

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	283
Land:	Eritrea
Kilde:	Udenrigsministeriet.
Titel:	Notat af 22. maj 2017 som svar på Udlændingestyrelsens høring af 7. september 2016 i en konkret sag
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UDENRIGSMINISTERIET

Sagsnr. 2016-37356
Den 22. maj 2017

NOTAT

ETIOPIEN/ERITREA.
Asyl: Besvarelse af konkrete
spørgsmål vedr.
statsborgerskab.
US ref.
US mail af 7.9.2016

I forbindelse med en konkret asylsag, der er blevet hjemvist til Udlændingestyrelsen af Flygtningenævnet har Udlændingestyrelsen anmodet udenrigsministeriet om assistance til at søge en række konkrete spørgsmål besvaret vedr. statsborgerskab Etiopien/Eritrea.

Udenrigsministeriet har via sædvanligt benyttet advokat i Etiopien indhentet nedenstående svar på de konkrete spørgsmål.

Den af ambassaden anvendte kilde har følgende bemærkninger til de stillede spørgsmål:

- **Har den omstændighed at pågældendes mor skulle have stemt i forbindelse med folkeafstemningen i 1993 betydning for pågældendes mulighed for at opnå statsborgerskab i Etiopien?**

"According to the existing nationality law and the Ethiopian immigration officials, the fact that a citizen's mother votes in the referendum of 1993 makes only the mother an Eritrean citizen and shall be considered to have abandoned her Ethiopian nationality. But her son remains an Ethiopian citizen as long as it is proved that he hasn't obtained nationality of another country or Eritrea. So it doesn't affect him in maintaining his Ethiopian citizenship."

- **Kan/vil der i forbindelse med en ansøgning om etiopisk statsborgerskab blive stillet betingelser? og hvilken form for dokumentation skal pågældende tilvejebringe for, at han automatisk, jfr. Udenrigsministeriets notat, kan opnå etiopisk statsborgerskab?**

"If a person who was formerly an Ethiopian citizen and has changed his nationality for another country wants to reclaim his Ethiopian citizenship, he has to produce that one or both his parents are Ethiopians as established by a court decision and proof of his current nationality like passport or identity card. He can apply for Ethiopian nationality and a committee composed of Ministry of Justice, Federal Police, Ministry of Foreign Affairs and Ethiopian Immigration will look into the application and decide. But this process or possibility excludes those applicants who were former Ethiopians that obtained later Eritrean nationality. So it doesn't apply to Eritreans."

- **Vil det i praksis have betydning for pågældendes mulighed for at opnå etiopisk statsborgerskab, hvis pågældende er i besiddelse af et eritreisk id-kort og har været i militæret?**

"Yes, if the citizen has an Eritrean identity card then he is an Eritrean and cannot obtain Ethiopian citizenship by law."

- **Har pågældende, der er født i 1989, og i 2001 har fået udstedt en eritreisk fødselsattest, mulighed for at opnå statsborgerskab i Etiopien?**

"If the person's birth certificate shows that he is an Eritrean then he remains to be an Eritrean. So if he is an Eritrean he cannot obtain Ethiopian nationality. But because he is born before Eritrean independence he remains to be an Ethiopian unless he has obtained Eritrean citizenship. If in his birth certificate it is not indicated that he is an Eritrean theoretically he remains to be an Ethiopian. But the implementation process is very difficult. The reason is [that] it is very difficult, if not impossible, to prove that they haven't obtained Eritrean citizenship. Besides the authorities in Ethiopia are biased and don't trust them. To maintain an Ethiopian citizenship for a person born and lived before or after the referendum and born from parents whose origin is in Eritrea it is almost impossible."

Udenrigsministeriet, den 22. maj 2017