

**NATIONS UNIES**  
**HAUT COMMISSARIAT DES NATIONS UNIES**  
**AUX DROITS DE L'HOMME**

**PROCEDURES SPECIALES DU**  
**CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS**  
**OFFICE OF THE UNITED NATIONS**  
**HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE**  
**HUMAN RIGHTS COUNCIL**

**Mandates of the Working Group on Arbitrary Detention; the Special Rapporteur on the situation of human rights in Eritrea; the Special Rapporteur on freedom of religion or belief; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.**

REFERENCE: UA G/SO 218/2 Eritrea (2012) G/SO 214 (56-23) G/SO 214 (53-24)  
ERI 1/2014

20 May 2014

Dear Mr. Woldeyohannes

We have the honour to address you in our capacity as Chair-Rapporteur of the Working Group on Arbitrary Detention; Special Rapporteur on the situation of human rights in Eritrea; Special Rapporteur on freedom of religion or belief; and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment pursuant to Human Rights Council resolutions 24/7, 23/21, 22/20, and 25/13.

In this connection, we would like to draw the attention of your Government to information we have received concerning **alleged persecution, arrest and detention of Mr. [REDACTED], Mr. [REDACTED], Mr. [REDACTED], Mr. [REDACTED] and Mr. [REDACTED]**.

According to the information received:

Mr. [REDACTED], Mr. [REDACTED], Mr. [REDACTED], Mr. [REDACTED] and Mr. [REDACTED] were arrested by security officers in Asmara. All five men are members of the Evangelical Lutheran Church. The arrest took place shortly after the Evangelical Lutheran Church in Asmara had announced publicly on 20 April 2014 that the five men would be ordained.

Reportedly, Messrs. [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED] are detained at Police Station Number 2 in Asmara. Allegedly, the five men have not been brought before a judge or formally charged with any offence. It is reported that family members are delivering food supplies and clothing but are not allowed to visit them.

It is reported that representatives from the Evangelical Lutheran Church have expressed concern over the arrest of her candidates to the Department of Religious Affairs. They have not been allowed to visit the five men.

The authorities have not publicly acknowledged the arrests or provided any reasons.

In view of alleged prolonged incommunicado detention of the five men, concern is expressed about the well-being of the afore-mentioned persons and that they may be at risk of torture or other forms of ill-treatment. Grave concern is also expressed that Messrs. [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED] are detained for their choice and peaceful practice of their religious beliefs, and that these arrests may be aimed at intimidating the Evangelical Lutheran community.

While we do not wish to prejudice the accuracy of these allegations or to express an opinion on whether or not the detention of Messrs. [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED] is arbitrary, the above allegations appear to be in contravention of the right not to be deprived arbitrarily of his liberty, as set forth in article 9 of the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), as well as the right to freedom of religion as contained in article 18 of the UDHR and the ICCPR, and the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (A/RES/36/55). We would also like to remind your Government that prolonged incommunicado detention or detention in secret places can facilitate the perpetration of torture or other cruel, inhuman or degrading treatment or punishment and can in itself constitute a form of such treatment.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) /can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Government to safeguard the rights of the above-mentioned persons in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above mentioned allegations.
2. Has a complaint been lodged?
3. Please provide information on the legal grounds for the arrest and detention of Messrs. [REDACTED], [REDACTED], [REDACTED], [REDACTED]

██████ and ██████, and explain how such measures are compatible with Eritrea's international human rights obligations.

4. Please respond to the allegations that the family members of the above-mentioned individuals or the representatives of the Church have not been allowed to visit them. Please also provide information as to whether they have access to legal counsels.
5. Please provide the details, and where available the results, of any investigation, medical examinations, and judicial or other inquiries which may have been carried out in relation to this case. If no inquiries have taken place, or if they have been inconclusive, please explain why.
6. In the event that the alleged perpetrators are identified, please provide the full details of any prosecutions which have been undertaken. Have penal, disciplinary or administrative sanctions been imposed on the alleged perpetrators?
7. Please provide detailed information on the measures taken to ensure the right to freedom of religion or belief, in particular, the freedom to have or adopt a religion or belief of one's choice and the freedom to manifest one's religion or belief, in line with Eritrea's international human rights obligations.
8. Please indicate any remedial action taken vis à vis the victim or his/her family.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

Your Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Mr. Woldeyohannes, the assurances of our highest consideration.

Mads Andenas  
Chair-Rapporteur of the Working Group on Arbitrary Detention

Beedwantee Keetharuth  
Special Rapporteur on the situation of human rights in Eritrea

Heiner Bielefeldt  
Special Rapporteur on freedom of religion or belief

Juan E. Méndez  
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or  
punishment