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***\*Below are a compilation of articles on Eritrea written by Thato Motaung  
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### **Article 1**

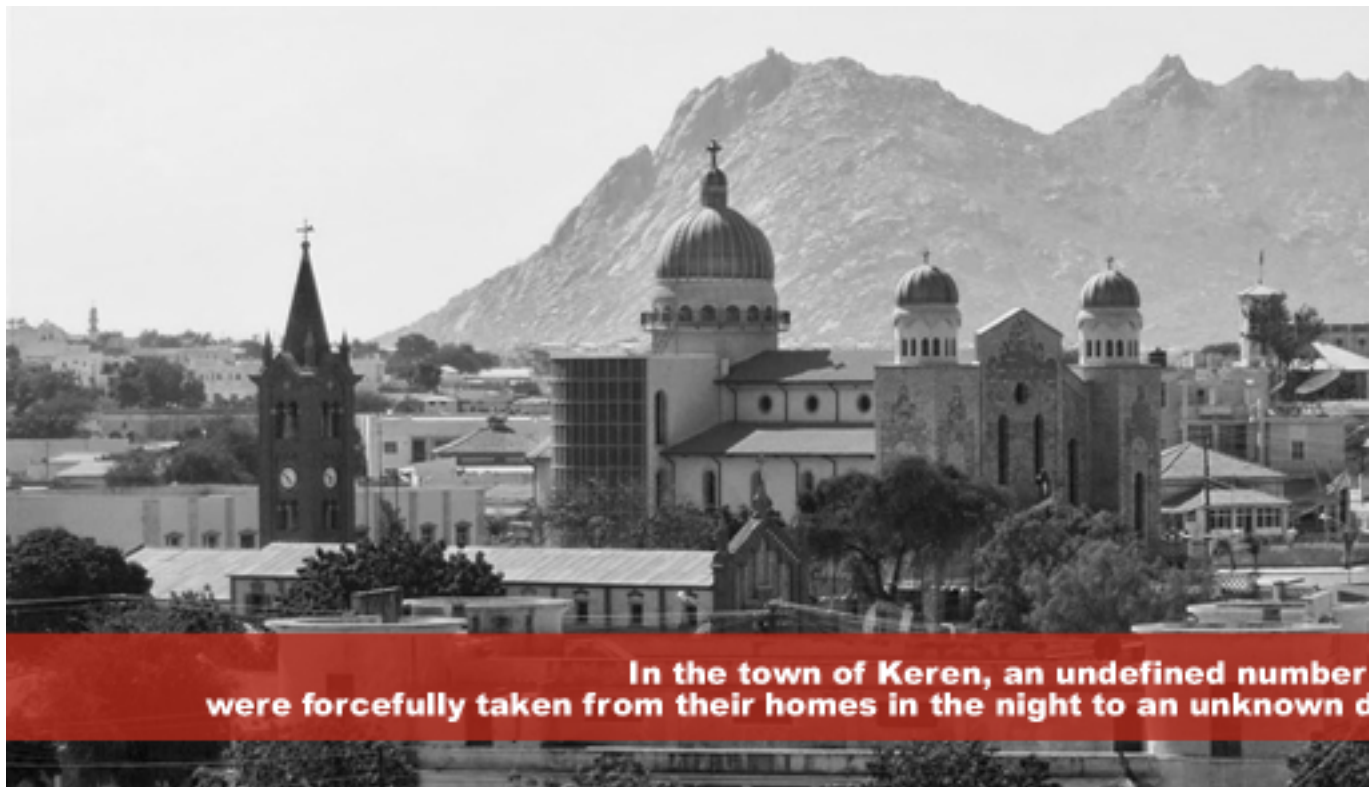
#### **This is no magic trick: I can make you disappear**

To cite magic here wrongly alludes to fantasy and enchantment. The reality is people disappear without warning and information in Eritrea. There is no make-believe; from one day to the next, a person can vanish into thin air.

The International Convention for the Protection of All Persons from Enforced Disappearance (2006) defines enforced disappearances as:

“... the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State”.

Enforced disappearances are followed by the State's refusal to acknowledge the deprivation of liberty or the concealment of the fate or whereabouts of disappeared persons. Enforced disappearances, which constitute a crime against humanity, in effect place the 'disappeared' outside the protection of the law.





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During the month of August 1994, in the town of Keren, an undefined number of people were forcefully taken from their homes in the night to an unknown destination, allegedly by security officers and soldiers. Many of those kidnapped were elderly men, several of whom were teachers of Arabic. The most distressing aspect is the shroud of secrecy covering these kidnappings. Families have no information of the 'disappeared' from Keren and still question the fate of their loved ones some twenty years later.

September 2014 marks the thirteenth year since the known victims of the Eritrean government's clampdown on opposition and media disappeared. I speak here of the infamous 'G-15' group of senior government officials whom in 2001 wrote a public letter critiquing the government. The government retaliated by detaining them and 18 journalists incommunicado – none have been heard of since – many are presumed dead.

I say *known* victims of enforced disappearance as many more Eritreans from all walks of life have since been unaccounted for. Hundreds of people, be it political prisoners, prisoners of conscience, journalists, religious leaders, 'deserters' (attempting to flee the country), or anyone critical of the government can disappear into the vast secret system of detention in Eritrea without information.

Here are the realities of Eritrea;

- 1 it is a closed state;
- 2 all independent media has been banned since 2001;
- 3 the 1997 Constitution has not been implemented to date;
- 4 freedom of religion is curtailed; and
- 5 everyone is indefinitely conscripted from the age of 18 years up to

Implementation of such levels of repression negatively impacts on everyday life, with the result being; 'disappearances' are regularly used as a weapon for instilling fear and terror in a population.



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Enforced disappearance carries with it severe consequences: an assault on a person's right to identity, security, liberty, protection from torture, inhuman or degrading treatment or punishment, and their right to judicial guarantees vanish instantaneously. Worse yet, for the loved ones and family members of the disappeared, they live with the not knowing – denied the truth – forever questioning: are you alive? How do we bury an empty casket? Will you ever come back?

*“No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for enforced disappearance”* (International Convention for the Protection of All Persons from Enforced Disappearance, 2006); a legally binding commitment to which Eritrea is still not party to.

Let today be a reminder that the prisons may be secret and locations unknown, but the 'disappeared' are not forgotten. Furthermore, in light of Eritrea's non accession to the Convention for the Protection of All Persons from Enforced Disappearance to guarantee accountability, international clamour and action has become a more pressing, more obvious necessity.



## **Article 2**

### **In pursuit of Social Justice**

Social justice becomes a reality when social protection measures against discrimination and marginalization are enforced, thus targeting systemic social injustice and differential treatment. This is what the United Nations General Assembly aimed at emphasizing when it proclaimed *The World Day of Social Justice* on 20 February 2007.<sup>[1]</sup> The advancement of social justice requires the removal of such barriers which discriminate against people based on – but not exclusive to – their age, gender, religion, culture, ethnicity or disability.

In Eritrea, religion can be a basis for differential treatment and persecution. A 1995 Presidential Decree declared that the country would recognize only four religions: the Evangelical Lutheran Church, the Eritrean Orthodox Church, Roman Catholicism, and Sunni Islam. The 1997 Constitution guarantees freedom of religion, but because it was never implemented, the Decree trumps this right. All other faiths were banned and those who practice them would incur penalties of arrest, detention in inhumane conditions, intimidation and even social exclusion.

Makda<sup>[2]</sup>, a young Eritrean girl, recounts how her father was expelled from his government job and left with no income to support his wife and seven children for being a Jehovah's Witness.

*“Our family were called “traitors” and our neighbours harassed us when we went outside. One day my parents and I were arrested during a religious gathering – I was only 14 years old. After three days, locked up in a cold prison cell with my mother, the officer released me with a warning: “Do not follow your parents’ religion or you will be expelled from school”.*



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There are roughly 3,000 Christians detained in Eritrea, many of whom were arrested during religious gatherings or whilst praying in their private homes<sup>[3]</sup>. For Jehovah's Witnesses, in April 2014 alone, over 90 worshipers were imprisoned during a religious ceremony; they were aged between 16 months to 85 years and older<sup>[4]</sup>. To date, those arrested and imprisoned for their faith in Eritrea have not been officially charged or sentenced; they are not told the reasons and length of their incarceration, nor are there any means for them to challenge its legality.

*“My twin sisters were arrested in 2006 for singing a gospel song during a wedding ceremony. They were interrogated almost every day and asked “if they were ready to drop their religion”. In 2008 the twins were taken to separate cells and the guards beat them heavily; when they got tired they threw the twins back into their cells. They beat one sister to death. Four months later the administration called my family and told them that she died of malaria. My other twin sister was released at the end of 2008 – just because they thought she was not going to make it.”*

The right to one's religion is the cornerstone of personal freedoms; simply put – it is sacred. It is enshrined in the International Covenant on Civil and Political Rights as a *fundamental* human right (Article 8). Religion also plays a social role of linking members of a community together. So, when citizens are denied identity cards or



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forced to renounce their religions because they exercised their human right to religious freedom, this begs the question: what does the notion of 'social justice' really mean in Eritrea?

Yet, all that social justice promises I see in the Eritrean people. From those as young as 15 years old leaving their homes and families – fleeing to countries where they can enjoy their human rights to escape indefinite national service, to a mother who battles fear as she holds her child close on a rickety boat across the Mediterranean Sea in search of a life where justice prevails; all the Eritrean people seek is a just society. There are no guarantees for any of them as they deal with uncertainties of perilous journeys which can result in death. But one important lesson can be learned – you can suppress someone's right to self-expression, you can detain their bodies, but you cannot imprison their minds or dreams for social justice. For as long as the mind believes in, or knows that rights are fundamental – we too cannot allow ourselves to forget them.

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[1] The UN General Assembly proclaimed 20 February as World Day of Social Justice in 2007. Observance of the World Day of Social Justice should support efforts of the international community in poverty eradication, the promotion of full employment and decent work, gender equity and access to social well-being and justice for all.

[2] Not her real name.

[3] Christian Solidarity Worldwide. 'Eritrea'. Available at:  
<http://dynamic.csw.org.uk/country.asp?s=gi&urn=Eritrea>

[4] Jehovah's Witnesses. *Imprisoned for their faith*. Available at:  
<http://www.jw.org/en/news/legal/by-region/eritrea/jehovahs-witnesses-in-prison/>



### **Article 3**

#### **International Day to End Impunity for Crimes against Journalists: 2 November 2014**

*In a land where the right to freedom of expression and information is heavily curtailed, I sought to interview three exiled Eritrean journalists and allow them the space to freely express what they cannot in their country.*

#### **Why did you choose to become a journalist?**

*\*Aman: "I used to be a development worker; I was taken to prison camps and three times I saw people tortured and killed. I started to write stories and post articles on what was happening...I became a journalist by accident – all I wanted to do was contribute to justice".*

Since Eritrea's "liberation" from Ethiopia in 1991 and its international recognition as an independent sovereign state in 1993, the country gradually evolved into a nation rife with human rights abuses. Notably, the systematic attack on dissent of any form resulting in extrajudicial killings, torture, arbitrary arrests and indefinite incommunicado detentions.

#### **What does freedom of expression mean to you?**

*Aman:" It is a symbol of democracy- the flow of information without fear or restrictions – the means to freely enlighten and educate".*

18 September 2001 was coined as the Eritrean government's 'Crackdown' on all independent media, when it banned the entire private press by shutting down media houses. It also marked the end of dissenting voices at the political level. Eighteen journalists, as well as eleven political leaders were rounded – up and imprisoned incommunicado without trial. Their whereabouts are still unknown till today. Since then, more than 70 journalists have been detained at different periods in time.

#### **What happened to the profession of journalism and the remaining journalists after the 'Crackdown'?**

*\*Abraham: "Eritrean journalism and freedom of expression was literary shelved...the [remaining] journalists –of course affiliated with the ruling party – were transformed into pure propagandists and became embedded in the system".*





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The profession of journalism provides an avenue for citizens to be informed on the functions of state. The African Commission on Human and Peoples' Rights has ruled that 'the imprisonment of journalists deprives not only the journalists of their rights to freely express and disseminate their opinions, but also the public, of the right to information'. A denial of information and knowledge means that citizens cannot make informed choices as a free press is one of the tenets of a democratic society where the rule of law prevails. The journalists detained in 2001 continue to be imprisoned incommunicado— and there are allegations that several have died in custody.

### **What “crimes” had the journalists committed?**

*Abraham: “They wrote the truth; they tried to practice journalism and inform the public”*

Before the 'Crackdown' journalism was taught at the University of Asmara; when the university was closed at the end of the 2005-2006 academic year, the final stone was cast – hitting hard at the profession of journalism. Those journalists who remained in the country report under duress – the duress being the obligation to maintain a pro-government message. Failure to do so can lead to imprisonment, disappearance, harassment or intimidation. Thus the government directly controls the public's access to information and the messages received.

### **How does an Eritrean journalist get the *real* story?**

*Aman: “Relatives, friends and networks. Say I have information; I will ask others if they can confirm with their sources if it is true. People will not give you information if they see you writing down something”.*

Eritrean society is heavily dependent on oral communication as a means of relaying information. Exiled diaspora have become the main channel from which to publicize and document credible news. However most of the diaspora media is “online”, such as *Radio Erena* broadcasting from Paris, which does not easily reach the greater Eritrean public. On average 1.5% of the population has a computer and only 0.9% use the internet. The diaspora media has achieved great impact in maintaining awareness about the on-going human rights violations in Eritrea to the international community.

*\*Batha: “The paradox and irony is that Eritreans within Eritrea are less informed about the situation they live in; awareness is mostly in a wrong way ... I attack the ‘ignorance’ of the public”*



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## **Article 4**

### **In the absence of democratic principles, tyranny reigns**

*“You may choose to look the other way but you can never say again that you did not know.”* – William Wilberforce

When the world celebrated the International Day of Democracy (15 September 2014), I reminded myself of some of the key tenets of democracy, namely: free and fair elections, the rule of law, the upholding of fundamental rights and freedoms — to name but a few. The mention of the rule of law in particular raised red flags in my mind as I pondered where to place Eritrea when choosing between definitions of democracy and autocracy.

The rule of law and the respect for human rights stand as prerequisites to realizing democratic statehood. The laws which govern a state are enshrined in a constitution; a constitution sets the parameters for lines that cannot be crossed; the principles by which a state should conduct itself. Where then does one begin to place or reference these barriers in a country with no constitution? Who has legitimacy in decision-making? What legal standards are used? The lines continue to blur...



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***“Hopes were high that with the liberation of the country in 1991 a new chapter would be open that would see the promotion of peace, justice and democracy. Unfortunately, these three words have disappeared beyond recognition and the demand for their implementation is now considered a crime subject to severe punishment, indefinite incarceration or death”. (Eritrean Activist)***

Eritrea's constitution — written in 1997 — remains unimplemented. The result? No separation of powers between the legislative, judicial and executive branches of state exists; all checks and balances expected in a democratic state do not exist. Compulsory and indefinite conscription is an ingenious means of controlling the economy, whilst simultaneously allowing impunity for the use of forced labour, sexual abuse or torture during military service, knowing that criminal justice will never prevail. Concepts such as freedom of expression exists only in theory, not exercised since the 2001 'Crackdown' when private media was closed, journalists forced into exile and many were imprisoned for their opinions. Try and exercise your freedom of expression and you will be held incommunicado for indefinite period in some of the harshest prison conditions known to humankind. The day 18 September 2014 marked the thirteenth year since those arrested during the 'Crackdown' disappeared. To this day their whereabouts remain a subject of conjecture, except for their jailers, no one for certain



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knows where they are and who is dead or alive. I have not yet mentioned the restrictions to movement, religious expression, or opposition to government. What we see is a vigorous endeavor to break the human spirit in order to rule with an iron fist. This is no democracy.

***“Given the continuous crimes committed by the regime against innocent Eritrean citizens and political ‘dissidents’, it is highly unlikely that they would entertain any chances of opening up for democratization and rule of law in the country”. (Eritrean Activist)***

It is painfully perplexing to be able to list — just at the top of my head — some of the tools needed to immediately move Eritrea onto a more democratic path, and not see them realized. To begin with, implement the constitution, set the boundaries of power — use them — then align them with standards and conventions created to guide states in the realization of democratic leadership. Rely on the instruments such as the African Charter on Democracy, Elections and Governance — a charter rooted in promoting and advancing constitutional order, legitimately elected authority, and the respect for human rights as supreme.

It is undisputed that the rule of law abandoned will produce an oppressed population. It is therefore vital that Eritrea restores national pride by empowering its society instead of enslaving them in the context of indefinite national service. Empower a society that is not only knowledgeable of but can practice its rights and where prisons do not hold scores of political prisoners but *actual* criminals who are themselves convicted in courts that are truly independent and fair. Let us see the Eritrean population become more than valiant survivors of human rights violations or displaced migrants in foreign lands who have lost hope in their country’s ability to respect their dignity