

## 31. CITIZENSHIP AND NATIONALITY

### NATIONALITY

- 31.01 According to Article 6 of the Constitution any person shall be an Ethiopian national where both or either parent is Ethiopian and foreign nationals may acquire Ethiopian nationality, although there is no provision for dual nationality. It also affirms that the law shall determine particulars relating to nationality. [4] (p4)

### PROCLAMATION ON ETHIOPIAN NATIONALITY: ERITREANS IN ETHIOPIA

- 31.02 The United Nations High Commission for Refugees report Ethiopia: A Sociopolitical Assessment, a Writnet report written by Cedric Barnes, May 2006 states: "It is clear that once war broke out between Ethiopia and Eritrea the definition of citizenship in relation to Eritreans or Ethiopians of Eritrean origin — the co-called dual nationals — gave rise to legally anomalous situation." [107] (6.4)

The UNHCR report continues: "The definition of Ethiopian citizenship especially in relation to people of Eritrean origin has also been regularized. In 2003 the Ethiopian government issued Proclamation No. 378/2003, Proclamation on Ethiopian Nationality which repealed the previous Ethiopian Nationality Law of 1930. A consideration of the Proclamation is useful in relation to the definition of Ethiopian Citizenship, and the rights to the citizenship and residence of dual nationals, Ethiopians of Eritrean origin, and full Eritrean citizens." [107] (6.4)

- 31.03 The Proclamation No. 378/2003 on Ethiopian nationality can be found on the UNHCR website:  
<http://www.unhcr.org/cgi-bin/texis/vtx/rsd/rsddocview.pdf?tbl=RSDLEGAL&id=409100414> . [42c]

### DIRECTIVE ON RESIDENCE FOR ERITREAN NATIONALS

- 31.04 The United Nations High Commission for Refugees report Ethiopia: A Sociopolitical Assessment, a Writnet report written by Cedric Barnes, May 2006 states that: "Although the Nationality Proclamation clearly stated who was and who was not considered a national, it did not explicitly addresses the problem of dual nationality. However, in January 2004 the SIRAA issued a Directive on Residence for Eritrean Nationals in Ethiopia." [107] (6.5)

The UNHCR report further continues: "This directive directly addresses the situation of Ethiopians of Eritrean origin, dual nationals, and Eritreans, in a way that the 2003 Proclamation on Nationality does not. Part 1 of the Directive notes: Numerous persons of Eritrean origin have continued to reside in Ethiopia since long before Eritrean independence. Since it has been found necessary to determine the residence of those Eritrean nationals who have continued to live in Ethiopia, the Security and Immigration and Refugee Affairs Authority has issued this directive." [107] (6.5)

The UNHCR report further notes: "Part 2 of the Directive notes under Objective: The Objective of this Directive is to provide the means to any person of Eritrean origin who was resident in Ethiopia when Eritrea became an independent State [1993] and has continued maintaining a permanent residence in Ethiopia up until this Directive is issued to confirm whether he or she has acquired Eritrean nationality, and to determine his or her status of residence in Ethiopia." [107] (6.5)

The UNHCR report also notes: "Given these basic assumptions the Directive, (Part 2, Issues of Nationality and Registration) defines what constitutes Eritrean nationality. It also states how Ethiopian nationality is defined or acquired by those who have come to acquire Eritrean nationality by default:

A Person having an Eritrean passport or documents [non-specified] conferring Eritrean nationality or person serving the Eritrean Government in a sector reserved exclusively for Eritrean nationals is considered as having Eritrean nationality.

A person of Eritrean origin who has not opted for Eritrean nationality shall be deemed as having decided to maintain his or her Ethiopian nationality and his or her Ethiopian nationality shall be guaranteed.

An Eritrean registered in accordance with this Directive and who desires to regain his or her Ethiopian nationality may be readmitted to his or her Ethiopian nationality based on Article 22 of the new Nationality Proclamation." [107] (6.5)

[Return to contents](#)  
[Go to list of sources](#)