



ERITREA

A MUZZLED STATE

EYOB TEKLAY GHILAZGHY



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EXECUTIVE SUMMARY

The current situation in Eritrea is the result of a long systematic process and strategy which the Eritrean revolution and government have effectively and successfully implemented for decades.

Since its secession from Ethiopia in 1993, Eritrea has been ruled by a dictatorial regime with no constitution, national assembly or elections. Senior party and government officials who demanded democratic reform in 2001 are languishing in secret prison cells, alongside journalists, without charge or trial.

The Eritrean population has been subject to grave human rights violations, resulting in the total devastation of all aspects of life in the country and causing humanitarian crises within and beyond the borders of Eritrea. Neighbouring countries and those further afield are flooded with Eritrean refugees and asylum seekers fleeing the country.

Eritrea is one of the least free countries in the world in terms of freedom of expression. In the 2017 World Press Freedom Index compiled by Reporters without Borders, Eritrea was ranked 179th of 180 countries. Even state-supported journalists and artists are being subjected to intimidation, harassment, detention and torture.

Meanwhile, the regime's spies closely monitor the exchange of information and communications. Any opinion, views, narratives and conversations that deviate from the government narrative can lead to the arrest, detention and torture of those involved. The government's activities of surveillance, monitoring, threats and reprisals with the aim of silencing people of opposing views is not limited to people inside the country.

Human rights organisations have to work together to influence global and regional policies and approaches towards the Eritrean regime with the aim of holding the current government accountable for the crimes it has committed against humanity.

Recommendations in the report include:

- **The referral of Eritrea to the ICC or establishment of an accountability mechanism for crimes against humanity committed in Eritrea;**
- **The release of all prisoners, including journalists and writers, who are unlawfully detained by the Eritrean regime;**
- **The respect of all fundamental freedoms and rights.**

INTRODUCTION

The current situation in Eritrea is the result of a long systematic process and strategy which the Eritrean revolution and government have effectively and successfully implemented for decades. Since its secession from Ethiopia in 1993, Eritrea has been ruled by a dictatorial regime with no constitution, national assembly or elections. Power has been monopolised by a single man, President Isaias Afewerki. Senior party and government officials who demanded democratic reform in 2001 are languishing in secret prison cells, alongside journalists from both the private and state-owned media, without charge or trial.

The Eritrean population has been subject to grave human rights violations at the hands of the regime. These include slavery and forced labour under the pretext of endless national service; religious persecution; extra-judicial killing; disappearances; arbitrary arrest; incommunicado detention; deprivation of the right to freedom of expression and access to information; deprivation of the right to freedom of association and assembly; and deprivation of economic, social and cultural rights.

In 1994, Eritrea launched the first round of indefinite national service. According to the national service proclamation, men and women between the ages of 18 and 40 are obliged to spend six months in military training and to do 12 months military service, while those aged 40-50 years are required to be mobilised in the reserve army¹. However, in practice, the national service scheme is indefinite, with people forced to do hard labour, while being subjected to torture, detention, degrading treatment and miserable living conditions.

The regime has made Eritrea a closed and isolated country with no independent or foreign media outlets. Meanwhile, civil society organisations (CSOs) are banned in Eritrea and there are no local or international NGOs of any kind operating in the country. This complete isolation and information black out is clear evidence of how the regime seeks to avoid attracting international attention to the crimes it is committing against its own people.

The grave human rights violations in Eritrea have resulted in the total devastation of all aspects of life in the country. This situation has caused humanitarian crises within and beyond the borders of Eritrea. Neighbouring countries and those further afield, including in Europe, are flooded with Eritrean refugees and asylum seekers fleeing the country. These refugees and asylum seekers are being subjected to myriad risks including: the Eritrean regime's shoot-to-kill policy; rape; kidnap; torture; and perishing in the vast Sahara desert or the Mediterranean Sea.

¹ Proclamation No. 82/1995. Proclamation of National Service <http://www.refworld.org/docid/3dd8d3af4.html>

In their June 2015 report, the UN Human Rights Commission of Inquiry on Human Rights in Eritrea confirmed these widespread abuses:

The Commission finds that systematic, widespread and gross human rights violations have been and are being committed by the Government of Eritrea and that there is no accountability for them. The enjoyment of rights and freedoms are severely curtailed in an overall context of a total lack of rule of law. The Commission also finds that the violations in the areas of extra-judicial executions, torture (including sexual torture), national service and forced labour may constitute crimes against humanity. Following up on practices developed during the liberation struggle, the PFDJ [People's Front for Democracy and Justice], the ruling and only party in Eritrea, has held on to power by progressively dismantling or refraining from implementing reforms aimed at establishing democracy and rule of law in the country. Through the establishment of control systems and the application of harsh repression, the PFDJ has eroded public freedoms and established a rule of fear that tolerates no opposition.²

It has blurred the lines between the three sources of constitutional authority by concentrating all power in the executive, and in particular in the figure of the President – who is also the head of the party, at the cost of the legislature and the judiciary. National elections have never been held.

The PFDJ has established a system by which an extraordinary number of individuals have the power to spy on Eritreans and conduct investigations and arrests often without observing the law. The proliferation of national security offices and of officers assigned to administrative offices but with an intelligence mandate – and their overlap with the party's own intelligence and with military intelligence – is a major concern.

A year later, in June 2016, the Commission reported that crimes against humanity had been committed in Eritrea and recommended that the country be referred to the International Criminal Court (ICC) or to an alternative accountability mechanism to bring the perpetrators to account. Another year has now passed without any concrete action being taken towards implementing the recommendations of the Commission.³

² Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea (A/HRC/29/CRP.1) (2015)
<http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>

³ Detailed findings of the Commission of Inquiry on Human Rights in Eritrea (A/HRC/32/CRP.1)
http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColEritrea/A_HRC_32_CRP.1_read-only.pdf

LEGAL FRAMEWORK

As a member of the United Nations, African Union and the international community, Eritrea has obligations to respect international laws and treaties. For example, Eritrea is signatory to the International Covenant on Civil and Political Rights (ICCPR), Article 19⁴ of which guarantees the right to freedom of expression and access to information. Similarly Article 9 of the African Charter on Human and People's Rights guarantees the right to freedom of expression and access to information:

1. Every individual shall have the right to receive information.
2. Every individual shall have the right to express and disseminate his opinions within the law.⁵

In June 1996, the Eritrean government issued Press Proclamation 90/1996⁶. At that time, Eritrea had no constitution and the motive for issuing the proclamation was unclear: it would have been logical for the government to wait for the completion of the draft constitution, already in its final stages and ratified a few months later in 1997.

The proclamation provided the legal basis for the operation of private media in the country, guaranteeing press freedom as follows:

- Article 4 (1) (a) Freedom of press [is] guaranteed pursuant to this Proclamation.
- Article 4 (1) (b) the censorship, suspension or banning of newspapers and other press products administratively, except under the provisions of this proclamation or with the approval of the competent court, shall be prohibited.

This article clearly establishes that any restrictions on the private media will be dealt with within the legal framework. However, the ability to curtail private media is later stipulated in Article 4 (1) (C), which states:

The Government may, under special circumstances, where the country, or part of it, is faced with a danger threatening public order, security and general peace caused by war, armed rebellion or public disorder or where a natural disaster [ensues], by proclamation, undertake measures to censor all publications and mass media.

This provision, and its ambiguous definition of what constitutes 'danger', gives the government the power to take measures to censor all publications and mass media.

Meanwhile Article 4 (1) (d) ensures that radio and TV media are the monopoly of the government:

Except for radio and television, the ownership of which is reserved for the Government, private ownership of press and all equipment of expression shall be permitted to Eritreans only.

The proclamation also outlines restrictions on access to funding, stating in Part III Article 7 (8) that 'the capital of the newspaper or press product shall be entirely Eritrean'. While such restrictions

⁴ International Covenant on Civil and Political Rights (ICCPR)

⁵ African Charter on Human and People's Rights (ACHPR)

⁶ Proclamation No. 90/1996. (1996) the Press Proclamation <http://www.refworld.org/docid/48512e992.html>

may seem justifiable, they carry the danger of limiting funding sources to newspapers. This financially restrictive clause makes it difficult for newspapers to operate since revenue can only be generated by sales, a challenge in a country with a weak economy and very small readership.

The proclamation also affirms, in Part III, Article 7 (12), that 'the provisions of this proclamation shall not apply to religious printing and publication pursuant to proclamation No.73/1995⁷ enacted to clarify and regulate by law the activities of Religions and Religious Institutions'. This article regulates and limits the work of religious institution, forbidding any activities that can be deemed political, including expressing their views on socio-economic affairs in the country. Religious institutions are the source of value systems and play an important role in the country and in Eritrean society, including the provision of humanitarian and social services such as health, education and food aid. However, this proclamation effectively bans religious institutions and religious leaders from expressing concerns about injustices committed in the country.

The proclamation also details the rights of foreign journalists working in the country in Part III, Article 10 sub articles 1 to 5. While these provisions provide a good legal basis for foreign journalists, sub-article 4 stipulates that 'A foreign journalist permitted to work in Eritrea shall be bound by the laws of Eritrea, respect the sovereignty and independence of Eritrea and refrain from activities detrimental to the national security.' The article does not provide a clear definition of what activities are deemed 'detrimental' and thus carries the risk of misinterpretation and manipulation in order to restrict the work of foreign journalists in Eritrea, and to persecute or expel foreign journalists from the country.

Part V Article 15 (1) states 'whosoever, for any reason whatsoever, attempts to present himself or presents himself as a journalist when actually he is not a journalist within the meaning of the definition provided for in Article 3 of this proclamation shall, upon conviction, be punishable with imprisonment from six (6) months to one (1) year or with a fine from one thousand (1000) to two thousand [2000] US Dollars or its equivalent.'

This article denies those who are not registered with the Ministry of Information as journalists to participate in journalistic works. People from other professions are not allowed to take part in any sort of journalistic activity: indeed to do so would constitute a criminal offence.

⁷ Eritrea: Proclamation No. 73/1995 of 1995, Proclamation to legally standardise and articulate religious institutions and activities

THE STATE OF FREEDOM OF EXPRESSION AND ACCESS TO INFORMATION

Private media

It is unimaginable to talk of freedom of expression, access to information and the existence and operation of private and international media in today's Eritrea.

Though still under restrictive legal domestic framework, following the issuance of the Press Proclamation in 1996, private press in the form of printed media operated in Eritrea between 1997 and 2001. During this time, there were eight private newspapers and magazines, until a sweeping crackdown led to the closure of Eritrea's private media once and for all. These were:

- ሰቲት (Setit)
- ጽገናይ (Tsgenay)
- ቀስተ ደበና (Keste Debona)
- መቻልኤ (Meqaleh)
- ኢድማስ (Admas)
- ዘመን (Zemen)
- ዊንታ (winta) – tabloid
- ማና (Mana) – magazine

From the outset, journalists working for private media operated in a hostile and sensitive environment. Journalism became a cautious balancing act. For example, Eritrea was engaged in wars with Sudan, Yemen and Ethiopia, but how to report on this very issue of peace and war was a challenge. Journalists seem to have understood the level of risks involved in reporting events of such a nature: newspapers were tight-lipped on the subject of the war with Sudan in 1997.

In 1997, Ruth Simeon of Agence France Press reported on the incursion of the Eritrean Army into the eastern Sudanese territories of Korokon and Tahdai⁸. She paid a heavy price for her reporting. The government arrested and jailed her. This also served to chill Eritrean journalists who were unwilling to cover the ongoing war with Sudan for fear of similar reprisals. However, when the war broke out with Ethiopia, they became part of the war propaganda to boost the morale of the Eritrean people and army.

Following the devastating 2000 Ethiopian offensive, a crisis emerged in the Eritrean government and the ruling party. Party members and ministers, known as the 'G-15', questioned President Isaias Afewerki's administration of the war and the affairs of the country. They demanded accountability on how the war had started and called for the implementation of the constitution, national elections and a multi-party system. During this period the private media were the only platform for dissidents to express their views.

September 2001: Closure of private media and arrests of journalists and senior politicians

In September 2001, the government clamped down on 11 members of the 'G-15' and many others, alleging treason and a threat to national security. The government also closed all private newspapers and imprisoned 11 journalists. For almost 16 years, both the political prisoners and journalists have been held incommunicado in secret prison facilities without charge or access to legal assistance. They have never been brought to trial.

⁸ Martin Plaut (2016). *Understanding Eritrea*.

The 11 journalists who were detained have not have been seen since. They are:

- Yusuf Mohamed Ali
- Seyoum Tsehaye
- Temesgen Gebreyesus
- Mattewos Habteab
- Dawit Habtemichael
- Medhanie Haile
- Fessehaye Yohannes
- Said Abdulkadir
- Amanuel Asrat
- Dawit Issak
- Sahle Tsegazab

In January 2011, it was reported that eight of these journalists had died in detention. This information was revealed in an interview with Eyob Bahta, a former prison guard who fled to Ethiopia in January 2011.⁹ However, their families have never been given official notification of their deaths and it is not yet known where the bodies of these journalists have been buried.

Following the crackdown in September 2001, private media no longer exists in Eritrea: all forms of media, including print media, television, radio and internet, are state-owned. As a result, Eritrea is one of the least free countries in the world in terms of freedom of expression: in the 2017 World Press Freedom Index compiled by Reporters without Borders, Eritrea was ranked 179th of 180 countries, just ahead of North Korea.¹⁰

International response

There have been some efforts by human rights organisations, but they have not yet been effective in influencing the behaviour of the Eritrean government. PEN International and others have been lobbying and calling for the release of Eritrean journalists and writers and for the respect of freedom of expression but with no success.

In May 2007, the African Commission on Human and People's Rights (ACHPR) gave its decision on a case referred to as communication no. 275/2003 filed by ARTICLE 19 on behalf of the journalists detained incommunicado since September 2001. The commission found that the state of Eritrea had violated Articles 1, 5, 6, 7(1), 9 and 18 of the African Charter on Human and People's Rights by denying the journalists legal assistance; holding them incommunicado; and denying them a fair trial. The commission further 'urged the government of Eritrea to release or to bring to a speedy and fair trial the journalists detained in September 2001 and subsequent months, and to lift the ban on the press'. The commission also recommended that 'the detainees be granted immediate access to their families and legal representatives' and that 'the government of Eritrea [take] appropriate measures to ensure payment of compensation to the detainees'.¹¹

To date, the Eritrean government has refused to comply with the decision of the ACHPR and has ignored subsequent calls to release the journalists or to bring them to a court of law.

⁹ <http://www.asmarino.com/interviews/1182-interview-with-eyob-bahta-english-version> (accessed on January 6, 2017) and www.youtube.com/watch?v=7hXjNTNj5g4 (accessed on January 6, 2017).

¹⁰ <https://rsf.org/en/ranking> (accessed in June 2017)

¹¹ Communication 275/03 : Article 19 / Eritrea. Available online:

http://www.achpr.org/files/sessions/41st/comunications/275.03/achpr41_275_03_eng.pdf (accessed February 2017)

State-owned media

As highlighted above, the Eritrean population is enlisted by force in the indefinite national service programme. This is no different for journalists, all of whom are assigned by force to serve the regime regardless of their choices. These journalists operate under harsh working and economic conditions against their will.

Since 2015 the Eritrean government has been making claims that it is in the process of increasing salaries for national service recruits and public servants but there is no clear information about its implementation. This situation is compounded by the ban imposed on journalists and artists from generating any additional income by undertaking work beyond that assigned by the government.

In an interview conducted with Radio Wagahta, filmmaker, cameraman and writer Tesfit Abraha, who fled arrest in January 2017, provided insight into these economic hardships and how journalists and artists have been intimidated, harassed, detained and tortured just for seeking to mitigate the impact of their economic hardship by undertaking part-time work. He himself was the victim of such treatment. Tesfit was detained incommunicado on two separate occasions, and released under strict warning not to engage in any private activities in order to generate additional income. In January 2017 he managed to escape arrest for the same reason, but six of his colleagues were arrested and detained.¹²

These include Merhawi Meles, writer and director who has produced more than a dozen films and is a prominent music video producer; Daniel Abraham, an acclaimed film director and writer; Yonas Solomon, cameraman and owner of Yonan Video production; as well as a visiting team of Lye TV, a YouTube distribution company from Germany, led by the owner Yonas Debass; editor Efrem Mebrahtu; and an unnamed female staff member. They all remain imprisoned without formal charge since their arrest in early January.¹³

So far at least 59 journalists working for the state-owned and other government media have been imprisoned and held incommunicado in secret prison facilities without charge. This list is not exhaustive as obtaining accurate information on arrests and releases is difficult. Of the 59, about 30 journalists work for Radio Bana, owned by the Ministry of Education. They were arrested in February and March 2009. During the same period ten journalists working for the Ministry of Information were arrested. Among those arrested in 2009 are: Yirgalem Fisseha Mebrahtu, Bereket Misghina, Basilos Zemo, Mohammed Ali Dafla and Mohammed Said Osman from Radio Bana and Issaack Abraham, Girmay Abraham, Mulubrahan Habtegebriel, Meles Nguse, Tsegay (Temere'o), Zemenfes Haile, Petros Teferi (wedi Qesshi), Tefagergis Habte and Negassi Habtemariam from the Ministry of Information.

In February 2011, radio journalists Nebiel Edris, Ahmed Usman, Mohamed Osman and Tesfaldet 'Topo' Mebrahtu from the Ministry of Information were arrested. All were later released on bail.

¹² www.youtube.com/watch?v=DHpOsZXOchg (accessed February 23, 2017);

<http://www.peneritrea.com/blog/eritrean-filmmaker-tesfit-abraha-speaks-out-about-state-repression> (accessed February 23, 2017)

¹³ Ibid

In 2012, journalist Ahmed Omer Sheikh, Arabic news presenter at state-owned Eri-TV was arrested and detained incommunicado without charge for six months. In December 2012, Neseredin Abdurabman (Alarabi), director of Minister's Affairs at the Ministry of Information, was arrested: his whereabouts remain unknown. According to government accounts, Paulos Kidane, Amharic New presenter at the state owned Television, Eri-TV was reported to have been killed by the Eritrean border guards while escaping to Sudan in 2007. However, his colleagues at the Ministry of Information claim that his death is mysterious and believe he was deliberately killed by the government.¹⁴

In March 2013, it was reported that 33 of the journalists held in detention since February 2009 were released on bail.¹⁵ However, the following journalists remained in detention for another two years, and were released in January 2015 on bail:¹⁶

- Meles Ngusse Kiflu
- Yrgalem Fis'ha Mebrahtu
- Petros Teferi
- Bereket Mesgina Mehari
- Bassilos Zemo
- Ghirmay Abraham

Due to security risks and socio-economic hardship, a large number of journalists have defected, including the Minister of Information Ali Abdu who had been instrumental in the propaganda service of the regime and in the detention of journalists. Ali Abdu is reported to have conspired in the arrests and detention of Radio Bana journalists and others and in the closure of the station.

The Afewerki regime has not only closed the private media, but has deliberately and systematically denied the Eritrean public their right to freedom of expression and access to information.

Journalists working for the state are forced to suppress their journalistic ethics, professionalism, independence, neutrality, integrity and objectivity in order to serve the government's agenda of misinformation. Writers and journalists have to subscribe to this or risk their lives. Moreover, they live in constant fear of being arrested and tortured.

Through its media outlets, the government disseminates disinformation to the public that serves its political agenda. For example the regime change in Libya and the death of Colonel Muammar Gaddafi, the death of former Ethiopian Prime Minister Meles Zenawi and the election of the incumbent Ethiopian Prime Minister Hailemariam Dessalegn have never been reported in the government media. Instead the government media selects and fabricates news items in order to deceive, confuse and misinform the public.

¹⁴ <https://cpj.org/killed/2007/paulos-kidane.php>

¹⁵ <http://www.gash-barka.com/index.php/news/news-reports/500-the-afwarqi-regim-releas-a-journalist> (accessed April 29, 2017); Assena.com <http://bit.ly/2w2MDnL> (Accessed April 29, 2017)

¹⁶ <http://globaljournalist.org/2015/01/six-years-eritrea-releases-six-journalists> (accessed February 23, 2017); <https://cpj.org/2015/01/cpj-welcomes-release-of-six-eritrean-journalists.php> (accessed February 23, 2017)

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In January 2013 there was a failed coup attempt involving the occupation of the Ministry of Information, where the radio, TV and print media are based, by the Eritrean defence forces, who occupied the Ministry of Information for more than 12 hours. This has never been reported in the Eritrean media, who systematically tried to cover up the attempted coup, accusing foreign media outlets of disseminating false news regarding the incident.

Since 2001, 77 journalists and writers have been detained and tortured with the majority of them released. Most of them were working for the state media. Due to security and safety threats and the socio-economic hardships they faced, a large number of journalists have fled the country. However, their escape is not complete because family members who remain in Eritrea are often punished by the government.

Access to information

The Eritrean government pursues two key strategies: to misinform the public and to control and monopolise the dissemination of, access to, exchange and receipt of information.

The state propaganda machine

All means of mass communications are monopolised and controlled by the government. Public information sharing, exchange, expression of opinions and access to, and use of, information are monitored and punished.

Supported by mass communication technologies, the Eritrean revolution and government have built the Eritrean education system and history on false narratives and propaganda. In order to effectively control and manipulate the population, they have denied the people the right to freedom of expression and access to information: sources of information means have been blocked, making them inaccessible and endangering those who attempt to access them.

Agitating hatred, racism, resentment, stereotype and hostility towards Ethiopia and the entire world are at the centre of the false narratives. According to this propaganda, the entire world hates and stands against Eritrea and Eritreans and continuously commits injustices against the Eritrean people; Eritreans are gifted with superior intelligence and are superior to other African people which puts them at direct confrontation with the West; because of their uniqueness Eritreans pose a great challenge to the West's neo-colonial and exploitative agenda; Eritreans' potential of technological, scientific and economic advancement stands in the way of the West's superiority; democracies and elections are tools and means the West employs to fuel violence and destroy the unity of African people and countries and undermine sovereignty and security of third world countries.

The Eritrean government portrays itself as the only government resisting and confronting the West's subversive grand plans and conspiracies. According to the government's argument, its policies, strategies, behaviour and actions are the only way that they can safeguard the national security, sovereignty, territorial integrity and unity of Eritrea.

The education system and curriculum have been militarised and politicised. Literature, arts and cultural works have been manipulated to promote the government's falsified narratives. In the long run, this strategy has worked for the Eritrean regime. It has produced a society that ingests any information supplied by the government without question and that repeats the same

narratives which were imposed on it. The population has lost its ability to explore, investigate and critically review and analyse information: instead uncertainty and fear of the unknown prevails.

As a result of the regime's propaganda, many Eritreans demonstrate a negative and hostile attitude towards the world and neighbouring countries: there is an attitude of negative thinking, suspicion and mistrust.

Even those who have fled the country are mentally not free. While enjoying the fruits of democracy, rule of law and respect of human rights in the countries in which they now live, they continue to support and finance the government's continued oppression of Eritreans at home. It is quite a phenomenon to see large Eritrean diaspora communities in the West staging demonstrations in support of the government: this is the power of propaganda.

Nevertheless, in the last years there are good signs that fewer people are consuming the government's propaganda and its support base is dwindling. The demonstration against the government in Geneva in 2016 in support of the findings of the UN Commission of Inquiry on Human rights in Eritrea is a vivid example.

Monitoring of public information exchange and sharing

In Eritrea

For many years, the regime's spies have closely monitored the exchange of information and communications. Any opinion, views, narratives and conversations that deviate from the government narrative can lead to the arrest, detention and torture of those involved. As a result, people rarely talk about political or public issues in public or in the presence of a third party whom they do not know or trust. The whole Eritrean population is muzzled.

However, in the last few years things have begun to change inside Eritrea. People have started criticising the government openly and the government appears less interested in cracking down on these critiques. Public anger is bursting, while the government seems to have realised that it is futile to arrest and detain everybody who expresses their views.¹⁷

In the diaspora

The government's activities of surveillance, monitoring, threats and reprisals with the aim of silencing people of opposing views is not limited to people inside the country, but also targeted towards the Eritrean diaspora and foreigners. Even people who are out of the country are afraid to speak their minds for fear of reprisal. The government attacks and abducts Eritreans who flee the country and collaborates with other states. The government has agents and supporters in the diaspora organised and structured to spy, intimidate, harass and attack those who express views against the Eritrean government with the aim of silencing both the diaspora and foreigners. These include the network Youth People's Front for Democracy and Justice (YPFDJ) and the group 'Eri-blood'.

In the last two years, agents of the regime have also sought to silence activists through legal means. For example, in 2015-16, eight court cases were filed against well-known Dutch researchers, immigration officers, journalists and the media for expressing their views relating to

¹⁷ Interview with former Radio Bana freelancer and a victim of detention (interview conducted on 21 January, 2017)

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the situation in Eritrea and Eritrean asylum seekers in the Netherlands.¹⁸ One such case was against Professor Mirjam Van Reisen who claimed that interpreters in the asylum application process were linked to the Eritrean government. She expressed her concern that, under such circumstances, the security of the Eritrean asylum applicants and of their families back home was being compromised. On 10 February 2016 the court in Amsterdam ruled in favour of Professoro Mirjam Van Resisen.¹⁹ The plaintiff has since appealed against the decision.

In recognition of the Eritrean government's interference in the internal affairs of the Netherlands, in 2016 the Dutch government commissioned a study.²⁰ The report found the Eritrean government and its agents to have engaged in intimidation, threats, and extortion. Based on this report, the Dutch parliament passed a resolution in 2016 banning the activities of surveillance and intimidation directed against the Eritrean community as well as the imposition of 2% income tax by the Eritrean government in the Netherlands.²¹ On 14 April 2016, the mayor of the Dutch town of Voldhoven banned the Europe wide YPFDJ conference organised in the town over security and safety concerns for the Dutch public. The conference brought together about 600 YPFDJ members and top officials from the ruling party in Eritrea. Yemane Gebreab, the PFDJ political affairs head and political advisor to the Eritrean president was among the planned speakers at the conference. The decision was contested in the court but the court backed the mayor's decision²². On 21 April 2017, the Eritrean ambassador to the Netherlands was summoned by the Dutch minister of Foreign Affairs, over evidence that the embassy was involved in extortion of Dutch-Eritreans.²³ The long arm of the Eritrean regime remains of great concern to many Eritreans living in the diaspora.

Telephone and Internet Access

There are some opposition websites based abroad that provide alternative reports to the Eritrean public, although these are limited by the availability of resources and sources of information. Furthermore, due to a lack of infrastructure for internet and telephone services, the Eritrean public has not yet benefited from web-based information. The internet is almost non-existent in Eritrea, while SMS services to and from Eritrea do not exist.

Telephone communications are closely monitored by the government. In June 2016, there were only 67,000 Internet users (1% of the population) and 63,000 Facebook users (0.9% population), the lowest in Africa.²⁴ There are only 1% fixed telephone and 7% mobile-cellular subscribers in

¹⁸ www.theguardian.com/world/2016/mar/01/how-eritrea-is-turning-to-dutch-courts-to-silence-its-critics (accessed March 9, 2017)

¹⁹ <http://www.eepa.eu/wcm/320-eepa-news-and-activities/3926-dutch-court-rules-in-favour-of-mirjam-van-reisen.html> (accessed on March 9,2017)

²⁰ martinplaut.wordpress.com/2016/12/16/the-long-arm-of-the-eritrean-regime-official-dutch-report (Accessed March 9, 2017)

²¹ <http://www.eepa.be/?p=473> (accessed March 9, 2016)

²² martinplaut.wordpress.com/2017/04/17/will-the-dutch-close-the-eritrean-embassy (Accessed April 25, 2017)

²³ <http://www.dutchnews.nl/news/archives/2017/04/dutch-ministers-summon-eritrean-ambassador-to-express-concerns> (Accessed April 25, 2017)

²⁴ <http://www.internetworldstats.com/africa.htm#er> (accessed January 20, 2017).

Eritrea.²⁵ According to the ITU Eritrea country profile, in 2015, only 1.1% of Eritreans had access to internet²⁶.

Other than in exceptional cases, only the elderly and those exempt from national service are entitled to own and use mobile phones. There is only one telecommunications company in the country, the state-owned Eri-Tel, and the services they provide are limited. There is no internet service available for mobile phones, and very few public internet cafes, where the network is slow.

Social media

Eritreans living outside the country have been privileged with access to the internet and hence access to social media. Social media is used for communications and as a platform for exchange of information, views, debates, discussions and transmitting messages. The most popular of these are Paltalk, Facebook, Youtube and Twitter.

Paltalk provides the unique opportunity of creating virtual physical space where themes and discussions are organized and moderated. Similarly Facebook provides a text and audio-visual platform where people are able to post articles, audio and videos and to share information, to express their views and influence public opinion with much broader reach: users need not be concerned about their writing skills and the need to meet editorial requirements. Being an informal platform where people have full control of their own page and the freedom to post anything (under certain terms and conditions) without the need for technical support has made Facebook one of the most popular platforms among the Eritrean diaspora, almost all of whom have Facebook accounts. Easy access to the internet, as a result of the advent of smart phones and the mobile data services provided by telephone companies, have made it easy to use social media.

Social media is used by pro-government and opposition groups, organisations and individuals. The pro-government side uses social media to misinform, harass and intimidate human rights defenders and political activists. In some cases, social media has been used as a platform for hate speech campaigns, not only by pro-government groups, but also by some individuals and groups in the opposition. Government supporters engage in persistent well-organised smear campaigns, harassment and threats, the main targets of which are well-known and active individuals who express opposing views to the Eritrean regime or call for the respect of human rights and rule of law in Eritrea. These attacks are not limited to Eritreans but also target foreigners who speak out: it is not uncommon to see well-known and highly respected human rights activists depicted on social media in a demeaning way.

In general, it is fair to conclude that social media has contributed to the increasing awareness among Eritreans living in the diaspora. Secret criminal activities have also been exposed via social media: some people who hold or know about sensitive information share it via social media, while others use it as a platform for their own testimonies. Social media such as Paltalk and Facebook have also been very effective tools in advertising, coordinating and organising demonstrations against the Eritrean regime. One successful example was the demonstration organised in June

²⁵ <http://www.itu.int/net4/itu-d/icteye/CountryProfile.aspx> (accessed January 20, 2017).

²⁶ *Ibid* (accessed January 20, 2017).

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2016 in Geneva in support of the findings of the Commission of Inquiry on Human Rights in Eritrea.²⁷

Unfortunately people inside Eritrea are deprived of the enjoyment and increased access to information social media has offered.

Diaspora-based media

The diaspora media is divided in two: the alternative diaspora media, run by human rights defenders and the opposition, and the media run by pro-government agents. The diaspora media has emerged as the only alternative media to the government-controlled media, though still with very limited accessibility to people inside the country.

The alternative Diaspora Media

The alternative media includes websites/blogs, radio and local television channels. The websites have a limited readership in Eritrea, not only because there is extremely limited access but also because there is a cloud of fear reigning in the country. However, these websites have served to some extent as an alternative source of information for the Eritrean diaspora, challenging the regime's propaganda, and have been vital in contributing to alternative discourse, debates and narratives.

There are a number of radio stations based abroad which are able to broadcast to listeners inside Eritrea:

- **Radio Wegahta:** Radio Wegahta broadcasts in medium wave and has a good number of listeners inside Eritrea, particularly among the youth in the national service/the army as people do not need a satellite dish or television set to receive the transmission.
- **Radio Erena:** Supported by Reporters Without Borders, Radio Erena broadcasts from Paris. As it broadcasts via satellite channel, access is limited to those with a satellite dish and TV set. It is reported that Radio Erena has a good number of listeners in Eritrea.
- **Radio Medrek:** Radio Medrek also uses satellite channels so access from within Eritrea is limited to those with a satellite dish/TV set.

However, over the last five years there has been very limited power in the country which significantly limits access to radio programmes via satellite transmission. All the radio programmes are also broadcast via the internet, while Assenna website also posts radio programmes on its site, but these are not able to be widely accessed in the country.

There are some local TV broadcasts based abroad and aimed at supporting asylum seekers and refugees and helping them to integrate in their host communities. The diaspora media use either Tigrinya, Arabic or both. There is some international media such as Voice of America which broadcasts to Eritrea in Tigrinya, while the BBC is also preparing to start broadcasting in Tigrinya language this year. Despite greater freedoms, the diaspora media still faces huge challenges in gathering timely and accurate news information from inside Eritrea.

²⁷ <http://www.aljazeera.com/news/2016/06/diaspora-eritreans-protest-regime-human-rights-abuses-160623210503792.html> (accessed February 2017)

Pro-government diaspora media

The pro-government diaspora media are mainly websites or blogs and are an important part of the regime's efforts to misinform, discredit and defame human rights defenders and political activists. They spread falsified and fake information and romanticise the regime. Their activities include labelling and portraying activists as enemies of the Eritrean state, and agents of the West and the CIA keen to harm Eritrea. These campaigns mainly target Eritrean human rights activists, opposition figures and well-known foreign nationals such as Martin Plaut, Dan Connell and Professor Van Reisen.²⁸

²⁸ www.tesfanews.net/van-reisen-and-martin-plaut-analysts-or-apologists-of-occupation
www.tesfanews.net/martin-plaut-is-giving-journalism-a-black-eye
www.tesfanews.net/embarrassing-dan-connell-and-martin-plaut
www.tesfanews.net/martin-plaut-assault-eritrea-answered
www.tesfanews.net/meseret-bahlbi-antithesis-linchpin-spy
www.tesfanews.net/torture-in-the-sinai-who-is-to-blame
www.tesfanews.net/truth-prevailed-mirjam-van-reisen-know-it
All accessed March 9, 2017

RECOMMENDATIONS

Human rights organisations have to work together to influence global and regional policies and approaches towards the Eritrean regime with the aim of holding the government accountable for the crimes it has committed against humanity. Advocacy efforts should target international and regional organisations such as the European Union, African Union and individual states with leverage in the regional and global political arena. Advocacy campaigns should be undertaken to achieve the following:

- The referral of Eritrea to the ICC or establishment of an accountability mechanism for crimes against humanity committed in Eritrea;
- The release of all prisoners, including journalists and writers, who are unlawfully detained by the Eritrean regime;
- The respect of all fundamental freedoms and rights;
- Termination of indefinite national service;
- The establishment of rule of law including a constitutional government;
- Civil society organisations (CSOs) must be allowed to work in Eritrea.

APPENDIX: PROFILES OF SOME ERITREAN JOURNALISTS DETAINED IN ERITREA'S PRISONS SINCE 2001.

Dawit Isaak



Dawit Isaak is a Swedish-Eritrean playwright, journalist and writer. He was the co-founder of the Tigrinya Setit newspaper, Eritrea's first independent newspaper. Isaak was arrested on 23 September 2001 in his home, Asmara, Eritrea. Isaak has been held incommunicado since 2001 without trial. Issak has been detained for merely exercising his journalistic works but the Eritrean government claims that Issak is a traitor who has undermined Eritrean national security and sovereignty. At the time of arrest Issak was 37.

Fessehaye "Joshua" Yohannes (Johannes)



Joshua is journalist, poet and playwright. He was the co-founder and editor of the Tigrinya Setit newspaper, Eritrea's first independent newspaper. Joshua was arrested in the period 18-23 September 2001 in Asmara, Eritrea. Joshua has been held incommunicado since 2001 without trial and is reported to have died while in prison on January 11, 2007 due to torture and harsh prison conditions. As it is the case with other journalists the government claims that Joshua is in prison for undermining national security and sovereignty. Joshua was 43 years old at the time of his arrest. He is married and has 2 sons.

Yusuf Mohamed Ali



Yusuf Mohamed Ali was editor-in-chief of the Tsegenay independent newspaper (in Tigrinya language). He was arrested by the Eritrean security forces under the pretext of undermining "national security and sovereignty" in his Office in Asmara, on the 19th of September 2001. Yusuf was held incommunicado since then without charges and trial. He is reported to have died in June 13, 2006, due to torture and harsh prison conditions. He was 46 years old at the time of his arrest.

Mattewos Habteab



Mattewos was co-founder and editor of Meqaleh, a Tigringya independent newspaper. Mattewos was arrested by the Eritrean security forces on the 18th of September 2001, under the pretext of "undermining national security and sovereignty". Since his arrest Mattewos has been held incommunicado without charges and trial. He is reported to have died while in detention on the 19th of July, 2007 due to torture, harsh prison conditions and illness. He was 35 years old at the time of his arrest.

Dawit Habtemichael



Dawit was co-founder and deputy editor of Meqaleh, a Tigringya independent newspaper. Dawit was arrested by the Eritrean security forces on the 21st of September 2001, under the pretext of "undermining national security and sovereignty". Since his arrest Dawit has been held incommunicado without charges and trial. He is reported to have died while in detention in the second half of 2010 due to torture, harsh prison and denial of access to medical care to his deteriorating mental. He was 30 years old at the time of his arrest.

Medhanie Haile



Medhanie was a poet and co-founder and assistant editor of Keste Debena, a Tigringya independent newspaper. Medhanie was arrested by the Eritrean security forces on the 18th of September 2001, under the pretext of "undermining national security and sovereignty". Since his arrest, Medhanie has been held incommunicado without charges and trial. He is reported to have died while in detention in February 2006, due to torture and harsh prison conditions. He was 33 years old at the time of his arrest.

Temesgen Ghebreyesus



Temesgen was a journalist and a member of the board of directors for Keste Debena, a Tigringya independent newspaper. Temesgen was arrested by the Eritrean security forces on the 20th of September 2001, under the pretext of "undermining national security and sovereignty". Since his arrest, Temesgen has been held incommunicado without charges and trial. He was 36 years old at the time of his arrest. He is married and has one son.

Amanuel Asrat



Amanuel was a poet a chief editor of Zemen, a Tigringya independent newspaper. Amanuel was arrested by the Eritrean security forces on the 18th of September 2001, under the pretext of "undermining national security and sovereignty". Since his arrest, Amanuel has been held incommunicado without charges and trial. Age: unknown.

Said Abdulkader



Said Abdulkader was co-founder and chief editor of "Admas", a Tigringya independent newspaper. Said Abdulkader was arrested by the Eritrean security forces on the 20th of September 2001, under the pretext of "undermining national security and sovereignty". Since his arrest, Said Abdulkader has been held incommunicado without charges and trial. He is reported to have died while in detention on March 14, 2004, due to torture and harsh prison conditions. He was 34 years old at the time of his arrest.

Seyoum Tsehaye



Seyoum was director of Eritrean state television, freelance editor and photographer. Seyoum was arrested by the Eritrean security forces on the 21st of September 2001, under the pretext of "undermining national security and sovereignty". Since his arrest, Seyoum has been held incommunicado without charges and trial. He was 49 years old at the time of his arrest. Seyoum is married and has 2 children.

Hamid Mohammed Said

Hamid was news and sports editor at the Arabic section, Eritrean state television. Hamid was arrested by the Eritrean government in February 2002 for unknown reason. Since his arrest, hamid has been held incommunicado without charges and trial. He was 39 years old at the time of his arrest.

Saleh Al Jezaeri

Saleh was a reporter for the Arabic section, Eritrean state radio, as well as for a government Arabic news paper, 'Eritrea alhaditha'. He was rrested by the Eritrean security forces on the in February 2002 for unknown reason. Since his arrest, Saleh has been held incommunicado without charges and trial. Age: unknown.



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