

## **2008 Annual Report of the U.S. Commission on International Religious Freedom**

### **Other Countries on the Commission's CPC List: Eritrea**

The government of Eritrea continues to engage in systematic and egregious violations of religious freedom, and the situation appears to have deteriorated in the past year. Current violations include arbitrary arrests and detention without charge of members of unregistered religious groups, and the torture or other ill-treatment of hundreds of persons on account of their religion, sometimes resulting in death. Other serious concerns include the prolonged ban on public religious activities by all religious groups that are not officially recognized, closure by the authorities of the places of worship of these religious groups, inordinate delays in acting on registration applications by religious groups, and the disruption of private religious and even social gatherings of members of unregistered groups. In February 2004, the Commission recommended for the first time that the State Department designate Eritrea a “country of particular concern,” or CPC, which the State Department did in September 2004 and each year since then. In September 2005, Secretary of State Condoleezza Rice announced the denial of commercial export to Eritrea of defense articles and services covered by the Arms Control Export Act, with some items exempted, the first unique presidential action to be undertaken under the International Religious Freedom Act of 1998 (IRFA) in response to the CPC designation, a move commended by the Commission. Because religious freedom conditions did not change in the past year, the Commission continues to recommend that Eritrea remain a CPC.

Since gaining independence from Ethiopia in 1993, Eritrea has been ruled by the Popular Front for Democracy and Justice (PFDJ), which continues to be led by persons who came to prominence as freedom fighters in the war for independence. After an initially promising start toward democratization, the PFDJ government has become increasingly repressive. In 2001, the government suspended implementation of a democratic constitution, canceled elections, curtailed press freedom, began a crackdown on political opponents, and restricted religious groups it perceived as undermining national unity. The government is also maintaining the country on a near-war footing out of a fear of renewed hostilities with Ethiopia.

The Eritrean government officially recognizes only four religious groups: the (Coptic) Orthodox Church of Eritrea, Sunni Islam, the Roman Catholic Church, and the Evangelical Church of Eritrea, a Lutheran-affiliated denomination. Although there is no state religion, the government has close ties to the Orthodox Church, the largest and oldest of Eritrea's Christian communities, and is suspicious of newer groups—in particular, Protestant Evangelical, Pentecostal, and other Christian denominations not traditional to Eritrea.

Although relations among the four government-recognized religious communities are generally good, leaders of the established groups, particularly the Orthodox Church, have expressed concerns about the growth of newer, more activist religious groups. Government officials have criticized “non-traditional” Christian groups for engaging in aggressive evangelism that is allegedly socially divisive and alien to Eritrea's cultural traditions. Government officials have also pointed to foreign or foreign-inspired Muslim fundamentalists as seeking to radicalize traditional Eritrean practice of Islam and thus create tensions in a society that is roughly half Christian and half Muslim. Government concerns regarding foreign backing for religious groups

have resulted in strict controls both on humanitarian activities by international faith-based organizations and on foreign funding going to indigenous groups for religious or charitable activities.

In 2002, the government imposed a registration requirement on religious groups requiring each group applying for approval to provide detailed financial and membership information, as well as background on its presence in Eritrea. Affected groups included Protestant Evangelical and Pentecostal Christian denominations, as well as the Baha'is. Some of these groups have operated in Eritrea for several decades. Exempted from the new requirements for registration were the four "sanctioned" religions. Jehovah's Witnesses were not among the groups offered the opportunity to register. By stipulating that there could be no public religious activities pending registration, the decree effectively closed places of worship and prohibited public religious activities, including worship services, of all other religious communities in Eritrea. Although some groups submitted the required applications, to date, none have been approved. As a result of the registration requirement and of the government's inaction on registration applications, all of Eritrea's religious communities except the four government-sanctioned religious groups lack a legal basis on which to practice their faiths publicly. In September 2006, the government confiscated the assets and seized control of the charitable institutions, including schools and an orphanage, of one of the groups that had tried to register, the *Kale Hiwot* ("Word of Life") Protestant Church.

As part of the campaign against the religious activities of those persons not belonging to officially recognized religious denominations, Eritrean security forces have disrupted private worship, conducted mass arrests of participants at religious weddings, prayer meetings, and other gatherings, and detained those arrested without charge for indefinite periods of time. Hundreds of members of unregistered religious groups, as well as dozens of Muslims who oppose the government-appointed mufti, are believed to be detained at any given time. Because of government restrictions, it is difficult to determine the precise number of religious prisoners at any one time, and releases sometimes go unreported; however, the State Department reports that the number of long-term prisoners continued to grow in the past year. According to the State Department, at least 160 additional members of unregistered religious groups were detained without charges by Eritrean authorities in the past year.

Persons detained for religious activities often were not formally charged, permitted access to legal counsel, accorded due process, or allowed access to their families. Some prisoners were released after detentions of several days or less, but others spent longer periods in detention. The government held individuals who were jailed on account of their religious affiliation at a variety of venues, including facilities administered by the military. On December 24, 2007, Eritrean officials reportedly imprisoned 35 persons belonging to the underground Faith Missions Church following a raid on a building in the port city of Massawa, where the members of the underground church were meeting. Those imprisoned were placed in the notorious Weea Military Training Center, and reportedly are still being held there. There are credible reports that the security forces have used coercion on detainees to secure repudiations of faith; some prisoners were required to recant their religious beliefs as a precondition of release. During the past year, there have been occasional reports of deaths of religious prisoners who refused to

recant their beliefs. Other religious detainees have reportedly been beaten, tortured, confined in crowded conditions, or subjected to extreme temperature fluctuations.

Government violations of religious freedom are alleged to be particularly severe in the armed forces. During the war with Ethiopia, some Eritrean soldiers accepted various forms of Protestantism, reportedly alarming government officials and leading to the banning of prayer meetings among armed forces members. Attendance at such meetings is punishable by imprisonment. Moreover, armed forces members and national service inductees reportedly face severe punishment for possession of religious literature, including Bibles.

Since 1994, the government of Eritrea has denied a range of government services and civil and political rights to members of the country's small community of Jehovah's Witnesses. Many Jehovah's Witnesses refused on religious grounds to participate in the 1993 referendum on independence or to accept the national military service required of all citizens, both male and female. The government chose to interpret these actions as a rejection of Eritrean citizenship. In accordance with a presidential decree issued in October 1994, Jehovah's Witnesses have been barred from obtaining government jobs, business licenses, and government-issued identity and travel documents. Lack of Eritrean identity cards prevents Jehovah's Witnesses from obtaining legal recognition of marriages and land purchases.

Jehovah's Witnesses who have refused to serve in the military have been imprisoned without trial, some for over a decade, even though the maximum legal penalty for refusing to perform national service is two years. These government actions, which continued in the past year, are customarily taken without due process of law or any administrative appeal. Moreover, the requirement of a military training component for secondary school graduation effectively denies educational and employment opportunities to young Jehovah's Witnesses, encouraging many to flee their homeland. Some children of Jehovah's Witnesses have been expelled from school because of their refusal to salute the flag or to pay for membership in the officially sanctioned national organization for youth and students. Individual members of the Jehovah's Witnesses are regularly arrested and imprisoned for expressing their faith to others. Some are quickly released, while others are held indefinitely without charge. Although there have been no recent reports of mass arrests, in 2003 and 2004, whole congregations of Jehovah's Witnesses were arrested while attending worship services. According to the State Department, a total of 25 members of the Jehovah's Witnesses are currently being held without charges or trial.

Since 2005, the government has increasingly interfered in the internal affairs of the Orthodox Church of Eritrea. Security forces have targeted reformist elements in the Orthodox Church, arresting religious activists and preventing their meetings. The government has also tightened its grip on the highest levels of the Church. In August 2005, the Church's Synod, allegedly acting at the government's behest, stripped Orthodox Patriarch Antonios of much of his authority, with his administrative duties being assumed by a government-appointed layperson. In January 2006, the Synod moved to depose the Patriarch. In a letter dated January 15, 2006, the Patriarch denounced the Synod's actions as illegal under canon law and announced the excommunication of the government-appointed administrator. These actions by the Patriarch, who, according to some reports, has been placed under virtual house arrest, have been ignored by Church leaders who are compliant with the government's actions. In December 2006, the

government reportedly ordered that all tithes and offerings to the Church must be placed in a government account, that priests' salaries must be paid from this account, and that priests deemed by the government to be in excess of parish needs must report for military service. In May 2007, the Synod installed a new Patriarch, believed to be more compliant with government direction.

The government's concerns regarding religious activities appear to be linked to real or perceived security threats, and government spokespersons have cited Pentecostals, along with Muslim extremists, as threats to national security. Islamic militants operating out of Sudan have engaged in a low-level insurgency against the government, occasionally employing terrorism as a tactic in their campaign to establish an Islamic state. However, human rights organizations report that they consider it likely that many of the Muslim suspects detained without charge by the security forces are being held primarily for their views, including their criticism of alleged anti-Muslim discrimination or their opposition to the government-recognized leadership of the Muslim community, rather than for supporting or engaging in violence. None of the suspected Christian groups are known to have engaged in or advocated violence.

The Commission has met on a number of occasions with State Department personnel, Eritrean diplomats, religious community representatives, and others concerned with religious freedom in Eritrea. In October 2004, the Commission sent a staff delegation to Eritrea to study religious freedom conditions firsthand. During a six-day visit, the delegation discussed the religious freedom situation with senior Eritrean government officials, leaders of the four major faiths sanctioned by the Eritrean government, as well as with unregistered religious groups, representatives of non-governmental organizations, United Nations personnel, and members of the U.S. and foreign diplomatic communities. In a January 2005 letter to Secretary Rice, the Commission commended the Administration for Eritrea's designation as a CPC and recommended subsequent actions that the Administration should take, in accordance with IRFA, in response to that designation. The Commission welcomed the Secretary's announcement in September 2005 that Eritrea would be subject to the first-ever presidential action under IRFA specifically taken in response to CPC designation.

As a consequence of the designation of Eritrea as a CPC, the Commission has recommended that the U.S. government should:

- maintain the denial of commercial export to Eritrea of defense articles and services covered by the Arms Control Export Act, with some items exempted, as announced by the Secretary of State in September 2005;
- engage in vigorous advocacy of religious freedom and other universal human rights at all levels of involvement with the government of Eritrea and draw international attention to religious freedom abuses there, including in multilateral fora such as the United Nations; and
- review development assistance to Eritrea with the aim of redirecting such assistance to programs that contribute directly to democracy, human rights, and the rule of law; increases in other forms of development assistance should depend on measurable improvements in religious freedom. On December 31, 2005, USAID closed its offices and ended most

assistance programs in Eritrea, with the exception of certain humanitarian activities. The Commission recommends that any resumption of U.S. development assistance should entail a thorough review as described.

With regard to religious freedom conditions in Eritrea, the Commission has recommended that the U.S. government should:

- urge the government of Eritrea to undertake the following actions to improve respect for religious freedom in that country by:
  - releasing detainees held solely on account of their peaceful religious activities;
  - implementing the constitution's existing guarantees of freedom of thought, conscience, and religion, including the freedom to practice any religion and to manifest such practice;
  - instituting a registration process for religious groups that is transparent, non-discriminatory, not overly burdensome, and otherwise in accordance with international standards;
  - promptly registering those religious groups that comply with the requirements issued in 2002, and not requiring religious groups to provide identifying information on individual members;
  - taking official, public action to permit religious groups to resume their public religious activities pending registration, including reopening of places of worship closed by the ban in 2002;
  - issuing a public order to the security forces reminding them that religious practice is not to be interfered with except in those circumstances permitted by international law; and
  - extending an official invitation for visits by the UN Special Rapporteur on Freedom of Religion or Belief and by the UN Working Group on Arbitrary Detention;
- encourage unofficial dialogue with Eritreans on religious freedom issues, specifically by:
  - the promotion of a visit to Eritrea by U.S. leaders concerned with freedom of thought, conscience, and religion or belief in order to meet with Eritrean authorities and other opinion-makers and to facilitate dialogue among all of Eritrea's religious communities;
  - the expanded use of educational and cultural exchanges, such as the Fulbright Program, the International Visitor Program, and lectures by visiting American scholars and experts, in order to introduce more Eritreans to the workings and benefits of societies in which religious freedom and other human rights are respected; and
- seek the cooperation of other countries in promoting greater understanding by Eritreans of international standards regarding freedom of religion or belief;

- intensify international efforts to resolve the current impasse between Eritrea and Ethiopia regarding implementation of the boundary demarcation as determined by the “final and binding” decision of the International Boundary Commission established following the 1998-2000 war; and
- support, and offer to provide funding for, the creation of an independent human rights commission in Eritrea, in line with the Paris Principles<sup>1</sup> for such organizations, including independence, adequate funding, a representative character, and a broad mandate that includes freedom of thought, conscience, and religion or belief.

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<sup>1</sup> *Principles Relating to the Status and Functioning of National Institutions for Protection and Promotion of Human Rights*, found in the Annex to *Fact Sheet No. 19, National Institutions for the Promotion and Protection of Human Rights*, Office of the High Commissioner for Human Rights (<http://www.unhchr.ch/html/menu6/2/fs19.htm>).