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Agenda item 4

Human rights situations that require the Council's attention

Note verbale dated 22 October 2020 from the Permanent Mission of Eritrea to the United Nations Office at Geneva addressed to the secretariat of the Human Rights Council

The Permanent Mission of the State of Eritrea to the United Nations and other international organizations in Geneva hereby requests the secretariat of the Human Rights Council to circulate the attached letter* from the Minister of Foreign Affairs of the State of Eritrea, Osman Saleh, to all member and observer States as a document of the Council under agenda item 4.

* Reproduced as received, in the language of submission only.

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Annex to the note verbale dated 22 October 2020 from the Permanent Mission of Eritrea to the United Nations Office at Geneva addressed to the secretariat of the Human Rights Council

Letter from the Minister of Foreign Affairs of the State of Eritrea to the President of the Human Rights Council

Excellency,

The Ministry of Foreign presents its compliments and communicates this NV for your attention. We have learned that during the 45th Session, the UNHRC has appointed Mr Mohamed Abdelsalam Babiker, to fill the vacancy left open by the Special Rapporteur (SR) on Eritrea, Ms Daniela Kravetz, whose mandate was extended (until June 2021) at the 44th Session through HRC Resolution A/HRC/44/L.8 of June 2020.

As we have duly communicated to the Council on previous occasions, Eritrea categorically rejects, for the cogent reasons outline below, routine and periodic appointments of a Special Rapporteur to maintain unwarranted harassment perpetrated against it for the last eight years.

1. As explained in greater detail in our previous communications, the original Resolution adopted by the UNHRC in 2012 was prompted by political considerations. The principal architects of the Resolution conceived the instrument as a residual option – Plan B so to speak – to bolster and supplant the UNSC sanctions regime imposed on Eritrea in 2009/11. For reasons of packaging and external semblance, three African countries (Djibouti, Somalia and Nigeria) were prodded to table the Resolution in order to give it an African face. Djibouti was embroiled in a putative border conflict with Eritrea. Nigeria has no diplomatic presence and commercial ties with Eritrea. Somalia was undergoing through a vicious internecine war and, as its officials later confided to Eritrea, it was literally instructed, under duress, to sponsor the Resolution.
2. Moreover, the Special Rapporteur hand-picked to perform the task, Sheila Keetharut, was a former Amnesty International official. AI's agenda of "regime change" in Eritrea and its involvement in acts of subversion in 2011 is in the public domain. In addition to this innate bias, the SR invariably compiled her annual reports in collaboration with the Intelligence Services of the TPLF regime, Djibouti and other notorious detractors of Eritrea.
3. The Commission of Inquiry established pursuant to the fallacious annual reports of the SR was not different in terms of biased attitude and total lack of neutrality, objectivity and professionalism in conducting its work. Case in point: the Commission totally rejected petitions of 220,000 Eritreans in the Diaspora while it relied, fully and exclusively, on complaints of around 250 "opposition figures" in its preparation of a report that recycled the usual invective on Eritrea.
4. As mentioned above, the original Resolution on Eritrea was sponsored by three African countries. With time however, many Member States have come to realize the hollowness of the charges leveled against Eritrea. As it happened, the Resolution this year that called for renewal of the mandate and appointment of a new SR was not sponsored by a single African country. EU member States – who were the original architects of the scheme together with the US – had no choice but to come out of their closet.
5. For all the reasons cited above, Eritrea cannot accept continued injustices and harassment by the UNHRC. Eritrea remains committed to the full respect and upholding of human rights. In this spirit, it remains committed to the UPR process to assess its practices and drawbacks with its development partners and to take necessary remedial measures in areas and instances where its practices have avoidable shortcomings.

6. Eritrea again reiterates its rejection to the resolution that extended the mandate for another one year at the 44th HRC Session and reaffirms its position that continuation of the unfair and unjust treatment is unproductive, unacceptable and will not cooperate with the mechanism.

(Signed) Osman **Saleh**
Minister
