Geneva International Centre for Justice

62nd Session of the Human Rights Council

SYSTEMIC CHALLENGES AND THE NECESSITY OF INDEPENDENT OVERSIGHT

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Executive Summary

During the 62nd session of the Human Rights Council, the Enhanced Interactive Dialogue concerning the situation of human rights in Eritrea examined the report of the Special Rapporteur (A/HRC/62/20). The dialogue highlighted concerns regarding long-standing human rights violations, including the current structure of executive authority, the incidence of enforced disappearances, and the lack of domestic legal accountability. Member states held divergent views on the Council's approach: several European and Western nations supported the continuation of the mandate as a necessary mechanism for monitoring and documentation, while other delegations opposed the mandate, favouring a transition toward technical assistance and capacity-building programs.

The report by the Special Rapporteur identifies patterns of restricted civil liberties. A central issue remains the national military service system, which is cited as a source of forced labour. Additionally, the Eritrean government's lack of cooperation with the Special Rapporteur, including the denial of country access, continues to limit international oversight regarding reports of arbitrary detention, the impact on human rights defenders, and the status of children within the military. Geneva International Centre for Justice (GICJ) noted that the existing administrative practices in Eritrea hinder civic participation. GICJ argued that the absence of international engagement contributes to the continuation of national service policies.

Background

Since the establishment of the mandate in 2012, the human rights situation in Eritrea has remained a consistent focus of international scrutiny due to documented patterns of systemic violations. Although a constitution was ratified in 1997, it remains unimplemented, and the country operates in the absence of an independent judiciary or a representative legislature. This institutional framework has resulted in the concentration of authority within the executive branch, leaving citizens with limited legal avenues to challenge state actions. A central element of this human rights landscape is the national service system. While originally conceived for a finite duration of civic and military duty, the program is implemented indefinitely in practice. This system has been associated with reports of harsh conditions, including allegations of forced

labour and punitive measures. The nature of the national service system serves as a primary driver of irregular migration, as significant portions of the population seek safety and employment opportunities outside the country.

Beyond these structural issues, reports from the Special Rapporteur and international bodies document a broad range of human rights concerns. These include the systemic suppression of freedom of expression and the prohibition of independent media. Furthermore, the state maintains strict control over religious practice, restricting legal recognition to specific denominations and subjecting members of unregistered groups to detention. Additionally, there are documented reports of collective punishment directed at the families of individuals who evade national service or depart the country. In the regional context, reports have also cited the involvement of Eritrean forces in the conflict in northern Ethiopia, where allegations of violations of international humanitarian law have been raised. This discussion report serves to synthesise the findings of the Special Rapporteur (A/HRC/62/20) and contextualise the recent Enhanced Interactive Dialogue held during the 62nd session of the Human Rights Council. Its primary aim is to evaluate the status of international human rights obligations in Eritrea, analyse the effectiveness of current monitoring mechanisms, and provide a comprehensive overview of the divergent international perspectives regarding the necessity of independent oversight. By documenting these developments, the report seeks to facilitate a more nuanced understanding of the accountability gap and to inform future advocacy efforts aimed at promoting structural reform and the protection of fundamental rights in Eritrea.

Representing the Office of the High Commissioner for Human Rights, Maarit Kohonen Sheriff provided an update to the Council. She emphasised that Eritrea's human rights situation remains characterised by a systemic lack of an enabling civic space. She noted that while Eritrea has engaged in limited, requested capacity-building, these efforts have not been met with the necessary structural reforms-such as the establishment of an independent judiciary or the decriminalisation of dissent-required to meet international standards. She underscored that technical cooperation cannot serve as a substitute for the fundamental protection of rights and the dismantling of the state's repressive architecture.

Summary of the Expert's Report (A/HRC/62/20)

The report submitted by the United Nations Special Rapporteur on the situation of human rights in Eritrea, Mohamed Abdelsalam Babiker to the 62nd session provides a detailed assessment of the human rights situation in the country between April 2025 and April 2026. The findings indicate that the state continues to maintain a centralised control structure where civil and political rights remain constrained. The Rapporteur highlights the persistence of a network of detention facilities where due process is not observed. The status of numerous individuals, including political figures and journalists detained in 2001, remains undisclosed, and the state has not provided information regarding these enforced disappearances. Detainees are held in conditions that lack basic standards of care, including reports of overcrowding, limited access to medical attention, and prolonged isolation, which raise concerns under international prohibitions against cruel, inhuman, or degrading treatment. In the absence of an independent judiciary or a functioning legal code, citizens lack effective legal recourse to challenge detention.

The national service system remains a primary component of the state's administrative apparatus, functioning as a system of mandatory labour. While the relevant legislation prescribes a finite period of service, in practice, conscription is indefinite, with limited pathways for conscientious objection or formal discharge. Conscripts are frequently assigned to manual tasks for state-managed projects. The report notes that these individuals, including those mobilised during

mass round-up campaigns, are subject to disciplinary practices that restrict their physical autonomy. The report also documents efforts to maintain state oversight of religious and social life. The government restricts legal recognition to four religious groups, and members of unregistered faiths-including Jehovah's Witnesses, Pentecostals, and other evangelical denominations-subject to surveillance, administrative detention, and imprisonment. The Rapporteur notes the continued detention of religious leaders and highlights reports of detainees being pressured to renounce their religious affiliation, which the Rapporteur identifies as a breach of the right to freedom of conscience and belief. The state's influence extends to the Eritrean diaspora through transnational practices. The mandatory 2 per cent tax is enforced through consular procedures; citizens abroad may be denied identity documents, inheritance rights, or the ability to visit their country of origin unless these fees are settled. Furthermore, the requirement to sign "letters of regret" to access consular services constitutes a formal admission of actions deemed contrary to state interests, creating records that present risks to the individuals and their families.

Finally, the report addresses the protection environment for asylum-seekers in neighbouring states. Many individuals face the risk of return to Eritrea, where they may encounter threats to their safety and liberty. Vulnerable refugees are also exposed to risks from trafficking and kidnapping networks, sometimes operating with the awareness of local actors. The challenges within registration and protection systems in host countries leave significant numbers of Eritreans without legal status or security.

Exhaustive Summary of the Enhanced Interactive Dialogue

Response of the State of Eritrea

During the Enhanced Interactive Dialogue on the situation of human rights in Eritrea, Ambassador Sophia Tesfamariam presented the position of the State of Eritrea. The delegation formally rejected the report submitted by the Special Rapporteur, Mohamed Abdelsalam Babiker, characterising the findings as lacking an objective basis and failing to reflect domestic conditions. Ambassador Tesfamariam contended that the report's reliance on unverified testimonies undermined its credibility and noted that it did not adequately incorporate information regarding the state's national development objectives. Regarding the national service program, the Ambassador defended the policy as a vital institution for protecting national sovereignty, territorial integrity, and social cohesion in the context of regional security challenges. She contested international critiques concerning the duration of the service, noting that various states implement conscription models in response to their own security requirements. She maintained that the design and administration of the national service system fall within the domestic jurisdiction of Eritrea and should remain free from external interference.

Furthermore, the Ambassador questioned the necessity of the country-specific mandate for Eritrea. She argued that the existence of universal human rights mechanisms, such as the

Universal Periodic Review (UPR) and international treaty bodies, renders the special mandate redundant and selective. She expressed concern that the alignment of certain delegations, particularly within the European Union, indicated a reliance on political considerations rather than impartial human rights assessment. She suggested that the continuation of this country-specific mechanism risks prioritising confrontation over engagement. In her concluding remarks, Ambassador Tesfamariam reaffirmed the state's focus on maintaining domestic stability and providing public services amidst ongoing regional pressures. She urged the Council to discontinue the mandate, stating that the current focus is divisive and lacks consensus among member states. The Ambassador called for a transition toward constructive dialogue that respects the sovereign prerogative of states to determine their own national developmental paths.

Statements on behalf of Group of States

The European Union

The European Union (EU) reaffirmed its full support for the mandate as an essential mechanism for independent monitoring and documentation. While acknowledging the limited release of some detainees, the EU stressed that structural impunity remains pervasive. It called on Eritrea to

end the practice of indefinite national service, cease the suppression of civil and political rights, and stop transnational repression.

The United Kingdom of Great Britain and Northern Ireland

The United Kingdom expressed concern regarding Eritrea's continued lack of engagement with the mandate of the Special Rapporteur. The delegation highlighted the adverse impact of the national service system on the country's youth and urged the government to implement the 1997 constitution to provide a foundational legal framework.

The Republic of Iceland on behalf of a group of states

Iceland, speaking on behalf of a group of states, expressed support for the renewal of the Special Rapporteur's mandate, emphasising that accountability for human rights violations is a global responsibility and that the international community must maintain independent monitoring of the situation in Eritrea. In its intervention, the delegation highlighted concerns regarding the practice of enforced disappearances and the use of arbitrary and incommunicado detention, where individuals are held without trial or access to legal counsel.

Furthermore, Iceland addressed the infringement of religious freedom through the closure of institutions and the detention of leaders, characterised the indefinite national service as a form of state-enforced labour, and underscored the use of surveillance and harassment to silence dissent and intimidate members of the diaspora abroad.

The Republic of Cyprus

Cyprus delivered a national intervention aligning with the joint European Union statement, emphasising that Eritrea's continued non-cooperation with international mechanisms poses a threat to the integrity of the United Nations human rights framework. The delegation noted that Eritrea has not permitted an official visit by a Special Procedure mandate-holder and argued that state sovereignty does not exempt a nation from universal human rights obligations. Cyprus cited the state's refusal to implement decisions from regional bodies, such as the African Commission on Human and Peoples' Rights, as evidence of a rejection of oversight. Furthermore, the delegation condemned the absence of independent state institutions, characterised the indefinite national service as a form of forced labor, and expressed concern regarding the state's transnational repression, including the intimidation and financial coercion of the diaspora.

Cyprus concluded by urging the government to grant the Special Rapporteur unhindered access to the country to verify the status of individuals held incommunicado.

The Arab Republic of Egypt

Egypt emphasised the principle of state sovereignty, advocating for a shift away from

country-specific mandates, which the delegation described as selective and politicised. The delegation argued that such mechanisms create friction between the Human Rights Council and Member States rather than fostering improvement, and instead proposed that human rights challenges be addressed through constructive dialogue and technical assistance conducted with the consent of the state. Furthermore, Egypt framed its regional engagement with Eritrea as essential for maintaining peace and security in the Horn of Africa and the Red Sea, cautioning that external pressure or intrusive mandates could disrupt regional stability. The delegation concluded by encouraging the international community to adopt a collaborative approach, asserting that respectful support is more likely to yield progress in human rights than international scrutiny.

The Russian Federation

During the Enhanced Interactive Dialogue, the Russian Federation stated that it acknowledges the efforts of the Eritrean government to improve the human rights situation, citing specifically the restriction of the death penalty and measures taken to ensure access to education and healthcare. The delegation argued that the international community should prioritise assisting Eritrea in its socioeconomic development through trade, economic ties, and humanitarian

cooperation rather than exerting foreign policy pressure. Consequently, Russia expressed its categorical opposition to the regular extension of the Special Rapporteur's mandate, characterising the practice as ineffective and overly politicised. The Russian delegation maintained that any assessment of the human rights situation should be objective and based on respect for Eritrea's sovereignty and national interests, urging the Council to assist the country through approaches aligned with the leadership's own priorities rather than through external scrutiny.

People's Republic of China

China's position during the 62nd session of the Human Rights Council was rooted in the principles of state sovereignty and non-interference, leading the delegation to oppose the continuation of the Special Rapporteur's mandate for Eritrea. Beijing characterized country-specific mechanisms as selective tools that infringe upon a nation's right to pursue its own development path without external intervention. The delegation advocated for a transition toward constructive dialogue and technical assistance conducted only upon the explicit request and consent of the state in question. China argued that the Council's focus on Eritrea represents an attempt to politicise human rights issues, urging the international community to respect the

government's primary responsibility for its internal affairs rather than promoting oversight that the delegation views as confrontational.

The Swiss Confederation

The Swiss delegation expressed concern regarding the practice of arbitrary and incommunicado detention, noting that individuals, including political dissidents, journalists, and religious adherents, continue to be held without trial or access to counsel. By advocating for the renewal of the Special Rapporteur's mandate, Switzerland stated that Eritrea's lack of cooperation with the United Nations mechanisms remains a barrier to justice and that independent monitoring is necessary to support the structural reforms required to protect fundamental freedoms.

Ireland

Ireland articulated its position through the joint statement of the European Union, which emphasised the Eritrean government's persistent refusal to engage with the United Nations Special Rapporteur. The delegation highlighted that this lack of cooperation, including the repeated denial of access to the country, remains a significant obstacle to human rights reform.

Aligned with the European Union, Ireland condemned the systemic targeting of human rights defenders and civil society members, as well as the militarisation of society. The delegation expressed particular concern regarding the practice of indefinite national service, describing it as a form of forced labor, and noted reports concerning the conscription of children. Ireland affirmed the necessity of renewing the Special Rapporteur's mandate to maintain independent international scrutiny and to urge the Eritrean authorities to fulfill their international obligations.

Statements by Non-Governmental Organisations

During the 62nd session of the Human Rights Council, a broad coalition of civil society actors voiced their collective support for the findings of the Special Rapporteur and urged the Council to renew the mandate. These groups emphasised that the mandate serves as an essential instrument for independent documentation, maintaining visibility on the human rights situation in Eritrea, and providing a platform for victims of state-led repression.

Conclusion

The 62nd session of the Human Rights Council highlighted a clear division regarding the human rights situation in Eritrea and the efficacy of current oversight mechanisms. While some member states and civil society actors advocated for the renewal of the Special Rapporteur's mandate as an essential tool for documenting abuses and ensuring accountability, others argued that such country-specific mechanisms are selective and counterproductive, favouring instead a focus on technical assistance and constructive engagement.

In his concluding remarks, the Special Rapporteur observed that the state's continued refusal to facilitate independent access to detention facilities remains a significant barrier to transparency. He emphasised that the objective documentation of conditions on the ground is a necessary prerequisite for any future efforts toward transitional justice and the mitigation of systemic impunity. Ultimately, the dialogue underscored the persistent tension between the international community's mandate to monitor human rights violations and the national government's assertion of state sovereignty. Moving forward, the Council faces the challenge of determining how to balance these competing perspectives while addressing the documented concerns regarding the protection of fundamental freedoms in Eritrea.

Position of the Geneva International Centre for Justice (GICJ)

Geneva International Centre for Justice (GICJ) maintains that the human rights situation in Eritrea constitutes an enduring crisis that demands an immediate, resolute, and punitive international response. For over three decades, the state has systematically dismantled the rule of law, creating a closed environment by calculated design. By institutionalising enforced disappearances and state-sanctioned forced labor, the regime effectively holds an entire nation in a state of precarity, resulting in a persistent cycle of suffering that violates fundamental norms of international human rights law.

The indefinite national service represents a pervasive mechanism of state-imposed labour that deprives Eritrean youth of their future, fracturing families and compelling thousands to seek safety through perilous migration. GICJ finds it unconscionable that the regime weaponises

consular services to extort the diaspora; forcing refugees to pay for the privilege of their own exile and coercing them into self-incrimination via "letters of regret" is a direct contravention of international legal obligations. Such transnational repression serves as an extension of the domestic climate of fear, designed to silence dissent and preclude unified calls for justice.

GICJ calls upon the Human Rights Council and the international community to recognise that the period for mere observation has passed. We urge Member States to pivot toward accountability by initiating investigations under the principle of universal jurisdiction, ensuring that those responsible for authorizing torture, enslavement, and other grave violations find no safe haven. Furthermore, we demand that host nations prohibit the collection of the "diaspora tax," dismantle intelligence-gathering consular networks, and strictly uphold the principle of *non-refoulement*. The cycle of absolute impunity must be dismantled; the international community bears a solemn responsibility to ensure that the victims of these systematic abuses are finally granted the truth, justice, and reparation to which they are entitled under international law.

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