

THE PERSECUTION of Jehovah's Witnesses IN ERITREA



Palais des Congrès, Nouakchott



Position of the African Commission on Human and Peoples' Rights

Review of Eritrea

The African Commission on Human and Peoples' Rights (ACHPR) reviewed¹ Eritrea during its 62nd Ordinary Session held from April 25 to May 9, 2018, in Nouakchott, Islamic Republic of Mauritania. During the review (April 28), commissioners directed numerous questions about the persecution of Jehovah's Witnesses to the Eritrean delegation, such as the following:

- Did you engage Jehovah's Witnesses in dialogue before preparing this report? (*Commissioner King*)
- What proof is there that the final year of high school is not really military service, and in particular, we want to know if the rights of Jehovah's Witnesses, who have the right to conscientious objection, are respected and their education not affected? (*Commissioner King*)
- I ask you about four Jehovah's Witnesses who have died in prison, namely Yohannes Haile, Misghina Gebretinsae, Habtemichael Tesfamariam and Habtemichael Mekonen, and want you to explain why these men were in prison and how these men came to die in prison under your supervision? (*Commissioner Lumbu*)
- Have the Jehovah's Witnesses in jail had proper judicial procedures, court appearance, and appeals as you say all have the right to in par. 47 of your report? (*Commissioner Kayitesi*)

Commissioner King summed up for the Commission:

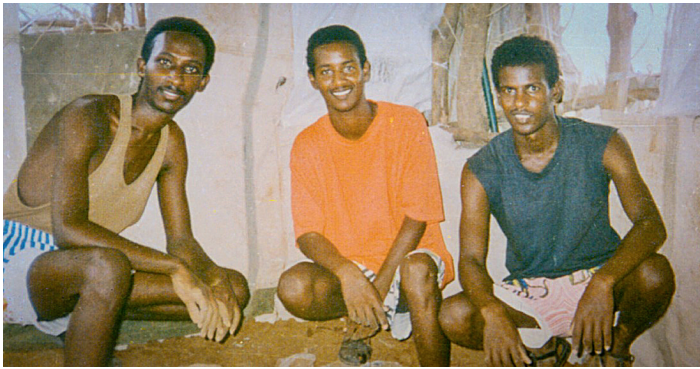
"About Jehovah's Witnesses some of the answers that you have given are not quite satisfactory given the obligations and rights in the Charter.

"... We also want to highlight certain issues that we want you to continue to work on when you go back to your country which is still the issue of the Jehovah's Witnesses. After so many years it is time to begin an engagement with them to address their human rights situation. Persons who are detained without trial, that your country should take steps to bring them to trial or release them so that they can reunite with their families."

ACHPR Concluding Observations on Eritrea

The ACHPR adopted its Concluding Observations on the State of Eritrea during its 63rd Ordinary Session, held from October 24 to November 13, 2018, in Banjul, The Gambia. The commission made the following comments regarding Jehovah's Witnesses:

"The Commission recommends that the Government should [...] conduct prompt investigation of the reported deaths in detention of members of the Jehovah[s] Witness[es], and provide information in the next Report on the outcome of the investigations."²



Paulos Eyasu, Isaac Mogos, and Negede Teklemariam

COMMUNICATION 716/19

Three Jehovah's Witnesses v. State of Eritrea

Paulos Eyasu, Isaac Mogos, and Negede Teklemariam are Jehovah's Witnesses who are being held incommunicado by the State of Eritrea. Eritrea's military abducted the victims without warrant or legitimate cause on September 17, 1994, apparently because they conscientiously objected to military service. They have been held in prison ever since, almost 25 years. Eritrea holds the victims in horrific conditions, torturing and degrading them with no relief in sight. Eritrea refuses to give the victims access to independent legal counsel or any opportunity to defend themselves in a court of law. The victims have never been charged with a crime.

The families of the victims filed an application with the ACHPR which requested that the president of Eritrea allow lawyers, family members, and doctors access to the three victims. Eritrea has failed to respond to the request made by the ACHPR. The families of the victims appeared before the ACHPR on July 29, 2019, and pleaded that Eritrea comply, but representatives from Eritrea did not attend the hearing. The Commission asked the victim's lawyers if an amicable settlement was possible. The lawyers of the victims stated that they are willing to sit down and discuss a resolution of the case with Eritrean officials, and that they are willing to withdraw the case if an agreement can be reached.

"[...] the Commission is [...] concerned about the following [...] the reported deaths of members of the Jehovah Witness faith in detention."³

"[...] the Commission is [...] concerned about the following [...] the continued denial of the basic rights of all persons detained without access to lawyers or a fair and speedy trial, including specifically the group of former Government officials, journalists and the Jehovah[']s Witness religious leaders, who were arrested, never charged or tried in a court of law, or allowed access to lawyers or their families."⁴

"[...] the Commission is [...] concerned about the following [...] the forfeiture of citizenship rights of followers of Jehovah[']s Witness faith, in response to their refusal to vote in the 1993 independence referendum, exposing them to de facto statelessness."⁵

"The Commission recommends that the Government should [...] take urgent measures to address the denial of basic rights of all detained persons, including the group of former Government officials, journalists, religious leaders and members of the Jehovah[']s Witness faith, among others, by ensuring immediate access to the essential elements of a fair hearing, as stipulated in the Commission's Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa."⁶

"The Commission recommends that the Government should [...] ensure that followers of the Jehovah[']s Witness faith retain their citizenship rights in accordance with the Citizenship Proclamation No. 21/1992 which provides that "Eritrean citizenship can be acquired by birth, by naturalization, by adoption and by marriage, without discrimination."⁷

References

- 1 The review took place on the basis of Eritrea's initial and combined reports, which encompassed eight periodic reports, overdue since its accession to the Charter (1999).
- 2 ACHPR Concluding Observations on Eritrea Initial Report in May 2018, adopted at 63rd Session, November 2018, p. 14, par. 120, p. 15, par. 120x.
- 3 ACHPR Concluding Observations on Eritrea Initial Report in May 2018, adopted at 63rd Session, November 2018, p. 6, par. 48, p. 8, par. 58.
- 4 ACHPR Concluding Observations on Eritrea Initial Report in May 2018, adopted at 63rd Session, November 2018, p. 6, par. 48, p. 9, par. 66.
- 5 ACHPR Concluding Observations on Eritrea Initial Report in May 2018, adopted at 63rd Session, November 2018, p. 6, par. 48, p. 10, par. 76.
- 6 ACHPR Concluding Observations on Eritrea Initial Report in May 2018, adopted at 63rd Session, November 2018, p. 14, par. 120, p. 16, par. 120xviii.
- 7 ACHPR Concluding Observations on Eritrea Initial Report in May 2018, adopted at 63rd Session, November 2018, p. 14, par. 120, p. 16, par. 120xxviii.

For more information: Please contact the Office of Public Information for Jehovah's Witnesses at OPIGOV@jw.org.



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Scan here to read the special report "Imprisoned for Their Faith—Eritrea"

(Includes chart of imprisoned, updated monthly)

