



ADF INTERNATIONAL

ECOSOC Special Consultative Status (2010)

UNIVERSAL PERIODIC REVIEW - THIRD CYCLE

**Submission to the 32nd session of the Human Rights
Council's Universal Periodic Review Working Group**

January 2019, Geneva, Switzerland

ERITREA

Submission by:

ADF International
Chemin du Petit-Saconnex 28
1209 Geneva, Switzerland

Web: www.ADFinternational.org
Email: gmazzoli@ADFinternational.org

Introduction

1. ADF International is a global alliance-building legal organization that advocates for religious freedom, life, and marriage and family before national and international institutions. As well as having ECOSOC consultative status with the United Nations (registered name “Alliance Defending Freedom”), ADF International has accreditation with the European Commission and Parliament, the Organization for Security and Co-operation in Europe, and the Organization of American States, and is a participant in the FRA Fundamental Rights Platform.
2. This report explains why the Eritrean government must reform its policies and laws to ensure that the right to freedom of religion is fully respected and protected.

(a) Religious Freedom

3. No reliable statistics exists on religious affiliation in Eritrea¹, but it is estimated that the population is approximately 50 per cent Christian and 50 per cent Sunni Islam.²
4. Eritrea’s Constitution, ratified in 1997, prohibits religious discrimination and provides for freedom of thought, conscience, and belief and the freedom to practice any religion. However, the failure to implement the provisions within the constitution has rendered these protections void. As such, religious persecution has been rife and unchecked.
5. In 2002, the Eritrean Government introduced a law only recognising four religious denominations: the Eritrean Orthodox Church, the Roman Catholic Church, the Evangelical Lutheran Church and Sunni Islam. Religious adherence, association and practice beyond these four recognised denomination is prohibited and punishable by law. Subsequently, a decree was issued requiring other religious groups and denominations to submit registration applications, and cease religious activities and services until these were approved³. However, beyond the four recognized groups, the government has not approved the registration of any additional religious group so far.
6. Despite government approval, authorized religious groups also are not free from censorship and invasive government control. For example, in order to be nominated, the heads of the Eritrean Orthodox Church and the Sunni Islamic Community must receive approval by the Government⁴.

¹ U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., *Eritrea 2014 International Religious Freedom Report* (2014) <https://www.state.gov/documents/organization/238424.pdf>.

² *Id.*

³ U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., *International Religious Freedom Report* (2015) <https://www.state.gov/j/drl/rls/irf/2015religiousfreedom/index.htm?year=2015&dliid=256021>.

⁴ *Id.*

7. Human Rights Watch has reported imprisonment of followers and supporters of unrecognized religious groups simply for meeting for communal prayers. Imprisonment entailed being packed together with others in shipping containers or subject to harsh conditions. The same organization has reported as many as 170 arrests of Evangelical Christians in May-June 2017 alone.
8. In 2003, Pastor Oqbamichel was the first senior pastor in Eritrea to be arrested because of his evangelical ministry. He was initially in jail for a short period, but was harassed over the next four years. In 2007, he was rearrested and only released in June 2018 in order to receive medical care, as sources revealed to *La Croix*, a French news outlet⁵.
9. The Eritrean government has devised various strategies and tools to prevent the operations of covert worship. According to the international Christian Concern, an underground pastor detailed that “there are false brothers among us, who gather information. [He comes] to you, believing in the name of Jesus, you baptize him, but he is a spy”⁶.
10. State-recognized denominations have similarly not escaped persecution. Religious leaders and laymen who protested recent patriarchal and mufti appointments remain imprisoned⁷.
11. These restrictions violate not just the national constitution, but also Article 18 of the International Covenant on Civil and Political Rights, which guarantees the right to freedom of religion or belief, including the right to manifest one’s religion or belief whether in public or in private. This right can only be limited for the sake of national security and public health and morals, and mere hostility on the part of the government towards religion is not sufficient justification for limiting this fundamental human right guaranteed under international law.

Recommendations

12. In light of the aforementioned, ADF International suggests the following recommendations be made to Eritrea:
 - a. Remove burdensome and oppressive registration requirements and rescind intrusive governmental practices, including monitoring and raiding, which infringe upon the right to freedom of religion or belief;
 - b. Remove criminal prohibitions on religious or belief communities operating on an unregistered basis, as international human rights law

⁵ Malo Tresca, *Evangelical pastor freed after 11 years of detention in Eritrea*, *La Croix* (Jun. 19, 2018), <https://international.la-croix.com/news/evangelical-pastor-freed-after-11-years-of-detention-in-eritrea/7851#>.

⁶ International Christian Concern, *Pastor in Eritrea Released after Decade in Prison*, *Christian Headlines* (Jun. 18, 2018), <https://www.christianheadlines.com/blog/pastor-in-eritrea-released-after-decade-in-prison.html>.

⁷ Maria Burnett, *Human Rights Situation in Eritrea: Submission to the African Commission on Human and Peoples’ Rights*, *Human Rights Watch* (Apr. 27, 2018), <https://www.hrw.org/news/2018/04/27/human-rights-situation-eritrea>.

does not allow the enforcement of any such alleged obligation;

- c. Ensure that the right to freedom of religion or belief is guaranteed and protected within Eritrea, and that Christians and other religious minorities are treated equally and with respect to all of their human rights and fundamental freedoms by both society and the State.



VIENNA
HEADQUARTERS

BRUSSELS

GENEVA

STRASBOURG

LONDON

NEW YORK

WASHINGTON, DC

MEXICO CITY



ADF INTERNATIONAL

© 2018

ADFinternational.org

 facebook.com/ADFinternational

 [@IntIADF](https://twitter.com/IntIADF)