

SITUATION REPORT SPECIAL - WALID HEARINGS

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Walid hearing: Summary of Day 6 (per 24 November 2025)

- Day 6 of the court hearing in the case of alleged human trafficker Tewelde Goitom "Walid" covered the plea by the defense.
- The defense pleaded for Walid's acquittal on the grounds that there is no jurisdiction for the case under Dutch law, there is not enough evidence for the offences, and that the suspect has a different identity than the person 'Walid' accused of the crimes in this case.
- The defense also responded to the financial claim by the injured parties and the sentence demanded by the public prosecution.
- The public prosecutor announced that there is no further update on the extradition of Kidane.
- The public prosecution also informed that Ethiopia has requested for Walid to serve the remainder of his 18-year prison sentence in the Netherlands. This decision on this does not rest with the prosecution but the Dutch Ministry of Foreign Affairs.
- The next hearing will cover the response by the injured parties, the reply by the public prosecution, rejoinder by the defense, and final word of the suspect on Wednesday, 26 November, at 9.30am CET.

The plea (per 24 November 2025)

- The defense started by taking the position that jurisdiction in The Netherlands is lacking for all of the charges presented by the public prosecution.
 - The defense stated that the jurisdiction should be carefully considered for each of the charges separately adding that prosecution omitted this step and put all charges in one 'pile'.
 - The defense argued that the suspect was already convicted in Ethiopia and is currently serving an 18 year sentence, with which they aimed to refute the argument of the prosecutor about the general impunity of human smuggling.
 - The defense further contested the argument of the prosecutor regarding the silence of the suspect stating that he cooperated with the investigative team during the first 16 times he was interrogated as well as during the interrogation in the Pieter Baan Centrum.
 - The defense argued that the pictures of Walid that have been recognised by himself and the witnesses, have limited probative value, as one picture has been spread on social media since 2019. The defense also questions the way that the investigation team showed the pictures to witnesses.
 - Given these arguments and as the research team could not confirm his identity, it was argued that his real identity cannot be proven, and therefore he cannot be prosecuted.
 - Some background was provided in relation to the camps in Libya, in which the defense argued that it was the Libyans who were in charge, having access to weapons, vehicles, communication equipment, and access to the city, and foreign smugglers could only operate under their permission.
 - They also argued that Walid had not been linked to the locations in Kufra, and that in the location at the sea in Garabulli and in Bani Walid, Libyans were in charge.
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- For the matter of jurisdiction, the defense disputed the charges per individual witness. They referred to the MH17 case, where the non-Dutch victims in the plane were individually handled as separate charges, which were covered by Dutch jurisdiction only through an agreement with Ukraine.
- The defense further argued that if there is no intention to smuggle persons with the Netherlands as the ultimate destination the crime of smuggling is not completed in the Netherlands and therefore no jurisdiction can be established.
- For the charges presented by the prosecution, smuggling from Libya has been completed upon arrival in Italy, which does not constitute a link to the Netherlands, according to the defense.
- Any further transportation that victims undertake on European soil does not pertain to the smuggling that was committed by the smugglers in Libya, said the defense.
- The defense argued that as the money laundering and hawalla banking charges were dropped following the preliminary defense, the strongest link the prosecution had to The Netherlands disappeared.
- The defense referred to the public prosecutor's argument that jurisdiction follows from article 197a on human smuggling in the Dutch criminal code, which the defense rejects.
- In this context, the defense states that the suspect is a foreigner without links to the Netherlands, and that there is proposed legislation to broaden jurisdiction in relation to article 197a (meaning that the reading is currently more narrow).
- In relation to the extortion charges, the defense argues that the links to the Netherlands are insufficiently clear to prove jurisdiction.
- In relation to the charges of participation in a criminal organisation, the defense argues that any criminal activity abroad is not part of jurisdiction in the Netherlands. They argue that there is no continuous series of activities that link crimes abroad to the Netherlands.
- The defense claims that there is also insufficient evidence for the charges presented by the public prosecution, namely the human smuggling, extortion and criminal organisation.
- The defense claimed that the witness statements were insufficiently clear in relation to the role of Walid, and that they may have repeated statements they read on social media.
- The defense also argued that the witnesses smuggled by Kidane should not be taken into account.
- In relation to the extortion charges, the defense saw the witness statements as insufficiently reliable and stated that witness 66, whom they referred to as a key witness, was not heard by the investigative judge, which they claimed as unfair to the defense.
- About charges of a criminal organisation, the defense stated that the elements of a) an organisation, b) intent to commit crimes, and c) participating in, are not sufficiently proven, as the organisation is incoherent, opportunistic and the defense points to the supposed leading role of Libyans.
- The defense argued that the witness statements about Walid's role in the smuggling network differed significantly, and it is still unclear what role Walid played in the system.
- The defense disputed the expert report on Libyan law which provides a basis for the legal framework governing the claims of the injured parties. The lawyers who drafted the report lacked expertise.
- The court was asked to not adopt the maximum sentence, as Walid was convicted in Ethiopia and has a remaining sentence of 15 years, which would exceed the Dutch maximum of 20 years.
- The defense referred to "owners of migrants" when talking about the smuggling networks, pointing to the gravity of the problem under the court.
- "What happened in Libya and at the sea is harrowing but it does not constitute a base over which your court has a jurisdiction," concluded the defense adding that "there is a limit to the law which has its place in the system to prevent disproportional punishment of one person".

Links of interest

[Dutch court hears case against Eritrean human trafficker](#)

[Dutch prosecutors seek 20-year prison sentence for Eritrea-Libya trafficking suspect](#)

[20-years jail recommended for Eritrean alleged to have led brutal migrant-smuggling ring](#)

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