

Beautiful Asmara, denied its Jasmine Revolution

Plea for the release of Dawit Isaac, held without trial for 10 years, and the release of all prisoners of conscience in Eritrea

Dawit Isaac's cries have reverberated in the stifling steel container in which he has at times been confined, under a burning sun in Eiraeiro prison camp, in the desert of Eritrea's Northern Red Sea province.

But no one has heard the cries of this journalist, who was arrested on 23 September 2001 during a political purge in which dozens of independent journalists were rounded up.

The cries of Dawit, held without trial in unimaginably appalling conditions because he supported democratic reform, have gone unheard.

Dawit's cries have gone unnoticed within the walls of the six-square-metre cell in which he has often been held.

No one has ever heeded your cries, Dawit. On the day of your arrest 10 years ago, in September 2001, 12 days after 9/11, the international community's eyes were still turned to New York.

I urge you, Mr. President and Ladies and Gentlemen of the Jury, to turn your eyes to Eritrea, a small triangle of land just 120,000 sq km in area, in the Horn of Africa, bordering Ethiopia, Sudan and Djibouti.

I urge to examine this young nation of 4.5 million inhabitants, to which Dawit dedicated most of his time and his writing.

Consider its beautiful capital, Asmara, known for its mild climate and the quality of its light, so well described by Jean-Christophe Rufin in his book *Lost Causes*. This fine land was colonized by the Italians and then occupied by the British and Ethiopians in turn.

Eritrea has always thirsted for freedom, but it has been ruled with an iron hand by Issaias Aferworki since independence in 1993. Secretly dubbed Napoleon, Goliath or DIA (an acronym for Dictator Issaias Aferworki), the president watches, represses and punishes. His methods include constant surveillance, suppression of all freedom of expression, harassment of families, enforced disappearances and detention in inhuman conditions in secret locations.

Consider the population of what is one of the world's poorest countries. The people are held hostage. No one can travel abroad without a special permit from a government minister. Some people try to flee the country clandestinely in order to escape the terrible living conditions. They risk their lives to cross one of the world's most dangerous borders, where the Eritrean guards have orders to shoot on sight. No fewer than 420,000 have fled since 1998, in a massive exodus that is final revolt against the lack of freedom and lifelong military service.

Those who try to flee include journalists who are frustrated by the impossibility of expressing themselves freely and scared by the constant threats. Some succeed. Others are not so lucky. Eyob Kessete was arrested in the summer of 2010 while trying to flee abroad for the second time. Paulos Kidane was killed in 2007 while trying to cross the border with Sudan. Lidya Mengesteab, who worked for state-owned radio Dimtsi Hafash and state-owned Eri-TV, died along with many other exiles trying to cross the Mediterranean in April 2011.

Other journalists, such as Dawit Isaac, have never had a chance to flee. It is hard to describe the conditions in which Dawit is being held, they are so unbearable.

According to a former prison camp guard, detainees are held day and night in isolation in six-square-metre cells. An electric bulb provides their only light. Their solitude is only broken when a meagre ration of food is tossed into the cell twice a day, and when they are taken to an interrogation room where they are humiliated by senior members of the ruling Popular Front for Democracy and Justice. Detainees are tortured and whipped.

In what is the height of horror and cynicism, messages are posted in the torture rooms reflecting the president's well-known sense of humour and irony. One of them says: "Did you see those who died before you?" Another says: "If you don't like the message, kill the messenger."

When Dawit returned to the country of birth at the end of the 1990s, he did not imagine that he would become an unwanted "messenger."

He had moved to Sweden in the late 1980s, at the height of the independence war against Ethiopia, experiencing the wrenching effect of exile. After feeling uprooted for years, he acquired Swedish citizenship in 1992. He did odd jobs to survive. With his inspired and lively writing style, he produced a collection of poems suggestively entitled Hope. He also wrote plays and newspaper articles, using imagination as his main weapon. After founding a family, he imagined the future of his two children: "They will grow up, study and serve their new country, a free and democratic Eritrea." At the end of the 1990s, this hope drove him to return to Asmara and open the opinion pages of his newspaper, Setit, to reformist ideas.

This picture quickly darkened and the aspirations of Dawit and many fellow journalists were brought to a sudden halt. He became the symbol of a paranoid regime's repressive excesses, a regime that tramples on its own laws because, on paper, Eritrea respects the rule of law.

Under article 17 of the Eritrean constitution, every detainee must be brought before a judge within 24 hours. Article 1 of the code of criminal procedure stipulates that a person must be presumed innocent until proved otherwise. It also guarantees the right to a judicial investigation and fair trial. Articles 61 and 62 of the same code guarantee the detainee's right to be in contact with his family, to receive mail, to have access to newspapers and books and to be defended by a lawyer.

Eritrea has also ratified the African Charter on Human and Peoples' Rights and the International Covenant on Civil and Political Rights, which obviously condemn arbitrary imprisonment with the same energy.

All these rules form the basis of a minimal level of protection.

But the doors of Eritrea's courts are closed.

The Eritrean lawyers and families of the detainees will not try to prise them open. My Eritrean colleagues tremble in their offices, silenced by the regime's violence. None of them has been able to point to article 17 of the constitution, which provides for a fundamental historic right, a writ of habeas corpus ordering officials to bring a prisoner before a judge!

Are they still alive? What is their state of health? How are they? The authorities refuse to provide this information.

Like a mad dog that eats its own litter, Eritrea is consuming its children, its intellectuals and its civil society.

The violence and attempts to impose silence are exported. Last September, the Eritrean journalist Meron Estefanos was threatened and two Swedish journalists were roughed up by Issaias Aferworki's bodyguards in New York for covering the situation of prisoners of conscience in Eritrea.

As there is no way in Asmara of obtaining an improvement in Dawit's situation, we must turn to the international community, especially Europe and Sweden, his adoptive country.

Sweden must provide diplomatic protection, an elementary principle of international law, in order to protect this citizen of the European Union.

The EU member countries must rethink their economic assistance under the Cotonou accords, to which Eritrea is a party. Article 96 envisages a system of sanctions when a country fails to respect "human rights and democratic principles." The 96.8 million euros provided from 2002 to 2007 and the 122 million euros scheduled for 2009-2013 are tainted with blood.

Journalists are protected by article 19 of the Universal Declaration of Human Rights, which guarantees the right to news and information, UN Security Council Resolution 1738 of 23 December 2006 and the UNESCO Medellín declaration on the safety of journalists. These instruments place governments under an obligation to do what is necessary to help and protect journalists, whose work is a matter of public interest. Legislative and diplomatic measures should be used to obtain their release or at least to obtain information about their fate.

There is no shortage of international instruments and other kinds of UN documents. Like refrains full of hope, they arouse strong emotions in students of international law.

So how is it that senior Eritrean officials are able to visit Europe? How is it that Naizghi Kiflu, who was information minister and presidential adviser at the time of the 2001 round-ups, has been able to take up residence in the United Kingdom without being prosecuted? What about article 134 of the UK's Criminal Justice Act, which punishes the use of torture?

Why has the European Union, which is supposed to set an example, renewed its promise of development assistance without setting any conditions?

And what is the reason for this silence, this lack of interest, this refusal to take the Eritrean situation into consideration? Beautiful Asmara's streets are calm. There is no revolution or uprising. The population suffers in silence and its leader's cruelty elicits no criticism from the international community.

For Dawit and his fellow detainees, it is a living hell. For the Eritrean people, it is a tragedy.

This is why, Mr. President and Ladies and Gentlemen of the Jury, the arguments summarized here must be developed more fully before a national or international tribunal, in the discreet rooms of embassies and in the corridors of UN institutions.

I request:

- That Dawit Isaac and his fellow detainees should be given access to an independent and impartial court and be allowed to see their families;
- That those responsible for these abuses should be prevented from visiting Europe or should be prosecuted if they are already in democratic countries;
- That the European Union should place conditions on its assistance to Eritrea;
- That the media should cover this tragedy in a country that is clearly not about to experience the fervour of an Arab Spring;
- And that everyone, on returning home today, should take a look on a map at that small triangle in eastern Africa and think of Dawit Isaac, his fellow detainees, and their families.

Do not forget them!

Thank you.

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