



PROOF OF ERITREAN NATIONALITY FOR PURPOSES OF ASYLUM CLAIMS IN THE UNITED STATES

A. Introduction

Eritrea is widely regarded as one of the world's most cruel and repressive countries. Personal and press freedoms are non-existent; travel outside of Eritrea is highly restricted; surveillance, intimidation, imprisonment and torture for political reasons are widespread; and long-term military service in slave-like conditions is routine. As a result of that repression., almost half a million Eritreans, or over 10% of the population, have fled the country.

Immigration authorities in the United States perfunctorily seek to establish that an individual purporting to be Eritrean and seeking asylum here is in fact Eritrean. One type of evidence of Eritrean nationality can be the possession by the asylum seeker of an Eritrean national ID card. But Eritrean asylum seekers often do not have such cards when their asylum claims are being adjudicated.

The America Team for Displaced Eritreans is the only organization in the U.S. dedicated specifically to assisting Eritrean refugees and asylum seekers. This document sets forth The America Team's reasoning as to why Eritrean asylum seekers should not have to produce ID cards in order to obtain asylum here.

B. The Nature and Purpose of Eritrean ID Cards

Eritrean citizens have generally been issued by their government a small, laminated ID card, light blue in color, written in Tigrinya and Arabic. In large measure, the purpose of the card has been to control the population, by monitoring the presence of an individual in a particular location, the passage from one location to another, participation in military service, employment, taxation, exercise of property and legal claims, and so forth.

In 2014-2015, the Eritrean government began to issue newly designed cards to all Eritrean citizens within the country and in the diaspora. The new cards, written in English only, were designed to be more secure against counterfeiting. In addition, they were intended to identify who in the diaspora was for the government and who was against it, as described in topics D and E below.

The America Team for Displaced Eritreans

www.EritreanRefugees.org

Mail: P.O. Box 1555 Media, PA 19063 USA

Phone: and FAX: 1-610-891-8470 e-Mail: Mail@EritreanRefugees.org

C. Loss of ID Cards by Asylum Seekers

Eritrean asylum seekers may not have their ID cards with them when entering the U.S. for a variety of reasons:

1. The card may have been confiscated by local refugee authorities when an individual entered a refugee camp in Ethiopia, and then not returned when the individual departed the camp – either through arbitrary fiat of the authorities, or because the individual chose not to notify the authorities of his or her departure.
2. The card may have been lost during travel to the U.S., in that the travel often involves weeks of passage through many countries, and under desperate (and often horrifically brutal) conditions.
3. The card may have deteriorated due to moisture damage (e.g., if it was unprotected from river crossings, rain storms, or perspiration).
4. Cards are often confiscated by smugglers, militias, traffickers and by other armed actors during transit, as a means of controlling the individuals' movement and thus protecting the actors' investments in their cargo.
5. The individual may have thrown away his or her card in disgust over the Eritrean regime.

D. Obtaining a Replacement Card while in the U.S.: Control and Leverage Exerted on Eritrean Expatriates

The Eritrean government makes extraordinary efforts to control the activities of its citizens who have left the country. First, it seeks to monitor, disrupt and block opposition political activity, through various means of spying and intimidation – including throughout Europe and the U.S. Second, it seeks to collect funds from the expatriates – primarily a 2% income tax – regardless of whether an individual supports the government, or has sought asylum in another country, or even has become a citizen of another country.

If a member of the Eritrean diaspora seeks to obtain any official document from the government (e.g., from the local Eritrean embassy) – a birth certificate, a marriage certificate, a school transcript, a visa to return to Eritrea, or an ID card – the request will commonly be denied until and unless the individual will have provided full payment of the 2% tax retroactively to 1992. If the individual had left Eritrea illegally, he or she must also sign a “Form of Regret,” apologizing for leaving Eritrea and agreeing to accept whatever punitive measures may be prescribed by Eritrean authorities. (A version of the Form of Regret, with The America Team's translation, is included with the present document.) In all cases, the individual's parents' names must be provided to the authorities, plus the individual's town of origin.

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Through the Form of Regret and the identification of the individual's family members, the regime gains leverage over the individual to ensure payment of the tax going forward and to chill his or her participation in opposition activities while outside of the country. By way of example, the regime could punish family members in Eritrea for any infractions it believed the individual had committed overseas – in avoiding military service, fleeing the country, participating in opposition activities, or failing to remit the 2% tax. The punishments of family members could include fines, imprisonment in unspeakable conditions, and confiscation of property.

In view of the foregoing, an asylum seeker in the U.S. who had illegally fled Eritrea under fear of persecution and who had lost his or her ID card would ordinarily be loath to ask the Eritrean embassy for a replacement card. Doing so would identify him or her to the Eritrean government and regime loyalists in the U.S., who could seek to monitor, harass, intimidate or tax the asylum seeker and to punish his or her family members back home.

E. Procedures and Hurdles for Asylum Seekers in Obtaining Replacement ID Cards

The attached page from the Eritrean embassy in the U.S., entitled “Application for ID Replacement,” requires the individual’s original ID number, which is likely unavailable if the old card is not available. These instructions date from before the new ID requirements were issued in 2014-2015, and thus may be obsolete; still, there may be occasion when the Eritrean embassy seeks to enforce them.

Also attached is a newer directive, issued by the embassy when all citizens were ordered to obtain the new ID card. Even more controlling information is required than for the prior card, including the parents’ ID numbers, parent’s place of origin and date and place of birth and completion of other revealing forms, and the individual’s fingerprints must appear on the reverse of the card.

The rules and procedures of the Eritrean government and its foreign embassies are capricious and opaque, and The America Team does not purport to be able to interpret all of them. But it would appear that for several reasons an asylum seeker in the U.S. – especially one who is currently in ICE detention – would not readily wish to or be able to obtain a replacement ID card:

1. The new requirements for obtaining a replacement ID would seem to make it impractical for someone in detention to comply. For example, the old card is to be turned in, fingerprints and parent’s ID numbers provided.

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2. For unknown reasons, the embassy has generally declined to issue travel documents to individuals slated for deportation from the U.S. Thus expecting the embassy to issue even a new ID card to an individual who may soon come to be under a deportation order may be unrealistic.
3. As described in topic D above, approaching the embassy to obtain an ID card would be perilous for the asylum seeker and his or her family.

F. Additional Reasons to Not Require ID Cards in Asylum Hearings

For several reasons, in addition to those stated above, requiring or relying on Eritrean ID cards to adjudicate asylum status seems inappropriate.

1. When Eritrean asylum claims have been denied, ICE has not hesitated to attempt to deport the individuals to Eritrea, regardless of whether they have ID cards. It seems the most cruel and illogical of paradoxes that the absence of an Eritrean ID card can prevent a grant of asylum but would not prevent deportation.
2. Reports indeed exist that some Ethiopians purport to be Eritreans in order to gain asylum in various countries of refuge. The America Team is not aware of this circumstance commonly arising in the U.S. But in any event, Eritrea is notoriously hostile toward Ethiopia and its citizens. If an Ethiopian were to falsely claim Eritrean nationality, and if his or her asylum claim were denied and deportation ensued, he or she would likely be imprisoned and tortured in Eritrea.
3. Similarly, for any actual Eritrean to claim to be Eritrean in a defensive asylum proceeding, there would be a clear risk of deportation, imprisonment and torture should the asylum claim fail. Seemingly an actual Eritrean would not likely wish to risk that result, and would identify his or her nationality as Eritrean to immigration authorities – with or without an ID card – only because doing so would be absolutely essential in order to win asylum.
4. Alternative forms of proof of nationality exist. In particular, affidavits by friends and family, corroborating with specificity the asylum seeker's own statements regarding national origin, can establish compelling evidence of nationality. In addition, birth certificates, marriage certificates, baptismal certificates and school transcripts, when available, can help to prove nationality.

G. Conclusion

For all of the above reasons, The America Team believes that an Eritrean asylum seeker in the U.S. should not be required to produce an Eritrean ID card in order to have his or her asylum claim granted.

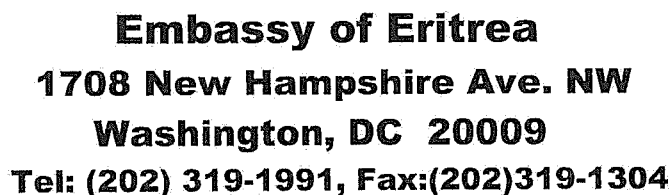
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The America Team for Displaced Eritreans

www.EritreanRefugees.org

Mail: P.O. Box 1555 Media, PA 19063 USA

Phone: and FAX: 1-610-891-8470 e-Mail: Mail@EritreanRefugees.org



Date: _____ CITY: _____ SIGNATURE: _____

1. TWO PASSPORT SIZE PHOTO.
2. COPY OF ERITREAN ID BOTH SIDES (IF AVAILABLE).
3. PAYMENT OF 2% TAX (1992-PRESENT) AND DEFENCE CONTRIBUTIONS.
4. REPLACEMENT FEE **\$80 MONEY ORDER PAYABLE TO : EMBASSY OF ERITREA.**
5. SELF ADRESSED ENVELOPE WITH STAMP FOR RETURN.

REMARKS:



Embassy of Eritrea
1708 New Hampshire Ave. NW
Washington, DC 20009
Tel: (202)319-1991, Fax: (202) 588-7584

REQUIREMENTS FOR APPLYING NATIONAL IDENTITY CARD and SOCIAL ID

General Information Replacing an OLD NATIONAL IDENTITY CARD:

- ☐ Applicants must FIRST complete the Family/Social ID Forms
- ☐ Old National Identity Card must be at hand during and after to receive his/her new ID
- ☐ Father's GIVEN NAME (Father Name, Gand Father Name and Great Grand Father Name)
- ☐ Mother's GIVEN NAME (Father Name and Gand Father Name)
- ☐ Father's and Mother's Place of Origin, Date & Place of Birth
- ☐ Parents' ERITREAN ID No.
- ☐ Photograph requirements include the following:
 - Four (4) colored pictures (35x45 mm)
 - Full-face view directly facing the camera (both ears must show, do not smile or open mouth)
 - Background must be white
 - Full name must be written on the backside
 - Eyeglasses should be worn if prescribed by a doctor
 - No sunglasses or hats (Head garbs worn for religious purposes are allowed)
- ☐ National Service: (A) Reference Number (B) Batch Number
- ☐ Height in (meters) Weight in (Kilograms) Blood Type: (A, B, AB or O)

Additional Information Applying for a SOCIAL ID:

- ☐ National Identity card Number and Name (as it appears on your ID)
- ☐ Passport Number and Name (as it appears on your passport)
- ☐ Ethnic Group: Tigigna, Tigre, Bilen, Kunama, Saho, Afar, Nara, Rashaida, Hadareb
- ☐ Personal Background (Work, Education level, Property, Field of Experience, Phone #, email....etc)
- ☐ Copy of Green Card or Passport or Copy of Birth Certificate

Additional Information for applying for a NEW ERITREAN ID :

- ☐ All the above requirements on General Information must be completed
- ☐ Copy of both parents ER-ID
- ☐ Ethnic Group: Tiggrigna, Tigre, Bilen, Kunama, Saho, Afar, Nara, Rashaida, Hadareb
- ☐ Form #2 (Proof/verification for Eritreans in the Diaspora applying for a new ER-ID) & One (1) colored photo
- ☐ Form # B81.9 (proof for Eritreans in the Diaspora applying for a new ER-ID) Two (2) colored photo(35x45 mm)
- ☐ Will need three over the age of 40 witnesses with ER-ID & must sign in front of consular officer

Additional Information for applying REPLACEMENT of Lost/Damaged IDENTITY CARD:

- ☐ All the above requirements on General Information must be completed for replacing lost or damaged ID
- ☐ Copy of parents Eritrean ID (both sides)
- ☐ Income Record Verification (SSN income record or 1040)
- ☐ Copy of Passport and Exit Visa
- ☐ Court decision must complete #13 on the application form

Processing Fee OLD/NEW & REPLACING NATIONAL IDENTITY CARD

- ☐ Please make check or money order payable to the Embassy of Eritrea

#	Description	Fee (Dollar)
1	New ID	\$25.00
2	Lost new ID for the first time	\$50.00
3	Lost new ID for the second time	\$75.00
4	Lost new ID for the third time	\$100.00
5	Destroyed	\$50.00
6	Per court order	\$75.00
7	Lost & found (returned to owner)	\$20.00

- ☐ **N.B: An applicant over the age of 20 who has not yet been issued an ERID must pay an additional \$15.00 per year.**
- ☐ Include **self addressed envelope** with one of the following stamps:
 - USPS Express / Priority
 - UPS
 - Federal Express Account Number
- ☐ Mail the completed form to: **Embassy of Eritrea**
- ☐ **Consular Hours: Monday - Friday 9:00 AM - 04:00 PM**

ሓፈሻዊ ሓበሬታ ንኤርትራዊ ወረቆት መንነት ንምምላእ ዝሕግዙ ኣድለይቲ ረጃሒታት፡

- ነፍስወከፍ ተገልጋሊ ቅድሚ ኤ/ወ/ መንነት ፎርም ምምልኡ፤ ብቐዳምነት ማሕበራዊ መንነት ክመልእ ይግባእ
- ኣብ ኢድ ዝጸንሐ ቁ. መንነት ተመላሲ ይኸውን
- ስም ኣመልካቲ ከሳብ ራብዓይ ወለዶ ይጸሓፍ፡ ንኣብነት፡- TESFAY GEBREAB HAILE TEKLEBERHAN
- ስም ኣደ ከሳብ ሳልሳይ ወለዶ ይጸሓፍ፡ ንኣብነት፡- SILAS BEYENE KAHSA
- ትውልዲ ኣቦን ኣደን ቦታን፡ ዕለት ልደትን፡ መበቆል ዓድን ተነጺሩ ይጸሓፍ
- ሃይማኖት ዝብል፡- ምስልምና፤ ተዋህዶ፡ ካቶሊክ፡ ክኒሻ ተባሂሉ ይጸሓፍ
- ቁ/መንነት ወለዲ

ዝቐርብ ፎቶግራፍ ንወረቆት መንነት ዘገልግል፤

- ኣርባዕተ (4) ሕብራዊ ፎቶግራፍ (35X45 mm)
- ፊት ንፊት ዝተሳለለ ክልተ ኣኣዛን ዘርኢ፤ ፍሽኽታ/ከፋት ኣፍ ቐቡል ኣይኮነን
- ድሕሪ ባይታ (background) ግድን ጸዕዳ ክኸውን ኣለዎ
- ብድሕሪት ፎቶግራፍ ምሉእ ስም ሓታቲ ይሰፍር
- ብሓኪም ዝተኣዘዘ ዝዘውትር ናይ ዓይኒ መነጻር ካብ ሓኪም ምውካስ
- ናይ ጸሓይ መነጻርን ቁብዕን ባርነጣ ኣይፍቀድን
- ምስ እምነትን ሃይማኖትን ዝተኣሳሰረ ቁብዕን መዓመምያን ይፍቀድ
- ሃገራዊ ኣገልግሎት፤ (U) ወተሃደራዊ ቁ. (A) ዙርያ ታዓሊም
- ቁመት (height in cm)፤ ሚዛን ክብደት ብኪሎግራም (Kg) ይዕቀን፤
- ዓይነት ደም (Blood Type: A, B, AB or O)

ተወሳኺ ሓበሬታ ንማሕበራዊ መንነት ንምምላእ ዝሕግዙ ኣገደስቲ ረጃሒታት፡

- ቁጽሪን ስምን ኣብ ኤ/ወ/መንነት ዝሰፈረ
- ቁጽሪን ስምን ኣብ ፓስፖርት ዝሰፈረ
- ብሄር፤ Tigrigna, Tigre, Bilen, Kunama, Saho, Afar, Nara, Rashaida, Hadareb ተባሂሉ ይሰፍር፡
- ሞያ፤ ደረጃ ትምህርቲ፤ ዓይነት ስራሕ፤ ቁጽሪ ተለፎን፤ ተንቀሳቐስን ዘይንቀሳቐስ ንብረት፤ E-mail; ኣድራሻ ብጥንቃቄ ይምላእ፡

ክፍሊት ንኤርትራዊ ወረቆት መንነት (ብዶላር ኣመርካ)፤-

ተ.ቁ.	ዓይነት ኣገልግሎት	ገንዘብ (ዶላር)
1.	ክፍሊት ኣድሻ ወረቆት መንነት	25.00
2.	ንዝተዋህበ ኣድሻ ወረቆት መንነት ንመጀመርታ ግዜ ዘጥፈኡ	50.00
3.	ንዝተዋህበ ኣድሻ ወረቆት መንነት ንካልኣይ ግዜ ዘጥፈኡ	75.00
4.	ንዝተዋህበ ኣድሻ ወረቆት መንነት ንሳልሳይ ግዜ ዘጥፈኡ	100.00
5.	ዝተባላሸወ	50.00
6.	ብናይ ቤት ፍርዲ ውሳኔ	75.00
7.	ጠፋኡ ዝተርኸበ (ናብ ዋንኡ ዝተመልሰ)	20.00

N.B. ዜግነታዊ ወረቆት መንነት ዘይሓዘ ልዕሊ 20 ዓመት ዝዕድሚኡ ዜጋ ኣብ ነብሲ ወከፍ ዓመት \$15.00 ዶላር ብተወሳኺ ይኸፍል። ክፍሊት ብ MONEY ORDER ናብ EMBASSY OF ERITREA ይጸሓፍ።

ፎርም ምሕትት ኢሚግረሽናውን ዜግነታውን አገልግሎት

1. ምሉእ ስም _____ ጾታ _____
2. ምሉእ ስም ከም ፓስፖርት _____
3. መበቀል ዓ.ዲ _____ 4. ዕለት ልደት _____
5. ቁጽሪ ኤርታራዊ ወረቀት መንነት _____ ዝተዋህበሉ ቦታ _____
6. ስም አደ _____
7. ካብ ሃገር ቅድሚያ ምውጻእካ/ኪ አሃዱ/ስራሕ _____
8. ካብ ኤርትራ ዝወጻእካሉ/ክሉ ምኽንያት _____
9. ካብ ሃገር ንምውጻእ ዝተጠቀመካሉ/ክሉ ቦታ/ደብ _____
10. ዝወጻእካሉ ዕለት _____
11. ድሕሪ ካብ ኤርትራ ድሕሪ ምውጻእካ/ኪ ዝነበርካዮ/ኪዮ ሃገራት በብዕለቱ _____
12. ናብ ዝተጠቐሰ ሃገር ንኸትኡ/ትዊ ዝተጠቐልካሉ/ክሉ ሰነድ መገሺ እንተሃልዩ ናይ መን ሃገር'ዩ፤ _____
13. ሕጂ ኣብ ዘለኻዮ/ኺዮ ሃገር ዘለካ/ኪ ስራሕ _____
14. ህልው ኣድራሻ፡ _____
15. ካብ ሃገር ድሕሪ ምውጻእካ/ኪ ዝፈጽምካዮ/ኪዮ ጉቡኣት _____

እነ ስመይ ኣብ ላዕሊ ተጠቒሱ ዘሎ ዜጋ ካብ ኣቐዲመ ዝሃብኩዎ ሓበሬታ ቅኑዕ ምዃኑን ሃገራዊ ጉቡኣይ ብዘይምምላእ ብዝፈጸምኩዎ በደል ተጣዒሰ ግቡእ መቅጻዕቲ ኣብ ዝተወሰነለይ ክቐበል ምዃኑይ ብክታመይ የረጋገጽ።

ክታም _____ ዕለት _____

ንበዓል መዚ ዝምልከት	
ርእይቶ ዝምልከቶ በዓል መዚ _____	

ስምን ክታምን በዓል መዚ _____	
ዕለት _____	
ቆንሰላዊ ቤ/ጽ፡ ከተማ _____	ሃገር _____

The "Form of Regret" or "Taesa" -- ብዕሳ

Immigration and Citizenship Services Request Form

1. Full Name _____ Gender _____
2. Full Name as it appears in passport _____
3. Village of origin _____ 4. Date of Birth _____
5. Eritrean Identity No. _____ Place of Issuance _____
6. Mother's Name _____
7. Your Unit/work before you left the country _____
8. Reasons for Leaving the country _____

9. Place/ border you used to leave the country _____
10. Date you left _____
11. Countries you have been to including the dates of stay in these countries after you left Eritrea _____
12. If you used Travel Documents to enter these countries, what country did you get them from? _____
13. Your job in the current country of residence _____
14. Current Address: Country _____ City _____
15. National obligations you fulfilled after leaving the country _____

I, whose name is the above-stated citizen, hereby confirm with my signature that all the foregoing information which I have provided is true and that I regret having committed an offence by failing to fulfill my national obligation and that I am willing to accept the appropriate measures when decided.

Signature _____ Date _____

For Official use

Official's recommendation _____

Name and signature of the official _____ Date _____
Consular Affairs office: Country _____ City _____

NB. Cancellation and deletion not accepted