

OPEN LETTER TO ALL PFDJ MEMEBRS

Introduction

This letter is a call for correction, a call for peaceful and democratic dialogue, a call for strengthening and consolidation, a call for unity, a call for the rule of law and for justice, through peaceful and legal ways and means.

For some time now, regular meetings [of the Central Council and the National Council] have not been held. Believing that the best way to resolve problems is through meetings and democratic dialogue, we requested twice through signed letters that President Isaias Afewerki, as chairman of the Central Council [of PFDJ] and the National Council [of the state], convene meetings of both bodies, but he twice failed to respond positively to our requests. Those of us who made these requests have, as responsible members of both bodies, now chosen to write this open letter to all members of the PFDJ.

Most of us have spent more than a quarter century in the struggle for independence, and many of us have at different times served our country at high levels of responsibility. We have witnessed and taken part in the bitter struggle of our people for liberation, and are now serving the Front, the State and the people as members of the Central Council (the legislative body of PFDJ) and the National Council (the legislative body of the State).

It is obvious that our country is in a crisis. This crisis is the result of the weaknesses of the PFDJ and the Government, and the invasion of our country by the enemy.

Our aim is to find remedies for the weaknesses of the PFDJ and the government so that people participate in discussions and decisions of important national issues to enable Eritrea to come out of this crisis, to pave the road for peaceful, legal and democratic transition to a truly constitutional government, and to establish guarantees for Eritrea to become a peaceful and stable nation where democracy, justice and prosperity shall prevail.

In the Eritrean reality, guaranteeing and consolidating internal democracy within the PFDJ is essential to ensure a democratic process of transition and the establishment of a democratic constitutional government; and our aim and message is this, and only this.

I. Experience of Eritrean People's Liberation Front

Before Liberation (1970-1991)

1. Background

The Eritrean Liberation Front (ELF), in its experiences from 1961 until 1969, was unable or unwilling to:

- Establish a clear national program,
- Form an effective strategy for liberation,

OPEN LETTER TO ALL PFDJ MEMEBRS

- Ensure and protect the human and democratic rights, unity and cohesiveness of the people and its army,
- Tolerate differences of views, and
- Adopt a participatory approach in the execution of its programs.

This created an internal crisis within the ELF.

As democratic resolution of the problem was denied, the EPLF was formed as a democratic alternative in order to confront the challenge effectively and to establish a free and democratic Eritrea through the consummation of a national democratic revolution.

2. Preliminary stage (1970-1976)

For those forces who later formed the EPLF, this was a stage of rejecting the negative experiences of the ELF, identifying weaknesses in their internal unity and in their capacity to effectively defend themselves in the civil war, and the promotion of the principles of democratic dialogue and peaceful resolution for secondary contradictions.

The doctrine that "the Eritrean field could not tolerate more one liberation front" was defeated. The bitterness of the civil war and the losses and setbacks it caused created a suitable environment for nationalist and democratic principles and practice, and led to the weakening of sub-national ideas and groupings, as well as undemocratic and corrupt practices.

Although the road to such an outcome was not always smooth and flawless, it led to the creation of the EPLF which in its congress in early 1977, came out with a clear political program, established strict laws to guide its practice, declared a strategy of people's war, i.e. liberating the land and the people step by step, introduced transparency and accountability appropriate to the stage of the liberation struggle.

3. EPLF until liberation (1977-1991)

- From 1977 until the liberation of Eritrea (1991), although it can not be said that the EPLF was perfect in its leadership and its organization of the people, or that its internal democracy equally satisfied all its members, not only its legislative and executive organs, but also its institutions which were governed by the conditions of the war were, in accordance with the constitution, transparent and accountable, and relatively satisfied the expectations of most members and the people.
- Even if there were some problems and certain people were occasionally mistreated mainly due to lack of proper management, the majority of the members of the front:
 - Believed that they played a part and contributed in all aspects of the struggle;
 - Had unity of purpose and action that astonished friend and foe alike;
 - Accepted organizational decisions and regulations not as edicts and decrees from

OPEN LETTER TO ALL PFDJ MEMEBRS

higher authority, but as their own decisions, which they executed with dedication;

-Had strong ties and unshakable faith in each other and the various levels of their leadership;

-Held meetings (admittedly not regular always and at all levels) to identify deficiencies and take corrective action, built on strengths, and used criticism and self-criticism as well as objective periodic evaluations;

-Strengthened the struggle by keeping secrets from the enemy while obtaining secrets from the enemy;

-Respected and cared for not only each other but also the people, listened to people's problems and tirelessly worked to solve them; and

-Above all else, were confident and ready for the highest sacrifice.

- Although not completely successful, the EPLF made an effort to work together with other liberation forces to achieve unity. At its Second and Unity Congress in 1987, it formed a broad national democratic front and decided that it will form a multi-party democracy in independent Eritrea.
- In order to defeat the colonizer, the EPLF made optimum use of its human, financial and material resources. It made accurate and objective assessments of itself and the enemy. It reinforced its strengths and corrected its weaknesses, while exploiting the enemy's weaknesses and trying to weaken enemy strengths. It did this without boasting and shouting, preserving its resources, and taking considered decisions of when to attack, when to defend, and if necessary, when to retreat.
- While no one denies that there were problems in organizing and mobilizing people inside and outside, there is no doubt that the EPLF:
 - Raised resoundingly the voice of Eritrean revolution around the world;
 - Reflected the Eritrean people's desire and longing for independence;
 - Raised expectations for a democratic Eritrea.

Until independence, the people had absolute confidence in the EPLF, EPLF members trusted their leaders, and the leaders equally put excessive trust in the General Secretary. All activities were based on trust and more or less family type style of work. Beginning the late 80's, however, absolute trust and the uncontrolled family type of work started to cause problems.

4. EPLF later PFDJ: After Liberation

A. Before Referendum (1991-1993)

From the time of liberation until Eritrea was declared a sovereign nation through the referendum, the EPLF had recognized itself as the Provisional (Interim) Government without making any changes, and ruled Eritrea as such. If it had any

OPEN LETTER TO ALL PFDJ MEMEBRS

difference with the pre independence phase, it is only that during this time, the concentration was on setting up government departments, implementing emergency rehabilitation and resettlement programs and preparing for the referendum.

- Although it was understandable that problems associated with transition would arise during the two-year interim period, no attention was given to handling veterans and the disabled, mass organizations and the people in general. Although problems and complaints were there, they were simply ignored and brushed aside as "results of loss of direction" instead of being handled seriously.

B. After Referendum (1994-2001)

1. Regarding the PFDJ

1.1. Its goals and plans

In its third congress held from 10-16 February 1994, the EPLF changed its name to Peoples Front For Democracy and Justice (PFDJ), and to reflect the new era, revised its programs and constitution and established a new national charter and a transitional constitution with the following tenets:

Vision: The establishment of a peaceful, just, democratic and prosperous Eritrea.

Vision goals: To ensure national harmony, political democracy, economic and social progress, social justice, cultural revival, regional and international cooperation and stability.

Principles: To be governed by national unity, active popular participation, the decisive role of man, social justice, self reliance, strong link between the leadership and the people

Core political program: To establish a democratic, constitutional political order that allowed pluralism.

Important issues discussed or decisions taken at different meetings of the Central Council of the PFDJ included the following:

The Eritrean Liberation Front (ELF), in its experiences from 1961 until 1969, was unable or unwilling to:

- At the second session of the Central Council (28-02-94), a proposal was presented for the Council to work through committees and to establish internal rules and regulations.
- At the third (26-08-94) and fourth (14-08-95) sessions, it was decided:
 - To identify and separate government assets and PFDJ assets;
 - That PFDJ businesses work strictly obeying the trade law and the laws of the market, and aim at helping the disadvantaged in our society;
 - To establish a trust (Hidri) to administer PFDJ businesses.
- At the fifth (25-03-96) and sixth (22-04-97) sessions, it was decided to postpone the holding of the fourth party congress until the first half of 1998, and a

OPEN LETTER TO ALL PFDJ MEMEBRS

preparatory committee was formed.

- At the eighth (29-01-00) and ninth (02-09-00) sessions, the following decisions were made after thorough discussion of the issues:
 - To form a body to study the structure and method of work of the government and the PFDJ;
 - Meetings of legislative and executive bodies to be held at regular intervals;
 - To immediately commence preparation necessary for the implementation of the constitution and to work in accordance with legal procedures;
 - To accelerate resolution of issues of land allocation;
 - To regulate and improve the salaries of military personnel;
 - That people's complaints should be heard and resolved;
 - Government media should be effective and invite wide participation;
 - PFDJ organization must allow wide participation as before;
 - Internal democracy in the PFDJ must be ensured;
 - To form a committee that would review in detail the conduct of the war with the Woyane as well as the peace process, and to advise the President on the same in the future;
 - To form a committee to study policies, decision making processes, method of work, distribution of authority, and accountability and control in the PFDJ and the government;
 - To form a committee to investigate allegations of violation of the rights of a Central committee member.

In addition, it was decided that the fourth congress be held within six months (Le. by 02.03.2001), and preliminary preparations were discussed.

1.2 What happened after all these decisions?

- Until now, the Central Council has neither internal rules and regulations nor committees to facilitate its work.
- Regular meetings of the Executive Committee (scheduled to be held monthly) and Central Council (scheduled to be held every four months) of the PFDJ have not been held. Since 1994, the Executive Committee should have met 84 times; instead, it met only 11 times. 73 meetings (Le. 86.9%), which should have been held, were never convened! In the three years of the war with the Woyane, the Central Council met only twice, both in 2000, instead of the scheduled nine times! As the Chairman decides on all matters between meetings of the Executive Committee and Central Council, he became the sole decision-maker as a result of these circumstances. The negative consequence of this became evident during the Woyane invasion. Transparency, accountability, democratic processes and participatory decision-making were abandoned.
- Traits that were instrumental to the success of our struggle for liberation like transparency, accountability and wide participation were slowly forgotten. Mismanagement in the affairs of the PFDJ and the government became worse and worse. Even at critical moments, people were sidelined. The confidence of

OPEN LETTER TO ALL PFDJ MEMEBRS

the people in the front, front members in the front's leadership, and the front's leadership in its chairman was shaken and diminished.

- On the basis of the constitution of the PFDJ, the Central Office of the PFDJ should administer the affairs of the Front, ensure the independent existence and continuity of activities of the Front, execute the policies, programs and decisions of the Central Council, and, through its Secretary, be accountable to the Executive Committee and the Central Council. The Central Office has, however, exceeded its mandate and interfered in the affairs of the government, and taken measures that weaken front and government institutions and institutional work in general. The Central Office has gone so far as to endanger the unity of the PFDJ and the people, as well as the security of the nation, by conducting a dangerous and malicious campaign, without the approval or knowledge of the legislative and executive organs of the front, against some members of the Central Council.
- Smear campaigns and name-calling have replaced constructive criticism and self-criticism. No periodic, objective and productive evaluations based on concrete realities and criteria are made; thus, it has not been possible to correct errors and consolidate strengths. The lack of concern for the common good, nurtured complacency and a "why should I care" attitude in others.
- The establishment of PFDJ business entities had an honorable purpose. However:
 - They lack transparency and accountability;
 - They don't follow legal procedures;
 - They are neither guided by a clear policy nor have professional administration;
 - They mix front and government businesses;
 - They have become vengeful enemies of and negative examples for private businesses instead of encouraging them through fair competition and partnership;
 - They are not run by a trust as decided by the Central Council, and they have never presented reports of their accounts to the Central Council as they should;
 - They have never been audited, and thus have never paid taxes to the government on the basis of audited statements;
 - Even if it cannot be said that they have done nothing good, they have lost credibility and goodwill among the people and front members.
- It was decided that the 4th congress of the PFDJ shall be held at the beginning of 1996, and if conditions did not permit, it would be postponed for a maximum of only six months. The fact that it has not been held up to now (2001) is inexcusable. Cognizant of this fact, the Central Council, in its 9th session, decided that the congress be held in March 2001, but none of the tasks (appraisals) that have to be done as preparation to the congress have been done, and the obstacles to its holding have become obvious.

OPEN LETTER TO ALL PFDJ MEMEBRS

2. Regarding the Government

2.1 The Goals and Programs that were adopted:

After the referendum, as it was not possible to establish a constitutional government before there was a constitution, it was decided that a transitional government be formed for a period of four years within which a constitution and all the institutions necessary for a constitutional government would be put in place. Conscious of the fact that the EPLF, even if it bore the responsibility of leading the struggle to liberation and sovereignty, should not form a government alone as before the referendum, it was decided to issue Proclamation number 37/1993, later amended as proclamation 52/1994 on 19-05-1993, delineating the structure, powers and duties of the government of transition.

- The Eritrean Government of transition would have legislative, executive and judicial branches, which provide checks and balances on each other. It would establish the rule of law, consolidate national harmony, uphold political pluralism and ensure transparency, tolerance and accountability. It would be free from corruption, and would develop a common national outlook. It would further develop, as guarantees for a democratic political order, a free and powerful judicial branch, a conscious civil society, a free, reliable, critical and responsible mass media, and other democratic institutions.
- As it was not proper for the PFOJ to form a government alone, half the seats of the National Council were set aside to be filled by representatives of the people elected to Regional Assemblies, while the other half were reserved for members of the Central Council of the PFOJ.
- The National Council was to have a life of no more than four years and meet at regular intervals of six months. It would elect the President, and approve or ratify the cabinet, government ministries, commissions, authorities and offices proposed by the President. It would review and approve the budget, development plans, proclamations and treaties proposed by the cabinet. It would establish and employ committees to oversee the drafting of the constitution, laws governing political parties, press law, and other laws necessary for constitutional governance. It was to be a legislative body with the highest authority of the government of Eritrea.
- The Cabinet of Ministers was to be accountable to the National Council, and work as the highest executive authority between meetings of the National Council. Its authority and duty was to run the government with collective responsibility, decide on the policy and size of the defense and security forces, direct and follow-up the implementation of political, economic and social policies. It would decide on issues related to foreign aid and foreign credit. It would hold regular monthly meetings.
- The President is accountable to the National Council, and is the Head of State and Commander in Chief of the Armed Forces. Besides representing the government in matters domestic and foreign, the President appoints diplomats,

OPEN LETTER TO ALL PFDJ MEMEBRS

delegates and emissaries, and he supervises, controls and coordinates the implementation of government policies and programs. In the absence of the President, the Minister of Regional Administration acts as President.

- The judicial branch is independent and free from the legislative and executive branches, and guards the rights, interests and freedoms of the government, organizations and individuals guaranteed under the law.
- The authority and responsibilities of each ministry, commission, authority and office of the state of Eritrea must be published in the legal gazette.
- The National Council, in its second session of 7.6.93, discussed the need for the establishment of Council committees and its own rules of procedure.
- During the third session of the National Council (2-4 March 1994), the proposed Constitution Commission, the Land Proclamation and the Cabinet of Ministers were approved. Even though the budget for 1994 was not presented, it was decided that starting from 1995, the budget would be presented to the National Council for approval.
- In the seventh session of the National Council (1-2 November 1995), restructuring of the Government;
- In its eighth session of 22-24 January 1996, the Press law;
- In its ninth session of 2 July 1996, the draft constitution were discussed and finalized.
- In the twelfth session of the National Council (1-2 February 2000), which followed the eighth meeting of the Central Council of the PFDJ (25-29 January 2000), the issues raised in the CC pertaining to the state were raised here too and discussed. The issues included, continued neglect of regular meetings, mismanagement in government, non-separation of authority between PFDJ and the Government, the need to address complaints from the public, the need to speed up the work of the Election Law Committee, steps necessary for the implementation of the constitution, and problems concerning the implementation of the Land Proclamation.

In its 13th session held 29 September to 2 October 2000, which followed the ninth meeting of the Central Council of the PFDJ, the National Council decided to form committees to make overall review of the 10 year performance of the government, as well as specifically of the third Ethiopian offensive. It also decided to form a military committee to review the organization and performance of the Eritrean Defense Forces and the peace process with Ethiopia, and to advise the president in these areas in the future. It further decided to hold national elections on the basis of the constitution no later than the end of 2001, and to declare the laws governing the formation of political parties. To that effect, a committee charged with drafting laws governing political parties was formed.

OPEN LETTER TO ALL PFDJ MEMEBRS

This committee was instructed to organize public discussions of the party law it drafted, review the views provided by the public, and bring its final draft to the National Council for approval.

2.2 What was done on the basis of the decisions above?

Even though a lot has been accomplished [during the interim period], much that was illegal and unconstitutional (we did have transitional constitutions for the PFDJ and the government!) was also done. Had this negative experience been avoided, it would have been possible to redouble our achievements and completely eliminate or reduce the problems we faced.

Our pre-independence successes were made possible because there was a very high level of motivation created by our collective responsibility and a very high level of participation. After independence, disillusion set in; and even if there was an attempt to dismiss it as "loss of direction", it was the result of abandonment of the above values and practices. "The president has no one to help him!" became a daily propaganda to blur collective work and individual responsibility. The democratic, participatory and institutionalized method of work we were used to was abandoned. Trust, cooperation and good will were eroded. Holding each other accountable and correcting errors disappeared. Let alone building on the strengths of the EPLF, it even became impossible to maintain what we had. The people's respect for and confidence in the PFDJ and the government slowly changed to doubt and fear. There are many valid reasons for this:

- The interim government, which was not to continue more than four years, has now been in power for eight years.
- Preparations for constitutional government have not been done, and continue to be deliberately delayed. These include:
 - Proclamation of the law governing political parties;
 - Proclamation of election law;
 - Formation of an Electoral Commission;
 - Revision of existing laws to ensure consistency with the constitution;
 - The ratification of regional and international treaties;
 - The establishment of committees of the legislative branch;
 - The establishment of internal rules and regulations of the legislative branch and their practical introduction;
 - The evaluation of the judicial branch;
 - The establishment of the Supreme Court;
 - Dismantling of the Special Courts;
 - Infrastructure for the offices of the National Council.
- The checks and balances between the legislative, executive and judicial branches are non-existent.
- The National Council has no committees or internal rules and guidelines. It does not convene every six months as scheduled. With the exception of the first Cabinet of Ministers it confirmed in its fourth meeting on 2-4 March 1994, it has never confirmed nor has it ever been consulted about all the ministerial changes

OPEN LETTER TO ALL PFDJ MEMEBRS

made since then. It has never been presented with regional or international treaties for its consideration. One of its main oversight functions over the executive branch is to review and approve the national budget, but it has never been presented with any national budget. In fact, since there is no budgetary law, the government has so far operated without any budgetary restraint, and continues to do so.

- The Cabinet of Ministers does not meet every month. From the scheduled 84 meetings, no more than twenty have been held. The cabinet has no system of checking and reviewing implementation of policies, decisions, laws and programs of the government and its agencies. The cabinet has not decided on issues relating to external aid and credit. The cabinet has not decided on the policy and size of the military and security forces. The cabinet has no coordinated plan or control of national security.
- The President has not convened the regular meetings of the National Council or the Cabinet of Ministers. He has interfered especially in the sensitive Ministries of Defense and Foreign Affairs, as well as other government agencies, preventing the creation of stable government institutions in the country. When overall restructuring was proposed and implemented in all ministries, he did not implement the reorganization plan in his own Office of the President. For no explained reasons and without the approval of the National Council, the President has changed, "frozen" and demoted Ministers. [In the past ten years after independence, 4 Defense Ministers, 5 Foreign Affairs Ministers, and 6 Finance Ministers have been change]. As Commander in Chief of the Armed Forces, he clearly has authority to direct the Ministry of Defense, but the President has directed subordinates of the Minister to report directly to him and has continued to bypass the minister to attend to minute administrative details in this manner. He has encouraged the direct interference of the Central Office of the PFDJ in government ministries thereby compromising their institutional integrity, and creating unnecessary confrontational tension and mistrust between the Central Office and the concerned institutions. Because of his method of work and his demeanor, he has lost the confidence of many front members and people.
- By taking illegal and unconstitutional measures, he has usurped the mandate of the committee entrusted to draft the law governing political parties, and has arbitrarily broadcast the draft election law and the draft party law, causing unnecessary delay. He has also trampled over other Central Council and National Council decisions.
- Because of the weaknesses of the legislative and executive bodies, the President has been acting without restraint, even illegally. Having been used to taking his unrestricted power for granted, he finds it unacceptable now when attempts are being made to have those bodies work properly as well as correct the weaknesses of the system. The President has become so accustomed to acting freely and as he pleased, he is rejecting democratic dialogue, refusing to convene legally required meetings.
- While the judiciary lacks adequate human and institutional capacity, instead of providing resources to build up its capacity, the President has created a competing Special Court reporting directly to him. People are being jailed for

OPEN LETTER TO ALL PFDJ MEMEBRS

years without the knowledge and agreement of the judiciary, and independence of the judiciary and rule of law are being violated.

- As no institution or plan for national security exists, the people have become victims of unexpected threats to its security. In the war with Ethiopia, even if the enemy did not achieve its maximum goal, the Woyane has occupied our land and inflicted incalculable harm on our people, economy and society. What happened has revealed fundamental weaknesses in the way we function which is in need of correction.

11. What Type of Crisis are we in?

A. What is the Crisis?

The problem is that the President is conducting himself in an illegal and unconstitutional manner, is refusing to consult, and the legislative and executive bodies have not performed their oversight functions properly.

The confidence of the general membership of the front as well as the general public in the leadership and the party has been reduced. This phenomenon has come as a result of alienation that accumulated over time, and it was highlighted as a result of the war with the Woyane and its disastrous consequences. People want a transparent, accountable, institutionalized and legal administration. The people are asking for past experiences to be objectively assessed, corrective measures to be taken, and on the basis of lessons learned, illegal practices to be discarded and correct and institutionalized practices developed to create an atmosphere in which confidence can be restored.

One side is saying:

- Human and democratic rights of citizens should be guaranteed.
- As there was in the defense of the sovereignty of our nation, let there be now too broad participation by PFDJ members and the general public in the appraisal and evaluation of past experiences.
- Let the PFDJ and the government take concrete measures to implement and guarantee their professed aims of establishing a constitutional government.
- Let a constitutional government be established through free and fair elections.
- Let differences inside the front and the government be resolved peacefully, democratically and legally.

The other side:

- Argues saying our professed goals cannot be implemented now because suitable conditions have not yet been created, and there is the danger of "sub-national sectarianism";
- Argues further that the we should not have an open discussion, assessment and evaluation because this could lead to a rift between the government and the people, and our enemies may exploit the situation;
- Characterizes any criticism as anti-front and anti-unity, and is quick to portray it as and equalize it with serving the enemy's agenda.

OPEN LETTER TO ALL PFDJ MEMEBRS

- Closes all legal avenues and forums for dialogue and shelves decisions that should be implemented;
- Is delaying the front's congress and national elections to perpetuate the existing order;
- Attempts to muzzle any serious views and opposition by instilling fear, and threatening to take illegal and undemocratic action.

After liberation, the people expected peace and improvement in their lives.

However, when the unexpected war with the Woyane came, the people, on top of all the sacrifices they made during the struggle for liberation, had to make heavy sacrifices again to defend their sovereignty, and now find themselves victims of heavier hardships and agonizing displacement. As long as the danger from the enemy was present, the people restrained themselves and chose not to speak loudly against government weaknesses and mismanagement. But instead of taking action to correct its mistakes, the government has tried to cover them up and to silence criticism by threats creating an atmosphere of fear and intimidation. The people have thus now started to express their concerns and speak out.

B. How can the crisis be resolved?

- When the President is ready to be governed by the constitution and the law, and when the legislative and executive branches perform their legal functions properly;
- When confidence is placed on the members of the front and the general public, and they are allowed to exercise their right to participate in open discussions of important national issues, and when the legislative and executive organs of the PFDJ and the government hold their regular and emergency meetings and exercise their powers;
- When the PFDJ's and the government's experiences of the past seven years are discussed and reviewed in open forums with wide public participation, and lessons learned are utilized for the future;
- When the law of party formation is proclaimed, and parties are allowed to form and are encouraged to compete peacefully and freely;
- When elections to the Fourth Party Congress are conducted freely and fairly, and the future of the PFDJ as a political party/organization, which must be governed by the same party laws to be proclaimed, is democratically decided at the fourth congress;
- When assurances are in place for free and fair national elections, and when preparatory steps (proclamation of election law, party law, and formation of electoral commission) for the elections are quickly taken;
- When the impartiality of the mass media is assured to encourage the protection of human rights, freedom of expression and political discourse; when the formation and freedom of action of civic organization are allowed and encouraged; when the Special Courts are dismantled; when those who have been imprisoned for a long time without a court order are brought before a regular court of law; when the independence of the judiciary is guaranteed;
- When participatory procedures are established to formulate clear and declared policies to address the gap in the standard of living, the lack of job and educational opportunity in different localities and communities.

OPEN LETTER TO ALL PFDJ MEMEBRS

III. Why this letter and at this time?

BECAUSE all legal means to resolve this crisis in the legislative bodies have been blocked, frustrated. The President has refused to convene meetings of the legislative bodies, but continues to express his views and taking illegal action. Front members have the legal right to know the current situation and to state their views and criticisms.

As the conduct of the PFDJ and the government deteriorated and became more erratic, particularly concerning the Weyane war and its consequences, an attempt to revive wider participation in decision-making, eliminate existing weaknesses and reinforce our defense was made at the eighth session of the Central Council (28-29 January 2000). At this meeting, the president was asked why regular meetings of the legislative organs were not held, and an impassioned demand was made to hold regular meeting on time in the future. The president, however, not only tried to present the unacceptable excuse that conditions were not conducive to hold meetings, but arrogantly added that he was not going to call meetings in the future either if he did not feel it was conducive to do so.

Since the Woyane was getting ready for its offensive, the issue was not raised at the twelfth session of the National Council to avoid giving moral ammunition to the enemy. The president however continued to take wrong, illegal and vengeful measures that could serve the enemy's purpose.

At the ninth meeting of the Central Council which was convened from 31 August to 2 September 2000 (after the third invasion), and to some extent at 13th session of the National Council, which was held from 29 September to 2 October 2000, the following were raised, among others. Genuine reviews to be conducted, to look forward and establish deadlines for holding the front congress and national elections, measures which are necessary preparation for such to be taken, and important issues requiring preparatory study to be studied. Since military and diplomatic efforts had to be strengthened, the Council also decided to form a military committee to do an appraisal of our record in these areas and to advise the president in the future. However, obstacles are being placed to block the implementation of any of these decisions.

In January 2001, the president, by way of the Central Office of the PFDJ, conducted a disturbing open smear campaign accusing high officials of regionalism and treason. Seminars were conducted that suggested there was a fifth column inside the country, that equated honest criticism with aiding the Woyane's agenda, and that threatened action would be taken against the targeted high officials. This was done to silence free expression and muzzle criticism, and to avoid proper evaluation. This disturbed and created serious concern among the people and members of the front.

Although the illegal and negative handling of the issue by the President and the Central Office of the PFDJ was provocative, we decided to avoid confrontation as there was as yet no guarantee for a peaceful end to the war with Ethiopia, and took the initiative to resolve the problem through legal means and dialogue. We started to consult with other members of the Central Council to ask for meetings of the Central and National Councils whose regular time was past due.

OPEN LETTER TO ALL PFDJ MEMEBRS

Upon hearing of our initiative, the central office of the PFDJ had circulated a letter (Annex 1), on August 7th 2001, threatening members of the National Council not to sign on a petition calling for a meeting of the National Council. We thought this action improper and were forced to counter with our own letter to all members of the National Council the following day explaining the situation (Annex 2). On 12-03-2001, the President rejected our request (Annex 3).

Copies of our letter of 20 February 2001, asking the President to convene meetings of the Central Council of the PFDJ and the National Council, which reached him on 13 March 2001 (Annex 4), his negative reply (Annex 5), our second letter again asking for meetings explaining the reasons for our call (Annexes 6 A & B), and the President's second negative response (Annex 7) are all enclosed with this letter. Legal requests received illegal responses, and our attempts to resolve problems through meetings and democratic dialogue, not only fell on deaf ears, but attempts were also made to mis-present it in an illegal and undemocratic way.

Thus, our efforts to amend and correct the mistaken path of the PFDJ and the government, our attempt to ensure a democratic transition to a constitutional order, our resolve to obtain these results through democratic and legal means at the leadership level has failed to bear fruit. Having no other means at our disposal, and rejecting resort to illegal means, we bring this open letter to you. We believe every member has the right to know about the crisis and our views on how to solve it. We believe every member has the right and the duty to know about the democratic solutions available, and we perform our duty in bringing this crisis to your attention in this open letter.

Just as we bear ultimate collective responsibility for our performance as leaders, we are obliged to bear equal responsibility for correcting our failures. Since our failure to lead properly has injured the people, we are prepared and determined to make amends and compensate our people by working tirelessly to build, in concert with other PFDJ members and the general Eritrean public, an accountable and responsible government in Eritrea.

If there is any accusation against any member of the Central and National Councils, from the President on down, then we support and believe, that instead of blackmailing, the accusation should be openly leveled at the subject member during a meeting of the appropriate Council, and if it merits legal action, for the appropriate court to handle it through due process of law. Every member of the Central Council of the PFDJ and the National Council must be accountable in the performance of his duties or his handling of financial records, and, as a public official, in his morality. We call for the creation of an independent body that includes members of the general public, to investigate every member.

If we do not take corrective action immediately but instead continue as we have been, then it is not hard to imagine from the experiences of the past ten years the devastating consequences that await us. We need act in concert to resolve our differences, to avoid our security being compromised and our internal unity is weakened, thereby exposing us to becoming victims of external forces. This is a serious national affair. Determined,

OPEN LETTER TO ALL PFDJ MEMEBRS

courageous, capable and nationalist Eritreans must play their role. Let them utilize their capacity to contribute their share to their country. Let us take practical lessons from the Woyane invasion. We should never risk compromising our hard won independence and making our fertile land barren. Time is passing, and our external enemies have not folded their hands waiting for us.

We shall continue our struggle to establish the rule of law. We shall continue to struggle to implement the sacred ideals and principles of the front and our national constitution. We shall continue to struggle using every legal and democratic means available. We have no ambition other than making these sacred ideals a reality. We take this opportunity to call on all PFDJ members and the Eritrean people in general to express their opinion through legal and democratic means and to give their support to the goals and principles they consider just.

Signatories:

1. Mahmud Ahmed Sheriffo

- Member of the Central Council of PFDJ
- Member of the National Council

2. Haile Woldensae

- Member of the Central Council of PFDJ
- Member of the National Council
- Ministerial cabinet member

3. Mesfin Hagos

- Member of the Central Council and the Executive Committee of PFDJ
- Member of the National Council

4. Ogbe Abrha (General)

- Member of the Central Council of PFDJ
- Member of the National Council

5. Hamid Hmd

- Member of the Central Council of PFDJ
- Member of the National Council

6. Saleh Kekya

- Member of the Central Council of PFDJ
- Member of the National Council

7. Estifanos Seyoum (B. General)

- Member of the Central Council of PFDJ
- Member of the National Council

8. Berhane GhebreEghzabiher

- Member of the Central Council of PFDJ
- Member of the National Council

OPEN LETTER TO ALL PFDJ MEMEBRS

9. Astier Feshatsion

- Member of the Central Council of PFDJ
- Member of the National Council

10. Mohammed Berhan Blata

- Member of the Central Council of PFDJ
- Member of the National Council

11. Petros Solomon

- Member of the Central Council of PFDJ
- Member of the National Council - Ministerial cabinet member

12. Germano Nati

- Member of the Central Council of PFDJ
- Member of the National Council

13. Beraki Ghebresslassie

- Member of the Central Council of PFDJ
- Member of the National Council

14. Adhanom Ghebremariam

- Member of the Central Council of PFDJ
- Member of the National Council

15. Haile Menkerios

- Member of the Central Council of PFDJ
- Member of the National Council

OPEN LETTER TO ALL PFDJ MEMEBRS

Introduction

I. Experience of the Eritrean People's Liberation Front

1. Background
 2. Preliminary stage (1970-1976)
 3. EPLF until liberation (1977-1991)
-

4. EPLF later PFDJ: After liberation
 - 4A. Before referendum (1991-1993)
 - 4B. After Referendum (1994-2001)
-

1. Regarding PFDJ

- 1.1 Its goals and plans
 - 1.2 What happened after all these decisions?
-

2. Regarding the Government

- 2.1 Goals and plans
 - 2.2 What happened as a result of the decisions above?
 - 2.2 What was done on the basis of the decisions above?
-

II. What type of crisis are we in?

- A. What is the crisis?
 - B. How can the crisis be resolved?
-

III. Why this letter at this time?

Annex one:

Annex two: three:

Annex four: five:

Annex six A, B:

Annex seven:

OPEN LETTER TO ALL PFDJ MEMEBRS

Translator's note

This translation is intended for those Eritreans whose command of written English is greater than their command of written Tigrigna. Those who are fluent in written Tigrigna are advised to refer to the original in Tigrigna. Apologies are due to all concerned for errors and misunderstanding arising in translation.

OPEN LETTER TO ALL PFDJ MEMEBRS

Annex 1

Peoples Front For Democracy and Justice (PFDJ)
Central Office

7 March 2001

Honorable Members of Central Committee
Peoples Front For Democracy & Justice

Based on information provided by some members of the Central Council, a petition calling for a meeting of the Central Council is going round to collect signatures from members.

Our transitional Constitution provides for an emergency meeting to be held where 2/3 of the members call for one. Even though this right exists, it has never been exercised in the past. Before such a step is taken, it is appropriate to ask the Chairman, directly or through the Central Office, to convene such a meeting. Prior to the distribution of the petition paper, an application for a meeting was not rejected. Even if there is no reason to collect signatures to call a meeting, it would have been proper for the members who have chosen to take this action to present it openly to all members of the Central Council. For this reason the current circulation of a petition calling for a meeting is out of order.

The Central Office of the PFDJ, with this letter, transmits this notice to members of the Central Council.

Signed (illegible)
Stamped

OPEN LETTER TO ALL PFDJ MEMEBRS

Annex 2

8-3-2001

Honorable Members of the
Central Council of the PFDJ

We refer to a letter dated yesterday, 7 March 2001, written under the letterhead of the Central Office of the PFDJ with an unknown signatory, and distributed to members of the Central Council. It states that, "certain members of the Central Council are circulating a petition collecting signatures to call for a meeting of the Central Council," and that this is "out of order."

This letter states:

- Our transitional Constitution requires the Central Council to hold an emergency meeting upon the application of 2/3 of its members;
- This right admittedly exists, but has never been used;
- Before such a step is taken, it is appropriate to ask the Chairman, either directly or through the Central Office, to hold a meeting;
- Prior to the distribution of the petition letter, a request for a meeting was not rejected;
- There is no reason to collect signatures and to call for a meeting;
- It would have been appropriate for the members who have opted to take this action, to present their request openly to members of the Central Council.

The letter declares that the Central Office of the PFDJ is issuing this notice because the current circulation of a petition calling for a meeting is out of order.

We, the undersigned members of the Central Committee are some of those who have been meeting and talking quite openly with any member of the Committee calling for a meeting of the Central Committee. Because based on the constitution of the PFDJ the meeting is overdue, because there are urgent situations regarding our unity and security as a people and a nation, because it is our public and national duty and responsibility, and because all responsible members of the Central Council, cadres and members are eagerly awaiting that the unity of our people and the security of our nation are safeguarded.

1. Based on our constitution [PFDJ transitional Constitution], between the regularly scheduled meetings to be held every 4 months, it is mandatory to hold an emergency meeting if 2/3 of the members call for it. This is a right guaranteed by our struggle, not a right to be begged for or handed out. The letter, while it admits the existence of this right, claims that we have never exercised it in our history. It is true that because of innocent trust in our leadership and its central organs, and because to a certain degree collective participation and understanding existed on many issues, meetings were not held as scheduled, and obviously it cannot be said that problems were not created as a result. This was not only wrong, but as genuine trust was betrayed, collective action was abandoned, and collective understanding was eroded, no one can deny that the negative consequences have continued to grow.

OPEN LETTER TO ALL PFDJ MEMEBRS

To say that we should not use a right because we have not exercised it in the past, however, is failing to learn from past experience, only looking backward, not to know your realities, and to fail to look forward and to building a responsible and accountable government in the future. Innocent trust cannot be exploited forever.

At the January 2000 meeting of the Central Council, the argument that meetings should be held as scheduled and the consequent holding of the follow up meeting of the Central Council on time was a step forward, and it is a fact that this permitted the discussion of some issues on a timely basis. At that meeting, a call to hold all future meetings on time was made. What is being requested now is convening a meeting that is overdue, and that does not require a call by 2/3 of the membership. This is a right of the Central Council and not a gift from someone or other. This is not something that should be cancelled because it is problematic or inconvenient for the Chairman of the Central Council. If the time for the regular meeting is up or past, a call for the chairman to convene the meeting can be oral or written, made individually or collectively. Because it is a legal right. There is no reason or obligation that the request be made through the Central Office.

2. The letter states that there is no reason to collect signatures to call for a meeting. This is an extremely regrettable and irresponsible statement. In spite of the fact that the campaign by the Central Office in January 2001 among PFDJ members (and the general public) caused major upheaval and concern on the one hand, and provided the enemy with moral ammunition on the other, the Central Office fails to recognize the importance of calling an emergency meeting of the Central Council to safeguard the unity and the security of the nation, although the due date for the regular meeting is long past. Maybe the Central Office did not want to.

This illegal and irresponsible smear campaign by the Central Office of the PFDJ, which contradicts the discussions and decisions passed at previous meetings of the Central Council, which is unknown to and certainly not a decision of the Executive Committee of the PFDJ, which has been kept secret from members of the Central Council, which can divide the nation and create chaos, which can destroy the people's hope of restoring their lives after the damage they have sustained, which appears aimed at controlling the preparation for elections at any cost, which has seized the authority of the Central Council and the Executive Committee of the PFDJ, and prevented them from performing their constitutional duties, which is being conducted in a manner devoid of national responsibility by the Central Office of the PFDJ, has created an undeniable political crisis, for which responsibility must be borne.

Not only for those responsible members of the Central Council who care about the unity and security of the nation above all else, including above holding office, but also for any Eritrean nationalist, the need, reason and urgency to convene the meetings is obvious and they are anxiously awaiting them. To state that there is no reason for convening meetings is to choose chaos, regardless of its consequences, instead of solving problems legally in constitutionally mandated meetings.

3. The letter states, "It would have been appropriate for the members who have chosen to take this action, to openly present it to members of the Central Council."

OPEN LETTER TO ALL PFDJ MEMEBRS

- Was it not clearly stated at the January 2000 meeting of the Central Council that henceforth all regular meetings would convene on time?
- Has four months not elapsed since the August 2000 meeting of the Central Committee?
- Had the date for the regular meeting not arrived or passed when the Central Office commenced its irresponsible smear campaign?
- After the irresponsible smear campaign, didn't members of the Central Council as well as cadres and other members of the front express their concern and openly declare their support for a resolution of this issue at a meeting of the Central Council?
- Aren't those members of the Central Council calling for a meeting, conducting their contacts with other members openly?
- If there is an issue a member wants to communicate with other members of the Central Council, other than meetings of the Central Council, or the Central Office wills it, is there any way or means (Magazine, Radio or other communication device etc ...) to do so?
- Is it illegal to call for a meeting of the Central Council when the due date has elapsed or when there are problems? Is trying to hide reality openness, or is openness calling for a meeting whose due date has elapsed and which is desperately needed to solve problems?

Finally, the set date for the meeting of the Central Committee has come and gone (two months have passed). There are important situations requiring a meeting, and the right to call for a meeting is in order. It is a right that cannot be revoked by any hapless posturing of the Central Office of the PFDJ. The responsibility entrusted to us by the PFDJ and the people demand it, and we would like all members of the Central Council to know that, along that of others, our call for an urgent meeting of the Central Council also remains in place.

If we do not get a positive reply, after a limited period, since we have no open access to the mass media which is in the hands of the Central Office of the PFDJ, in order to fulfill the responsibility and trust placed in us by the front and the people, we shall be forced to express our views openly to the PFDJ membership and the general public. We shall not be responsible for the consequences.

Name	Signature
1. Mahmoud Sherifo	Signed
2. Haile Woldensae	Signed
3. Petros Solomon	Signed
4. Mesfin Hagos	Signed
5. Ogbe Abrha	Signed
6. Berhane Gerezgiher	Signed
7. Saleh Kekia	Signed
8. Hamid Hmd	Signed

OPEN LETTER TO ALL PFDJ MEMEBRS

Annex 3

The State of Eritrea
Office of President

Date 12.03.2001

Sherifo (Mahmud)

This morning you sent me a letter with signatures. If it is for my information, I have seen it. In general, I only want to say that you all are making a mistake.

OPEN LETTER TO ALL PFDJ MEMEBRS

Annex4

Date 20-2-2001

To the Honorable Isaias Afewerki
Chairman of Central and National Councils

The date for the regular meetings of the Central and National Councils have passed, and in addition, there are issues (situations) that call for an emergency meeting. We, the undersigned members of the Central and National Councils thus request that you convene the meetings shortly.

Victory to the Masses

Full Name

- | | | |
|-----|-------------------------|--------|
| 1. | Mahmud Ahmed Sheriffo | Signed |
| 2. | Haile WoldeTensae | Signed |
| 3. | Petros Solomon | Signed |
| 4. | Mesfin Hagos | Signed |
| 5. | Ogbe Abrha | Signed |
| 6. | Illegible | Signed |
| 7. | Saleh Kekya | Signed |
| 8. | Hamid Hmd | Signed |
| 9. | Alamin Sheik Saleh | Signed |
| 10. | Estifanos Seyoum | Signed |
| 11. | Berhane GebreEghzabhier | Signed |
| 12. | Astier Feshatsion | Signed |
| 13. | Mohammed Berhan Blata | Signed |
| 14. | Germano Nati | Signed |
| 15. | Musa Rabaa | Signed |
| 16. | Nati Ibrahim | Signed |
| 17. | Beraki GhebreSlassie | Signed |
| 18. | Adhanom GhebreMariam | Signed |
| 19. | Haile Menkerios | Signed |

OPEN LETTER TO ALL PFDJ MEMEBRS

Annex 5

The State of Eritrea
Office of President

Date 13.03.2000

Mahmud Sherifo

Again today you have sent me another letter. I have seen it. I repeat, you are making a mistake.

OPEN LETTER TO ALL PFDJ MEMEBRS

Annex 6a

20.03.2001

To: Honorable Isaias Afewerki
President of the State Of Eritrea

Subject: Request for meetings of the Central Council and National Council
Those members of the Central Council and National Council who previously sent a request for meetings of the Central Council and the National Council accompanied with their signatures, are not satisfied with your response of: "You are making a mistake". We say there are problems that should be solved in meetings, and steps that need to be taken urgently to guarantee a democratic transition to a constitutional order. Now again, we ask you to convene the meetings, whose mandatory regular dates have already passed, within the month of March.

We are sending, as an attachment, a document describing the problems we see and the solutions we expect.

Victory to the Masses!

Those members of the Central Council who previously sent a signed request.

OPEN LETTER TO ALL PFDJ MEMEBRS

Annex Gb

Problems that have been created and their solutions

Eritreans living inside and outside, initially to make independence a reality, and when the war with the Woyane erupted to defend national sovereignty, enlisted their beloved children with their blessing, gave their money, property and labour with complete dedication to their country. Their goal was, not only seeing an independent Eritrea, but also to see the unity of the people assured, with all around equality and social justice, with public accountability and with peace and harmony. However, the general public and front members are not satisfied with the leadership and management of the front and the Government. The illegal and irresponsible seminars of the PFDJ Central Office and the inexcusable steps being taken by the President are creating not only concern, but may also create harmful consequences.

There are attempts, in some quarters, to explain these problems as results of frustration caused by the war with Woyane. However, these problems started largely after independence, especially after 1994, and accumulated thereafter becoming worse, until at the time of the war with Woyane, these problems put the nation's existence at risk. The problems are that legal and institutional methods of working, collective decision making in important issues, accountability and democratic management became slowly weakened and diminished. Mutual concern, respect and trust disappeared; the powers of legislative and executive bodies were usurped.

In order to solve these problems and to guarantee transition to a constitutional order, the meetings held in January and August-September 2000 addressed these issues and made important decisions. However, later on, the decisions were twisted, misinterpreted and shelved. Observing the danger in this crisis, concerned members of the Central Council, without being tempted into a tit for tat, presented their request for already late, legally mandatory meetings of the Central & National Councils. But this was rejected. While a legal and responsible request was rejected, the misguided seminars of the Central Office of the PFDJ, which had no blessing of the Executive Committee and Central Council, had found full support from the Chairman, and thus the crisis has reached a dangerous level where it is liable to explode.

Intentions of taking illegal and unnecessary action are being hinted, but these problems cannot be solved except through peaceful, democratic and legal discussion and understanding. As such, even now it is still necessary to convene emergency meetings of the Central and National Councils, and the following issues should be discussed and action taken on them:

1. Legislative branches should perform their proper function and confirm their oversight responsibility over the Executive branch;
2. Meetings of legislative branches should be held at regular times and whenever emergency meetings are requested;
3. The seven year experience of the PFDJ and the Government need to be evaluated objectively to become starting points for the front's congress and the

OPEN LETTER TO ALL PFDJ MEMEBRS

constitutional government to be established after elections; conditions and forums for open and free discussions should be created, and committees that are accountable to the Central and National Councils should be established to conduct the discussions.

4. Draft legislation for elections and political parties, as permitted by law, need to be provided for discussion by the people. The respective appointed committees should gather opinions on them, and the finalized drafts brought to the National Council for ratification.
5. Elections for the front congress and the constitutional government must be free and fair. Guarantees that the Election Commission shall be impartial must be provided.
6. In order to respect human rights and freedom of expression, the Special Courts, as well as the "Investigation Committee" illegally formed by the President, must be dismantled. The letter and spirit of the Press Law must be respected; the independence of the judiciary confirmed, and the government must operate under a declared and open annual budget.

If this is not done, we shall officially declare that we are unable to properly perform the duty entrusted to us by the members of PFDJ and the people, and we shall be obliged to decide not continue being tools of this incorrect administration.

OPEN LETTER TO ALL PFDJ MEMEBRS

Annex 7

The President

Date 29.03.2001

From: PI Isaias

To: Sherifo

Hour: 10:50

N. I.: A290301.RTF

- I have, this morning, received and seen the letter you sent, dated 28/3/2001, in the name of those members of Central Council who had previously signed a request.
- I do not want to go into its false and baseless content and say anything.
- Because I have chosen to be tolerant, I will patiently avoid any invitation to an argument.
- But if by continuous provocation, you want to escalate problems by exaggerating non-existent issues, it is your choice.
- Again I ask you to refrain from this mistaken path and come to your senses.

OPEN LETTER TO ALL PFDJ MEMEBRS