



December 11, 2017

Kirstjen Nielsen, Secretary  
U.S. Department of Homeland Security  
3801 Nebraska Ave.  
Washington, D.C. 20528

cc: Rex Tillerson, Secretary of State  
Nikki Haley, U.S. Ambassador to the United Nations  
Thomas Homan, Acting Director, U.S. Immigration and Customs Enforcement  
Ron Johnson, Chair, Senate Homeland Security and Governmental Affairs Committee  
Claire McCaskill, Ranking Member, Senate Homeland Security and Governmental Affairs Committee  
Michael McCaul, Chair, House of Representatives Homeland Security Committee  
Bennie Thompson, Ranking Member, House of Representatives Homeland Security Committee

**Re: Imminent Removal of 700 Eritreans**

Dear Secretary Nielsen:

We – The America Team for Displaced Eritreans and the other undersigned organizations – write to you urgently on behalf of some 700 Eritreans whose removal from the U.S. the Department of Homeland Security, by way of a September 13, 2017 order, has taken measures to facilitate:

<https://www.dhs.gov/news/2017/09/13/dhs-announces-implementation-visa-sanctions-four-countries>.

We believe, and we can cite numerous authorities to confirm, that those removed to Eritrea would likely be tortured or killed by the Eritrean regime: <http://eritreanrefugees.org/wp-content/uploads/2017/10/PUNISHMENT-UPON-REFOULEMENT-TO-ERITREA-4-17-17.pdf>. We also believe that any such removal not only would be egregiously inhumane, but would violate the United Nations Convention Against Torture and the United Nations Convention Relating to the Status of Refugees to which the U.S. is party. We thus urge you to suspend all Eritrean removals until such time as the country is safe for the individuals to be returned there.

**Conditions in Eritrea.** Eritrea is a small country in the Horn of Africa. It is a police state, and it is widely referred to as "the North Korea of Africa." Its government's brutality toward its citizens has been documented and denounced by the U.S. State Department, the United Nations, and many major human rights organizations. Citizens live in constant fear of surveillance, arbitrary arrest, torture, malnutrition, detention within a gulag of underground prisons, and indefinite military service under slave-like conditions. Asylum seekers who are returned from other countries are at particular peril:

<http://eritreanrefugees.org/wp-content/uploads/2017/10/ERITREAN-ASYLUM-CLAIMS-SUMMARY.pdf>

**The DHS order.** Many of the 700 here are under final removal orders issued by American immigration courts. To our knowledge, few are under those orders for having committed crimes here. Rather, many or most had applied in good faith for asylum in the U.S., but they had simply lost their asylum claims. Often they lost their cases because they lacked legal counsel, their English language skills were limited, the immigration judges did not understand the dire state of human rights in Eritrea, or for all of those reasons.

In recent years, few Eritreans – even those who had lost their asylum claims – have been deported from the U.S. The reason appears to have been that the Eritrean government had generally refused to cooperate with the deportations – specifically, had refused to issue travel documents for the individuals who were under final removal orders. In its September 13 directive, DHS sought to remedy that situation by causing the State Department to issue a broad ban on in-bound visas from Eritrea to the U.S., as a means of pressuring the Eritrean regime to issue the travel documents for deportees.

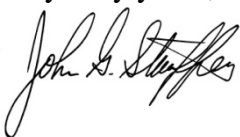
At least twelve countries have refused to issue travel papers for and to accept U.S. deportees. But DHS, apparently exercising its discretion, chose to place visa restrictions on only four of them, including Eritrea – and it chose to press for Eritrean deportations – perhaps without considering the horrors that would likely befall those sent back to Eritrea. We do not object to the ban on in-bound visas. But we fervently object to Eritreans being deported to an excruciating fate.

**The Convention Against Torture.** The Convention Against Torture (CAT) provides that no country may remove someone to another country if there are "substantial grounds for believing that he [or she] would be in danger of being subjected to torture." In the case of Eritrea, there are more than "substantial grounds" – there is a high probability. We thus believe that in the case of Eritrea (perhaps almost uniquely among the countries of the world), the CAT's ban on deportation should be regarded as absolute, regardless of whether or how an immigration judge may have considered or ruled upon the issue of torture in an individual's hearing.

For both such legal reasons and related humanitarian reasons, almost no other country is willing to deport Eritreans to Eritrea. The sole or principal exception is Sudan – an outlaw state, whose president is under an international arrest warrant issued by the International Criminal Court for having committed crimes against humanity. For the U.S. to now deport Eritreans to Eritrea would make the U.S. and Sudan possibly the only countries to do so.

We again request urgently that you suspend all removals to Eritrea until the country is safe for those being returned. For a discussion or more information, please contact John Stauffer, President of The America Team for Displaced Eritreans, at 610-891-8470, or [John@EritreanRefugees.org](mailto:John@EritreanRefugees.org).

Very truly yours,



John Stauffer, President  
The America Team for Displaced Eritreans  
<http://eritreanrefugees.org>

*The America Team for Displaced Eritreans is a non-profit organization based in Southeastern Pennsylvania. It is the principal American organization that assists specifically Eritrean refugees and asylum seekers in the U.S. and around the world.*

## **ADDITIONAL SIGNATORIES**

### **International Organizations**

American Relief Agency for the Horn of Africa (ARAHA)  
Eritrean National Salvation Front HIDRI (ENSF\_HIDRI)  
Ethiopian Community Development Council, Inc.  
HIAS  
Human Rights Concern - Eritrea (HRCE)  
International Refugee Assistance Project (IRAP) at the Urban Justice Center  
International Rescue Committee  
Jubilee Campaign USA  
Lutheran Immigration and Refugee Service  
Neighborhood Good Samaritan Center  
Refugees International  
U.S. Committee for Refugees and Immigrants

### **National Organizations**

AsylumConnect  
Bethany Christian Services  
Courage Campaign  
Franciscan Action Network  
International American Relief Society  
Jesuit Refugee Service/USA  
Just Foreign Policy  
PCC4Refugees (Returned U.S. Peace Corps Volunteers)  
RAICES  
Southeast Asia Resource Action Center (SEARAC)  
Torture Abolition and Survivors Support Coalition (TASSC)  
UndocuBlack Network  
Veterans for American Ideals  
We Belong Together

### **State Organizations**

AB540 Ally Training Project  
Arkansas United Community Coalition  
Coalition to Abolish Slavery & Trafficking  
Dorcas International Institute of Rhode Island  
Humanitarian Immigration Law Clinic, Elon University School of Law  
Make the Road New York  
OneAmerica  
Raleigh Immigrant Community  
With Open Minds  
Worker Justice Center of New York, Inc.

### **Local Organizations**

African Advocacy Network

Allies Safety Network/Sonoma County  
Asian Law Alliance  
Asylee Women Enterprise  
Carolina Refugee Resettlement Agency  
Chula Vista Partners in Courage  
Damayan Migrant Workers Association  
Eritrean Americans Civic Movement Raleigh & Its Environs  
Esperanza Community Housing Corporation  
Heartland Human Care Services  
HIAS Pennsylvania  
Immigrant and Refugee Community Organization - IRCO  
International House  
International Institute of Akron  
International Institute of Buffalo  
International Institute of Los Angeles  
International Institute of Minnesota  
International Institute of St. Louis  
Jewish Vocational Service of Kansas City  
Lutheran Services Carolinas  
Migrant Rights Collective  
Multi-Cultural Health Evaluation Delivery System  
New American Consortium for Wellness and Empowerment  
North Bay Organizing Project  
Services, Immigrant Rights, and Education Network (SIREN)  
South Bay People Power  
University Leadership Initiative  
Vietnamese American Community Center of the East Bay  
Wallingford (PA) Presbyterian Church  
World Relief Durham  
Youth Co-Op, Inc.  
YWCA Greater Austin