

EPLF/PFDJ HAS THE LEGAL RIGHT TO GOVERN THE NATION OF ERITREA BY ITS OWN IDEOLOGY



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I Introduction

Currently, the so called Antagonistic Anti Eritrean Government Websites (AEGW), one that is known in particular is: Assena Radio Station and other Jihadist Websites, have been misleading the general Eritrean public by disseminating negative propaganda that: “Eritrea lacks a constitution and holds many prisoners without any legal justifications and without any due process of a law”. According to their statements: “this constitutes an illegitimate governing

body that is practicing in Eritrea for years”.

To legally educate these people about this misleading rhetoric speech: first, they need to be informed about what has occurred in Eritrea over time prior to May 24, 1991 under the following continuous colonial rule social and political structures; including the power of imperialism domination of their political, cultural and economic over the Eritrean people from the 1500 to 1991.

The nation of Eritrea has endured abuses from the imperialistic colonizers for the purpose denying access to the most fertile land by constant threat of incarceration to any Eritrean who attempts to consume any food in that fertile area. It also interfered with the local Eritreans' economic, cultural values and every unjust inhumane treatments on their own land. Education was highly restricted during the Italian reign used as a system of oppression to prolong their repression or control of the general Eritrean public. These colonizers were: first the Ottoman Turks, followed by the Egyptians, and then by the Italians, finally by the Amhara supported by their instigators the USA who exploited Eritrean Lands for their installation of military base facilities in the Capital city (Asmara); which was given to them free of any rental fee except a payment of 50 million dollars yearly given to Haile Sellassie and grant him and his family and some of his ministers a medical checkup at the hospital of American Military personnel.

The tragedy was the continues suffering of the Eritreans by the Ethiopian ruling class the Woyane who themselves were fully supported by the EPLF to be in power and become the assumed rulers of Ethiopia (then, later they have shifted their commitment by starting a war against a sovereign nation). In 1994 they start betraying the Eritrean Government and finally initiated a war to cause Eritreans to be displaced and left without a state of their own like the Palestinians who have been doomed and left without a state of their own through presumably military conquest. But in the case of Eritrea our people has defeated the Woyane time and time again by the mighty united strength of the people, remarkable resilience to recover quickly under any difficulties circumstances. That also, includes the ability of their military individual training, skills and expertise. Unlike the Woyanes commanders who were badly trained themselves and their Infantry tactics were the combination of military concepts and methods used and made the Oromos, Wollaitas, and Benshanguls as cannon fodders and mine sweepers to make safe passage

for the Amhara and Tigrean tank commanders. Their infantry soldiers cannot retreat because the Tigrean commanders were stood from behind to shoot and kill them. That was the kind of tactic fighting arrangement they had which is called forcible coercive tactic and were badly bitten and killed into thousands of Oromos, Wollaitas, and Benshanguls , Amharas and quite a lot of Tigreayans.

This continuous abuse of the Eritrean Public occurred throughout the history of Eritrea due to its geopolitical position that creates desirable strategic importance which the colonizers wants to gain a foothold so they can have access to the Red Sea and its shipping lane. Their desire was to always gain Eritrea's riches while at the same time to enslave the people. For further in depth information please [click here](#).

II Legal Victimization by emotional Lies

The nation of Eritrea has always been victimized by emotional lies that has always negatively impacted the Eritrean society through misleading information targeted to the general public but primarily toward the Eritrean youth. The Assena Website is not disclosing to the Eritrean youth the true intention of what Radio Assena is really offering them. Radio Assena is taking emotional advantage of them because they are young and legally uneducated and trained. In this way Radio Assena's emotional message is successful because they are able to exploit these very young Eritrean people who lacks the ability to legally investigate and use legal factual reasoning to come to a better rational legal conclusion; in response to all the negatives and demonization allegations targeted toward the Eritrean people and their government. All the Antagonistic Progressive supporters they will use completely fraudulent allegations in an attempt to emotionally mislead the Eritrean. Due to the fact that Eritreans uses emotional talk that they know will spread like an infection in the society which will ultimately lead the people into making the wrong choices that would eventually lead to the downfall to their Eritrean Government. Since Eritreans in general lacks legal education they rely on emotional communication. In fact, those type of decisions will begin to erode our national cultural values and take us completely backward.

For example: Sheila B. Keetharuth, Special Rapporteur on Human Rights in Eritrea stated: " there was a lady from Keren lost her two sons and never saw them again". This is the typical

tactic that is always used by all antagonists (progressive/regressive behaviors) in an effort to emotionally persuade the public into believing what they are hearing.

The antagonists knows that nearly all Eritreans are led by emotional talk such as this. What our people need to know is there is a lack of legal education that would enhance their current ability for investigative tools improves their ability that leads them to ask critical questions to substantiate factual facts from emotional rhetoric in the first place.

The Eritrean leaders in particular those on the government administrative positions would greatly enhance their understanding prior to their decisions in order to help achieve a higher collective legal standard. That is why the Government needs to immediately add a legally based curriculum so that all Eritreans can have the tool to combat emotional fraudulent allegations by having access to legal tools so that they can come to a better legal rational conclusion.

For example: when we hear Sheila B. Keetharuth, Special Rapporteur on Human Rights said about forced disappearances that: “a woman contacted her from Keren lost her two sons and she alleged that they disappear and never saw them again”, then she said again: “ the woman was from Keren her sons were being arrested and disappeared in about late 1999 and 2000, both her sons were supposedly in their early 20th and she never saw them at all ever again; she continued saying that: “forced disappearance is a crime and the perpetrators shall be held accountable”.

We Eritreans, instead emotionally sympathizing with Keetharuth alleged story and accepting it to be true, with legal educational training we would have had Keethruth disclose the name of the woman in Keren and names of both her sons, their true ages, the precise day, time and location where they were arrested so that we would have the opportunity to investigate her allegation and to corroborate this story and substantiate the claim to see if this was a truthful allegation and if this woman ever existed in the first place.

This legal investigation would produce a truthful conclusion instead of being emotionally misled and fooled into selecting the fraudulent conclusion which was also obtained under a fraudulent pretense. This type of this legal investigative procedure will adhere the Eritrean society to a higher standard of fact finding instead of the lower emotional misleading unsubstantiated talk that has never been proven in a legally educated manner. That is why Keeteruth on a lower level emotionally says: “when asked, can you release any of the names of the Eritreans from any of

your past stories since you started as a mandated Rapportuer in 20012 for Eritrea? Her reply was always the same which was no, she said: I will not release any of the names! It is often practiced by the UN Commission of Inquiry Sheila (the deceitful manufacturer of alleged emotional allegations) including those radio/websites personnel who are emotionally talking robots lying about the nation of Eritrea with no accountabilities to legally substantiate their alleged claims. Therefore, someone who wants to write or talk about Eritrea and its citizens he/she must be able to analyze and describe the situation with facts extracted from accurate data.

III. None credible and none reliable information provided by Sheila

Recently, a video shown on the third Committee, 31st meeting General Assembly 73rd Session on 24 Oct. 2018 promotion and protection of human rights – item 74. In that session Sheila has been acting as an activist (which she is an activist) has engaged in inciting public unrest and violence geared toward the people of Eritrea. She was exhibiting this type of behavior to first demonstrate and exemplify how much it is easy to provoke and incite violence inside Eritrea and second to show to the members of the HR Counsels that she can be able to operate outside her mandate by undermining the government to eventually causing it to debacle. All the babblings and lying about Eritrea was aimed to accuse the Eritrean Government fraudulently to build her case to reach to the level of prosecutable case that could be referred to the ICC under the term: “Crime Against Humanity”. This was the hidden agenda that she was attempting to fulfill all along outside her mandate acting as an investigator and persecutor, instead of becoming an advisor who report on human rights issues from a **thematic** or country-specific perspective. Her activities must have been guided by her mandate to: "examine, monitor, advise, and publicly report" on human rights problems through activities undertaken by her guided by special procedures without intimidations and confrontations with the governing leadership of a sovereign nation of Eritrea.

This was one of the reasons, why the government of Eritrea refuse to grant her entry visa to Eritrea.

Her purpose was to set up a fraudulent report which is completely unsubstantiated, irreconcilable, that is totally meant to debacle the government of Eritrea as well as presenting her

report as admissible evidence in the future as a “crime against humanity” case against Isaias and the Government of Eritrea; in July 1, 2016 The UN Human Rights Council (HRC) has received the unsubstantiated fraudulent COIE report. After they reviewed the report the HRC member states, did not accept the Commission of Inquiry on Eritrea (COIE) recommendations and decided to eliminate the mandate by a recorded vote based on the highlight listed below reasons:

- (a) The story of systematic “rape” and “murder” has been found to be fraudulently created. The total disregard to the Guidelines set out by the UN Human Rights Fact Finding practices/methodology.
- (b) The methodology used for gathering data or information was not done based on validation and substantiation. Therefore, the analysis is flawed in actuality no convincing result produced based on objectivity with substantiated standard of law.

Her actions from the beginning was using her mandate as the basis for preparing a report on human rights problem replacing mostly by responding to individual complaints systematically collected with deceptive method and with a secretly anti government regime change agenda. All these sheds light that Sheila was on a unique mission from day one to eventually collect criminal deceptive data that will help the prosecuting process hand out current or future indictments against the governmental leadership of the nation of Eritrea.

Sheila’s report that is full of unsubstantiated allegations which she constantly refused to allow access to her sources (witnesses) for any Eritrean Authority in which they can legally investigate and substantiate her allegations. She was asked a number of times to turn over her so called sources to the Eritrean authorities, but she completely denied the government Authority that access.

This would have been the biggest opportunity for the government that could allow them to exercise their rights to substantiate her fraudulent claims which would have made her legally liable for prosecution in the nation of Eritrea.

Never the less, it is still possible to expose and indict Sheila for her actions that she has been involving herself tirelessly resurgence of deception and lying. This constitutes a subset of deceit where a false representation has been made by her knowingly she gave false misleading information about the overall image of the nation of Eritrea. By continuously engaging in

deceptive fraudulent action against the nation of Eritrea, her eventual purpose was all along to incite violence against the people and the overall society of Eritrea, with her overall goal the Eritrean Government itself to collapse.

Sheila is liable for inciting violence through rhetoric's fraudulently created and unsubstantiated allegations. When the nation of Eritrea becomes more stabilized, this case will be reinvestigated against her because she will be eligible for prosecution due to her involvement which is easily provable of her illegally misrepresenting the UN HRC procedures, spreading and inciting fraudulent allegations tirelessly against the nation of Eritrea in the first place.

IIII Lack of Legal Knowledge Impacted Eritrea Negatively

The lack of legal knowledge many times has impacted Eritrea in the worst possible ways resulting in numerous wars and loss of lives and tremendous financial instability. It has been legally victimized multiple times through poorly constructed agreements. For example, the 1952 so called fraudulently prepared constitution between Eritrea and Ethiopia by the United Nation that absolutely did not benefit Eritrea. The Eritrean Assembly due to lack of legal knowledge signed off the agreement and declared that:

*“We the Eritrean Assembly, acting on behalf of the Eritrean people, Grateful for the United Nations for recommending that Eritrea shall constitute an autonomous unit federated with Ethiopia **under the sovereignty of the Ethiopian crown**”.*

Look article 3 of the 1952 Constitution Federal Agreement between Eritrea and Ethiopia.

Their signatures become the single most detrimental bases of the complete depletion of Eritrea's economic wealth within six years. Ethiopia have got the power of legitimacy for ruining the stability, economic and political foundation of the country causing thousands of businesses and manufacturing industries to move to Addis Ababa. For those businesses that remained behind eventually, forcibly shutdown by Ethiopian authorities. These happened first by the fault of our legal ignorance to sign the contract(constitution of 1952) which resulting in us being legally victimized and allowing Haileselassie the legal right to dissolve the Eritrean national assembly and turning all legal governance power of Eritrea to the nation of the imperial crown of Ethiopia. The end result of that mistake Eritreans paid a heavy price to allow Eritrea becoming the 14th

province of the Imperial Ethiopian ruling with a systematic ploy of obtaining access to Massawa and Assab ports. This systematic ploy of legally stripping Eritrea's national governance power and immediately, Ethiopia imposed their superiority over the Eritrean people by (a decree from Haileselassie himself). That all of Eritrea's manufacturing and agricultural industries immediately move out of Eritrea and relocate to Addis Ababa. Finally approximately in 1958, Eritrea completely collapsed financially with tremendous unemployment and loss of national identity. These urgent social crises eventually give rise to the political parties which eventually led to first ELF and to the eventual ruling political party the EPLF itself which is now officially called PFDJ.

Then, this led to the 30 years war for liberating the people of Eritrea and its land from occupation by Ethiopia that ended in May 24, 1991 but only after Eritrea have lost the lives of about 60,000 of its fighters, about 20,000 disables and well above half million innocent citizens death. Worst of all the Ethiopian soldiers have destroyed the land by cutting the trees poisoned the waters and ruin the agricultural land as well as they forcefully began to remove all the cattle, sheep and goats which are basic agrarian economic a means of survival.

Again, Eritrea was faced similar challenge pressured to harshly signed off the 1997 (unimplemented constitution), another contractual agreement proposed for exchange to grant the statehood for Eritrea. This contractual agreement has its origins from the Clinton Administration that brokered the 1991 cease fire agreement. Then, he gave a clear path to statehood as long as his plan being followed and implemented that the 1997 unimplemented progressive/regressive constitution be the bases for the eventual Eritrean constitution, but it didn't happen and it will never happen!

V EPLF/PFDJ VISION

EPLF/PFDJ had a vision that was manifested into a written EPLF/PFDJ Charter that its intention was meant to govern all EPLF members that one day having liberating the whole Eritrean territory and uniting it under the EPLF ideology. This was the final goal of bringing the EPLF ideology to a full timely evolved administration into fruition by legally creating and writing a national constitutional law. Their vision was:

- (a) to reach the point at which their well thought out plan was to culminate into Eritrea's first National Constitution that was meant to be translated from the original EPLF CHARTER.
- (b) elevating it into a National Constitution by legal means that governs not only the direct EPLF members but every single Eritrean living within the recognized territorial boundaries of the Nation of Eritrea.

Again, the EPLF won the war and liberated Eritrea in May 24, 1991, and the EPLF has requested for a proposed statehood then the UN counter requested that a national public referendum to be held so that the majority of the inhabitants can agree on becoming a nation governed under the proposed PFDJ Eritrean Constitutional Statehood.

For those who are chanting on personal videos and websites that: "Eritrea has no constitution and no election has been done" so angry that the falsity that went into the proposed constitution of 1997 (a progressive value) is slipping away around them in the gloom, to be replaced by Eritrean National Constitution with Eritrean cultural values, morality and pro family and nationalism with the full legal rights protected. That is why, we observe the Assena Radio voice, their advisors and their followers are transforming into a robocall on a daily bases trash talking against the president and all the PFDJ members and supporters. They understand that, their dark days are coming resulting in indictments is even much sooner.

It is now common to hear from the Assena followers to make statements such as this: Who is Isaias?, who elected him anyway?, He is not our president ?

My response to any one with shallow minded pretending to be an Eritrean nationalist is: Well you are right. He is not YOUR president, he is in fact your FATHER because he gave birth to the Nation of Eritrea in the first place when he liberated it. He has achieved more on a higher level than what any president can do, because he CREATED the Nation of Eritrea that will soon be governed by its own constitution.

VI Declared a State-of-Emergency in Eritrea (Martial Law)

In considering the magnitude and severity of the pains and sacrifices that went into the struggle to liberate Eritrea, now keep in mind how much demonization and provocation by Woyane and

Woyane's paid crime enablers that Eritrea has to withstood. Even after liberation when Ethiopia fall on Woyane of Tigray administration, the Eritrean nation have been facing a constant duress under the threat of invasion by existential forces mainly by Woyane of Tigray. Their hateful merciless tactic was, recruiting and aligning the Amhara and the Oromo with bribery enticement to re own Assab port and make it be part of Ethiopian permanently. This was the main reason why they decided to invade the sovereign nation Eritrea. There were also continuous periods of civil unrest or chaos in the country, in this regard the EPLF/PFDJ has introduced the institution of **a State-of-Emergency in Eritrea** (martial law that contemplates some use of military force).

The nation of Eritrea was under mass national duress and for public safety and security the military allowed to detain persons administratively without charges. The state of emergency in Eritrea (martial law that contemplates some use of military force) is still existing because of public safety and sovereign security. This will be lifted, when the Nation of Eritrea's head of state determines that there is no longer an existential threat and assured that there is no longer a threat to public safety and sovereign country security, then he will lift the State of Emergency law and the country will be in a position to transition into a National Constitutional law (constitution). In order the government to prepare the National Constitutional law, first, the government who has been working in translating the PFDJ Charter carefully and wittingly interprets the wordings, paragraphs, intentions stated in the charter to fit into a National Constitutional Law.

For those who deliberately wants to forget the historical sacred memory of our martyrs during the army struggle for liberation; here is the reminder of the EPLF/PFDJ that they won the war and librated Eritrea in May 24, 1991. Then: ***“that gave them the rights to bring their charter to translate into a National Constitutional law (constitution)”***.

The EPLF/PFDJ are governing the new Nation of Eritrea that was officially recognized by the United Nation after a referendum was held in Eritrea between 23 and 25 April 1993. The result was 99.83% in favor, with a 98.5% turnout and the independence was declared officially on 27 April. in 1993.

When the head of state approves the national legal translation of the PFDJ Charter to create a National Constitutional Law the (Constitution) then, it will begin to define the role, powers, and

structure of the executive, the Congress or legislature, and the judiciary; as well as the basic rights of citizens. To bring up the constitution to the level of: “ *law of the land, it shall consist of codified customary law*” imbedded from Highi-Endaba perspective (in which the Nation of Eritrea has been practicing historically in the villages to settle civil and criminal cases), statutory law (the current practice of the Eritrean government is serving the citizens with proclamations and legal notices), or international rules and norms. In the case of EPLF/PFDJ driven and approved Constitutional law emanated from the Nation of Eritrea has already Codified Constitutional laws that deals with the fundamental principles by which the government exercises its authority.

Prior to the completion of the drafting the national constitution a public legal education to all citizens will be conducted and then when the drafting of the constitution is completed the commission will present it to the people for public national referendum followed by the official vote constitutional law (constitution) which the public will vote to approve or disapprove.

In the event, the National Constitution that was presented to the people of Eritrea approve then the Head of State will sign off on it (if he fully condone it) that results in the full enacting of the constitution itself.

VII Antagonistic Anti Eritrean Government Websites (AEGW)

An observation of Assena’s face book and tweeter shows that the majority of their confused and vulnerable audience are mostly under the age of 25 years old. These age group specifically they did not see even the war against the Woyane in 1998-2000 war of course they could not have any memory, so these very young Eritreans including those born outside of Eritrea of the same group are the most ideal viewers and followers of Radio Assena.

It makes sense why Radio Assena loves in particular these age group they can directly lie to them because these young people never saw anything about the devastation of war and colonial operation in Eritrea. For example pay attention to the following recounting of the painful memory life under the Ethiopian rules in Eritrea in particular the time between 1961 to 1991. During the arm struggle that went on for 30 years first by Haile Sellassie and continued by Mengistu to carry on war against innocent civilians: the carpet bombing of the towns Nakfa, Barentu, Massawa and Afabet; the inhuman breast cutting of Eritrean women for many years, the

hundredth and thousands of young and old citizens of Asmara that were hanged by piano wire in the city streets; the massacre of religious people in the church compound of the Woki Duba village; over 400 people from Sheeb forced under a gun to lie down in the farm field and where subsequently ordered by a General used tanks to roll over all the innocent villagers bodies; the fire torching of the villages in the lowlands and in the high lands like villages of Adi gaul by Ethiopian solders are some of the tragedies causing great sufferings, destructions to the Eritrean society. The solders of Ethiopia have killed about 60,000 fighters, as well caused about 20,000 disabled and about 400,000 innocent civilians lost their lives due to the misguided policy of Haile Sellasie toward Eritrea. On the other hand Eritrean fighters might have killed 1,000,000 Ethiopians but isn't this a legal lack of knowledge that has got us into this position? It truly is but it will be legal knowledge that will get us out of this horrible condition and begin to move us forward so that we can begin to benefit from legality. It is just beginning now with the new political and economic integration agreement When Dr. Abiy and President Isaias signed the agreement on Our young people from the Diaspora never saw anything what has been mentioned in the above paragraph, that is why the Assena people can be able to lie to them blatantly. These are the progressive ideology that primarily originated from the Clinton Administration to the Obama Administration' It was purposely injected into the online radios and websites such as Radio Assena and the Jihadist website as well as to the NGOs and Keetharuth, deceiving/misleading the Eritrean people with the art of lying.

VIII Eritrean Youth Was Emotionally Swayed

The Antagonistic anti Government Radio/Websites, You tube, have been funded through the progressive ideology and are purposely slanted against the Nation of Eritrea, in particular against the president Isaias Afewerki. They want the youth of Eritrea to incite and to carry out the civil unrest in the Nation of Eritrea and then they want these particular youth to take a violent action against the president. If these plot would happen they are preparing to laugh at these particular young Eritreans for taking such an emotional actions, because they themselves didn't have to lift a finger to harm President Isaias and they will be thrilled that they are able to emotionally control these particular young Eritreans. they know fully that the young Eritreans are vulnerable with open mind that they can't think legally and they are willing to be set up and be part of the

problem and be victimized. They are not capable to ask key questions about evidences and the substantiate of the hidden agenda that they are trying to push on them.

This was the going on policy to target young people in an effort to empower and incentivizing them first to get entry visa and wants them to live inside the country to accomplish a special mission and then entice them with significant payment as a reward of financial compensation.

This is to all Eritrean youths, in particular under the age of 24 years, you have been completely lied to through Face Book, Tweeter, Insta gram and please begin to be aware how to legally deal with the problem of emotionality, instead you begin to practice the basic steps of legal analysis. It is virtually impossible to be misled in the wrong direction once you are empowered through legal steps you will always learn to substantiate any rhetoric or claims that are called allegations.

VIII Conclusion

Eritrea became an independent nation on 24 May 1991 after 30 years army struggle and won the war against the Ethiopian army. Prior to the liberation day, the EPLF have been using a mixture of legal codes taken from the colonizer (Ethiopia) in the field and still the EPLF leadership has amended some of them but developed progressively to be used for their short term goals. This process has continued at the time, opted for essential legal continuity to be practiced even after the independence which has a lot of Ethiopian legal codes. The Ethiopian legal system itself most of its codes has been inherited from the French civil law, basically stayed in force.

The creation of the new unimplemented constitution of 1997 has been used as an invisible thorn against the EPLF administration as well as a pressure against any government decisions echoed that the government: “has no constitution and no election has been held since liberation”. Keep in mind that the unimplemented constitution of 1997 is a fraud come from USA under the Clinton administration as a counter to the Eritrean statehood request that Eritrea will need a constitution written in English and sent to Eritrea through their paid agent Bereket Keshi Habteselassie for statehood legitimacy. This become necessary to fulfill the UN requirement to grant Eritrea, recognition to become a free state. But at that time if the EPLF wouldn't pressured and left alone they would set the goal of attaining an independent sovereign status through transformative legal order from their National Charter and Highi-Endaba free from any interference and western anti

social progressive values detrimental law. Over the past seven years, Eritrea's Commission for legal system has been drafting carefully a new constitution in their free own way, embracing all Eritrean social values in order to prepare for the popular participation in legislative debates by legal scholars in its top-down process.

'On a different note', when somebody claims that he/she is a politician and makes denigratory statement against the nation of Eritrea and gets away with no accountability, most emotional Eritrean people will say: that is politics and it is political. My response to that emotional beliefs through their actions is: I say it is not political it is criminal by intention.