

PROCLAMATION NO.... /2018

REFUGEES PROCLAMATION

WHEREAS, Ethiopia is providing asylum and protection to refugees and promoting the search for durable solutions whenever conditions permit;

WHEREAS, Ethiopia is a party to the Convention Relating to the Status of Refugees done at Geneva on 28 July 1951, the Protocol Relating to the Status of Refugees done at New York on 31 January 1967 and the OAU Convention Governing the Specific Aspects of Refugee Problem in Africa, done at Addis Ababa on 10 September 1969;

WHEREAS, it is necessary to have a comprehensive legal framework, in accordance with international standards, that contains rights and entitlements embodied in the aforesaid International Conventions, provides better protection to refugees and promotes durable solutions;

WHEREAS, it has become necessary to revise the existing laws relating to refugees and address the challenges encountered during their implementation and thereby enact a new refugee legislation that reflects the existing condition by including the progresses made in the protection of refugees in Ethiopia;

NOW, THEREFORE, in accordance with Article 55(1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

PART ONE

General

1. Short Title

This Proclamation may be cited as “Refugees Proclamation No./2018.”

2. Definition

In this Proclamation, unless the context otherwise requires:

- 1/ “Service” means the National Intelligence and Security Service.
- 2/ "United Nations High Commissioner for Refugees" means the Office of the United Nations High Commissioner for Refugees in Ethiopia.
- 3/ "The Refugee Convention" means the Convention Relating to the Status of Refugees done at Geneva on 28 July 1951, and the Protocol Relating to the Status of Refugees done at New York on 31 January 1967.
- 4/ "The OAU Refugee Convention" means the OAU Convention Governing the Specific Aspects of the Refugee Problems in Africa, done at Addis Ababa on 10 September 1969.
- 5/ "Country of Nationality" means a country of which the refugee is a national.
- 6/ "Country of Former Habitual Residence" means the country in which the person established himself permanently and which enjoyed its protection.

- 7/ "Refugee" means any person or group of persons who fulfils the criteria under the provisions of Article 4 or Article 20 of this Proclamation.
- 8/ "Asylum-seeker" means any person or group of person who presents himself or themselves at the border or frontier or within the territory of Ethiopia seeking refugee status in accordance with provisions of this Proclamation.
- 9/ "The Family Members" means:
- a) any spouse of the recognized refugee or asylum-seeker,
 - b) any unmarried child of the recognized refugee or asylum-seeker under the age of eighteen years, or
 - c) any person the Service may consider, upon assessment, as member of a family taking into account the meaning of family in their culture and existence of dependency among them.
- 10/ "Recognized Refugee" means a person who:
- a) has been recognized as a refugee in terms of Article 4 of this Proclamation, or
 - b) is a member of group of persons declared to be refugees in terms of Article 20 of this Proclamation.
- 11/ "Identification Document" means documents, issued by the Service, to recognized refugees and asylum-seekers, including identity paper, travel document, pass permit, proof of registration, birth certificate or similar documents that attest as to the identity of the bearer.
- 12/ Any expression in this Proclamation set out in the masculine gender shall also apply to the feminine gender.

PART TWO

General Principles and Criteria

3. Non-discrimination

This Proclamation shall be applied without discrimination as to race, religion, nationality, membership of a particular social group, political opinion or other similar grounds.

4. Refugee Criteria

- 1/ Any person shall be considered as a refugee where:
- a) owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion he is outside his country of nationality and is unable or, owing to such fear, is unwilling, to avail himself of the protection of that country;
 - b) not having a nationality and being outside the country of his former habitual residence, he is unable, or owing to a well-founded fear of being persecuted

for reasons of race, religion, membership of a particular social group or political opinion, he is unwilling to return to it; or

- c) owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, he is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.

- 2/ In the case of a person who has more than one nationality, a person shall not be deemed to be lacking the protection of the country of which he is a national if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.

5. Recognizing Refugee Status *Sur Place*

A person shall be considered as a refugee where the conditions stipulated under Sub Article (1)(a), (b) or (c) of Article 4 of this Proclamation have taken place after he has left the country of his nationality or habitual residence.

6. Exclusion from Refugee Status

Notwithstanding the provisions of Article 4 and 5 of this Proclamation a person shall not be considered as a refugee if there are serious reasons for considering that:

- 1/ he has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instrument drawn up to make provision in respect of such crimes;
- 2/ he has committed a serious, non-political crime prior to his entry into Ethiopia as a refugee; or
- 3/ he has been guilty of acts contrary to the purposes and principles of the United Nations or the African Union as embodied in their respective Charters.

7. Cancellation and Revocation of Refugee Status

- 1/ The Service may:
 - a) cancel the refugee status of a person, if he should not have been considered to be a refugee because the inclusion criteria provided by Article 4 of the Proclamation was not met at the time of the initial decision;
 - b) cancel the refugee status of a person, if he should not have been considered to be a refugee because the exclusion criteria provided under Article 6 of the Proclamation had not been applied at the time of the initial decision;
- 2/ The Service may revoke the refugee status of a person recognized in Ethiopia if it is established that, after he is granted refugee status, the exclusion criteria provided by Article 6(1) or (3) of the Proclamation applies to the person.

- 3/ The Service shall give the person, whose refugee status is cancelled or revoked, a prior written notification and an opportunity to explain about the issue.
- 4/ The decision to cancel or revoke refugee status by the Service shall also apply to family members of the person with respect to whom the decision has been made; provided, however, that the family member affected by the decision may submit his individual application for refugee status in accordance with this Proclamation.
- 5/ Any person aggrieved by the decision of the Service made in accordance with this article may appeal within sixty days of receiving written notification of the decision to the Appeal Hearing Council established in accordance with this Proclamation.
- 6/ Notwithstanding sub-Article (5) of this Article, the Appeal Hearing Council may hear an appeal filed after the expiry of sixty days if the appellant has justifiable cause for having filed a late appeal.

8. Cessation of Refugee Status

- 1/ Any person shall cease to be considered as refugee if:
 - a) he has voluntarily re-availed himself of the protection of the country of his nationality; or
 - b) having lost his nationality, he has voluntarily re-acquired it; or
 - c) he has voluntarily re-established himself in the country which he left or outside of which he remained owing to fear of persecution; or
 - d) he has acquired the nationality of Ethiopia, or that of another country and enjoys the protection of his new country of nationality; or
 - e) he can no longer, because the circumstances in connection with which he was recognized as a refugee have ceased to exist, continue to refuse to avail himself of the protection of the country of his nationality: or if he has lost his nationality or has no nationality and is able to return to his country of former habitual residence but continue to refuse to do so.
- 2/ The provision of Sub-Article (1) (e) of this Article shall not apply, however, to a refugee who is able to invoke compelling reasons arising out of previous persecution as set out in Article 4, for refusing to avail himself of the protection of the country of his nationality or country of his former habitual residence.
- 3/ Any person aggrieved by the decision of the Service made in accordance with this Article may appeal within sixty days of receiving written notification of the decision to the Appeal Hearing Council established in accordance with this Proclamation.
- 4/ Notwithstanding sub-Article (3) of this Article, the Appeal Hearing Council may hear an appeal filed after the expiry of sixty days if the appellant has justifiable cause for having filed a late appeal.

9. Fundamental Change of Circumstances

- 1/ Where the fundamental changes referred to in sub-Article (1)(e) of Article 8 are considered to have taken place in a country of nationality or former place of habitual residence of a person or persons recognized as refugees under this Proclamation, the Service, working in collaboration and coordination with the United Nations High Commissioner for Refugees and subject to such other special procedures as may be established for this purpose, shall initiate an assessment and verification of the nature and durability of the changes having regard to the circumstances which justified the grant of refugee status.
- 2/ Following such assessment and verification, the Service shall, in collaboration with the United Nations High Commissioner for Refugees, make a decision as to whether or not the refugee status of the person or group of persons concerned shall be declared to have ceased.
- 3/ The decision made pursuant to Sub-Article (1) of this Article shall also set out the consequences and implications for the refugee or refugees affected by the cessation of refugee status, including the right of individual refugees to appeal against the decision.

10. Non-refoulement

- 1/ No person shall be refused entry in to Ethiopia or expelled or returned from Ethiopia to any other country or be subject to any similar measure if as a result of such refusal, expulsion or return or any other measure, such person is compelled to return to or remain in a country where:
 - a) he may be subject to persecution on account of his race, religion, nationality, membership of a particular social group or political opinion: or
 - b) his life, physical integrity or liberty would be threatened on account of external aggression, occupation, foreign domination or events seriously disturbing public order in part or whole of the country.
- 2/ The benefit of sub-Article (1)of this Article may not, however, be claimed by a person whom there are serious reasons for regarding as a danger to the national security, or who having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community.
- 3/ The Service shall, in line with this Proclamation and other laws, determine whether serious grounds exist for regarding a person as a danger to national security.

11. Expulsion

- 1/ A recognized refugee shall not be expelled except on the grounds of national security or public order.
- 2/ An order to expel, pursuant to this Article, shall be made by the Service. Such an order shall be reached in accordance with due process of law allowing the concerned refugee to present his case.

- 3/ Any expulsion order shall be communicated in writing to the refugee along with the reasons for the order.
- 4/ The execution of any expulsion order may, if the concerned refugee requests, be delayed for a reasonable period to enable such refugee to seek legal admission to another country.

12. Temporary Detention

A refugee whose expulsion has been ordered under Article 11 of this Proclamation may be temporarily arrested or detained pending his expulsion upon the order of the Service, if such detention is necessary for purposes of executing the expulsion order or to ensure that he does not endanger the national security or public order of Ethiopia.

13. Unity of the Family

- 1/ A family member of an asylum-seeker, as provided for in this Proclamation, shall be permitted to enter and remain in Ethiopia until his case is finally decided.
- 2/ A family member of a recognized refugee, as provided for in this Proclamation, shall be permitted to enter and remain in Ethiopia.
- 3/ A family member of an asylum-seeker or recognized refugee in Ethiopia shall be entitled to all the rights and be subject to the duties of the refugee or asylum-seeker.
- 4/ Nothing in this Article prevents a family member of a recognized refugee or asylum-seeker in Ethiopia from himself applying for a refugee status.
- 5/ The Service shall facilitate reunification when requests are made by recognized refugees or asylum-seekers to reunify with their family members within Ethiopia.

PART THREE

Procedures for Determination of Refugee Status

14. Application for Recognition of Refugee Status

- 1/ Without prejudice to Article 20 of this Proclamation, any person who is at the frontier or any other entry point or within Ethiopia, whether he has entered the country lawfully or otherwise, and who wishes to remain within the country as a refugee in terms of this Proclamation, shall within thirty days, apply to the nearest office or branch office of the Service; or police station.
- 2/ The Service may, up on the request of the applicant, accept applications made after the expiry of the period stated under sub-Article (1) of this Article if the late application is due to justifiable reasons.
- 3/ The police station receiving the application in accordance with this Article shall, as soon as possible forward the application to the Service.

- 4/ The Service may permit a person to submit his application for refugee status through another person if he is unable to submit his own application due to circumstances beyond his control.
- 5/ An application for refugee status made in accordance with Sub-Article (1) of this Article is deemed to have been made on behalf of all members of the family of the applicant except where individual members of the family choose to submit behalf separate application. An unaccompanied or separated child may, individually, or through his guardian, lodge an application for refugee status.
- 6/ The applicant shall complete the relevant forms issued by the Service and vouch for the truth of the statement therein.
- 7/ The Service may discontinue the processing of application for refugee status if the asylum-seeker withdraws or abandons his application.
- 8/ No criminal charge shall be commenced or continued or penalties be imposed against a person who has applied or is about to apply pursuant to this Proclamation on account of his illegal entry and presence in the country.

15. Decision by the Service

- 1/ The Service shall examine and decide on the application presented to it in accordance with Article 14 of this Proclamation within six months period of time of registering the application after verifying that the criteria provided under Article 4or5of this Proclamation are fulfilled.
- 2/ In deciding asylum applications, the Service shall:
 - a) ensure that the applicant is provided with relevant information, in a language he understands, in particular relating to the procedures for refugee status determination and rights and obligations of refugees and asylum-seekers;
 - b) ensure that the applicant is given reasonable time to present his case;
 - c) ensure the presence of a qualified interpreter during all the stages of the hearing giving due regard to the applicant's preference to have an interpreter of a particular sex;
 - d) ensure that the personnel conducting the refugee status determination interview has adequate knowledge of Ethiopian and international refugee laws; is competent to take into account the particular circumstances of asylum-seekers; and is selected having due regard to the applicant's preference to be interviewed by a member of a particular sex;
 - e) take into primary consideration the best interests of the child when examining and making decision on the application of a child for refugee status.
 - f) invite the United Nations High Commissioner for Refugees to participate as an observer.
- 3/ The Service shall cause the person concerned to be notified of its decision and the reason thereof in writing;

- 4/ Any asylum-seeker who is aggrieved by the decision of the Service may, within sixty days of being notified of such a decision, appeal in writing to the Appeal Hearing Council established in accordance with this Proclamation.
- 5/ Notwithstanding sub-Article (4) of this Article, the Appeal Hearing Council may hear an appeal filed after the sixty days if the appellant has justifiable cause for having filed a late appeal.

16. Establishment of the Appeal Hearing Council

An Appeal Hearing Council (herein after referred to as the “Council”) that reviews the decision of the Service in relation to asylum is hereby established under this Proclamation.

17. Members of the Council

- 1/ The Council shall have the following members:
 - a) The representative of the Service.....Chairman
 - b) The representative of the Ministry of Foreign Affairs.....Member
 - c) The representative of the Federal Attorney General..... Member
 - d) The representative of the Federal Police Commission..... Member
 - e) The representative of the Ministry of Federal and Pastoralist Development Affairs.....Member
- 2/ The United Nations High Commissioner for Refugees shall be invited by the Service to participate as an observer.
- 3/ The Service shall appoint a secretary for the Council.
- 4/ The Service shall facilitate, for members of the Council, to acquire the necessary knowledge and skills related to the relevant national and international refugee laws, and applicable principles, standards and procedures of refugee status determination.

18. Powers and Functions of the Council

- 1/ The Council shall within ninety days decide on appeals submitted to it in accordance with this Proclamation.
- 2/ In the exercise of its function, the Council shall:
 - a) ensure that every appellant is given reasonable time to present his case;
 - b) ensure the presence of a qualified interpreter during all stages of the hearing having due regard to the applicant’s preference to have an interpreter of a particular sex;
 - c) take into primary consideration the best interests of the child when reviewing the appeal petition of minors.
- 3/ The Council may confirm, vary or reverse the decision of the Service.

- 4/ The Council shall notify the appellant of its decision, and the reason thereof, in writing.
- 5/ The decision of the Council shall be final; provided, however, that any party claiming error of law may appeal to the Federal Supreme Court within 30 days from the date of receipt of the written decision of the Council.
- 6/ The Council shall issue its own rules of procedure.

19. Records and Minutes

The records and minutes of meetings in relation to application for refugee status shall be kept in a confidential and secure manner so that the safety and security of an asylum-seeker may not be in danger.

20. Declaration of Class of Persons as Refugees

- 1/ The Service may declare any group of persons that meet the criteria set out in Article 4 of this Proclamation as refugees.
- 2/ When recognizing a group of asylum-seekers as refugees in accordance with this Article, the Service shall, in consultation with United Nations High Commissioner for Refugees, issue a detailed Directive containing a description of the events in the country of origin or former habitual residence of the asylum-seekers underlying the decision, the characteristics of the group of beneficiaries to whom the decision applies and the applicable date of the decision.
- 3/ Notwithstanding sub-Article (2) of this Article, the Service may decide to extend the decision to individual asylum-seekers who left their country of origin or former habitual residence prior to the applicable date of the decision.
- 4/ The Service shall issue a Directive terminating the group refugee recognition procedure when determining, giving due consideration to country of origin information and in consultation with United Nations High Commissioner for Refugees, that the circumstances which led to the group refugee recognition has ceased to exist.

PART FOUR

**Rights and Obligations of Asylum-seekers
and Recognized Refugees**

21. General Rights and Obligations

Every recognized refugee and asylum-seeker:

- 1/ is entitled to the rights and be subjected to the obligations contained in the Refugee Convention, the OAU Refugee Convention and applicable international laws;
- 2/ shall be subject to the laws in force in Ethiopia in so far as they are not inconsistent with the purposes of this Proclamation.

22. The Right to Stay in Ethiopia

- 1/ Any person who has applied for recognition of his status as a refugee pursuant to this Proclamation shall be allowed to remain in Ethiopia until the Service determines his application; or if his application is unsuccessful, until he exhausts his right of appeal.
- 2/ Without prejudice to Article 10 of this Proclamation, the person may be subject to removal from the country in accordance with applicable immigration laws if he withdraws or abandons his application for refugee status or fails to submit an appeal against a negative decision of the Service within the appeal period, or his appeal against the decision of the Service is rejected by the Appeal Hearing Council.
- 3/ Notwithstanding sub-Article (2) of this Article, the person may be allowed to remain in Ethiopia for a reasonable period within which he may be able to seek legal admission to another country.
- 4/ Every recognized refugee has the right to remain in Ethiopia in accordance with provisions of this Proclamation.

23. Access to Education

- 1/ Every recognized refugee or asylum-seeker shall receive the same treatment as accorded to Ethiopian nationals with respect to access to pre-primary and primary education.
- 2/ Every recognized refugee and asylum-seeker may have access to secondary education; higher education; technical and vocation education and training; and adult and non-formal education within available resources and subject to the education policy of Ethiopia.
- 3/ Recognized refugees and asylum-seekers may receive the most favorable treatment as accorded to foreign nationals in respect to education other than primary education, in particular, as regards access to studies, the recognition of foreign school certificates, diplomas and degrees, the remission of fees and charges and the award of scholarships.

24. Access to Health Services

Every recognized refugee and asylum seeker shall have access to available health services in Ethiopia.

25. The Right to Work

- 1/ Recognized refugees and asylum-seekers shall have the right to engage in wage earning employment in the same circumstance as the most favorable treatment accorded to foreign nationals pursuant to relevant laws.
- 2/ Every recognized refugee and asylum-seeker shall have the right to engage, on his own account, including, in agriculture, industry, small and micro enterprise, handicrafts and commerce, and to establish business organizations, in the same

circumstance as the most favorable treatment accorded to foreign nationals pursuant to relevant laws.

- 3/ Every recognized refugee who has academic credentials authenticated by the competent government authority, and who desires to practice his profession, may be accorded the most favorable treatment as accorded to foreign nationals in areas permitted to foreign nationals.
- 4/ Recognized refugees and asylum-seekers engaged in rural and urban projects jointly designed by the Ethiopian government and the international community to benefit refugees and Ethiopian nationals, including in agriculture, environmental protection, industry and small and micro enterprises, shall be given equal treatment as accorded to Ethiopian nationals engaged in the same projects.
- 5/ The Service may issue a residence permit, subject to renewal every five year, to any recognized refugee selected to engage in the projects indicated under sub-Article 4 of this Article.
- 6/ There shall not be any discrimination between recognized refugees or asylum-seekers and Ethiopian nationals who are engaged in activities stipulated under this Article.
- 7/ Recognized refugees and asylum-seekers who are engaged in activities stipulated under this Article shall be entitled to the rights conferred and be subjected to the obligations imposed by applicable national laws.
- 8/ Restrictive measures imposed, by applicable laws, on employment of foreign nationals for the protection of the national labor market shall not be applicable to recognized refugee or asylum seeker who is married to Ethiopian national or has one or more child in possession of Ethiopian nationality.
- 9/ Notwithstanding this Article, any recognized refugee or asylum-seeker shall have no right to be employed on regular basis in the National Defense, Security, Foreign Affairs and other similar political establishments.

26. Right to Association

Recognized refugees and asylum-seekers have the right to association, as regards non-political and non-profit making associations and trade unions in the same circumstances as the most favorable treatment accorded to foreign nationals pursuant to relevant laws.

27. Freedom of Movement

- 1/ Subject to laws applicable to foreign nationals generally in the same circumstances, every recognized refugee or asylum-seeker has, within the national territory, the right to liberty of movement and freedom to choose his residence, as well the freedom to leave the country at any time he wishes to.
- 2/ Notwithstanding Sub-Article (1) of this Article, the Service may arrange places or areas within which refugee and asylum-seekers may live. The arranged residence place shall be located at a reasonable distance from the border of the country of origin or former habitual residence of the recognized refugees and asylum-seekers.

- 3/ The Service may facilitate the movement of recognized refugees and asylum-seekers.

28. Right to Acquisition and Transfer of Property

- 1/ Recognized refugees and asylum seekers shall be entitled to the most favorable treatment accorded to foreign nationals as regards acquisition of movable or immovable property, to leases and other contracts relating to the property.
- 2/ Recognized refugees and asylum-seekers shall be treated in the same circumstance as Ethiopian nationals as regards intellectual property rights including patent, copy right and neighboring rights, trademarks, industrial designs, and other similar rights contained in other applicable laws.
- 3/ Without prejudice to provisions of applicable Customs laws regarding prohibited and restricted imports, asylum seekers shall be allowed to bring their assets and property to Ethiopia free of tariff at the time of their first admission to Ethiopia.
- 4/ Without prejudice to provisions of applicable laws regarding prohibited and restricted exports, recognized refugees or asylum-seekers, when leaving Ethiopia to their country of origin or third country, shall be allowed to take assets or property they brought to Ethiopia or have acquired in Ethiopia.

29. Right to Access to Justice

- 1/ Every recognized refugee and asylum-seeker shall have the same right as nationals as regard to bringing any justiciable matter to, and to obtain a decision or judgment by, the court or any other competent body with judicial power.
- 2/ Every recognized refugee or asylum-seeker may have access to free legal counselling or assistance provided by the United Nations High Commissioner for Refugees or in accordance with the laws of Ethiopia.

30. Driver's Qualification Certification License

- 1/ Subject to fulfilling the requirements stipulated in provisions of applicable laws, every recognized refugee or asylum-seeker in possession of a valid foreign or international driving license recognized by the Government of Ethiopia may apply for and be issued with an equivalent driver's qualification certification license in Ethiopia.
- 2/ To assist in obtaining an equivalent driver's qualification certification license pursuant to Sub-Article (1) of this Article, the recognized refugee or asylum-seeker may be exempted from requirements applicable to persons holding valid foreign or international driving license pursuant to relevant laws provided that the refugee is willing to take the necessary training or tests, as may be required.
- 3/ Notwithstanding provisions of other laws to the contrary, every recognized refugee or asylum-seeker has the right to apply to acquire an Ethiopian driver's qualification

license using his refugee identification documents subject to fulfilling the necessary requirements stipulated under relevant provisions of applicable laws.

31. Identity Paper and Travel Document

- 1/ Every recognized refugee or asylum-seeker shall be issued with identity paper attesting to his identity.
- 2/ Every recognized refugee or asylum-seeker shall be entitled to a travel document for the purpose of travel outside Ethiopia up on written application to the Service.
- 3/ The preparation, validity and issuance of refugee travel documents as well as other relevant details thereto of recognized refugees and asylum- seekers shall be determined in accordance with immigration laws as well as applicable international instruments.

32. Access to Banking Services

Every recognized refugee or asylum-seeker has the right to open a personal bank account, deposit, transfer or withdraw money and obtain other banking services using identification document issued by the Service.

33. Access to Telecommunication Services

Every recognized refugee or asylum-seeker has the right to access telecommunication services using the identification document issued by the Service.

34. Rationing

Where a rationing system exists, which regulates the general distribution of products in short supply, recognized refugees and asylum-seekers shall be accorded the same treatment as nationals.

35. Vital Events Registration

Every refugee or asylum-seeker shall be treated in the same circumstances as nationals with respect to the registration and issuance of certificate of registration of vital events, in accordance with applicable laws.

36. Fiscal Charges

- 1/ Recognized refugees and asylum-seekers shall not be subject to imposition of any duty, charge or tax, of any description whatsoever, higher than imposed on nationals in the same circumstances.

- 2/ Without prejudice to sub-Article(1) of this Article, the Service shall provide, to recognized refugees and asylum-seekers, identity documents, travel documents, exit visas and similar services free of charge.

37. Special Protection to Persons with Specific Needs

The Service shall ensure that:

- 1/ 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.
- 2/ recognized refugee and asylum-seeker children shall enjoy the rights and protections enshrined under relevant laws in particular; specific measures are taken to protect them from abuse, neglect, exploitation and trafficking.
- 3/ special protection and assistance to other refugees and asylum-seekers with specific needs is provided commensurate with their needs.

38. Obligations of Recognized Refugees and Asylum-seekers

- 1/ Every recognized refugee and asylum-seeker shall cooperate with the Service, provide relevant information in respect to their application for refugee status to the Service when requested and respect the laws in force within Ethiopia.
- 2/ Every recognized refugee and asylum-seeker shall respect the cultures of the people and refrain from practices repugnant to public morality.
- 3/ Every recognized refugee and asylum-seeker shall have the duty to protect the environment.

39. Voluntary Repatriation

- 1/ Every recognized refugee has the right to a free and informed choice to seek to repatriate, in safety and with dignity, to his country of nationality or former habitual residence.
- 2/ The Service shall, in collaboration with the country of origin, the United Nations High Commissioner for Refugees and other partners, provide every possible assistance to facilitate the voluntary, safe and dignified return of refugees who request repatriation.

40. Local Integration

The Service may, upon their request, facilitate local integration of individual refugees or groups of refugees who have lived in Ethiopia for a protracted period.

41. Naturalization

Every recognized refugee or asylum-seeker who fulfills the necessary requirements provided in the relevant provisions of the Ethiopian Nationality Law relating to naturalization may apply to acquire Ethiopian nationality by law.

PART FIVE
Miscellaneous Provisions

42. Cooperation with United Nations High Commissioner for Refugees

The Government of Ethiopia shall co-operate with the United Nations High Commissioner for Refugees in the exercise of its functions in accordance with Article 35 of the Refugee Convention.

43. Confidentiality Principle

Any person implementing this Proclamation, and Regulations and Directives issued in accordance with this Proclamation shall have the obligation to safeguard the confidentiality of any information he obtains, in the course of his work related to asylum-seekers or recognized refugees, in particular he shall not collect information from or disclose information to the authorities of the country of origin of the recognized refugee or asylum-seeker or any alleged actors of persecution.

44. Repealed and Inapplicable Laws

- 1/ The Refugee Proclamation No. 409/2004 is hereby repealed by this Proclamation.
- 2/ No law or customary practice shall, in so far as it is inconsistent with this Proclamation, have effect with respect to matters provided for in this Proclamation.

45. Transitory Provisions

- 1/ Matters decided in accordance with existing laws or customary practices shall remain valid.
- 2/ Notwithstanding Article 44 sub-article (1) of this Proclamation, Regulations or Directives issued pursuant to Proclamation No. 409/2004 shall continue to be applicable until replaced with other regulations and directives issued in accordance with this proclamation and in so far as they are not inconsistent with this Proclamation.

46. Power to Issue Regulations and Directives

- 1/ The Council of Ministers may issue Regulations for the proper implementation of this Proclamation.
- 2/ The Service may issue detailed Directives necessary for the implementation of this Proclamation or Regulations issued in accordance with this Proclamation.

47. Effective date

This Proclamation shall come into force on the date of its Publication in the *Federal Negarit Gazette*.

Done at Addis Ababa, on this _____day of ____2018.

MULATU TESHOME (PhD)
PRESIDENT OF THE FEDERALDEMOCRATIC
REPUBLIC OF ETHIOPIA