

**ERITREA**

**20 YEARS OF  
INDEPENDENCE,  
BUT STILL NO  
FREEDOM**

**AMNESTY  
INTERNATIONAL**



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# MAP OF SUSPECTED DETENTION CENTRES

Suspected Detention Centers in Eritrea



*Names and boundary representation do not necessarily constitute endorsement by Amnesty International.*

## SUMMARY

**“I LAST SAW MY FATHER AT THE BEGINNING OF 2007, THEY TOOK HIM AWAY FROM OUR HOUSE. I KNOW NOTHING ABOUT WHAT HAPPENED AFTERWARDS.”<sup>1</sup>**

On 24 May 1993, the state of Eritrea was formally recognised as an independent nation. A UN-supervised referendum had confirmed the country's separation from Ethiopia, against which Eritrea had fought a 30-year war of liberation. Twenty years on from the euphoric celebrations and promise of independence, thousands of prisoners of conscience and political prisoners are held in arbitrary detention in Eritrea's prisons, without charge or trial, for exercising their right to freedom of opinion and expression or of thought, conscience or religion or belief, or for attempting to flee the repression in their country.

In Eritrea, 20 years after independence, there is no freedom of expression, no independent media and no civil society. Only four religions are recognised by the state. Only one political party – the ruling People's Front for Democracy and Justice [PFDJ] – is permitted. National service conscription is mandatory for all adults and is frequently extended indefinitely. Human rights are systematically violated. Any attempt to dissent in any way from this repressive system is met with arbitrary arrest and detention without trial.

Throughout the 20 years of Eritrea's independence, the government of President Isaias Afewerki has systematically used arbitrary arrest and detention without trial to crush all opposition, to silence all dissent, and to punish anyone who refuses to comply with the restrictions placed on freedom of religion and belief, the system of indefinite conscription into national service and other restrictions on human rights imposed by the government. Thousands of prisoners of conscience and political prisoners have disappeared into secret detention, held incommunicado with no contact with the outside world, and without charge or trial. In hundreds of cases that detention is indefinite. In many hundreds of cases the families of the prisoners are not informed of arrests or of the whereabouts of their relatives; have never heard from them after their arrest and do not know if their relatives are alive or dead. Some relatives of detainees have been arrested and detained themselves for asking questions about their family members. Large numbers of people have been arbitrarily detained without charge for over a decade, and many for nearly 20 years – the entirety of Eritrea's independent history. In a very large proportion of these cases their detention amounts to enforced disappearance – the authorities refuse to acknowledge their detention or conceal their fate or whereabouts, placing them outside the protection of the law.

Those in detention include actual or suspected critics or opponents of the government, politicians, journalists, members of unregistered religious groups as well as those which are registered, people caught trying to evade or desert indefinite national service conscription or caught trying to flee the country - those caught on the borders and those who have sought asylum in other countries but who are forcibly returned after they have not been given access to asylum procedures or after their claims have been rejected in those countries. Family members have been arrested in place of individuals who have fled the country. Many of the architects of Eritrea's independence languish in isolation cells and shipping containers, alongside thousands of other prisoners of conscience and political prisoners, for trying to exercise their rights.

Amnesty International believes that the vast majority of the thousands of political prisoners in Eritrea are prisoners of conscience who should be immediately and unconditionally released. They are detained solely for the exercise of their rights to freedom of expression, association, opinion, thought, conscience, religion or belief, freedom of movement, or their identity as family members of people who have fled, who have not committed any internationally recognisable offence or used or advocated violence. Further, Amnesty International believes that people should not be punished for fleeing a situation to avoid being subjected to human rights violations, as is the case with those evading or deserting indefinite national service conscription, a system which provides a context for forced labour and a number of other human rights violations.<sup>2</sup>

With no known exceptions, none of these political prisoners or prisoners of conscience has ever been charged or tried, given access to a lawyer or been brought before a judge or a judicial officer to assess the legality and necessity of the detention. There is no independent judiciary in Eritrea, and there are no avenues for individuals or their families to legally challenge this system of arbitrary detention. These rights are also laid out in Eritrea's Constitution, which was ratified by the National Assembly in 1997, but has never been implemented.

According to the testimonies of former detainees received by Amnesty International, torture and other ill-treatment are commonplace, used for the purposes of punishment, for example of government critics and dissenters, and draft evaders; for interrogation, for example, people who attempted to flee the country are tortured to extract information on who assisted them; and for coercion – adherents of religions not recognised by the state have reported that they were tortured to force them to recant their religion. The secrecy with which prisoners are detained makes them particularly vulnerable to torture and other ill-treatment or unlawful killing. There have been many – unofficial and unconfirmed – reports of deaths in detention as a result of torture, detention conditions and denial of medical care. Detention conditions fall far short of international standards and in themselves amount to cruel, inhuman or degrading treatment or punishment. Detainees are frequently held in underground cells or in metal shipping containers, often in desert locations and therefore subject to extremes of heat and cold. Food, water and sanitation are scarce.

This report highlights 20 years of widespread arbitrary arrest and detention without trial used against anyone in Eritrea who demonstrates dissent in any form. It is by no means comprehensive – arbitrary arrest and detention without trial have occurred on a vast scale for two decades – but it aims to provide an overview of major patterns of arbitrary arrests and detention without trial, including key groups who are subject to these violations, and of prisons and conditions in detention.

Amnesty International urges President Isaias Afewerki to release all prisoners of conscience detained for the peaceful exercise of their rights to freedom of expression, opinion, association, or thought, conscience or religion or belief, or their identity as family members of those who have fled the country; to release all other prisoners if they are not to be promptly charged with a recognizable criminal offence and given a fair trial within a reasonable time; to immediately confirm the whereabouts and health status of all prisoners; to end the use of torture and other ill-treatment; and to provide all detainees with immediate access to medical care.

## METHODOLOGY

Eritrea is one of the most closed countries in the world. Major restrictions on freedom of expression, including on exchange of information, the severe risk of reprisals against people found criticising the government, including in reporting human rights violations, as well as the lack of local human rights civil society to monitor and document violations, place significant obstacles on obtaining information on human rights violations from inside the country.

For these reasons, Amnesty International's research for this report is based on interviews with Eritrean refugees and asylum-seekers in other countries, including family members of prisoners of conscience and political prisoners. Between 2010 and 2013, Amnesty International conducted over 40 interviews with refugees and asylum-seekers in countries including, inter alia, Egypt, Germany, Israel, Kenya, the Netherlands, Russia, Saudi Arabia, Sweden, Uganda, and the UK. These interviews took place face to face or on the telephone. Further information included in this report came from Eritrean activists and journalists in exile, humanitarian workers and diplomats formerly based in Eritrea, and partner organizations working on Eritrea, including religious-based organizations and press freedom organizations. Research for this report also draws on media reports and reflects information contained in 20 years of Amnesty International's public documents covering Eritrea.

Many of the victims, family members and witnesses who spoke to Amnesty International, as well as some of the human rights defenders, asked not to be named in the report for fear of reprisals against their family members still living in Eritrea. Consequently, names of witnesses have been omitted for their own protection. Some people gave information to Amnesty International on a confidential basis due to security considerations and risk of repercussions. Therefore not all information is attributed to its source.

AI raised its concerns directly with representatives of the Eritrean government at the African Commission on Human and Peoples' Rights in April 2012 and has written on numerous occasions expressing concern. No response has been received.

# 1. ERITREA'S OBLIGATIONS UNDER INTERNATIONAL HUMAN RIGHTS LAW

This briefing describes violations of Eritrea's international human rights obligations, including binding legal obligations which it has expressly undertaken by ratifying a number of international human rights treaties and thereby agreeing to be bound by the legal obligations set out in them. These treaties include the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The obligation to respect and ensure the rights set out in the Covenants includes an obligation to ensure that anyone whose rights under those treaties are violated has an effective remedy.<sup>3</sup>

Specifically, as a state party to the ICCPR, Eritrea is legally obliged under international law to respect and ensure the rights to freedom of thought, conscience, and religion or belief, including the freedom of everyone to have or to adopt a religion or belief of their choice, and, either individually or in community with others and in public or private, to manifest that religion or belief in worship, observance, practice and teaching (Article 18); the right to hold opinions and to freedom of expression, including the freedom to seek, receive and impart information and ideas of all kinds (Article 19); and the right to freedom of movement; including the right to leave the country (Article 12). Arrest or detention for the peaceful exercise of these rights amounts to arbitrary arrest or detention, which is explicitly prohibited under Article 9 of the ICCPR

Article 9 of the ICCPR also places an obligation on Eritrea to ensure that no one is deprived of their liberty except on grounds and procedures established by law or detained without judicial oversight. Under Article 14 of the ICCPR, anyone detained on a criminal charge must have a fair and public trial within a reasonable time before an independent and impartial court, including the right to be presumed innocent until and unless proved guilty according to law, and has the right to a lawyer of their choice, and to defend themselves against the charges, and the right to appeal to a higher court against conviction or sentence. Detention of anyone in a manner which violates these obligations amounts to arbitrary detention.

Eritrea's international legal obligations under both the ICCPR and ICESCR prohibit forced labour. The ICCPR provides that no one shall be required to perform forced or compulsory labour (Article 8); under the ICESCR Eritrea is obliged to safeguard the right of everyone to work, including the opportunity to gain their living by work which they freely choose or accept (Article 6).

Torture and other cruel, inhuman or degrading treatment or punishment is prohibited under customary international law, irrespective of states' specific treaty obligations. The prohibition is set out explicitly in the ICCPR (Article 7), which also places an obligation on states to ensure that all persons deprived of their liberty are treated with humanity and with respect for the inherent dignity of the human person (Article 10).

Similar obligations to those noted above are also set out in the African Charter on Human and Peoples' Rights (the African Charter), which Eritrea ratified in 1999.

There are also a range of other international human rights standards adopted by the UN General Assembly and other bodies, which states must adhere to in order to comply with their explicit treaty obligations and with the principles set out in the Universal Declaration of Human Rights. These standards include the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,<sup>4</sup> which among other things underlines that any form of detention or imprisonment must be subject to the effective control of a judicial or other authority under the law whose status and tenure afford the strongest possible guarantees of competence, impartiality and independence; the UN Standard Minimum Rules for the Treatment of Prisoners,<sup>5</sup> which set out minimum standards for the treatment of those held in detention; and, at a regional level, the Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa.<sup>6</sup>

This briefing describes pervasive violations of these international obligations by Eritrea since it achieved independence in 1993, and concludes with a number of practical recommendations for the minimum steps which Eritrea must take without delay to bring an end to these violations and ensure that people in Eritrea are able to exercise the rights which Eritrea has pledged to respect and protect under the treaties it has ratified, and to which they are entitled under these treaties and the Universal Declaration of Human Rights.

## 2. ARRESTS AND DETENTIONS

*“This generation everyone has gone through the prison at least once, everyone I met in prison has been in prison two or three times.” Former detainee <sup>7</sup>*

Throughout the 20 years of Eritrea's independence the government has systematically used arbitrary arrest and detention without trial on a vast scale to crush all actual and suspected opposition, to silence government critics, and to punish anyone who refuses to comply with the restrictions on human rights imposed by the government.<sup>8</sup> This practice began immediately in the days after de facto independence in 1991 – before Eritrea's independence was officially recognised – and continues to this day.

Amnesty International has documented the arbitrary arrest and detention of thousands of people without charge or trial for criticising or questioning government policy or practice, for their work as journalists, for suspected opposition to the government, practising a religion not recognised by the state,<sup>9</sup> evading or deserting national service conscription,<sup>10</sup> trying to flee the country (both those caught on the border and asylum-seekers forcibly returned from other countries) or in place of individuals who have fled the country.

According to Amnesty International's information, politicians, journalists, members of unregistered religious groups as well as those which are registered and draft evaders and deserters are among the largest groups of prisoners of conscience and political prisoners detained on these bases. Prisoners of conscience and political prisoners detained for the above listed reasons also include Imams, priests, doctors, judges, military officers, Islamic teachers, merchants, Eritrean employees of the UN, foreign non-governmental organisations and foreign embassies, ruling party members, members of regional and national authorities, including district commissioners, former government ministers, and former ambassadors, former independence fighters, and artists.

These arrests and detentions are illustrative of an absolute intolerance of dissent on the part of the government and President Isaias Afewerki. This intolerance encompasses any criticism of the government, discussion of political and democratic reform and human rights issues, and also dissent in the form of any non-compliance with the repressive system imposed by the state – including restrictions on freedom of religion and the requirement of indefinite national service conscription, or anyone who rejects the system by trying to flee the country. As documented in this report, dissent in any of these forms is met with arbitrary arrest and detention without trial.

The significant majority, if not all, of these arrests, violate Eritrea's obligations under international human rights law. The rights to freedom of opinion and expression, freedom of religion and belief, and freedom of movement are protected under the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR), to both of which Eritrea is a state party.

These rights are also protected in Eritrea's Constitution – which was ratified by the National Assembly in 1997, but has never been implemented. Amnesty International believes that the vast majority of the thousands of political prisoners in Eritrea are prisoners of conscience – detained solely for the exercise of their rights to freedom of expression, opinion, religion or belief, freedom of movement, or their identity as family members of people who have fled, who have not committed any internationally recognisable offence or used or advocated violence, and who should be immediately and unconditionally released. Further, Amnesty International believes that people should not be punished for fleeing a situation to avoid being subjected to human rights violations, as is the case with those evading or deserting indefinite conscription into national service, a system which makes no provision for conscientious objection, and which provides a context for forced labour and other human rights violations.

The due process rights of the detainees are systematically violated. To Amnesty International's knowledge, none of the many thousands of detainees arrested for any of the above listed reasons has ever been charged with a crime, tried, or brought before a judge or judicial officer with the authority to review the legality of their detention. There is no independent judiciary in Eritrea and there is no way for a prisoner or their family to legally appeal against arbitrary detention. Under the International Covenant on Civil and Political Rights, "no one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law"<sup>11</sup> – includes the right of all arrested persons to be informed promptly of any charges against them, and brought promptly before a judge or other judicial officer and to be tried within a reasonable time in fair proceedings. All detainees must be entitled to challenge their detention before a court so that the court may decide on the lawfulness of the detention.<sup>12</sup> All of the detentions of prisoners of conscience and political prisoners in Eritrea discussed in this report lack any of these due process safeguards, and constitute arbitrary detention – in violation of Eritrea's obligations under international human rights law.

In some cases documented in this report, panels of military and police officers have reportedly handed down prison sentences in secret proceedings that flout basic standards of fair trial. According to information received by Amnesty International, detainees were not informed of the accusations made against them, had no right to defend themselves or be legally represented, and had no recourse to an independent judiciary to challenge the legality of their detention. In some cases detainees have merely been informed of the length of sentence they will serve. In the vast majority of cases, detainees are not informed how long their detention will last.

Hundreds, if not more, government critics and suspected opponents of the government, journalists, pastors of banned churches, conscientious objectors to military service and others have been arrested and held indefinitely incommunicado without any contact with the outside world in secret detention.<sup>13</sup> In countless of these cases, the detention amounts to enforced disappearance – the authorities have refused to confirm the arrests, or have concealed the whereabouts or fate of the disappeared person, placing them outside the protection of the law. In a number of cases the government has also refused to confirm or deny unofficial reports of deaths in custody.

In some cases, Amnesty International has received information of prisoners being transferred from one secret prison to another. Countless of these prisoners have been in indefinite incommunicado arbitrary detention for over a decade, many for over two decades. In the longest case known to Amnesty International, Mohamed Meranet, reportedly a suspected government opponent<sup>14</sup> has been in incommunicado detention without charge for nearly 22 years – since his arrest in July 1991. In many of these cases the prisoner has never been heard of again after arrest.

Occasionally information about prisoners in some of these cases emerges from people reporting that they served as guards in prisons where prisoners were detained, or that they were detained alongside the prisoner in question. However, this information is unconfirmed. Virtually nothing is acknowledged or admitted by the authorities about these prisoners and their conditions and treatment.

In cases documented by Amnesty International, detainees arrested for practising a religion not recognised by the state, evading national service or trying to flee the country are detained for varying periods – ranging from several months to a number of years, before being released. These cases, similarly, are not subject to judicial oversight; the detainees are never charged with a crime, brought to court or provided with access to a lawyer. In the majority of these cases the prisoners are held incommunicado without contact with the outside world. However, in some detention centres, prisoners detained on these bases are permitted to receive visitors if they can find a means of getting a message to their families of their whereabouts, through a friendly guard or through another prisoner who has contact with the outside world.

Torture and other ill-treatment are systematically used against prisoners of conscience and political prisoners in Eritrea, for the purposes of punishment, interrogation and coercion.<sup>15</sup> Incommunicado detention – detention without contact with the outside world – in which thousands of prisoners of conscience and political prisoners are held, significantly increases the risk of being subjected to these violations.

There is no transparency or oversight of this extensive system of arbitrary detention – no public records are kept, there is no judicial oversight and the government refuses to acknowledge the detentions. Because of the many restrictions on freedom of association and freedom of expression in Eritrea, there are no civil society organisations to monitor or document arrests, to assist detainees and their families in accessing justice, and to press for remedies for human rights violations.<sup>16</sup> The International Committee of the Red Cross does not have access to detention facilities in Eritrea. Families cannot make enquiries of the authorities on the whereabouts of their relatives. Countless people have been told they have ‘no right to ask.’ Many have been threatened for asking questions, and some people have been arrested themselves for asking about their family member’s arrest.<sup>17</sup> Many are too afraid to ask, knowing well the high risk of repercussions. The repression of freedom of expression means that there are major obstacles to exchange of information, including reports of new arrests.

For all of the above reasons, it is impossible to know how many prisoners of conscience and political prisoners are currently being or have previously been arbitrarily detained in Eritrea. According to Amnesty International's monitoring of human rights violations in Eritrea, as well as information received from other organizations, the number is at least ten thousand. There are certain to be a significant number of cases of which Amnesty International is not aware, particularly cases of arrests related to evasion of national service conscription or to attempting to flee the country, which, according to the testimonies of former detainees, appear to be very regular occurrences and are rarely reported or documented.

## GROUPS SUBJECTED TO ARBITRARY ARREST AND DETENTION WITHOUT CHARGE OVER ERITREA'S 20 YEARS OF INDEPENDENCE

### SUSPECTED AND ACTUAL POLITICAL OPPONENTS

*"One morning those soldiers came with machine guns and they just told her to come, and they took her" the sister of Aster Fissehatsion, one of the G15, on her arrest on 18 September 2001*<sup>18</sup>

The Eritrean government, and particularly President Isaias Afewerki, does not tolerate any dissent, even from senior members of the government and the ruling party. Hundreds of people are being held in arbitrary detention in Eritrea, arrested because they criticised the President or government policies. In the earliest days of independence the authorities began the practice of arbitrarily arresting and detaining without charge any actual or suspected opponent or critic of the government, a practice which continues to this day. Arrests on the basis of an individual's peaceful exercise of their right to freedom of opinion and expression are a violation of Eritrea's obligations under the International Covenant on Civil and Political Rights. In a small number of cases suspected government opponents may have initially been arrested on the basis of suspicion of a recognizable offence such as planning acts of violent opposition to the government. However, in these cases, as with the cases of individuals arrested for the peaceful expression of their political opinion, such individuals have not benefited from any due process safeguards including the right to defend themselves against any charges and the right to be presumed innocent until proved guilty according to law.

According to available information, none of the actual or suspected political opponents arrested in Eritrea in the last 20 years has ever been charged with a crime, brought to court, or provided with access to a lawyer. Therefore these detentions without trial or any other procedural safeguards constitute arbitrary detention in violation of international law. Detainees who the government sees as political opponents have been held indefinitely, incommunicado in secret locations. Their families have not been informed of their whereabouts, nor of the reason for their detention. In many cases these detentions amount to enforced disappearance as the government refuses to acknowledge the detention or to provide information on the whereabouts and fate of the prisoners.

Many of the suspected political opponents arrested throughout the first ten years of independence remain in arbitrary detention without charge – if they are still alive.

### **MOHAMED MERANET**

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 according to information received by Amnesty International from an Eritrean human rights defender in exile, he was suspected of relations with the Ethiopian government. There were unconfirmed reports that he was detained in Karchele prison in Asmara until 1997 but was subsequently moved to an unknown location. His family have heard no news of him since that time. Mohamed Meranet has spent over 21 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.

### **The early years of independence**

Particularly in the first few years after de facto independence in 1991, large numbers of Muslims in Eritrea have been arbitrarily detained, and in some cases were subjected to enforced disappearance, on suspicion of being linked to armed Islamist movements or the mainly Muslim Eritrean Liberation Front (ELF). The ELF had been a rival opposition faction during the war of independence, which had been defeated by President Isaias's Eritrean People's Liberation Front. The ELF continued to operate from Sudan during the war, and after independence as part of the opposition 'Eritrean Democratic Alliance'. After independence, the Eritrean authorities remained suspicious of individuals and groups who had originally supported the ELF – particularly Muslims. Between 1992 and 1994 hundreds of teachers from various Islamic Institutes in Keren were arrested. In one day alone, on 5 December 1994, hundreds of young Muslim teachers were arrested in Keren and elsewhere in the country, when Eritrea broke off diplomatic relations with Sudan. They were reportedly detained on suspicion of having links with Sudan, through the Muslim Brotherhood, or with the Eritrean Islamist opposition supported by Sudan's Islamist government – many had trained as Quranic, Arabic-language or academic subject teachers in Sudanese educational institutions. These detainees were not charged or brought to court. Some detainees arrested during this period may have been released, but many of the teachers and a number of Imams reportedly continue to be arbitrarily detained without charge or trial.<sup>19</sup> Many of these Muslim detainees may have been arrested simply because of their religion or for complaining against religious discrimination – that Muslims were being discriminated against by the authorities and treated less fairly than Christians. According to available information, none of those detained between 1992 and 1994 has ever been charged or brought before a court, or provided with access to a lawyer or their families. They have been held indefinitely, incommunicado in unknown locations.

Members of the ELF opposition faction were permitted to return to Eritrea after independence if they renounced opposition, which a number chose to do. However, the government reportedly remained suspicious of former ELF members. On 25 May 1995, former ELF member, Mohamed Osman Dayr was arrested when he left his hotel to go to a local shop. According to information received by Amnesty International, his family report that they have heard no news of him since that point. No reason has ever been given for Mohamed Dayr's arrest; he has never been charged with a crime or brought before a court. He remains in indefinite incommunicado arbitrary detention. A number of other former ELF members, predominantly Muslims, were also arrested in October and November 1995. Again no reasons were given for their arrests. The men were not charged or brought before a court. A former ELF member interviewed by Amnesty International said that he believed those arrested in

October and November were suspected of links to foreign Islamist movements.

### **Dissent within the government and the ruling party**

On 18 September 2001 a group of high profile politicians were arrested for criticising the President. The arrests were followed by the closure of the independent press.<sup>20</sup>

#### **THE G15 ARRESTS**

The group of 15, or G15 as they became known, wrote an open letter to members of the Peoples Front for Democracy and Justice (PFDJ) in May 2001 which they said was "a call for correction, a call for peaceful and democratic dialogue ... a call for the rule of law and for justice." As a result, eleven of the group were arrested on 18 September 2001. Three of the remaining members avoided arrest and the final member retracted his signature. The eleven arrested were all members of the Central Committee of the ruling PFDJ party and had been leading figures during Eritrea's independence struggle. They included three former Foreign Ministers - Haile Woldetsae, Mahmoud Ahmed Sheriffo (who was later Vice-President) and Petros Solomon; Aster Fissehatsion, a prominent woman EPLF leader; and three army generals – General Ogbe Abraha, Major-General Berhane Gebregziabeher and Brigadier General Estifanos Seyoum. The other members were two former ambassadors - Beraki Gebreselassie and Hamad Hamid Hamad; Saleh Kekiya, former Vice-Minister of Foreign Affairs; and Germano Nati, a Regional Administrator, although all had been dismissed from their posts by the time of their arrests.

The government reportedly announced subsequently that the eleven individuals had been detained because of crimes against the nation's security and sovereignty. None of the eleven has ever been brought to court or formally charged with an offence. Amnesty International considers all eleven to be prisoners of conscience imprisoned for the peaceful exercise of their right to freedom of expression.

The G15 prisoners have been denied all access to the outside world. Their families have never been informed of their whereabouts or their health status. The G15 prisoners have now been detained without charge and incommunicado for over 4,000 days. Being held incommunicado, with no contact with their families or lawyers, and in secret, has placed them – as with hundreds of other prisoners in Eritrea – at risk of torture and other ill-treatment, including being denied adequate medical care. There have been unconfirmed reports that a number of the G15 members have died in detention.<sup>21</sup> The government has not confirmed or denied these reports.

In the aftermath of the arrest of the G15, as well as the closing down of the independent media (see below) dozens of other people were arrested for supporting the views expressed in the G15's open letter or for criticising the detentions. Idris Aba'are, a writer and disabled veteran of the liberation war, was arrested in October 2001, reportedly after questioning the G15 arrests.<sup>22</sup> He has been arbitrarily detained since that time, incommunicado in a secret location.<sup>23</sup> Some elders were detained after trying to mediate between the government and its critics, including Abdulrahman Ahmed Younis, an elderly businessman. Younis was detained without charge for four years and then released.<sup>24</sup> Other arrests in late 2001 and early 2002 included Miriam Hagos, Director of Cinemas in the Ministry of Information; a number of senior civil servants, including Kiros Tesfamichael, Director general in the Ministry of Tourism and Feron Woldu, Director in the Ministry of Trade and Industry; diplomats such as Bisrat Yemane, Former Consul General in the Eritrean embassy in Germany, arrested after being recalled in early 2002, and Ibrahim Siraj, Eritrean embassy official in Saudi Arabia.

Many other members of the ruling party were also arrested. To Amnesty International's knowledge, none of those arrested during this period based on their actual or suspected views in criticism of the government, have been charged with a crime, brought before a court or provided with access to a lawyer. Most of these people disappeared into indefinite, incommunicado arbitrary detention in secret locations. The majority of them remain in arbitrary detention at the time of writing. In the majority of cases their families have heard no news from them since their arrests. There are occasionally unofficial reports of sightings from other people who claim to have been detained with them, or claim that they acted as a guard in the detention facility where the prisoner in question was detained.

Several family members of G15 prisoners were also arrested, including Colonel Tesfaledet Seyoum, the brother of Brigadier General Estifanos Seyoum, who was arrested in 2001 and has been held in indefinite, incommunicado arbitrary detention ever since. According to exiled Eritrean human rights defenders, he was arrested for expressing political views in opposition to the government. Aster Yohannes, the wife of Petros Solomon, had been studying in the USA at the time of her husband's arrest. After graduation she returned to Eritrea to be with her children. She knew there was a risk of being arrested herself, but had reportedly gained a guarantee of her safety from the government. She was arrested upon arrival at Asmara International airport in December 2003. Since that time Aster Yohannes has not been charged with a crime or brought before a court. She is reportedly being held in *Karchele* security prison in Asmara but is held incommunicado and has not been permitted visits from her children or any other relatives. According to unconfirmed information received by Amnesty International, Aster is in a poor state of health emotionally and suffers from asthma and a heart disorder.

The above cases represent just a handful of the people arrested in the first decade of independence for actual and suspected opposition to the government. There are countless others.

### **Arrests since 2002**

Since the 2001 open letter, freedom of expression has been severely restricted in Eritrea. According to former residents, there is almost no public discussion of the actions of the government, human rights or other topics deemed to be 'sensitive'. Arrests of actual or suspected opponents of the government continue. In November 2005, Idris Mohamed Ali, a popular singer in the Tigre language was arrested. No reason was given for his arrest but an Eritrean human rights defender in exile told Amnesty International that he was suspected of opposition to the government. He has never been charged with a crime, brought before a court or provided with access to a lawyer. He is detained indefinitely incommunicado in a secret location. Idris' family do not know his whereabouts and have had no news of him since his arrest.

Independent local civil society organisations are not permitted in Eritrea, but a small number of international humanitarian organisations were permitted to continue operations during the 2000s. However, some left citing obstruction from the government, and some were reportedly told to leave.<sup>25</sup> Employees of humanitarian organizations in Eritrea at the time interviewed by Amnesty International reported that in 2007 and 2008 a number of local employees of non-governmental organisations were arrested.

**FIKREYASUS GEBREKRISTOS**

In November 2007, Fikreyasus Gebrekristos, the Deputy General Manager of the Lutheran World Federation (LWF), was arrested from his home in Asmara, immediately after having dinner with an outspoken critic of the government who was visiting the country. Fikreyasus' family and LWF were never given a reason for his arrest, he has never been charged or brought before a court. Fikreyasus was initially believed to be detained in Karchele, in 2<sup>nd</sup> police station in Asmara. His wife reportedly took food and clothing to the prison for some years, but was never permitted to see her husband. According to information received by Amnesty International, no clothing ever came back for laundering; his wife was required to constantly bring new clothing. After an unknown period the guards refused to accept any further food or clothing. Fikreyasus' fate remains unknown.

A number of sources including two former employees of humanitarian organizations in Eritrea interviewed by Amnesty International reported that in August 2008 the government arrested a number of Eritreans employed by local and international non-governmental organizations. Many of these employees were later released; but 10 continued to be detained and were reportedly transferred to the Adi Abeto prison.<sup>26</sup> One former Eritrean employee of an international humanitarian organisation in Eritrea told Amnesty International that the government accused foreign non-governmental organisations or their Eritrean employees of supporting opposition to the government.

In October 2011 Senay Kifleyasus, a prominent businessman and the husband of the current Minister for Tourism Askalu Menkerios was arrested. It is believed that his arrest was in relation to an un-redacted Wikileaks cable.<sup>27</sup> In the cable Senay is not identified but is described as a "businessman and the estranged husband of a cabinet minister"<sup>28</sup> and describes a conversation in which he reportedly criticised President Isaias "disastrous governance of the country," which among other things had "drained the patience of the military". According to available information Senay has not been brought before a court or charged with a crime. It is not known where he is being detained.

On 21 January 2013, a group of 200 soldiers occupied the Ministry of Information in central Asmara, and broadcast an announcement calling for the release of all political prisoners and the implementation of the 1997 Constitution. As with all developments in Eritrea, it is very difficult to establish with certainty the subsequent course of events. According to some reports shots were fired during the removal of the soldiers from the Ministry, other reports say the incident passed with no violence. However, in the aftermath of the event a large number of arrests were reported. Information received by Amnesty International from exiled Eritrean human rights defenders suggests that at least 187 people have been arrested since these events. These reportedly include a number of people in high profile positions within the authorities, including Abdullah Jaber, Head of the Department of Organizational Affairs of the ruling party; Ibrahim Toteel, the governor of the North Red Sea region; Mustafa Nurhussein, governor of the Southern region; and Ahmed Alhag, the Minister for Mining. Eritrean human rights defenders in exile report that there have been suggestions of dissent among various members of the government in recent months, and that the arrests of these high profile figures may be based on suspected involvement with this or were a result of the nervousness of the authorities about potential sources of opposition. It is not known where any of these detainees are currently being held. Given the secrecy around their detention – as with all political prisoners in Eritrea – these prisoners are considered to be at extreme risk of torture and other ill-treatment.

## JOURNALISTS

At least 28 journalists are believed to be currently detained in Eritrea.<sup>29</sup> This is one of the largest numbers of journalists detained in any country,<sup>30</sup> and as a proportion of the population Eritrea has significantly more journalists in detention than any other country in the world.

On 19 September 2001 – the day after the G15 arrests – the government withdrew the licenses of all of the country's eight independent newspapers and arrested ten leading journalists. Other journalists had been warned of the crackdown and had managed to escape the country, according to information received by Amnesty International. The ten journalists included Fessahaye Yohannes (also known as "Joshua"), an EPLF veteran, poet and dramatist, and founder of Setit newspaper; Dawit Habtemichael, a science teacher and co-founder of Meqaleh ("Echo") newspaper; Seyoum Tsehaye, former director of Eritrean state television, a former French-language teacher and photographer; Temesgen Gebreyesus, a sports reporter and actor; and Dawit Isaak, a writer and theatre producer, co-owner of Setit newspaper. The President reportedly accused the ten journalists of being "spies and mercenaries" who had supposedly clandestinely supported the G15 "traitors" on behalf of Ethiopia. These journalists had published articles about the democratic reform movement, including interviews with critics who were subsequently detained, and their own opinions advocating peaceful change.

According to information received by Amnesty International from family members, exiled Eritrean human rights defenders and other sources, none of these journalists has ever been charged with a crime or taken to a court, allowed access to or contact with legal counsel or their families. The journalists were reportedly initially detained in Asmara, but nine were moved to an undisclosed location in April 2003 after participating in a hunger strike. Dawit Isaak, in hospital at the time of the hunger strike, was reportedly not moved with the others. Isaak was briefly released in 2005, reportedly to see a doctor, but was quickly re-arrested. With this exception, the families of the journalists have heard no news from them since their arrests. They are all arbitrarily detained indefinitely, incommunicado without contact with the outside world.

One journalist arrested before the September 2001 crackdown also reportedly remains in arbitrary detention without charge or trial - Gebrehiwot Keleta, a reporter on the newspaper Tsegenay, was arrested in June 2000 after he and other journalists met a US embassy official. He has been detained indefinitely, incommunicado without any contact with the outside world in a secret location since that time.

The entire private press was suspended at the time of the 2001 arrests and since that time there has been no independent media in the country. However, journalists employed by state radio and television media have continued to be arrested for any suspicion of criticism, and arbitrarily detained without charge. Many of these journalists arrested since 2001 are also held indefinitely, incommunicado without any contact with the outside world in secret detention.

Among those journalists arrested since the 2001 crackdown is Hamid Mohamed Sa'id, who was a television news and sports editor for the Arabic-language service of the state run Eri-TV. He was arrested in February 2002, alongside two colleagues, Saadia Ahmed, a television reporter, and Saleh al-Jezaeri, a radio and newspaper reporter.<sup>31</sup> Their arrests were reportedly in response to discussions of the issue of the subordinate status of the Arabic language in Eritrea. Ahmed and al-Jezaeri were subsequently released, but Hamid Mohamed Sa'id is believed to still be in detention without charge or trial.

On 22 February 2009 the entire staff of radio Bana – a station broadcasting educational programmes under the sponsorship of the Ministry of Education – were reportedly arrested.<sup>32</sup> Of the 50 or so people arrested, most were quickly released. However, an unknown number, but believed to be at least 12, according to information received by press freedom organisations, remained in arbitrary detention, and continue to be detained at time of writing. The reason for the arrests is unknown. None of the detained journalists has been charged or brought to a court. Their families have not been informed of their whereabouts. Yirgalem Fisseha Mebrahtu, one of the detained Radio Bana journalists, was reportedly placed in solitary confinement in Mai Sewra prison in May 2009.<sup>33</sup> Subsequently it was reported that in early 2012 she had been sighted at a hospital in Asmara, under permanent guard and with no visitors permitted. Her family was not informed of her admission to hospital.

In February and March 2011, four journalists working for the government-controlled radio Dimtsi Hafash were arrested. Nebiel Edris worked for the Arabic-language service; Ahmed Usman worked for the Tigray-language service, Mohamed Osman for the Bilen-language service, and Eyob Kessete for the Amharic-language service. No reason was given for their arrests. The four are believed to remain in arbitrary detention at time of writing. They have not been charged with a crime or brought before a court, or provided with access to a lawyer or their families. They are held incommunicado in an unknown location.

There have been unconfirmed reports that at least seven journalists have died in detention.<sup>34</sup> The government has neither confirmed nor denied these reports.

## ARRESTS IN VIOLATION OF THE RIGHT TO FREEDOM OF RELIGION OR BELIEF

*"My uncle is still in prison and we don't know where he is. He was arrested in 2005 and we don't know his whereabouts."*<sup>35</sup>

In the 20 years since Eritrea became independent, thousands of people have been arrested for practising a religion not recognised by the state. Others have been arrested for conscientious objection to military service, for suspected links with opposition movements predominantly supported by a particular religious group, and for opposing government interference in religious affairs. These arrests are violations of the right to freedom of thought, conscience and religion and are illegal under international law. Furthermore, to Amnesty International's knowledge, none of the people arrested in violation of the right to freedom of religion and belief have been charged with a crime or taken to court. Some have been arbitrarily detained without charge or trial for nearly 20 years.

In 2002, the government withdrew the registration of minority religious groups, and ordered all unregistered religions to register, to provide details of their members and finances, and to close their places of worship until they were registered. Some minority religious groups reportedly attempted to re-register, but none were successful. Subsequently, only four religions – Islam and the Orthodox, Catholic and Lutheran churches – have been officially recognised. Since then, thousands of adherents of religions not recognised by the state, including Pentecostal and Evangelical Christian denominations, have been arrested for practising their religion.<sup>36</sup> Arrests of individuals and groups continue to be regularly reported by international religious organisations<sup>37</sup> and other sources. According to testimonies and reports received by Amnesty International, these arrests often take place during raids on prayer and worship meetings in private homes, and at weddings and funerals. National service conscripts have been detained after being caught reading the Bible or praying during their military training period at Sawa military camp. All of these prisoners have been arbitrarily detained without charge or trial or access to a lawyer. Countless of them have been held incommunicado, in unknown locations.

According to information received by Amnesty International from former detainees, family members of detainees, international religious organisations, and other sources, individuals arrested for practising a religion not recognised by the state are detained for varying periods of time, none of which are subject to judicial oversight. Some of these religious detainees have been released after short periods of detention, ranging from a number of weeks to a number of months in some cases. Older women and children are often reported to be among those released after relatively shorter periods. Others have been arbitrarily detained for extended periods. Leaders of churches, such as pastors and preachers, are often among those detained for longer periods. A number of detainees arrested for practising their religion are held in indefinite incommunicado arbitrary detention.

At various points in 2004, 2005 and 2007, the arrests took place of a large number of pastors from various Christian churches including the Full Gospel Church, the protestant Rima Church and the Eritrean Protestant Alliance. The majority of these pastors remain in arbitrary detention. None has been charged with a crime or brought before a court.

**DR KIFLU GEBREMESKEL**

Dr Kiflu Gebremeskel, the chair of the Eritrean Evangelical Alliance, former chair of the Mullu Wongel Church, and member of the executive committee to the Full Gospel Church of Eritrea, was arrested on 23 May 2004. He was reportedly taken from his home in Asmara and detained in Karchele security prison. He has never been charged with a crime or brought before a court. Dr Gebremeskel has been held in indefinite incommunicado arbitrary detention since his arrest. His wife and four children have not been able to visit him. He was reportedly last seen at a hospital in Asmara in 2012.

Christian groups estimate that there are between 1,500 and 3,000 Christians in arbitrary detention in Eritrea.<sup>38</sup> Over a hundred have reportedly been arrested between January and April 2013.

Jehovah's Witnesses have been exposed to especially harsh treatment at the hands of the state. In 1994 Jehovah's Witnesses were stripped of basic citizenship rights based on their refusal to vote in the independence referendum – as their faith demands political neutrality – and based on a refusal to perform the compulsory military period of national service, as their faith prohibits bearing arms. Many Jehovah's Witnesses have been arrested for conscientious objection to military service, and have been indefinitely detained, without charge or trial. At least three of those prisoners, Paulos Eyassu, Isaac Mogos and Negede Teklemariam, arrested for conscientious objection to military service, have been detained without charge or trial since 1994.

Jehovah's Witnesses have also been detained, as with other Christian groups mentioned above, for practising a religion not recognised by the state. Elderly persons and young children have been among those arrested and detained. As with adherents of other religions not recognised by the state, these individuals are detained for varying and seemingly entirely arbitrary periods of time, varying from several weeks to several years. As mentioned above, elderly women and children reportedly tend to be released after relatively shorter periods. However, this is not the case in all instances. For example, two very young children and their mothers, arrested during worship in a private home in Asmara in June 2009, were reportedly detained without charge in a fourth police station in Asmara until January 2012.

During the 20 years of independence, according to information received by Amnesty International from individual sources, the Jehovah's Witness Association and from media reports, at least 157 Jehovah's Witnesses have been arbitrarily arrested and detained, in prisons including Me'eter, Adi Abeto and Mai Serwa. Some have been released after periods varying from several months to several years. Two are believed to have died in detention, as a result of ill-treatment and appalling conditions. As of April 2013, the European Association of Jehovah's Christian Witnesses has information it regards as reliable that at least 56 Jehovah's Witnesses are currently in detention in Eritrea.

## RECENT CASES

Seven Jehovah's Witnesses – five women and two men – remain in arbitrary detention without charge since their arrest in June 2009 during a raid on a religious meeting in a private home. They are reportedly detained at Me'eter military camp.

Nine Jehovah's Witnesses remain in arbitrary detention without charge since their arrest in April 2012 for preaching at a funeral. They are reportedly detained at Me'eter camp and Keren police station. One of those detained, Redae Hagos, is reported to be 85 years old.

In May 2012, Yoseph Tesfamariam was arrested for conscientious objection to military service. He remains in arbitrary detention – without charge or trial, reportedly in Asmara.

Detainees arrested for practising a religion not recognised by the state are often reported to be in detention centres in Alla, Me'eter, Mai Serwa and Sawa military camps, and Adi Abeto prison, although numerous other places of detention have also been reported for religious detainees. As with other prisoners in these locations, religious detainees have frequently been held in metal shipping containers or underground cells.<sup>39</sup>

According to information received by Amnesty International, members of un-recognised religious groups, including Evangelical Christian groups and Jehovah's Witnesses have been subjected to torture and coercion by the security forces during detention, to force them to recant their religion.<sup>40</sup> Some religious detainees have been offered release from detention on the condition that they recant their religion. These individuals were forced to sign a statement declaring they had recanted their religious beliefs and agreed to join an officially recognised religious group. Some have reportedly been pressurised to sign statements promising not to participate in religious activities outside the four recognised religions, or to join together with others practising religions not recognised by the state. Detainees who refuse to recant have been subjected to repeated torture.

Members of the state approved religions have also been arrested, including the Eritrean Orthodox Church and Islam.

In January 2006, Abune Antonios, the Patriarch, or Head, of the Eritrean Orthodox Church, was placed under house arrest in Asmara. He was 79 years old at the time of his arrest. Abune Antonios has never been charged or brought before a court. He has reportedly been held incommunicado since the beginning of 2007 and was not receiving adequate medical attention for his diabetes. Abune Antonios was reportedly arrested for protesting against the arrest of three Orthodox priests from the Medhane Alem branch of the Orthodox Church and for refusing to cooperate with the government in closing down this Church. Abune Antonios has been detained, without charge or trial, since that time. The three priests are also believed to remain in arbitrary detention without charge or trial. Although the Patriarch is a lifetime appointment, Abune Antonios was removed from his position and in May 2007 the government announced the appointment of a new Patriarch.

In August 2008, at least 40 Muslim clerics and scholars were arrested by soldiers in Asmara, and the towns of Senafe, Adi Keyh, Tsorona, Segeneiti, Dekemhare, Foro, Hadish, and Idafalo in the coastal Red Sea region. All were from the Saho ethnic group, who live in the coastal region of the country, and are predominantly Muslim. The detainees were arrested in the middle of the night and taken away in unmarked cars. The authorities have not indicated the reason for the arrests.

In addition to the examples laid out in this chapter, Amnesty International believes thousands more individuals have been subjected to arbitrary arrest and detention without charge on the basis of their peaceful exercise of their right to freedom of religion and belief.

Amnesty International has received a number of reports of deaths in detention of religion-based prisoners of conscience as a result of harsh treatment and lack of medical care.

## PEOPLE EVADING OR DESERTING NATIONAL SERVICE CONSCRIPTION <sup>41</sup>

Since 1995 thousands of people in Eritrea have been arrested and detained for attempting to escape conscription into indefinite periods of national service.

In 1995, the government issued the Proclamation of National Service (No. 82/1995) under which national service, which encompasses active national service and reserve military service, was declared mandatory 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 addition 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 government service. However, this period is frequently extended indefinitely. Much of the adult population of Eritrea is currently engaged in mandatory national service; many of them have been conscripted for over ten years.

There is no exemption from military service for conscientious objectors.<sup>42</sup> The government of Eritrea has not designed any service alternative to military service. Women with children are reportedly exempt from military service, but are required to undertake various duties in the civil sector within the framework of national service. However, this policy is unwritten, and, as with all aspects of written and unwritten national service policy, appears to be arbitrarily implemented (based on the testimonies of former conscripts and other refugees).

All school-children are required to complete their final year of schooling (grade 12) at Sawa military training camp, where military training is conducted alongside schoolwork. Former conscripts who undertook their grade 12 year at Sawa have told Amnesty International that the emphasis of this year is significantly weighted towards the military training and consistently reported that the education provided is of very poor quality. This system effectively involves the conscription of children into the military. The age at which children enter grade 12 depends on their progress through school, and the age they first entered school, which varies. Therefore, while the majority of children conscripted in this manner are 17 years old, Amnesty International has received a number of reports of children of 15 and 16 years old being conscripted. A number of children aged between 15 and 17 are also reported to have been caught in national service 'round-ups' – when the authorities sporadically go around houses, offices and shops searching for people of national service age who appear to be avoiding conscription. This system is therefore 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 party, which states that "States Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces."<sup>43</sup> Further, upon ratification Eritrea made the specific declaration that "the minimum age for the recruitment of persons into the armed forces is eighteen years."<sup>44</sup>

According to the testimonies of former conscripts, within the national service framework conscripts are assigned to a wide variety of roles, without any choice as to the nature of the work they are assigned to. Some conscripts are reportedly assigned as labour in state and private projects and enterprises, such as construction projects and road building; testimonies of former conscripts suggest that large numbers are assigned to work as agricultural labourers on large-scale farms; some reportedly work for companies owned and operated by the military or ruling party elites. Other conscripts are reportedly assigned to work in the civil service, in government departments or various roles in the military administrative infrastructure. A

significant portion of conscripts are assigned to remain as soldiers after the initial six months' military service. According to former conscripts interviewed by Amnesty International, the basic level national service salary is 450 Nakfa (approximately 30 US\$) per month. This is widely reported to be insufficient to meet the basic needs of conscripts and their families.

Female conscripts have told Amnesty International that they were subjected to rape and other forms of sexual violence during national service conscription.

"He [a Colonel] made me spend the night with him. I said I would report him to the authorities... as punishment he sent me to work in a hard place. After 15 days he came and put a gun to my head and said did you change your mind..."<sup>45</sup>

Male conscripts have also reported witnessing their female counterparts be subjected to sexual harassment or sexual violence. Parents of conscripts interviewed by Amnesty International have also reported that they wanted their daughters to avoid national service conscription due to a fear of sexual violence perpetrated against female conscripts.

Under international law states must recognise and safeguard the right of everyone to gain their living by work which they freely choose or accept, and forced labour is prohibited, although this prohibition is understood to exclude military service, or alternative national service for conscientious objectors; any work or service normally required of a person under detention in consequence of a lawful order of a court or during conditional release from such detention; any service exacted in cases of emergency or calamity threatening the life and well-being of the community; or any work or service which forms part of normal civil obligations.<sup>46</sup> The International Labour Organization, in commenting on Eritrea as a party to ILO Conventions<sup>47</sup> has stressed that compulsory military service is excluded from the prohibition only if used for "work of a purely military character", that any power to call up labour on emergency grounds must be confined to sudden unforeseen events calling for instant countermeasures, and that the duration, extent, and purposes of compulsory service should be limited to what is strictly required by the exigencies of the situation and to counter an imminent danger to the population; it has underlined that in the large-scale and systematic practice of imposing compulsory labour on the population within the framework of the national service programme is incompatible with ILO Conventions, which prohibit the use of forced or compulsory labour as a method of mobilizing and using labour for purposes of economic development.<sup>48</sup>

The system of indefinite, involuntary conscription imposed in Eritrea amounts to forced labour and a violation of human rights. Furthermore, it provides a context for other human rights violations, including the violent methods used to enforce conscription, the lack of any recognition of a right to conscientious objection, detention without charge or trial of those who evade or desert, and the detention of and reprisals against their family members.<sup>49</sup>

Because of the violations inherent in the framework of national service, as well as the indefinite nature of conscription precluding other economic or educational opportunities, a large number of Eritreans have tried to avoid conscription by going into hiding or fleeing the country. There is also a high rate of desertion from national service. The usual punishment for evading or deserting national service is arrest and detention without charge or trial.

Amnesty International has also received information of cases in which people were arrested on the suspicion that they were intending to desert. Many thousands of draft evaders and deserters have been detained without charge or trial since 1995. As with the cases of other political prisoners, the lack of transparency and judicial oversight mean that it is impossible to know an exact number. The testimonies of former detainees indicate that arrest on the basis of evading national service or of desertion occur on a very regular basis.

Many thousands of people have been caught in the sporadic national service round-ups. Some groups rounded-up have been taken straight to Sawa military training camp. However, according to information received by Amnesty International, other groups have been detained and taken to prisons including Adi Abeto prison just outside Asmara.<sup>50</sup>

Individuals arrested on this basis are not charged with an offence, are not brought to trial, and are not provided with access to a lawyer. Their families are not informed of their detention. Detention lengths vary. In many cases, individuals arbitrarily arrested and detained for avoiding or deserting national service conscription have told Amnesty International that they were detained for periods of one to two years. Testimony from individuals formerly detained for evading national service or suspected of intention to desert indicates that the length of detention of conscripts is the decision of their commanding officer and appears to be arbitrary with no basis in law.

When caught, draft evaders and deserters have been subjected to torture and other ill-treatment, including brutal beatings and being tied in contorted positions, as punishment.<sup>51</sup> The families of draft evaders and deserters are also often punished.<sup>52</sup> Individuals of conscription age who left the country, whether legally or illegally, are also suspected of draft evasion upon return.<sup>53</sup>

Within the national service system, any form of criticism or insubordination is not tolerated. Conscripts in any role in the national service framework can be arrested and detained arbitrarily – with no charge, trial, judicial oversight or opportunity to challenge their detention – for minor infractions including questioning an order of a senior officer or post holder, being late for work, criticising levels of pay, questioning a commanding officer or allegedly not working to the best of their ability. One young man told Amnesty International that he had been arrested for expressing his opinion during a meeting in 2010. He had been assigned as a teacher as his national service post.<sup>54</sup> He and other teachers were called to a meeting and encouraged to give feedback on the educational system. The man reported that he and a number of other participants suggested that standards would improve if the teachers' salary was increased, and were immediately arrested. He stated that he spend four months in detention without charge in a detention centre in Keren.

## PEOPLE FLEEING THE COUNTRY

The manifold violations of human rights in Eritrea, the prospect of indefinite conscription in national service and the severely limited employment and educational opportunities, cause thousands of Eritreans to attempt to flee the country. The United Nations High Commissioner for Refugees (UNHCR) estimates that approximately 3,000 individuals enter Sudan from Eritrea every month. According to the testimonies of Eritrean refugees and asylum-seekers, these attempts to flee are usually made on foot – a dash across the porous borders with

Sudan in the east and Ethiopia in the south. In some parts of the border with Ethiopia, crossing involves swimming across a river. However, many people attempting to cross the border do not succeed. While a policy to shoot to kill anyone sighted crossing the border reportedly remains in place, it seems that this policy is not consistently implemented. Testimonies collected by Amnesty International indicate that many people are caught in the act of trying to flee, and suggest that when they are caught, most, if not all, are subjected to arbitrary arrest and detention without charge.

These arrests are in violation of Eritrea's obligations under international law, which provides that every person has the right to freedom of movement, including the freedom to leave any country, including their own.<sup>55</sup>

Because of the restrictions on reporting and exchange of information in Eritrea, most of the information obtained by Amnesty International on the arbitrary arrest and detention without charge of people caught trying to flee the country, comes from the testimonies of individuals who were arrested and detained trying to flee the country and who then had successfully made another attempt to flee.<sup>56</sup> None of those arrested while trying to flee the country, interviewed by Amnesty International, had been charged with a crime, brought before a court or provided with access to a lawyer. None were told the reason for their arrest or informed of the duration of their detention. The periods of detention reported by people arrested on this basis vary, but many former detainees reported a period of between one and two years' detention. In addition to the arbitrary nature of the detention itself, its duration appears to be decided by senior commanders and prison authorities.

A number of people detained for attempting to flee, interviewed by Amnesty International, said that they were detained with large groups of people held for the same reason.

"I tried to cross into Ethiopia but was caught. I was taken to Alla for 6 months, then to Chegarit, which was a temporary detention centre being used at the time.<sup>57</sup> I was in a group of around 90 people, we were sent to Chagarit to punish us. I was there for about 7 months," former detainee<sup>58</sup>

"A friend of mine [name withheld] was imprisoned [because] they suspected he was thinking of leaving the country. I went to visit him at Adi Abeto... He said around 60 people were arrested with him for the same reason."<sup>59</sup>

A number of former detainees interviewed by AI said that they were moved between different detention centres during their detention – in some cases former detainees reported being detained in five different detention centres over two years' detention. Former detainees have also reported that in each detention centre they were transferred to, there were numerous other prisoners arbitrarily detained for attempting to flee the country.

Some former detainees have told Amnesty International that they were also detained alongside others held in connection with unauthorised exit from the country, including people arrested for forging documentation to assist people to leave and people smugglers who arrange passage out of the country for a fee. Former detainees have also said that they were detained along with people who had been caught moving around the country without the requisite travel permit. In Eritrea, a travel permit is required to move around the country or to

travel from one town to another. According to the testimonies of former detainees, some people caught moving without a travel permit have been suspected of an intention to travel to one of the country's borders in order to flee. It is not known if all people caught without an internal travel permit are arrested, or whether in all cases arrest is based on a suspicion of intention to leave the country without authorisation.

While no reason was given to these detainees for their arrest, many told Amnesty International that they understood it to be a punishment for evasion or desertion from national service.

Many of these individuals may be fleeing during their national service conscription or before they have been conscripted. International law permits states to place certain restrictions on the exercise of the right to freedom of movement which are demonstrably necessary and proportionate for the protection of national security and public order and consistent with their obligations to respect other human rights, which may permit proportionate restrictions on the exercise of the right to leave the country by those who have not yet completed compulsory national service which is itself consistent with international human rights law. But, as described above, individuals conscripted into national service in Eritrea face violations of a number of rights, including the right not to be required to perform forced labour. Amnesty International believes that people should be not punished for fleeing a situation to avoid being subjected to human rights violations.

Further, these detentions are arbitrary as the detained individuals are not charged with an offence, brought before a judicial authority, able to challenge their detention before a court, or given access to a lawyer. In some cases their relatives are not informed of their detention. As with other groups of prisoners, due to absence of due process and lack of transparency it is not possible to know how many are in detained in Eritrea for trying to flee, but the testimonies of former detainees suggest that detention on this basis is commonplace.

Some people detained for attempting to flee the country interviewed by Amnesty International said they were held incommunicado, with no contact with the outside world, while some others were permitted visitors. This appeared to be dependent on which detention centre the person was held in.

"My family did visit in Adi Abeto and Mai Serwa. But in Aderser and Tessenei and Track B it's not allowed. Then, my family did not know where I was. Nobody can know. In Adi Abeto, you find another prisoner who has contact with their family and you ask them to assist you to make contact with your family," former detainee arrested for attempting to flee the country and held in five different prisons during his detention.<sup>60</sup>

Some people caught trying to flee were reportedly subjected to torture as a punishment and for the purposes of interrogation.<sup>61</sup> Former detainees told Amnesty International they were interrogated about who assisted them to leave the country, how much did they pay, and other related questions.<sup>62</sup>

## RETURNED ASYLUM SEEKERS

According to testimonies and other information received by Amnesty International, asylum-seekers whose applications have been rejected or who have not been granted access to asylum procedures, who have been forcibly-returned to Eritrea by various other countries<sup>63</sup> have been arbitrarily arrested and detained without charge.

As with other forms of arbitrary arrest and detention without charge or trial it is difficult to follow the cases and discover the fate of many forcibly returned asylum-seekers, due to the lack of transparency around these detentions, the failure of the authorities to inform families of the arrests, and because many of these detainees are held incommunicado with no contact with the outside world. However, Amnesty International has received information, from former detainees and Eritrean human rights defenders in exile, as well as other sources, on numerous cases of individuals and groups of returned asylum-seekers who have reportedly been arbitrarily detained and subjected to torture or other ill-treatment, and it is believed that this may apply to a significant majority of forcibly-returned asylum seekers.

Anyone of national service age is particularly at risk of arrest upon return, as their flight from the country would have involved an evasion of or desertion from national service – itself an ‘offence’ which is met with arbitrary arrest and detention without charge, as described above. Suspected or actual opponents of the government are also particularly at risk of detention upon return, as are adherents of religions not recognized by the state. As described above, arrests on these bases are violations of the rights to freedom of opinion and expression, freedom of religion or belief. Arrest as punishment for fleeing the country is also a violation of the right to freedom of movement, including the right to leave one’s own country, as described in the preceding chapter.

As well as receiving reports of individuals and groups of asylum-seekers forcibly returned to Eritrea being arrested and detained, Amnesty International has interviewed refugees and asylum-seekers who had previously been forcibly-returned to Eritrea, before fleeing the country for a second time. These individuals reported that upon return they were arrested and detained without charge. In each case reported to Amnesty International, the arrest took place immediately upon the arrival of the individual in Eritrea. Periods of detention reported to Amnesty International range from a number of days to a number of years. In addition to the arbitrary nature of the detention itself, its duration appears to be decided by senior commanders and prison authorities.

Testimonies of returned asylum-seekers indicate that the act of claiming asylum is perceived by the authorities as involving a criticism of the government and – as with all other forms of dissent – is therefore not tolerated. Forcibly-returned asylum-seekers interviewed by Amnesty International were tortured both as a form of punishment for perceived criticism of the government, and for the purposes of interrogation. According to accounts given by escaped detainees, Eritrean security officials were particularly interested in how asylum seekers fled the country, who assisted them, and what they said against the Eritrean government during their asylum application process. Returnees have reported that under torture, or threat of torture, they were forced to state that they have committed treason by falsely claiming persecution in asylum applications.<sup>64</sup>

In June 2008 the Egyptian authorities organised a mass forcible return of Eritreans to Eritrea.<sup>65</sup> By late June, up to 1,200 asylum-seekers had been forcibly returned.<sup>66</sup> Between 23 December 2008 and 18 January 2009 they forcibly returned three further groups, totalling 62 people.<sup>67</sup> All are believed to have been detained on arrival. Although pregnant women and women with young children were released after several weeks in detention, the vast majority of these returned asylum seekers remained in detention and were reportedly transferred to military camp prisons and other detention centres, including 740 reportedly at Wi'a military camp prison. Their fate remains unknown.

In May 2008 German immigration authorities forcibly returned asylum-seekers Yonas Haile Mehari and Petros Aforki Mulugeta to Eritrea, after their asylum claims were rejected. After they fled the country for a second time, the two men reported that when they were forcibly returned they were both arrested and detained upon arrival at the airport in Asmara. According to the testimonies of the two men, they were interrogated about their reasons for leaving Eritrea and how they had left. They said they were also questioned repeatedly about their asylum application in Germany. They were accused of committing treason by discrediting the Eritrean government in applying for asylum, and were threatened with severe punishment. They were also asked to name people who helped them. In June 2008 the two men were transferred to prison in Wi'a, where they were detained in appalling conditions. After over a year of detention, without charge, trial, access to a lawyers or their families, both men were separately transferred to military hospitals for treatment for wounds resulting from the conditions of detention including infected sores and blisters on the skin caused by contact with the excessively hot surfaces of the walls and floor of the detention cells. Both subsequently escaped Eritrea again.

## PUNISHMENT OF FAMILY MEMBERS OF THOSE WHO HAVE FLED THE COUNTRY

According to testimonies of people who have fled the country, as well as other information received by Amnesty International, it is frequent for family members of people who have successfully fled to be arrested and detained, apparently as punishment for the acts of their relative. This is particularly the case where people who have fled are of national service age, but has also reportedly occurred in the cases of high-profile members of the government who have fled.

Many people who fled the country while of national service age, deserting or evading conscription have told Amnesty International that their family was subjected to reprisals. Families are subjected to a fine, widely reported to be 50,000 Nakfa (approximately US\$ 3,800). In some cases, families have reportedly paid this in instalments if they cannot afford to pay the full amount in one payment. According to testimonies received by Amnesty International, in some cases where families have not been able to pay, a family member has been arrested and detained.

“The father of [name withheld], who was one of the five who escaped [from the country] ... was brought to the prison. He was about 65-70 years old. He was taken on the pretext that he was responsible for his son’s escape.”<sup>68</sup>

This is reportedly often a parent, but detention of other family members has also been reported. These detainees are not charged with any offence, brought before a judicial authority or provided with access to a lawyer. The duration of detention in these cases varies, according to reports. Amnesty International has received reports that detention of family members detained in place of escaped relatives can last up to a year, but in many cases detention is for periods ranging from several weeks to several months.

“In my family it is only me that managed to escape. When they found I’d left they put my brother in jail for a month.” 35-year-old Eritrean refugee<sup>69</sup>

Family members have also been arrested as punishment in the case of senior members of the regime who have fled the country. In late 2012, Minister of Information, Ali Abdu, defected during a business trip to Germany and fled to an unconfirmed destination. After his departure, on 23 December 2012, his father, Abdu Ahmed Younis (87)<sup>70</sup>, his brother, Hassen Abdu Ahmed, and his daughter Ciham Ali Abdu, who is 15 years old, were arrested. It is not known where any of the three are being detained. According to information received by Amnesty International, there is no news of them since their arrests, they have not been charged with an offence or brought before a judicial authority.

The arrest of family members of those who have fled the country violates international human rights law. No one may be deprived of their liberty except on grounds and according to procedures established by law.<sup>71</sup> International standards prohibit the imposition of collective punishments. The African Charter on Human and Peoples’ Rights, to which Eritrea is a party states, “Punishment is personal and can be imposed only on the offender.”<sup>72</sup> All arrests and punishment of family members in lieu of their relative are therefore illegal.

## 3. PRISONS AND DETENTION CONDITIONS

### DETENTION CENTERS

According to information from the testimonies of former detainees, refugees who formerly worked within the government or military administration, Eritrean human rights defenders in exile, and other sources, there is an extensive network of places of detention in Eritrea, run by the military, security service and civilian authorities. These include large prison facilities, smaller high security prisons, prisons within military camps, and police stations in which prisoners are held for prolonged periods. Some are well-known, some are secret, some were built specifically for purpose, some are make-shift. The exact number of detention centres in Eritrea is unknown. Some Eritrean human rights defenders in exile have estimated the number at more than 200. Amnesty International has received consistent reports that many detention centres use underground cells, and many use metal shipping containers to house prisoners. Overcrowding in detention centres is frequently reported.

According to information received by Amnesty International the military, military intelligence and police all reportedly have their own prisons. Each army division has its own prisons, some of which are in military camps, some in other locations. Many of the cases documented by Amnesty International of prisoners who were detained for practising their religion or belief, evading national service or attempting to flee the country, as well as prisoners detained for alleged infractions during national service, insubordination or attempting to desert were held in detention centres in the military camps of Sawa, Me'eter, Mai Serwa and Wi'a. The national security service is reported to have a number of prisons throughout the country, including at least three in Asmara.<sup>73</sup> The national security service is also alleged to use civilian buildings as prisons in some locations.

According to testimonies of former detainees and information received from other sources, police stations are reportedly also used to detain people for extended periods. The infamous Karchele prison is part of the 2<sup>nd</sup> police station in Asmara. Within Karchele is the 'special security section' Wenjel Mermera (meaning 'special investigation'). According to unconfirmed reports received by Amnesty International, a number of journalists and adherents of unrecognised religions are believed to be in incommunicado detention in Wenjel Mermera. Some have been detained arbitrarily for over a decade. Conditions there are reported to be particularly harsh. There is also reported to be a special security section in the 6<sup>th</sup> police station in Asmara. According to information received by Amnesty International from a range of sources, including former detainees and international religious organizations, adherents of unrecognised religions and returned asylum-seekers have reportedly been detained at 4<sup>th</sup> and 5<sup>th</sup> police stations in Asmara.<sup>74</sup> For example, two women with their young children (aged two and three years old at time of arrest) were detained in 4<sup>th</sup> police station, Asmara, for two and half years, after they were arrested during a police raid on a religious meeting in a private house in Asmara in July 2009.

High profile prisoners, such as the G15 politicians and the journalists arrested in 2001, are held incommunicado in unknown locations. Family members of many of these prisoners have told Amnesty International that they do not know the whereabouts of their relatives and have not heard from them since their arrest. The whereabouts of these prisoners have never been officially confirmed. However, there have been many unconfirmed reports from people claiming to know the whereabouts of these prisoners – from former detainees or from people who say they served as prison guards in the facilities in question. There have been a number of reports that the G15 prisoners, along with a number of the journalists arrested in 2001, and a number of other political detainees, are detained in a high security facility called Eiraeiro which was built specifically to hold them, in a remote location north of the Asmara-Massawa road. The G15 were reportedly moved there from Embatkala prison in June 2003. Eiraeiro is reported to have 62 cells, the standard measurement of which is 3 x 3 metres. The prisoners are reportedly chained and held in solitary confinement.

Many religious prisoners of conscience, including Jehovah's Witnesses and members of other Christian groups, have reportedly been detained in the military camps of Me'eter, Sawa, Mai Serwa, Wi'a and the prisons of Adi Abeto, Sembel, Mai Nefhi and Adi Nefas, as well as 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> police stations in Asmara, in addition to other locations.

People caught evading or deserting national service conscription, as well as people caught trying to flee the country have often been detained in the detention centres of Aderser, Adi Abeto, Mai Serwa, Sawa, Alla, Prima country, Track B, Tessenei, as well as many others.

### **ADI ABETO**

According to information received by Amnesty International from former detainees, family members of prisoners and Eritrean human rights defenders in exile, adherents of unrecognised religions, returned asylum seekers, conscripts and people caught trying to flee the country are often detained at Adi Abeto army prison just outside Asmara. It is also used as a transit prison, for prisoners from around the country, before they depart for other detention centres, including those of the military camps of Me'eter, Mai Serwa, Sawa and Wi'a. Numerous former detainees have described Adi Abeto as consisting of several large halls, which sometimes accommodates hundreds of people at one time. Shipping containers are reportedly used as punishment blocks in Adi Abeto. Some national service evaders have reportedly been subjected to torture. Some detainees at Adi Abeto are held incommunicado without contact with the outside world. However, some former detainees at Adi Abeto have told Amnesty International that they were permitted visitors while detained there.<sup>75</sup>

In many cases, former detainees who were arrested for evading military service or trying to flee the country, have reported that they were moved a number of times during their detention. Some were detained in up to five different detention facilities. Prisoners are transported between detention centres in trucks in large groups. Former detainees have told Amnesty International that they were transported in groups of up to as many as 175 people in one truck. Trucks are usually overcrowded and former detainees report that both the conditions and the driving are unsafe. In some cases, prisoners have reported that they were chained during transportation between detention centres. One woman told Amnesty International how she and her community buried the dead after a truck crashed near their town, whilst transporting a group of prisoners in May 2010. According to the testimony received by Amnesty International, the truck contained around 50 people who had all been arrested for attempting to flee the country.

The prisoners were chained together by their hands and feet. Only two men survived the crash and, according to the testimony, were taken to Me'eter prison.

## **ME'ETER PRISON**

Me'eter prison, within the military camp, is situated along the Red Sea coast between Karora and Massawa. According to former detainees interviewed by Amnesty International and information from religious organizations, exiled human rights defenders, as well as other sources, the prison houses a large number of prisoners of conscience and political prisoners. Numerous prisoners of conscience detained for worshipping a religion not recognised by the state – have been and continue to be detained in Me'eter, including Jehovah's Witnesses and members of other Christian groups. People caught trying to flee the country and evade national service conscription have also been arbitrarily detained in Me'eter. Due to its location Me'eter experiences very high temperatures, and treatment and detention conditions are reportedly very harsh.

None of the former detainees interviewed by Amnesty International had been given access to lawyer when they were arrested or while they were detained. In all of the cases of detentions of prisoners of conscience and political prisoners documented by Amnesty International, available information suggests that these prisoners have never been given access to a lawyer. In the very significant majority of cases of prisoners of conscience and political prisoners their families were not informed when their relative was arrested, nor of where they were being detained, according to information from families of prisoners and from other sources.

Some detainees interviewed by Amnesty International who were arrested for trying to flee the country or evade military service said that in some of the multiple facilities they were held in, they were permitted to receive visitors. Frequently, the detainees were not given the opportunity to contact relatives and had to rely on a helpful guard or the family of another prisoner to pass on a message to their families about their whereabouts. However, even in those facilities that do permit visitors, the requirement to have a movement pass to travel anywhere within the country is a significant obstacle for families to visit their relatives.

## **EXAMPLES OF THE NUMEROUS DETENTION CENTRES REGULARLY CITED IN THE CASES OF PRISONERS OF CONSCIENCE AND POLITICAL PRISONERS<sup>6</sup>**

Aderser military camp, in Gashbarkar province: people caught trying to flee the country are often detained here. Detainees are held in underground cells. Detainees are reportedly held in Aderser before being transferred to other detention centres.

Alla military camp, near Dekamhare: draft evaders, adherents of unrecognised religions and others are often detained here. Alla is reported to consist of large rooms and underground cells. Former detainees have reported being forced to undertake hard labour.

Dahlak Kebir prison on Dahlak Kebir island is notorious for its harsh conditions in very high temperatures. Many political prisoners are reported to have been detained there, including hundreds of forcibly-returned asylum seekers. The prison is reported to have a capacity for 800 prisoners, and comprises of eight large sheet metal buildings. Temperatures on the Dahlak archipelago can regularly reach 40 degrees Celsius

Mai Serwa military camp, near Asmara –draft evaders, adherents of unrecognised religions, and others are held in underground cells and shipping containers;

Sawa military training camp, near the Sudan border - regularly reported in the cases of adherents of unrecognised religions, draft evaders and people caught attempting to flee the country.

The detention centre reportedly consists of barrack blocks constructed of metal and shipping containers used as cells;

Sembel prison, Asmara – reportedly holds a number of prisoners of conscience and political prisoners, including suspected government opponents and adherents of unrecognised religions;

Track B [sometimes called Tract B] – reported in the cases of draft evaders, returned asylum-seekers, EPLF veterans, alleged armed Islamists, and people accused of forging identity documents or smuggling army deserters out of the country. The prison reportedly comprises a former US storage facility near Asmara airport;

Wi'a, south of Massawa on the Red Sea coast, reported in the cases of religious detainees, draft evaders and others. Temperatures are often over 40 degrees. Former detainees report being forced to undertake hard labour;

## TORTURE AND OTHER ILL-TREATMENT

Amnesty International has received consistent reports of treatment of detainees that may amount to torture and other cruel, inhuman or degrading treatment. Torture and other ill-treatment are reported to be widely used as punishment, interrogation, and as coercion.

Torture is reportedly used as punishment for prisoners detained for criticising the government, practising a religion not recognised by the state, attempted escape from national service or from the country, failure to perform duties during national service (even as a result of infirmity or illness), insubordination, or the escape of another prisoner.

*“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.” Former detainee in Tessenei.<sup>77</sup>*

*“One boy tried to escape from a room of 15 people. He was caught. The next day all 15 of us were very seriously beaten.” Former detainee at Alla military camp.<sup>78</sup>*

Some former detainees have told Amnesty International that they were tortured for the purposes of interrogation. This practice seems to be routine in the case of prisoners caught trying to flee the country, who are tortured as punishment, and also to extract confessions and information on their plans and arrangements for exiting the country. Former detainees told Amnesty International that during interrogation they were compelled to admit that they had intended to desert their country and were questioned about why they tried to leave, and who had assisted them to flee.

*“Everybody has to confess what he’s done. They hit me so many times. They said I [aimed] to join opposition forces in Sudan. Many people were getting disabled at that place [Indar Salaya]. During the night they would take them to a remote area, tie them up and beat them on their back.” Former prisoner detained for trying to flee the country.<sup>79</sup>*

Amnesty International received consistent reports from former detainees that torture, or the threat of torture, is also practised for punishment and interrogation in the cases of forcibly-returned asylum-seekers – those whose asylum claims lodged in other countries have been rejected or who have not been given access to asylum procedures and who are sent back to Eritrea. Returned asylum-seekers have been subjected to torture and other ill-treatment as punishment – often for deserting national service, but also for suspected criticism of the government to foreign entities in the course of trying to claim asylum. Torture is also used in these cases for the purposes of interrogation – about how the person fled and what they said against the government during their asylum proceedings.

*“They asked many questions, ‘When did you leave Eritrea? why did you leave? Where did your escape start? Did you pay money for it? How much? Who has provided you with this passport?’ They wanted to hear a lot of names: names of friends, of people who had been giving us money, whom we had been giving money as well as names of the people smugglers. They issued direct threats: ‘You betrayed your country! You are a traitor! Traitors will be punished! You have stated that Eritrea is a dictatorship during your hearings on asylum, you’ve discredited our government and this constitutes treason.’” – Former detainee on interrogation in detention.<sup>80</sup>*

*“They didn’t beat me during the interrogations but I was severely threatened: ‘You’re traitors, traitors to your own country! Beating you would be not enough, you are going to receive a worse punishment than that and you’ll deserve it’. Soon, we were nervous wrecks. We wondered: ‘What exactly do they mean by ‘a worse punishment’? Are we going to be killed?’” – detainee whose asylum claim was rejected and was forcibly-returned to Eritrea.<sup>81</sup>*

Former prisoners of conscience arrested for adherence to a religion not recognised by the state have reported that they were tortured and threatened in order to force them to deny their religion. Some religious prisoners are offered the prospect of release if they sign a declaration that they recant their beliefs and will henceforth practice an officially recognised religion. Some have reportedly also been pressurised to sign statements promising not to participate in religious activities outside the four religions recognised by the state, or to join together with others practising un-authorised religions. Detainees who refuse to recant told Amnesty International they were subjected to repeated severe beatings. According to testimonies received by Amnesty International, as well as information from international religious organisations, adherents of unrecognised religions who had been detained in various detention centres including Sawa, Me’eter, Mai Serwa and Wi’a camps said they had been tortured to force them to recant their religion.

Gospel singer Helen Berhane, a member of the Rema Church, was released in late October 2006 after more than two years in detention. She told Amnesty International she had been detained without charge or trial in Mai Serwa military camp, first in a metal shipping container and later in an underground cell. After her release, she reported that she had been severely beaten repeatedly to make her deny her religion. In September 2006 she said she

was admitted to hospital after sustaining injuries during torture. In October 2006, she was admitted to hospital in Asmara as a result of new beatings. When she was released she was unable to walk and required a wheelchair due to the injuries she sustained to her feet and legs.<sup>82</sup>

Amnesty International received consistent reports from former detainees that a common method of punishment involves prisoners 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. One of the most frequently reported positions is the 'helicopter', where the hands and feet of the victim are tied behind the back whilst lying on the ground face down, outside in desert sun, in rain or freezing cold desert nights. This is a punishment allocated for a particular number of days, the maximum reported being 55 days in the Dahlak Kebir island prison, but it is more often for one or two weeks. The prisoner is tied in this position 24 hours a day, except for two or three short breaks for meals and toilet functions.

*"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." – Former detainee in Wi'a who watched a fellow prisoner punished for collapsing during labour that detainees were forced to undertake.*<sup>83</sup>

Other reported positions include the 'otto' (eight in Italian) – in which the victim is tied with hands behind the back, face down on the ground, but without the legs tied, and left in this position for hours; and the 'ferro' (Italian for "iron"), in which the wrists are bound behind the back with metal handcuffs while the victim lies on the ground face down and is beaten with sticks or whipped with an electric wire on the back and buttocks.

*"I was accused of spying for Ethiopia [because of being of part-Ethiopian origin] and was tortured by 'ferro' method for a week." Former detainee on Dahlak Kebir island.*<sup>84</sup>

Other forms of tying are also reported to be regularly used. Many former prisoners have reported having their elbows tied together tightly behind their back, or seeing this done to other prisoners. One man told Amnesty International how he had seen a fellow prisoner and friend lose one of his hands after being tied in this way.

*"If they do something 'wrong' they tie their hands and feet together and leave them lying on their back on the sand for the whole day,"- girl on visiting her cousin detained at Wi'a punishment camp for trying to flee the country.*<sup>85</sup>

Another method often reported by former detainees, is forcing detainees to walk over sharp objects barefoot or to roll on the ground, over sharp stones and rough terrain. Sometimes prisoners are forced to strip naked before doing so.

One former detainee described being made to walk between two detention centres,

*"I had to walk barefoot for approximately 2 kilometres. It was horrible. The heat blurred my brain. I couldn't stop walking; if I had, my feet would have burned. When someone began to sway, they hit him. My feet were swollen and blistered."*<sup>86</sup>

Prisoners have often been subjected to prolonged periods of beating with whips and kicking. Amnesty International has received reports of female detainees being beaten for refusing the sexual advances of officers and prison guards. In two cases reported to the organization, this resulted in the death of the woman. According to information received by an international Christian organization, in January 2010 a Christian woman, Hana Hagos Asgedom, who had been arbitrarily detained for nearly four years for practising a religion not recognised by the state, died in Alla military camp.<sup>87</sup> She was reportedly beaten with an iron rod for refusing the sexual advances of an officer at the camp and died from a heart attack soon after.

## DETENTION CONDITIONS

*"We couldn't lie down [in the underground cell]. It's best to be standing because if you lie down, your skin remains stuck to the floor. The floor is terribly hot." Former detainee in an underground cell in Wi'a military camp.<sup>88</sup>*

All people deprived of their liberty must be treated with humanity and with respect for the inherent dignity of the human person.<sup>89</sup> The obligation to treat detainees with humanity and respect for their dignity is a fundamental and universally applicable rule, which cannot depend on the availability of material resources.<sup>90</sup> International standards set out certain specific requirements for the accommodation of prisoners, including in particular with regard to space, ventilation, sanitation and hygiene.<sup>91</sup>

However, according to Amnesty International's information, detention conditions in Eritrea violate international law and standards. Cells and other confinement spaces are generally severely overcrowded, damp and unhygienic. Food, water and sanitation are inadequate. Numerous detention centres use underground cells or metal shipping containers as cells. Many of these detention centres are in desert locations, meaning that cells underground or constructed of metal experience extreme heat during the day and extreme cold during the nights. These conditions are exacerbated by overcrowding. According to information received by Amnesty International, as described below, the conditions of detention in Eritrea are so appalling that Amnesty International considers that in themselves they amount to cruel, inhuman or degrading treatment.

*"The room was about 2.5 metres by 3 metres and we were 33 people. It is very very hot. The door is closed, the ceiling is low, about 2 metres. The temperature was about 50 degrees. A boy about 17 years old, was about to die. We were not permitted to speak, but we banged the door. They [the guards] told us they would kill all of us if we did not stop shouting. We couldn't do anything to help him." Former detainee in a detention centre in Barentu.<sup>92</sup>*

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

Metal shipping containers and underground cells are used as detention cells for all prisoners, including political prisoners, adherents of unrecognised religions, military deserters and returned asylum seekers. Metal shipping containers have reported to be used as detention

facilities, *inter alia*, at Adi Abeto, Alla, Dahlak Kebir, Mai Edaga, Mai Serwa, Sawa, Wi'a, and many other prisons.

*"Mai Sirwa, in central province – this was the worst – I was in a container, we were 17 people, we were allowed out to the bathroom washroom twice a day. There was one very small window approx 10 inches by 8 inches. In hot season it was very very hot, in the cold season it was very cold." Former detainee held in five different detention centres during 2 years' arbitrary detention for trying to flee the country.*<sup>93</sup>

Underground cells have been reported to Amnesty International to be in use at Aderser, Alla, Mai Serwa, Tessenei, Track B, Wi'a, among other locations.

## **UNDERGROUND DETENTION – THE TESTIMONY OF A FORMER DETAINEE AT WI'A PRISON CAMP**

"The prison consisted of an underground cell. It was pitch-dark. They pushed us into the room – a former cistern originally created for the water supply. At the beginning, I could hardly move until my eyes adjusted to the dark. Little by little, I felt my way around. 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 people crowded in the room were weak, blistered and wounded.

We couldn't lie down. It's best to be standing because if you lie down, your skin remains stuck to the floor. 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. Sometimes, it was better to stay down than to get out. In this situation, many prisoners tried to escape. They knew right from the start that they had no chance but they preferred a fast death to such a miserable one. Particularly newcomers who were physically still fairly strong tried to escape.

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. Sometimes, when your body got too weak, you fell to the ground – if you were lucky. If not, you landed on top of another person's body."

- Former detainee at Wi'a, detained for attempting to claim asylum abroad<sup>94</sup>

Overcrowding is so common that detainees have a particular name given to the style of sleeping in detention – ‘cortielo’, in which detainees line up on their sides, without moving to avoid disturbing their neighbours.

*“We were forced to sleep on one side, we didn’t have room to spread out, we call it cortielo” Eritrean refugee, formerly detained at Alla military camp.<sup>95</sup>*

Conditions in purpose built detention cells are also reported to be very poor. Prison cells – either brick, metal, underground or shipping container, are not provided with any furniture or bedding.

*“The cells were terrifying. The size of the room was 3 x 2.5m. Due to the winter season, it was extremely cold. From 6 pm, the light was switched on all night long. There were no blankets or beds, only the concrete floor. It didn’t take long until we were shaking all over.” Former detainee in 5<sup>th</sup> police station Asmara.<sup>96</sup>*

Food given to detainees is minimal and of very poor quality. Food rations vary according to detention centre but many former detainees told Amnesty International the rations consist of bread once or twice a day, and in some prisons, plain lentils (ades) once a day. Some former detainees have reported that they only received a small amount of bread once a day. Detainees also receive limited drinking water, despite the high temperatures in many detention locations. Former detainees also report that the water they are given is often unclean. Detainees are also severely restricted in their access to facilities and water to wash. Former detainees have reported being permitted to wash once every two to three weeks. Many centres lack adequate toilet facilities, and detainees are restricted in their access to those that are provided.

*“We were given only a few minutes to defecate. They took us 40 people at a time guarded on all sides. We were lined up in 4 columns, with soldiers on each side. Starting at 6am, they have to get all 400 people to defecate and back, by 7am. If you are slow you will be beaten.” Former detainee at Alla military camp.<sup>97</sup>*

Because of appalling conditions, inadequate sanitation and food and drinking water of insufficient amounts and quality, illness and disease are reported to be widespread. Infectious diseases spread rapidly among prisoners. Many former detainees have reported the prevalence of diarrhoea among prisoners.

*“Because of food and contamination there was a big diarrhoea problem. There were people who were sick with diarrhoea for 4 months, with blood coming out”.<sup>98</sup> Former detainee*

In prisons where detainees are permitted to receive visitors, relatives can bring food to supplement the inadequate rations, clothes, bedding and other things that prisoners lack. However, even in cases where visitors are permitted and detainees can make contact with their families, many detainees are held in locations far from their homes. As it is prohibited to travel around the country without a movement pass, this can make it very difficult for families to visit their detained relatives.

Medical treatment is generally unavailable. Several people interviewed by Amnesty International who had been detained said that they were denied access to medical care as well as vital medication while they were in detention, or had witness other detainees being denied medical care. Detainees in advanced stages of illness have reportedly been denied medical treatment, according to the testimonies of former detainees, as well as the accounts of people who claim to have formerly acted as guards in detention centres.<sup>99</sup> However, occasionally detainees are admitted to hospitals. In July 2012 it was reported that Petros Solomon, a member of the G15 and former national Minister of Foreign Affairs and Minister of Maritime Resources, who has been arbitrarily detained since 2001, had been admitted to hospital in Asmara due to a serious illness. However, adequate medical care was reported to be unavailable in Eritrea and his subsequent fate is unknown. It was also reported in 2012 that journalist Yirgalem Fisseha Mebrahtu, arbitrarily detained since February 2009, was admitted to hospital in January, under permanent guard and with no visitors permitted. Her family was not told why she had been admitted.

Detainees in a number of prison camps are forced to do hard labour as a punishment. Former detainees told Amnesty International they were forced to work as agricultural labour, for example in Mai Edaga and Wi'a camps, labouring breaking stones for road building, for example at Alla camp; and construction work in a number of locations including Dahlak Kebir island.

While the ICCPR states that the prohibition on forced labour does not preclude hard labour imposed as punishment for a crime in pursuance of a sentence imposed by a competent court, this exception does not apply where detainees are arbitrarily detained without trial and with no judicial oversight of detention, and punishments are not imposed as part of a sentence by an independent and impartial court. The requirement for prisoners in Eritrea to carry out forced labour as a punishment, like the detention itself, violates international law.

*"In Chegarit we were forced to do hard agricultural labour though the ground was very unfertile. We were made to do it barefoot as a punishment." Former detainee arrested for desertion<sup>100</sup>*

*"We did hard labour – building houses, carrying goods off boats, cleaning soldiers' quarters, from about 8am to 2pm each day." Former detainee on Dahlak Kebir island, arrested for suspected opposition to the government<sup>101</sup>*

## DEATHS IN DETENTION

Amnesty International has received multiple reports of deaths in detention as a result of torture and other ill-treatment, harsh conditions in detention including extreme heat in underground cells and shipping containers, or as a result of lack of medical care for treatable diseases, including malaria. Other prisoners have reportedly died as a result of illnesses caused by inadequate food and sanitation.

There is no transparency, and no process of officially informing families of the death of a relative in detention. However, occasionally information is leaked through friendly guards, by bribery, due to hospital admissions or from released prisoners. The government of Eritrea continually refuses to confirm or deny these reports, or to provide information on the whereabouts or health of prisoners.

There are unconfirmed reports that nine of the eleven G15 prisoners have died in detention from a range of illnesses.<sup>102</sup> A number of the journalists arrested alongside the G15 in 2001 are also reported to have died in detention, including Dawit Habtemichael, Matthew Habteab, Sahle Tsegazab, Fessahaye (“Joshua”) Yohannes, Medhanie Haile, Said Abdulkadir and Yosuf Mohamed Ali. The government refuses to confirm or deny any of these reports.<sup>103</sup>

A number of religious detainees have also reportedly died in detention, according to information from international religious organisations and websites. In October 2008, Teklesenbet Gebreab Kiflom, was reported to have died in Wi’a prison camp, after prison officials refused to provide him with medical treatment for malaria.<sup>104</sup> Senait Oqbazgi Habta, a 28-year-old woman, reportedly died in April 2010 at the Sawa Military Training Centre.<sup>105</sup> She had been detained for approximately two years for attending a Bible study group. She had reportedly been detained in a shipping container and denied medication for malaria and anaemia. In August 2012, Yohannes Haile, a Jehovah’s Witness detained since September 2008, reportedly died at Me’eter prison from the effects of extreme heat after being confined underground since October 2011.<sup>106</sup>

In a small number of cases, families are called to come and collect the body of their relative, according to testimonies received by Amnesty International. In some instances the bodies have exhibited signs of torture or other ill-treatment.

*“They took him to military barracks. He died after around 4 months, the police told us he had gone into a coma. When I went to collect his body, his left eye was very damaged. His legs had wounds all over them. Like they had been bleeding. Parts of his legs were black.” The brother of a suspected political opponent who was arrested in 2001.<sup>107</sup>*

Amnesty International has received a number of reports of prisoners committing suicide or attempting to do so.

Due to the complete absence of transparency over detention practices, lack of independent monitoring, and the authorities’ refusal to confirm reports of deaths in detention, it is not possible to know how many detainees have died in arbitrary detention in Eritrea’s prisons.

## 4. RECOMMENDATIONS

Amnesty International urges President Isaias Afewerki and the government of Eritrea to immediately bring an end to arbitrary detention, secret detention, incommunicado detention, and enforced disappearance; to release all prisoners of conscience; and to bring an end to practices amounting to forced labour within the context of national service conscription. More generally Amnesty International urges President Isaias Afewerki and the government of Eritrea to ensure that Eritrea complies with its obligations under international law as set out in the human rights treaties which Eritrea has ratified, and corresponding provisions in the Constitution of Eritrea, which was ratified in 1997, but which to date has not been implemented.

Amnesty International urges the government of Eritrea to take the following minimum steps without delay with a view to bringing an end to these violations and ensuring that people in Eritrea are able to exercise the rights which Eritrea has pledged to respect and protect under the treaties it has ratified, and to which they are entitled under these treaties and the Universal Declaration of Human Rights.

### **Arrest and detention**

- Bring an immediate end to the unlawful practices of arbitrary detention without charge or trial, incommunicado detention without access to the outside world, and detention in secret detention centres.
  
- Immediately and unconditionally release all prisoners of conscience – those detained because of their peaceful exercise of their rights to freedom of expression or freedom of thought, conscience, religion or belief, including because of their peaceful opposition to the government, or because of their identity as a family member of someone who has refused conscription or fled the country.
  
- Ensure that any detainee suspected of a recognizable criminal offence is promptly charged and tried within a reasonable time in a fair and public trial which complies with international fair trial standards; where such proceedings do not take place within a reasonable time detainees should be released pending trial, in particular those who have to date been detained for a prolonged period without charge.
  
- Immediately provide detainees' families with information on their whereabouts and fate, including their current health status or official confirmation of any death in custody. In the latter case there must be an independent and impartial investigation into the death in order to establish the facts with a view to ensuring that those responsible are held accountable, with the families afforded reparation, including compensation.
  
- No one should be held in secret detention or in a place which is not an officially recognised place of detention. Up to date lists of all officially recognized places of detention must be made public.

- An up to date register of detainees must be maintained in all places of detention and centrally. The information in such registers must be made available to courts and other competent authorities, detainee's families and lawyers, and others with a legitimate interest in the information.

Ensure that anyone who is detained:

- is able without delay to inform, or have the authorities notify, their family or another third party of their detention, including information on the place of detention, and any transfers;
- is given prompt access to family members, including the right to receive visits, and to a lawyer of their choice, with whom they must be able to communicate in private, and to medical care;
- is brought promptly before a judicial or other authority whose status and tenure afford the strongest possible guarantees of competence, impartiality and independence, and is able to challenge the lawfulness of their detention before a court at the outset or at any time thereafter and to have the lawfulness of their detention reviewed by a court or other authority at reasonable intervals;

#### **Torture and other ill-treatment and detention conditions**

- Ensure that all detainees are treated humanely and in accordance with international human rights standards, particularly the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and the UN Standard Minimum Rules for the Treatment of Prisoners.
- Provide all detainees with adequate shelter, food and clean drinking water, and sanitation facilities, and access to medical care.
- Bring an immediate end to the practice of holding prisoners in metal shipping containers and underground cells.
- Ensure that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment. In particular bring an immediate end to tying of detainees (for example in the "helicopter" torture technique) as a punishment or as a method of interrogation.
- Ensure that all allegations of torture or other ill-treatment are promptly, impartially, thoroughly and effectively investigated in a way which is capable of leading to the identification and punishment of those responsible; perpetrators must be prosecuted in proceedings which comply with international fair trial standards and, irrespective of whether perpetrators are identified, victims must receive reparation, including rehabilitation and compensation.
- Open all prisons and other places of detention to inspection by appropriate independent monitoring bodies.

### **Conscription for national service**

- Make provision for conscientious objectors to military service.
- Bring an end to practices amounting to forced labour within the context of indefinite conscription for national service.

### **Compliance with international human rights obligations**

- Amnesty International underlines that with respect to all its human rights obligations, including those referred to above, the President and Government of Eritrea must institute reforms and practices to ensure that Eritrea complies with those obligations and to ensure that human rights are respected and protected by the government and enjoyed by all individuals in Eritrea;
- The government should comply with its obligations to report to the bodies responsible for monitoring implementation of the international human rights treaties to which Eritrea is a party. It should respond positively to any requests for information made by UN independent experts, including the Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression, and on freedom of religion or belief, and the recently-created Special Rapporteur on the situation of human rights in Eritrea, and extend invitations to those independent experts to visit Eritrea.

## ENDNOTES

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<sup>1</sup> Amnesty International interview with Eritrean refugee 20 year-old Eritrean (in exile), whose father, a pastor, was arrested for practising a religion not recognised by the state., name withheld, Kenya, September 2012

<sup>2</sup> See p.25 - People evading or deserting national service conscription

<sup>3</sup> Other international and regional human rights treaties to which Eritrea is a party include: UN Convention on the Rights of the Child (1994), [ADD ALSO CRC-OPAC] UN Convention on the Elimination of all Forms of Discrimination against Women (1995), International Convention on the Elimination of All Forms of Racial Discrimination (2001), and the African Charter on the Rights and Welfare of the Child (1999).

<sup>4</sup> Adopted by UN General Assembly resolution 43/173 of 9 December 1988.

<sup>5</sup> Adopted by the First UN Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955, and approved by the UN Economic and Social Council (ECOSOC) by its resolution 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977.

<sup>6</sup> Adopted by the African Commission on Human and Peoples' Rights 24 October, 2011

<sup>7</sup> Amnesty International interview, name withheld, Uganda, April 2011

<sup>8</sup> See for example, Amnesty International, Eritrea: Religious Persecution, <http://www.amnesty.org/en/library/asset/AFR64/013/2005/en/62b61e58-d499-11dd-8a23-d58a49c0d652/af640132005en.pdf>; Amnesty International, Eritrea: 'You have no right to ask' (2004), <http://www.amnesty.org/en/library/asset/AFR64/003/2004/en/d5063e29-d5f6-11dd-bb24-1fb85fe8fa05/af640032004en.pdf>; Eritrea: Over 500 parents of conscripts arrested, (2006), <http://www.amnesty.org/en/library/asset/AFR64/015/2006/en/dff76264-d3c6-11dd-8743-d305bea2b2c7/af640152006en.pdf>, Amnesty International: Eritrea – Risk of Torture (2008), <http://www.amnesty.org/en/library/asset/AFR64/005/2008/en/f358f6b0-7d8c-11dd-8e5e-43ea85d15a69/af640052008en.pdf>

<sup>9</sup> See p. 21 – only four religions are approved by the state

<sup>10</sup> National service conscription is indefinite. Due to its indefinite, involuntary nature with low pay, it constitutes systematic forced labour - see p. 25

<sup>11</sup> Article 9(1), International Covenant on Civil and Political Rights, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

<sup>12</sup> Article 9(2,3 and 4), International Covenant on Civil and Political Rights, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

<sup>13</sup> The International Convention for the Protection of All Persons from Enforced Disappearance defines enforced disappearance as “the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law” - <http://www.ohchr.org/EN/HRBodies/CED/Pages/ConventionCED.aspx>

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<sup>14</sup> As he was never charged it is believed this was the reason for his arrest based on unconfirmed reports received by Amnesty International from individuals in Eritrea at the time of his arrest

<sup>15</sup> See p. 36

<sup>16</sup> A small number of international humanitarian agencies still operate in Eritrea. Humanitarian workers who formerly worked in Eritrea have told Amnesty International that it is necessary to remain silent about human rights violations in order to continue to deliver humanitarian and development aid.

<sup>17</sup> In at least one reported incident, an Eritrean official also attempted to do this outside the country. In February 2013, two daughters of Seyoum Tsehaye, a journalist held incommunicado in arbitrary indefinite detention since 2001 (see below), went to the Eritrean embassy in Paris where they live in exile to ask what happened to their father. The Eritrean Ambassador called the police. The police took no action.

<sup>18</sup> Amnesty International interview, Bisrat Fissehatsion, September 2011, see <http://www.youtube.com/watch?v=rqFi4sirZwE>

<sup>19</sup> See Amnesty International, Eritrea: Religious Persecution (2005), <http://www.amnesty.org/en/library/asset/AFR64/013/2005/en/65c8dccd-d499-11dd-8a23-d58a49c0d652/afr640132005en.html>

<sup>20</sup> See p.19 – Journalists

<sup>21</sup> Particularly, an Eritrean refugee who fled the country in 2010 reported that he had acted as a guard at Eiraeiro and had information on the deaths of G15 members. See for example, <http://www.youtube.com/watch?v=fEs28Pwotz4> and <http://www.youtube.com/watch?v=7hXjNTNJ5g4>

<sup>22</sup> See Amnesty International, Eritrea: 'You have no right to ask' - Government resists scrutiny on human rights (2004), <http://www.amnesty.org/en/library/info/AFR64/003/2004/en>

<sup>23</sup> According to information from Eritrean human rights defenders in exile

<sup>24</sup> See Amnesty International, Eritrea: 'You have no right to ask' - Government resists scrutiny on human rights (2004), <http://www.amnesty.org/en/library/info/AFR64/003/2004/en>. Abdulrahman Ahmed Younis was re-arrested in 2013 – see p.32 – Punishment of family members of those who have fled the country

<sup>25</sup> According to the former director of a humanitarian organisation in Eritrea, only four organisations remained in the country by August 2009 – Lutheran World Federation, Norwegian Church Aid, Catholic Relief Service and Oxfam Great Britain

<sup>26</sup> The US State Department, 2008 Human Rights Report, <http://www.state.gov/j/drl/rls/hrrpt/2008/af/119000.htm>

<sup>27</sup> See for example <http://awate.com/wikileaks-reprisal-senay-kifleyesus-arrested-corrected/>

<sup>28</sup> See: <http://wikileaks.org/cable/2009/04/09ASMARA140.html>

<sup>29</sup> Two leading press freedom organizations the Committee to Protect Journalists and Reporters without Borders both report that 28 journalists are detained in Eritrea. However, the two organizations cite different cases among the 28. Amnesty International also has information on other cases of journalists' arrests in which it has not been possible to establish whether the individual was subsequently released, due to the major obstacles and restrictions placed on freedom of expression and exchange of information in Eritrea. Therefore, the number of journalists in detention could be higher.

<sup>30</sup> According to the global research of the Committee to Protect Journalists

<http://cpj.org/2013/02/attacks-on-the-press-in-2012-eritrea.php>

<sup>31</sup> See Amnesty International, Eritrea: 'You have no right to ask' – Government resists scrutiny on human rights (2004), <http://www.amnesty.org/en/library/info/AFR64/003/2004/en>

<sup>32</sup> Based on information from Reporters Without Borders, see for example [http://en.rsf.org/eritrea-plea-to-eu-to-suspend-development-06-03-2009\\_30491.html](http://en.rsf.org/eritrea-plea-to-eu-to-suspend-development-06-03-2009_30491.html)

<sup>33</sup> See Reporters Without Borders, [http://en.rsf.org/erythree-detained-eritrean-journalist-06-04-2012\\_42276.html](http://en.rsf.org/erythree-detained-eritrean-journalist-06-04-2012_42276.html)

<sup>34</sup> See Reporters Without Borders, [http://en.rsf.org/eritrea-three-journalists-held-since-2001-30-08-2012\\_43298.html](http://en.rsf.org/eritrea-three-journalists-held-since-2001-30-08-2012_43298.html)

<sup>35</sup> Amnesty International interview with an Eritrean refugee who told AI that her uncle, a member of the Full Baptist Church, was arrested while praying with other people at his house in 2005, Kenya, September 2012

<sup>36</sup> For more detail see Amnesty International report 'Eritrea: Religious Persecution' (2005) <http://www.amnesty.org/en/library/asset/AFR64/013/2005/en/65c8dccc-d499-11dd-8a23-d58a49c0d652/afr640132005en.html>

<sup>37</sup> For example Open Doors International (<http://www.opendoors.org/>), and the European Association of Jehovah's Christian Witnesses (in reports on file with Amnesty International)

<sup>38</sup> See for example Christian Solidarity Worldwide - <http://www.csw.org.uk/cryfreedomeritrea.htm> or Open Doors International - <http://blog.opendoorsusa.org/blog/?Tag=Eritrea>;

<sup>39</sup> See p.39 – Detention conditions

<sup>40</sup> See p.36 – Torture and other ill-treatment

<sup>41</sup> Information in the following section is based on interviews with refugees, including former conscripts, draft evaders, and parents and spouses of conscripts, as well as information from academics, Eritrean human rights defenders in exile and other sources

<sup>42</sup> The right to conscientious objection to military service is recognised under international law as deriving from the right to freedom of thought, conscience and religion or belief, under Article 18 of the International Covenant on Civil and Political Rights (ICCPR). Accordingly states must make provision for conscientious objectors and must, if conscientious objectors are not entirely exempted from military service, ensure the availability of alternative non-punitive civilian service.

<sup>43</sup> Article 2, Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACRC.aspx>

<sup>44</sup> [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11-b&chapter=4&lang=en#EndDec](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&lang=en#EndDec)

<sup>45</sup> Amnesty International interview, name withheld, Kenya, September 2012

<sup>46</sup> Article 6(1), International Covenant on Economic, Social and Cultural Rights; Article 8(3) International Covenant on Civil and Political Rights; see also Committee on Economic, Social and Cultural Rights, General Comment 18, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G06/403/13/PDF/G0640313.pdf?OpenElement>

<sup>47</sup> International Labour Organisation, Forced Labour Convention (C29), 1930; and Abolition of Forced Labour Convention (C105), 1957

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<sup>48</sup> International Labour Organization, Committee of Experts on the Application of Conventions and Recommendations (*CEACR*), Comments on Eritrea adopted 2010, [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2337201:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2337201:NO)

<sup>49</sup> See p.32 – Punishment of family members of those who have fled the country

<sup>50</sup> See for example, Amnesty International, Eritrea – Fear of Torture/Incommunicado detention /arbitrary killings: Thousands of people held at Adi Abeto army prison (2004), <http://www.amnesty.org/en/library/info/AFR64/008/2004/en>

<sup>51</sup> See p.36 – Torture and other ill-treatment

<sup>52</sup> See p.32 - Punishment of family members of those who have fled the country

<sup>53</sup> See p.30 – Returned asylum seekers

<sup>54</sup> Amnesty International interview, Egypt, July 2011

<sup>55</sup> Articles 11 & 12, International Covenant on Civil and Political rights, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

<sup>56</sup> Amnesty International has interviewed asylum-seekers and refugees in, *inter alia*, Egypt, Kenya, Israel and Uganda, who had succeeded in fleeing the country on the second, or even third, attempt, but in earlier attempts had been caught and subjected to arbitrary arrest and detention without charge

<sup>57</sup> The interviewee believed that Chegarit detention centre was no longer in use

<sup>58</sup> Amnesty International interview, name withheld, Egypt, July 2011

<sup>59</sup> Amnesty International interview, name withheld, Kenya, September 2012

<sup>60</sup> Amnesty International interview, name withheld, Kenya, September 2012

<sup>61</sup> See p.36 - Torture and other ill-treatment

<sup>62</sup> See p.36 – Torture and other ill-treatment

<sup>63</sup> According to Amnesty International's monitoring, in the last ten years asylum-seekers have been forcibly returned to Eritrea from, *inter alia*, Egypt, Germany, Israel, Libya, Malta, Sweden, Sudan, the United Kingdom

<sup>64</sup> See p.36 – Torture and other ill-treatment

<sup>65</sup> See Amnesty International, Eritrea – Urgent Action: Fear of arbitrary arrest /fear of torture /ill-treatment/incommunicado detention, (2008), <http://www.amnesty.org/en/library/asset/AFR64/003/2008/en/38e678bf-3ed4-11dd-9656-05931d46f27f/afr640032008eng.pdf>

<sup>66</sup> Amnesty International, Eritrean asylum-seekers deported from Egypt, (2008), <http://www.amnesty.org/en/news-and-updates/eritrean-asylum-seekers-deported-egypt-20081224>

<sup>67</sup> Amnesty International, Eritrea – Urgent Action: Forcible return, torture and other ill-treatment (2009) <http://www.amnesty.org/en/library/asset/MDE12/001/2009/en/302a677a-ec5a-11dd-ab50-472a8908d373/mde120012009en.pdf>

<sup>68</sup> Amnesty International interview, name withheld, Uganda April 2011

<sup>69</sup> Amnesty International interview, name withheld, Uganda, April 2011

<sup>70</sup> Abdulrahman Ahmed Younis was previously arrested in October 2001, when a group of high profile elders tried to mediate in the feud between the President and the G15 – a group of high profile politicians who were arrested in September 2001 after they published an open letter to the President calling for reform and democratic dialogue. Abdulrahman was detained arbitrarily, without being charged with a crime. He was released four years later. See p.14 - Suspected and actual political opponents

<sup>71</sup> Article 9, International Covenant on Civil and Political Rights ,  
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

<sup>72</sup> Article 7(2), African Charter on Human and Peoples Rights,  
<http://www.achpr.org/instruments/achpr/#a7>

<sup>73</sup> See Amnesty International, Eritrea: 'You have no right to ask' (2004),  
<http://www.amnesty.org/en/library/asset/AFR64/003/2004/en/d5063e29-d5f6-11dd-bb24-1fb85fe8fa05/afr640032004en.pdf>

<sup>74</sup> See for example Amnesty International, Eritrea: Religious Persecution (2005),  
<http://www.amnesty.org/en/library/info/AFR64/013/2005/en>

<sup>75</sup> Amnesty International interviews, names withheld, Kenya, September, 2012

<sup>76</sup> This information is based descriptions given to Amnesty International by people whose relatives had been arrested and detained, or who had themselves been arrested and detained

<sup>77</sup> Amnesty International interview, name withheld, Kenya, September 2012

<sup>78</sup> Amnesty International interview, name withheld, Uganda, April 2011

<sup>79</sup> Amnesty International interview, name withheld, Uganda, April 2011

<sup>80</sup> Amnesty International interview, name withheld, Germany, 2010

<sup>81</sup> Amnesty International interview, name and location withheld, 2010

<sup>82</sup> See Amnesty International, Eritrea: Gospel singer Helen Berhane released (2006),  
<http://www.amnesty.org/en/library/asset/AFR64/014/2006/en/9e3b11bf-d3dc-11dd-8743-d305bea2b2c7/afr640142006en.html>

<sup>83</sup> Amnesty International interview, name withheld, Uganda, April 2011

<sup>84</sup> Amnesty International, Eritrea: 'You have no right to ask' (2004),  
<http://www.amnesty.org/en/library/asset/AFR64/003/2004/en/d5063e29-d5f6-11dd-bb24-1fb85fe8fa05/afr640032004en.pdf>

<sup>85</sup> Amnesty International interview, name withheld, Kenya, September 2012

<sup>86</sup> Amnesty International interview, name withheld and location withheld, 2010

<sup>87</sup> <http://www.christiantelegraph.com/issue8475.html>

<sup>88</sup> Amnesty International interview, name withheld and location withheld, 2010

<sup>89</sup> Article 10, International Covenant on Civil and Political Rights,  
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

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<sup>90</sup> Human Rights Committee General Comment 21, concerning humane treatment of persons deprived of liberty, para. 4,

[http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/3327552b9511fb98c12563ed004cbe59?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/3327552b9511fb98c12563ed004cbe59?Opendocument)

<sup>91</sup> Particularly, the United Nations Standard Minimum Rules for the Treatment of Prisoners,

[http://www.unodc.org/pdf/criminal\\_justice/UN\\_Standard\\_Minimum\\_Rules\\_for\\_the\\_Treatment\\_of\\_Prisoners.pdf](http://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf)

<sup>92</sup> Amnesty International interview, name withheld, Uganda, April 2011

<sup>93</sup> Amnesty International interview, name withheld, Kenya, September, 2012

<sup>94</sup> Amnesty International interview, name and date withheld, 2010

<sup>95</sup> Amnesty International interview, name withheld, Uganda, April 2011

<sup>96</sup> Amnesty International interview, name and location withheld, 2010

<sup>97</sup> Amnesty International interview, name withheld, Uganda, April 2011

<sup>98</sup> Amnesty International interview, name withheld, Uganda, April 2011

<sup>99</sup> As reported by Eritrean human rights defenders in exile, see for example <http://hrc-eritrea.org/?cat=3>

<sup>100</sup> Amnesty International interview, name withheld, Egypt, July 2011

<sup>101</sup> Amnesty International, Amnesty International, Eritrea: 'You have no right to ask' (2004),

<http://www.amnesty.org/en/library/asset/AFR64/003/2004/en/d5063e29-d5f6-11dd-bb24-1fb85fe8fa05/afr640032004en.pdf>

<sup>102</sup> Based on the testimonies of Eritreans in exile who have reported that before fleeing the country they acted as guards in detention centres housing the politicians and journalists. See for example,

<http://www.youtube.com/watch?v=fEs28Pwotz4> and <http://www.youtube.com/watch?v=7hXjNTNJ5g4>

<sup>103</sup> See Reporters Without Borders, <http://en.rsf.org/eritrea-three-journalists-held-since-2001-30-08-2012.43298.html>

<sup>104</sup> <http://www.worthynews.com/3079-eritrea-christian-killed-in-military-camp>

<sup>105</sup> <http://www.persecution.net/er-2010-05-06.htm>

<sup>106</sup> Information reported to Amnesty International from the European Association of Jehovah's Christian Witnesses

<sup>107</sup> Amnesty International telephone interview, name withheld, November 2008



