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Justice for Dawit Isaak in Eritrea

Written declaration No. 489

This written declaration does not reflect the position of the Assembly; only of those members that have signed it. It will not be considered further by the Assembly.

The Swedish-Eritrean citizen, journalist and writer Dawit Isaak was arrested in Eritrea on 23 September 2001, and has since then been held in prison. No charge has been made, no trial held, no visits allowed. His location is unknown to this day.

As pointed out in a recent appeal for Dawit Isaak to the Eritrean High Court by a group of European human rights lawyers, supported by a wide range of publishers from all over Europe, the right to Habeas Corpus is granted in Eritrean law. The treatment of Dawit Isaak contravenes the Eritrean Criminal Procedure Code. According to Articles 1, 19 and 59 in the Code a person must be brought before a court within 48 hours and a court can grant at the most 28 days for the investigating officer before the prisoner must be released if not charged. Article 62 of the Code also prohibits that prisoners are held incommunicado.

The case also runs counter to international law and conventions signed by Eritrea, such as the African Charter on Human and People's Rights, the UN Declaration on Prison Conditions and the UN Standard Minimum Rules for the Treatment of Prisoners.

This is no longer a bilateral matter between Sweden and the present regime of Eritrea, but a matter of universal respect for the principles of political and human rights, so dearly protected by the Council of Europe. Therefore we ask member and observer governments of the Council of Europe to use their international and bilateral relations to help Dawit Isaak receive justice after his disappearance in prison in Eritrea a decade ago.

Signed (see overleaf)



*Signed*¹:

JOHANSSON Mats, Sweden, EPP/CD
AXELSSON Lennart, Sweden, SOC
CEDERBRATT Mikael, Sweden, EPP/CD
CIRCENE Ingrida, Latvia, EPP/CD
CORMAN Igor, Republic of Moldova, SOC
FLYNN Paul, United Kingdom, SOC
GARDETTO Jean-Charles, Monaco, EPP/CD
GRAHAM Sylvi, Norway, EPP/CD
GUNNARSSON Jonas, Sweden, SOC
HERKEL Andres, Estonia, EPP/CD
LUNDGREN Kerstin, Sweden, ALDE
MAELEN Dirk, Van der, Belgium, SOC
OHLSSON Carina, Sweden, SOC
POURBAIX-LUNDIN Marietta, de, Sweden, EPP/CD
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SHERIDAN Jim, United Kingdom, SOC
STRÄSSER Christoph, Germany, SOC
SYDOW Björn, von, Sweden, SOC
VIROLAINEN Anne-Mari, Finland, EPP/CD
ZINGERIS Emanuelis, Lithuania, EPP/CD

Total = 20

1. ALDE: Alliance of Liberals and Democrats for Europe
EPP/CD: Group of the European People's Party
SOC: Socialist Group