

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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Plagued by famine and heightened tensions with Ethiopia over their joint border, Eritrea has remained a highly repressive state in which dissent is suppressed and nongovernmental political, civic, social, and minority religious institutions are largely forbidden to function.

#### ***Suppression of Political Dissent and Opinion Arbitrary Arrest and Illegal Detention***

Eritrea is a one-party state. No political party other than the Peoples Front for Democracy and Justice (PFDJ) is allowed to exist. No group larger than seven is allowed to assemble without government approval. No national elections have been held since Eritrea won its independence from Ethiopia in 1993. Elections were canceled in 1997 because of a border war with Ethiopia. They were canceled again in 2001, two years after the war ended. They remain unscheduled. Regional non-partisan assembly elections were held in 2004 but the offices involved have little power.

The government has refused to implement the 1997 constitution, drafted by a constitutional assembly and ratified by referendum, that respects civil and political rights. The constitution contains restraints on the arbitrary use of power. It provides for writs of habeas corpus, the rights of prisoners to have the validity of their detention decided by a court, and fair and public trials. The constitution protects freedom of the press, speech, and peaceful assembly. It authorizes the right to form political organizations. It allows every Eritrean to practice any religion.

Many individuals arrested in 2001 and many of those arrested since are held incommunicado in secret detention sites. In September 18, 2001, the government arrested eleven leaders of the PFDJ after release of a letter they sent to President Issayas Afewerki, criticizing his leadership and asking for democratic reform, including implementation of the 1997 constitution. At the same time, the government arrested publishers, editors, and reporters and closed all nongovernmental newspapers and magazines. In the years since, the government has arrested scores of Eritreans because of their ties to the dissidents, their perceived political views, or their deviation from government dogma.

Although President Issayas has called the detainees traitors and spies, the government has been unwilling to bring them to trial or to accord them any semblance of due process. Under the Eritrean penal code, detainees should not be held for over thirty days without charges. In late 2003, the African Commission held Eritrea to be in violation of Articles 2, 6, 7(1), and 9(2) of the African Charter on Human and Peoples Rights and urged the immediate release of the eleven political leaders arrested in 2001.

Arbitrary arrests and prolonged imprisonment without trial have not been limited to political leaders and the press. The government detains about 350 refugees who fled Eritrea but were involuntarily repatriated in 2002 (from Malta) and in 2004 (from Libya). They are held incommunicado in detention centers on the Red Sea coast and in the Dahlak islands. Faced with the grim prospect of incommunicado detention and torture, a planeload of 75 Eritreans being forcibly returned to Eritrea from Libya commandeered their Libyan transport and forced it to land in Sudan.

Since the closing of the private press in 2001, the government has maintained a monopoly on access to information. In 2003, the government posted guards to prohibit access to two information centers operated by the United Nations Mission to Ethiopia and Eritrea

(UNMEE). It then asked UNMEE to close both centers on the grounds that they were unnecessary and that some of their materials were not suitable for young children. In 2004 the government expelled the British Broadcasting Corporation correspondent, the sole resident foreign journalist.

In 2004, as part of its campaign to isolate its citizens and to prevent the flow of information, the government placed all Internet cafes under government supervision, thereby controlling access. The government claimed that it was acting to protect Internet users and to prevent access to pornographic sites. The government also imposed travel restrictions on foreign diplomats, requiring government approval for travel outside Asmara. It prevented UNMEE from using the most accessible route to service its observers and troops in central and western Eritrea along the border with Ethiopia, a road that passes through urban centers and could bring Eritreans into contact with the outside world.

### ***Suppression of Minority Religions***

Members of Pentecostal Christian churches have been arrested for possession of bibles or for communal worship. The government closed all religious institutions in May 2002 except for those affiliated with the Eritrean Orthodox, Roman Catholic, and Eritrean Evangelical (Lutheran) churches and Moslem mosques. At the end of 2004, there were reliable reports that over 300 members of unrecognized churches were incarcerated. Many of those arrested were beaten or otherwise tortured during their arrest or while in captivity. Jehovahs Witnesses have been especially mistreated. Some have been detained for a decade for refusing to participate in national service even though the official penalty is incarceration for no more than three years. In September 2004, the United States designated Eritrea as a country of particular concern for its intolerance and mistreatment of adherents of minority religions. The Eritrean government defended its practices on the ground that the unrecognized churches had failed to register, but the United States State Department report noted that some of the religious groups had applied for registration in 2002 and that the government had issued no registration permits since the registration regime was imposed.

### ***Compulsory Military Service***

All Eritreans between the ages of eighteen and forty-five must perform two years of compulsory national service. In practice, however, the time for service is repeatedly prolonged. There are frequent sweeps to round up evaders. During a massive roundup in November 2004, security forces shot into hundreds of detainees being held in an overcrowded military prison camp (Adi Abeito) near Asmara, killing as many as twenty and injuring dozens more, after some detainees managed to collapse part of the compound wall. The government often uses national service as retribution for perceived criticism of government policies. Those accused of evading service are frequently tortured.

### ***Prison Conditions and Torture***

Due to the volume of arrests, prisoners are often held in improvised cargo containers. At Aderser, near Sawa, prisoners are held in underground cells. At least six high school students were also reported incarcerated in solitary confinement in underground cells at Sawa in 2003. In addition to psychological abuse, escapees report the use of physical torture at some prisons. Prisoners have been suspended from trees, arms tied behind their backs, a technique known as almaz (diamond). Prisoners have also been placed face down, hands tied to feet, a torture known as the helicopter. Prison visits by international human rights organizations are prohibited.

### ***Relations with Ethiopia***

The 1998-2000 war with Ethiopia ended with an armistice agreement by which Eritrea and Ethiopia agreed to binding arbitration of their border. In 2003, Ethiopia announced that it rejected the decision of the independent boundary commission, largely because it awarded the village of Badme, the flashpoint for the war, to Eritrea. (See Ethiopia). The Eritrean government uses the possibility of renewed conflict as a justification for postponing elections and for prolonging national service. Eritrea has increasingly lashed out against the international community for not compelling Ethiopia to implement the border commission decision. Throughout 2004, it adamantly refused to meet with the special envoy appointed by the U.N. Secretary General to attempt to resolve the border impasse.

### ***Key International Actors***

UNMEE maintains just under four thousand troops along the twenty-five-kilometer-wide armistice buffer line between the two countries. In September 2004 the Security Council voted to extend UNMEEs mandate through March 2005.

The international community's assistance consists of food and other humanitarian assistance. Because of Eritrea's woeful human rights record, it receives little in other types of assistance. The European Union (E.U.) announced in 2003 that it would provide Eritrea an unstated sum under the European Initiative for Democracy and Human Rights, in addition to a 96 million five-year aid package (until 2007) for social and economic development. The E.U. said that its assistance would depend on the government's willingness to improve civil liberties.

The United States has withheld non-humanitarian assistance, largely because Eritrea has refused to release two American Embassy local employees arrested in 2001. (After three years, no charges have been filed against them.) While the official U.S. position is one of keeping its distance, U.S. defense department officials, including the secretary of defense, frequently praise the Eritrean government for its support in fighting terrorism.

Human Rights Watch defends the rights of people in 90 countries worldwide, spotlighting abuses and bringing perpetrators to justice

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