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وزير الشؤون الخارجية
Minister of Foreign Affairs

Ref: OM/043/18

Mr. Ahmed Shaheed
Special Rapporteur
Freedom of Religion or Belief
Genève

Dear Mr. Shaheed

I refer to a rather curious communication (Ref. AL ERI 2/2017) that was sent to me jointly by your good selves on 17 January last month.

Let me first dwell briefly on the incident.

On the early afternoon of 31 October 2017 around 100 youth (students from the Al Diaa Private School and others in the neighborhood) marched from Akheria, a neighborhood in the northern periphery of Asmara to the al-Khulafa' ar-Rashidun Mosque in the center of the city. After the prayers, the unruly group, who were chanting sectarian and inflammatory slogans all the way, proceeded to Liberation Avenue and the Ministry of Education. At this stage, they began to throw stones and to attack the Police. In the circumstances, the Police fired warning shots into the air and dispersed the crowd before they could incur damage to lives and property.

The Police subsequently detained, for questioning, several people involved in illicit acts of vandalism as well as principal culprits behind the whole episode. These are indeed normative measures that the police in any country would take to ensure public safety by, in part, dispersing and apprehending people who have willingly engaged themselves in offences including the public disturbance of an otherwise peaceful city.

It must be underlined that this particular incident had nothing to do with freedom of expression or freedom of faith. Eritrea is a secular State where the freedom of religion is fully and solemnly enshrined in its laws. Furthermore, it has a fine and exemplary tradition of religious tolerance and co-existence nurtured over centuries.

In this perspective, Proclamation 73/1995, issued to "Clarify and Regulate Religions and Religious Institutions", enshrines the principle of secularism by limiting government activities to the political administration of the country and religions/religious institutions to religious matters; without one crossing into the mandate of the other.

Eritrea's education policy reflects, in part, this law by limiting religious institutions to providing religious education with the freedom to implement their curricula in accordance with the dictates of the respective faiths - and all non-religious schools, whether private or public, to providing education in secular fashion as required by the guidelines of the Ministry of Education.

Accordingly, all the faiths enjoy unrestricted rights to run and administer religious schools in their respective religious institutions and premises. They have unfettered rights to establish and operate purely religious schools at all levels; including at the tertiary level. Along the same line, religious teachings and/or exclusivist religious attitudes are not permitted in secular schools. Discriminatory or segregationist practices of refusing access and enrollment to individuals on the basis of their gender, religion or background are also prohibited in secular schools.

Al Diaa is a private school that falls within the administrative jurisdiction of the Ministry of Education. It is not an Islamic School, as your letter insinuates, affiliated in

administrative and policy respects to the Muslim Faith in the country. (Indeed, it was first established in 1969 as "Berhan Elementary School" open to all inhabitants of the Akheria community without discrimination on the basis of religion or ethnicity).

In subsequent years, and especially after independence, Al Daa School began to gradually introduce practices that were in breach of the country's secular education policy. Among other things: access to the school was restricted to followers of the Islamic faith only; it introduced segregation of classes on the basis of gender; it stopped teaching on Fridays; and it breached national school guidelines on dress code and school uniforms; and it hired foreign nationals without valid permits and approval of the Ministry of Education regarding their qualifications.

The Ministry of Education held a series of meetings, over several months, with all relevant stakeholders of the School, including the Parents Committee, to rectify the overall situation. When consensus was broadly reached, the School principal rejected the agreement and advocated for confrontational approaches. The incident happened against this backdrop of events.

It must be borne in mind that the transgression of Eritrea's secular education policy and the inflammatory words and deeds of the School principal, and others implicated in the act, were wayward practices that merited appropriate action. The popular sentiment was perhaps better captured in the words of Sheikh Salim Ibrahim Al-Muktar, the Managing Director of Eritrea's Mufti Office, who stated during the public celebrations of Mewlid Al-Nabi on 30 November 2017 that "Islam and Christianity have co-existed in harmony in Eritrea since ancient times. As such, externally induced religious extremism has no space in our country".

For reasons that defy explanation, external media reaction to this singular incident was mind boggling. A sinister story that originated from a subversive Ethiopia-based armed group, the so-called Eritrean Red Sea Afar Organization (RASDO), alleging "the killing of 28 civilians and wounding of 100 others", went viral with prestigious media outlets gullibly recycling the story without minimum verification. Weeks later, some media outlets, including the ZDF TV Channel in Germany, retracted the story even if they have not apologized to Eritrea for their defamatory news coverage.

Let me revert now to your letter. I am extremely intrigued by the action you have taken. Eritrea's laws and policy of education can only be lauded as it is meant to ensure equality and harmony in a multi-cultural and multi-religious society. Indeed, we can invoke stringent measures - including the banning, as may be required by the Islamic faith, of veils in public places and beaches as well as constraining regulations on minarets enacted by major Western countries - which, to our knowledge, have not elicited joint communications from the bodies you represent. Finally, let me also draw your attention to recent acts of the Special Rapporteur that are clearly incompatible with her mandate. Eritrea's mission to the UNHRC has duly lodged a complaint on (copy attached). I hope you will not be inadvertently associated with, or unwittingly defend, her unacceptable excesses.