



**STATEMENT BY THE ERITREAN
DELEGATION**

At

**The 23RD SESSION OF THE HUMAN RIGHT
COUNCIL**

In Geneva

04 June 2013

Mr. President,
Distinguished delegates,

My delegation expresses its best wishes for the successful conclusion of the 23rd Human Right Council Session and supports your presidency in its leadership. It is also a great honor to be part of this august body and take this opportunity to address the Council on matters relating to Eritrea.

Mr. President,

Eritrea is a nation that emanated out of the struggle for human rights that achieved through huge human sacrifices, the 23rd session of the HRC could be considered as a moment of true reflection as it has come during the 22nd Independence Anniversary celebrations inside and outside of the country resonating the inherent values of liberation, freedom and democracy. The anniversary has once again symbolized the sanctity of the struggle for the human rights of the Eritrean people, demonstrated the unity, commitment and hard work of the people and Government, and has typically reflected the promising achievement of the nation to strengthen human dignity, human security and human development.

Mr. President,

Today we see that Eritrea is yet faced with another unfair report which has less to do with the essence of the matter in the promotion and protection of human rights and fundamental freedoms, but more so a tool for political pressure for extraneous objectives. My delegation believes that there are three fundamental issues where the HRC must focus, if the real motive is to support human rights development in the country.

First, the underlying issue is that the rights of the Eritrean people have been violated and the continued hostilities have become an impediment to peace and security, development and human rights. The continued occupation of sovereign Eritrean territories in particular has endangered the peace and security of the nation which has impacted on the full enjoyment of fundamental freedoms. The occupation defies international law, the final and binding ruling of the Independent Eritrea-Ethiopia Boundary Commission and a series of UN Security Council Resolutions. The continuous 11 years of hostile actions have also been going on against Eritrea as a way of diverting attention from this central issue. Hence, acknowledgement of the occupation of sovereign territories and the environment of hostility as a hindrance to Eritrea's efforts in protecting and promoting human right issues is of critical importance and requires the urgent consideration by the Council.

Second, Eritrea in principle has and continues to strongly oppose the politically motivated Resolutions and the appointment of the Special Rapporteur. However, my government made available its officials who have met and spoken with the SR in depth in both Geneva and Banjul. Eritrea firmly believes that dialogue, engagement and partnership through UPR still remains to be the most effective institutional mechanism in addressing basic human rights. Contrary to what is alleged, it should be noted that Eritrea has been developing integrated institutional mechanisms within the Government bodies and the wider community structures and organizations to promote the ideals and practices which have positive effects on development in general and human rights in particular. Furthermore, extensive dialogue and engagement have been going on at bilateral levels, with various organized regional groups within the HRC, the EU Ambassadors in Eritrea, and other partners as a way of building up to the 2nd cycle of the UPR, scheduled for October 2013. Eritrea thus, strongly calls upon the Council and all other partners to support these genuine ongoing efforts as the best way forward in building institutional linkages that contribute meaningfully to addressing human right challenges and issues.

Third, it is also vital to reiterate Eritrea's commitment to human rights as demonstrated by the promising progress achieved in the short span of time since independence. It must be noted that this has been attained under the hostile conditions. The investment made and the accomplishment registered in the social sector in particular, has ascertained the centrality of promoting human dignity, human security and human development. It is to be admitted that Eritrea as a young nation living in a state of conflict and hostilities has some challenges and problems like any other country, but is however continuously working to address them.

Mr. President,

Please allow me now to revert to the Report submitted by the Special Rapporteur.

The Resolutions adopted and the subsequent report submitted by the Special Rapporteur do not acknowledge the ongoing efforts of the people and the Government towards promoting and protecting human rights and fundamental freedoms. As expected and was clear from the approach, my delegation views the report as a tool for political pressure. It hereby mentions the following points to demonstrate Eritrea's principled position on the report:

1. The report denied Eritrea of its basic rights in violation of the following various provisions of the HRC Resolution 5/2 :-
 - The draft report was delivered to Eritrea after an official protest was sent on the 16th of May after Eritrea became aware of the Special Rapporteur's News release, making it also a violation of article 13 (c)

- Contrary to article 8 (d) of Resolution 5/2 that permits any state to respond to anything it wishes to, the Special Rapporteur instructed the Eritrean Mission in a letter accompanying the report to limit its responses only to “... possible factual errors ...”
2. The methodology adapted by the Special Rapporteur lacks credibility, impartiality, objectivity, transparency and it is not cross-checked as is the requirement under paragraphs (f) and (g) of the preamble and operative paragraphs 3(a) and (d), 6(a) and (c).
 - Paragraph 11 of the report admits that the “information” was collected from “Eritreans” living in Ethiopia alleged to be victims of human rights violations and from those living in Djibouti. Ethiopia is a belligerent state and Djibouti is the cosponsor of the resolution that subsequently resulted in the appointment of the Special Rapporteur against Eritrea. Information collected under such a situation cannot possibly be credible and dependable.
 - On the contrary, the bias has also been very clear as the Special Rapporteur did not even meet with any member of the hundreds of the Eritrean Diaspora Community Organizations who have been sending her letters and emails requesting to meet and express their views on matters that concern them and know much about.
 - The other source of information claimed to be obtained from unrevealed “governmental”, non-governmental, and inter-governmental sources is also dubious.
 3. The Special Rapporteur has not verified any of the allegations stated in the Human Right Council Resolution 20/20 and 21/1; and regrettably she has attempted to present them as facts. Despite having access to Eritrea’ adequate responses to the allegations in the Individual Compliant Procedures and responses to the relevant resolutions, the Special Rapporteur did not include any of it in the Report.
 4. In this context, suffice to mention a few baseless and exaggerated statements of the Report:-
 - It is categorically false to assert that a 13 years old child is required to register for national service in order to enrol in grade 9;
 - The University of Asmara has been expanded and different Institutions and colleges of higher learning are now established in the six Regional administrations to promote equal rights and opportunities of higher education. Contrary to the assertion by the Special Rapporteur about the University being closed, the Asmara University continues to accommodate the Medical College, Law School, School of Medicine and College of Health Science;
 - Whereas in Eritrea thousands of people are freely moving inside the country in public and private transport, it is falsely alleged in the report that they “are required to have a travel permit which is difficult to obtain”; and

- Not even a single concrete evidence has been produced to prove the more serious allegations of shoot-to-kill policy, death in custody, extra-judicial killing, guilty by association, 10,000 political prisoners, etc. let alone to produce a report performed through a professional and recognized human rights standards as stipulated in article 3 (a) of Resolution 5/2.

Mr. President,

In light of the above expressed statement, Eritrea rejects the report and the country specific Resolutions and wishes to call on the Human Rights Council to give serious consideration to the achievements of Eritrea and the following elements as a way forward in the promotion and protection of human rights and fundamental freedoms:

- Since occupation constitutes violation of the basic tenets of international human rights laws and international humanitarian laws, the continued occupation of the sovereign Eritrean territories has impeded the full enjoyment of human rights and fundamental freedoms of its people and has diverted scarce resources of a country that is in a post conflict situation. In this connection, my delegation appeals to the members of the Council to take up this matter as urgently as possible in the appropriate agenda item of the Human Rights Council; and
- Instead of naming and shaming Eritrea under the country specific resolution as a tool for political pressure, my delegation invites the Council to work with Eritrea in the promotion of dialogue, partnership and institutional linkages in a bid to raise the effectiveness of the UPR mechanism. This will give ample opportunities for constructive engagements on all issues with all delegates who have genuine concerns in the promotion and protection of human rights everywhere.

I thank you Mr President!