

STATEMENT DELIVERED BY REPORTERS WITHOUT BORDERS (SWEDISH SECTION)

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Public session

Human Rights Situation in Africa

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Respected Commissioners, State representatives, fellow NGO-members,

On behalf of the Swedish section of Reporters with Borders, I wish to thank the Commission profoundly for granting us Observer Status at the 55th Ordinary Session last year in Luanda.

One might wonder why the Swedish section of Reporters without Borders has come here to the Gambia to ask for your help.

The African Commission on Human & Peoples' Rights has an important role to play in the struggle for Freedom of Expression and Freedom of Thought on this continent.

There is a Swedish-Eritrean family in Gothenburg, Sweden where the children long for their father, the wife for her husband, and the brothers for their brother. His name is Dawit Isaak, a journalist and writer. They have not seen him since a fateful day in September 2001 when all independent newspapers in Eritrea were closed down, and he and at least 17 colleagues were taken away.

Almost 14 years have passed since. By now his youngest daughter finds it hard to even remember him. This is cruel.

What makes it more cruel still is that he is not alone.

The list of imprisoned Eritrean journalists and human rights defenders is long, and in all there are thousands of political prisoners in Eritrea.

As is so clearly described in a report being presented on the margins of the Commission session today, "The Erosion of the Rule of Law in Eritrea: Silencing Freedom of Expression", this assault on the right to freedom of expression affects the entire Eritrean society.

The report, written by the Centre for Human Rights at the University of Pretoria and the UN Mandated University for Peace in Costa Rica, demonstrates how the stifling of thought and debate indeed makes life feel hopeless for many of those thousands that flee Eritrea each month. Without these freedoms, which are guaranteed under the African Charter, nothing can be changed in Eritrea, and any democratic process is hindered.

There is no free media in Eritrea. Even one of the state run radio stations was closed in 2009. Journalists as well as human rights defenders run the risk of being arbitrarily arrested.

Even the international Red Cross cannot move freely in the country. They may not visit prisoners like Dawit Isaak and his colleagues. The UN Human Rights Council Commission of inquiry on the Human Rights situation in Eritrea is not let in.

The Respected Commissioner Ms. Pansy Tlakula explains in the preface to the report how she, in her capacity as Special Rapporteur, has written repeatedly to the Government and the President of Eritrea about the fate of the imprisoned journalists. She has received no reply. This is of course not acceptable.

The journalists have never been charged. They have not been granted their right to stand trial. And they have never been sentenced.

In a recent decision on the case of Swedish-Eritrean Dawit Isaak by the Swedish Prosecutor-General he wrote: “the facts of this case give reason to believe that what has befallen him can be traced to the top political level in Eritrea, and that this has also befallen other journalists, politicians and many others for similar reasons.

I find that there is reason to believe that at least Crimes against Humanity in the form of Enforced Disappearance under Section 2, 9 in the Law on Genocide, Crimes against Humanity and War Crimes have been committed against Dawit Isaak”.

There are many journalists in prison in Eritrea. At least seven of those, who like Dawit Isaak were arrested in 2001, have perished in jail. Only four from that group are still alive.

They are kept incommunicado and the authorities will not say where. They are denied all contact with family and friends. They are not allowed a lawyer and as mentioned not even the Red Cross is allowed to see them. All this runs counter to both African and international conventions and standards. Their fate is in the hands of the Government of Eritrea.

If, after 13^{1/2} years still no charges have been brought against them, there is no reason to keep them in prison.

We would respectfully like to ask the Commission to use its power to make the Government of Eritrea understand the gravity of the situation and stand by its commitments to the African Charter. We would like to see an immediate release of Dawit Isaak and his colleagues.

Time is running out fast for these representatives of freedom of speech and information. It may soon be too late.

I thank you for the opportunity to address you.