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**UN Human Rights Council – Universal Periodic Review  
18th UPR session: January - February 2014**

**Contribution on the situation of media freedom in Eritrea by Reporters Without  
Borders, an NGO with special consultative status**

**Summary of the situation of media freedom and the recommendations accepted by  
Eritrea under the Universal Periodic Review**

Eritrea is ranked last in the 2013 Reporters Without Borders press freedom index<sup>1</sup>. It has held this appalling position for the past six years<sup>2</sup>.

The absence of any progress whatsoever in the situation of the media and journalists in Eritrea is evidence of an unyielding determination to maintain a blackout on news and information and to systematically persecute journalists who try to do what they are supposed to do.

Africa's biggest prison for journalists, Eritrea has no privately-owned media. Exile media and other media based abroad constitute the only source of independently-reported news coverage of the situation in Eritrea for Eritrean citizens and the international community. Gathering and verifying information is very difficult in a situation of constant surveillance.

During the Human Rights Council's 12th session, Eritrea nonetheless accepted recommendations on media freedom and on enforcement of constitutional guarantees and arbitrary detention. Recommendation 19 said the authorities should "*Implement the 1997 Constitution and publicly affirm the right to freedom of expression*".

None of these recommendations has been implemented or, at best, there have been no more than initial moves towards implementation.

Some of the Eritrean delegation's responses in the Report of the Universal Periodic Review Working Group (A/HCR/13/2/Add.1) are in flagrant contradiction with reality<sup>3</sup>.

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<sup>1</sup> <http://fr.rsf.org/press-freedom-index-2013,1054.html>

<sup>2</sup> <http://fr.rsf.org/press-freedom-index-2009,1001.html>, <http://fr.rsf.org/press-freedom-index-2010,1034.html>,  
<http://fr.rsf.org/press-freedom-index-2011-2012,1043.html>

<sup>3</sup> See for example paragraph 30: "Torture is illegal in Eritrea and there are no secret detention centers in the country. Due process is the law of the land. Any transgressor in these areas is accountable before the law", paragraph 31 : "*Eritrea respects the right to information and freedom of expression and opinion. No one in Eritrea is detained for expressing his/her views. Eritrean citizens have access to the entire spectrum of the media, including the internet, the print and other electronic media. As for the issue of the press, the Government will continue to work on developing press laws and regulations consistent with the values, traditions, cultural practices and national interest of Eritrea*"

Eritrea needs to cooperate in a real and honest manner with the Human Right Council as regards the Universal Periodic Review's mechanisms.

### **News blackout**

Eritrea has been cut off from the world since the government suddenly took an authoritarian course and carried out a wave of raids and arrests in September 2001. It continues to be Africa's biggest prison for journalists with about 30 currently detained (Appendix 1).

The privately-owned media have all been shut down since 2001. No foreign correspondent has been based in Asmara since 2010.

*Radio Erena*, an exile radio station that broadcasts to Eritrea by satellite and shortwave and on the Internet is one of the few sources of independent news and information, offering an alternative to the government's propaganda. Launched on 15 June 2009 and based in Paris, it is targeted at Eritreans in Eritrea and abroad. Managed by **Biniam Simon**, a former *Eri-TV* anchor, it uses a network of correspondents and contributors in Eritrea and in exile.

Because of its success, *Radio Erena* has been the target of repeated attacks by President Issaias Afewerki's government, especially from 14 to 28 August 2012, when its satellite signal was jammed and its website was hacked into. After seeking for months to circumvent the sabotage, *Radio Erena* managed to resume daily broadcasting to Eritrea and the rest of the region (East Africa and the Arabian Peninsula) by shortwave (from 15 November 2012 onwards) and by satellite (from 26 December 2012 onwards).

Reporters Without Borders filed a complaint with the public prosecutor in France accusing persons unknown of acts of piracy against this independent radio station under article L. 39-1 of the Post and Electronic Communications Code (disruption of over-the-air broadcasting by an authorized service) and article 323-2 of the Criminal Code (disruption of an automated data processing system). A preliminary investigation is under way.

Censorship of *Radio Erena* was followed by censorship of other media, this time foreign ones.

The authorities censored Qatar-based *Al Jazeera's* news channels from 1 to 12 February 2012 for carrying reports about demonstrations outside Eritrean diplomatic missions in Egypt, Britain, Germany, Italy and Sweden in opposition to the government and in support of the soldiers who stormed the information ministry in Asmara during a brief mutiny on 21 January. The information ministry issued a decree on 1 February forbidding anyone in Eritrea to provide access to *Al Jazeera*. At the same time, its English-language channels were jammed.

Such acts of censorship and suppression of information make it hard to follow events in Eritrean as they happen. The most glaring example was the complete lack of transparency and contradictory information surrounding the January 2012 mutiny and occupation of the information ministry.

### **Mistreatment and arbitrary detention**

Around 30 journalists are currently detained (Appendix 1). RWB is aware of a few releases but they cannot be regarded as evidence of any softening in the regime's attitude because additional arrests have taken place.

The journalists **Daniel Kibrom** of state-owned *Eri-TV's* Oromo-language service, **Tura Kubaba** of state-owned radio *Dimtsi Hafash's* Kuruma-language service, "**Johnny**" **Hisabu** of *Eri-TV* and **Eyob**

**Kessete** of *Dimtsi Hafash's* Amharic-language service were released in 2009.

**Said Abdulhai**, a journalist who helped found the media department after independence and who was responsible for the Eritrean news agency and the pro-government newspaper in Tigrinya, English and Arabic, was arrested during the last week of March 2010 and was released at the start of 2012.

Former guards at Eiraeiro and Adi Abeito prisons, where most of the detained journalists are held, have described the conditions in which inmates are held there. They said detained journalists are subjected to various forms of torture including beatings, solitary confinement, food deprivation and denial of medical treatment.

The Eritrean state has still not ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, although it agreed to do so by accepting recommendations 2 to 4 in 2009.

#### - **Fate of journalists arrested in 2001**

Of the journalists arrested during the 2001 round-ups, seven have died in detention as a result of the appalling conditions in the prison camps or because they took their own lives.

**Dawit Habtemichael** was aged 30 at the time of his arrest on 21 September 2001 after hiding for three days in the secondary school where he taught physics. Deputy editor and co-founder of the biweekly *Meqaleh*, he was the youngest of the journalists jailed in 2001. His mental health began deteriorating in 2007 and he became schizophrenic. Although very ill, he received no medical care. The lack of treatment is believed to have been the cause of his death in the second half of 2010. He was Prisoner No. 10 at Eiraeiro.

**Mattewos Habteab** was the editor in chief and co-founder of *Meqaleh*. He and **Temesgen Gebreyesus** were transferred to a prison in the Dahlak Archipelago in late 2008. Subsequently they were moved back to the mainland, to the Eiraeiro prison camp, where Mattewos Habteab eventually succumbed to conditions in the camp.

**Sahle Tsegazab**, also known as **Wedi Itay**, a writer and freelance journalist, he wrote regularly for various newspapers such *Debena* and the pro-government daily *Hadas Eritrea*. Arrested in October 2001, he is one of the journalists to have died at the Eiraeiro prison camp from an unidentified illness that was not treated.

The deaths in detention of three journalists arrested at the same time as these three was already confirmed. They are **Medhanie Haile**, **Yusuf Mohamed Ali**, **Said Abdulkader** and **Fessehaye Yohannes**, also known as "Joshua."

Just four of the journalists arrested in September 2001 are still alive. They are **Dawit Isaac**, **Seyoum Tsehaye**, **Amanuel Asrat** and **Temesgen Gebreyesus**. They are still detained and it is hard to establish their physical and mental condition.

#### - **Fate of journalists arrested in 2009**

Although the Eritrean authorities told the Human Rights Council in late 2009 that there had been no cases of arbitrary detention, journalists with *Radio Bana* and other state media had been arrested earlier that same year, on 22 February 2009.

One of those arrested in February 2009, **Yirgalem Fisseha Mebrahtu**, who is one of Eritrea's few women journalists, was placed in solitary confinement. On several occasions, this young woman was taken from her prison to Asmara's Halibet Hospital in a serious condition. Since then, she has

remained in detention and is not allowed visits. Her family has not been told the nature of her illness, which needs medicine that must be bought abroad.

All the journalists arrested in 2009 are accused of conniving with western NGOs and governments, and with exile opposition groups. They have not been allowed to receive visits. Some, such as **Mulubrahan Habtegebriel**, a journalist, writer and translator, and **Meles Negusse Kiflu**, a young journalist and poet, are still held at Adi Abeito. Others were transferred to other detention centres. They include state-owned *Eri-TV* journalist **Isaac Abraham**, who was transferred to May Srwa.

One of these journalists, whose first name was Bereket and who may have been **Bereket Misghina**, reportedly died because of the terrible prison conditions, but this could not be confirmed with certainty.

#### - Arrests since 2009

**Said Abdhulhai**, who was arrested in the last week of 2010 and was released in 2012, is not the only journalist to have been arrested since 2009. According to the information obtained by Reporters Without Borders, at least four journalists were arrested in 2011.

They are the radio journalists **Nebiel Edris**, **Ahmed Usman** and **Mohamed Osman**, who were arrested in February 2011, and **Tesfalidet Mebrahtu**, also known as “**Topo**,” who was arrested in late March 2011. This well-known sports journalist, who worked for state-owned radio *Dimtsi Hafash* and *Eri-TV*, is said to be held at a detention centre near the capital – either May Srwa or Adi Abeito military prison – where his family has not been allowed to visit him.

#### - Detainees deprived of family support, lawyer

Detainees are denied legal representation by a lawyer and support from their families.

No judicial recourse against these arbitrary decisions is possible in Eritrea. At the behest of the brother of Dawit Isaac, a Swedish-Eritrean journalist detained for the past 12 years, three European jurists and lawyers submitted a request for a writ of habeas corpus to Eritrea’s Supreme Court in June 2011. One copy of the request was sent to the Eritrean Supreme Court by Reporters Without Borders in July 2011 and a second copy was handed in by the European Union delegation in Asmara.

The right to seek a writ of habeas corpus is guaranteed by Eritrean law, namely in articles 19 and 20 of the Code of Criminal Procedure and article 179 of the Code of Civil Procedure, as well as by the African Commission on Human and Peoples’ Rights.

Although the Eritrean authorities acknowledged receipt of the application sent by DHL, it has not received any response. The Supreme Court in Asmara has never issued a ruling on the habeas corpus request submitted on behalf of Dawit Isaac.

The case was referred to the African Commission on Human and Peoples’ Rights on 27 October 2012. It is currently being examined.

Despite their requests for information, the families of detainees are not told anything about their loved-ones. The appeals by Seyoum Tsehaye’s children to the Eritrean ambassador in Paris<sup>4</sup> and to the Human Rights Council received no answer (Appendix 2).

### Exile journalists

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<sup>4</sup> <http://www.rfi.fr/afrique/20130327-erythree-abi-belula-seyoum-tsehaye-ambassadeur-france>

Journalists are forced to flee the country to escape the dictatorship and the very significant risk of being arrested. Forced exile in extremely dangerous circumstances is another form of persecution.

Some are arrested as they flee. They include **Eyob Kessete**, who was arrested for the second time as he tried again to flee the country in the summer of 2010. Others have lost their lives trying to flee. They include **Paulos Kidane**, a journalist who was gunned down as he was trying to flee across the land border into Sudan in 2007, and **Lidya Mengesteab**, who worked for *Dimtsi Hafash* and *Eri-TV*, who died in April 2011 while trying to cross the Mediterranean by boat.

Several journalists have told us they continue to fear for their safety after fleeing abroad. They often find themselves in countries adjoining or near Eritrea where they continue to be within range of the Eritrean government and its local representatives.

No fewer than 34 Eritrean journalists have fled their country and contacted Reporters Without Borders for help since the start of 2009.

### **Recommendations**

Reporters Without Borders recommends that the government of Eritrea should:

- Establish sincere and effective mechanisms of cooperation with the Universal Periodic Review and with the follow-up of its recommendations.
- Implement the recommendations it has already accepted, including ratification of international conventions such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Agree to requested visits by UN special rapporteurs, including the special rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the special rapporteur on the promotion and protection of the right to freedom of opinion and expression, and the special rapporteur on the situation of human rights in Eritrea.
- End censorship, mass surveillance and all forms of reprisals and harassment against those who provide news and information.
- End acts of piracy against exile news media, prosecute those responsible for these illegal acts, and prevent their recurrence.
- Release journalists who are being held without charge and without receiving a fair trial or, at the very least, allow detained journalists to have a fair trial, meet with a lawyer, contact their family and have access to medical care.
- Inform the families of imprisoned journalists about the situation and state of health of their detained loved-ones.
- Inform the international community about the fate of detainees and allow humanitarian organizations to have access to places of detention.
- Suspend surveillance measures, violence and abuses against those who try to flee the country.

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## APPENDIX 1

2013 RWB BAROMETER – JOURNALISTS DETAINED IN ERITREA (as of 1 January 2013)

- Since 22 February 2011 - **Nebiel Edris** - Dimtsi Hafash, Arabic service
- Since 22 February 2011 - **Ahmed Usman** - Dimtsi Hafash, Tigre service
- Since 22 February 2011 - **Mohamed Osman** - Dimtsi Hafash, Bilen service
- Since 30 July 2010 - **Eyob Kessete** - Radio Dimtsi Hafash, Amharic service
- Since 22 February 2009 - **Bereket Misghina** - Radio Bana
- Since 22 February 2009 - **Yirgalem Fisseha Mebrahtu** - Zemen, Radio Bana
- Since 22 February 2009 - **Basilios Zemo** - Radio Bana
- Since 22 February 2009 - **Meles Negusse Kiflu** - Radio Zara, Radio Bana
- Since 22 February 2009 - **Mohammed Said Mohammed** - Radio Bana
- Since 22 February 2009 - **Biniam Ghirmay** - Radio Bana
- Since 22 February 2009 - **Esmail Abd-el-Kader** - Radio Bana
- Since 22 February 2009 - **Araya Defoch** - Radio Bana
- Since 22 February 2009 - **Mohammed Dafla** - Radio Bana
- Since 22 February 2009 - **Simon Elias** - Radio Bana
- Since 22 February 2009 - **Yemane Hagos** - Radio Bana
- Since February 2009 - **Girmay Abraham** - Dimtsi Hafash
- Since 2008 - **Isaac Abraham** - Eri TV
- Since 2008 - **Mulubrhan Habtegebriel** - Meqalih, Setit, Radio Zara, Hadas Eritrea
- Since December 2007 - **Nega Woldegeorgis** - Radio Zara, Dimtsi Hafash, Hadas Eritrea
- Since 12 March 2007 - **Name unknown** - Hadas Eritrea
- Since 2007 - **Eyob Netserab** - Radio Dimtsi Hafash, Amharic service
- Since 12 November 2006 - **Daniel Mussie** - Radio Dimtsi Hafash, Oromo service
- Since February 2002 - **Hamid Mohamed Said** - Eri-TV
- Since February 2002 - **Saleh Al Jezaeeri** - Radio Dimtsi Hafash
- Since 21 September 2001 - **Seyoum Tsehaye** - freelance
- Since 20 September 2001 - **Temesgen Gebreyesus** - Keste Debena
- Since 18 September 2001 - **Emanuel Asrat** - Zemen
- Since 18 September 2001 - **Dawit Isaac** - Setit (Swedish-Eritrean)

Reporters Without Borders has learned that several of these journalists were released in the first half of 2013 and is currently gathering information in order to establish who was released and on what date.

## APPENDIX 2

### **Oral statement by Abie Seyoum, the daughter of imprisoned journalist Seyoum Tsehaye, during the UN Human Rights Council's 23rd session**

*“My name is Abie Seyoum. Like every Eritrean child, my surname is my father's first name. My father is Seyoum Tsehaye. Like his entire family during the Ethiopian occupation, he volunteered in the struggle for the independence of Eritrea. He made photographs and films. He was the director of the television once my country was freed.*

*I have not seen him since September 2001. I was two years old. He was arrested with the reformists and the Eritrean journalists during major raids ordered by our government. One of the only memories I have of him is a video. In this film, he plays with me. He loved children. My little sister Belula was born while he was in jail. She does not know our father, but like me she knows he is still alive somewhere in prison in Eritrea. For twelve years.*

*We were told that my father is being held in Eiraeiro, a high security prison in the mountains. In the cells around his, friends of his are also detained. But he has no right to talk to them. Journalists, soldiers, politicians. Heroes of Eritrea, like him, who gave their lives for the freedom of my people. We do not know who is still alive, who is dead. The Eritrean government refuses to say where the prisoners are, why they are trapped, and in what state they are. Before fleeing the country, my mother was jailed when she asked.*

*We fled Eritrea, my mother, my sister and me. Not because we do not love our country. But to save our lives. To live our lives without fear of sharing my father's fate.*

*Today, I stand before you on behalf of all the children of Eritrean prisoners. All are named after their father, like me. We want to know what happened to our fathers, our mothers. We want to know why our government inflicts this suffering on us. When my sister and I went to see the Eritrean ambassador in Paris to give him a letter and ask him questions, he called the police. We do not know what to do.*

*So we turn to you. You're our only hope. There are Eritrean diplomats at the UN and in many capitals of your respective countries. The Government of Eritrea has been recognized by the international community that you represent.*

*So on behalf of all the prisoners' children, I ask you one thing. Turn to the representatives of the Eritrean government. Turn to them and ask them the question they do not want to answer: “Where are the prisoners? What have you done to them? And why? Release them. Give them back to their families.”*

*I want my father back. Belula and I, we want our name back.  
Help us, please. »*

*Abie Sium*