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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Elizka Relief Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[7 February 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Violations of Freedom of Religion and Belief in Eritrea

The legal framework for the right to freedom of religion and belief in Eritrea

Article 14 of the Eritrean Constitution issued in 1997 states in its first and second paragraphs that all persons are equal before the law, and no one shall be discriminated against on the basis of race, ethnic origin, language, color, sex, religion, disability, age, political opinion, social or economic status, or any other basis. Article 19 also stipulates in its first paragraph the right of every person to freedom of thought, conscience, and belief. The same article also stipulate, in its fourth paragraph, that every person is free to embrace any religion and practice its rituals ¹.

Hence, according to these texts, Eritrea is supposed to be a secular state in which the law guarantees religious freedom, and individuals enjoy legal protection and not are discriminated against or prosecuted because of their religion, and no citizen is subjected to imprisonment because of his beliefs, including religious beliefs.

However, the reality is completely different from the government's claims of its commitment to implement the right to freedom of religion and belief. Government violations of this right included all religions and sects in Eritrea, where laws allowed security forces to arrest and kill citizens, regardless of their religion, Muslims or Christians, under the pretext of suspecting their religious beliefs. The duration of detention may be relatively long and does not commensurate with the charge.

Violations of the right to freedom of religion and belief

According to international reports, the Eritrean government itself is practicing violations of the right to freedom of religion and belief, especially in the absence of armed groups - whatever they are - violating this right. In its violation of this right, the government did not differentiate between recognized or unrecognized religions. But the largest share of these violations is experienced by adherents of unrecognized religions.

1. Regarding the violations against Eritreans belonging to unrecognized religions

The violations to which this group is subjected amount to imprisonment and these persons are often forced to renounce their religion by all means, including torture. In 2020, the Eritrean forces arrested 13 Christian citizens simply because they were praying outside the church. In March 2021, 35 persons including women were detained. In April, 22 Christians were arrested during a prayer meeting in Asmara, the majority of them were women. The government also targets citizens during religious practices including Christian wedding celebrations, as the Eritrean government arrested 30 persons who were attending a wedding ceremony held in the capital, Asmara, during the last week of June 2020 ².

Members of unrecognized religious groups reported instances of imprisonment and restrictions in assembling for worship, building places of worship, teaching their religious beliefs to others, or even being recognized as citizens. Jehovah's Witnesses were largely unable to obtain official identification documents, which left many of them unable to study in government institutions and barred them from most forms of employment, government benefits, and travel ³.

According to reports by international organizations, many detainees are being kept due to their religious beliefs in Eritrea are being detained in underground cells and metal shipping containers in the notorious heavily guarded Mai Sirwa Military Prison near the capital, Asmara. Religious prisoners were not allowed in some prisons to receive visitors. Ex-prisoners detained for religious beliefs also continued to report harsh detention conditions, including solitary confinement, physical abuse, and insufficient food, water, and health care ⁴.

According to international human rights reports, the Eritrean government, due to Covid-19 considerations, released 27 Eritrean Christians (19 men and 8 women), who were detained without charge or trial for prolonged periods ranging between two and 16 years, they were held arbitrarily and without due process for very long periods because of their religious beliefs⁵. However, these releases were conditional and carried out under harsh bail conditions, most of them were banned from travel and got their property confiscated. Bail guarantees are usually deposited in the form of title deeds, with the guarantors held responsible for the future actions of the detainees. So, guarantors lose their ownership, especially if a former detainee exercised his right to leave the country⁶.

It can be said that the number of citizens who are still arbitrarily detained because of their religious beliefs is way more than those who were released, which indicates the continued suppression of the right to freedom of religion or belief⁷.

2. Regarding the violations against Eritreans of recognized religions

In Eritrea, even citizens belonging to recognized religions were not spared punishment. The Eritrean government confirms that it does not interfere in the selection of recognized religious leaders. Elections are held for the leadership structures of religious institutions without interference from any side. All religious institutions have institutions that provide religious education up to the highest levels and within the boundaries of secularism.

However, international reports confirmed that the government exerted significant influence, directly and indirectly. It directly controls the appointment of the heads of recognized religious sects, including the Eritrean Orthodox Church and the Sunni Mufti of Islam, where the Popular Front for Democracy and Justice (PFDJ) party led by the president Isaias Afwerki appoints both the acting head of the Sunni Muslim community and the acting head of the Eritrean Orthodox Monotheism Church. The Eritrean Orthodox Unification Church has also been without a patriarch since the death of the fourth Patriarch, Abuna Dioskoros in 2015. Ordinary officials appointed by the Popular Front for Democracy and Justice ran some ecclesiastical processes including the disposal of donations and religious participation in national service⁸.

The government also imposes restrictions on evangelism and religious schools. It refused the entry of a delegation from the Catholic Church led by the Archbishop of Addis Ababa to Asmara airport and deported them⁹. Besides, it arrested 21 Muslims in Mandfra and Uday Qawla, including a local imam whose whereabouts remain unknown since 2019 because of their protest against the government takeover of Al-Diaa Islamic School¹⁰.

The government also continued to impose restrictions on accepting external funding from international NGOs and international organizations, whether Christian or Islamic, as reports indicated that the government continued to impose restrictions on leaders of some churches regarding receiving funding from churches or foreign organizations, which led to a decrease in the church's income. It also imposed restrictions on religious participation by prohibiting churches from training clergy or building or maintaining facilities. On the other hand, the government, in general, did not allow Islamic groups to receive funding from Islamic countries because such funding threatens national security¹¹.

Recommendations

Finally, it can be said that the Eritrean government is unable and unwilling to fulfill its international obligations under the International Covenant on Civil and Political Rights as a party to it, as well as its failure to implement the right to freedom of religion and belief as one of the basic principles of human rights, as any indication of independence of thought or confirmation of the right to religious freedom in Eritrea is soon

followed by arrests, whether the faith was Christian or Muslim. It seems that the Eritrean state is currently asserting its authority by brutal force over religious practices. Hence, Elizka Relief Foundation recommends the following:

- The government of Eritrea shall fulfill its obligations under international law to ensure, promote and respect freedom of religion and belief.

- Amending laws, legislation, and government practices and removing all articles or practices that violate the right to freedom of religion and belief.
- Immediately and unconditionally release of prisoners who are being held arbitrarily, particularly in light of the spread of Covid-19 pandemic that threatens the lives of those who are still held in inhumane conditions.

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 - 2(Authorities in Eritrea Arrest 30 Christians at Wedding, Christian News, 12 August 2020, link, <https://christiannews.net/2020/08/12/authorities-in-eritrea-arrest-30-christians-at-wedding/>)
 - 3(2020 Report on International Religious Freedom: Eritrea, Office of International Religious Freedom, May 12, 2021, link, <https://www.state.gov/reports/2020-report-on-international-religious-freedom/eritrea/>)
 - 4(2020 Report on International Religious Freedom: Eritrea, Office of International Religious Freedom, May 12, 2021, link, <https://www.state.gov/reports/2020-report-on-international-religious-freedom/eritrea/>)
 - 5(Conditional release of 27 Christian prisoners ,CSW, 11 Sep 2020, link , <https://www.csw.org.uk/2020/09/11/press/4799/article.htm>)
 - 6(Eritrea: Events of 2020, Human Rights Watch, 2021, link, <https://www.hrw.org/world-report/2021/country-chapters/eritrea>)
 - 7(2020 Report on International Religious Freedom: Eritrea, Office of International Religious Freedom, May 12, 2021, link, <https://www.state.gov/reports/2020-report-on-international-religious-freedom/eritrea/>)
 - 8(2020 Report on International Religious Freedom: Eritrea, Office of International Religious Freedom, May 12, 2021, link, <https://www.state.gov/reports/2020-report-on-international-religious-freedom/eritrea/>)
 - 9(Eritrea: Events of 2020, Human Rights Watch, 2021, link, <https://www.hrw.org/world-report/2021/country-chapters/eritrea>)
 - 10(Eritrean Government Arrests Dozens of Eritrean Muslims, Human Rights Concern – Eritrea (HRCE),13 January 2020, link, <https://hrc-eritrea.org/eritrean-government-arrests-dozens-of-eritrean-muslims/>)
 - 11(2020 Report on International Religious Freedom: Eritrea, Office of International Religious Freedom, May 12, 2021, link, <https://www.state.gov/reports/2020-report-on-international-religious-freedom/eritrea/>)