

## ETHIOPIA

Ethiopia is the third largest refugee-hosting country in Africa, providing protection to 772,599 refugees and asylum-seekers from 26 countries as at 30 June 2020. While Ethiopia has a fast-growing economy, it remains a low-income country and is ranked 173 out of the 189 countries on the Human Development Index of 2019. It is also challenged by conflict and fragility as, inter alia, the presence of 1,746,138 internally displaced persons shows.

Despite these challenges, it has traditionally maintained a generous open-door policy for refugee inflows. Most of the refugees are from South Sudan, Somalia, Eritrea and Sudan, reflecting the long-ongoing fragility and conflict in the region.

### KEY POPULATION DATA

**770,755**

Refugees

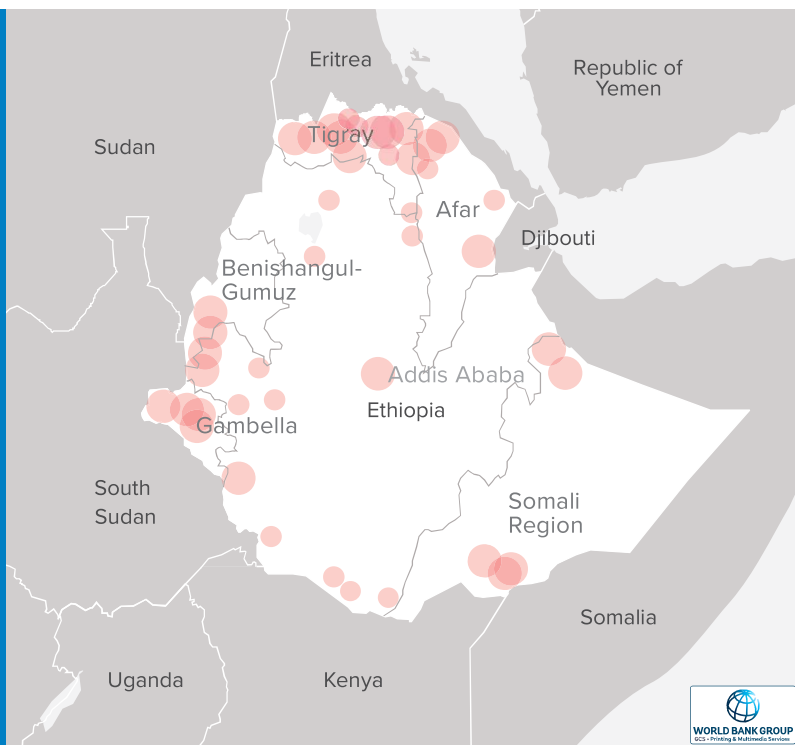
**1,844**

Asylum-seekers

**0.69%**

of the country's population (112,078,730) are refugees and asylum-seekers

IDA 18 RSW / IDA 19 WHR ELIGIBILITY:  
SEPTEMBER 2017



Most refugees live in or close to one of 26 camps in five regions, adjacent to Ethiopian host communities, located near the international borders of their countries of origin. The Government of Ethiopia has classified four out of five of these regions as 'emerging regions' in need of greater development assistance than other parts of the country. Some 70,954 refugees live in unplanned settlements or in rental arrangements in Addis Ababa or in small urban and rural contexts elsewhere. Most of these refugees have 'out-of-camp' permits from the Government to allow them formally to live outside the camps.

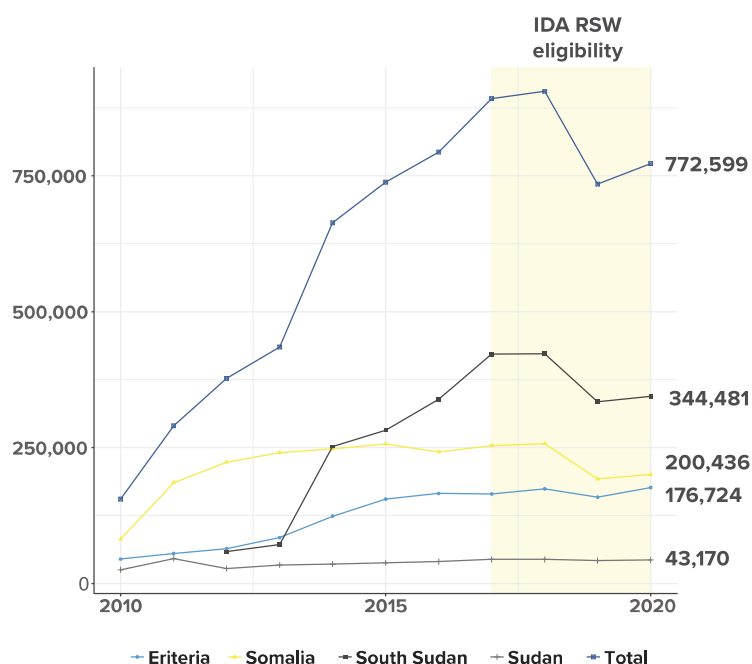


Figure 1: Number of refugees and asylum-seekers of the largest refugee population groups

## OVERVIEW OF REFUGEE POLICY ENVIRONMENT (JULY 2017–JUNE 2020)

Ethiopia has traditionally pursued policies through which it provides asylum-seekers and refugees with access to its territory, asylum, safety, and services provided by the Administration for Refugee and Returnee Affairs (ARRA), UNHCR and international humanitarian partners. Ethiopia has also pursued an encampment policy for most of the refugee populations with restrictions on movement, access to public services and economic inclusion. Between 2017 and 2020, many of these restrictions were lifted with the adoption of a range of policies and administrative instruments, but some restrictions were subsequently reimposed by subsidiary legislation. A listing of relevant policy measures, the most significant of which is the [Refugees Proclamation No 1110/2019 of 27 February 2019](#) (the Refugees Proclamation), from 2017–2020 includes:

- The release of a [Roadmap for Ethiopia’s Comprehensive Refugee Response Framework \(CRRF\) in August 2017](#) setting out how the Government of Ethiopia would implement pledges for more progressive refugee policies announced at the 2016 Leaders’ Summit on Refugees.
- The adoption of [Proclamation No 1097/2018 to Define the Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia](#) (Proclamation No 1097/2018) in October 2018, which restructures ARRA from an Administration within the National Intelligence and Security Services (NISS) into an Agency under the newly created Ministry of Peace.
- The adoption of [Refugees Proclamation No 1110/2019](#) (Refugees Proclamation) by the Council of Ministers on 27 February 2019, thereby demonstrating the new Government’s commitment to more progressive refugee policies.
- The adoption in September 2019 of [Directive No 01/2019 to Determine the Conditions for Movement and Residence of Refugees Outside of Camps](#) (the Directive on Freedom of Movement) [and Directive 02/2019 to Determine the Procedures for Refugees Right to Work](#) (the Directive on Refugees Right to Work).
- [The finalization of the National Comprehensive Refugee Response Strategy \(NCRRS\) in September 2019, which has so far not been adopted by the Council of Ministers.](#)
- The adoption of [Directive No 03/2019 to Handle Grievances from Refugees and Returnees](#) (the Directive on Refugee Grievances) in December 2019.
- The adoption of Proclamation No 1113/2019, [the Organizations of Civil Societies Proclamation](#). While not directly linked to refugee management, this Proclamation lifted several policy limitations that had prevented local civil society organizations from working to promote conflict resolution, justice and law enforcement services that are crucial for refugee protection at the sub-national level.

Internationally, the Government continued to play its role as a global leader in refugee affairs and co-hosted the 2019 Global Refugee Forum in Geneva. There, the Government made additional policy pledges to (i) create up to 90,000 socioeconomic opportunities through agricultural and livestock value chains that benefit both refugees and host communities; (ii) provide skills training to 20,000 hosts and refugees, (iii) provide energy solutions for three million people and to strengthen the Government’s asylum and social protection capacity. These pledges build on and reinforce nine policy pledges that the Government made before at the Leaders’ Summit in September 2016. All policy pledges are envisioned to be taken forward within the overall framework and thematic focus areas of the [2017 CRRF Roadmap](#).

## POLICY DIMENSIONS (AS AT 30 JUNE 2020)

### 1 Host Communities

#### 1.1 Support for communities in refugee-hosting areas

National fiscal/budget policies and mechanisms can be applied to provide for timely additional financial transfers at national level to areas that are economically affected by the presence of refugees. The Government's [Development Response to Displacement Impacts Project \(DRDIP\)](#) financed by the World Bank is one example of a programme that uses the national budget/expenditure and planning mechanism to provide additional financial support for policy priorities in such areas. The implementation of policies and devolved planning processes is limited due to a lack of technical assistance and financial resources for sub-national government institutions.

The 2016 National Social Protection Policy (NSPP) provides social safety nets for all Ethiopians, including host communities. Two main social safety net programmes exist: The rural Productive Safety Net Programme (PSNP) and the Urban Productive Safety Net Project (UPSNP). The PSNP targets 8 million Ethiopians respectively, based on eligibility criteria relating to food insecurity and vulnerability. Two refugee-hosting regions (Benishangul-Gumuz and Gambella) do not meet the PSNP eligibility criteria, while some of the refugee-hosting regions in which the PSNP is implemented lack data to identify target populations. The UPSNP targets 600,000 low-income Ethiopians living in designated cities. Members of refugee-hosting communities do not effectively benefit from this program since the designated cities do not host significant numbers of refugees.

#### 1.2 Social cohesion

National policies can be applied to identify, prevent, and mitigate potential social tension and risks of violence in refugee-hosting areas (e.g. the [2004 Criminal Code](#), the [2016–2020 National Human Rights Action Plan](#), or the two 2016 training manuals on conflict resolution and peacebuilding for district officials issued by the Ministry of Pastoral Affairs, now integrated into the Ministry of Peace). Although these laws and policies do not directly refer to refugees and host communities, in conjunction with the [Refugees Proclamation](#) and the [2018 Global Compact on Refugees](#), they nevertheless apply also to these population groups and can be implemented in refugee-hosting areas to the benefit of both.

Implementation of policies relating to social cohesion is generally limited, as related institutions tend to receive little financing and have limited capacities. In practice, there is a high level of interaction between refugees and host communities in the Tigray, Afar and Somali regions and some interaction in Addis Ababa and the Gambella and Benishangul-Gumuz regions. Except for Gambella, refugees and hosts largely enjoy amicable relations, even though they may sometimes perceive each other negatively and tensions do exist between them. Neither refugees nor hosts are a monolithic category. In many refugee-hosting areas, tension between different groups of “hosts” and “refugees”, divided by factors such as ethnicity, clan, class or perceived wealth, are at least as significant a concern as conflict between refugees and hosts (see also: [Impact of Refugees on Hosting Communities in Ethiopia: A Social Analysis, 2020](#), hereafter referred to as [Social Analysis 2020](#)).

As part of Ethiopia's local governance systems, informal and formal local mechanisms exist that promote peaceful coexistence, dialogue, joint activities or citizen engagement. A small number of these include refugees, such as the district level peace committees in Melkadida, Gambella and Somali regions and a number of customary dispute resolution mechanisms.

ARRA has established community-based governance structures in all the refugee camps and in Addis Ababa (see also section 2.3). These do not tend to include host community members from the outset, but they generally connect with similar structures in the host community to resolve issues and promote social cohesion. ARRA is drafting guidelines for the establishment of dedicated ‘Neighbourhood Relations Committees’ (NRCs) for refugee and host communities as part of the [EOP](#).

National policies formally protect refugees from discrimination. The [1995 Constitution](#) affirms the equality of all persons before the law and their entitlement to the protection of the law without any discrimination. The [Refugees Proclamation](#) also states that it shall be applied without discrimination. In practice, discrimination may occur in some situations, for instance in relation to gender, nationality, ethnicity and diverse sexual orientation and gender identities (see also: [2020 Social Analysis](#) and [Justice Needs and Satisfaction Survey, February 2020](#), hereafter referred to as the [2020 JNS Survey](#)).

### 1.3 Environmental management

National policies exist that can be applied to mitigate the environmental impact of hosting refugees, for instance, the E-Waste Management Policy (2019), the [Forest Development, Conservation and Utilization Proclamation \(No 1065/2018\)](#), the [National Energy Policy \(2013\)](#), the [Solid Waste Management Proclamation \(No 513/2007\)](#) and the [National Environmental Policy \(1997\)](#). Although these policies and laws do not directly refer to refugees and/or host communities, in conjunction with the [Refugees Proclamation](#) and the [2018 Global Compact on Refugees](#), they nevertheless also apply to them and can be implemented in refugee-hosting areas to the benefit of both.

In practice, implementation challenges exist for all of the above-mentioned policies. For instance, while there are waste segregation and disposal processes in place in refugee-hosting areas, they are not effectively implemented in practice. As for energy, 56 per cent of refugee households have access to lighting but only 17 per cent are provided with alternative domestic fuel. The use of wood fuel poses significant challenges to environmental protection objectives. Water and sanitation policies have, since 2013, mostly been implemented through the Government's [ONE WASH National Programme](#). The Programme covers the entire country, including refugee-hosting areas, but not the refugee camps, although in some cases refugees have access to the national water supply with international support.

### 1.4 Preparedness for refugee inflows

The [Refugees Proclamation](#) and Ethiopia's [2017 CRRF Roadmap](#) provide elements for a national preparedness framework, including an institutional mechanism to respond to increased or new refugee inflows in ways that minimize short- and medium-term socioeconomic impacts. Further elements are provided by the draft [NCRRS](#). Nonetheless, the current (draft) policies do not comprehensively provide for such a framework.

In practice, responses to increased or new refugee inflows are guided by annual Refugee Response Plans (RRPs) that are developed, coordinated, and implemented through a Refugee Coordination Group (RCG) co-chaired by UNHCR and ARRA and involving mostly international humanitarian partners. The RRP are implemented and the RCGs are functional; however, the latter have no national policy base and are not integrated into national institutional structures, while the former, due to their one-year cycles, are hardly suited for preparedness and response approaches that minimize the medium-term socioeconomic impact on hosting regions.

## 2 Regulatory Environment and Governance

### 2.1 Normative framework

Ethiopia has been a State Party to the [1951 Convention Relating to the Status of Refugees](#) since 1969. A few reservations have been made, including on the right to work and education. Ethiopia is also a State Party to the [1967 Protocol Relating to the Status of Refugees](#), the [1969 OAU Convention Governing Specific Aspects of Refugee Problems in Africa](#) and other relevant [international and regional instruments](#). Ethiopia endorsed the Global Compact on Refugees. Refugee-related commitments in these instruments are implemented through the [Refugees Proclamation](#), the [Directive on refugee freedom of movement](#), the [Directive on refugees' right to work](#) and the [Directive on refugee grievances](#), as well as the [2017 CRRF Roadmap](#) in conjunction with the national policy framework. Although the Refugees Proclamation retains

the overarching article stating that refugees are entitled to all of the rights and obligations stipulated in the 1951 and 1969 Refugee Conventions, certain of these are not yet fully in line with international and regional norms and standards, notably the right to lease or use land, the right to work, the rights of children and the right to freedom of movement (See respective Policy Sub-Dimensions). However, the Refugees Proclamation exceeds these standards in relation to the right to acquire and transfer property and is in line with internationally recognized norms and standards for all other rights and obligations of refugees, including the right to education. It thus represents a retraction of the reservations Ethiopia expressed regarding the 1951 Refugee Convention. The right to work also goes beyond the country's initial reservations.

For most of the rights set out in the Refugees Proclamation, implementation has not started or has been delayed due to the absence of further regulations. The latter are still required, in order to provide additional guidance on the meaning and scope of the rights granted, to harmonize relevant national and sub-national laws and policies and to clarify the roles and responsibilities of government agencies in their implementation.

While the [Refugees Proclamation](#) has been published and disseminated in relevant languages, the three implementing directives have not. UNHCR observes gaps in the awareness of refugees and authorities, including immigration, border management, law enforcement officials, the judiciary and labour and investment related institutions, regarding applicable refugee policies and procedures.

The [Refugees Proclamation](#) includes the framework for refugee status determination (RSD), and gives ARRA responsibility for its implementation. The procedures as outlined, including those of the appeal process, are in line with international and regional standards. At the [2019 Global Refugee Forum](#), ARRA made a policy commitment to strengthen its national asylum system, including RSD. Implementation of this pledge has not yet started.

Some population groups are granted refugee status by ARRA through a prima facie approach. This covers South Sudanese, Sudanese from Blue Nile State and South Kordofan, Somalis from South Central Somalia, as well as Yemeni nationals arriving in Ethiopia after 1 January 2015. Eritrean nationals previously covered by a prima facie approach face new circumstances from January 2020 when the Government announced a change to the previously applied asylum policy. The details of revised procedures for Eritreans have yet to be officially communicated to UNHCR but initial observation suggests that an unknown number of Eritreans, including unaccompanied and separated children and female headed households, appear to have been denied access to asylum procedures and documentation.

All other nationalities go through individual RSD procedures. In the absence of a functioning government system for individual RSD, these procedures are currently implemented by UNHCR on behalf of the Government of Ethiopia. Final decisions on UNHCR recommendations are endorsed by ARRA. Asylum-seekers awaiting a decision on their claim largely enjoy the same rights as recognized refugees during the waiting period. The Appeal Hearing Council is not functional. Since April 2020, registration and RSD have been suspended for new asylum-seekers as part of the Government's measures to curb the spread of COVID-19.

## 2.2 Security of legal status

The Refugees Proclamation provides asylum-seekers with the right to stay in the country for the duration of the RSD procedure. There are no policy limitations such as time limits or renewal/extension requirements. Similarly, once refugee status is granted by ARRA, whether through prima facie or individual RSD procedures, no such policy limitations exist. There are also no reports on limitations in practice.

The Refugees Proclamation also provides for the right to seek asylum and the principle of non-refoulement in line with international standards. From 2019 to 30 June 2020, there have been no known cases of unlawful termination of refugee status by way of cancellation, revocation or cessation; no cases whereby recognized refugees have been expelled on grounds of national security or public order; and no reported cases of refoulement. However, border monitoring was reduced due to the COVID-19 pandemic. COVID-

related measures to close borders and suspend registration, as well as the change in asylum procedure for Eritrean asylum-seekers, could however have important consequences for access to asylum.

### 2.3 Institutional framework for refugee management and coordination

The institutional framework for refugee management is provided for by the [2017 CRRF Roadmap](#), [Proclamation No 1097/2018](#) and [Refugees Proclamation No 1110/2019](#). At the [2019 Global Refugee Forum](#), the Government of Ethiopia made policy commitments to further improve the institutional framework at national and sub-national level. If adopted, the draft [NCRRS](#) would further complement the policy base.

[Proclamation No 1097/2018](#) tasks the Council of Ministers with issuing regulations determining the duties and powers of ARRA. These regulations have so far not been adopted. The Refugees Proclamation mandates ARRA to issue detailed Directives to implement the Proclamation. Some provisions also provide ARRA with specific powers and duties (e.g. RSD), while other provisions remain silent on ARRA's or other institutions' institutional responsibilities (e.g. right to education).

There are no provisions on broader coordination responsibilities for refugee management in Proclamation No 1097/2018 or Refugees Proclamation No 1110/2019. However, the 2017 CRRF Roadmap for the implementation of nine (9) 'pledges' made by the Government of Ethiopia in 2016, and the draft NCRRS, set out a national institutional framework that involves sectoral ministries and donors. The Roadmap defined an intergovernmental, multi-partner Steering Committee (SC) under the leadership of the Office of the Prime Minister, co-chaired by ARRA, the Ministry of Finance and UNHCR. The SC was supported by a National Coordination Office (NCO) providing secretariat and technical services, which by mid-2018 included support from two United Nations agencies (UNDP and UNICEF) and with a development adviser position under discussion for a donor contribution. The 2017 CRRF Roadmap is not specific on a structure to coordinate between national and sub-national levels of Government, but the draft NCRRS, and related Regional Action Plans, will theoretically provide for this.

The SC and NCO were highly functional and supported by a broad range of partners and ministries from late 2017 into 2018. However, with changes in the management of ARRA, and a series of competing priorities in Government overall, ARRA was unable to prioritize maintaining the defined broad governmental coordination mechanisms of the SC and NCO – favouring some form of coordination that had more direct oversight from ARRA and was hosted fully within ARRA. This has yet to be defined by ARRA, and many actors have voiced concerns over the demise of a functional broad-governmental system, which was fully aligned with the spirit of the GCR/CRRF. The SC and NCO have now been dormant since 2019.

Refugee community governance structures established by ARRA in all the refugee camps and in Addis Ababa serve, inter alia, to obtain refugee input and feedback on decisions taken by the Government. In the camps, these include Refugee Central Committees (RCCs), community safety groups (Shurta), parent and teacher associations (PTAs), as well as associations for women, youth and persons with disabilities. In Addis Ababa, these include Refugee Community Representatives (RCRs) and a system of refugee incentive workers called Refugee Outreach Volunteers (ROVs). Furthermore, [Directive No 03/2019](#) sets out grievance mechanisms relating to misconduct committed by ARRA. Sexual exploitation and abuse are not covered by the Directive.

The RCCs and RCRs are functional and meet with ARRA, UNHCR and other national and international partners on a regular basis. They are elected by refugees themselves. Their membership takes age, gender and diversity considerations into account, although this is not always meaningfully applied. The level of functionality of the other structures may vary from group to group or area to area. Implementation of Directive No 03/2019 has not yet begun.

Refugees have so far not been included in the national population census in Ethiopia, although first steps have been taken to include refugees in administrative data collection systems. ARRA has been providing refugee vital events data to the Immigration Nationality and Vital Events Agency (INVEA) since November 2017. Similarly, ARRA has been providing refugee data to the Ministry of Education (MoE) since the 2016/2017 academic year. As of 2019, the MoE has begun to include this data in its Education Management

Information System (EMIS) (see also the [2019 Education Sector Annual Abstract \(ESAA\)](#)).

There is one example of an initial step towards the inclusion of refugees in national survey data. The JNS Survey conducted in February 2020 in the Tigray and Somali regions by ARRA, UNHCR and the Hague Institute for the Innovation of Law (HiIL) applied the same methodology as used by the Attorney General's Office (AGO) for a national survey to inform justice sector strategy development.

At sectoral level, several steps have been taken to include refugees in education sector planning in addition to the inclusion of refugee data in EMIS (see section 4.1).

## 2.4 Access to civil registration and documentation

The Refugees Proclamation provides that all recognized refugees and asylum-seekers be issued with an "identity paper" attesting to their identity and a travel document for the purpose of travel abroad. The Government has initiated the development of a [national identity programme](#) and in 2020 published its [national digital strategy 2025](#). While they do not explicitly refer to refugees, the latter two initiatives will further strengthen the policy base to advance refugees' access to official identification and their digital inclusion.

In 2019, ARRA and UNHCR jointly completed a verification exercise at the level of individual comprehensive registration. The verification exercise provided 74 per cent of all refugees and asylum-seekers aged 14 years and over with individual identity documents (refugee ID cards) and 100 per cent of the refugee households received household-level identity documents (proof of registration). This represented a significant rise in the level of coverage from 2 per cent of the refugee population prior to the verification exercise. Of the refugees surveyed as part of the 2020 JNS Survey, 97 per cent confirmed that they indeed had a refugee identity document.

In refugee hosting areas, law enforcement authorities recognize refugee ID cards. The immigration authorities recognize, under certain conditions, refugee travel documents. Relevant private sector entities increasingly recognize refugee ID cards, although challenges persist (see section 3.4).

Refugees Proclamation No 1110/2019 and the [2012 Registration of Vital Events Proclamation as amended by Proclamation No 1049/2017](#) provide that refugees are required to register vital events that occur in the host country and are entitled to receive appropriate certification. Both Proclamations mandate ARRA to provide civil registration services to refugees on behalf of INVEA, including the registration of births, deaths, divorces and marriages and issuance of the corresponding certificates. Despite the fact that the relevant proclamations on Registration of Vital Events provides for either parent to register the birth of a child (Art 26), national practice tends to require the presence of both parents. This can result in obstacles to the birth registration of refugee children from single-parent households. At the [2019 United Nations Human Rights Council's Universal Periodic Review](#), the Ministry of Foreign Affairs supported a recommendation to address this. Also at the [2019 High Level Segment on Statelessness](#) and the [2019 Global Refugee Forum](#), the Government made policy commitments to simplify and improve access to birth registration and civil documentation.

Civil registrations of refugees began in 2017 following amendment of the Vital Events Proclamation; however, infrastructure and resource limitations have limited the scope of coverage.

## 2.5 Justice and Security

The 2020 JNS Survey in the Tigray and Somali regions found comparable perceptions of safety between refugees and host communities. Such surveys have not been conducted in other refugee-hosting areas, but UNHCR similarly observes comparable levels of security between refugees and host communities, albeit with some differences. In Gambella, for instance, refugees may enjoy lower levels of security due to the absence of effective mechanisms to screen ex-combatants out of the camps and ongoing ethnic tension between refugee and host communities and among refugees themselves. The Government supported a recommendation from the 2019 United Nations Human Rights Council's Universal Periodic

Review to increase security in camps for boys and girls.

The Refugees Proclamation accords refugees the same rights as nationals in terms of access to justice, including access to legal counselling and assistance as per Ethiopian legislation.

In practice, access to justice is limited for both refugees and host communities because of capacity constraints and physical distance to relevant institutions, although mobile courts are operational in some of the refugee camps. Traditional dispute resolution mechanisms are more easily accessible and, particularly in the Somali region, refugees access them in the same way as host communities. Findings from the 2020 JNS Survey seem to indicate that, overall, refugees experience more legal problems than host communities and nationals living elsewhere in the country, rate these problems as more serious, and are less likely to resolve their problems.

The Refugees Proclamation mandates ARRA “to ensure that recognized refugee and asylum-seeker women shall have equal enjoyment of rights and protections enshrined under relevant laws in particular, specific measures are taken to protect them from gender-based violence”. Various relevant policies to prevent and address gender-based violence (GBV) are in place. These include the [1995 Constitution](#), the [2004 Criminal Code](#) and the [2000 revised Family Code](#). [Standard Operating Procedures for the Response and Prevention of Sexual Violence](#) issued by the Ministry of Health are also in place, and the Government is reportedly in the process of developing a sector wide national GBV strategy. These policies are applicable to refugee-hosting areas and do not exclude refugees.

In practice, policies are not yet fully implemented, mainly resulting from limited access to relevant services due to capacity constraints. Nonetheless, UNHCR has observed a few cases in which refugee GBV survivors are referred to and have accessed services from women’s shelters and nearby government-run One-Stop-Centres. In addition, while the law criminalizes GBV and cannot, in principle, be adjudicated by traditional dispute resolution mechanisms, some refugee and host communities still prefer to use such mechanisms. These challenges affect refugees and host communities alike, but refugee GBV survivors seem to be disproportionately affected (2020 Social Analysis, 2020 JNS Survey).

## 3 Economic Opportunities

### 3.1 Freedom of movement

The Refugees Proclamation allows refugees to move freely within Ethiopia and choose their place of residence as foreign nationals generally in the same circumstances would. The Directive No 01/2019 to Determine Conditions for Movement and Residence of Refugees Outside of Camps provides, in complement to the Proclamation, for the implementation modalities of freedom of movement. It allows refugees from all nationalities to live outside camps if they have an Out of Camp permit (OCP) issued by ARRA for regular residency outside refugee camps. To qualify for one of these, refugees must prove that they meet certain criteria indicating that they can support themselves, whether through self-reliance, sponsorship or holding a work permit allowing them to work legally. The Directive also sets out that this would not be available to all refugees and asylum-seekers at the same time but gradually, taking into account the capacity of the Government and other stakeholders to provide for the needs of refugees, the protection space, the capacity of refugees to support themselves, and other appropriate considerations. The Directive also provides that refugees may be given a permit to live in urban areas included in the UNHCR urban assistance programme in Addis Ababa, on security/protection, medical and/or humanitarian grounds.

In early 2020, OCP permits were issued to an unknown but presumably large number of Eritrean refugees, most of whom reportedly came to live in Addis Ababa. Since ARRA is yet to expand implementation of the Directive to nationalities other than Eritreans, other nationalities have not been able to obtain permits. In practice, refugees without an OCP permit generally move around freely in the areas close to the camps.



## 3.2 Right to work and rights at work

The [Refugees Proclamation](#) provides refugees with the right to seek wage-earning employment in the formal sector through two channels: either i) under the same conditions as Ethiopian nationals through participation in labour market joint projects designed by the Government and the international community (hereafter referred to as joint projects), for which refugees are issued with a five-year renewable residence permit; or ii) under the same conditions as the most favourably treated foreign nationals, who are allowed to work without a work permit in the private and public sectors except in national security and similar political establishments ([Proclamation No 270/2002](#)). Notwithstanding the rights accorded in the Refugees Proclamation, Directive No 02/2019 to Determine the Procedures for Refugees' Right to Work, as an implementing measure to the Refugees Proclamation, sets out detailed procedures and conditions for refugee participation in joint projects, including the requirement for a three-year residence period in Ethiopia after refugee status has been obtained. This excludes asylum-seekers from participation in the joint projects. The Directive also requires refugees to obtain a work permit similar to other foreign nationals for any other wage-earning employment outside the joint project context, meaning that despite the provisions of the Refugees Proclamation, refugees are actually subject to more restrictions than the most favourably treated foreign nationals, who are not required to obtain work permits to engage in wage-earning employment. There are no policy restrictions on wage-earning employment in the informal sector in Ethiopia's national legal framework. There are also discrepancies between the Refugees Proclamation and applicable national laws relating to the right to work, such as the labour law (Labour Proclamation No 1156/2019), the investment law (Investment Proclamation No 1180/2020) and the civil servant law (Federal Civil Servants Proclamation No 1064/2017), which will need to be clarified with subsidiary legislation.

Work permits are granted only for work that cannot be covered by Ethiopian nationals. They are limited to a three-year period and are only issued to specific organizations and positions in respect of which the permit has been requested. In addition, a service fee is charged for the issuance and renewal of work permits (Labour Proclamation No 1156/2019, 2019 Directive for Issuance of Work Permits for Expatriate Workforce, Ministry of Labour and Social Affairs (MoLSA). The Refugees' Right to Work Directive sets out some provisions that may facilitate lifting of restrictions related to documentation, including through a Memorandum of Understanding between ARRA and MoLSA that has not yet been signed.

At the 2016 Leadership Summit, the Government of Ethiopia committed to granting work permits to refugees and to constructing industrial parks that could employ up to 100,000 individuals with 30 per cent of the jobs being reserved for refugees. By the end of June 2020, ARRA had reportedly issued more than 2800 residence permits to selected refugees so that they can participate in the [EOP](#). Some of these refugees have limited understanding of the rights and obligations associated with residence permits. Apart from these examples, refugees are generally not formally employed ([Social Analysis 2020](#)). There are also no known cases of refugees working in the public sector.

The [Refugees Proclamation](#) also provides refugees with the right to open and register businesses in their own name on the same basis as the most favourably treated foreign nationals and in accordance with relevant laws. The [Refugees' Right to Work Directive](#) sets out two procedures through which this can be done: i) Refugees holding a residence permit can open a business through joint projects on the same basis as nationals; and ii) Refugees holding an investment permit can be self-employed in areas of work that are permitted for foreign nationals. However, the procedural requirements restrict refugees more than the most favourably treated foreign nationals. For instance, procedure one excludes asylum-seekers, who cannot obtain residence permits, while procedure two sets limitations on the sectors accessible to refugees and requires an investment permit that is subject to capital requirements (Investment Proclamation No 1180/2020). In practice, refugees have been able to open small businesses like shops in the refugee camps without fulfilling these legal requirements.

The [Refugees Proclamation](#) and the [Refugees' Right to Work Directive](#) provide refugees with the same worker protections as nationals, in line with applicable national laws. The [Civil Servant Proclamation, No 1064/2017](#), provides for worker protections in the public sector, including non-discrimination, protection of women workers, equal remuneration and the prohibition of child labour, which would on this basis equally

apply to refugees working in the public sector. Labour Proclamation No 115/2019 provides for similar protections as regards employment outside the public sphere and is applicable to refugees who hold a work permit.

The [Refugees Proclamation](#) grants refugees who have academic credentials authenticated by the competent authority the right to practice liberal professions on the same basis as the most favourably treated foreigners. Liberal professions are regulated under different legislation, most of which does not restrict foreigners from engaging in these practices except in a few cases, such as that regulating legal practice. In practice, there are no known cases of refugees engaging in liberal professions and there are discrepancies between the Refugees Proclamation and the various profession-specific regulations that stand in the way of smooth implementation of the right to exercise liberal professions. Legal harmonization and awareness-raising are needed in order to resolve these issues.

### **3.3 Land, housing and property rights**

The State owns all land in Ethiopia ([1995 Constitution](#)). No individual, whether Ethiopian, foreigner or refugee, can purchase land. The Refugees Proclamation provides refugees with the right to lease or use land as per the most favorable treatment accorded to foreigners. The 1995 Constitution does not prohibit foreigners from leasing or holding other usage rights over land and other immovable property. The relevant provisions of the 1960 Civil Code are neutral in terms of who the parties to property-related transactions can be. However, Proclamations No 721/2011 and No 456/2005 on urban and rural land impose certain conditions on access to land by foreigners. At the same time, the Refugees Proclamation also states that agricultural and irrigable land shall be available to refugees in agreement with regional states using a land lease system, subject to payment of a lease price for a renewable seven-year period, and that this applies to refugees involved in projects designed by the Government with the support of the international community.

The Refugees Proclamation provides refugees with the right to purchase, lease or use housing and immovable property as per the most favorable treatment accorded to foreigners. Foreigners of Ethiopian origin receive the most favorable treatment and are not subject to policy restrictions in respect of these rights (1995 Constitution, Proclamation No 270/2002, 1960 Civil Code, UNHCR's Housing Land and Property (HLP) assessment Ethiopia). In practice, refugees with OCP status lease or use housing based on formal or informal arrangements.

There is no specific law or policy regulating refugees' access to social/public housing schemes. At least two such schemes exist in Ethiopia, namely 'Kebele housing' (managed by City Administrations or woreda councils) and public rental housing (managed by a regional housing authority whose exact title varies according to the region). The legal basis for both is the Government Ownership of Land and Extra Houses Proclamation No 47/1975. This Proclamation does not include any provision that would provide foreigners (or refugees) with access to social/public housing schemes, but nor does it specifically exclude them as possible target populations. However, regional legislation may be more restrictive. For instance, Proclamation No 272/2008 Issued to Determine the Duties and Responsibilities of the Tigray National Housing Development and Administration Agency stipulates that housing schemes owned and funded by the Government shall be designed to benefit citizens. Similarly, the Government Housing Administration Rules and Regulation No 2/2003, which applies to Kebele housing in Addis Ababa, limits access to Ethiopian nationals only.

So far, UNHCR is not aware of refugees accessing public/social housing schemes. At the same time, in the context of the UNHCR HLP assessment conducted in 2020, some regional authorities have proposed that UNHCR consider refugee inclusion in social/public housing schemes in return for support to increase their capacity to effectively manage such programmes.

### **3.4 Financial and administrative services**

The Refugees Proclamation grants refugees with the right to open bank accounts and access financial services and mobile money in the same manner as the country's nationals. Based on the Refugees

Proclamation, refugee ID cards constitute proof of official identity for Customer Due Diligence/Know Your Customer requirements and may be used to open a bank account, register a SIM card or use mobile money services.

Urban refugees open bank accounts in Addis Ababa, which has been relatively easy, because those eligible collect their monthly allowances from UNHCR through the Commercial Bank of Ethiopia (CBE) using bank accounts in their own names. While they can easily deposit, withdraw or transfer money, it is assumed that they would face difficulties to access loans. In more remote refugee-hosting areas, limited financial infrastructure and lack of awareness of refugee rights among financial service providers remains an obstacle. However, following the increase in identification documents issued by ARRA in 2019 (see section 2.4) and legal awareness campaigns, UNHCR observes that refugees' access to banking services is on the rise, particularly to enable the delivery of cash-based interventions (CBI). Mobile Network Operators are not always aware that refugee ID cards constitute proof of official identity, which makes it difficult for refugees to legally obtain SIM cards. In practice, however, informal workarounds are commonly practised, and refugees find ways of accessing mobile connectivity.

The Refugees Proclamation recognizes driver's licences and provides the right to obtain a national driver's licence subject to fulfilling the requirements stipulated in the provisions of applicable laws and based on the refugee ID card. The applicable law in this regard is the Driver's Qualification Certification Licence Proclamation No 1074/2018. Some of the requirements set out in this law pose challenges for refugees, for instance the requirement to provide a passport, Kebele ID and certificate of education. In 2019, ARRA resolved this issue by requesting that the transport authority exempt refugees from such documentary requirements and accept the refugee ID instead. This was actioned by the Ministry of Transport through the transmission of Circulars to all regional transport bureaux. It is not known how many refugees routinely avail themselves of these rights.

The Refugees Proclamation recognizes refugees' foreign academic and vocational qualifications as per the most favourable treatment accorded to foreign nationals. No distinction is made based on the sector of qualifications. One challenge is that the authentication of higher education credentials obtained outside Ethiopia needs to be provided by the relevant Embassy of the country of origin, which exposes refugees to potential protection risks. It is not known how many refugees routinely avail themselves of these rights.

The Refugees Proclamation provides refugees with access to national skills development opportunities within the available resources and subject to the education policy of Ethiopia. In practice, refugees mostly access skills development initiatives provided by humanitarian NGOs that may not always be adequately linked to viable economic sub-sectors within the refugee-hosting areas.

## 4 Access to National Public Services

### 4.1 Education

The Refugees Proclamation provides refugees with the right to enrol in pre-primary and primary education under the same conditions as the country's nationals; the right to enrol in secondary education and specialized education services is subject to available resources and the education policy of Ethiopia, conditions that also apply to nationals; and the right to enrol in tertiary education as per the most favourable treatment accorded to foreign nationals in recognition of foreign school certificates, diplomas and degrees and as regards remissions of fees and charges and the granting of scholarships.

The Djibouti Declaration, endorsed by the Government in 2017, and two circulars issued in 2013 and 2016 respectively, promote the inclusion of refugee children in national education planning and facilitate refugee children's access to national education services, including through giving refugees access to the national education curriculum (Circular No 11/1-3456/1098/35 and Circular No 13/1-11795/8297/35). In December 2019, the Government began preparation of a multi-year plan to cost education for refugees and host communities, which along with the inclusion of refugee data into EMIS (see section 2.3) constitutes

a significant step towards refugee inclusion in education sector planning. The MoE is finalizing a new Education Sector Development Plan VI (ESDP VI, 2020–2024), which could further reinforce the policy and institutional framework for refugees' rights to education.

Data on the percentage of refugee children enrolled in the national education systems is unavailable. While refugee children living outside the camps in urban settings enrol in national schools, few refugee children in camp settings do so due to access challenges and the lack of absorption capacity of host community schools. In the 2018/2019 academic year, the overall gross enrolment rate (GER) in camps was 67 per cent for primary schools and 13 per cent for secondary schools. This represents a welcome improvement from the 2016/17 GER of 62 and 9 percent respectively. However, there is great gender and regional disparity (e.g. [UNHCR, Tigray 2019 Pledge Report](#)), and the figures also still trail significantly behind the national GER for Ethiopian children ([WBG – Ethiopia Refugee Education 2019](#)). Due to the lack of available resources and implementation, host community and refugee children have little or no access to specialized education programmes and tertiary education, even though the Education Policy and the 2018–2030 Education and Training Roadmap provide for them.

### 4.2 Healthcare

The Refugees Proclamation provides refugees with access to available health services in Ethiopia under the same conditions as nationals. This includes access to available national sexual and reproductive services for refugee women and girls. There are no further regulations or guidance on how to facilitate this access.

Data on the number of refugees accessing the national health-care system is not available. Generally, refugees living out of camp access health care provided for by government institutions under the same conditions as nationals, but many need financial support for health care. The Government provides refugees living in camp settings with HIV testing and treatment, TB, leprosy, and vaccination services, including both routine and campaign-based vaccination services, all free of charge. For other health services, refugees in camp settings generally use the camp-based health system but in some contexts also access the national health system in the host community. Correspondingly, on average, 10 per cent of the users of the camp-based health system are host community members. In locations where the host community's health-care facilities are particularly poor, this can reach 30 per cent.

A community-based health insurance (CBHI) scheme exists, but it is still in its pilot phase and non-existent in most refugee-hosting woredas. The extent to which refugees have the right to be enrolled is unclear. There is no system in place for financing refugee health-care costs in the publicly financed health care system.

### 4.3 Social protection

The Refugees Proclamation stipulates that ARRA shall ensure that refugees and asylum-seekers with specific needs are provided with special protection commensurately with their needs. There is no further policy that provides guidance on how this is to be done. The [NSPP](#) prioritizes basic levels of assistance to persons with specific needs, including disabilities and persons with mental health challenges and older persons without care and support. The [NSPP](#) does not exclude refugees. However, as per the [1995 Constitution](#), social security should be provided by the State 'to the extent that resources permit'. As such, the extent of access to basic levels of assistance is not clear either for nationals or for refugees.

In practice, UNHCR and other international humanitarian partners provide basic levels of assistance to refugees with specific needs, including persons with disabilities, unaccompanied and separated children, older persons and survivors of gender-based violence and sexual exploitation and abuse among others. The programming approach that is set out by the [NSPP](#) for assistance to persons with specific needs focuses on referrals and links from Bureaux of Labour and Social Affairs (BoLSAs) at sub-national level to private and civil society partners offering specialized services, to associations of persons with disabilities

and social workers working closely with schools and clinics, and to Community Care Coalitions (CCC). UNHCR has observed that in a few instances, refugees are referred by BoLSAs to these private and civil society partners and that they are, in practice, included. Data of the exact numbers of refugees and/or nationals with specific needs that have received assistance is not known.

There is no overarching framework in place for dialogue between the government and international partners, with a view to gradually aligning aid, social protection systems and support for refugees and host community members with specific needs, in terms of coverage, targeting and levels of benefits.

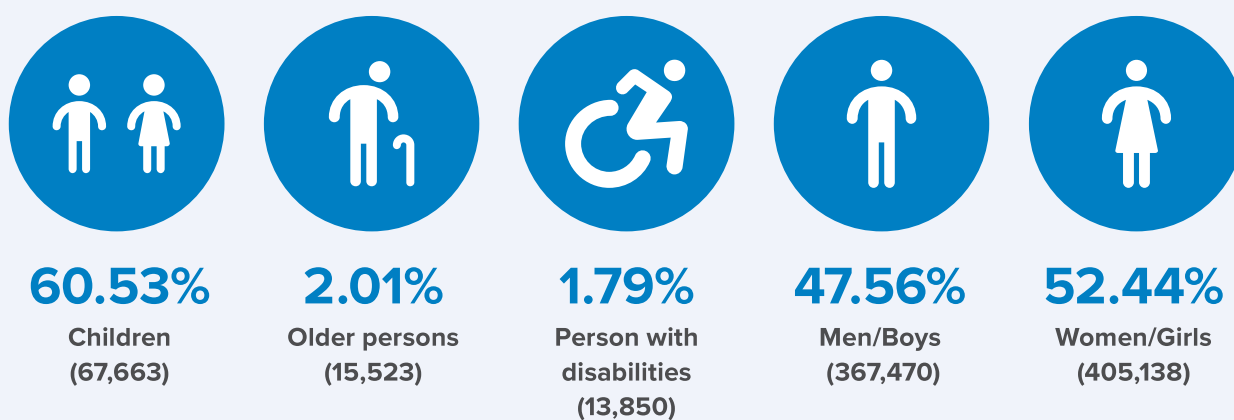
#### 4.4 Protection for vulnerable groups

The Refugees Proclamation provides children, including unaccompanied and separated refugee children, refugee victims of trafficking, survivors of gender-based violence and other refugee groups with specific needs, with access to Government-provided care and protection systems in a manner comparable to nationals in the same situation. Specifically, it stipulates that ARRA shall ensure that refugee women, children and other refugees with specific needs shall enjoy the rights and protections enshrined under relevant laws commensurate with their needs. There are no further policies providing guidance on how this is to be done. A range of national policies, standards and services exist for the protection of nationals in the same situation as the above-mentioned refugee groups. Implementation of these policies is generally weak or limited and has so far not effectively taken the specific protection needs of refugees into account in practice.

## 5 Cross Sectors

### Characteristics of registered refugees and asylum-seekers in total refugee population\*

as at 30 June 2020



### 5.1 Gender

There are differences or restrictions in terms of policies and/or their implementation related to gender in the majority of policy sub-dimensions. The most consequential ones in terms of socioeconomic development are as follows:

- i. **Social cohesion**, the weak meaningful participation of women in community-based leadership structures.
- ii. **Justice and security**, challenges related to preventing and addressing gender-based violence against men and boys, who have high needs but are often forgotten in the response.
- iii. **Education**, the drastic drop in attendance by girls between years 1-4 and years 5-8 of primary schools.

\* The refugee numbers reported here do not fully match the numbers on the front page because demographic characteristics are not available for all refugees (e.g., pre-registered refugees, etc.).

- iv. **Health care**, the limited level of access to sexual and reproductive health services.
- v. **The right to work**, the existence of discriminatory provisions.

## 5.2 Social inclusion

There are differences or restrictions in terms of policies and/or their implementation related to refugee characteristics in the majority of policy sub-dimensions. The most consequential ones in terms of socioeconomic development are as follows:

- i. **Security of legal status**, the nationality-based differences in the RSD procedure.
- ii. **Access to registration and identification**, the requirement of the physical presence of two parents.
- iii. **Education**, the lack of targeted support for refugee children with special needs.

## Annex on Key International and Regional Instruments ratified or adhered to

- [Additional Protocol to the Geneva Conventions of 12 August 1949 \(Protocol I\)](#)
- [Additional Protocol to the Geneva Conventions of 12 August 1949 \(Protocol II\)](#)
- [African Charter on Human and Peoples' Rights, 1981](#)
- [African Charter on the Rights and Welfare of the Child 1990](#)
- [African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa \(Kampala Convention\), 2009<sup>1</sup>](#)
- [African Youth Charter, 2006](#)
- [Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984](#)
- [Convention Governing Specific Aspects of Refugee Problems in Africa \(the OAU Convention\), 1969](#)
- [Convention on the Elimination of All Forms of Discrimination Against Women, 1979<sup>2</sup>](#)
- [Convention on the Rights of Persons with Disabilities, 2007](#)
- [Convention on the Rights of the Child, 1989](#)
- [Convention relating to the Status of Refugees 1951<sup>3</sup> \(Ratification date: 10 Nov 1969\)](#)
- [Convention respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land, 1907](#)
- [Djibouti Declaration on Refugee Education, 2017 \(International Instrument\)](#)
- [Fourth Geneva Convention relative to the Protection of Civilian Persons of 1949](#)
- [ILO Abolition of Forced Labour Convention, 1957 \(No 105\)](#)
- [ILO Discrimination \(Employment and Occupation\) Convention, 1958 \(No 111\)](#)
- [ILO Equal Remuneration Convention, 1951 \(No 100\)](#)
- [ILO Forced Labour Convention, 1930 \(No 29\)](#)
- [ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 \(No 87\)](#)
- [ILO Minimum Age Convention, 1973 \(No 138\)](#)
- [ILO Right to Organise and Collective Bargaining Convention, 1949 \(No 98\)](#)
- [ILO Tripartite Consultation \(International Labour Standards\) Convention, 1976 \(No 144\), 1976](#)
- [ILO Worst Forms of Child Labour Convention, 1999 \(No 182\)](#)
- [International Convention on the Elimination of All Forms of Racial Discrimination, 1965](#)
- [International Covenant on Civil and Political Rights \(ICCPR\), 1966](#)
- [International Covenant on Economic, Social and Cultural Rights, 1966](#)
- [Kampala Declaration on Jobs, Livelihoods and Self-reliance, 2019 \(International Instrument\)](#)
- [Nairobi Declaration on Somali Refugees, 2017 \(International Instrument\)](#)
- [Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Organized Crime \(2000\)](#)
- [Protocol relating to the status of refugees, 1967](#)
- [Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, 2003<sup>4</sup>](#)

### Reservations/declarations:

1 Article 1(k) (meaning of “Internally Displaced Persons”); Article 5(6) and 5(7) (obligations of States Parties relating to protection and assistance); Article 12 (compensation for displacement); Article 22 (settlement of disputes).

2 Article 29(1) (dispute resolution among States Parties).

3 Articles 8, 9, 17 (2) and 22 (1) of the Convention are recognized only as recommendations and not as legally binding obligations.

4 Article 4(2)(a) (rights to life, integrity and security); Article 6 (b), (c), (d), (f), and (j) (equal rights for women and men in marriage); Article 7(a) and (d) (equal rights for women and men in case of separation, divorce or annulment of marriage); Article 10(3) (reduction in military spending); Article 13(j) (equal application of taxation laws); Article 14(b) (the right to decide whether to have children, the number of children and the spacing of children); Article 21(1) (a widow's right to equitable share in the inheritance of property); Article 27 (interpretation of the Protocol by the African Court on Human and Peoples' Rights).