

Major Diaspora Favorable Ethiopian Laws

Description

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Foreign Nationals of Ethiopian Origin(Diasporas) are believed to contribute to the development and prosperity of Ethiopia. Lifting legal restrictions were done starting from 2002. Some of the laws lifting restrictions on the diaspora will be discussed briefly here below.

Foreign Nationals of Ethiopian Origin are defined to include those foreign nationals who had at least one parent or grandparent or great grandparent being an Ethiopian national. In addition to that, those who had been Ethiopian nationals before acquiring a foreign national fall under foreign nationals of Ethiopian origin definition. One exception here is that an Eritrean who forfeited Ethiopian nationality for Eritrean nationality cannot be considered foreign national of Ethiopian origin. Spouses and minor of the person who holds a foreign national of Ethiopian origin identification card are also eligible to apply for the identification card. Some foreign nationals who reside in Ethiopia but who are not Ethiopians by origin may be eligible for the identification card.

To enjoy the rights and privileges, the diaspora has to apply and acquire foreign national of Ethiopian origin identification card. However, a holder of such an identification card still cannot be employed on a regular basis in the national defense force, security apparatus, foreign affairs and other political establishments. More so, the holder of the identification card shall have no right to vote or be elected to any office of any level of government.

Some of the privileges are mentioned under the proclamation namely Providing Foreign Nationals of Ethiopian Origin with Certain Rights to be Exercised in their Country of Origin Proclamation No. 270/2002. The foreign nationals of Ethiopian origin are not required to have an entry visa or residence permit to live in Ethiopia. They can be employed in Ethiopia without a work permit requirement. Enjoy pension schemes under the relevant pension law. Own immovable property. They will be considered as domestic investors to invest in Ethiopia under the investment law. In general, enjoy the economic, social and administrative services without any restrictions as imposed on foreign nationals.

Under Banking (Amendment) Proclamation No 1159/2019 and Insurance Business(Amendment) Proclamation No.1163/2019, a foreign national of Ethiopian origin is allowed to form and operate a bank or an insurance company or buy shares in a bank or insurance company. He can do so individually or through a company fully owned by foreign nationals of Ethiopian origin or jointly by foreign nationals of Ethiopian origin and Ethiopian nationals. His share purchase shall be in acceptable foreign currency. However when earning a dividend or transfer of those shares in any form, the payments shall be in local currency.

Investment Proclamation No.1180/2020 defines domestic investors to include those foreign nationals considered by relevant law of Ethiopia as domestic investors. As seen above under Proclamation No 270/2002, foreign nationals of Ethiopian origin are treated as domestic investors. Minimum capital requirement for investment will not apply to foreign nationals of Ethiopian origin. Foreign nationals of

Ethiopian origin can engage in any businesses including those that are reserved for domestic investors. To see the list of businesses, you may click the following link:
<https://dmethiolawyers.com/investment-businesses-open-for-foreign-investors-in-ethiopia/>

Family law wise, adoption of Ethiopian children is still made available. The Federal Supreme Court Cassation Bench on File No 189201 on March 11,2020 on Volume 24, allowed by interpretation foreign nationals of Ethiopian origins to adopt Ethiopian children. Adoption can be relative adoption or adoption from orphanages.

Advocacy license permits for only Ethiopian nationals were lifted. Under Federal Advocacy Service Licencing and Administration Proclamation No. 1249/2021, not only Ethiopians but also foreign nationals of Ethiopian origin are allowed to request and acquire the federal advocacy license.

To sum up, lifting legal restrictions on foreign nationals of Ethiopian origin will enable their engagement in the economic and social development of their country of origin. Lifting legal restrictions will pave the way for a significant number of foreign nationals of Ethiopian origin to pour their finance, know-how and technology to the development and prosperity of Ethiopia.

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Date Created

January 9, 2022

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