

loans to address its debt to them of U.S. \$800 million. Both provided assistance to the government in preparing for the July donor meeting and the IMF helped plan a program which was expected to spur increased levels of international assistance, starting with the IMF's own heavily indebted poor countries (HIPC) debt-relief initiative. The World Bank in late July approved a U.S. \$50 million grant for the economic recovery program.

### **United States**

The significant political changes that took place in Kinshasa in January coincided with the installation of George W. Bush as the U.S. president. As the Clinton administration drew to a close, its "new leaders" policy had lost credibility as those once thought to be beacons of hope, such as the presidents of Rwanda and Uganda, were more and more identified with serious human rights abuses and deadly wars. The Bush administration made no dramatic changes, but pressed Uganda and Rwanda more firmly to adhere to the Lusaka agreement in withdrawing their forces. On November 10, President Bush discussed with visiting President Kabila the state of the Congolese economy, humanitarian issues, and the nature of the war. Despite this and earlier indications that the Congo crisis would attract high-level attention, the State Department issued only one public statement on the DRC by late October compared to twenty-five issued over the same period the year before. The September 11 attacks on the U.S. and the focus on building an international anti-terrorism coalition contributed to further diminishing U.S. attention on central Africa.

In recognition of the growing misery in the DRC, however, the U.S. tripled its humanitarian assistance in 2001 to approximately U.S. \$80 million, most of it for food and other emergency supplies, immunization programs, and refugee relief. It also spent some U.S. \$5 million on judicial programs under the Great Lakes justice initiative.

### **Relevant Human Rights Watch Reports:**

*Reluctant Recruits: Children and Adults Forcibly Recruited for Military Service in North Kivu*, 5/01

*Uganda in Eastern DRC: Fueling Political and Ethnic Strife*, 3/01

## **ERITREA**

### **HUMAN RIGHTS DEVELOPMENTS**

A border war with Ethiopia that began in 1998 was a disaster for Eritrea. The war, which ended with a cease-fire in mid-2000 and a peace agreement in December 2000, displaced over a quarter of the population; seriously undermined the

country's economy; and achieved no military gains. About 20,000 Eritreans died during the war and the Ethiopian army advanced to within one hundred kilometers of Asmara, the capital. (See also Ethiopia.)

After October 2000, civil liberties became the latest victims of that war. Critics of government policy were jailed without charges, the small independent press was closed, and university students who challenged a compulsory summer work program were subjected to harsh treatment and to jail.

Since the country achieved independence from Ethiopia in 1993, after a thirty-year armed struggle, all governmental power had been held by the leading force in the fight for independence, the Eritrean People Liberation Front, and its post-independence incarnation, the People's Front for Democracy and Justice (PFDJ). The leader of the PFDJ, Isayas Afwerki, had been president of the country since independence. A constitution, with provisions creating civil liberties, was adopted in 1997 but was never implemented. Elections for the new National Assembly were scheduled for 1998 but were postponed indefinitely after the outbreak of the war with Ethiopia. As a result, president Isayas governed by proclamation, unrestrained by a transitional national assembly that met infrequently. In mid-2001, the government circulated a draft Proclamation on the Formation of Political Parties and Organizations and an Eritrean Electoral Law Proclamation. No electoral politics were permitted and presidential rule was essentially unfettered pending adoption of both measures.

There was no effective mechanism for questioning, much less challenging, government policy and operations. In October 2000, thirteen academics and professionals sent the president a letter suggesting a "critical review" of post-independence development. The letter stated that the war raised "grave questions" about the government's conduct domestically and internationally. Although sent privately to the president, its contents soon became known. The president met with the group but rejected its criticisms. In February 2001, the president removed the minister of local government after he questioned the president's leadership and requested meetings of the PFDJ's central and national councils, which had met only twice during the two-year war with Ethiopia.

Criticism of presidential rule gathered force in May 2001, when fifteen of the seventy-five-member central council of the PFDJ published an open letter demanding reforms. This "Group of 15" urged full application of the constitution, multi-party elections, abolition of the non-judicial Special Court (discussed below), and other reforms. Among the signatories were the former defense minister, other former ministers and ambassadors, and three generals.

In July, the government arrested University of Asmara student union president Semere Kesete for having protested the government's management of the university's mandatory summer work program. (The university was the only institution of higher education in the country). The work program supplemented a compulsory national service program in which many of University of Asmara students participated during the border war with Ethiopia. When about four hundred students protested the arrest of their leader on August 10, the government rounded them up and sent them to a work camp in Wia, near the Red Sea port of Massawa, where daytime temperatures exceed well over 100 degrees Fahrenheit (38 degrees Celsius).

The government later coerced 1,700 other students into joining the camp by threatening to deny them registration for the new academic year. Two students died of heat stroke, which the government attributed to “lack of adequate logistical support” at the camp. In September, police used clubs to break up a demonstration of mothers of the students who were protesting their treatment at Wia. Most of the students were released after signing a form letter of apology, and the university reopened on October 1, 2001. About twenty students who refused to sign the letter remained under arrest, including student council president Semere. All but Semere were released without charged in early November. Semere remained in detention without being charged—despite a penal code provision requiring charges to be brought within thirty days of arrest.

On September 18 and 19, 2001, the government arrested eleven signatories of the Group of 15’s May letter. Only three members abroad for medical or business reasons and one who had retracted his signature avoided arrest. Those arrested had not been charged as of early November. However, government and PFDJ spokesmen publicly accused them of plotting to create “opposition cells” in the army and other governmental institutions; establishing relations with “neighboring countries”; and cooperating with outlawed groups. A presidential spokesman said that these were illegal acts that “jeopardized the nation’s sovereignty.” After the Group of 15 arrests, the government reportedly arrested four to five dozen other prominent individuals, including elderly businessmen who had tried to act as intermediaries between the group and the president. All of those arrested were held incommunicado and information about their whereabouts was withheld from the public and from their families.

The accusations leveled at the Group of 15 members were sufficiently grave to fall within the jurisdiction of a secret Special Court established by presidential decree in 1996—although at the time of writing charges had not been brought. The court’s membership consisted of three military senior officers without legal training who reported directly to the Ministry of Defense. Defendants had no right to counsel or to appeal. In January 2001, the president issued a decree creating a Special Committee of Investigation to investigate “crimes against the state” as a complement to the Special Court. Among its members were the minister of justice and the head of the Eritrean intelligence service.

The civil court system was not independent. It was administered as part of the Ministry of Justice and depended on the ministry for logistical and financial support. In mid-2001, the chief justice was fired after he complained about executive interference in the work of the judiciary. Moreover, court decisions could be reviewed by the Special Court.

On September 19, the second day of the Group of 15 arrests, the government withdrew the licenses of the country’s eight independent newspapers on the grounds that they had violated the 1996 Press Proclamation and were undermining national unity. The minister of information (who had previously served as security chief) announced he would review each newspaper to determine whether it could reopen. As of early November 2001, none had reopened. Suppression of the independent press left the government’s newspaper, television, and radio outlets as the only public sources of information. Even before the mass closings, the govern-

ment had frequently harried the private press by detaining journalists, explaining that they had been called to perform national service. After ten journalists were reportedly arrested in September, authorities again said that they had been called for military service, but observers noted that at least two were exempt from national service because of age or their status as veterans.

## **DEFENDING HUMAN RIGHTS**

The Eritrean government tolerated the operation of only one human rights organization, Citizens for Peace in Eritrea, which strictly limited its advocacy to the rights of war victims.

The transitional civil code and the constitution prohibited discrimination against women and the government had traditionally advocated improving the status of women. The draft election law proclamation reserved 30 percent of parliamentary seats for women and made women eligible to contest the other 70 percent. The government had a record of taking a firm stance against domestic violence.

## **THE ROLE OF THE INTERNATIONAL COMMUNITY**

In September 2001, the World Bank, the European Union, and individual E.U. members pledged U.S. \$130 million in loans and grants to help Eritrea demobilize 200,000 of its soldiers by early 2003. Financial assistance from the E.U. was jeopardized, however, when the government expelled the E.U. representative, the Italian ambassador, after he delivered a demarche from the E.U. expressing concern about the deterioration in human rights protections. Ambassadors from other E.U. states were promptly recalled for consultation. The government said the expulsion was unrelated to the protest.

On the day the United States protested the arrests of the Group of 15 and press closings in early October, Eritrea seized two local U.S. embassy employees in what it said were unrelated arrests. The U.S., which in FY 2001 provided Eritrea with \$10.219 million in development and child survival assistance, and another \$155,000 under the IMET military training program, cancelled joint military exercises planned for November. The Foreign Ministry issued a press release expressing “puzzle[ment]” over “negative statements” issued by several countries: “The Government of Eritrea particularly finds inexplicable the attempts to ‘whitewash’ crimes against the nation’s security and sovereignty and present it as advocacy for democratic reform.”

But protest over the shrinking liberties in Eritrea was not limited to its international partners alone. The government by year-end faced the prospect of losing U.S. \$300 million that it annually collected from Eritreans living abroad in taxes and donations due to widening discontent in the diaspora about the deteriorating conditions at home.

In mid-2001, Sudan, Eritrea, and the United Nations High Commissioner for Refugees reached agreement to repatriate most of the estimated 250,000 Eritreans who fled to Sudan during the pre-independence fighting as well as the 1998-2000

war. Under the agreement, refugees from the more recent fighting would be repatriated by the end of 2001; 160,000 others would follow by the beginning of 2002.

The war with Ethiopia internally displaced as many as 960,000 Eritreans. At the end of September 2001, 44,000 were still living in temporary camps. Their return was hampered by fields strewn with landmines, the absence of basic social services in their home districts, and general insecurity along the still disputed border with Ethiopia. (See Ethiopia).

## **ETHIOPIA**

### **HUMAN RIGHTS DEVELOPMENTS**

There was a marked deterioration of civil liberties in Ethiopia during 2001 in the wake of (and partially as a result of) the war with Eritrea. The government jailed civil rights advocates, political rivals, students, and journalists without formal charges, and police used lethal force against unarmed civilians. In July, the foreign minister told journalists that conditions in Ethiopia were not conducive for liberal democracy. The minister of education acknowledged that Ethiopia's justice system had major deficiencies. Government agencies, she said, interfered in the justice system. The system also often abused its authority and lacked transparency and accountability.

The judiciary, with rare exceptions, was complicit in the government's violations of human rights. The courts routinely granted extensions allowing individuals to be held in detention without formal charges and without bail while the police "investigated," usually at a snail's pace. Rarely did they inquire into the need for holding suspects in custody. Court hearings convened every several weeks, only to have the court uncritically permit the police to investigate for months. Court cases historically lasted for years, during which time activists and government critics, apparently held only for their nonviolent criticism of the government, endured harsh detention conditions. Sometimes charges were eventually brought; sometimes prisoners were released after months of captivity without charge or trial.

Although the war with Eritrea ended with a cease-fire in June 2000, and a comprehensive Peace Agreement in December 2000, disputes over its prosecution and conclusion continued to simmer within the political elite and the enmity created permeated relations between the two countries. In March, twelve central committee members of the Tigray People's Liberation Front (TPLF), the lead party in the government coalition, the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF), issued a twelve-point critique of Prime Minister Meles Zenawi's policies. The dissenters, joined by members of other government parties, complained that the government had concluded a premature and unfavorable peace agreement. They also protested the government's economic liberalization policies and accused the prime minister of corruption.