



# ERITREA

CAPITAL: Asmara  
POPULATION: 4.9 million  
GNI PER CAPITA: \$200

SCORES	2005	2007
ACCOUNTABILITY AND PUBLIC VOICE:	0.67	0.44
CIVIL LIBERTIES:	1.54	0.95
RULE OF LAW:	1.03	0.71
ANTICORRUPTION AND TRANSPARENCY:	1.71	0.86

(scores are based on a scale of 0 to 7, with 0 representing weakest and 7 representing strongest performance)

*Dan Connell*

## INTRODUCTION

Eritrea showed considerable promise upon winning its de facto independence in May 1991 after a thirty-year war against successive U.S.- and Soviet-backed Ethiopian governments that had laid claim to the former Italian colony. Eritrea formalized its status as Africa's newest nation in a near unanimous vote for sovereignty (99.8 percent) in a UN-monitored referendum in which 98.5 percent of the 1,125,000 registered voters participated.<sup>1</sup> Over the next three years, the transitional government established new state institutions—executive, legislative, and judicial branches presiding over a three-tiered administration (national, regional, local); a streamlined civil service; professional armed forces; and new police and security forces, while also managing a highly participatory constitution-making process.

However, the leadership of the independence movement was deeply divided in its commitment to democratic governance. Regime hardliners, who got the upper hand during a series of regional conflicts capped in 1998–2000 by a bloody border war with Ethiopia, plunged the new

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## 2 COUNTRIES AT THE CROSSROADS

country into a cycle of military mobilization and political repression that stymied the country's development prospects and reversed progress toward democracy. This situation worsened in 2006 with an increase in politically motivated arrests, torture and deaths of political prisoners, persecution of religious minorities, and tightened restrictions on non-governmental organizations (NGOs) and aid agencies.

The victorious Eritrean People's Liberation Front (EPLF)—renamed the People's Front for Democracy and Justice (PFDJ) in 1994—today rules with an iron fist under the leadership of former military commander, now president, Isaias Afwerki. The constitution, ratified in 1997, has yet to be implemented; national elections, repeatedly postponed, have yet to be held. Meanwhile, other political parties and independent NGOs are prohibited, and what few private media emerged in the immediate postindependence years have been shut down. Thousands of people have been detained for political offenses ranging from public dissent to noncompliance with open-ended national service requirements. Among the more prominent political prisoners are eleven former independence movement leaders and government ministers—dubbed the Group of 15—jailed in September 2001 after publicly criticizing the president's undemocratic practices. Detainees also include journalists, mid-level officials, merchants, businessmen, young people resisting conscription, and church leaders and parishioners associated with banned religious organizations.

Eritrea is a nation in a perpetual state of emergency, under siege by its own leaders, with a population denied the most basic freedoms of speech, assembly, press, and religious practice. The continuing confrontation with Ethiopia not only dominates the political discourse to the point where all dissent is branded as treason, it also provides cover for militarizing the new state from top to bottom and for exporting instability to neighboring states—among them Sudan and Somalia—in an effort to weaken Ethiopia. The unresolved border conflict serves as justification for President Isaias to maintain a near-total monopoly on all forms of domestic political and economic power. The absence of any independent media and the complete suppression of civil society preclude the development of a legal opposition within the country—or of any organized public discussion of what such an opposition might look like, were it to be permitted. The ruling party itself is largely a shell through which the president exercises one-man rule that he shows no

sign of relinquishing voluntarily. Under these conditions, national elections, when eventually conducted, will only serve to confirm the current dictatorship.

## ACCOUNTABILITY AND PUBLIC VOICE

FREE AND FAIR ELECTORAL LAWS AND ELECTIONS:	0.00
EFFECTIVE AND ACCOUNTABLE GOVERNMENT:	1.25
CIVIC ENGAGEMENT AND CIVIC MONITORING:	0.00
MEDIA INDEPENDENCE AND FREEDOM OF EXPRESSION:	0.50
<b>CATEGORY AVERAGE:</b>	<b>0.44</b>

The EPLF's political culture has long been predicated on secrecy and the exercise of absolute power, often by violent means. Throughout the 1970s and 1980s, the EPLF was led by the clandestine Eritrean People's Revolutionary Party (EPRP), a group chaired by Isaias and strongly influenced by Maoist political currents. Founded in secret in 1971, the EPRP defined the EPLF from its earliest days. It ran a cadre school that trained organizers who convened thrice-weekly political education sessions for all EPLF members. It secretly met to draft the EPLF's program prior to its congresses and to select slates for leadership before elections. Its central committee doubled as the EPLF's political bureau, positioning the party to run the Front on a day-to-day basis. Disobedient party members were punished mercilessly and then suddenly rehabilitated; this replicated the practice in China, where Isaias received military and political training at the height of the Cultural Revolution in 1968–1969. Dissidents were imprisoned for long periods or, in some cases, summarily executed.

Although the EPRP was frozen in 1989 and officially disbanded in February 1994, this secretive pattern of rule remained during the construction of the state in the 1990s, and it continues today. The EPLF established a provisional National Assembly in 1992 by adding seventy-five delegates chosen in party-run regional elections to its own seventy-five-member Central Council. This body confirmed Commander Isaias as the acting president in an uncontested ballot that was closed to the

media and the public, as are all National Assembly meetings. President Isaias then personally selected cabinet ministers, regional governors, upper-echelon judges, an auditor-general, the governor of the national bank, new ambassadors, top military commanders, and many mid-level officials and civil authorities. Today, he presides over all meetings of both the party's Central Council and the National Assembly and has the exclusive power to call either body into session.

Although the new government initially appeared to establish a separation of powers—an executive office with a cabinet of ministers, an interim parliament, and a nominally independent judiciary—it was largely an illusion. The cabinet did not provide a forum for debate or decision making. Instead, it served as a clearinghouse for determining how to implement the policies of the president's inner circle. Even the military remained under the president's personal control, as Isaias leapfrogged his own defense ministry to exercise direct command through five zonal commanders, most of whom he brought with him from the clandestine EPRP.

Eritrea's constitution, ratified by a 527-member constituent assembly on May 23, 1997, guarantees citizens "broad and active participation in all political, economic, social and cultural life of the country," but it also says that these rights can be limited "in the interests of national security, public safety or the economic well-being of the country, health or morals, for the prevention of public disorder or crime or for the protection of rights and freedoms of others."<sup>2</sup> Government officials have said the constitution will go into effect once national elections are conducted, but such elections, first scheduled for 1998 and delayed by the outbreak of war, rescheduled for 2001 and then delayed again by the political crisis that engulfed the ruling party, have yet to be set.

Over the past decade and a half, Eritrea has conducted regional and local elections with balloting open to men and women of all religious and ethnic backgrounds, but no forms of new political organization, such as independent parties or caucuses within the PFDJ, have been permitted. All voting for local public office has been conducted in town meeting-style sessions presided over by PFDJ cadres. Campaigns are not permitted, as there are no legal organizations to put them together, apart from those run by the government. Individuals are not allowed to set up organized political operations during PFDJ-run elections. Public discussion prior to elections is centered on the character of the candidates

and their loyalty to the ruling party. There is no debate over policy options or initiatives in public forums and no outlet for new proposals or critiques of existing policies. New programmatic initiatives or policies can appear only if prepared by party functionaries and vetted by the president's office before being made public. During Eritrea's first post-independence decade, the only exchanges over political issues among the country's new leaders took place behind closed doors at party-run seminars or leadership meetings. However, since 2001, when such exchanges spilled into public view, all dissenters were imprisoned and even these backroom debates have been squelched.

As there are no legal parties in Eritrea apart from the PFDJ, and as there have been no national elections of any kind, no rotation of power has been or is likely to be possible. A special parliamentary commission in 2001 drafted a party law that legalized multiple parties and laid the groundwork for national elections, but the president refused to implement it and placed the commission chair, former minister of local government Mahmud Sherifo, in prison.

All opposition groups—of which there are many—are based outside Eritrea and are unable to operate openly within the country. Though these opposition groups have little visible influence within Eritrea, their polemics are avidly followed by many urban dwellers via the internet, and several, especially those deriving from splits in the ruling PFDJ, maintain clandestine lines of communication with members of the state bureaucracy and the military. Nonparty critics of the regime organized in a network of civil society organizations post frequent bulletins about human rights abuses, often within hours of their occurrence, thereby demonstrating extensive links with contacts on the ground. There are signs that such groups are beginning to influence members of the diaspora to diminish their financial contributions to the government—contributions that have until now been the regime's primary source of foreign exchange.

Over four decades of chronic turmoil in the country's original independence movement, the Eritrean Liberation Front (ELF) produced numerous splinters, ranging from the ruling EPLF/PFDJ, which broke off in 1970, to the Sudan-based Eritrean Islamic Jihad, which formed in the 1980s. In 2005, a coalition of more than a dozen externally based factions grouped themselves together as the Eritrean Democratic Alliance (EDA) to oppose the PFDJ-controlled government. Most maintain

military bases or offices in neighboring Ethiopia or Sudan and seek to oust the Isaias regime by extralegal means. Member organizations, winnowed to eleven by February 2007, when the coalition split into two blocs, included the ELF (the largest of the former ELF factions, led by Adbella Idris); the ELF-Revolutionary Council; the Eritrean National Salvation Front (ENSF); the Eritrean Democratic Party (EDP, led by EPLF founder and G-15 member Mesfun Hagos); two Islamic factions; and several smaller groups organized around regional interests. The ELF-RC, the EDP, and the ENSF form a secular nationalist bloc, while the others, led by the ELF, tend to represent regional, religious, and ethnic constituencies.<sup>3</sup> Nearly all the groups claim to support democracy and human rights; their organizational practices, however, do not reflect these ideals. In addition, the governments of the states in which these factional groups operate have maintained strict control over their operations, sharply limiting their ability to implement democratic reforms among refugee populations within their borders. Tensions among opposition groups tend to reflect rivalries among their leaders and legacies of conflict in the field, as well as differences over such issues as land policy, language, the role of religion in politics, and whether to reorganize the state through some form of ethnic or regional federalism.

The civil service in Eritrea, initially based on a mix of merit and political loyalty, has become increasingly dysfunctional as experienced personnel have fled the country, to be replaced by unskilled national service conscripts, many of whom are subject to political manipulation and engage in petty corruption. There are no published guidelines, no legal recourse in the event of dismissal, and no transparent competitive process for securing civil service positions or gaining advancement. Ministerial portfolios are frequently shuffled to keep rivals from developing power bases of their own. High-ranking officers and government officials who question the president's judgment over minor issues often find themselves subjected to the Maoist Chinese practice of *midiskal* (freezing) in which they are removed from their posts and kept on salary but not permitted to work, then abruptly brought back into the fold when they are perceived to be "rehabilitated."

Eritrea has not permitted the formation of politically oriented civil society groups, think tanks, policy organizations, or other independent NGOs. The only indigenous NGO recognized by the government that is not directly under PFDJ control is the Citizens for Peace in

Eritrea, which focuses solely on peacebuilding with Ethiopia. International NGOs have seen their work strictly limited to the provision of relief under government supervision. In fact, international groups are not permitted to establish local chapters in Eritrea, and global human rights organizations have been blocked from carrying out local investigations.<sup>4</sup>

The only media in Eritrea today are those controlled by the state or the ruling party: EriTV, which began broadcasting in Asmara in 1993; Dimtsi Hafash (Voice of the Masses radio), which broadcasts in six languages with a transmission power of 1,000 kilowatts; three newspapers, all of which carry roughly the same information and opinion, one published in Tigrinya (*Hadas Eritrea*), one in Arabic (*Eritrea al-Hadisa*), and one in English (*Eritrea Profile*); a government-run press service, the Eritrean News Service (EriNA); several small publications and radio programs run by party-controlled social organizations (women, workers, youth); and a party-controlled website, Shaebia.org. The Ministry of Information, headed by Ali Abdu Ahmed, uses the media to propagandize without permitting opposing views to be published or broadcast.

A 1996 Press Law guaranteed the freedom of the press but prohibited, among other things, the dissemination of material that “promotes the spirit of division and dissension among the people” or that contains “inaccurate information or news intentionally disseminated to influence economic conditions, create commotion and confusion and disturb the general peace.”<sup>5</sup> These vague proscriptions afforded the state broad discretion to harass the country’s new private newspapers after they began publishing critiques of the president and the conflict with Ethiopia in 2000 and early 2001 and to shut down the private press altogether in September 2001. The law also banned foreign funding of indigenous press, the contravention of which was the government’s unofficial rationale for the press closures.

The Committee to Protect Journalists termed Eritrea “one of the world’s worst jailers of journalists” in 2006, while Reporters Without Borders rated Eritrea 166 out of 168 countries in its 2006 Worldwide Press Freedom Index, ahead only of Turkmenistan and North Korea.<sup>6</sup> Amnesty International reported that fourteen journalists remained in prison at secret locations without charge at the end of 2006 and that at least one of them—Fessehaye Yohannes, the former editor of Eritrea’s largest-circulation daily, *Setit*—had probably died in prison.<sup>7</sup> An

unconfirmed report first posted on an Ethiopian website and termed credible by Amnesty International and Reporters Without Borders, among other watchdog organizations, claimed that three journalists held under harsh conditions at the E'era-E'ero Prison in the coastal desert lowlands, along with other prominent political prisoners, had also died.<sup>8</sup> Eritrea allowed only two resident foreign reporters in 2006—from Reuters and Agence France-Presse—and severely restricted their movements, along with those of all foreigners in the country.

The information and independent analysis of domestic and international issues that reaches Eritreans does so largely through radio and web-based media originating abroad. The two most consistent opposition broadcasters from outside the country are the EDA, whose short-wave programming originates in Ethiopia, and the Tesfa Delina Foundation, which airs programs via satellite that are produced by civil society groups based abroad. One opposition radio station—al-Sharq, broadcasting nine hours a day from Sudan starting in 2005—was shut down after Sudan and Eritrea signed an accord to cooperate with one another on November 3, 2006.<sup>9</sup> Most opposition groups also maintain active websites, as do several unaffiliated NGOs and human rights groups in Eritrea's very active diaspora, most of them highly critical of the Isaias regime. Eritrea has seen an explosion of internet connectedness, particularly among young people in the main towns and cities. However, the four private internet service providers are monitored internally by the state, email is routinely monitored, and foreign broadcasts are periodically jammed, while all cultural exchanges are managed by the state.

### *Recommendations*

- Eritrea's already-ratified constitution should be implemented without further delay.
- The government should approve the party law legalizing multiple parties and laying the groundwork for national elections.
- The government should grant amnesty to members of opposition political movements based outside the country and allow these organizations to re-enter after renouncing violence. The government should allow them to join the political process as legal entities competing with the ruling PFDJ on a level playing field.

- An independent commission should be established to organize Eritrea's first national elections, with adequate safeguards for competing parties and open campaigns and with extensive international monitoring throughout the process.
- The 1996 Press Law should be rescinded and constitutional protections for free media respected by permitting the reestablishment of independent newspapers and the creation of independent broadcast media.

## CIVIL LIBERTIES

PROTECTION FROM STATE TERROR, UNJUSTIFIED IMPRISONMENT, AND TORTURE:	0.29
GENDER EQUITY:	3.50
RIGHTS OF ETHNIC, RELIGIOUS, AND OTHER DISTINCT GROUPS:	0.75
FREEDOM OF CONSCIENCE AND BELIEF:	0.00
FREEDOM OF ASSOCIATION AND ASSEMBLY:	0.20
<b>CATEGORY AVERAGE:</b>	<b>0.95</b>

The as-yet-unimplemented constitution bans torture (Article 16), but former detainees claim to have been routinely subjected to it. Amnesty International reported in February 2006 that Eritrea held “several thousand prisoners of conscience” for their religious or political beliefs, with many in secret locations, where they were tortured or treated poorly.<sup>10</sup> Human Rights Watch reported “frequent” use of torture throughout 2006 at severely overcrowded detention facilities, including cargo containers located in areas of “unbearable hot and cold” in conditions of “extreme starvation, lack of sanitation, and hard labor.”<sup>11</sup> No public officials have ever been prosecuted for torturing or abusing prisoners.

Conditions for many current political detainees are impossible to ascertain, as the prisoners are denied all access to visitors. The location of many political prisoners is secret; these include private houses in the major cities, as well as specially constructed facilities in rural areas, such as Zara in the barren western mountain area near Sudan, Adi Abeito in the highlands north of Asmara, and Dongolo and E'era-e'ero in the

scorched coastal lowlands. Arrests for political infractions are frequent, arbitrary, and rarely accompanied by formal charges, although Eritrea's constitution theoretically guarantees the right of habeas corpus (Article 17), and the Eritrean penal code limits detention without charge to 30 days. Estimates of the number of political prisoners detained since 1991 run to the thousands, but it is impossible to get an accurate count as no charges have been filed against any of them and no formal trials have been held. There are widespread reports of members of opposition groups such as the ELF held under detention since the early 1990s. At least one of the G-15 is reported to have died of natural causes, but there are no confirmed reports of executions of dissidents. No one detained for his or her political beliefs has been brought to trial.

Numerous governments, multilateral organizations, and human rights organizations, including the U.S. Department of State, have called for the release of Eritrea's political prisoners, particularly those arrested in September 2001. However, the Asmara government insists that it holds no prisoners for political reasons, claiming those who are incarcerated are criminals or security risks. In March 2004, the African Commission on Human Rights issued an advisory ruling that the continued detention of the eleven former high-ranking government officials taken in September 2001 was illegal. On the fifth anniversary of their arrests, the Council of the European Union renewed its call for either "a free and fair trial" or their unconditional release.<sup>12</sup>

Hundreds of Eritreans who were forcibly deported from Malta in 2002 and Libya in 2004 remained in detention at the end of 2006, most in secret prisons on the island of Dahlak Khebir.<sup>13</sup> Amnesty International reported in February 2007 that an additional 430 Eritrean nationals facing deportation in Libya, many of them young people fleeing conscription into the Eritrean armed forces, will return home to arrest and torture.<sup>14</sup> All Eritrean men between the ages of eighteen and forty-five and all women between eighteen and twenty-seven are required by law to perform eighteen months of national service in the armed forces or government-run public works projects. Since the outbreak of war with Ethiopia in 1998, however, conscripts have been kept in service on a continuous basis, many serving in low- or no-paying jobs in state- and party-controlled enterprises. There have been frequent, often brutal, house-to-house roundups to identify, induct, or detain evaders. Reinduction for those who have already served has been used as political

punishment for members of the press and others who have expressed public criticism of government policies. Parents of those refusing to serve or those who have left the country without permission have been arrested and held as hostages in lieu of the return of the offending youth or payment of fines equivalent to \$3,500.<sup>15</sup> A steady flow of refugees into neighboring Sudan and Ethiopia is an outcome of this policy.

Women played a central role in Eritrea's independence war, constituting more than 30 percent of the 95,000-strong liberation army and playing a wide range of nontraditional roles. Their postindependence participation in public life presents a mixed record, as conservative social values have reasserted themselves and destructive traditional practices such as female circumcision, child marriage, and virginity testing have become increasingly common. The constitution prohibits discrimination based on race, ethnic origin, color, and gender and mandates the National Assembly to legislate measures designed to eliminate such inequality (Article 14). Although this has yet to be put into effect, the state has already acted to diminish oppressive cultural practices and has effectively blocked trafficking in women and children. The government has declared International Women's Day an official holiday and ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Women held three ministerial portfolios in 2007—Justice, Tourism, and Labor and Social Affairs. However, programs aimed at improving women's economic and social conditions are not initiated or monitored in an organized manner; like other social groups, women are prohibited from forming their own advocacy groups apart from the party-sanctioned National Union of Eritrean Women.

The government has increased educational opportunities for girls and opened schools in remote areas of the country for children of minority groups, offering primary education in all nine of the country's indigenous languages. Elementary school enrollment rose 270 percent from 1991 to 2001.<sup>16</sup> Secondary and postsecondary education is state subsidized and free to students, who are accepted largely on merit, though the poorly performing economy limits the number of children subsistence farm families can afford to send to school. Social pressures weed out many of the female students as sons are given priority within the family.

The situation of the disabled is similar to that of women; the government runs programs for them and places disabled people—mainly

disabled war veterans—in jobs, but there is no articulated policy to which disabled people can hold the government accountable or institutional body to which they can appeal when there is a perception of abuse or discrimination. Those with disabilities not arising from “national service” are forced for the most part to rely on family support systems or the handful of charities that exist in Asmara, mainly for the blind and deaf.

Eritrean society as a whole is ethnically and religiously diverse. Tigrinya speakers, mostly Christian sedentary farmers and urban dwellers concentrated on the highland plateau, make up nearly half the population. Tigre-speaking Muslims, many of them agro-pastoralists living in the western lowlands and the coastal plains, are the second-largest group, making up close to a third of the population. The remaining fraction comprises six mostly Muslim minorities, plus the Kunama, who hold traditional religious beliefs. There is no official language, although Tigrinya, Arabic, and English prevail in business and commerce.

This ethnic potpourri is almost evenly divided between Sunni Muslims and Christians (most of whom are Orthodox, along with Catholic and Protestant minorities tracing to the precolonial period), with a small minority (2 percent) who practice traditional beliefs. Among these groups, there is little institutional discrimination based on faith, although Orthodox Christians of the Tigrinya-speaking ethnic group dominate the economy and hold most high-level political posts. However, the government actively suppresses evangelical Protestant denominations that have made recent inroads. Although the as-yet-unimplemented constitution guarantees all citizens “the freedom to practice any religion and to manifest that practice” (Article 15), the government has banned what it terms new churches—referring to minority evangelical Christian denominations and mission groups, which have experienced rapid growth over the past decade. The government has also intervened directly in the affairs of even those churches with legal recognition.

In May 2002, the government proscribed all religious denominations except for Islam, the Eritrean Orthodox Church, the Roman Catholic Church, and the Evangelical Church of Eritrea (Lutheran). Members of the prohibited denominations—less than 2 percent of the population, but with growing influence among Eritrea’s youth—were forbidden from worshipping anywhere in Eritrea, even in private homes. By the end of 2005, Amnesty International reported that at least 26 members of the proscribed clergy and more than 1,750 parishioners had

been detained, along with a smaller number of Muslims, many of them taken prisoner during clandestine wedding ceremonies and private prayer meetings. Among the detainees are Jehovah's Witnesses—whose members have been denied basic civil rights since declining, on religious grounds, to participate in a 1993 referendum establishing Eritrea's independence—and members of at least 36 evangelical and Pentecostal churches, along with followers of the Baha'i faith. Detainees were held incommunicado alongside political prisoners and frequently ill-treated or tortured in an effort to force them to renounce their beliefs and sign documents pledging not to attend future religious meetings.

Popular gospel singer Helen Berhane, who had recently released an album of Christian music, was jailed on May 13, 2004, and held in a shipping container at the Mai Serwa military camp until her release in October 2006. On May 28, 2005, police arrested the bride and groom and 200 guests, including the pastor of the Meseret Krisos Church and gospel singer Essey Stefanos, at a wedding in Asmara. On September 30, 2005, dozens of evangelical church members were arrested in sweeps across Asmara, including many from the Rema Church, and on October 3, police arrested the twenty staff members of the Kale Hiwot Church, which runs an orphanage, nursery and primary schools, and an emergency feeding center. Dozens of Muslims belonging to new Islamic religious groups were also detained in September 2005.<sup>17</sup> Another seventy-five evangelical Christians, half of them women, were jailed on February 1, 2006, for reading the Bible while at the military training camp at Sawa. Many evangelicals who were later released showed evidence of severe physical maltreatment. Two members of an evangelical church south of Asmara were reportedly tortured to death on October 17, 2006, while a third died after "persistent torture" in an Assab prison four months later.<sup>18</sup> Authorities also stripped Eritrean Orthodox Patriarch Abuna Antonios of his ecclesiastical authority and placed him under house arrest on August 25, 2005, after he protested government interference in Eritrea's largest legal religious institution.<sup>19</sup>

The U.S. State Department has imposed sanctions on Eritrea under the 1998 Religious Freedom Act for failing to address the persistent violations of religious freedom. Nevertheless, the crackdown continued unabated into 2007, as authorities arrested sixty-eight evangelical Christians in three raids in January, according to the California-based mission organization Open Doors, which ranked Eritrea thirteenth worst

out of fifty countries on its 2007 World Watch List of countries that persecute Christians.<sup>20</sup>

Meanwhile, the Eritrean government has come under attack from Islamist terrorists based in neighboring Sudan, chiefly the Eritrean Islamic Jihad Movement (EIJM). EIJM was originally founded in Sudan in 1980 and was affiliated with Osama bin-Laden's terrorist network in the 1990s. After the group underwent a split earlier this decade, the largest faction took the name Eritrean Islamic Party for Justice and Development and affiliated itself with the secular nationalist EDA opposition coalition, one of two Islamic groups to do so. The EIJM is blamed for a rash of landmine incidents, ambushes, and bombings over the past decade, including the May 25, 2004, bombing in the western town of Barentu that injured ninety people. This confrontation has led to increasingly stringent, and often repressive, government controls over the mostly Muslim inhabitants of the western and coastal lowlands.

With no outlet for political protest in Eritrea, the Islamist resistance has become the default channel for the rising popular dissatisfaction among Eritrean Muslims. Issues that feed the movement's growth include a litany of perceived cultural slights: the government's refusal to accept Arabic as an official language; government interference in the selection of leadership in Islamic religious institutions, including the appointment of the Grand Mufti in Asmara; the virtual colonization of the lowlands by Tigrinya-speaking Christian entrepreneurs, who own most of the shops, businesses, hotels, and other urban enterprises and control most local commerce and trade; the denigration of pastoralism as a way of life, reflected in government policies and services favoring settled farmers; resentment over a postindependence trend toward unequal representation for Muslims in state and party leadership; fears that the official (but haphazardly implemented) land reform will impinge on traditional grazing rights, a concern that has been reinforced by the recent resettlement of war-displaced civilians and refugees returning from Sudan in the fertile western plains; and, most important, outrage over the conscription of women into an army where they reportedly suffer extensive abuse. These trends have politicized religious identity and strengthened the Islamist appeal among many Eritrean Muslims, especially those in rural areas.

The only nonreligious membership-based organizations permitted to operate in Eritrea today are those under the party's direct control—

the National Confederation of Eritrean Workers, with an estimated 20,000 members in five federations; the National Union of Eritrean Women, with 200,000 members; and the National Union of Youth and Students, with 170,000 members.<sup>21</sup> The trade unions are not permitted to organize any segment of the workforce without state and party permission, nor are strikes permitted under any circumstances. Independent trade union organization is not allowed by individuals or groups outside these party-controlled structures. Three trade union leaders were arrested in 2005—two on March 30, one on April 9—on unspecified charges after rumors of impending labor protests.<sup>22</sup> Women’s and youth organizations are largely service providers and do not engage in policy advocacy or protest. Donations to these organizations are closely monitored by the state, which bans unrecognized organizations from accepting foreign funds. The PFDJ pre-selects the leadership slates and sets the priorities for these organizations, which are then confirmed at periodic organizational congresses.<sup>23</sup>

No group larger than seven is permitted to meet without government permission, and no organized public protest is tolerated. On July 30, 2001, the president of the University of Asmara Student Union, Semere Kesete, was arrested after criticizing the forced labor imposed on students during the summer months. When University of Asmara students protested his arrest the next day outside the High Court in Asmara, they were rounded up and sent to a summer work camp, where at least two died from extreme climate conditions. In the aftermath, the university’s student union was disbanded by the authorities and replaced by a chapter of the PFDJ-controlled National Union of Eritrean Youth and Students.<sup>24</sup>

All other instances of public remonstrance since independence—by liberation front fighters upset over the lack of pay in May 1993, by disabled veterans protesting their banishment from major urban centers in 1994, and by young National Service conscripts in 2004—have been forcibly put down, with their leaders detained for lengthy periods without trial.

### *Recommendations*

- The government should either release or bring to public trial all political prisoners, including, but not limited to, the former liberation front leaders and government officials identified with the Group of 15.

- Allegations of state torture should be investigated promptly and fully, and the government should ensure appropriate prosecution and punishment of perpetrators.
- A law on religion should be adopted that provides legal protections for all religious groups, as mandated by Eritrea's as-yet-unimplemented constitution, and prompt legal action should be taken against those who attack members of minority faiths.
- The national service program should be depoliticized and restructured; it should not be used as a vehicle for coerced, underpaid labor for state and party operations.
- Full and unfettered freedom of public assembly should be permitted, as guaranteed by Eritrea's as-yet-unimplemented constitution.

## RULE OF LAW

INDEPENDENT JUDICIARY:	1.20
PRIMACY OF RULE OF LAW IN CIVIL AND CRIMINAL MATTERS:	0.00
ACCOUNTABILITY OF SECURITY FORCES AND MILITARY TO CIVILIAN AUTHORITIES:	0.00
PROTECTION OF PROPERTY RIGHTS:	1.33
EQUAL TREATMENT UNDER THE LAW:	1.00
<b>CATEGORY AVERAGE:</b>	<b>0.71</b>

The Eritrean judiciary functions as an arm of executive authority, with judges appointed or dismissed at the discretion of the president's office. In some cases, panels of military and police officers have sentenced offenders in secret proceedings that flout basic international fair trial standards. Detainees are not informed of the accusations against them, have no right to defend themselves or to have legal counsel, and have no recourse to independent judges to challenge abuses of their rights. Most political detainees never come to trial and are held indefinitely on a presumption of guilt that is not subject to challenge. Families inquiring after jailed relatives are told, "You have no right to ask."<sup>25</sup>

The president created a system of secret military tribunals called special courts in 1996 to hear cases of corruption and other unspecified

abuses by government and party officials. These courts are directly accountable to his office and are presided over by military officers with no formal training in the law. Hundreds have been sentenced by them, and they are closed to the public. The trials are conducted without legal representation for the accused or any right of appeal. Prisoners are sent to secret security prisons and military camps scattered around the country, which are not open to public scrutiny or even family visits. In July 2001, the chief judge of the High Court, Teame Beyene, was removed from his post after complaining of executive interference in judicial proceedings and calling for the dismantling of the special courts. Although the multitiered judicial system has suffered greatly from severe shortages of trained personnel, no new licenses have been issued for lawyers to engage in private practice in seven years, and most judges in the civilian court system lack legal training.

The military remains under the president's personal control, as he exercises direct command over the five theater-operation generals—the most powerful figures in the country after the president and, as such, the de facto governors of the country's five *zobas* (provinces)—while frequently ignoring General Sebhat Ephrem, his minister of defense. The country's feared national security service is independent of the armed forces and is headed by a longtime Isaias loyalist, Brigadier General Abraha Kassa, but, like the armed forces, its personnel remain under the president's personal control.

All land is the property of the state under a land reform proclaimed in 1995. This decree guaranteed usage rights to all citizens for agricultural and residential land, but it remains incompletely implemented. Prior to this, most land in Eritrea was communally controlled under tenure arrangements that varied widely between and within ethnic groups. After the sharp decline in Eritrea's economy following the outbreak of war in 1998, the government began offering long-term leases for cash payments and threatened to strip the land rights of citizens living abroad if they became involved in dissident political activities or failed to fulfill their tax obligations. With exports extremely low and new investment not forthcoming, the economy survives largely on remittances from the diaspora, whose members are required to pay a 2 percent asset tax in order to maintain rights to purchase land, secure inheritances, and take advantage of other privileges within Eritrea.

*Recommendations*

- Executive interference in the judiciary should be halted, and judges should be permitted to function independently.
- The special courts should be abolished immediately and their functions taken over by civilian bodies.
- Those accused of any crime—political or otherwise defined— should be informed of the accusations against them, have access to legal counsel, and be able to appeal.
- Access to residential and agricultural land should not be subject to political conditions. All land transactions should be open and transparent, with conditions for lease or extended use made clear and adhered to by both parties.

**ANTICORRUPTION AND TRANSPARENCY**

ENVIRONMENT TO PROTECT AGAINST CORRUPTION:	1.00
EXISTENCE OF LAWS AND ETHICAL STANDARDS BETWEEN PRIVATE AND PUBLIC SECTORS:	1.50
ENFORCEMENT OF ANTICORRUPTION LAWS:	0.50
GOVERNMENTAL TRANSPARENCY:	0.43
<b>CATEGORY AVERAGE:</b>	<b>0.86</b>

Throughout the postindependence years, the economy has been dominated by the state and the PFDJ, which share ownership of the country's major financial and commercial institutions, agricultural and industrial enterprises, utilities, services, communications facilities, and transport companies. The PFDJ itself holds dozens of businesses in banking, trade, construction, shipping, metalworking, auto repair, road surfacing, and well-drilling, among other industries, and it holds controlling stakes in a number of joint ventures with foreign investors for other large-scale undertakings, such as mining.<sup>26</sup> These enterprises, set up in the 1980s and 1990s, had been operated by the Liberation Front, and the PFDJ has since expanded them with state favor. While the state has divested itself of some large and medium-size enterprises, it continues to play a commanding role in the economy. Privatization has gone slowly, in part

out of would-be investors' fear of party interference in economic ventures and in part due to the precarious security situation since 1998.

Personal corruption among individuals has historically been low in Eritrea and severely punished when uncovered, but the state and the ruling party, often acting in concert, have made extensive use of economic levers for political ends. It is common, for example, for the PFDJ to pressure enterprises to include it as a partner in new ventures and then exact payment or a percentage of profits in exchange for government cooperation. Meanwhile, strict controls on travel by Eritrean citizens, such as the raising of the minimum age for men to apply for travel abroad without the support of a high-level government official to fifty in March 2005, have generated a lucrative business in such documents as highly prized exit visas. In the process, the practice of graft and corruption among state bureaucrats has grown, particularly at middle and lower levels where pay rates have stagnated as inflation rates have soared. The militarization of much of the country, with zonal commanders outranking civilian administrators, has also fostered widespread corruption in the allocation of housing, management of local businesses, and control of trade. Transparency International placed Eritrea in a five-way tie for 93rd out of 163 nations in its 2006 Corruption Perceptions Index, scoring the country 2.9 on a scale of 1 to 10.<sup>27</sup>

Brigadier General Estifanos Seyoum, a high-ranking member of the PFDJ and a veteran of the independence war, was relieved of his post in the Ministry of Finance in August 2001 after questioning the equity of tax collection from PFDJ-owned enterprises. A signatory of the May 2001 "Open Letter to the PFDJ," he was detained with the other members of the G-15 in September 2001 and has not been heard from since.<sup>28</sup> No questions about tax collection or government expenditures have been raised in public forums since then. Nor is there any independent auditing body with authority to take up such issues. Under the constitution, the president appoints an auditor general, but this position has not been functional. There is no public record of the party's economic operations, no published line item national budget for the state, no detailed accounting for tax collection or remittances—no fiscal transparency of any kind for either state or party finances. In fact, the line items for the national budget remain a well-guarded secret—not only from the general public but also from most members of the cabinet and the ruling party.<sup>29</sup>

Meanwhile, according to the International Monetary Fund (IMF), since the outbreak of war with Ethiopia, “GDP declined, inflation rose, the external current account worsened, international reserves were nearly depleted, and banking assets were severely compromised.” This has led the government to reverse course on privatization and increase its role in the economy, a practice the IMF warned could “endanger fiscal sustainability by lowering growth prospects” while increasing Eritrea’s reliance on foreign assistance, even as new policies made it more and more difficult for aid agencies to operate in Eritrea.<sup>30</sup> Faced with chronic shortages of both skilled labor and foreign exchange, the government has squeezed the anemic small-business sector and cracked down heavily on black marketeering. Hope for economic recovery depends on substantial expansion of gold and mineral exploration, expected to produce results by 2008, and the establishment of tax-exempt free zones near the Red Sea ports of Assab and Massawa.

On March 28, 2005, the government announced penalties of two years in prison and fines of more than \$130,000 for those using foreign currency without permission.<sup>31</sup> That June, the government began requiring businesses to answer extensive questionnaires as to whether employees and their extended families, including those residing outside Eritrea, had fulfilled their national service obligations and paid their taxes.<sup>32</sup> In July 2005, the government announced tough new rules for the 37 international aid agencies working within the nation, including a requirement that they maintain in-country accounts with at least \$2 million on deposit, and an imposition of taxes on imported aid, leading many to close their operations. On March 20, 2006, the government shut down three of the remaining thirteen agencies after issuing a statement criticizing their work in the country. These were the American charity Mercy Corps International, the Irish agency Concern Worldwide and the Britain-based consortium ACORD, agencies that had been involved in Eritrea since the independence war.<sup>33</sup> Two months later, the government tightened the already extensive restrictions on in-country travel by requiring permits for all foreigners to leave the capital.<sup>34</sup>

With an executive-dominated government running a one-party state that prohibits independent media, quashes nonparty NGOs, and detains without trial or recourse to appeal those who dissent individually, in Eritrea there are no whistleblowers for misconduct of any kind. Under these conditions of rigid, one-man rule, there are no avenues for sub-

stantive change open to the citizenry at present. This is unlikely to change until President Isaias steps down or is removed from power under pressure from an aroused populace and a restless military.

### *Recommendations*

- The financial affairs of the state and the People's Front for Democracy and Justice should be fully disentangled and made transparent with the help of international financial advisors.
- A comprehensive line item national budget for revenue, operational expenses, and capital expenditures should be prepared, published annually, and made easily accessible to the public.
- Tax policies and procedures should be open, transparent, and subject to independent review.
- The practice of requiring exit visas to leave the country should end. Collection of bribes and favors for issuing government permits and documents should be thoroughly investigated, and laws should be passed to prevent it in the future.
- The government should implement safeguards to protect whistleblowers on institutional and personal corruption from retributive action by those whom they expose.

### NOTES

- <sup>1</sup> *Eritrea: A Country Handbook* (Asmara: Ministry of Information, 2002), 23–24.
- <sup>2</sup> Eritrea Constitution, Articles 7, 26, <http://unpan1.un.org/intradoc/groups/public/documents/CAFRAD/UNPAN00464.pdf>.
- <sup>3</sup> For a “family tree” tracing the origins and interrelationships of these and other Eritrean political movements, see “Eritrean Political Organizations: 1961–2007” (Elk Grove, Calif.: Awate Foundation, 4 March 2007), <http://www.awate.com/portal/content/view/4485/9>; for a breakdown of EDA membership, see “EDA will hold its congress” (Elk Grove, Calif.: Awate Foundation, 15 February 2007), [www.awate.com/portal/content/view/4469/3](http://www.awate.com/portal/content/view/4469/3).
- <sup>4</sup> Amnesty International delegates were refused visas in July 2002 and have not been permitted to enter Eritrea since then. Neither Human Rights Watch nor the Committee to Protect Journalists has had representatives in Eritrea since 2003.
- <sup>5</sup> Passed by the National Assembly in its 22–24 January 1996 session as Proclamation 90/98 and published by the Ministry of Information.
- <sup>6</sup> “North Korea, Turkmenistan, Eritrea the worst violators of press freedom” (Paris: Reporters Without Borders [RSF], 23 October 2006), [http://www.rsf.org/rubrique.php?id\\_rubrique=639](http://www.rsf.org/rubrique.php?id_rubrique=639).

- <sup>7</sup> “Eritrea: Five years on, members of parliament and journalists remain in secret detention without trial, with fears that some may have died in custody” (London: Amnesty International [AI], 18 September 2006), <http://web.amnesty.org/library/Index/ENGAFR640092006>; see also “Eritrea: Prominent journalist reported dead in secret prison” (AI, 15 February 2007), [web.amnesty.org/library/Index/ENGAFR640022007](http://web.amnesty.org/library/Index/ENGAFR640022007).
- <sup>8</sup> “The Secret PFDJ Prison at E’era-E’ero” (Cerritos, Calif : Asmarino.com, 31 August 2006), <http://zete9.asmarino.com/index.php?itemid=585>.
- <sup>9</sup> “Eight state media journalists still held in police-run ‘Agip’ centre in Asmara” (RSF, 1 December 2006), [http://www.rsf.org/article.php3?id\\_article=19955](http://www.rsf.org/article.php3?id_article=19955).
- <sup>10</sup> “Report 2006: Eritrea” (AI, New York, May 2006), <http://web.amnesty.org/report2006/eri-summary-eng>.
- <sup>11</sup> “World Report: 2007” (New York: Human Rights Watch, 2007), <http://www.hrw.org/wr2k7/wr2007master.pdf>.
- <sup>12</sup> “Declaration by the Presidency on behalf of the European Union on political prisoners in Eritrea” (Brussels: Council of the European Union, 18 September 2006), [http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressData/en/cfsp/90996.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/cfsp/90996.pdf).
- <sup>13</sup> “Testimony of Eritreans deported from Malta, jailed in Dahlak,” (Elk Grove, Calif.: Awate Foundation, 22 July 2005), [http://awate.com/artmen/publish/article\\_4190.shtml](http://awate.com/artmen/publish/article_4190.shtml).
- <sup>14</sup> “Libya: Forcible return/Torture and ill-treatment” (AI, 8 February 2007), <http://web.amnesty.org/library/Index/ENGMDE190042007?open&of=ENG-2D3>.
- <sup>15</sup> “Eritrea: Over 500 parents of conscripts arrested” (AI, 21 December 2006), <http://web.amnesty.org/library/Index/ENGAFR640152006>.
- <sup>16</sup> *Eritrea: A Country Handbook*, 99.
- <sup>17</sup> “Eritrea: Religious Persecution” (AI, 7 December 2005), <http://web.amnesty.org/library/index/engaf640132005>.
- <sup>18</sup> “Eritrea: Christian dies in military jail,” Compass Direct News, 22 February 2007, <http://www.compassdirect.org/en/display.php?page=news&lang=en&length=long&idlement=4779>; see also “Eritrea: Torture/Prisoners of conscience” (AI, 3 November 2006), <http://web.amnesty.org/library/Index/ENGAFR640132006?open&of=ENG-380>.
- <sup>19</sup> “Eritrean Patriarch Uncanonically Deposed,” *Glastonbury Review* (British Orthodox Church), February 2006, <http://www.britishorthodox.org/113a.php>.
- <sup>20</sup> “Recent clampdown in Eritrea reveals new government tactic,” Mission Network News, Grand Rapids, Mich., 13 February 2007, <http://www.mnnonline.org/article/9588>.
- <sup>21</sup> *Eritrea: A Country Handbook*, 50–52.
- <sup>22</sup> “Eritrea: Fear of torture/arbitrary detention” (AI, 6 May 2005), <http://web.amnesty.org/library/Index/ENGAFR640022005?open&of=ENG-ERI>.
- <sup>23</sup> Numerous interviews by the author with leaders and members of NUEW, NCEW, NUEYS, Asmara, 2001, 2002, and subsequent interviews with high-ranking youth and women’s union leaders in the U.S. in 2005–2006, including the former head of NUEYS, Mohedin Shengeb, after he fled Eritrea in 2005.
- <sup>24</sup> Interviews by the author with Asmara University students and members of NUEYS, Asmara, October 2001, February 2002; Boston, November 2003; New York, May 2005.

- <sup>25</sup> “Eritrea: Five years on, members of parliament and journalists remain in secret detention without trial, with fears that some may have died in custody” (AI, 18 September 2006), <http://web.amnesty.org/library/Index/ENGAFR640092006>.
- <sup>26</sup> Interview by the author with PFDJ economic affairs head Hagos Gebrehewit, Asmara, 14 February 2002.
- <sup>27</sup> “2006 Corruption Perceptions Index” (Berlin: Transparency International, 6 November 2006), [http://www.transparency.org/news\\_room/in\\_focus/2006/cpi\\_2006\\_\\_1/cpi\\_table](http://www.transparency.org/news_room/in_focus/2006/cpi_2006__1/cpi_table).
- <sup>28</sup> “Another Critical Official Sacked,” IRIN, 7 August 2001, <http://allafrica.com/stories/200108070236.html>.
- <sup>29</sup> Interviews by the author with Eritrean government officials, Asmara, August–September 2001, February–March 2002.
- <sup>30</sup> “Fiscal Sustainability—The Case of Eritrea” (Washington, D.C.: International Monetary Fund [IMF], January 2004), <http://www.imf.org/external/pubs/ft/wp/2004/wp0407.pdf>. See also “IMF Board Concludes Article IV Consultation with Eritrea” (February 2005), <http://www.imf.org/external/np/sec/pn/2005/pn0518.htm>.
- <sup>31</sup> Ed Harris, “Eritrea cracks down on black market currency trade,” Reuters, 14 April 2005, [http://www.sudantribune.com/article.php3?id\\_article=9066](http://www.sudantribune.com/article.php3?id_article=9066).
- <sup>32</sup> “Eritrea: Family’s party loyalty pre-requisite to acquiring business licenses” (Elk Grove, Calif.: Awate Foundation, 28 June 2005), [http://www.awate.com/artman/publish/article\\_4151.shtml](http://www.awate.com/artman/publish/article_4151.shtml).
- <sup>33</sup> “Eritrea: Authorities expel three foreign NGOs” (New York: UN Office for Coordination of Humanitarian Affairs, 23 March 2006), <http://www.irinnews.org/report.aspx?reportid=58532>.
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