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ERITREA | CSW Welcomes Commission of Inquiry Findings

Christian Solidarity Worldwide (CSW) welcomes the findings by the United Nations Commission of Inquiry on human rights in Eritrea (COIE) that crimes against humanity have been committed in a “widespread and systematic manner” in the country since 1991 and is urging a swift international response to bring an end to these violations and to ensure that perpetrators are brought to justice.

In July 2015, the Human Rights Council (HRC) extended the mandate of the three-person COIE by a year to enable it to investigate whether the numerous violations outlined in its initial report amounted to crimes against humanity and to ensure full accountability.

At a press conference in Geneva on June 8 to mark the release of the Commission’s second report, COIE chair Mike Smith confirmed it has concluded that “crimes against humanity have been committed in a widespread and systematic manner in Eritrean detention facilities, military training camps and other locations across the country over the past 25 years.”

He highlighted several “ongoing” crimes, including enslavement within the context of forced labor in the country’s indefinite national service regime, persecution of religious and ethnic groups, rape, murder, arbitrary detention in violation of fundamental rules of international law; enforced disappearances, and collective punishment, including arrest, detention, fines, eviction and the confiscation of property of innocent family members of persons alleged to have committed an offense.

Perpetrators were identified as high-ranking members of the government, ruling party and the military. The report also concludes there are “reasonable grounds to believe that the National Security Office is responsible for most cases of arbitrary arrest, enforced disappearance and torture in official and unofficial detention centers.”

Since Eritrea has no functioning constitution, independent judiciary or democratic institutions, rule of law is virtually non-existent and “there is no genuine prospect of the Eritrean judicial

system holding perpetrators to account in a fair and transparent manner.” Consequently, “to assist future accountability mechanisms” the Commission has compiled and submitted files on an unspecified number of individuals to the High Commissioner for Human Rights.

During the press conference, the COIE chair stressed that “perpetrators of these crimes must face justice and the victims’ voices must be heard.” The report recommends that the Security Council should determine the situation of human rights in Eritrea poses a threat to international peace and security, referring it to the Prosecutor of the International Criminal Court and imposing targeted sanctions on people believed to be responsible for crimes against humanity or other gross violations of human rights.

Other recommendations include the establishment of an accountability mechanism by the African Union and supported by the international community to investigate, prosecute and try alleged perpetrators, and for the General Assembly to put the human rights situation in Eritrea on its agenda. The report also calls on transnational corporations operating or planning to operate in Eritrea to conduct human rights impact assessments that specifically address the possible use of conscript labor by Eritrean contractors.

The Eritrean delegation dismissed the report as “legally indefensible,” adding that “Eritrea rejects the politically motivated and groundless accusations and destructive accusations of the COIE.”

CSW’s Chief Executive Mervyn Thomas said, “CSW applauds the commitment, integrity and dedication of the COIE, which worked meticulously under difficult conditions to give a voice to Eritrean victims. The Commission’s findings regarding crimes against humanity will come as no surprise to most long term observers of events in in Eritrea. It is deeply disheartening that grave and egregious violations have been occurring for 25 years in a country that waged a heroic independence struggle ostensibly to secure justice and human rights for its citizens, yet the people are brutalized and the nation still awaits the dividends of this hard-won freedom. Justice delayed is justice denied, and twenty-five years is too long. We therefore urge international bodies and UN member states to support the findings of this report and ensure its recommendations are acted upon in a timely manner. The international community must move swiftly to end the prevailing impunity by identifying and holding all those found to be responsible for crimes against humanity to account. In addition, to ensure continued monitoring and accountability, CSW calls for the renewal of the Special Rapporteur’s mandate and supports the COIE’s recommendation for the establishment of a structure with a protection and promotion mandate by the Office of the High Commissioner for Human Rights to assist this process.”