

“If I die at sea, it’s not a problem – at least I won’t be tortured”

The Guardian, May 2015, an Eritrean Fleeing Dictatorship



Response to Solicitors International Human Rights Group (SIHRG) Report:
“Eritrea through the lens of nation building, business ethics & sustainability”

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Response to SIHRG Eritrea Report (2014)
[“Eritrea through the lens of nation building, business ethics & sustainability”]

Introduction

On 7 April 2015, I wrote a brief paper to the Chair of SIHRG expressing serious concerns about their report “Eritrea through the lens of nation building, business ethics & sustainability”. I received a prompt response the following day saying “Thank you for your letter. Our committee will consider the matter next week and I will respond then”.

Following the SHIRG Committee meeting, I received a second email on 15 April together with a copy of the report and a link to the audio recording of their event on 12 December 2014, asking me to provide details of my concerns. To my surprise the Chair of SIHRG added “You will see that Ruby indicated quite clearly that the only prevailing narrative as to Eritrea focusing ONLY on human rights violations did not provide a balanced view of Eritrea - and the fact that Eritrea is a young nation that is only twenty years old and therefore is in transition. You will note that at 52.55 in the audio recording Ruby specifically responds to your concerns on human rights and the conduct of business entities directly, *however reiterates, once she expressly states that she is a keen advocate on human rights, that focusing only on human rights is not a progressive or constructive way to engagement rather that it can have a detrimental impact. Such detrimental impact is for instance such as the potential use of sanctions, which will impact directly on the very rights of the Eritrean people that she is passionate to protect. That is the reason why her research inquiry led her to review the conduct of mining companies and the responsibility they had to ensure that they were implementing local Eritrean laws as well as the laws of their home state and complying with international laws and norms*”.

I find the Chair’s remark incredible and absolutely shocking coming for a human rights group and have rebutted this narration extensively in my factual response. To me the narration, which I translate to mean, “let the people be tortured whilst a country is going through transition” is simply mindboggling

I remain very concerned at SIHRG, as a human rights Group, about your role in providing a platform for a despotic and brutal regime. The promotion of Eritrea’s mining companies, which prop up the regime, was particularly galling - given the human rights abuses in that industry such as forced labour and imposed, indefinite military service, all of which have been well documented

In your December response to me you wrote that “the key points would be addressed at the meeting”. I can assure you they were not. The meeting was packed by Eritrean Embassy friends and supporters and the voice of protest was not adequately heard. Even your Vice-Chair, Ruby Sandhu, gave a one-sided view, claiming that international perspectives of Eritrea were “very different to the reality on the ground”. Indeed, this seems to have been the deliberate direction of the entire meeting as well as the report.

In this 27 pages factual response compared to SHIRG’s 47, I could only respond to material inaccuracies due to time constraints. However, I sincerely hope that my evidence based response will help SIHRG, as a human rights organisation, and its board, to unreservedly condemn the actions of the Eritrean Government for the gross human rights abuses it is inflicting on its own people. This is the task for all human rights groups as is indeed explicitly stated in your mission statement. Let’s have it in action, not only words.

SIHRG and the Author:

SIHRG is a UK based NGO with a voluntary membership principally from the solicitors’ profession in England and Wales. Its mission statement and objective as set out in their report are as follows:

- Mission – “advocating and supporting the Rule of Law”

- Objective – “include raising awareness of international human rights law within the solicitors’ profession and motivating solicitors to participate in the movement to deepen respect for universal human rights around the world”.

Ms Ruby Sandhu is the author of the report: “Eritrea through the lens of nation building, business ethics and sustainability”. She is the Vice-Chair of SIHRG and a member of the Law Society’s Business and Human Rights Advisory Group (BHRAG). BHRAG as lawyers and officers of the court and with a duty to uphold the Rule of Law”.

Ruby Sandhu was exposed to Eritrea for the first time when working with another law firm, handling a Diaspora Tax case, about a year and a half ago (audio recording 2.12).

The full SIHRG report can be found [¹xx] and the recording of the event is at <https://sites.google.com/a/sihrg.org/solicitors-international-human-rights-group/eritrea-1>.

Response to SIHRG

In the paragraphs that follow, I will demonstrate unequivocally why SIHRG’s one-sided report alienates individuals and organisations rather than bring them together to engage in a constructive dialogue. For ease of reference I have structured the Factual Response (**FR**) sequentially to follow SIHRG’s Observations (**SO**) page numbering. I have endeavoured to capture the SOs as accurately as I can but it is suggested that the FRs are read in conjunction with SIHRG’s full report and audio recording for completeness and background information.

SO1: Page 5, second para – the Eritrean history has resulted in the current restrictions and banning of organisations and NGOs from the country.

FR1: The Eritrean history is no different to other countries’ that went through a prolonged period of colonisation, war and subsequent freedom. It is important to remember that history is in the past. Countries forget their history at their peril but it should never be used as an excuse to oppress their own people and to isolate themselves from the outside world. Imagine if Germany and Japan had dwelt on their history and adopted an isolationist philosophy after WW2. Their citizens, almost certainly, would not have succeeded economically and politically in the way they have done over the last 60 years and the world at large would have been a much poorer place. Freedom and prosperity (with the exception of a few and largely Middle Eastern countries) go hand in hand.

In North Korea, people are constantly reminded about their history; the Korean War and the Japanese occupation. Why? Because the Kims want to retain their dynastic rule of repression. Similarly, Eritreans are reminded about the liberation struggle and the perceived threat from Ethiopia almost daily so that Isaias can remain in power for life.

Banning the very organisations such as NGOs that help you feed your people has nothing to do with history but paranoia and regime survival. Democratic nations such as India and other Commonwealth countries (with few exceptions) have learned to live harmoniously with their former rulers. It does not mean these countries have forgotten their history. But they live in the present, not past, always looking at their countries’ future interest and prosperity. And why shouldn’t they?

Sadly, the Eritrean regime only cares about its survival through gross repression of its own people. The Government of Eritrea should be condemn unreservedly by all who want to uphold the rule of law. Nobody, not least human rights organisations - such as SIHRG-should make any excuse for the Government of Eritrea.

¹ We need permission from SIHRG to insert link – hard copy is on sell for £10 (SIHRG website)

SO2: Audio recording 7.03 - “an overwhelming majority voted for Isaias Afewrki to come to power”.

FR2: This is factually incorrect. The Eritrean referendum was for or against independence from Ethiopia with only two boxes to cross from (I voted). However, given the referendum took place 22 years ago, I decided to double-check with one of the UN observers (A.G.). Here is what he had to say in an email dated 30 April 2015:

“I am now writing in response to your request for comment on the section in the SIHRG report and conference where the assertion was made that in 1993 at the Eritrean Referendum “an overwhelming majority voted for Issayas Afewerki to come to power”. This statement is a quite unusually ignorant and misleading assertion. I should explain that I was one of the two UN appointed official observers of the Eritrean Referendum on independence from Ethiopia that was held in the UK for the Eritrean Diaspora – the voting took place at what was then Islington Green School in the Summer of 1993 at the same time as the referendum was conducted in Eritrea and throughout the rest of the Eritrean diaspora.

I can confirm that the referendum contained no mention of Issayas Afewerki or the presidency of Eritrea. The Eritrean people have never been able to vote for IA or any other President as there has never been an election that would have allowed them to do so and the Referendum vote cannot be confused with such an election. To confuse the referendum vote on independence from Ethiopia (which was the only question on the ballot paper) with a vote for a particular person as President of the new country of Eritrea betrays a really quite astonishing ignorance of Eritrean history and politics. I can only assume that the person responsible for such an outrageous claim is either wilfully ignorant of basic historical, legal or constitutional concepts or is deliberately seeking to mislead those with even less knowledge of such important concepts”.

I hope the above assertion is abundantly clear to SIHRG as it is to the rest of the world. I therefore ask SIHRG to make a published, public and unreserved apology for this gross misrepresentation of historical fact, not least to all attendees at its event on 12 December 2014. Isaias is a self-appointed president, and this should be clearly stated in in your apology.

SO3: Page 5, second para – the manipulative and distorted narrative in play by the West against Eritrea and in support of Ethiopia’s violation in blatant disregard of the Algiers Agreement and the final binding decision by the Eritrea-Ethiopian Boundary Commission (EEBC).

FR3: The continued violation of Eritrean sovereign territory by Ethiopia is in direct breach of UN resolution (Reports: 27/2007 and 25/2008) which was based on the EEBC ruling following their comprehensive review of the issues surrounding the dispute. The UN and the international community have the responsibility to exert pressure, including sanctions, on Ethiopia to comply with the ruling. It is regrettable that this has still not happened almost 7 years after the resolution has been passed.

That said, however, the border war costing approximately 19,000 Eritrean lives and perhaps three times as many Ethiopians (sadly nobody knows the exact numbers) was totally unnecessary and futile. If the Eritrean leadership had the diplomatic skills and Isaias was not foolishly stubborn² it could have been resolved without such a huge loss of life. It was clear from the outset that the disputed territory was within Eritrean sovereign boundary. These facts were documented, amongst others, by Jean-Louis Péninou writing for Boundary and Security Bulletin in the summer of 1998 https://www.dur.ac.uk/resources/ibru/publications/full/bsb6-2_peninou.pdf. He says “on paper, the Eritrean case is by far the clearer of the two” and this assertion was made well before the start of the conflict and the commissioning of EEBC by the UN. It is tragic under the circumstances that Isaias did not pursue the diplomatic angle no matter how long it took rather than resort to military force with a devastating consequences. What is even worse is that no one has been held accountable for the devastation and humiliation

² Stubborn is how Isaias described himself in an interview with Dan Connell in 1978. Isaias said “When I am challenged, I become more stubborn – more and more rigid. I’m very emotional”. [Building a New Nation – Vol 2, page xxix].

the country faced and continues to face. Those who questioned (G15), including one of the three³ founding members of EPLF who was the brain of the Eritrean struggle for independence (Haile Woldetsensae), are languishing in prison. I personally met Haile a couple of times and spoke to him over the telephone several times between 1996 and 1998 and can vouch that he was a highly intellectual individual who spoke slowly with dignity; thinking about every single word he said. No doubt history will treat Haile kindly.

To justify the National Service on the basis of “no war, no peace” with Ethiopia is simply to distract the people’s attention from turning against Isaias’ rule. It should be recalled that Eritrea decisively defeated Ethiopia in its struggle for independence with about a quarter of its current military manpower. If the EPLF can achieve to liberate the whole country with a manpower of less than 150,000, why should the government of Eritrea now have a military force of 570,000 on the pretence to liberate what is essentially a small town? It is clear to all observers who witnessed the decline of the country over the last decade that, even with the size of the current army, there is no hope that the current Eritrean Government will be able to recover its illegally occupied territory by force.

It is futile for the Eritrean Government or its apologists to blame the West about the unresolved border dispute. All countries are after their own interest - that is the fact of life. The Eritrean Government should acquire the art of diplomacy and learn to work harmoniously with the international community, but there is frankly no chance of this happening whilst Isaias is in power.

SO4: Page 6, first para – Eritrea comprises of two distinct ethnic groups; Tigrinya (majority) and Tigre.

FR4: This is factually incorrect. Eritrea has nine ethnic groups with distinct languages and cultures.

1. *Tigrinya* - this is the largest ethnic group and occupy southern, central and northern highlands of the country. They are officially known as Biher-Tigrinya, speak Tigrinya and are mostly Christians.
2. *Tigre* - the Tigre are traditionally nomadic shepherds in the north Eastern of the country. The majority are Muslims.
3. *Afar* - the Afar people (also known as the Danakil) can be found in Eritrea as well as in Ethiopia, Somalia and Djibouti. Like the Tigre, most Afar people are nomads. Most of the Afar believe in the spirit of the dead and celebrate Raben (Feast of the dead).
4. *Nara* - the Nara live in the north of Gash River, which is in the South Western part of Eritrea. They are mainly Muslims.
5. *Saho* - The Saho mainly reside in Foro, which is a short drive from Massawa (the country’s main port) and are largely dependent on farming. The Saho are mainly Muslims.
6. *Rashaida* - the Rashaida occupy the coastal areas of Eritrea and they speak Arabic. They are mainly Muslims.
7. *Beja* - the Beja are nomadic shepherds and are largely found in the low lands of Eritrea. They are mainly Muslims.
8. *Kunama* - the Kunama mainly reside in Gash Barka region in the border region with the Sudan. They speak Kunama and they are largely Muslims.
9. *Bilen* - the Bilen practice both Islam and Christianity. They occupy the region bordering the Tigrinya area.

³ 1965, Kassala, Sudan. The other two were, Isaias and Mussie Tesfamikael who is said to have been killed in mysterious circumstances during the struggle.

SO5: Page 7, second para – these conflicts [border] and military spend combined with drought strain on resources - exacerbated with UN’s military and economic sanctions imposed for the alleged support to Al-Shebaab.

FR5: So far, it appears no concrete evidence has been obtained of Eritrean support to Al-Shebaab. However, lack of supporting evidence currently does not necessarily mean Eritrea is not involved in Somalia. Given its main adversary (Ethiopia) is deeply involved in Somalia, it would not be surprising if Eritrea is also involved. It is difficult to support or dispute the assertion made by SIHRG in respect of the SEMG report for the simple reason that that current available information is too sketchy.

In the third and fourth paragraph (page 7) Ruby Sandhu refers to Wikileaks. The points made in the leaked cables, which have not been verified by the European Union are referred as ‘European’ opinion. The European Union is a diverse body and hence they could not possibly all agree on this. The assertion is not based on concrete evidence. https://www.wikileaks.org/plusd/cables/09BERLIN1467_a.html

The point on border conflicts and military spend is comprehensively rebutted elsewhere in this paper.

With regards to drought the facts point the opposite. The country has had some of its best rainy seasons over the last decade. Further it is claimed that the Eritrean Government has built a large number of dams and reservoirs across the country to help with irrigation which the Government proudly shows repeatedly on ErTv. Clearly there is a shortage of food in the country but it is man-made. The men and women who should till the land are in Sawa or worse perishing in the Mediterranean.

For further supporting evidence refer to the Eritrean Catholic Bishops’ Open Letter 2014.

SO6: Page 8, second para – Eritrea’s rapidly emerging economic potential, particularly through its natural resources copper and gold, is blighted heavily by the above factors [i.e. conflicts and sanctions] and development is therefore limited to being a slow and gradual process. Mining royalties and tax is *minimal* [my emphasis] in comparison to public expenditure on education, health food security and infrastructure.

FR6: Where are the statistics to support a “rapidly emerging economic potential”? How can SIHRG reconcile a “rapidly emerging economy” with “slow and gradual process”? One of the interviewees in the discredited DIS report says “stats are almost non-existent in Eritrea” [my emphasis]

What is the inflation rate? What is the Nakfa forex? Eritrea is leaking its most valuable resource (labour) day in and day out. What is the size of the workforce? In my view only someone who is economically ill-informed can make such a sweeping statement. Why would people flee from an emerging economy for economic reasons?

As explained elsewhere in this paper, the key purpose of sanctions (at least as far as the victims of oppression is concerned) is to rightly bring repressive countries to their knees as happened to the brutal apartheid regime in South Africa in the 1980s, which helped liberate the people of that country. One can only hope that the sanctions imposed on Eritrea bring the same result regardless of the UN’s intention or its public rationale for them.

Let us now turn to mining. As the SIHRG report rightly says Eritrea is rich in mineral resources and, indeed, over the last 5 years we have witnessed a massive scramble by mining companies to get their hands on this as yet untapped wealth. There are currently some 25 companies from Canada, Australia, China, Russia, UK and Africa that are linked to the Eritrean mining industry in some shape or form.

The three main companies that are actively looking to exploit the country’s rich mineral resources, including gold, silver, copper, zinc, and potash are:

- i. Nevsun Resources Ltd. (Canada) - gold, silver, copper and zinc. In 2011, Nevsun started production at the Bisha mines in the Gash region and it is currently the only operational mine in the country. The Court House News Services wrote on 25 November 2014 "Since 2011, Nevsun has generated approximately US \$1.6 billion in revenue, \$250 million of which went to the Eritrean Government's state-owned Eritrean National Mining Corporation". This has provided a massive financial injection to the cash strapped Eritrean Government whilst the people are condemned to accept the trickle down economic policy that is perpetuating poverty, underdevelopment and mass exodus.
- ii. South Boulder Mines Ltd. (Australia) - potash. The Company owns exploration rights of 400km² within the Danakil Depression in South East Eritrea. If and when production start this is expected to be the world's first and largest modern open-cast potash mine and will be within a close proximity to the Red Sea.
- iii. China Shanghai (Group), Gold – the company acquired 60% stake for US \$ 80m from Chalice Gold Mines, an Australian Company, in December 2011. Chalice apparently decided to sell its holding because of difficulties it faced in raising the necessary finances for the project due to the UN sanctions.

There are also a couple of small mining companies that are actively engaged and looking to obtain Eritrean mining permits imminently:

- Sunridge (Canada) - made several discoveries on its Asmara project. The company is said to have completed its feasibility study and expects to be issued with mining permit in the first half of 2015. It will then mobilise to start production in 2017.
- Andiamo - a private company based in London. The company is exploring Sulphides (Copper/Zinc) and Gold deposits in Eritrea. Andiamo has a 235 km² Haykta Exploration License in Yacob Dewar and Ber Gebey. According to the CEO (Dr Tim Williams) the Company raised investment worth US \$11.6m between 2009 and 2014. Ortac, a British Virgin Island registered company, listed in London AIM, acquired 25% holding in Andiamo in early 2014. So far Andiamo has not generated any revenue from its operations in Eritrean. The last set of published accounts to 31 December 2013 show an accumulated loss of c. US \$600k – all relating to Other Operational Expenditure, of which c. 65% appear to have been spent in London.

On the mining and human rights front, three Eritreans have sued the Canadian mining company Nevsun for complicity in torture, forced labour, slavery, and crimes against humanity. Their British Columbia based lawyers said, "Our clients have assumed great personal risk in coming forward to file this lawsuit"

<http://www.theglobeandmail.com/report-on-business/qatar-backed-qkr-close-to-1-billion-bid-for-nevsun/article21670095/>.

These allegations by the three Eritreans come on the back the Human Rights Watch "Hear no Evil" report in 2013. The report said "Human Rights Watch engaged in an extensive dialogue with Nevsun about these allegations and to learn what steps the company has taken to address them. Nevsun's response to our inquiries and to the situation on the ground portrays a situation of deep concern. The company does not appear to know for certain whether conscript laborers have been forced to work at Bisha or not".

<http://www.hrw.org/reports/2013/01/15/hear-no-evil-0>

There are clear concerns about the impact of mining revenue and forced labour in Eritrea both within the diaspora community and also within the country itself. In March 2015, the Red Sea Afar Democratic Organisation warned the Australian South Boulder Mines Ltd of partnering with the Eritrean Government

<http://www.sudantribune.com/spip.php?article54432>

SO7: Page 8, penultimate para – the president is modestly dressed and he sends his children to Sawa.

FR7: The first question that comes to mind in relation to the above dress code statement is “so what?” A succession of North Korean and Chinese leaders have been modestly dressed in army uniforms but that does not make them any less evil dictators. Conversely, Mahatma Gandhi, the architect of modern day India, travelled up and down his country half naked, but it would be a travesty of justice to attribute his immense achievement to his dress code.

With regards to Isaias’ children schooling and Sawa, it is nonsensical to make such a sweeping statement based on hearsay. Does SIHRG have any evidence of Isaias’ children attending Sawa that substantiates this claim? If so, what were their names and when and for how long did they attend Sawa? Repeating other people’s rumours in a research study as important as this where the lives of people are stake is futile in my view.

SO8: Page 8, penultimate para – there is little evidence of corruption and humanitarian aid workers report startling few cases of corruption.

FR8: Which humanitarian aid workers given there are hardly any NGOs in the country? This contradicts SIHRG’s remark below where you say there are no NGOs in Eritrea. Refer to SO18 below.

Eritrea according to Transparency International corruption perception survey has been in the upper quartile of the most corrupt nations since 2004. The recent scores are: 2012 = 150/175, 2013 = 160/175 and 2014 = 166/174. Based on these trends it would not be surprising if Eritrea tops the league table in 2015 in light of the HSBC episode (see below). <http://www.transparency.org/cpi2014/results#myAnchor1>

World Audit Corruption which ranks corruption alongside democracy puts Eritrea in 2014 for corruption and democracy at 142 and 147 respectively from 150 countries surveyed. North Korea at 150 was the worst on both counts. <http://www.worldaudit.org/corruption.htm>

The Eritrean Government and its sympathizers would undoubtedly argue that the above stats are perception surveys despite the fact the data is used extensively as a point of reference by the international business community.

But there are also other evidence that point to an endemic level of corruption in Eritrea. The HSBC Swiss Leaks in February 2015 is a classic case that demonstrates that Isaias is never true to his word. At independence Isaias, with utter contempt for other African countries, vowed “not to steal public funds”. But, after 22 years, Eritrean officials stashed US \$ 699.6m in HSBC Swiss Bank Account, according to Swiss fraud Leaks. Eritrea one of the poorest countries was ranked 53 out of 200 countries with assets stashed in HSBC accounts. <http://www.strathink.net/ethiopia/eritrea-ranked-53-out-of-200-with-holdings-in-secret-hsbc-accounts-who-deposited-eritreas-700-million/>

Of the 200 countries, 42 are from Africa – representing 85% of all the countries in that continent. Eritrea topped the league table as the single African country with the most funds stashed away in foreign banks,, hence the most corrupt. The report said “Eritrea – ranked 182nd out of 187 countries in the 2014 United Nations Human Development Index (HDI) report – topped the list, with a single client banking a whopping \$699.6m”. <http://mg.co.za/article/2015-02-13-exposed-the-africans-named-in-the-hsbc-swiss-leaks>

On 18 February 2015, the Swiss authorities instigated an investigation into the “suspected aggravated money laundering” prompted by the revelations in the Guardian, the BBC, Le Monde and other media outlets. The result of the Swiss investigation, when it concludes, is keenly awaited and should make a very interesting reading.

For additional evidence on corruption in Eritrea, refer to section FR13 of this report.

So much for a corruption free country!

SO9: Page 8 final para – Isaias Afwerki is said to have a forward looking and pragmatic view on Eritrea and has expressed the need for a pluralistic political system and an egalitarian society. However, he is entirely cognisant of how endemic corruption has impacted other African states and their natural resources through dishonest politicians, bribery, lack of infrastructure and political will.

FR9: Isaias in 1991 (i.e. 24 years ago) said “One political party cannot be the solution [it would be] a very dangerous and risky game. The only alternative is a pluralistic political system”. Unfortunately, a one-party political system, or even worse a one-man party, is precisely what he has ended up creating. What the people of Eritrea demand is not words but action; they want to run their country democratically through a free and fair election. Isaias clearly does not wish this to happen because he has no hope of winning such an election.. If the Eritrean people can free their country, through 30 years of armed struggle from a country supported by not just one but by two superpowers, they are surely capable of deciding who should govern them.

It is abundantly clear that Isaias is far from forward looking, pragmatic nor an admirer of a pluralistic political systems. This is what he had to say in an interview with Al Jazeera on 23 May 2008 on this very subject.

Riz Khan: When are elections going to be held in Eritrea? There were elections scheduled for 2001, they didn't take place. When are they going to happen?

IA: What elections?

RK: Elections in Eritrea.

IA: We will see what the elections in the United States will bring about and we would wait for about 3 to 4 decades until we see a genuine, natural situations emerge in Eritrea.

RK: Are you saying Eritrea is going to wait 3 to 4 decades before it holds elections?

IA: Maybe more, maybe more. Who knows? That of course depends on what you call elections, what you believe in elections, what you think in terms of elections, if you think elections are like we witnessed in Ethiopia, the elections in Zimbabwe, the elections in Jordan, the elections in Morocco, the elections in Kuwait, if you talk about those elections and the elections in Iraq and elections in Afghanistan like where the process was a deal brought about the former government. But if you're talking about this elections it may never happen. It may take decades.

One has to obviously read between the lines to understand the incoherent response from Isaias but it is clear he has no time for people's power. The excuses he makes about bribery and endemic corruption in Africa have been rebutted elsewhere in this paper. The only point to add here is that the country the Eritreans want is a country fit for people, not angels, to live in. All countries have their imperfections and there will always be corruption by human beings! To try to create a prefect nation is simply unrealistic and it will never happen which is exactly what Isaias wants so he can remain in power for life.

The Al Jazeera interview reminds me of the coherent interview Erich Honecker gave in January 1989 when he said “The Wall will be standing in 50 and even in 100 years”. The Berlin Wall was of course smashed to dust only 9 months later.

Democracy should not be a privilege for the rich but must be equally available to the rest of humanity, including the poor, for whom SIHRG, as a human rights group, should, in my view, advocate strongly.

SO10: Page 8, last para – Constructive actions including first steps have been taken; President Isaias Afewrki on 24 May 2014, acknowledged that the constitution, a progressive and well thought through document, required further revision to take into account recent development before its intended implementation.

FR10 – Isaias happens to say all sorts of things depending in his mood on the day. In relation to the constitution, he had previously said that the people-approved constitution was “dead” and how he now plans to resuscitate it after further revision, whatever that means.

In hindsight, it is clear Isaias never wanted the country to have a constitution. During the initial drafting of the constitution there were some substantive differences; between presidential and parliamentary systems, multipartism and the role of the security and military, the relationship between the church and the state. The draft constitution was debated across the country which was seen as something unique to Africa. Overall the constitutional process was by and large an excellent democratic process. But the constitution remains unimplemented on the false pretence of the border dispute with Ethiopia. The true reasons for delaying the completion of the constitution are, however, the very differences that arose at the drafting stage – differences that quite likely originated from Isaias’ office given they are the very same tools now used for repression. For this reason I would be mightily surprised if Eritrea will ever have a constitution in place whilst Isaias is in power because having one would mean his demise for good.

Given the Eritrean constitution as far as Isaias is concerned is “dead”, SIHRG, on page 41, surprisingly refers to “the constitution of Eritrea at Article 8 outlines and purposes of regulation in Eritrea concerning economic and social development”. It then goes on to list three bullet points and describing them as a “progressive outlook”. This is incredible. I would be keen to know how a “dead” and unimplemented constitution can be described as such.

SO11: Page 8, last para – the gravity of the task and the time required to institute rebuilding Eritrea, has led to an inherent belief that PFDJ need to remain in power as the only practical party in Eritrea for the initial development and transition stage. Especially as concerns are expressed of external forces keen to destabilise the PFDJ or discredit President Afeworki through the heightened exposure of human rights violations in order to take advantage of Eritrea’s emerging natural resources as evidenced in the media speculation that there had been attempted military coup in January 2013, this was disqualified and dissipated.

FR11: If the PFDJ was not the People’s Front for Dictatorship and Injustice that brutalise its own people and instead let the people get on with their lives, I would be surprised if the majority of Eritreans would care much who they are and what they do. All the people of Eritrea want is to live freely to earn a living and not forced into an open-ended conscription for almost their entire adult life. Nobody, but nobody, tries to discredit Isaias for the simple reason he is already doing it himself!

With regards to the 21 January 2013 attempted coup, what evidence does SIHRG have to say it “was disqualified and dissipated”? Even the discredited DIS paper, which you selectively and extensively cite to make your case, admits the attempted coup. International Organisation (B), page 26 states “... especially following the January 2013 (Fort incident)” and Western Embassy (B) on page 44 cites “The attempted coup in January 2013 illustrates the point [freedom of movement]. Armed vehicles came from Senafe 120 km from Asmara without being stopped or attacked.”

The attempted coup was widely reported. Following interview with Isaias, The Wordpress wrote “ Eritrea’s strongman Isaias Afewrki dismissed the January 21 military takeover of his Ministry of Information as a minor incident orchestrated by “a handful” of individuals, an incident that he and his ministers, who were in a meeting within the confines here [presidential palace], discussed “

<https://martinplaut.wordpress.com/2013/01/21/eritrea-coup/>. The attempted coup was not a self-indulgent as SIHRG would have us believe but a fact!

SO12: Page 9, second para – the president and his small circle of senior advisors and military commanders exercise almost complete political control ... the government has a history of expropriating houses, businesses and other property without notice, explanation and compensation.

FR12: The fact that Isaias is a control freak is beyond doubt as amply and repeatedly demonstrated in this paper. As to his senior advisors and military commanders clique that number perhaps no more than a dozen, they live under constant fear of at best being “dasciled”/frozen or, at worst, languishing in prison for life (as G15) or even have their heads removed from their shoulders.

Expropriation of houses and business by the Eritrean Government without compensation has been going on since independence. I know a number of people (one happens to be a relative of mine) who lost their properties without any explanation nor compensation. Furthermore, diaspora who paid US \$500 and in some cases substantially more as a deposit for land to build houses in Asmara and other main cities well over a decade ago have not been allowed to do so. There are at least a couple of people who live in South London that I know who find themselves in such predicament with no one to help here at the Eritrean Embassy or Asmara.

Since January 2015, the regime in Asmara, has demolished over 1,000 homes in Arbaete Asmara, Xelot, Daero Paulos, Adi Keyeh, and Dekemehare, and left thousands of citizens homeless. The demolishing of homes continues unabated. The Government claim that they were ‘illegally’ built doesn’t surely justify their destruction given the acute housing shortage in the country. Where was the Government when those homes were built?

SO13: Page 9, third para - some military commanders are very corrupt and unfortunately the President has allowed them to run the country because he needs them.

FR13: Not some but the majority of the military commanders are utterly corrupt. In a letter dated 1 April 2010, the British Embassy in Asmara responded to a question on this from the Home Office as follows (Page 18):

Home Office: “Have there been cases of Eritrean military officials/immigration officials/border guards accepting bribes or otherwise assisting in illegal exits?”

Embassy: “We do not have substantive evidence to prove this but it is widely believed that officials, border officers and military/police at checkpoints, have and do accept bribes, and help facilitate the escape of very large numbers of young Eritreans to other countries (Sudan mostly)”.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/412716/CIG - Eritrea - Illegal Exit - March 2015 - v1 0.pdf

SO14: Page 9, last para – supporters of the Eritrean regime express concerns about passing power to a Western puppet.

FR14: This is nonsense and a common excuse of dictators who want to remain in power for life. If the people of Eritrea are given their democratic right they can run their country any way they like. Why should Isaias and his puppet be more patriotic than the rest of the Eritrean people? Who are these so called “supporters of the Eritrea regime”?

SO15: Page 10, last para – post 1993 signs of a new way of doing things were evident in the role Eritrea took after independence. This included mediation efforts with Somalis, Ethiopians and Djibouti factions.

FR15: It is fair to say that Eritrea played a mediation role in the region in the initial stages following independence. Those initiatives were led by members of the G15 and in particular Haile Woldetensae. However,

to say “signs of new ways of doing things were evident in the role the Eritrea took after independence” is far from the truth. In the last 15 to 20 years, setting aside the unresolved conflict with Ethiopia, Eritrea has had clashes with neighbouring Djibouti and Yemen, and it continues to have a love-hate relationship with the Sudan.

- Eritrea v Yemen - fighting took place in 1995 about the Hanish Islands. In 1998 the Permanent Court of Arbitration determined that most of the archipelago belonged to Yemen
http://en.wikipedia.org/wiki/Hanish_Islands_conflict
- Eritrea v Djibouti - 2008 conflict due to the boundary dispute at Cape Doumeira (Ras Doumeira) by the Red Sea which runs for 1.5 km. http://en.wikipedia.org/wiki/Djiboutian%E2%80%93Eritrean_border_conflict. To the best of my knowledge this dispute remains unresolved.

As far as the allegation of Eritrean support to Al Shebaab in Somalia, it appears no concrete evidence has emerged from SEMG (?) but more importantly the Eritrean Government has not been able to disprove the allegations either.

In its 22 years of existence as a free state, Eritrea under Isaias has fought three wars with three different countries. How can one build a nation and let alone be described as a stabilising force through mediation when a country gets into a new war with one of its neighbours every 7 years?

SO16: Page 11, para 4 – there was no felt, experienced or sense of a climate of fear

FR16: What is the basis for this assertion? Are there any independent accounts and testimonies apart from the view expressed by Ruby Sandhu? The BBC recent documentary provides evidence to the contrary; an ingrained climate of fear where 37 out of the 37 people asked were not prepared to speak out. Ruby Sandhu claims she “could walk any time of the day in Asmara with shorts and t-shirt and felt entirely safe, no one followed me” [my emphasis]. The author must have been in a rare and unique position to enjoy this privilege but it is unfortunate she did not use the opportunity to gain understanding of the other side of the story from the citizens of Asmara. This is what BBC researchers in their recent visit to the country did. [a recent visit to Eritrea by the BBC](#)

Similarly Sashank Bengali during her visit to the country consulted members of the public behind her minders in order to reach at what is, in my view, a balanced research based report:

<https://www.youtube.com/watch?v=txMazCoqUM4>.

The fact that international visitors who by and large are in the country for a brief period of time felt safe or unsafe is secondary. The question is whether the Eritrean people feel safe in their own country. Clearly not. They would not be fleeing their country in enormous numbers if they were able to earn a living and the country was safe. Eritreans are risking life and death across deserts and the Mediterranean to come to Europe in order to be safe and earn a living. The Eritrean people are quite literally caught up between the devil and the deep blue sea – they are left with no option but to flee.

SO17: Page 11 – Western narrative of Eritrea is a highly militarised political system, undemocratic structures, low levels of development, over militarise population per capita.

FR17: This is not a Western narrative but the truth as is amply proven in this paper.

For military size and strength see section FR43 below (Eritrea v North Korea).

SO18: Page 12, second para – there are currently no human rights NGO operating in Eritrea (also page 39, first para) - there is restriction on NGOs and there are visa restrictions and accurate reporting from within Eritrea is difficult.

FR18: All NGOs were expelled from Eritrea in 2001 and no private media has been permitted to operate in the country since with a number of journalists, including Dawit Isaak, languishing in prison. Media freedom index puts Eritrea last – after North Korea.

On visa restriction, it would be helpful if SIHRG could enlighten the international community how, as a human rights group, it managed to secure an entry visa to Eritrea? Other rights groups, including Amnesty International, Human Rights Watch, the UN and numerous independent journalist have not been allowed into this secretive country. BBC was recently allowed in after 10 years and provided a balanced report showing the “social development progress” the country has made but also the gross human rights abuses the regime is perpetuating on its own people.

SO19: Page 12, para 3 - the number of Eritrean refugees, the pull factor and people trafficking (also pages 16 - 17)

FR19: A recent news headline read “Thousands of Eritreans risk everything in Mediterranean boat smuggling”. No one could have failed to see the deaths in late April/early May of migrants and asylum seekers trying to reach Europe by boat across the Mediterranean <http://www.bbc.co.uk/news/world-europe-32376082>. Eritreans fleeing the brutal dictatorship are now revealed as the second largest population, behind Syrians, both in terms of asylum applications across Europe in 2014: <http://www.unhcr.org/546606286.html> and in people arriving via the Mediterranean so far in 2015 <https://twitter.com/KenRoth/status/590574153792618497>, according to the UN Refugee Agency.

Sadly, Eritreans have borne the brunt of recent deaths as the tragedy of the ‘deadliest incident on record’ where 28 survivors were rescued from a boat that held 850, included 350 Eritreans.

<http://www.unhcr.org/553623109.html>

In the days that followed several deadly incidents, the media began to look at why Eritreans were taking such big risks in such big numbers. One refugee summed up the feeling telling The Guardian ‘if I die at sea, it’s not a problem – at least I won’t be tortured.’ http://www.theguardian.com/global-development/2015/apr/21/escaping-eritrea-migrant-if-i-die-at-sea-at-least-i-wont-be-tortured?CMP=share_btn_tw

Business Insider writer, Armin Rosen, writing about ‘the depressing reason the Mediterranean migrant crisis won’t end any time soon,’ concluded that the crisis demonstrates “how far people are willing to go to escape oppressive governments, and push against the widely held delusion that entire populations can be conditioned to the whims and megalomania of authoritarian governments.” <http://uk.businessinsider.com/why-the-mediterranean-migrant-crisis-wont-end-any-time-soon-2015-4?r=US>.

Michela Wrong (a distinguished author, former Financial Times correspondent and a life time supporter of the Eritrean struggle for freedom) challenged the assumption that Eritrea’s supposed successful work on some of the Millennium Development Goals made it a good model for others, instead she characterised the country as ‘an elegant cage – a suffocating place to live’. <https://foreignpolicy.com/2015/04/22/end-poverty-stifle-happiness-mdgs-mediterranean-eritrea/>

The Sunday Telegraph’s Chief Foreign Correspondent Colin Freeman described the country, and its indefinite National Service, as a “modern-day Sparta.”

<http://www.telegraph.co.uk/news/worldnews/africaandindianocean/eritrea/11562998/Eritrea-Escape-from-modern-day-Sparta.html>

Call it “pull or push factor” whatever you will but it is abundantly clear that there is a relentless mass exodus from the brutal dictatorship in Eritrea. A clear evidence which the secretive Government is unable to hide.

SO20: Page 12, penultimate para – Eritreans fleeing the country for economic reasons

FR20: I find this extraordinary especially in light of the earlier remark that “Eritrea is an emerging economy”. Clearly people will move to where they perceive the grass is greener, but this is not the underlying reason for the mass exodus. The main and obvious reason is the denial of basic human rights.

The economic argument appears to be based on the much discredited DIS report, which has been retracted by the Danish Government. I have provided a full rebuttal narration to the DIS report in section FR23 of this paper.

A Guardian recent article: <http://www.theguardian.com/global-development/datablog/2015/mar/27/asylum-applications-rich-countries-highest-since-1992> reports that in 2014 the number of asylum requests to rich countries was at its highest for almost 25 years. The report puts the number of Eritrean asylum seekers overall second to some large and war ravaged countries such as Syria:

- (i) in Switzerland the largest group;
- (ii) in Sweden the second largest group;
- (iii) in the UK the second largest group;
- (iv) in Holland the second largest group;
- (v) in Germany the third largest group; and
- (vi) in Serbia the third largest group

Based on asylum seekers per population, Eritrea (population of c. 6m probably a lot less) comes consistently top and way ahead of Syria (with a population of 18m) and other African countries. It is estimated c. 5% to 7% of Eritrea’s entire population (almost all of them of productive age i.e. less than 45) are fleeing the country each year. At this rate there will soon be nobody left to brutalise!

The Eritrean Government and its sympathizers claim that the high number of Eritrean asylum applicants is due to other Africans, in particular Ethiopians, applying in Europe as Eritreans because it is not easy to distinguish between the two. Here one asks why any person would apply in a different nationality unless they are certain that that country is a well-known repressive regime. It may be difficult to distinguish Eritreans from Ethiopians but it is clear that whilst there are Eritrean refugee camps in almost all of the neighbouring countries, there is no Ethiopian refugee camp in Eritrea nor in any of the other neighbouring countries. It would be impossible to say there are no Ethiopians that claim asylum as Eritreans but there is no evidence to support this assertion. The narrative that other Africans apply for asylum in Europe as Eritreans is simply put to get the Government of Eritrea off the hook by its apologists, and inadvertently admit the regime is repressive.

SO21: Page 13, last para – glaring allegations of gross human rights violations evidenced by two recent critical and damning reports; (a) 2013 UN Special Rapporteur and (b) 2013 Human Rights Watch

FR21: A chronicle of human rights abuses and people trafficking in Eritrea compiled by the European External Policy Advisors, covering the period 18 November 2011 to 3 April 2015 can be found: <http://www.eepa.be/wcm/>. This empirical evidence based research paper contains, amongst other articles, the UN Inquiry interim report (the full report is not due until June 2015). In summary, the interim report provides a damning evidence of human rights abuses in Eritrea as noted below.

“At the UN interactive dialogue on 16 March the Chairperson of the Commission of the Inquiry on the Human Rights Situation in Eritrea, Mr. Mike Smith, said that the Eritrean authorities had so far not cooperated with the inquiry.

From the evidence gathered by the Commission it was evident that most Eritreans have no hope for the future. With national service of indeterminate duration; people live on US \$ 1 to \$ 2 a day. There is no adherence to rule of law with the removal of most freedoms, including for movement, expression and religion.

The Commission cited the practice of extra judicial executions being used to silence opposition, arbitrary detention being an ordinary fact of life, and the use of degrading treatment, torture and other punishment for detainees. It is not surprising that Eritreans are leaving their country in their hundreds”.

No one knows how many people are in prison in Eritrea for the simple reason access is not allowed. But the number of prisoners is not necessarily the issue here. The question is whether or not there are human rights abuses and not necessarily if the numbers are 10 or 10,000. Human right abuse is human right abuse regardless of the numbers affected by it. If the Government of Eritrea wants to put its case across, and provide evidence to the contrary, why has it not allowed the UN Special Rapporteur into the country? It is illogical to say the UN heavily relied on refugee evidence when the repressive regime in Eritrea is not willing to provide them access to the country to find out.

SO22: Page 14, last para – “hard to believe that Eritrean soldiers would shoot at fellow citizens”.

FR22: This is an extraordinary remark. The Eritrean people are the same as any other nationals across the world. They have had some dreadful infightings throughout the Eritrean struggle for independence (ELF v EPLF for example). What I find astonishing is for SIHRG to incorporate such a misguided statement in their report. It demonstrates lack of knowledge and understanding of Eritrea’s modern history.

To respond directly to this distorted narration, however, it was widely reported that the Eritrean army shot dead 10 unarmed civilians fleeing the country across the border on 22 August 2014.

<http://www.sudantribune.com/spip.php?articles52134> . This is just one example of many others.

Time will come when the perpetrators of these heinous crimes will be brought to the International Court of Justice, which, I am sure, the people of Eritrea will demand in due course. Evidence is currently being collated.

SO23: Page 15, first para – The Eritrean Government’s response to allegations of National service has been to vigorously defend its country’s agenda of rebuilding its war torn past.

FR23: SIHRG describes the DIS report as “timely” and refers to it at least 7 times in what seems to me a hopeless endeavour to rebut human rights abuses in Eritrea.

- (i) Page 9 - Corruption: it cannot be said that the government bureaucracy as such is corrupt;
- (ii) Page 12 - Mass exodus: The report says 4,000 Eritrean fleeing is too high -DIS estimate 1,000 to 2,500;
- (iii) Page 12 - Economic reason for mass exodus, president says disgruntled with the slow pace of reform;
- (iv) Page 13 - Asylum seekers changed their destination following setting up of the DIS fact finding mission;
- (v) Page 13 – A lot of misinformation by diaspora and international human right groups;
- (vi) Page 14 - Political prisoners; 10,000 grossly exaggerated; and
- (vii) Page 14 - Repressive police state, shoot to kill.

Having read the DIS report <http://www.nyidanmark.dk/NR/rdonlyres/B28905F5-5C3F-409B-8A22-0DF0DACBDAEF/0/EritreareportEndeligversion.pdf> and discussed it in a two-hour meeting with one of the named “contributors” (Professor Giam Kibreab) on 6 May 2015, I must say that the DIS report is not worth the paper it is written - an utter disgrace on one of the most developed countries. But let us look at some of the details in the report given the repeated reference to it by SIHRG.

Firstly, a positive note. The DIS should be commended for its methodology in that the scope of the fact finding mission was clearly defined and the fieldwork was extensive with the delegation visiting both Eritrea and Ethiopia, interviewing 22 organisations and individuals (page 21) over a period of three months (August to

October 2014). On the downside, the methodology lacks independent input from the local citizens who are the victims, no visit to any of the reported 800 prisons nor a visit to the notorious Sawa which was the main reason for the fact finding mission and upon which most of the report finding is based.

In the summer of 2014, Denmark apparently experienced an influx of asylum seekers from Eritrea who also constituted a significant number of asylum seekers elsewhere in Europe. Thus the DIS set up a fact finding mission with two objectives; (a) gather information of the day-to-day living conditions of people in Eritrea and (b) to understand the workings of the National Service [conscription] as this was apparently the main reason given by Eritrean asylum seekers.

Of the 22 interviewees, only two were named; Tamarat Kebede, Executive Director, InterAfrica Group and Professor Giam Kibreab, London South Bank University. Eight organisations were identified but the names of the interviewees were not given; Ministry of Foreign Affairs in Eritrea, UN Agency, Danish Refugee Council, IOM Addis Ababa, Norwegian Refugee Council, Swedish Embassy in Addis Ababa, UNCHR in Addis Ababa and UNHCR in Shire. The remaining were either unnamed international organisations or unnamed Western Embassies. Pathetically, the latter were only identified by an alphabet (e.g. Western Embassy **A**), which makes a mockery of their diplomatic protection.

Following the drafting of the report by DIS, four of the interviewees declined to clear their contribution and a further two completely dissociated themselves with the report. Two of the three staff that carried out the fieldwork, hence authors of the report, distance themselves from it and resigned from their positions with DIS.

There are three key reasons why I say in my introduction to this section that the DIS report is not worth the paper on which it is written:

- (a) *DIS vested interest* – the fact finding mission was set up following “an influx of Eritrean Asylum Seekers to Denmark”, hence to stem the flow of refugees into the country. Despite DIS stating the report “does not include any policy recommendation” (page 4), they have in fact made the recommendation they wanted (i.e. stem the flowing of refugees on the basis that conscription in Eritrea is no longer open-ended) by default.
- (b) *A safe country and no fear* – it is ironic to claim this assertion when even Western Embassies with diplomatic protection are so fearful of the Eritrean Government’s reprisal to identify their names let alone the names of the staff interviewed. Of the 22 interviewees, 20 or 91% declined to identify themselves. One can only assume they have something to hide or most likely they are conflicted.
- (c) *Reason for asylum application* – no Eritrean asylum seeker gives “political reason” but apply on the grounds of the open-ended National Service. Here the report contradicts itself repeatedly. For example on page 7, it states “there is basically no organised political opposition in Eritrea” which would makes it pretty obvious that anyone applying asylum for political reasons will not be able to provide the required evidence. What DIS fails to acknowledge is that the denial for someone to earn a living by way of an indefinite conscription is in itself political.

Not surprisingly the DIS report has been overwhelmingly condemned to the huge embarrassment of the Danish Government. As a result the Danish Government intervened to quietly overrule the report’s findings merely two weeks after its release and ensured Eritreans could expect to be “granted asylum in many cases.” Below are some highlights.

Danish Report Rubbished

The DIS report has been widely criticised and dismissed as not reflective of the reality faced inside and outside Eritrea.

- *Human Rights Watch's* deputy Africa director, Leslie Lefkow, responded to the DIS report saying that “the Danish report seems more like a political effort to stem migration than an honest assessment of Eritrea’s human rights situation.”
- *One of the two named source (Professor Giam Kibreab) criticised the findings* – in his response “Critical Observation on the Report of the Danish Immigration Service’s Alleged Fact finding Missions to Ethiopia and Eritrea (August and October 2014)⁴” Professor Kibreab wrote “The DIS’s team went on a fact-finding mission to Eritrea and Ethiopia and returned with “facts” as perceived or misrepresented by foreigners living in Asmara and Ethiopia. With one exception in Ethiopia and two insignificant exceptions in Eritrea, namely, the so-called “well-known Eritrean intellectual in Asmara,” who is almost certainly a PFDJ member and the mendacious Ministry of Foreign Affairs, the mission returned with “facts” as perceived or misperceived by foreigners living in Asmara and Ethiopia. The unavoidable question that arises is: why would one go all the way to Africa using taxpayers’ scarce resources with high opportunity cost to return without interviewing the population that are most affected by the open-ended national service. This can only be due to two reasons. Firstly, because of the generalized state of fear and absolute dearth of freedom of speech and rule of law, nobody would risk talking to them or the team might have not dared to talk to them. If this were the case, any honest fact-finder would openly acknowledge this in the report. Secondly, the reason why the team did not bother to interview Eritreans on the ground or those who fled from the ENS is because they thought that they are not trustworthy for the simplistic reason that they had either an “an ax to grind” as one of their ill-informed foreign informants told them or they were thought to have an incentive to lie about or dramatize the situation in order to maximize their opportunity for being granted asylum”.

<http://www.caperi.com/eritrea-professor-gaim-kibreab-replies-to-the-danish-report/>

- *UNHCR criticizes Danish report on Eritrea* - the UN Human Rights Council condemned the report and asserted Eritrea’s “continued widespread and systematic violations of human rights and fundamental freedoms”.
- <http://www.noas.no/en/unhcr-criticizes-danish-report-on-eritrea/>
- *Human Rights Concern – Eritrea (HRC – E)* - wrote “Because exodus of mainly young men and women reached a scale that threaten the development of Eritrea, the Government is being lenient towards deserters, returnees etc. Your interlocutors lament that this change is not appreciated by human rights organizations. How is this action or rather lack of action by the Government to be seen as a change of policy that merits acknowledgement in human right reports?”

HRC-E further adds: “You are portraying a Government that treats its people as beasts of burden to be deployed wherever necessary and has now become concerned because these beasts of burden have disappeared. It is not a Government concerned for the welfare of its citizens”. <http://hrc-eritrea.org/open-letter-to-danish-immigration-service/>

The other issues listed in the opening paragraph to this section that are not included above are covered elsewhere in this paper.

SO24 Page 16, penultimate para – US to give young Eritreans the chance of education and skills with which to rebuild their impoverished country in the post-Isaias Afewrki period is one of the strongest signal of subversion.

⁴ I have been cited with a copy of the full letter which appears to be not publically available

FR24: How can providing education opportunity to disadvantaged youth with the skills necessary to build their country that has been brought to its knees through two decades of dictatorship be subversive?

SO25: Page 17, last para – the Eritrean Government’s levying of the two per cent Rehabilitation Tax (Diaspora Tax (DT)) [which was instigated by the diaspora], has further amplified allegations of human rights violations.

FR25: To blame the diaspora for instigating the 2% DT is simply nonsense. The diaspora have asked for and demanded many other changes, including the implementation of the constitution, free and fair election, freedom of speech, curtailment of the National Service etc. None of these have been implemented. The 2% DT was enacted because the government desperately needed it and probably had its sympathizers to instigate it in the first place.

Ruby Sandhu audio recording (18.12) indicates that DT is unlawful under the UN Convention but it apparently does not breach international law. The fact that the US may have a similar tax is neither here nor there.

Canada has outlawed the Eritrean DT. In the UK the legality of the 2% DT is now a police matter for the Eritrean Embassy following [answer to a parliamentary question by HMG](#).

SO26: Page 18, last para - as a nation that is still in development, regrettably, there is no separation of powers and the judiciary is politicized, no rulings have been recorded against Isaias Afewrki despite article 7 of the proclamation 3793 which guarantees independent judiciary.

FR26: It seems to me utterly absurd for a human rights lawyers association to apologise for a dictatorship regime that does not follow the rule of law saying Eritrea is a country in development when SIHRG should instead condemn it outright. Eritrea has been in existence, as an independent nation, for nearly a quarter of a century and I would be interested to hear from SIHRG how long it would be before anyone can condemn the country for its gross human rights abuses – another 25 years or may be 50? Human rights abuse is human rights abuse wherever, by whomever and whenever it is committed. It is time for SIHRG to examine its stand and push for the rule of law to be upheld in Eritrea rather than come up with lame excuses on behalf of the Government. No point preaching one message and doing something else – appeasement makes dictators more brutal, not less.

SO27: Page 20 - Eritrea questions the legality, fairness and justification of this asymmetric approach [US foreign aid] that obviously treats “regional destabilisation” in a one sided leaner way.

FR27: The first paragraph on page 20 of SIHRG report refers to Ethiopia receiving US aid of \$3.6 billion representing between 50% and 60% of its total budget. It is not clear why this is unfair given how the US use their money is a matter for them. My view is that we should in fact celebrate that these Africans are being helped in their time of need and not criticise the US Government for been generous to fellow human beings regardless of their motives. The Ethiopians more than anyone else know what is good for their country.

What the US aid to Ethiopia unequivocally demonstrates is the diplomatic skills of the Ethiopia Government. Ethiopia has fairly and squarely out-manoeuvred the Eritrean Government over the last 20 years. And they should be applauded for it.

SO28: Page 20, para 4 – Eritrea as a despot state or the North Korea of Africa.

FR28: See section FR43 comparing Eritrea against North Korea.

SO29: Page 21, para 1 – Eritrea is a young nation and still in its development phase

FR29: Is the point here because Eritrea is a “young nation”, albeit a quarter of century old, it can carry on brutalising its own people? This seems to me akin to saying that young people that terrorize their neighbourhood

should be allowed to flout the rule of law as they please and must not be held accountability for their action simply because they are young and not quite yet fully developed. Surely the rule of law must be equally applied to all; be it young people or countries under dictatorship.

The SIHRG report seems to suggest one rule for the rich and another for the poor/less developed countries, which can only be describe as a democracy apartheid.

SO30: Page 21, para – Eritrea one of the least free nations in 2014 to do business but this is not the experience of mining companies.

FR30: There are about 25 mining companies currently operating in Eritrea in some shape or form with only one (Nevsun) at the extraction stage on license stage 3. How many and which ones of these companies have said the country is not the least free country to do business? If any one of the companies have made this assertion then they should make the “bribery and corruption” clause of their due diligence⁵ reports available as evidence. This is the acid test. I would be amazed if any one of these companies would be prepared to do that for the simple reason it is untrue. DDs require extensive statistics and benchmarking data to pull together so that the conclusions reached stand the scrutiny of audit and other specialist assessors. I doubt if there is ever any such data anywhere that would support the mining companies to conclude “Eritrea is a free nation with which to do business”.

Having said this, however, I would not expect the mining companies to say anything different given the climate of fear they operate under. As one of the mining companies CEO recently told me “if I speak out about the human rights abuses in Eritrea, I will be kicked out from the country”. If this is not a climate of fear I would be interested to hear from SIHRG what is?

It is clear that mining companies operate in a highly risky and volatile climate; both in terms of the current state of play in the country and more crucially what will come up in the future. For example, in September 2008 Isaias unilaterally suspended the country's entire mining agreement and depending on his mood the same could do happen any day. In terms of the future and after regime change, the people of Eritrea will, I am sure, demand that every single mining license is reviewed meticulously with some, if not all, rendered null and void.

In this response paper I have provided repeatedly evidence to demonstrate why Eritrea is currently not a free and reliable business partner using any form of business criteria. If SIHRG has any empirical evidence to the contrary – may we see it? Hearsay from involved mining companies is simply a sham. **SO31:** Page 21, para 3 – there are improvements in government spending

FR31: What is the evidence for this assertion for a country that does not publish an annual budget? In which areas are these spending improvements and how were they financed?

SO32: Page 21, last para – US debt 2013 report puts Eritrea economic growth at 6%

FR32: The World Bank estimates that Eritrea’s per capita GDP actually shrank between 2000 and 2008. Eritrea GDP growth in 2014 was 2.1% (IMF) but even a 6% growth in 2013 on a pathetically low baseline is frankly shameful and reflects economic illiteracy on the part of the Eritrean leadership. Neighbouring countries such as Ethiopia have grown at a much faster rate on a considerably higher baseline - in some cases the GDP growth has been at more than three times that of Eritrea. Ethiopia’s economy has grown considerably over the last decade not only due to foreign aid (which every sensible country should grab with both hands) but due to its economic liberalisation policy and transparency which attracts a large number of its diaspora as well as international

⁵ According to Human Rights Watch, “No due diligence was performed by Nevsun at the time of initially contracting with Segen Construction with respect to its human rights practices.”

companies to invest in the country. All one has to do to substantiate this narration is visit the outskirts of Addis Ababa. Ethiopia, unlike Eritrea, apparently has no visa restrictions; they clearly know how to butter their bread and have proved to be masters of diplomacy to the envy of patriotic Eritreans.

SO33: Page 22, second para – administration free of corruption, a safe and free country make Eritrea a destination to invest.

FR33: This narration differs markedly from the remarks made by Dr Tim Williams, CEO of Andiamo Exploration Ltd) in which a British Virgin Island registered company (Ortac Resources), listed in London AIM has a 25% stake. At the SIHRG event held on 12/12/14 (audio recording 28.20), Dr Williams said that “it is extremely difficult to attract investment to Eritrea and it is not helped by the Government of Eritrea itself”. See also FR6 (iii) above.

If Eritrea is such a safe country and good place to do business, why are these so called researchers not setting up businesses and living in that country? I would have thought Eritrea could do with good human right lawyers. For me, I live in the UK because of the freedom I enjoy to do what I like within the law: I can speak and write what I want, study, set up business, practice my profession, travel wherever I like (except Eritrea) and worship (or not worship) any God without been told what type of a Muslim/Christian I must be. If I could do all these things in my country of birth I would not think twice of moving back.

Does SIHRG have any data on the level of inward investment to Eritrea, say for 2013/14, apart from the mining companies? If so let’s have them. This would indicate if Eritrea is indeed a good destination to invest. It seems to me that SIHRG appears to know something the diaspora business people, or indeed almost all international profit-driven companies, do not know.

Response to corruption and safety are covered elsewhere in this paper.

SO34: Page 22, penultimate para – ENAMCO

FR34: In a country where data is pretty hard to come by with no centralised services such as the Companies House in the UK, it is difficult to ascertain ownership of Eritrean National Mining Corporation (ENAMCO). However, it is understood that the Eritrean National Bank and the Ministry of Mines and Energy have no official role in the management of ENAMCO finances. ENAMCO Directors are said to be; Isaias and three others - Hagos Gebrehiwot (the Head of Economic Affairs of PFDJ), Yemane Gebremeskel (Information Minister) and Berhane Habtemariam (Minister of Finance).

The Eritrea Government provides ballpark mining revenue numbers and it appears no published accounts are available, although the profit share to the Eritrean Government can be extracted from the accounts of the mining companies published on their websites. It is not clear if ENAMCO accounts are published nor externally certified.

SO35: Page 23, last para – corporations are not democratically elected or representative and so cannot be seen as entities to provide Human Protection.

FR35: States have responsibility to protect their citizens. However, all businesses, including mining companies that are run by human beings have the responsibility to speak out for their fellow human beings. Why should corporations be any different? Corporations are a “person” in law and some have been charged for manslaughter or other crimes.

On the basis of this assertion, one can deduce Isaias is not protecting his own people’s human rights because he is not democratically elected. Where is the sense of justice here?

SO36: Page 30, third para – in Nov 14, a civil suit was filed against Nevsun by two employees of BMSC, alleging that during the period of forced labour at Bisha mine, the plaintiffs were subjected to cruel, inhuman and

degrading treatment as well as harsh working conditions, including long hours, malnutrition and forced confinement for little pay. This continues the Human Rights Watch report of 2013.

FR36: The lawsuit was in fact brought by three Eritreans (Gize Yebeyo Araya, Kesete Tekle Fshazion and Mihretab Yemane Tekle who worked at the mine at various times from 1997 to 2012) and not two as the report incorrectly indicates. Given this is now a court case I await to see the outcome but I have no doubt that truth will eventually prevail. Nevsun are aware of a potentially conscripted labour by its contractor because the Government of Eritrea is their sole local workforce provider. This is confirmed in the Human Rights Watch report – “Hear no Evil”.

SO37: Page 32, second para – the Health & Safety observer on site when meeting with workers confirmed that adverse allegations in the reports were not substantiated.

FR37: This is not surprising given a visit by a human rights lawyer accompanied by Government minders and the workers’ line managers, hence planned in advance and thereby giving the mining companies ample time to put their houses in order. A surprise visit would have been the acid test. But this clearly would not be allowed in a country so secretive, hence SIHRG’s misguided and distorted narration.

SO38: Page 32, para 3 – an Eritrean doctor confirmed there were medical records for each and every employee on site, including the BMSC sub-contractor Segen workers. The doctor confirmed there was no evidence of egregious or otherwise violations in any of the cases he had come across.

FR38: A doctor working under a dictatorship fearing for his life and job would undoubtedly say this. However, this is a hearsay and the onus is on SIHRG, as researchers, to ask for evidence. To this end, cite of the records (subject of course to consent from the workers which from past experience people in Eritrea tend to readily agree or alternatively the documents could have been anonymised) and examined meticulously before reporting may have helped to establish the facts.

A research based study is flawed and doomed when the researcher claims “I reported what I saw and heard” because what one sees/hears, especially in and from authoritarian regimes, is far removed from reality.

SO39: Page 32, penultimate para – the author was provided the opportunity of meeting Segen workers on site and through a process of random selection were asked some specific questions. The line manager was present at the questions.

FR39: In my view this is an utterly naïve and absurd remark to make. To expect workers under dictatorship to air their grievance in front of their line managers is like trying to draw blood out of a stone. This demonstrates a complete lack of understanding on the part of SIHRG of the prevailing political climate in Eritrea perhaps not surprising given Ruby Sandhu exposure to Eritrea is a mere a year and a half. These workers may be poor and oppressed but they are not stupid.

SO40: Page 33, second para – during random selection of individuals for questioning, an opportunity to speak in Hindi with three Indian workers was provided completely by coincidence. These workers have been working in Eritrea for many years and if they had issues with regards to the working conditions or pay they would not have continuously returned. The body language was comfortable.

FR40: Could it be the case that these Indians continue to work in Eritrea for many years because they have no other alternative and that they have poor families to feed back home? Could it be that they thought any comments they make in whatsoever language will be printed in English and made available to the wider public as well as their employers and the Government of Eritrea. These workers may be poor but hardship teaches them how to protect their bread.

SO41: Page 33, last para – the atmosphere is relaxed and the workers did not acknowledge our attendance, just keen to talk with their neighbours, relax and eat;

FR41: I find it extraordinary that these workers would not take notice of the presence of Westerners in their midst – it goes against human instinct. It is obvious that these workers were told not to react and they obeyed their line managers' command. Westerners and Africans apparently do not get their presence noticed in North Korea either - not even in the market place!

SO42: Page 41, mid para - Eritrean Constitution and National Legislation – the Constitution of Eritrea Article 8 outlines the object and purpose of regulation in Eritrea concerning economic and social development.

Page 46, penultimate para comes back to the issue of constitution and states “it is a progressive constitution, albeit unimplemented, provides the desire to promote long-term suitability. However, to ensure these goals both at the national and regional level, the country must enact legislation to protect environmentally fragile areas”

FR42: Eritrea has a draft constitution which has never been enacted which Isaias describes as “dead”. It is therefore difficult to see how the constitution rights and obligations as set out on page 41 could be forward thinking and unique if they have not been seen in practice.

Protecting the environment is a noble cause and the recommendation of SIHRG to the Government of Eritrea to enact legislation to protect the environment should be supported. However, this misses the key driver for the constitution which is the protection of the human being.

SO43: Page 47, first para – Eritrea through the lens of nation building recognises that Eritrea is a country in development. Assistance, investment and time is required to provide the transition to a fully functioning democracy. A distorted, geopolitical propaganda and narrative which fuels reference to Eritrea as the North Korea of Africa is inflammatory and inaccurate as evidenced by the contents of SIHRG paper.

FR43: Eritrea a country in development is covered elsewhere in this paper.

Ruby Sandhu dismisses the description of Eritrea as the North Korea of Africa as a geopolitical propaganda without putting forward a shred of evidence to substantiate her assertion. In this section I will set out unequivocally why Eritrea is at par and in some cases even worse than North Korea. Thus refute the incorrect and distorted propaganda of SIHRG.

Firstly, a brief outline on the two countries. Covering an area of c. 121,000 km², Eritrea and North Korea are approximately the same size (about the size of England or New York State in the US) but with a population of 6m and 25m respectively. In 2014, Eritrea had a GDP of US \$4.235 billion, an increase of 2.1% on prior year (IMF) (<http://www.economywatch.com/economic-statistics/year/2015/>) which represents \$544 per capita. On the other hand, North Korea in 2011 (last available data) had a GDP of \$12.4 billion or \$1,800 per capita (Economic Intelligence Unit) <http://country.eiu.com/eritrea>.

A dozen reasons why Eritrea is the North Korea of Africa:

1. *Presidency* – Eritrea has a self-appointed president who has been in power since 1993. The SIHRG narration that Isaias was “overwhelming voted to power” is untrue because he was never elected. For this reason I have refrained from referring to him as a “president” in this paper and used instead Isaias (his first name) in line with Eritrean culture and norm.

The Kims dynasty has ruled North Korea as a fiefdom under a hereditary dictatorship since the state was created in 1948. The current leader, Kim Jong Un, was unelected as were his predecessors.

2. *One-party State* – Eritrea has a nominal political party in the name of People’s Front for Democracy and Justice (PFDJ). In reality it is a one-man state with almost every aspect of life dominated by Isaias. The National Assembly has not met for well over a decade and there is no ministerial power. Similarly, North Korea has a single party, the Korean Workers’ Party (KWP), but again it is under the control of a succession of Kims, hence a one-man state.
3. *Constitution* – Eritrea has no constitution. North Korea has a constitution (1972) and was apparently refreshed in 1992 and again in 1998 [http://en.wikisource.org/wiki/Constitution_of_North_Korea_\(1972\)](http://en.wikisource.org/wiki/Constitution_of_North_Korea_(1972)).
4. *Juche Philosophy (Self-reliance)* – self-reliance is a fundamental philosophy of both countries. For the rest of the world it is an unworkable and impractical philosophy because no nation can ever be totally self-reliant on its own means/resources without interdependency with others. Not relying on anyone else means total isolation. Arguable, self-reliance to a limited extent worked during Eritrea’s 30 years’ war for independence from Ethiopia because the number of Eritrean fighters of between 125,000 and 150,000 was a small number to support by comparisons to a whole nation of 6m. Even then ELF/EPLF relied considerably on captured arms from the enemy, the Eritrea population for food and water and the diaspora along with friendly countries such as Syria and Iraq for a sizeable financial contribution. To try to run a whole nation on self-reliance principle can only be described as an obsession that will lead to economic stagnation and eventual collapse. Self-reliance has never worked and it will never work.

In North Korea, every aspect of life from the economy to defence has been governed under the Juche ideology since the inception of the nation.

5. *Religion* – freedom to worship is severely curtailed in both countries. As Tricia Rededker Hepner puts it in her well researched book; *Soldiers, Martyrs, Traitors, and Exiles (Political conflict in Eritrea and the Diaspora)* “in 2001/02 the Government of Eritrea stepped up intervention in religious institutions in order to pre-empt their capacity to mobilise an independent public sphere”. It closed down all places of worship except Mosques, Orthodox, Catholic and Lutheranism Churches. Pentecostal and Evangelical Churches are not allowed and continue to be ruthlessly suppressed. A friend of mine (O.T.) who was an Evangelical Minister of a church in a town outside Asmara was caught praying with a group three times. He was first arrested in 2004 and after a few months imprisonment he was released with no explanation. A year later he was caught praying again, imprisoned and released a few months later. In 2006, he was arrested for the third time and he has not been seen since, presumed dead. This is just one example of many others.

Similarly, organised religion is not permissible in North Korea. Suki Kim in her book “without you [i.e. Kim - the Great Leader], there is no us” provides some examples of religious prosecution in North Korea where religion is strongly discouraged and punished.

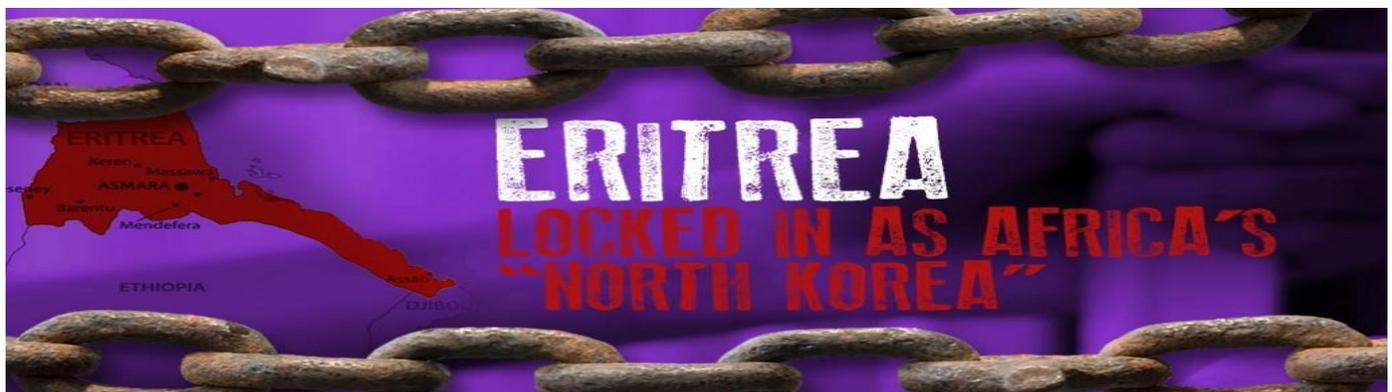
6. *Freedom of movement* – Eritreans below their mid-forties are not allowed to leave the country and movement within the country is restricted for the majority of its citizens. An exit visa is required for those that are rarely allowed to leave the country (and most of them never return) and those who travel within the country go through frequent ID checks.

Almost all North Koreans, even those in a position of power, are not allowed out of the country. In her book “without you, there is no us”, Suki Kim (a South Korean American) writes “People ask which Korea I come from. It is a nonsensical question. The chance of me or any Korean out and about in the world being from the North is almost nil. Virtually no one gets out of North Korea”. The only way North Koreans can leave their country is to flee to China or the other neighbouring country of Russia. Pyongyang’s 2.5m population cannot travel to the rest of their country without a permit and citizens outside this main city are not allowed in without a paper.

7. *Visa restrictions* – Eritrea rarely issues entry visa to the country and people that are issued are those that are deemed to be sympathetic to the government. For example, the Danish immigration Services and a UK delegation visited Eritrea in 2014 but both had vested interest to stem the follow of refugees to their respective countries or mining companies looking to make money. The Government of Eritrea is of course desperate to establish good relation with Europe. Only a handful of journalists have been issued a visa over the last decade and to my knowledge only one human rights group (i.e. SIHRG) has ever been issued with a visa to Eritrea. Tourism and trade delegation visa (except for the mining industry annual conference in Asmara) are rarely issued. Michaela Wrong who has published extensively on Eritrea over the last two decades wrote in her recent article “when migrants flee progress, not war” that “entry visa to Eritrea was as rare as hen’s teeth”.

Very few foreigners are allowed into North Korea and those that are allowed are always accompanied by Government minders. As with Eritrea, tourism and business travel in North Korea is small-scale.

8. *Censorship* – on 20 April 2015, Eritrea was named as the most censored country in the world for the sixth year in succession by the Committee of Protecting Journalists (CPJ), a press freedom watchdog, beating North Korea to a second place: [leagu compiled by the Committee to Protect Journalists \(CPJ\)](#).



CPJ (2014) reported, 23 or 10.4% of the 221 journalist’s in prison world-wide were in Eritrea. This means there is 1 journalist in prison for every 250,000 of its population making the gap with North Korea even wider.

Reporters Sans Frontières, media watchdog, has ranked Eritrea in its 2014 World Press Freedom Index in last place (180th) for the seventh successive year. The report said that “Eritrea is Africa’s biggest prison for journalists with at least 30 behind bars”. <http://www.voanews.com/content/eritrea-north-korea-most-censored-countries-committee-to-protect-journalists/2728636.html>

9. *Command economy* – both Eritrea and North Korea maintain a rigid centrally planned economy that directs all aspects of economic life. There is practically no private sector economy. It is said that 80% of North Koreans experience food shortage or hunger. Paul French in his book, *North Korea – State of Paranoia* published in 2014, writes “North Korea remains mired in poverty and economic collapse. It is undoubtedly a failed state – unable to feed its own people without a constant drip-feed of international aid”. The Eritrean people are similarly affected by widespread poverty, and if it was not for the remittance of the diaspora the situation would have been a lot worse.

Power shortage is and has been endemic in North Korea since the collapse of USSR. Due to power shortage hospitals can apparently carry out only critical operations and people living in high rise buildings (some are said to be between 20 and 40 floors high) have intermittent lift service. Equally Eritrea has and continues to be affected by power blackout, especially since the fall of Kaddafi in Libya a few years ago.

Apart from the recent mining industry investment in Eritrea, there is hardly any other inward investment to the country - not helped by the UN sanction. There is also reluctance on the part of the diaspora to invest in

their own country opting instead to put their money in places such as Uganda, Western Europe and North America.

With regards to Korea, Paul French writes “the rigidity of North Korea at both economic operational and political levels means that there have been few opportunities for foreign investment in the country. Indeed foreign investment flows have been amongst the lowest in the world (as it is actively discouraged internationally), despite North Korean’s strong drive to attract inward investment”.

Command economy has not brought growth nor improved the standard of living of the people in Eastern Europe either and it was one of the catalyst for the disintegration of a number of countries in the region since WW2. Command economy is a flawed ideology, doomed to failure and certainly not worth emulating.

10. *Border Dispute/Demilitarised Zone* – Eritrea is on a permanent war footing with Ethiopia and has been since the border dispute with its much largely neighbour (about 20 times larger) between 1998 and 2000. Despite a UN resolution in favour of Eritrea, Ethiopia continues to illegally occupy Eritrea’s territory and the stalemate of “no war, no peace” continues. The impact is acutely felt in Eritrea both economically and socially than in Ethiopia. There is currently no realistic chance that the border dispute will be resolved and it would be naïve to expect that it will whilst Isaias is in power.

The demilitarised zone in the Korean Peninsula has been in place since 1953. There are approximately 1m North Korean troops facing almost the same number of South Korean and American troops across the border. In Paul French’s words North Korea is “a nation that seems to exist on a constant state of paranoia about its perceived enemies (South Korea supported by the US) and about its chance of regime survival”. Such a paranoia (i.e. the perceived Ethiopia and the West) is precisely what Isaias uses to hold his grip to power for he fully knows without that distraction the people of Eritrea would turn against him.

11. *Over-militarisation/conscription* - Eritrea has 320,000 active and 250,000 reserve military personnel http://en.wikipedia.org/wiki/Eritrean_Defence_Forces. This equates to about 10% of the entire population or between 20% and 25% if children under the age of 18 and citizens above military age are excluded. The total strength of 570,000 is about four times the size of the EPLF force that decisively defeated Ethiopia and won Eritrean independence. All men and most women from the age of 18 and until age 55 are forced into meagrely paid National Service or forced labour for mining companies. In a country where life expectancy is 61, this means those that are unfortunate to be conscripted would spend almost their entire adult life in military service.

The UK, the 5th richest nation on earth with a population of 64m, has 147, 000 and 187,000 active and reserve personnel respectively, which is half of Eritrea’s military manpower.

Eritrea military spend at c. 21% of GDP is the highest in Africa.

Even with the border dispute with Ethiopia, it is simply impossible to justify the size of the Eritrean military strength and it is beyond doubt that the country is hugely over-militarised - probably by as much as three-quarters of its current strength.

By comparison with Eritrea, North Korea military strength is modest, especially considering it is a “nuclear power”. North Korea has 1.2m and 600, 000 active and reserve personnel respectively http://www.globalfirepower.com/country-military-strength-detail.asp?country_id=north-korea. This represents 7% of the entire population and military spend equates to c. 16% of GDP.

Both countries constantly refer to the past to justify their military strength. North Korea, to the Korean War and the Japanese occupation. Eritrea to its war of independence and its recent border dispute with Ethiopia. They are regimes with a past and no future.

12. *Prison/Rule of law* – arguably there is no rule of law in Eritrea with Isaias assuming the role of “judge, jury and executioner”. In their World Report (2014) Human Rights Watch, say that “thousands of ordinary citizens are arrested and incarcerated without charge, trial, or opportunity to appeal and without access to family, lawyers or independent prison monitoring organisations. While some are freed without explanation and warned not to speak about their detention, most prisoners remain in jail indefinitely Death in captivity is not unusual”. <http://www.hrw.org/world-report/2014/country-chapters/eritrea>

It is said that there are over 10,000 political prisoners in Eritrea. The G15, of whom Haile Woldetensea, is one of the three founding members of the EPLF in 1965/66, remain incarcerated since 2001 without any charge or family access, some presumed dead. It is thought there are huge number of prisons (some estimate provide as many as 800) across the country. The UN apparently found that some prisoners were incarcerated “in steel cargo containers in 50c temperatures”.

Human Right Watch recent report indicates more than 200, 000 political prisoners in North Korea spread across the country in 15 to 20 different prisons.

The distance between Eritrea and North Korea is 8,728 km but the two countries could not be any closer in terms of abject repression of their own citizens that one would be forgiven to think they are one and the same country. Unquestionably two of the most unpleasant regimes inhabiting today’s fractious world.

For SIHRG to claim dubbing Eritrea as North Korea is “inflammatory and inaccurate” is simply to deny the truth without a shred of evidence. One can’t help but wonder if the organisation that claims to stand for human rights has a hidden agenda.

SO44: Page 47, second para – One lens narrative does little more than fuel Eritrea’s perceived isolationist policy and the sanctions do little more than provide further distress to the people of Eritrea by hampering economic and social development and are in fact nothing more than counter-productive; impacting on the human rights of the Eritrean people.

FR44: I find this incredible coming from an organisation that claims to be a human rights group. In one hand SIHRG says Eritrea has made very good progress against the UN global development programme and on the other hand it says the UN sanctions are providing further distress to the people.

The above sanctions excuses were of course the very same excuses made by the pro-apartheid groups, including the then UK Prime Minister Mrs Thatcher, when they were imposed on South Africa in the 1980s. The sanctions were rightly applauded by the anti-apartheid movements across the world, which I can still proudly and vividly remember. They (sanctions) brought the South African economy to its knees, liberated its people and obliterated apartheid for good.

It has been proven repeatedly throughout history that no country under dictatorship ever becomes economically successful with or without sanctions. If SIHRG has any evidence to the contrary, please provide it.

It seems to me the lens used by SIHRG in this study was either distorted or blacked-out completely because a clear and objective analysis of the subject would have come up with very different conclusions given the well-documented brutality inflicted by the Eritrea Government on its own people.

SO45: Page 47, third para, last sentence – recent European and international communities’ engagement, by way of first step, is constructive in their readiness to develop mutual cooperation with Eritrea on the basis of partnership, including that of trade and investment domains, political and diplomatic activities. A number of countries recently opened their embassies in Asmara.

FR45: Countries will always engage with their interest at heart. These countries that are setting up foothold in Eritrea perhaps know something we do not know. Could a regime change be in the air?

In terms of the Eritrean people's view on European and the international community's engagement with the brutal regime in Asmara, the 13 May 2015 demonstration by Eritrean diaspora in Israel sums it up: "end relations with Eritrea, Say Refugees" Sky News 13 May 2015: <https://uk.news.yahoo.com/end-relations-eritrea-refugees-025715183.html#JvbBTve>

SO46: Page 47, last para – the mining industry is the lifeline in regard to investment and infrastructure development in Eritrea.

FR46: This contradicts the second para on page 23, which says "revenue from mining in 2011 until the first half of this year in the past four years have fluctuated every year but do not exceed US \$150m when averaged over the same period [hence it was minimal as per your comment in section SO6 above]. Leaving government expenditure on education, health etc. aside Government of Eritrea's annual food import for essential consumables exceed US \$200m". Quite clearly mining revenue cannot be the lifeline for infrastructure development in Eritrea if it is insignificant/minimal. This reinforces the fact that Eritrea has no published budget and nobody outside the Government circles knows what the numbers are.

Conclusion:

It is stomach wrenching to have to set out so graphically the gross human rights abuses perpetuated in a country for which so much blood has been shed by so many for its liberation, but it would distort the truth to claim otherwise and would besmirch the memory of those who died.. Eritrea is a pariah state and, as Human Rights Watch correctly described "it is a government that has pursued a path of crushing political opposition at home and a belligerent foreign policy, earning few friends".

The Eritrean struggle for independence will undoubtedly go down in history as a textbook example of a liberation movement betrayed by its ultimate Government. Thus freedom has been a sham and an example of how not to run a country.

In the words⁶ of Dan Connell, the veteran journalist, who championed for Eritrea tirelessly for more than forty years; a true and an honest friend of the Eritrean people, "what happened to the Eritrean Revaluation at the dawn of the twenty first century is a tragedy, but it does not cancel the remarkable advances made in the years that led to this turnaround. Nor does it foreclose the possibility that the Revaluation will revive and blossom under a new leadership".

HH 29.05.15

⁶ Taking on the Superpowers - Collected articles on the Eritrean Revolution (1976 – 1982, Vol 1 page xxxv