



## **Additional provisions within the revised national refugee law in Ethiopia**

Ethiopia has a long standing history of hosting refugees. The country maintains an open door policy for new arrivals and allows humanitarian access and protection to those seeking asylum on its territory. One of the original signatories to the 1951 Refugee Convention, Ethiopia recently updated its existing national Refugee Proclamation, making it one of the most progressive in Africa. The new law introduces a number of new provisions that will facilitate refugees' enjoyment to rights afforded to other foreign nationals residing in the country. A move away from a traditional camp-based approach to assistance, not only seeks to further the dignity of care to those in need, but will ensure an investment in essential services that benefit both refugees and Ethiopian nationals. The following legal provisions are now afforded to refugees under the new refugee law.

### **Freedom of movement**

Subject to laws applicable to foreign nationals, every recognized refugee or asylum-seeker now has the right to liberty of movement and freedom to choose their residence, as well as the freedom to leave the country at any time they wish. This provision is consistent with UNHCR's policy of Alternative to Camps, which notes that while it may be necessary to set up camps to ensure protection and save lives, camps should be the exception and, to the extent possible, a temporary measure. The move away from a camp-based approach, to an integrated model of refugee assistance will be guided by a ten-year National Comprehensive Refugee Response Strategy (NCRRS) that will be adopted this year. The transition to the provision of protection and assistance in off-camp locations is anticipated to be undertaken in a phased approach during the lifespan of the Strategy, and will reflect the needs of the refugee response during that time.

### **The Right to Work**

UNHCR praises the decision to allow refugees and asylum seekers to engage in wage earning employment although the particular provision refrains from affording the same working rights as Ethiopian nationals. Instead, it defines that refugees will have the right to engage in wage earning employment; and acquire and transfer property and assets, under the same circumstance as the most favourable treatment accorded to foreign nationals. Equally, refugees who have sought asylum in Ethiopia arrived in the country with skills, and have acquired additional capacity since their arrival, that will enable them to become self-reliant, while contributing positively to the economy. With respect to fiscal charges, refugees shall not be subjected to any duty, charge or tax higher than is imposed on Ethiopian nationals.

It is the expectation that the enjoyment of the right to work will provide an opportunity for renewed financial investment by development actors and the private sector within the economy that will primarily benefit Ethiopians, in addition to refugees. UNHCR will continue to work with the Government of Ethiopia and the international community to ensure that resources are made available to create opportunities for the employment of both refugees and Ethiopians. In this regard, the expansion of a

network of industrial parks across the country will provide 70% of new job opportunities to Ethiopians, with the remaining 30% reserved for refugees. Additionally, the new law ensures that the allocation of irrigable land by the Government of Ethiopia for agriculture production as part of joint projects will benefit refugees and Ethiopian nationals on an equal basis.

### **Access to social services**

UNHCR lauds Ethiopia's bold decision to ensure that refugees and asylum seekers are provided with access to national health and education services on the same basis as Ethiopian nationals. This new provision is in line with the fundamental human rights enshrined in the Universal Declaration of Human Rights and many other international human rights instruments Ethiopia has signed. It is also consistent with the key principles underpinning Sustainable Development Goal 3 and 4, which seek to ensure the full enjoyment of the right to healthcare and education. To facilitate the managed integration of refugees within national social service infrastructure, UNHCR will continue to work with the Government of Ethiopia and the international community to expand access to essential services, providing a net benefit to Ethiopians, together with refugees, to ensure that both communities are provided with quality and equitable services. The new law also ensures access to telecommunication, banking, financial and judicial services, in addition to identity and travel documentation and driver's license certification.

### **Local integration**

UNHCR welcomes the move to grant long-staying refugees the right to locally integrate into Ethiopian society, should they choose to do so. Local integration is one of the three durable solution for refugees, together with voluntary repatriation to their country of origin and third country resettlement. It should be noted that this provision will only stand to benefit refugee who have lived in Ethiopia for a protracted period; a small fraction of the over 900,000 refugees currently residing in Ethiopia. Although the term 'protracted' is not currently defined, indications are that the preparation of a secondary legislation will define the criteria for inclusion to be those refugees who have lived in the country for more than 20 years. Mindful of the fact that the overwhelming majority of refugees arrived in the country over the past 10 years, only a modest number of refugees will benefit from local integration. The new law did not define any new right applicable to refugees with regard to naturalization. Rather it makes reference to the existing Nationality Law of Ethiopia which allows foreign nationals, including refugees, to acquire Ethiopian nationality by fulfilling the necessary requirements.