**Statement of the Special Rapporteur on the situation of human rights situation in Eritrea, Mr Mohamed Abdelsalam Babiker**

**50th Session of the Human Rights Council**

**Interactive Dialogue on Eritrea**

**13 June 2022**

Mister Vice-President, Excellencies, Ladies and Gentlemen,

It is my honour to be here today to present my report to the Council on the situation of human rights in Eritrea. The report covers the period from 29 April 2021 to 22 April 2022, and focuses on the latest developments on central human rights issues.

Excellencies, since I started my mandate in November 2020, I have not received any evidence of progress in the human rights situation in Eritrea. In fact, I have observed a deterioration in several areas. The involvement of Eritrea in the armed conflict in Ethiopia has brought to the fore the persistent human rights violations linked to the system of indefinite national / military service, and further compounded the already dire internal human rights situation in Eritrea. Those who attempt to evade the draft are imprisoned in inhuman and degrading conditions for indefinite periods of time. The authorities also punish draft evaders by proxy, for example by imprisoning a parent or a spouse in order to force them to surrender themselves. I also received reports about conscripts who were killed as they tried to escape from Tigray or from military training centres in Eritrea.

Giffa, or round-ups for the purpose of military conscription, have dramatically intensified across the country. Thousands of conscripts have been forced to participate in the Tigray conflict, with men, women, and children being swept up and sent to fight in the frontlines. Previously documented patterns of child recruitment by the Eritrean forces have worsened, with witnesses referring to the round-up of children as young as 14. Refugees who had been kidnapped from Hitsats and Shimelba camps in Ethiopia in late 2020 have also been detained, punished, and conscripted. Over the past year, I have heard from dozens of Eritreans whose relatives had been forced to fight in Tigray. Their families had not received any official information about their fate or their whereabouts, and live in fear that they may never return.

The dismal human rights situation in Eritrea continued to push thousands to flee. At the same time, Eritrean refugees and asylum seekers face increasingly restrictive asylum and migratory policies, both in transit and destination countries. Eritrean asylum seekers are still being detained, refouled, and denied access to the asylum process in many countries. They face unspeakable violations and hardship in their journey to reach safety. The situation of unaccompanied children is particularly alarming. Much more needs to be done to protect Eritrean refugees and asylum seekers globally. I am particularly concerned about the situation of Eritrean refugees in Ethiopia, where thousands remain in grave danger. I continue to receive reports of Eritrean refugees killed in attacks, as well as of preventable causes linked to lack of access to food, water and medicines in Tigray. This is an urgent matter that requires immediate action to protect refugees and other vulnerable populations. I welcome the efforts of the Ethiopian refugees and returnees service and of UNHCR to register and assist Eritrean refugees, and note with concern the difficulties that humanitarian actors are facing to operate in the Tigray region. The role of Eritrean forces in impeding the delivery of humanitarian assistance to refugees and other populations in need in Tigray for several months, is of grave concern.

Eritrea made no progress towards the development of a minimum institutional infrastructure able to protect and ensure respect for human rights. Eritrea continues to lack rule of law, a national assembly to develop and enact laws and regulations, and an independent judiciary. The lack of independent rule of law institutions and of proper administration of justice has far-reaching consequences for the protection of human rights, and deprives Eritreans of the right to access justice. While in the context of the 2019 universal periodic review Eritrea agreed to strengthen the administration of justice, address impunity for human rights violations, and ensure respect for due process rights, no progress has been made in this regard.

Conditions of detention in Eritrea amount to inhuman and degrading treatment. Detainees are held in severely overcrowded spaces, in unsafe and unsanitary conditions, and without access to water and sanitation. Food is scarce and inadequate, and access to medical attention is minimal. I received information about detainees whose situations severely deteriorated as a result of lack of medical attention. Some died while waiting to receive treatment.

I remain gravely concerned by the situation of hundreds of Eritreans who have been disappeared and arbitrarily detained in secret prisons in violation of human rights standards. I continue to hear testimonies from witnesses and victims who were held and tortured in places known as ‘villas’ - secret places of detention that cannot be readily identified. This practice continued to be widespread during the mandate period. I urge Eritrea to reveal the whereabouts of victims of enforced disappearance and develop a transparent and efficient system for the registration of detainees.

Civic space in Eritrea remains under the complete control of the authorities. The People’s Front for Democracy and Justice (PFDJ) continues to be the only authorised party. There is no independent media: Eritrea remains one of the most censored countries in the world. A group of 16 journalists, including Swedish-Eritrean journalist and writer Dawit Isaak, have now been disappeared for over 20 years, making them the longest detained journalists in the world. There is also no information regarding the 11 former members of the Government known as the “G-15” detained in 2001.

After a wave of releases of Christian prisoners in 2020 and early 2021, these positives steps were reversed during the reporting period with the arrest of at least 47 Christians. 20 Jehovah’s Witnesses also remained imprisoned. I call on the Government of Eritrea to release those imprisoned for their religious beliefs and allow all Eritreans to exercise their right to freedom of religion.

I welcome the adoption of a new Eritrea-UN Sustainable Development Cooperation Framework; as well as the invitation extended to OHCHR to conduct a visit in May 2022. While this renewed trend of cooperation with some agencies and mechanisms of the UN system is a positive sign, these efforts must be accompanied by tangible improvements in the enjoyment and fulfilment of the rights of Eritreans. Urgent action is required to address widespread human rights violations including arbitrary detention, enforced disappearances, torture, inhuman or degrading treatment, and indefinite conscription.

In October 2021, Eritrea was re-elected to serve in the Human Rights Council. As a member of the Council, Eritrea should uphold the highest stan­d­ards in the promotion and protection of human rights, and fully cooperate with the Council, including with its Special Procedures. Eritrea’s demonstrated lack of will to implement the recommendations of human rights mechanisms, including recommendations issued through the universal periodic review process, by treaty bodies, as well as by Council-mandated mechanisms, puts the credibility and integrity of this Council in jeopardy.

Finally, I regret that the Government of Eritrea continues to oppose my mandate, and that I have not yet had the opportunity to visit the country or meet with the authorities. My requests in January 2021 and August 2021 to undertake an official visit to Eritrea remain unanswered. On 26 April 2022, a draft report was shared with the government of Eritrea in order to provide it with an opportunity to comment on the observations and findings. Unfortunately, the authorities did not respond. I emphasize that my mandate is in service of the rights of all Eritreans, and that my only agenda is making progress on the human rights situation in the country. I hope that the Government will revisit its current position and consider engaging in a constructive dialogue with me, and once again express my availability and willingness to work with the Government of Eritrea to address the persistent human rights challenges in the country.

Thank you.