

The Infringement of Eritrean Sovereign Legal Right By The Anti-Eritrean Unity Speakers (Part 1)

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September 4, 2015

The Tireless Anti Eritrean Unity Speakers, Infringing on the Eritrean Sovereign Legal Right pictured below



“Why are the Eritreans in the Diaspora unable to deter this perplexing question “?”

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ANTI- ERITREAN UNITY SPEAKERS**

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October 4, 2015

U.S.A

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1. INTRODUCTION

At Meskerem Website, posted on 8/25/2015, I read an upcoming event, which was held on 8/29/15, featured 21 speakers who came to Oakland California; delivered a rally speech for Anti National Eritrean Unity.

Do you think these people will supposedly offer us an alternative to statehood better than what we have, achieved through our revolutionary and culturally driven National Unity?

After we paid with 100,000 lives and other war victims with over 60,000 were disabled and all these cruel acts that went on for 30 years first by Haile Sellassie and later by Mengistu that were waged against innocent Eritrean civilians. It is still fresh in our mind to remember the atrocities such as carpet bombing of the towns of Nakfa, Afabet, Massawa and Baraentu; the breast cutting of Eritrean women that went on for years; the thousands of Asmara citizen that were strangled with piano-wire in the city streets; the massacre of religious people in the church compound of the Woki Duba village; the over 400 villagers of Sheeb that were forced to lie down at gun point in the farm field and were rolled over by brigade size tanks, all were innocent villagers. Without going on to other similar atrocities. Within these 30 years war Ethiopians and Ethiopian soldiers killed upward of 500,000 innocent Eritrean fathers, mothers, brothers and sisters [1]. But at the end of the day:

THE EPLF/PFDJ BESTOWED UPON US THE RIGHT TO GOVERN OVER OUR NATIONAL TERRITORIAL BOUNDARIES.

Again, all Eritreans should ask this question:

How is it going to benefit us to hear a speech that glorifies the up-rooting and disposing the PFDJ who obtained our legal Nationhood status?

How can we forget our own history?

Do you think the mistake we are making today can have lifelong negative impact on us and our future coming generation?

The PFDJ is our defenders, liberators, carry out the promise of our martyrs, Nation builders of today tomorrow and into the future.

The commentary of Meskerem Website also indicated that the emphases of the conference may be dedicated to discussions on the old rhetoric of condemnations, demonization, and black mailings to the PFDJ and to manufacture unsubstantiated lies that supposedly will be used against the Eritrean Government. Their resolution is as usual to cry out loudly and beg the UN to slam Eritrea with even more sanctions including “**Regime Change**” effective immediately.

Based on their previous track record, they have always given out a deviant advice which has never benefited the people of Eritrea domestically or who are living abroad. These traitors have been preaching to many Eritreans: That all Eritreans have the **right not** to support the current National Government of Eritrea; instead, their speech is implying: That the Nation of Eritrea is collapsing and that all the citizens of Eritrea prepare to hand over governance to these Anti Eritrean National Unity speakers. These implications have been expressed by some of the featured speakers and can be viewed on YOU TUBE and other Websites. For example:

(a) Andebrhan Wedegirgis in video stated: “Eritreans and Ethiopians are the closest people in Africa and have many common strategic interest. Their differences can be resolved with reconciliations through a mechanism of Cultural Diplomacy and Classical Diplomacy” [2].

(b) Dr. Bereket Habte selassie, in video stated that: “I have been in Ethiopia and Ethiopia and Eritrea have the same history and culture and he emphasized it by saying that we (means all Ethiopians and Eritreans) are all Ethiopians; my wish before I die he said: “that Eritrea and Ethiopia will come back together” [3]. There, this reminds us about Professor John Spencer, the foreign policy legal advisor of Haile Sellassie who worked very hard for 40 years; he was the main advisor for the acquisition of Eritrea via the United Nation. There is similarity of Dr. Spencer’s negative impacts on Eritrea with Dr. Berekt’s intention to follow Dr. Spencer’s Doctrine that is continuously harmful to Eritrea to this day. Dr. Bereket made the Eritrean Government legally liable to fulfill the requirement in the constitution he drafted and yet he is in contempt by not telling the truth for the job he did and called his service that he was the **handmaiden** of the constitution not a “**principal author of the Constitution,**” but records show that he was the “principal author of the Constitution,”. Having said that, the main source that triggered the UN UPR (Universal Periodic Review) went into investigating deeply pertaining to the human rights records in Eritrea was due to the statement in Article 19 (2) of the 1997 unimplemented Eritrean constitution that states: Freedom of Expression without any legal obligation to the general public at all. Since the job of the UPR is to investigate human rights situation in Eritrea that written blanket statement made the nation of Eritrea liable and allowed the UPR to further investigate to the point of the overall governance of Eritrea. For example in the unimplemented constitution, Article 19 sub (2) states: *Every person shall have the freedom of speech and expression, including freedom of the press and other media.* Let us ask ourselves how does this benefit us and under what conditions, limitations, administrations or financial constraints to have all these freedoms. Don’t you think that there must be obligations to follow and that are fixed by law?

Now, let us compare with the best constitution in Africa of the Republic of South Africa, 1996 - Chapter 2: Bill of Rights’ it is stated:

Freedom of expression

- 1 Everyone has the right to freedom of expression, which includes
 - a. freedom of the press and other media;

- b. freedom to receive or impart information or ideas;
- c. freedom of artistic creativity; and
- d. academic freedom and freedom of scientific research.

2. The right in subsection (1) does not extend to

- a. *propaganda for war;*
- b. *incitement of imminent violence; or*
- c. *advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm.*

Let us even compare with UN freedom of Opinion and expression

[Article 19 of the Universal Declaration of Human Rights.](#)

The right is enshrined in **Articles 19 and 20** of the [International Covenant on Civil and Political Rights:](#)

Article 19

- 1. Everyone shall have the right to hold opinions without interference.*
- 2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.*
- 3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:***
 - (a) For respect of the rights or reputations of others;*
 - (b) For the protection of national security or of public order (order public), or of public health or morals.*

Article 20

- 1. Any propaganda for war shall be prohibited by law.***
- 2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.***

This is apparent that article 19 (2) is construed and this the beginning to review all the 59 articles to make sure that the nation of Eritrea's legal sovereign right is protected and the citizens are benefiting legally.

From these circumstances arise, the author is fully convinced that the messages of these political speeches are not geared to be inspirational talk to Eritreans, but designed to create divisions and to cause self destructions to the overall Eritreans society. The question to ask by any concerned Eritrean is:

Who are these people? What are their motives and intentions for Eritrea? Will they really benefit the people of Eritrea?

We already have forgotten that like Andebrhan Weldeghergis has formally served at a high level within the government and the result was disastrous by him becoming abusive that no one was able to work with or under his supervision. That is why the government was unhappy of his performance and relieved him of all his duties. Again let me ask this question:

Do they have none deviant intentions for the unification of the Eritrean people within the sovereign legal boundary of Eritrea so that Eritrea could remain politically stable?

1.1. The Origins of Misinformation

Warsay-Yikaalo Project

Some Eritreans have been confused by Andebrhan and Dr. Bereket misleading information such that: Dr. Bereket's advocacy for the construed constitution that he drafted as the chairman of the constitution committee and he is again telling us that the answer for Nation building is not the Eritrean Government program of Warsay-Yikaalo, these are slave labors but, the alternative is through the flawed constitution which was designed to give unnecessary liability to the Government of Eritrea to fail in the first place, (We will go into in depth analysis how each article of those 59 have been construed at different time). The Eritrean Government initiative for development is planned at National level started and interpreted realistically at the sub-regions within each region (Zoba), including military

conscription and national building mass schooling and involving National political teachings not propaganda but based on real world experiences and building major infrastructure development, building bridges and Dams with fantastic engineering skills to foster social harmony and economic development.

Is this the kind of program that sounds like Eritrea is using slave labors?

In fact Dr. Bereket's assertion to this effect he said: The youth of Eritrea are in **Sawa** which is an **"open prison"** [4]. This is a typical response from a Social Justice ideological followers to "mislead" because Social Justice in its educational curriculum has a history of efforts to "promoting justice, on the one hand, and become an instrument of colonialism and oppression on the other hand" (IMF, World Bank) of many people around the world [5]

2. THE DISCLOSURE OF SOCIAL JUSTICE IDEOLOGY

When these men spent so much energy for the sake of undermining our current government, they are asking us for our consent to give them legitimacy as authority for the governance of Eritrea. By doing so, then they will have the **right** to sell the country to the waiting buyers who are: the Woyane of Tigray and others in turn they will sell it to International Financers who are led by Social Justice Ideology. In time like this it is not uncommon to observe people engage into **wheeling and dealing** like the Human Traffickers do which some of the speakers are currently engaging in right now. We are also observing some people who were die- hard followers of PFDJ that have betrayed the Nation of Eritrea.. **How and why is this happening?**

2.1 Army struggle to Independence by Transitions

This paper addresses the obstacles of what we are facing from our post war economic and civil recovery. We have to realize that the EPLF/PFDJ army struggle was constructed based or shaped by their **original version of Social Justice Disciplines** which has being at the core of their activities. Since, Social Justice is very difficult to define it; Eritrea had its own version of

it, defined, interpreted and documented in the PFDJ Charter. Today we are being confronted by Social Workers who are financially motivated people who believe they are promoting justice on one hand, and on the hand become an instrument of promoting deviant ills to produce anti social behavior to the detriment of our Eritrean Society. Every negative activity that we observe today happening to Eritrea is due to the teaching of Social Justice Ideology for misleading information coming out and being disseminated by these anti government speakers.

Economic and Social costs of Eritrea

Based from the perspectives of my back ground able to observe all the ill will rhetoric's by the anti Eritrean Government speakers, I could say that, they have very much negatively impacted the anticipated economic growth to the Eritrean Government developmental progress and now they even preparing a secret false information for lobbying the UN Security Council in order to vote in line with their wishes against the government of Eritrea. These directives by the way, they are coming to them through their **Command Center** who is in this case the International Financers for their cause.

Criminal Activity: I will show the method that was used by the International Financial Donors and educate and direct their Agents (meaning the anti Eritrean Government) to act according to this "Deceptive Mandate" which is: to mislead and take advantage of the unaware, less informed and less educated Eritreans. In so doing, the biggest obstacle they have encountered is the president himself. That is why they have been addressing him with demonization the kind of hate that originated from the social justice Ideolog who are misled to mislead and the rest are following just from hearsay. The main reason of their despicable act against this man whom I consider him the "Lion of Sahel" is to isolate and separate him from the Eritrean general public. The application of their evil intentions can be compared with the old saying that goes; "cut the head off a snake and the body will follow" in order to assure success. This wishful deceptive acts and practices or misleading have been going on by these traitors for such a long time and by following their steps, we are able to hit the **Nerve Centre** of these highly centralized bank of lies that include false oral or written representations against the Government of Eritrea; including the stamping out Eritrea as if it is a **North Korea of Africa**. Here. I am laying out measured answers as to the consequence of how the concept of their

misleading rhetoric is transforming and being applied:

1. The nerve center of these evil operations has been working for many years to teach some Eritreans and none Eritreans through hidden mechanisms of the **Social Justice Ideology taught and empowered by highly educated professors from different Universities**. These professors are now advocating the importance and indispensability in protecting human being globally against any violations in their human rights. They take full advantage of countries which have no deep knowledge of their basic **sovereign legal rights**. Nation states have become more interdependent than ever before and are constantly developing their relationships with each other by means of treaties. In the period from 1945 to 21 May 1996 the United Nations, to which all treaties should be notified, had registered no less than 32516 treaties. Every such instrument affects, to a greater or lesser extent, the freedom of the parties to the treaty. This is how **national sovereignty** is compromised by international agreements. In Eritrea's case, its Sovereignty is compromised at the doctrine level by powerful and persuasive ideas such as Universal Human Rights. Declaration by the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms (Council of Europe 1950) are promised on the view that human rights transcend **national boundaries**. The European Convention opens up the possibility that citizens can take their own governments to the European Court of Human Rights. No matter how they try to construe the definition of sovereignty, the appropriate **definition of the rights and freedoms of national authorities, Nation states still matter** they are the sources of power with which most people readily identify. **Power becomes meaningful only in reference to sovereignty**. Moreover, terms like community obligation legitimacy, authority, state government and constitution ...all are integrated and made coherent by the concept of sovereignty. It is a unifying theory, not a simple description. It is a doctrine which deals with facts of political life, and not fantasies. There is always big misconception about the Social Justice (Social Workers) that they try to downplay without ever fully disclosing the negative impacts prior to implementing their plans such as: They work very hard to get the opportunity to write the School Curriculum to introduce "deviant life style to the children's developmental program" or the over emphasizing about "women's empowerment" and the opportunity to eventually get their hand onto the Constitution. Their supposed academic teachings are misleading teachings by introducing "preferential of justice" that benefits "the right of LGBT"

who are conducive for separatist movement and easy governance. They use **Soft Power** (the ability to shape the preferences of so called disadvantage and is done through appeal and attraction and talk of **open mindness**, social sympathy talk, through educational curriculum, empowerment and material exchanges) in order to softly put their legally binding phrases in to the constitution of the country. They will educate and influence the society to get the acceptance of their deviant life styles with implications to follow for implementation in the constitution of the targeted country before they got entangled with the legal awareness of the people and issue of **state sovereignty. We know that State sovereignty cannot be violated without legal recourse to the UN charter and its mechanisms as it is currently stated.**

In a true sense this was the underline main empowering reason why the UN Human Rights Special Rapporteur have been **assigned (sent)** to Eritrea, Ms. Sheila B. Keetharuth (Mauritius) who undermined and accused the Government of Eritrea as a Human Rights violator through her fabricated and illegal data gathering method on human rights abuses to frame Eritrea as a violator and she even challenged the government of Eritrea sovereign legal right including their internal administrations. First she labeled the Government of Eritrea as a Human Rights violator and then she accused them for **bulldozing** houses inside Eritrean Cities even though she knew that those houses were built with illegal building codes and no building permits in the first place. She has been enlightened and empowered by the Social Justice Ideology that made her even up to ignore the **world opinions and ignore the country's city planning/zoning ordinance legal requirements, securities laws and again even ignored Eritrea's legal sovereign right.** She has been acting as a prosecutor or someone above the law completely out of her mandate that she was supposed to follow the proper instruction of the UN proper protocol. The impact of the Social Justice ideology when drilled into the peoples mind can have profound negative effect into one's actions then influences interpersonal beliefs, which in turn influence goals and actions. Due to these beliefs, one of the well known public Anti Eritrea National Unity speakers, Dr. Bereket, stated that Eritrea is a "**Failed Nation**" that is why he named his book "Wounded Nation".

Is there any difference between state building and nation building?

Simon Chesterman in his book state building and International Law- University of Westminster uses only the term state-building, [5]

*Francis Fukuyama acknowledges in his book. That there is a distinction between **State-building and nation-building** but his usage of both terms would suggest that he regards **nation-building** as a term employed in the Language of politics describing what he – in academic discourse – calls state building. [6]*

2. Now, let us examine the hard-earned development of Eritrea through working on projects of Warsay-Yikaalo for Nation-Building of the State of Eritrea which are planned and responsibly managed by the PFDJ Administration. To understand why Dr Bereket improperly labeled Eritrea is as a “failed nation” is utterly false, and he said it only to score a political advantage not for Eritrea’s well being. But in due time, the consequence will be accounted to his own credibility. The truth is: The government is still delivering goods and services to its people despite of the economic hardships imposed on Eritrea through UN sanctions and being supported by these traitors. They didn’t even show any disheartening feelings or dismay when the Woyane and the UN Human Rights Commission infringes on the Eritrean people’s rights. For example, no body from the featured speakers ever mentioned or says a word when Ghebru Asrat made a claim that: “Eritrea is legally binding to Ethiopia.”[7] (Which I addressed in my post titled “Ghebru Asrat, is intentionally misleading the Ethiopians about Eritrea which is available on line).

3. No matter what may have happened in the past or happening presently, let us refresh our memories about the tremendous resilience exhibited by the majority of our people during this testing period. The effect of sanctions normally attacks the morality of any nation but when it comes to Eritrean people, we are witnessing that these economic hardships have been looked as a common cold which will be disappeared or transform into economic hardship. That is why they feel that it can be beaten up in a very short period of time. These traitors thought their mission have reached its overall goal and success by watching the pain and misery of their fellow citizen drowned into the sea and lost their precious lives. They even called it successful accomplishment by doing nothing again and again when Eritrean people leaving their homeland in thousands trying to reach Europe, USA or Far East as a promise land in a steady stream. These are happening, because again of the misleading information given out by the enemies of Eritrea and eventually reach to some countries like USA who has minor misunderstandings with

Eritrean Government and that can affect their foreign policy. The typical misinformation in this case was: “Any Eritrean leaves his/her country will be rewarded with citizenship in another country.”

Who did you think created these mess with such malice and evil misinformation?

Despite all these obstacles, the Eritrean Government is doing its primary job with extreme integrity considering its limited income but still providing education, security and reasonably good infrastructure, constructing dams for irrigation and water supplies that promotes individual’s rights to a healthy prosperous but non **deviant society** full of life and happiness.

3. ERITREA IS NOT A FAILING NATION

There is a need to challenge those people who are spreading false news such as “Eritrea is a failed nation” and I would like to prove them that they are wrong. Let us start to identify the relative strength and weaknesses of our government. According to: ROBERT I. ROTBERG, in his book “Failed States, Collapsed States” indicators. [8] I have used some of the likelihood indicators and some from my background knowledge that could apply to Eritrea as measuring criteria. First we have to look into the indicators that could influence the State of Eritrean Government potential weaknesses leading to government failures.

Do we have problems that are out of control and can be accounted to Government Failure?

(a) Whenever there is government failure the first thing noticeable event is the stress level of the nation which would likely to break down into **chaos** and the enemies of Eritrea are always wishing for. But we are observing that there are no disharmony or friction between ethnicities, what we are witnessing, Eritrean people are happy and enjoying their Festivals and Holidays together with no difference throughout our history of 24 years of independence either living domestically or abroad.

In fact the traitors have used criminal tactics to disturb us at our meetings, festivals,

seminars and they even damaged our cultural Eritrean Community Centers (buildings), as well as attempted to assault our Authorities.

- (b) The government has full ability to control or defend our borders and the entirety of our territory.
- (c) There is no growing of criminal violence in Eritrean cities. There are no vivid corruption institutions such as (Organized Crime, Trafficking Drugs, and Trafficking People) in all Eritrean Regions. (ZOBA).
- (d) There are no decaying infrastructures which are neglected throughout Eritrea.

At this moment my humble statement is: We are facing:

The evilness of the Woyane and the anti-Eritrea members of xxx organizations will continue their sabotages against the Government of Eritrea and they will never rest until they achieve that final push for the destruction of the Eritrean Nation and the loss of our sovereignty. Their profoundly criminal activities and evil attitudes are too horrifying to contemplate for this kind of destruction.

On the flip side, we Eritreans must celebrate, because of our achievements despite of the daily obstacles we are facing through our enemies. These achievements are as follows:

- (a) There is no any failure of public institutions to deliver positive political goods to citizens on a scale likely that undermines the legitimacy and the existence of the state itself.
- (b) In the State of Eritrea there are no noticeable or significant failures that are occurring that compromises the respect of our government in a wide range of political goods. The most important facets are: there are provision of security in place, our civil law legal system is working to adjudicate disputes, there are continues National Planning provision for economic development, National Health Care, and communications, infrastructures in place and functioning slow but acceptable.
- (c) There are no short supply of some form that could jeopardize the support of welfare (to our martyrs family) policies or pledges from Eritreans and none Eritreans.

- (d) There are increasing opportunities for participations in the political process, such as the involvement of the masses into Communications, dialogues. For example the ERI TV imitative called (Direct Talk for public interaction **Beghahdi**, Public Legal Teachings, Public Health Care Educations by Doctors at TV Studio shows and even excelling in our cycling long distance, running sport and Art/poems appreciations) etc.,
- (e) There are increasing significant number of individual participation within all ages in the State Building leading toward Nation Building projects in small scale while the big projects are carried on by **Warsay-Yikaalo, the National Forefront Vanguard**.

3.1 Western Democracy Economic Costs

To implement the ideal Western Democracy in Eritrea as it was set in the unimplemented constitution beside its construed messages, it would be a liability cost almost half of the National Budget of Eritrea that would have been mandated to fulfill the requirement of that constitution. Dr Bereket the “principal author of the Constitution,” advocates the content in the constitution are to ensure the needs of individual fulfillment of citizen’s right to Social Justice Demand. For the sake of understanding by everyone: The PFDJ won the war and began to run the government in accordance to the best of their ability along with their limited financial resources. They start building basic infrastructure, opening schools, building health care facilities they establish electric power throughout the nation, access to clean water, the sustained agricultural development including the construction of dams, the assurance for defense and security along with the commitment for the availability of housing e.tc., When the PFDJ liberated the country they arrived with practically no financial means, money for a National recovery program such as (Marshal Plan an American initiative to aid Europe post world war II). The traitors have even objected to the collection of 2% of personal income for recovery and rehabilitation by the Eritrean Government under the development programs. Because, of the so many obstacles, the Nation of Eritrea cannot afford to build strong institutions as advocated by Dr. Bereket through the construed constitution. When he financially burdens the nation with unaffordable liabilities his intentions are financially ruining the country. These are his fulfilling activities to reach his goal of financially bankrupting the Nation by introducing preferential

treatment through the constitution for personal fulfillment; along with improper factors as it has been laid out in the constitution which leads to civil unrest, which leads to a separatist movement and which will results in driving Eritrea into a **failed nation** status. That is why he is tirelessly campaigning to describe Eritrea as a failed nation even as you are reading this report. Let me give an example: In order for Eritrean Government to fulfill the statements for mandatory action to be implemented in each article of the constitutional requirements, let us follow this:

Eritrea must need a vertical and horizontal accountability that ensures a Substantive Democracy in accordance with the recommendation stated in the unimplemented constitution, Eritrea needs strong Institutions with high financial cost to put in for its operations such as: At Horizontal level: Eritrea needs professionals who are autonomous state agencies for monitoring, investigating, and punishing malfeasance (e.g. judiciaries and police). On the Vertical level: Eritrea needs socially embedded state institutions for receiving **signals of public concern**, perceiving incipient governance challenges, and providing locally valued public goods (e.g. Ministries of Agriculture, Health, Marine, transport and Education). The financial cost that will be needed for these institutions is almost half of the Annual Budget of the Nation. The Government of Eritrea has been challenging this Western Valued Democracy needs as follows: At the Horizontal level Eritrea due to its budget limitation could not afford to have professionals with autonomous state agencies, but the Ministries themselves have direct accountability for their successes and short falls. When we talk the need for Vertical level like receiving signals of public concern it is being handled at all levels of Eritrean administrative Regions (ZOBA) through Eritrean Television Network for example the “Direct Talk or called in Tigrinya (BEGAHDH)” are doing superb job to advise, to lead and to collect data that could be used for improving the conditions of concern. However for the enemies of the Nation of Eritrea this doesn’t mean anything to them, because they lack the ability to understand how the government of Eritrea under the PFDJ administration operates.

The Participation by many citizens in the Nation Building without being compensated for their services will be rewarded by having their names noted in the *book of posterity for the Nation of Eritrea*, their children and grand children will remain proud for their outstanding services and contributions. But it gives me pain, when such noble services are criticized by these anti Eritrean National Unity and echoed by the UN Human Rights Special Rapporteur called it

slave labors. All these criminal activities are being sensationalized by the anti Eritrean unity speakers who are merely Agents of the Financial Donors who **wants to obtain Eritrea under a false pretense** [9]. (Which I addressed in my previous post titled: “Obtaining the Nation of Eritrea under a false pretense”. But, we have to ask: **Who are these people?**

These are called **Social Justice Ideologue** indoctrinated, sellout opportunists and blood suckers which they themselves are no **benefit** to the Nation of Eritrea at all, instead who wishes the breakdown of the Eritrean Government into chaos through embracing deviant life styles.

The Infringement of Eritrean Sovereign Legal Right By The Anti-Eritrean Unity Speakers (Part 2)

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October 4, 2015

Eritrean "opposition" members in a failed Dan Connell-organized protest against Eritrea that had a



handful of participants - Washington, D.C., 2013

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4. The Government Remedial Action for the Anti-Eritrean Unity Activists

Many of the anti Eritrean Unity speakers have a record of inciting violence through lying and black mailing the Eritrean Government by becoming agents of Amnesty International,

Human Rights for personal monetary gain from donors such as George Soros. Now, I am posing a question to the Eritreans in the Diaspora:

What steps should we take to deter or prevent it?

As a primary step that should be taken toward these criminals, they must be indicted at the Eritrean Supreme Court and soon can be labeled as Eritrean Felons. The answer without doubt is “yes”. Most of them deserve to be indicted and face the consequences through the judicial system of the Nation of Eritrea. This is an enormous topic of course; I only begin to scratch the surface.

Mandatory to take action for jurisdiction over crimes

Eritrean Government must take the next step: Persecute all the enemies and obtain felony convictions through the Eritrean judicial system. The action that must be taken is to use procedural law to justify the crimes committed on a National level and prosecute them under public policy justification to exercise jurisdiction over crimes committed "against the state of Eritrea" even though these crimes are committed outside its border, thus, that affects the interests of the state or its administration [10]. The next action to be taken is the Eritrean Government must obtain a judgment in absentia, assuming that no one may come forward to defend his/her legal right. The other procedures that follow are request for extraditions. It is within the legal right of the government to request for extradition these enemies back into Eritrea to face the sentencing process of the judgment. It is within International law to request some governments including USA, European countries etc., to cooperate and extradite those indicted to be sent them back to Eritrea so that they can receive their sentence by a Judge. It is also within the legal right to inform some countries if they have some fugitives from Eritrean Justice, who have received guilty judgments which they are harboring and they should be barred from any speaking engagement until they got arrested and brought back to Eritrea for sentencing.

What makes a person commit a crime?

It is an individual after all, who commit crime. At the core of all crimes, even crimes by organization entities, there are decisions and actions by individuals. As such, the decision made

by individuals to lead a rally or disseminating false written materials against the State of Eritrea are crimes, because they have made themselves liable when they knowingly mislead Eritreans with slanderous and misleading information in their speeches against the National Government of Eritrea. The UN staff members known as UPR and UNHR COI, along with Eritreans Anti Eritrean National Unity are violating the Nation of Eritrea Sovereign Rights continuously and are abusing the Government. The UN staff in particular, the method of their accomplishments was fulfilled by breaking the rules of the UN charter sets out for the purposes and principles of the UN Organization. They were expected to uphold the following values: Independence, Impartiality in (objectivity and professionalism), Integrity including honesty and Accountability. For example, the UN's Commission of Inquiry (COI) has submitted a fraudulent report with flawed data information gathered through **foreign-funded regime-change activists and disseminated the deceptive report to the UN Human Rights Commission [11]**. This becomes a gross violation of their written charter. The UN Organization have set up themselves to be sued for being libel or defamation, and the sanctions based on the Eritrean Government investigations will be challenged and they will be found guilty and award monetary damages into tens of millions of dollars to the Government of Eritrea due to enduring years of victimization by the UN staffs. The continuous harassment has resulted has led to the detriment of Eritrea in the form of sanctions issued by the UN. These sanctions have adversely affected the economic growth of the Nation of Eritrea by causing trade barriers, and restrictions on financial transactions, domestic political gain (misinforming young Eritreans to flee for better economic gains abroad). There are also business infringement have been committed against the government by some USA officials such as Jendayi Frazer when she was holding the position of (former U.S. Assistant Secretary of State for African Affairs) and Suzan Rice, former (United States Ambassador to the United Nations) must come to the surface and Eritrea must seek legal justice and obtain monetary damage compensation for closure to this case for these never ending sovereign legal right issues.

5. Integrity

The invisible and visible enemies of the Government of Eritrea are those traitors that never had any good intentions for the Eritrean society in the first place, except embracing and following **Deviant Ideology of Social Justice**. The legacies of these deviant groups have been engaged in criminals and applying social destruction misinformation and actions against the government of Eritrea and the (PFDJ) Leaderships. Without disclosing their hidden agenda up front, they always exploit to their benefit for any crack that occurred in the administration of the government. Additionally, they quickly teach the refugee in particular the youth wherever they meet them and misinform them into going against the Government of Eritrea. Then, they have an internal plan within the Nation of Eritrea by trying to take over higher academia with the eventual goal taking over the constitutional legal judicial system of the Nation of Eritrea. Anyone who is a follower of the Social Justice Ideology either knowingly or unknowingly, the first noticeable behavioral change begins by demonizing the government and by slandering the president himself by calling him a thief that relegates the followers of Social Justices and intern the followers of the Anti Eritrean Unity Activists as to the level of sub **intellectual discussion**.

The two highly critical speakers of Anti Eritrean National Unity are: Andebrhan Weldeghergiris and Dr. Bereket Habtessellase.

(a) I would like to comment about Andebrhan, as he is known by many Eritreans including me, that he was an enforcer (not a good grass root organizer) during the rise of the Eritrean in North America Student Association (ENAS'A's). His approach was always acted like the work of Mafia tactic applying destructive, immoral actions against many intelligent Eritreans. Those students who left the organization because of him were simply disappeared or converted to be the haters of Eritrea and never come back. In this way he was misrepresenting the good name of EPLF because of his selfish desire for a higher position within the Eritrean people. Let me repeat what I remember during those collegic years he stated: (In Tigrinya-- Nezom zeï samamu Misana Morallom Atem ena Neblom, Nihna Zitemaharnayo Alonna); translated into English: "Those who do not agree with us, we will break their moral sprit with something that we learned." This was a deliberate and ill conceived foolish notion and resulted in a negatively impacting some and who later converted to become the enemies of the organization. He demonized many students simply hiding behind the EPLF's name. He is now

following the wrong ideology and he is currently misleading others into following the Social Justice ideology. When someone like myself analyze this follow referring to his past negative behavior it was easily predictable that his first government job (EPLF/PFDJ Administration) was a disaster and ended up being dismissed from the PFDJ government after he was exposed for trying to create disturbances by intimidating coworkers at Asmara University and the National Bank that he is really nothing more than a “polished criminal”. After so many quite years he has re-immersed and now fully embracing and upholding the Social Justice ideology that fits him to match his ego based on financial gains according to his own video on You-Tube. [12]... This has been his core value that his behavior is and will always be financially opportunistic. This is a man who is completely void of National integrity what so ever, whose hands are always out ready to accept payments. His opportunism depends on how much he is paid that will determine his level of integrity. Since he is the king of accusations without being able to substantiate any of his negative public remarks his cover up was the threat of black mailing individuals like ousting them out of EPLF.

Andebrhan’s proposal for peaceful resolution between Eritrea and Ethiopia through Social Justice tools such as: Classical and Cultural Diplomacy cannot move forward without being challenged. His derived theory on Cultural Diplomacy is a deceptive theory which does not fit to the Eritrean and Ethiopian history and culture. The Classical diplomacy he is bragging about was 19th century Diplomacy as practiced by Monarchical European countries to allow flexibility to adhere to norms of power. While the Cultural Diplomacy is a public diplomacy which is exactly the application of **Soft Power** a typical Social Justice theory that includes the exchange of ideas, information, trade, arts, music and other aspects of cultural importance between Eritrea and Ethiopia.

As a matter of fact, Andebrhan doesn’t seem to be aware, in the first place, the Amhara and Tigreans believes that they are “the chosen people of Africa” [13]. The Tigreans are full of “**inferiority complex**”, sabotages (subversion, obstruction, disruption, or destruction), betrayers, and emotional as well as paranoid people. While, the Amhara in general, have foundational attitude that they have a mentality of being a “**superior race**” over the Eritreans as they called us the sons/daughters of Italian ASHKERI, they even have continues yearning to return back to monarchy belief. While the Eritreans, within the last 45 years through the education of

EPLF/PFDJ, have built in Citizenship responsibility of heroism cultural beliefs and are: egalitarian, fearless individuals, resilient, visionaries, and self disciplined' law abiding, hard working, completely determined people.

Public Policy or International Diplomacy

The argument to be made is which Social Justice tool is more appropriate to use Soft Power or Hard Power? It is obvious the Soft Power which is rooted in a Nation's culture, trade or other unquantifiable factors such as ideals and values could be more attractive than hard power/Military power. Even if we agree with the assumption that Eritrea and Ethiopia are very close countries in many desired attributes, the truth is when you try to know what Ethiopia wants from Eritrea it will not be known immediately. The reason is the economic well-being of Ethiopia is linked to that of the USA in the form of (Aids, IMF, and World Bank's loans and exporting etc.). Therefore, attitudes and priorities changes overnight and the theory of Diplomacy fail because of Ethiopia's dependency and financial motives, exporting to other countries.

Without spending too much time on this Cultural Diplomacy which does not fit and benefit us to be used as a resolution we can use Legality and **Hardball** approach, which refers to uncompromising methods of dealings. In this situation, it is a necessary tool to be used against the Ethiopians and the Woyane. If the goal is to move forward toward a **peaceful resolution**: (a) first Ethiopia must acknowledge the wrongs and injuries of the past especially the human right violations happened throughout Eritrea and (b) through financial compensation programs and reparations for the Eritrean victim's dead disable and alive of the injustice occurred upon them. (c) Many issues of compensation and rehabilitation of victims should be incorporated into the plans before any negotiation for conflict resolution, reconstruction and partnership economic revitalization can even occur. Upon the contingency of Ethiopia's agreement withdrawal its military forces from Eritrean land, leaving the place clean within 30 days, Eritrea can begin to engage in series negotiations for "Peaceful Financial Resolution by offering a Leasing Agreement for Assab port" (that takes into all past financial damages that Eritrea incurred) to give Ethiopia an access to the Sea. This was Ethiopia's initial major issues which led them to take violent action toward Eritrea. This is called a real "**Peaceful Financial Resolution**"

between Eritrea and Ethiopia”.

NOTE: The details of this proposed short report cannot be explained in this report.

(b) Dr. Bereket according to his claim that he was called himself the Chair and the Main Principal Author of the 1997 Eritrea's Constitution as he alleged. This Attorney who was fully compensated for his services by the PFDJ Leadership was expected to deliver an Acceptable Constitution. The constitution as it was drafted; this is a flawed constitution which is designed to charge the Government of Eritrea with unnecessary legal liability to make it unable to operate efficiently. This Constitution is supposed to be the legal document that must have fundamental principles of establishing of basic legal rules and governmental structures with a mechanism of check and balance, allowing the Eritrean society to move forward with the most cost effective liability ; with entrenched rules governing the conduct of its organization or nation state, to provide equal legal treatment with equal obligations to all citizens without any preferential of justice (to ultimately create a national unity through a non deviant society) with special emphases for children, old people and disables. It was also expected by the representatives of the Nation of Eritrea who are the PFDJ fully responsible body to Defend, Rule and Administer the Nation of Eritrea who are charged with the responsibility of delivering a constitutional law “with the highest form of written law.”

Constitution making process

I have been asked many times that, what a constitution is? (QUWAM) People cannot distinguish between the traditional village level customary laws and a National Constitution. Therefore, it is necessary to come up with the most simplified method of explanation which is able to resonate within every Eritrean citizen. The following is not a description of a constitution making processes, rather it is a very simplified method to make everybody grasp the basic idea what are the different constitutional components, how those components involve relationships, conditions, process, causes, effects and feedback. Let me explain what I mean: Assume the construction of our National House is our Constitution. Here is an illustration of what a Constitution making looks like to the process of building our National House is: Metaphorically speaking, a constitution making process is like building a special house which is called “**Our**

National House.” Our National House must be well-designed, constructed with strong **Foundation** as well as a strong **Roof** able to protect and withstand earthquakes, hurricane, floods, fire etc, therefore, our National House must have the best Foundation and Best Roof, designed by us for us that protects and defend us. Our National House will demand us to find the appropriate materials, technology and knowledge to structure and built with the **most cost effective** project planning and institutions that protects us from any ill conceived ideology that does not benefit us and our national way of life, that covers all the necessary costs pertaining to the **liability of our well being and insuring** everlasting peace for posterity. We know that our Constitutional National House is in the process of being constructed. (a) The blue print design have been completed and approved by the newly formed Constitutional Committee. The Interior Walls, Floors, Plumbing, Wiring are completed. These are the metaphor which represents in legal terms: **The Criminal Law and the Civil Law** and the **violations** are **Coded** as: **Civil Code, Penal Code, Commercial Code and Maritime Code.** The **Foundation** of our Constitutional National House is also completed by well-**designed** and constructed **foundation** that's engineered for the type of soil found in Eritrea. Constructed with a steel-reinforced **foundation** walls and footings made of poured concrete. The Constitution Making Process Team is now working with the consideration of those political and economic factors which contribute to specific constitution-making features. In this regard they have identified the need for strong **Roof** able to protect against strong winds when a hurricane strikes. Because of the complexity of the problem it takes time to find the right type of roof that can protect every Eritrean, in any unsafe or dangerous conditions including keeping us safe for the unforeseen future situations. Therefore, when they finish the building of our National House with well designed and proper materials for the **FOUNDATION** and the **ROOF** which will be the **CONSTITUTION** for our National House fully equipped with **CIVIL LAW** and **CRIMINAL LAW** and the violations are coded namely: Civil Code, Penal Code, Commercial Code and Maritime Code. After the constitution was drafted by the constitutional commission, the basic structure of the government with its constitutional power and limitations will be defined. The drafted constitution will be submitted to another committee mandated for review process and will be completed with the public dialog participation. Based on the consideration of the size and number of population of the State of Eritrea, I am proposing that the new constitution will be voted and approved by the **people**, and shall only be amended by the **people** and possessed by

the **people** and **not** by future corruptible legislators that the UN and Social Justice advocates want through Western imposed values.

On Radio Assena interview in January 4, 2015 Dr. Bereket stated about PFDJ leadership [14] that: (a) He informed and asked the PFDJ Leadership with a strong language: That he must nominate his own Constitutional Commission; (b) He allegedly explained the overall objectives of the constitution that it shall protect the Eritrean People's dignities, promote their values etc., and (c) He shall includes and ensures the unity of the people; (d) That shall ensure the rights and freedoms; (e) That shall support economic development programs; (f) That shall ensure **Social Justice** and respect the law by all Eritrean citizens.
(These claims by him must be investigated in its entirety).

As I have indicated in the above {Part I Page 8}, there will be another time to explain about the rejected misconstrued constitution. For example In Article 14 sub (2) - - - - - or social or economic or **any other improper factors**. These improper factors are many including **Pro Homo sexuality, Prostitutions** etc. The worst thing that happened in the writing of the unimplemented constitution is the deviant words add on and left with open statements. I believe the English version of the constitution based on Social Justice Ideology was written first, and then later translated it into Tigrinya. In this way the power of English language to reflect into the Eritrean Culture and influence of thinking would not be the same. When you read the Tigrinya version of the constitution of the same Article 14 sub (2) in question, any reader can quickly pass over it without a second thought. The reason for that is: Constitution making process must have been drafted using Tigrinya first before we try emulating other countries social justice ideologically driven open devious sentences in each Article that can never benefit us.

The word **Social Justice** has been used many times in his drafted constitution and he didn't apply it in accordance to the definition and expectation of the PFDJ Charter. Why not? As an attorney he knows he should have disclosed the negative and positive impact clearly to the PFDJ leadership.

If you notice Article 29 Residual Rights in the unimplemented constitution, you **would clearly see it, that this unimplemented (rejected) constitution was written based on Social Justice ideologically driven values.**

Note: While nobody is able to define Social Justice precisely but not so difficult to define the Injustice. One of the advocacies of Social Justice is to create a deviant life style that is conducive to a HOMOSEXUAL SOCIETY contrary to clean healthy pro family oriented. Here is an example of Dr. Bereket wrote in the constitution:

He elected his team members as he wished without a **written consent** of the Government Leaderships [15]: (a) He stipulated that he will not allow any Government Leaderships to participate and to object to anything that he was doing during the process of drafting the Constitution. (b) From the outset he stated that the participation and representation in writing the constitution was contingent upon President Isaias Afewerki and other leading Government Leaderships **not** to interfere and not to contribute in the writing of the constitution.

An Attorney and Client Relationship

*Referring to the interview of Dr. Bereket, he stated that: “he didn’t allow the PFDJ Leadership representation or taking their perspectives, views and ideology were not allowed according to his ground rules. This is unethical to exclude the PFDJ Leadership from participation and contribution to the constitution and yet they are the main bodies to carry all the legal liabilities emanated from all the legal ramifications and the intentions of each article in the constitution. They were restricted from proposing/participating an input to the constitution where the context otherwise requires. Therefore, their full legal liabilities or legal risks to take were not fully legally protected. Dr. Bereket took advantage by not declaring and disclosing all the negative legal impacts associated with all the content of the constitution. For example there is no clear information about the English version of the constitution whether it was already drafted prior to the Tigrinya version and completed in the USA or not? In contrast the Tigrinya version should have been drafted in the Tigrinya Language in the first place. **Therefore based on the conditions imposed on the Government Officials (PFDJ) Leaderships of Eritrea have been legally victimized by Dr. Bereket Habteselassie.***

6. Conclusion

The essence of this report that I presented have fundamental questions that were answered but can be further enhanced through further public dialog to achieve general consciences to make Eritrea the best legally protected nation and recommended to be discussed among Eritreans despite differences of political views. (a) Eritreans who believe that there is a need for higher legal literacy to prevent from being victimized through false information, lies, deceits, evil ill will and devious intentions that the Nation of Eritrea is facing or currently dealing with. This is a new intellectual context that shows the value and benefit in protecting our sovereign legal right and in that context it will bind us together in the pursuit of defending the Nation from those advocates for deviant life styles that will ultimately decay our society which will eventually lead to collapsing our sovereign legal rights. (b) I have illustrated significant legal importance in this report that shows there is a tremendous need for our Eritrean society to raise our legal literacy rate so that we would achieve through a legal process from creating the law to executing the law. In my final and closing remarks I will now offer four statements to ponder. These are pertaining to the issue of Sovereignty.

Read, how sovereignty is defined by these two researchers:

- (a) **Defining sovereignty by Duguit says that sovereignty according to the dominant theory in France is the “commanding power of the state; it is the will of the nation organized in the state; it is the right to give unconditional orders to all individuals in the territory of the state”.**
- (b) **Burgess characterizes it as “original, absolute, ultimate power over the individual subject and all associations of objects. Again he calls it the “un derived and independent power to command and compel obedience”.**

In 1952, Eritrea received its first constitution by the UN under the following pretense that: Eritrea shall constitute an **autonomous** unit federated with Ethiopia under the **sovereignty** of the Ethiopian Crown. [16] Article 3 Parts I

Disasters, from this perspective by not knowing our sovereign legal right, we signed the

contractual agreement with Ethiopia which means Eritrea has relinquished all its future sovereign legal rights to Ethiopia to be legally enslaved under Ethiopian rule. Then the UN gave us a matching flag of oppression that symbolizes our oppression under slavery rule. This flag is a dead and soul less and represents slavery, when you understand the essence from where it was originated and its historical background. **Why would we be proud of this flag devoid of any Eritrean soul what so ever?** Reviewing all the facts that have been offered to the Eritrean general public nothing except following orders from the Ethiopian Crown was ever given to us. Some of you may have still a memory of that flag but we are not going back to those old slavery days as the Anti Eritrean Unity speakers are advocating for us to return back to. **Is it not like stamping on our forehead: We don't know our legal rights?** At this time the Anti Eritrean Unity speakers do not understand that we (the people of the nation of Eritrea) are going forward not backward. These are the **relics** from the past that needs to be remaining buried in the past when they are advocating for Eritrea to give up its **sovereign legal right**.

Those people who are in love with the slave flag (as pictured above on this cover page part 2) are the same people who have the same feeling for the Nation of Eritrea right now.

This is our flag full of life and beloved by our people as pictured below



This on the other hand is our real flag that has a real meaning to us

1. In summary, the multipronged attack on the Nation of Eritrea to fail by Dr. Bereket. (1) In most of the alleged drafted constitution he incurred heavy financial obligation to the Government of Eritrea to become bankrupt immediately had it been implemented. For example let us see Article 8 sub (1) states: *The States shall strive to create opportunities to ensure the fulfillment of citizens' rights to social justice and economic development and to fulfill their material and spiritual needs.* First of all in the PFDJ Charter the 6 pillars listed as fundamental rights for all Eritreans are called out to inform the public: How an individual life leads his/her in peace and harmony. Additionally it allows the people's rights for equitable distribution of social service, education, improved living standards, and health is guaranteed.
2. I am asking the reader to think harder of the financial burden placed upon on the requirement in each article that was imposed derived from social justice ideological fulfillment with strong institutions and high costs for its implementation. Look what he is talking about, including the requirement of fulfillment of material and spiritual needs (that also means the fulfillment of the rights of LGBT). This particular issue was taking up by Michela Wrong in her article titled: "When Migrants flee progress, not war" on April 23, 2015 [17]. After Eritrea achieved the five out of eight Millennium Development Goals (MDG) ahead of schedule, Michela said: "But the government has failed dramatically to deliver on a range of less quantifiable needs that hold the key to **human fulfillment.**" In which I responded (Read my posting to her titled: Michela Wrong is Still Wrong on Eritrea, By: Yemane Tsegay M.S) [18]
3. Dr. Bereket has given public speaking advocating for social unrest through direct meetings with the Anti Eritrean National Unity Groups and to further mislead so they can stand in direct opposition of the Eritrean Government. He is encouraging for a deviant life style which leads to anti social behavior which then eventually leads to social unrest against the government and eventually leading into a separatist movement. It was for these reasons Dr. Bereket construed the articles in the constitution.
4. In line with this malicious action that began when President Isias rejected the so called Developmental Program loan through World Bank and IMF to put Eritrea in dept; the Social Justice which is really imbedded with the current foreign policy of the USA, completely

demonizes the president including labeling him as a Dictator, Terrorist and then inspired the Eritrean sabotages called Anti Eritrean National Unity advocates headed by Dr. Bereket, and Andebrhan etc., to harbor and sensationalize the organization. In the first place we have to understand those people on the internet “YOU TUBE” who are criticizing the government emanated from their evil wishes for Eritrea not accepting or not going with the desire of the USA foreign policy and accept Ethiopia as a Super Power in the East African Region. This is the fundamental difference between the pro government and those who are Anti Eritrean National Unity. Thus by not accepting the IMF loan the president has acted responsibly by keeping the nation of Eritrea debt free as much as possible. As a final remark: (a) Dr. Bereket wishes is, before he died he wants to see that Eritrea and Ethiopia will come back together. He is going to get what he wishes for, except it will be in the form of a lawsuit. (b) When the Anti Eritrea National Unity are advocating for dismantling and uprooting the Government of Eritrea, and misleading the good Eritreans with wrong advices, then equally those Eritreans who support the government have the right to exercise their legal right as well as to express their condemnation back to the **Anti Eritrean National Unity**. Finally Eritreans must learn once and for all **“if they do not know their legal right, they will be left with no right at all.”**

“ETERNAL GLORY TO OUR MARTYERS” AWET N’HAFASH

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Appendix A

Characteristics

Permanence

Permanence is the chief characteristics of sovereignty. Sovereignty lasts as long as an independent state lasts. The death of the king, the overthrow of the government does not affect sovereignty. Dr. Garner has beautifully summed up this idea- "sovereignty does not cease with the death or temporary disposition of a particular bearer, or the reorganization of the state, but shifts immediately to a new bearer, as the centre of gravity shifts from one part of physical body to another when it undergoes external change".

Characteristics

Universality

The state is all comprehensive and the sovereign power is universally applicable. No association or group of individuals, however rich or powerful it may be, can resist or disobey the sovereign authority. Every individual and every association of individual is subject to the sovereignty of the state. Sovereignty makes no exception and grants no exemption to anyone. It grants exemptions only in the case of foreign embassies and diplomatic representatives of foreign countries on the reciprocal basis.

Characteristics

Exclusiveness

By exclusiveness is meant that there cannot be two sovereigns in one independent state and if two sovereigns exist in a state, the unity of that state will be destroyed. There cannot exist another sovereign state within the existing sovereign state.

Inalienability

By inalienability we mean that the state cannot part with its sovereignty. Sovereignty is the life and soul of the state and it cannot be alienated without destroying the state itself.

Characteristics

Absoluteness

Sovereignty is absolute and unlimited. There can be no legal power within the state superior to it, and there can be no legal limit to the supreme law making power of the state. The sovereign is entitled to do whatsoever he likes.

Originality

By originality we mean that the sovereign wields power by virtue of his own right and not by virtue of anybody's mercy.

Kinds of Sovereignty

Internal sovereignty

Sovereignty is normally understood as possessing two distinct aspects: internal and external. Sovereignty within the national sphere is known as internal sovereignty. A state which possesses internal sovereignty is one which has the authority and ability to exercise command over its society. In this situation there are no alternative sites of authority within the nation.

External sovereignty

External sovereignty concerns the relationship between a sovereign power and other states. The term external sovereignty is employed by some writers to mean nothing more than the freedom of the state from subjugation to or control by a foreign state; that is

supremacy of the state as against all foreign wills, whether of persons or state.

Kinds of Sovereignty

Nominal & Real Sovereignty

In ancient times many states had monarchies and their rulers were monarchs. They wielded absolute power and their senates were quite powerless. At that time they exercised real sovereignty and regarded as real sovereign. For example, Kings were sovereigns and hence were all powerful in England before fifteenth century, in USSR before the eighteenth and nineteenth centuries and in France before 1789.

Kinds of Sovereignty

Nominal & Real Sovereignty

Now the parts are almost reversed. King is consulted but the ministers decide. The king has now ceased to exercise any real authority; it is titular. *By titular sovereignty we mean sovereignty by the title only.* In theory, he may still possess all the sovereign powers which were once enjoyed by him, but in actual practice there is some other person or body of persons who act on behalf of the sovereign and exercise supreme authority.

Kinds of Sovereignty

Legal Sovereignty

Legal sovereignty is the conception of sovereignty in terms of law; that is, sovereignty as the supreme law-making authority. The legal sovereign, therefore, is that determinate authority which is able to express in legal form the highest commands of the state-that power which can override the prescriptions of the divine law, the principles of morality, the mandates of public opinion etc. For instance, the parliament is the legal authority to exercise legal sovereignty.

Kinds of Sovereignty

Political Sovereignty

Behind the sovereign whom the lawyer recognizes, there is another sovereignty to which the legal sovereign must bow. This sovereign is called political sovereignty. In a narrower sense the electorate constitutes the political sovereign, yet in a wider sense it may be said to be the whole mass of population, including every person who contributes to molding of public opinion whether he is a voter or not.

Kinds of Sovereignty

Popular Sovereignty

Popular sovereignty roughly means the power of the masses as contrasted with the power of the individual ruler of the class. It implies manhood, suffrage with each individual having only one vote and the control of the legislature by the representatives of the people. In popular sovereignty public is regarded as supreme. In the ancient times many writers on Political Science used popular sovereignty as a weapon to refuse absolutism of the monarchs.

Kinds of Sovereignty

***De jure* Sovereignty**

De jure sovereignty is the legal sovereignty and it has foundation in law. Its attribute is the right to govern and command obedience. As a matter of fact it may not be actual sovereign, for it may be expelled from its rightful place or may have temporarily disappeared through disorganization or disintegration; but, however, this may be, it has legal right on its side and is lawfully entitled to command and exact obedience.

Kinds of Sovereignty

***De facto* Sovereignty**

De facto (or actual) sovereignty is the sovereignty which is actually able to make its will prevail, though it may be without legal basis. That person or body of persons who actually exercises power, and who, for the time being, is able to enforce obedience, or to whose commands voluntary obedience is given by the bulk of the people, is called the *de facto* sovereign. The criterion of sovereignty is actual obedience to commands.