

SITUATION REPORT SPECIAL - KIDANE HEARINGS

No. 717 - 31 March 2026

Europe External Programme with Africa is a Belgium-based Centre of Expertise with in-depth knowledge, publications, and networks, specialised in issues of peacebuilding, refugee protection, and resilience in the Horn of Africa. EEPA has published extensively on issues related to the movement and/or human trafficking of refugees in the Horn of Africa and on the Central Mediterranean Route. It cooperates with a wide network of universities, research organisations, civil society, and experts from Ethiopia, Eritrea, Kenya, Djibouti, Somalia, Sudan, South Sudan, Uganda, and across Africa. The Situation Reports can be found [here](#). To receive the situation report in your e-mail, [click here](#). You can unsubscribe at any moment through the link at the bottom of each e-mail.

[The summary of the Walid Hearings in Court in The Netherlands can be accessed on the EEPA website](#)

Kidane first Court Hearing The Netherlands (per 31 March 2026)

- Kidane appeared in a public Court hearing for the tribunal in Zwolle, The Netherlands.
- The Zwolle Tribunal was previously in charge of the trials of Walid (Tewelde Goitom), an Eritrean, who received the maximum sentence, under Dutch law, of 20 years for human smuggling.
- Kidane Zekarias Habtemariam, of Eritrean nationality, is alleged to have been operating as part of a criminal organisation, and running a camp in Libya where refugees from Eritrea were detained.
- The prosecution alleges that the criminal organisation, of which Kidane and Walid were both members, transported Eritrean refugees to and from a location in Libya, named Bani Walid.
- The location where refugees were held left victims without access to proper water, food, or sanitary facilities, and where they were tortured and extorted to pay ransoms for their release.
- The arrests of Walid and Kidane are the result of the Pearce investigation, implemented by a Joint Investigation Team composed of investigators of The Netherlands, Italy and the UK.
- The Pearce investigation is an international investigation into the Eritrean smuggling operation from Eritrea to The Netherlands. The Joint Investigation Team also collaborated with the International Criminal Court (ICC), Sweden and Interpol. The Joint Investigation started in 2018.
- The Netherlands was also investigating Wedi Isaac, an alleged human smuggler who was a member of the same organisation as Walid and Kidane. Wedi Isaac is believed to have passed away in Libya.
- Walid was extradited from Ethiopia to The Netherlands in 2023.
- In the case against Walid, the Court ruled it had jurisdiction based on specific characteristics of the individual cases for which Walid was tried. He was sentenced to 20 years in prison, which was the maximum possible sentence.
- Walid has appealed the decision. Meanwhile the charges of the material reparations to the victims were confirmed in a related ruling by the Court.

Background

- Kidane was arrested in Ethiopia in 2020. After one year of detention he escaped during a Court hearing in Addis Abeba. He is thought to have changed clothes in a toilet and walked out of the Court.
- He was tried by the Ethiopian court in absentia for human trafficking and sentenced to life imprisonment.
- On 1 January 2023, Kidane was arrested in Khartoum, Sudan, after having been put on Interpol's list of wanted persons.
- He was transported to the United Arab Emirates (UAE), where he was also put on trial and sentenced to 2 years and 8 months of imprisonment for money laundering.
- The Dutch prosecution requested extradition from the UAE of Kidane, which was carried out on 24th of December 2025.
- Kidane is held in preliminary detention in Leeuwarden.

Summary of the hearing (per 31 March 2026)

- Kidane was asked to confirm whether his name is Kidane Zekarias Habtemariam, which he confirmed.
- Kidane was also asked to confirm his correct date of birth, which was listed as 1986 on his identity documents. Kidane stated that the correct year of birth is 1975. He gave the explanation that his parents changed the date in order to allow him to attend school.
- He told the prosecution he was born in Zirben (ዘርቤን) and not in Awda (ግዑዳ ሊሮብ) (both in Debub region), as stated earlier.
- The Public Prosecutor presented the allegations against Kidane. She explained that Kidane is a suspect in the Pearce investigation.
- The Prosecutor stated that Eritrean refugees are smuggled by networks in Sudan, Ethiopia and Libya, of which the key perpetrators are Eritreans. Refugees are detained and tortured in Libya. Their families have to pay ransoms to attempt to free them, often paying multiple times.
- The Prosecutor stated the UN had earlier investigated a smuggling network operating from Eritrea, which consisted of one Libyan (Musa Diab) and three Eritreans, namely Kidane, Walid and Wedi Isaac.
- Kidane is accused of taking part in a criminal organisation, which has the goal of smuggling of human beings, kidnapping, extortion and violence, including sexual violence, with many people being killed.
- He is being charged with 8 cases of human smuggling, 2 cases of rape and 3 cases of extortion.
- Five other Eritreans have been arrested in The Netherlands on suspicion of having a role in collection of ransoms for the payment of the criminal network in Libya. The judge indicated that he wants to merge the case of Kidane and those five defendants.
- During his interrogations, prior to the pro-forma hearing, Kidane stated he wants to cooperate with investigators. He claims that Musa Diab was controlling their operation.
- Kidane stated Eritreans who used the smuggling network knew about the danger they were getting into and the expected payments. Kidane also rejected the comparison between him and Walid. He further denies to have been involved in or perpetrated any act of sexual violence or rape.
- The Public Prosecutor stated the interrogations are ongoing, and it expects that all the documentation can be delivered to the Court on the 4th of May.
- The defense lawyer from Cleerdin & Hamer Advocaten asked the presiding judge and the senior judge to recuse themselves, due to their involvement in the prosecution and sentencing in the case of Walid. This, the defense lawyer argued, gives his client the impression of non-impartiality of the judges.
- The defense lawyer argued that the judges had already made a ruling on key parts of Walid's dossier which are nearly identical to Kidane's case. Given the cases are linked, the lawyer states the judges have already implicitly expressed themselves about his client.
- The lawyer stated that the judges, given their involvement in the Walid case, would have access to more documentation than the defense has access to.
- The judges deliberated on this and decided not to recuse themselves. The presiding judge stated that they are able to rule with impartiality in the case of Kidane and will only base themselves on the information in Kidane's file - the same information as the defense has access to.
- The Court ruled it was an insufficient basis to recuse only on the subjective feeling of the suspect.
- In response to the defense that it would contest jurisdiction of the Dutch Court over Kidane, the Court argued that they would decide jurisdiction on a case-by-case basis, similar to the Walid case.
- Kidane's lawyer indicated that the defense would proceed with a formal objection to the participation of the two judges in Kidane's case. This objection will be treated in a separate court by three judges.
- Until the ruling on the impartiality of the judges, they are not able to proceed with the case. If the defense's objection is sustained, new judges will be appointed.
- The next substantive hearing is scheduled for 18 May 2026 at 1:30PM.

Links of interest

[Advocaat vraakt rechters in mensensmokkelzaak Eritreeër](#)

Disclaimer: All information in this Situation Report is presented as a fluid update report, as to the best knowledge and understanding of the authors at the moment of publication. EEPA does not claim that the information is correct but verifies to the best of ability within the circumstances. Publication is weighed on the basis of interest to understand potential impacts of events (or perceptions of these) on the situation. Check all information against updates and other media. EEPA does not take responsibility for the use of the information or impact thereof. All information reported originates from third parties and the content of all reported and linked information remains the sole responsibility of these third parties. Report to info@eepea.be any additional information and corrections.