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By email

Embassy of Eritrea
Attn.:
Mr. Solomon Mehari Jacob
Mr. Sirak Bahlbi
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URGENT REQUEST

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date

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9 August 2022

emiel.jurjens@kvdl.com

re: **Urgent request event 13 August 2022 Rijswijk**

Dear Sirs,

On behalf of my client, the Foundation Human Rights for Eritreans (the "Foundation"), I am writing with the following **urgent request relating to an event taking place this Saturday, 13 August** in Rijswijk, the Netherlands.

It has come to the attention of the Foundation that on 13 August 2022, at the Event Plaza in Rijswijk, an event will take place with Mr. Awel Seid as keynote speaker. From the flyer of this event and the characteristics of the event, it is immediately apparent that it is organized by the 'long arm' of the regime of the State of Eritrea. The flyer contains several Eritrean flags, Mr. Seid is dressed in full Eritrean military uniform and Mr. Seid is a well-known figure within the People's Front for Democracy and Justice ("PFDJ") party.

The event is organized by the Eritrean State, operating through its Dutch and/or European entities. To avoid confusion on this matter, I am addressing this letter to the Consulate of Eritrea in the Netherlands, as well as the Eritrean embassy in Brussels and to Mr. Sirak Bahlbi, who was involved with organizing a similar event (which was cancelled) in Sweden.

The event is billed as a 'cultural' event. However, the event is in fact aimed at (1) illegally collecting 'tax' from Eritreans in the diaspora and (2) at spreading political propaganda which qualifies as hate speech.

As to the first point, the Foundation notes that the Dutch Ministry of Foreign Affairs has established that events such as the planned event in Rijswijk are a way for the Eritrean regime

to collect duties and contributions from Eritreans, which “*may not be that voluntary*”. Eritreans are subjected to “*pressure*” and there are negative consequences for not participating:¹

“The previous Country of Origin Report stated that the Eritrean government had a network of informants abroad. Members of the diaspora who did not participate in political and cultural events and fundraising abroad would be reportedly blacklisted. Non-loyal members of the diaspora would be the target of organized government campaigns.”

The event in Rijswijk, as an event organized by the PFDJ and thus the Eritrean State (whichever form this has taken for the current event) is therefore viewed with concrete and realistic fear by Eritreans in the Netherlands. It is once again a watershed moment for the Eritrean community in the Netherlands, intended to separate the ‘loyal’ from the ‘non-loyal’ members of the diaspora.

The Foundation underlines that the Ministry of Foreign Affairs has found that non-payment of the tax will result in penalties, including “*denial of consular services*”, “*denial of access of services or rights in Eritrea for self or family members in Eritrea*”, “*family members are imprisoned or threatened if their children have fled*”, “*denial of access to food vouchers in Eritrea for family members in Eritrea*” and “*social exclusion and vilification*”.² This is clearly highly threatening. The Foundation has been made aware that several Eritreans in the Netherlands have filed a police report relating to the event, and welcomes this. Other organizations have also rightly voiced their concern.

What is more, it is highly likely that the fundraising at this event will go towards financing the involvement of the Eritrean State in the war in Tigray. It has been widely and convincingly documented that the Eritrean State is responsible for grave violations of human rights during this war, including the use of rape as a weapon of war and extrajudicial massacres of civilians.³ Furthermore, the Eritrean State is also responsible for grave and long-standing violations against its own citizens, including but by no means limited to the open-ended ‘national service’, which have been qualified as ‘crimes against humanity’ by the United Nations.

The ‘2% tax’ is unlawful in any case, and it is equally unlawful to use the proceeds from the event in Rijswijk towards (further) human rights violations in Eritrea and Tigray.

This ties in to the second point, namely the involvement of Mr. Seid in the event in Rijswijk. Mr. Seid has been described as a key spokesperson for the Eritrean State and it has been suggested he is close to the President of Eritrea, Mr. Isaias Afewerki. In numerous videos on YouTube Mr. Seid describes himself as an ardent supporter of PFDJ and expresses his views on Eritrea and its role in the world.⁴

While many aspects of his speeches are offensive and disagreeable, Mr. Seid’s position on the war in Tigray and the people of Tigray is particularly horrifying and qualifies as hate speech under Dutch law.

¹ Tilburg University (2017) *The 2% Tax for Eritreans in the Diaspora. Facts, figures and experiences in seven European countries*, Amsterdam: DSP Groep p. 48, p. 99.

² Id., p. 99.

³ See, among many others: Human Rights Watch, *Eritrea – Events of 2021*, <https://www.hrw.org/world-report/2022/country-chapters/eritrea>, and Amnesty International, *Eritrea 2021*, <https://www.amnesty.org/en/location/africa/east-africa-the-horn-and-great-lakes/eritrea/report-eritrea/>.

⁴ See, for instance, such videos as “ZUR QCHIN BY AWEL SAID” and “WEDI AYTE – KEZARBUNA’YOM DELYOM BY AWEL SAID”.

Mr. Seid compares the war in Tigray to the Russian invasion of Ukraine. Mr. Seid expresses full support for Russia and Vladimir Putin and praises Putin's decision to invade Ukraine. In doing so, he willfully and uncritically repeats and spreads Russian propaganda.

Similarly, Mr. Seid is highly enthusiastic about the invasion in Tigray by Eritrean troops. He endorses the violence used by Eritrea and defends the war and horrific acts committed by the Eritrean Defence Force in the Tigray war. His enthusiasm is based on a dehumanizing view of the Tigray people. He claims Tigrayans are 'inherently evil' and Eritreans are superior humans when compared to Tigrayans. As such, he believes that all violence against Tigrayans is fully justified and calls upon Eritreans to fight them "*without shame*" for as long as the Tigrayan people exist.

Such statements are clearly genocidal in intent and qualify without any doubt as hate speech. Such speech is not protected by the freedom of speech pursuant to Article 17 European Convention on Human Rights ("ECHR"), which prohibits the abuse of rights granted under the Convention.

The Foundation concludes that the event of 13 August in Rijswijk will consist of (1) illegally raising funds, using unlawful pressure against Eritreans in the Netherlands, to finance further human rights violations, and (2) the spread of Russian propaganda and hate speech against the people of Tigray and Eritreans who do not comply with the unlawful demands of the regime. It will violate the human rights of Eritreans in the Netherlands and their families in Eritrea, and will violate the human rights of the people of Tigray. As such, it will contribute to the deterioration of the human rights situation in Eritrea and Tigray, as signaled by the Special Rapporteur on Eritrea a few months ago:⁵

"During the reporting period, no tangible progress was made towards solving the ongoing human rights crisis in the country. In fact, the Special Rapporteur has observed a deterioration in the situation in a number of areas. The Eritrean armed forces continued to be involved in serious human rights and humanitarian law violations in the Tigray Region of Ethiopia. The involvement of Eritrea in the war in Ethiopia has also compounded the severe human rights challenges Eritrea faces and reinforced pre-existing patterns of violations."

The event of 13 August 2022 in Rijswijk will be clearly unlawful and cannot take place. This should also be the case for any events in any other EU Member States – the Foundation notes in this respect that a similar event in Stockholm was recently also cancelled.

The Foundation therefore **urgently requests the Eritrean State and its organizations in the European Union involved with the organization of this event to cancel the event and refrain from organizing any such further events in the Netherlands, wherever these would take place.**

Kindly confirm full and unconditional compliance with this request by e-mail to the undersigned, as soon as possible but no later than Wednesday 10 August 2022, 14:00 CET. If the Eritrean State and/or its organizations in the EU involved with the organization of the event do not, or do not fully, comply with this demand the Foundation will take further legal steps to prevent the event from taking place.

⁵ Report of the Special Rapporteur on the situation of Human Rights in Eritrea 6 May 2022, A/HRC/50/20, p. 2.

Simultaneously, the Foundation will reach out to Event Plaza in Rijswijk, where the event is scheduled to take place, and to the municipality of Rijswijk, to voice its urgent concerns.

Best regards,

Emiel Jurjens

Advocaat / Attorney-at-law