

To: Ministers of Foreign Affairs in Africa
CC: Permanent Representatives to the African Union;
Permanent Representatives of African States to the UN Human Rights Council

21st May 2013

RE: African Civil Society Call for Action on Human Rights Situation in Eritrea

Excellencies,

We, the undersigned representatives of African civil society, present our compliments and congratulations on the occasion of the 50th anniversary of the African Union and the Organisation of African Unity. Reflecting the overall theme of 2013 as the year of Pan-Africanism and African Renaissance, we are writing to call on the African Union to take urgent action to respond to the appalling situation of widespread and systematic human rights violations in Eritrea, especially in light of the commemoration's sub-theme of promoting peace and security in Africa.

We note with appreciation the adoption by consensus of resolution A/HRC/RES/20/20 on the human rights situation in Eritrea at the 20th session of the UN Human Rights Council in July 2012, on the recommendation of Nigeria, Djibouti and Somalia. It is encouraging to see an important and positive step forward towards the protection and promotion of human rights for the Eritrean people emanating from members of the African Group. The UN Special Rapporteur on Eritrea, whose mandate was established by the July 2012 resolution, will present a report highlighting the human rights situation in Eritrea in June 2013.

As the report of the Special Rapporteur will no doubt demonstrate, the ongoing widespread and systematic nature of human rights violations in Eritrea underlines the need for continued and urgent action by the African Union. The government officials and independent journalists arbitrarily arrested in September 2001 remain either in incommunicado detention or have since died. Thousands of Eritreans have been arrested and imprisoned without charge or trial for years upon end merely for being critical of the government, belonging to what the government defines as a 'wrong' religious group, or refusing to comply with the indefinite national service imposed on all Eritreans over the age of 18 years. Torture, arrests, killings and forced labour are common. No independent civil society organizations have permission to operate inside Eritrea, and since 2001 there has been no independent domestic media.

At the regional level, the case of Eritrea has been raised repeatedly at the African Commission on Human and Peoples' Rights, which adopted a resolution in 2005 condemning human rights violations in Eritrea. In two separate decisions in 2003 and 2007, the Commission also found the government to be in violation of fundamental rights contained in the African Charter on Human and Peoples' Rights and requested the release of the government officials held incommunicado since September 2001 (250/02 Liesbeth Zegveld and Mussie Ephrem vs. Eritrea) and for at least 18

journalists also held incommunicado to be given access to their lawyers (275/03 Article 19 vs. Eritrea). Although these decisions have been adopted by the African Union, to date Eritrea has not provided any concrete response or acted to implement them.

In this year of golden jubilee commemorations, Eritrean people are not free to celebrate along with the rest of Africa. If the message “One Africa for Prosperity and Peace” is to have real meaning, we believe that now is the time for the African Union and all its member states to kick start sustained engagement on the human rights situation in Eritrea so that its people may benefit from the rights and fundamental freedoms enshrined in the African Charter on Human and Peoples’ Rights.

During the AU Summit to be held in Addis Ababa on 19-27th May 2013, we therefore recommend that the African Union and its member states:

- Encourage the Government of Eritrea to ensure the effective implementation of the ACHPR decisions on Eritrea, and to allow access to the country for the special mechanisms of the ACHPR and UN Human Rights Council;
- Support the renewal of the mandate of the UN Special Rapporteur on the human rights situation in Eritrea at the Human Rights Council in June 2013;
- Ensure the protection of Eritrean refugees in their states in accordance with the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa.

Excellencies, we thank you for your attention to these concerns. We remain available to provide further information as may be useful.

Sincerely,

Organisations:

1. Action des Chrétiens pour l'Abolition de la Torture (ACAT-Burundi)
2. African Centre for Democracy and Human Rights Studies
3. African Centre for Justice and Peace Studies (ACJPS)
4. Arry Organisation for Human Rights and Development
5. ARTICLE 19 Eastern Africa
6. Arusha NGOs Network (ANGONET), Tanzania
7. Association des femmes juristes du Burundi (AFJB)
8. Association Nationale pour l'Alphabétisation et la Formation des Adultes (ANAFSA), Senegal
9. Base for Education Dissemination (BED), Tanzania
10. Cairo Institute for Human Rights Studies
11. Centre for Human Rights, University of Pretoria, South Africa
12. Centre Guinéen de Promotion et de Protection des Droits de l'Homme (CPDH)
13. Club Union Africaine Cote d'Ivoire
14. Coalition de la Société Civile pour le Monitoring Electoral (COSOME)

15. Coalition Ivoirienne des Défenseurs des Droits Humains (CIDDH)
16. East African Civil Society Organizations Forum (EACSOFF)
17. East and Horn of Africa Human Rights Defenders Project (EHAHRDP)
18. Eritreans for Human and Democratic Rights-UK (EHDR-UK)
19. Forum pour la Conscience et le développement (FOCODE)
20. Forum pour le Renforcement de la Societe Civile (FORSC)
21. Foundation for Human Rights Initiative (FHRI)
22. Freedom and Roam Uganda
23. Human Rights Concern – Eritrea
24. Human Rights Awareness and Promotion Forum (HRAPF)- Uganda
25. Human Rights Institute of South Africa (HURISA)
26. Independent Medico Legal Unit (IMLU)
27. Institute for Human Rights and Development in Africa (IHRDA)
28. Kenyan Section of the International Commission of Jurists (ICJ Kenya)
29. Ligue des Droits de la Personne dans la Région des Grands Lacs (LDGL)
30. Malawi Law Society
31. The Multi-Environmental Society (MESO)-Tanzania
32. Mzeituni Foundation-Tanzania
33. Nazra for Feminist Studies
34. Release Eritrea
35. Réseau des Défenseurs des Droits Humains en Afrique Centrale (REDHAC)
36. Réseau de femmes défenseures des droits humains (Togo)
37. Strategic Initiative for Women in the Horn of Africa (SIHA Network)
38. Tanzania Human Rights Defenders Coalition (THRDC)
39. West African Human Rights Defenders Network
40. Zimbabwe Exiles Forum

Individuals:

1. Augustin Kounkinè Somé, Burkina Faso
2. Lilian Chenwi, Cameroon
3. Polycarp Ngufor Forkum, Cameroon
4. Adiam Woldeyohannes, Eritrea
5. Marian Atta-Boahene, Ghana
6. Mandala D. Mambulasa, Malawi
7. Joao Nhampossa, Mozambique
8. Hilary Ogbonna, Nigeria
9. Dejo Olowu, Nigeria
10. Mohammed Farah, Somaliland
11. Freda Apio, Uganda
12. Kitui Barbara, Uganda
13. Moses Karatunga, Uganda
14. Salima Namusoby, Uganda