

Privileges of Spouses of a Foreign National of Ethiopian Origin ID Holder

Description

By Dagnachew Tesfaye, Managing Partner at DMLF



Introduction

The spouses of holders of foreign nationals of Ethiopian origin ID are granted a right to apply for foreign national of Ethiopian origin ID. This right is listed under [Proclamation No 270/2002 Providing Foreign Nationals of Ethiopian Origin with certain Rights to be Exercised in their Country of Origin](#) (hereafter the Proclamation) and Council of Ministers Regulation No 101/2004. Here below, we shall briefly see what the entitlement is about for the spouse, related rights and restrictions of having the ID, duration of the ID and the extension of the right to siblings. A brief conclusion shall end the article.

Entitlement

A spouse of a foreign national of Ethiopian origin who possesses foreign nationality shall be entitled to apply for an Identification Card specifying that he or she is the spouse of a person holding the Identification Card of a foreign national of Ethiopian Origin. The right to apply shall also extend to spouses possessing Eritrean nationality. The spouse with an Identification Card issued shall enjoy the

rights and privileges and be subject to the restriction stipulated in the Proclamation.

Rights

The holder of the Identification Card of foreign national of Ethiopian origin, who is the spouse, shall enjoy the following rights and privileges:

- He shall not be required to have an entry visa ,or residence permit to live in Ethiopia;
- Subject to the restriction below, he shall have the right to be employed in Ethiopia without a work permit;
- He shall have the right to own immovable property and the restrictions on foreigners owning of property under Articles 390-393 of the Civil Code shall not apply on him;
- He shall have the right to be considered as domestic investor to invest in Ethiopia under Investment law;
- In general restrictions imposed on foreign nationals regarding the utilization of economic, social, and administrative services shall not be applicable to foreign nationals of Ethiopian origin holding the Identification Card.

Restrictions

The holder of the Identification Card of foreign national of Ethiopian origin shall have the following restrictions:

- He shall have no right to vote or be elected to any office at any level of government;
- He shall have no right to be employed on a regular basis in the National Defence, Security, Foreign Affairs and other similar political establishments.

Duration

The Identification Card issued to the spouse of the yellow card holder shall only be valid until the Identification Card of the person of Ethiopian Origin is returned or canceled or upon dissolution of the marriage. However, in normal circumstances, the ID is valid for 5(five years) and it is renewable as per Article 4 of the Regulation.

Siblings

The children of the holder of the Identification Card of foreign nationals of Ethiopian origin who are under the age of 18 may not be required to have a separate Identification Card. They shall have the right to enjoy facilities granted in this Proclamation provided that they are specified as children in their parent (s) identification Card. However, the children under the age of 18 covered by the definition of “Foreign national of Ethiopian Origin” under this Proclamation, may have the right to be issued with a separate Identification Card upon application, taking into account the provisions of the Ethiopian Civil Code pertaining to minors.

ቅጽ 1

በኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ የውጭ ጉዳይ ሚኒስቴር
MINISTRY OF FOREIGN AFFAIRS OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA
የኢትዮጵያ ተወላጅ መታወቂያ ካርድ ፎርም
APPLICATION FORM FOR THE GRANT/RENEWAL PERSONS OF
ETHIOPIAN ORIGIN IDENTIFICATION CARD

የፎርም ቁጥር _____
REF NO.

ፎቶ
PHOTO

1. የአመልካች (APPLICANT)
ስም _____
FIRST NAME _____
የአባት ስም _____ የአያት ስም _____
FATHER'S NAME _____ GRAND FATHER'S NAME _____

2. ሌሎች የሚጠሩባቸው ስሞች _____
OTHER NICK NAME _____

3. ጾታ ወንድ ሴት
SEX MALE FEMALE

4. የትውልድ ዘመን _____
DATE OF BIRTH _____

5. የትውልድ ቦታ _____
PLACE OF BIRTH _____

5.1. በፀገር ውስጥ ከሆነ IF IT IS IN ETHIOPIA
ክልል /REGION _____
ዞን/ክ/ከተማ /ZONE/SUB CITY/ _____
ወረዳ /WOREDA/ _____
ከተማ /CITY/ _____
ቀበሌ /KEBELE/ _____

5.2. በውጭ ፀገር ከሆነ IF IT IS ABROAD /
አገር /COUNTRY/ _____
አድራሻ /ADDRESS/ _____
ከተማ /CITY/ _____
ክልል /STATE/ _____ ZIP CODE _____

6. ዜግነት /NATIONALITY/
ሀ. የቀድሞው 1. _____ 2. _____ 3. _____
FORMER
ለ. የአሁን 1. _____ 2. _____ 3. _____
PRESENT
ሐ. ብሔር/ብሔረሰብ _____
ETHNIC GROUP

7. ቁመት _____ 8. የዕይን ቀለም _____ 9. የጠግር ቀለም _____ 10. ልዩ ምልክት _____
HEIGHT COLOR OF EYES COLOR OF HAIR SPECIAL MARK

11. አመልካች ከዚህ ቀደም ይዘው የነበረው የኢትዮጵያ ጽሕፈት
APPLICANT'S FORMER ETHIOPIAN PASSPORT

11.1 የጽሕፈት ቁጥር _____ 11.4 የመጨረሻ የታደሰበት ጊዜ _____
PASSPORT NO. LAST RENEWAL

11.2 የተሰጠበት ቦታ _____ 11.5 የሰጠው አካል _____
PLACE OF ISSUE ISSUING AUTHORITY

11.3 የተሰጠበት ወር _____ ቀን _____ ዓ.ም. _____
DATE OF ISSUE MONTH DAY YEAR

Conclusion

The spouses of holders of the identification card of foreign nationals of Ethiopian origin are granted the right those Ethiopian origins have due to their connection to Ethiopia. For much of the rights, the holder of the ID enjoys what an ordinary Ethiopian enjoys. The trend has also been to lift restrictions in the participation of foreign nationals of Ethiopian origin ID holders for instance in [the banking sector](#) and [adoption of Ethiopian children](#). As a comparison, for example, a foreigner marrying an Ethiopian national, shall have only the right to acquire [residence permit](#). The spouses who marry Ethiopian nationals shall have NO right to own immovable property nor be considered as domestic investors. On the contrary, marrying an ID holder of Ethiopian Origin has many more privileges. Our immigration office needs to be robust and proactive in dealing with immigration issues of such type and make sure immigration rules are applied in uniformity having the policy perspective of the country in check.

For any inquiry, you may contact us at info@dmethiolawyers.com

Category

- 1. Latest Posts

Date Created

July 9, 2023

Author
dmethiol_admin

Dagnachew & Mahlet Law Firm LLP