

Press release
22 September 2020

**Eritrean human rights organization withdraws claim against EU,
but remains vigilant about forced labour**

Amsterdam, 22 September - The Foundation Human Rights for Eritreans has decided to withdraw the lawsuit filed against the European Union (EU) over 80 million euros in aid provided to Eritrea. This decision was taken in response to the 'no more roads' approach announced by the EU, after repeated criticism of its financial support.

"We will continue our investigation into forced labour in Eritrea and will come back to this issue if new facts come to light." States Muluberhan Temelso, Director of the Foundation.

Legal case

The lawsuit was filed on 13 May 2020 in relation to EU funding of a project in Eritrea which uses forced labour from the Eritrean national service. This is openly acknowledged by the EU. The situation is and remains contrary to the most fundamental norms of international and European law.

In response to criticism from the media, the European Parliament, and European member states, partly as a result of this lawsuit, the EU has indicated that it will change its policy with regard to road construction projects in Eritrea. The EU has announced a 'no more roads' approach, whereby further funds that were earmarked for road construction on top of the 80 million euros have been diverted to Sudan and other projects in Eritrea. The EU will also evaluate the 'dual track approach' of diplomatic relations with Eritrea, of which the road building project was a part.

The Foundation is largely pleased with these steps, says Emiel Jurjens, the Foundation's lawyer. *"The EU has recognized that supporting a project using forced labour is unacceptable. That is why the EU has now abandoned this policy by saying "no more roads". The goal of the Foundation has thus been achieved. This is an important victory that means a lot to the Foundation and to the Eritrean people"*. However, this does not change the fact that the human rights situation in Eritrea remains of great concern.

Ongoing concerns

With these new developments, which are considered as unconditional and permanent by the Foundation, the core requirements of the lawsuit have been met. However, the Foundation will continue to closely monitor the situation and continue its investigation into aid in Eritrea implemented through use of forced labour.

The Foundation remains very concerned about the way aid is organized through the EU Emergency Trust Fund for Africa (EUTF). From the beginning, the EU knew that forced labour would be used in the implementation of the road construction project, and the EU agreed

with this. The EU argues that a national court could not review this case, but a collective claim cannot be reviewed by an EU court. *"If this argument is followed, cases where the victims cannot be directly present, for example because they are still in repressive countries such as Eritrea, cannot be reviewed. This puts the EUTF in a legal vacuum,"* states Jurjens.

"We remain seriously concerned about the road building project." Says Temelso. "For example, the EU indicates that money will still end up in organizations under the control of the Eritrean regime, specifically the Red Sea Trading Corporation. It is not clear how the EU can adequately control this."

Contact

Press contact: +31 20 550 66 10

Lawyer: Emiel.Jurjens@kvdl.com; E-mail Foundation: Info@EritreaFoundation.org

Facebook: www.facebook.com/FoundationHumanRightsforEritreans

Twitter: www.twitter.com/EriFoundation1 #ChangeinEritrea

Website: <https://www.eritreafoundation.org/>

Pictures available, among others of lawyer Emiel Jurjens and the Foundation:
<https://www.belgaimage.be/> [search for Eritrea Foundation]

Link to the lawsuit (now withdrawn) and a summary of the case:

<https://kvdl.com/en/articles/eritrean-organisation-summons-the-eu-for-use-of-forced-labour>

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[Project phase 2](#)- €60 million - action fiche of the European Union