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ETHIOPIA

<p>Is there a refugee protection program?</p>	<p>Yes. In 2004, a national Refugee Proclamation was enacted based on the international and regional conventions to which Ethiopia is a party (1951 Convention relating to the Status of Refugees, and its 1967 Protocol and the 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa “OAU Convention”). As of January 2019, Ethiopia has one of the most progressive refugee policies in Africa.¹</p>
<p>Who runs any available refugee protection program? Who determines which applicants qualify for refugee protection?</p>	<ul style="list-style-type: none"> • The Administration for Refugee & Returnee Affairs (ARRA) is the agency leading refugee protection and overall coordination of refugee assistance in Ethiopia. The ARRA is the Ethiopian government counterpart of UNHCR; both organizations work in collaboration.² • Qualification for refugee status was originally designed to be determined by the Security, Immigration and Refugee Affairs Authority (SIRA).³ However, SIRA (now the National Intelligence and Security Service, or NISS), has delegated the bulk of refugee affairs to ARRA. Thus, ARRA/NISS and UNHCR are jointly involved in refugee status determination.⁴ A comprehensive Proclamation outlining the definition of refugees, the determination process, and rights of refugees can be found in the footnote.⁵ • The UNHCR and the ARRA are also jointly responsible for establishing the identity of refugees in Ethiopia, which

¹ UNHCR, *Ethiopia 2020-2021 Country Refugee Response Plan*, p. 5

² [Developmentaid.org](https://www.developmentaid.org), last visited July 2021

³ International Law Series, Volume –I, Adis Ababa University – School of Law, *Refugee Protection in Ethiopia*, eds. Yonas Birmeta (Ph.D), *See also*, Refugee Proclamation No. 409/2004, Art.2(1)

⁴ International Law Series, Volume –I, Adis Ababa University – School of Law, *Refugee Protection in Ethiopia*, eds. Yonas Birmeta (Ph.D), p. 136. *See also*, U.S. Department of State, *2020 Country Reports on Human Rights Practices, Ethiopia, Protection of Refugees*

⁵ National Legislative Bodies / National Authorities, Ethiopia: Proclamation No. 1110/2019, 27 February 2019, available at: <https://www.refworld.org/docid/44e04ed14.html> [accessed 16 July 2021]

	<p>includes refugee intake, biometrics gathering, and the issuing of identification cards.</p> <ul style="list-style-type: none"> Refugees from select countries (e.g., Sudan; South Sudan) have historically been recognized as prima facie refugees, but these policies are tightening and unlikely to expand to other countries. By inference, refugees from Afghanistan will undergo individual refugee status determination.⁶
<p>Is the refugee protection program functional? For example, how long does it take for decisions to be issued? What percentage of applications are granted?</p>	<ul style="list-style-type: none"> Yes, the refugee protection program is functional and receptive to refugee applications. All asylum-seekers are expected to be registered within 15 days of arrival to Ethiopia.⁷ Appeals of decisions are also allowed if in writing and within 30 days of an adverse decision.⁸ Data on the percentage of accepted applications is scarce, but the UNHCR reports that in 2020, almost 26,400 sought safety and protection within Ethiopia, the majority being from South Sudan.⁹
<p>Do refugees have a right to work? A right to education? A right to medical care?</p>	<ul style="list-style-type: none"> <u>Work</u>: Refugees have a right to work in Ethiopia.¹⁰ ARRA (the Agency for Refugee and Returnee Affairs) recently issued secondary legislation to codify these rights in the 2019 Refugee Proclamation, including allowing refugees to work on joint projects with Ethiopian nationals and to earn wages in positions that could not be filled by an Ethiopian national, or through self-employment. <u>Medical Care</u>: Yes, refugees have equal access to health services offered in camps as well as in the national health facilities.¹¹

⁶ UNHCR, *Ethiopia 2020-2021 Country Refugee Response Plan*, p. 5. See also, Agency for Refugee and Returnee Affairs, *Directive to Determine the Procedure for Refugees Right to Work*, Directive No. 02/2019, 2019

⁷ Danish Immigration Service, *Ethiopia: Documents and citizenship*, 5 November 2018, p. 48 [accessed 15 July 2021]

⁸ Refugee Proclamation No. 409/204.

⁹ UNHCR, *Global Focus: Ethiopia, 2020*

¹⁰ UNHCR, *Ethiopia 2020-2021 Country Refugee Response Plan*, p. 5

¹¹ UNHCR Ethiopia, *Ethiopia Country Refugee Response Plan, Updated for 2021*, p. 70

	<ul style="list-style-type: none"> ○ Refugees in all camps are provided with [unspecified] vaccinations and TB/HIV program supplies from the national health program. ○ Qualified national staff are employed to provide preventative and curative services. Camps seek to provide 24/7 health care but this goal is challenged due to, among other factors, staff turnover and supply chain delays in the procurement of drugs. ○ Regarding sexual and reproductive health and HIV services, in 2019, health facility-based births reached 99 percent in Tigray and Afar camps; all deliveries were attended by skilled health professionals. ● <u>Food and Water Security:</u> <ul style="list-style-type: none"> ○ A general food ration with a food basket comprising cereals, oil and salts are distributed monthly. However, the food ration is not adequate; a small cash supplement can sometimes be provided, but refugees may not be able to subsist on the food ration alone. For example, in 2021, absence of sugar from the food basket resulted in deliver of only 1961 Kcal/person/day instead of 2000+ Kcal/person/day.¹² ○ Water coverage is far below UNHCR standards of 20 liters/person/day. Due to the increasing inflow of refugees into Mai Aini and Adhi Harush camps, the sanitation and hygiene conditions of those camps have deteriorated even further. Household latrine coverage is low at less than 40%. The refugee population in Megado is particularly water-starved, as no functional water system currently exists, including for the host community. Households must transport water from the spring 7 km away. UNHCR has been providing trucking services. As of early 2019, the yearly average per
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¹² UNHCR Ethiopia, [Ethiopia Country Refugee Response Plan, Updated for 2021](#), p. 70

	<p>capita access to water across the six camps in Afar and Tigray regions was as follows:^{13, 14}</p> <ul style="list-style-type: none"> ▪ 24 liters/person/day in Shimelba ▪ 12 liters/person/day in Mai Aini ▪ 13 liters/person/day in Adi Harush ▪ 9 liters/person/day in Hitsats and in Barahle ▪ 17 liters/person/day in Ayasaita. <ul style="list-style-type: none"> • <u>Education:</u> <ul style="list-style-type: none"> ○ School access is an issue for refugees in Ethiopia. The net enrollment rate in Early Childhood Care and Development centers was 38 percent; primary school net enrollment was 34 percent; and secondary school net enrollment was 11 percent. Girls participation is especially low. Resources and access to facilities are sparse (e.g., the ratio of qualified teachers to pupils was about 1:89 and the ratio of latrines to pupils was 1:210; the average desk to student ratio is 1:7). Almost all children could not access distance learning programs broadcast by the Ministry of Education and necessitated by the COVID-19 pandemic.¹⁵
<p>Are those seeking refugee protection free to live freely or forced to reside in camps?</p>	<ul style="list-style-type: none"> • Out-of-camp living is possible but “Out-of-Camp Policy” refugees are expected to be self-reliant through the support of local sponsors. Of the current out-of-camp population, the majority are Eritrean refugees representing 85 percent of the population.¹⁶
<p>Does a grant of refugee protection result in a pathway to permanent status? In other words, can a refugee eventually</p>	<ul style="list-style-type: none"> • Sources on this question are conflicting. • The US State Department report for 2020 states that while Ethiopia welcomed refugees to settle in the country, it

¹³ UNHCR, [Ethiopia 2020-2021 Country Refugee Response Plan](#), p. 80

¹⁴ UNHCR Ethiopia, [Ethiopia Country Refugee Response Plan, Updated for 2021](#), p. 35, 38

¹⁵ UNHCR Ethiopia, [Ethiopia Country Refugee Response Plan, Updated for 2021](#), p. 69

¹⁶ UNHCR, [Ethiopia 2020-2021 Country Refugee Response Plan](#), pp. 6, 13, 15

<p>become a citizen? Is there another form of legal permanent status available for people with refugee status?</p>	<p>“did not offer a path to citizenship or provide integration.”¹⁷</p> <ul style="list-style-type: none"> • The local agency in Ethiopia, the ARRA, states that if a refugee lives in Ethiopia for 3 years after being granted refugee status, they may qualify for a Residence Permit, subject to renewal every five years, which allows more rights such as the right to travel from place to place without passes.¹⁸ • Proclamation No. 1110/2019, ¶42, states that every recognized refugee or asylum-seeker who fulfills the “necessary requirements” provided in the “relevant provision” of the Ethiopia Nationality Law relating to naturalization may apply to acquire Ethiopian Nationality by law.¹⁹ <ul style="list-style-type: none"> ○ The Ethiopian Nationality Law can be found here.²⁰
<p>Does the country offer temporary protections available other than refugee status? If so, what are they?</p>	<p>In my research, I was unable to find any other temporary protections available other than refugee/asylum status.</p>
<p>What, if any, penalties are there for people without status or people who are denied refugee protection?</p>	<p>If a person enters the country and neglects to apply for asylum using the proper channels with 15 days, they may be held criminally liable. But, in Gambella regional state, refugees register into refugee camps in and only when they need protection and facilities from the bodies concerned with refugee affairs. For some refugees, once they have crossed the border, they find registering as a refugee to be option.²¹</p>

¹⁷ U.S. Department of State, *2020 Country Reports on Human Rights Practices, Ethiopia, Protection of Refugees*

¹⁸ Agency for Refugee and Returnee Affairs, *Directive to Determine the Procedure for Refugees Right to Work*, Directive No. 02/2019, 2019; *see also*, National Legislative Bodies / National Authorities, Ethiopia: Proclamation No. 1110/2019, 27 February 2019, available at: <https://www.refworld.org/docid/44e04ed14.html> [accessed 16 July 2021]

¹⁹ National Legislative Bodies / National Authorities, Ethiopia: Proclamation No. 1110/2019, 27 February 2019, available at: <https://www.refworld.org/docid/44e04ed14.html> [accessed 16 July 2021]

²⁰ Proclamation on Ethiopian Nationality, No. 378 of 2003 [Ethiopia], 378/2003, 23 December 2003, available at: <https://www.refworld.org/docid/409100414.html> [accessed 16 July 2021]

²¹ International Law Series, Volume –I, Adis Ababa University – School of Law, *Refugee Protection in Ethiopia*, eds. Yonas Birmeta (Ph.D), p. 115.

<p>What organizations exist in-country that can help displaced people seek available protections? What other organizations in the country may be able to help displaced people access services and rights, even if their mission is not to specifically work with refugees and displaced people?</p>	<ul style="list-style-type: none"> • The UNHCR is a primary resource in-country to assistance displaced peoples in seeking protections. • The International Rescue Committee is another NGO that provides a wide range of assistance for refugees in Ethiopia. • The Norwegian Refugee Council is active in Ethiopia.²² • The Danish Refugee Council is active in Ethiopia.²³
<p>Is there other information that might be valuable for displaced people arriving in that country to know?</p>	<ul style="list-style-type: none"> • The majority of refugees in Ethiopia are located in Tigray Regional State and the four Emerging Regions of Ethiopia: <ul style="list-style-type: none"> ○ Afar Regional State; Benishangul-Gumuz Regional State; Gambella Regional State; and the Somali Regional State. ○ The Emerging Regions are the least developed regions in the country, characterized by harsh weather conditions, poor infrastructure, low administrative capacity, a high level of poverty and poor development indicators. The arid environment in the Afar and Somali regions and the small and scattered nomadic populations make it more challenging to provide services. Many parts of the four regions are inaccessible with poor or no roads.

²² <https://www.nrc.no/countries/africa/ethiopia/>

²³ <https://drc.ngo/our-work/where-we-work/east-africa/ethiopia/>