

## Eritrea

<b>Response to Information Request Number:</b>	ERT99002.ZHN
<b>Date:</b>	13 July 1999
<b>Subject:</b>	Eritrea: Information on whether Eritrean nationality has changed in light of deportations from Ethiopia.
<b>From:</b>	INS Resource Information Center, Washington, DC
<b>Keywords:</b>	Eritrea/ Ethiopia/ citizenship/ deportation/ nationality/ right to a nationality

### Query:

1. Has Eritrea enacted a new nationality law to deal with deportees?
2. Would an individual who was born in Asmara in 1950 and lived there until 1976 be considered a national of Eritrea?
3. If not, what requirements would she have to fulfill to acquire Eritrean citizenship?

### Response:

An official in the US State Department's Bureau of Democracy, Human Rights and labor (BDRL) said that Eritrea is in the process of changing its nationality law (US DOS - BDRL 13 July 1999). In the meantime, Eritrean nationality is defined by the "Eritrean Nationality Proclamation No. 21/1992." The Eritrean Embassy in Washington, DC, confirmed that the 1992 proclamation is still in effect (Embassy of Eritrea 6 July 1999).

Under the nationality proclamation, "any person born to a father or a mother of Eritrean origin in Eritrea or abroad is an Eritrean national by birth." A person of "Eritrean origin" is anyone who was resident in Eritrea in 1933. Individuals who qualify for citizenship by birth but live abroad and possess foreign nationality must apply to the Department of Internal Affairs in order to renounce their foreign nationality and obtain Eritrean citizenship. An individual not of Eritrean origin who resided in Eritrea between 1934 and 1951 can apply for and obtain citizenship from the Department of Internal Affairs, unless he or she has rejected Eritrean nationality or "committed anti-people acts during the liberation struggle of the Eritrean people." Requirements are more stringent for people not of Eritrean origin who entered Eritrea after 1952. Such individuals must have resided in Eritrea for ten years before 1974 or for twenty years "while making periodic visits abroad," must understand and speak an Eritrean language, and must renounce the nationality of another country (Eritrean Nationality Proclamation No. 21/1992).

According to the Department of State's *Country Reports 1998*, the Eritrean government initially made efforts to accommodate the Eritreans who were deported from Ethiopia. The government distributed monetary grants, facilitated placement in villages or camps, and issued documentation of Eritrean citizenship (*Country Reports 1998*, April 1999, 144). However, a BDRL official said that such accommodation no longer occurs and that it is difficult for deportees to meet the stringent Eritrean nationality requirements. A DRL official said, "When the first wave of deportees arrived, they were welcomed with open arms. That's no longer the case" (US DOS - BDRL 13 July 1999; US DOS - BDRL 1 April 1999; Susser, 1 April 1999).

A letter from the DRL indicates that Ethiopian authorities have destroyed or confiscated the

travel and identity documents of ethnic Eritreans during the deportation process, which has prevented deportees from adequately fulfilling Eritrean nationality requirements. Additionally, many deportees do not speak any of the Eritrean languages, thus disqualifying them for nationality under article four of the 1992 proclamation (Susser, 1 April 1999).

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

**References:**

*Country Reports on Human Rights Practices for 1998*. April 1999. U.S. Department of State, Washington, DC: U.S. Government Printing Office, April 1999.

Embassy of Eritrea, Washington, DC. Telephone interview. 6 July 1999.

"Eritrean Nationality Proclamation No. 21/1992." As reported on UNHCR REFWORLD CD-ROM.

Susser, Marc J. Acting Director, Department of State, Bureau of Democracy, Human Rights and Labor, Office of Asylum Affairs. Letter to INS Resource and Information Center (Washington, DC: 1 April 1999).

U.S. Department of State, Bureau of Democracy, Human Rights and Labor (US DOS - BDRL). Telephone Interview. 13 July 1999.

U.S. Department of State, Bureau of Democracy, Human Rights and Labor (US DOS - BDRL). Telephone Interview. 1 April 1999.

**Attachments:**

"Eritrean Nationality Proclamation No. 21/1992." As reported on UNHCR REFWORLD CD-ROM.

Susser, Marc J. Acting Director, Department of State, Bureau of Democracy, Human Rights and Labor, Office of Asylum Affairs. Letter to INS Resource and Information Center (Washington, DC: 1 April 1999), 3 p.

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