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<http://www.rsf.org/eritrea-dawit-isaac-case-presented-to-18-02-2013,44086.html>

Africa - Eritrea

Encouraging decision

African panel to examine case of detained Swedish-Eritrean journalist

13 March 2013

Reporters Without Borders welcomes the decision by the African Commission on Human and Peoples' Rights to examine the case of **Dawit Isaac**, a journalist with dual Swedish and Eritrean nationality who has been detained without charge in Eritrea since 2001.

The petition submitted by Isaac's lawyers to the commission is based on the principle of Habeas Corpus, according to which every prisoner has the right to have a lawyer and to be defended. Although the Eritrean authorities have accepted this principle, they refuse to recognize the most elementary defence rights of Isaac and the other journalists who have been detained since September 2001.

The African Union's main human rights body, the African Commission on Human and Peoples' Rights will soon question Eritrea about this failure to comply with the international human rights conventions that it has undertaken to respect.

Reporters Without Borders is also pleased to note the interest in Eritrea's journalists being shown by Sheila B. Keetharuth, who was appointed Special Rapporteur for Eritrea last October. She is to meet with one of Isaac's lawyers, Jesús Alcalá, to get information about the judicial proceedings.

18.02.2013 - Dawit Isaac case presented to African Commission on Human and Peoples' Rights in Banjul

Reporters Without Borders welcomes the referral of the case of imprisoned Swedish-Eritrean journalist and writer Mr. **Dawit Isaak** to the African Commission on Human and Peoples' Rights (ACHPR). Dawit Isaak's case will be discussed this week during the Commission's extraordinary session 18-25 February in Banjul, The Gambia.

"The fact that the Commission has taken up our request means that it has found our submission substantial. It is an important first step in what I hope will result in a ruling against Eritrea. In that case, the Commission, who is the African Union's main human rights body, will demand the release of Dawit Isaak", says Swedish lawyer Jesús Alcalá.

Mr. Jesús Alcalá will personally attend the session. Together with lawyers Mr. Percy Bratt and Ms. Prisca Orsonneau, Mr. Alcalá [sent a writ for Habeas Corpus to the Eritrean High Court](#), in June 2011, on behalf of Mr. Dawit Isaak who has been imprisoned since 2001 without charge, trial or sentence.

The Eritrean Government has previously stated before the ACHPR that Habeas Corpus is a principle respected in Eritrea and that the Eritrean Courts are independent. The High Court, however, has refused to hear the case.

According to the principle of Habeas Corpus every prisoner has the right to meet a judge and have his say. The judge will then decide whether the imprisonment as such is legal or not.

The African Commission on Human and Peoples' Rights has been created by the African Union to protect and promote human rights and to interpret the African Charter. The eleven

commissioners can try whether Eritrea respects Human Rights and the African Charter the country has ratified. They can also demand explanations to the Eritrean Government as the writ shows the imprisonment of Mr. Dawit Isaak runs counter to Eritrean law and is in breach of several African and international conventions.

He has neither been charged nor sentenced. He is kept in solitary confinement and denied the right to meet his family, his lawyer, Swedish diplomats or the International Red Cross. He has been in custody for more than eleven years. Had Eritrean law been respected he would have been charged within a month or otherwise set free.

Mr. Dawit Isaak's life is in grave danger. Several colleagues of his have died in prison. An investigation made by Reporters Without Borders last August reported the death of three journalists arrested around the same time as Mr. Dawit Isaak.

"By bringing the case to the Commission the pressure on the Eritrean regime grows. It also clearly makes the case an African issue", says Ms. Lotta Schüllerqvist president of Reporters Without Borders in Sweden.

For further comments please contact Björn Tunbäck, Reporters Without Borders Sweden at +46 703 2709 12.

In connection with the session Mr. Jesús Alcalá will be reached 17-18 February at +46 708 699 663

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[For background information on the Commission.](#)
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