United Nations

General Assembly

2014

Human Rights Council

Twenty-sixth session

Agenda item 4

Human rights situations that require the Council's attention

Resolution adopted by the Human Rights Council

26/24 Situation of human rights in Eritrea

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling resolution 91 and decisions 250/2002 and 275/2003 of the African Commission on Human and Peoples' Rights,

Recalling also its resolution 5/1, on institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling further its resolutions 20/20 of 6 July 2012 and 23/21 of 14 June 2013,

Emphasizing that everyone has the right to take part in the government of his or her country, directly or through freely chosen representatives, and expressing grave concern that national elections in Eritrea have not been held since 1993,

Reiterating its deep concern at the ongoing reports of grave violations of human rights by the Eritrean authorities against their own population and fellow citizens, including violation of civil and political rights, as well as economic, social and cultural rights, and the alarming number of civilians fleeing Eritrea as a result of those violations,

Noting with grave concern the continued use by the Government of Eritrea of arbitrary arrest and detention, including incommunicado detention and in life-threatening conditions, of persons for suspected of evasion of national service, attempting to flee the country or having a family member who has fled, inability to produce identity documents, being a journalist, exercising the right to freedom of religion, being perceived as critical of the Government, and of those who return to the country, as well as those detained in the aftermath of the takeover on 21 January 2013 of the building housing the Ministry of Information,

Expressing grave concern at the widespread use of indefinite conscription into national service, a system that constitutes forced labour, and the reported forced conscription of children under the age of 18 into military service, and regretting that the fear and experience of a lengthy national service causes large numbers of Eritreans to leave the country,

Expressing grave concern also at reports that the Government of Eritrea is also forcing persons to participate in its citizen militia,

Reaffirming that everyone has the right to leave any country, including his or her own, and to return to his or her country,

Noting the participation of Eritrea in the second cycle of the universal periodic review, while regretting the lack of implementation by Eritrea of the recommendations made at its first review,

Noting also the efforts of Eritrea to achieve the Millennium Development Goals and to promote gender equality and progress on reducing and eliminating female genital mutilation, while stressing that sustainable social changes are linked with the establishment of a conducive political and legal environment,

Recalling the obligations of Eritrea under the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the African Charter on Human and Peoples' Rights and the African Charter on the Rights and Welfare of the Child,

Expressing continued concern at the failure of the Government of Eritrea to cooperate with the Special Rapporteur on the situation of human rights in Eritrea, including its refusal to allow the Special Rapporteur to visit the country,

1. Welcomes the second report of the Special Rapporteur on the situation of human rights in Eritrea and its focus on indefinite national service constituting a form of forced labour, and arbitrary arrest and detention;

2. Strongly condemns:
EnVisions a document that is clean and clear.
(n) To provide the Office of the High Commissioner with all relevant information on the identity, safety, well-being and whereabouts of all detained persons and persons missing in action, including members of the G-15, journalists, those detained in the aftermath of takeover on 21 January 2013 of the building housing the Ministry of Information, and the 19 Djiboutian combatants;

(o) To implement fully the Constitution of Eritrea adopted in 1997, and to govern in accordance with the principles of the rule of law;

4. Urges Eritrea to make available information pertaining to the Djiboutian combatants missing in action since the clashes of 10 to 12 June 2008 so that those concerned may ascertain the presence and condition of Djiboutian prisoners of war;

5. Decides to extend the mandate of the Special Rapporteur on the situation of human rights in Eritrea for a period of one year, and requests the mandate holder to present a report to the Human Rights Council at its twenty-ninth session and to address and engage in an interactive dialogue with the General Assembly at its sixty-ninth session;

6. Invites the High Commissioner to report to the Human Rights Council on the progress in cooperation between Eritrea and the Office of the High Commissioner;

7. Decides to establish, for a period of one year, a commission of inquiry comprising three members, one of whom should be the Special Rapporteur, with the other two members appointed by the President of the Human Rights Council;

8. Also decides that the commission of inquiry will investigate all alleged violations of human rights in Eritrea, as outlined in the reports of the Special Rapporteur;

9. Calls upon the Government of Eritrea to cooperate fully with the Special Rapporteur and the commission of inquiry, to permit them and their staff members unrestricted access to visit the country, to give due consideration to the recommendations contained in the reports of the Special Rapporteur, and to provide them with the information necessary for the fulfilment of their mandates, and underlines the importance for all States to lend their support to the Special Rapporteur and the commission of inquiry for the discharge of their mandates;

10. Urges the international community to cooperate fully with the Special Rapporteur and the commission of inquiry;

11. Also urges the international community to strengthen efforts to ensure the protection of those fleeing from Eritrea, in particular the increasing number of unaccompanied children;

12. Requests the Secretary-General to provide the Special Rapporteur and the commission of inquiry with all information and the resources necessary to fulfil their mandates;

13. Requests the commission of inquiry to present an oral update to the Human Rights Council at its twenty-eighth session and to the General Assembly at its seventieth session, and a written report to the Council at its twenty-ninth session;

14. Decides to transmit all reports of the commission of inquiry to all relevant bodies of the United Nations and to the Secretary-General for appropriate action;

15. Also decides to remain seized of the matter.

39th meeting
27 June 2014

[Adopted without a vote.]