrean diaspora within their borders.
- Remind signatories to the UN and the African Refugee Conventions of their obligations to respect the principle of non-refoulement, and to provide sanctuary and protection to Eritrean and other refugees and asylum seekers, who are fleeing comprehensive repression, systematic violations, pervasive control and endemic impunity.
- Encourage UN member states to request the release of the list of suspects submitted to the High Commissioner for Human Rights by the UN Commission of Inquiry, to facilitate investigation and possible prosecution.
- Member states of the UN are also encouraged to strategise means of ensuring accountability for identified perpetrators of atrocity crimes, including through the exercising of universal jurisdiction.

As Christians, we stand with everyone facing injustice because of their religion or belief.