



Federal Democratic Republic of Ethiopia
Agency for Refugees and Returnees Affairs



Directive to Determine Conditions for Movement and Residence of Refugees Outside of Camps

Directive No. 01/2019



December 30, 2019
Addis Ababa



Preamble

Ethiopia is receiving refugees from various countries and providing them the necessary protection and humanitarian assistance in collaboration with partner institutions and in accordance with relevant international and regional instruments ratified by the country as well as on the basis of the Refugees Proclamation No. 1110/2019, newly promulgated in a manner conforming to international standards.

The new Refugees Proclamation grants refugees and asylum seekers the right to freedom of movement and the liberty to establish their residence in areas of their choosing subject to applicable laws uniformly applicable to all foreign nationals. Further, the Proclamation entrusts the Agency for Refugees and Returnees Affairs to work towards the realization of these fundamental rights by arranging places or areas within which refugees and asylum-seekers may live as well as facilitate conditions for them to exercise their right of movement.

The refugees' movement outside camps, regular out of camp residency and the urban-assisted schemes are among the wide range of initiatives being implemented by the Agency to broaden the opportunities for refugees to rid themselves of dependency on humanitarian aid and attain self-reliance as well as to achieve durable solutions. In this regard, the procedure that was previously in place to allow refugees to live outside camps has been amended to enable refugees to effectively establish residence outside of camps in order to take advantage of employment opportunities in the country and transform their lives in accordance with the legal procedure. Accordingly, it is found necessary to issue a Directive to uniformly regulate the aforementioned matters in line with the Refugee Convention, the Refugee Proclamation and relevant international standards.



Part I

General Provisions

1. Purpose of the Directive

The procedure previously in place to allow refugees to live outside camps has been amended to enable refugees, pursuant to the applicable law and in accordance with the Refugees Proclamation No. 1110/2019, to rid themselves of dependency on aid and transform their lives by taking advantage of various employment opportunities in the country without the need to be confined to camps. Accordingly, this Directive is issued as it was deemed necessary to uniformly regulate the aforementioned matters in line with the Refugee Convention, the Refugees Proclamation and relevant international standards.

2. Issuing Authority

This Directive is issued by the Agency for Refugees and Returnee Affairs in order to determine the conditions under which refugees may move and reside outside refugee camps in accordance with the power entrusted to it under Article 46 (2) of the Refugees Proclamation.

3. Short Title

This Directive may be cited as “Directive to Determine Conditions for Movement and Residence of Refugees Outside of Camps, Directive No. 01/2019”.

4. Definitions

- 1) "Proclamation" means the Refugees Proclamation No. 1110/2019.
- 2) "Agency" means the Agency for Refugee and Returnee Affairs.
- 3) "Refugee" means a person who has such status based on the definition provided under the Refugees Proclamation and includes an asylum seeker unless otherwise stated.
- 4) "Sponsor" means a person who assumes the responsibility to host a refugee or an asylum seeker out of camp covering his full costs.
- 5) “Regular out of camp residency permit” means a permit given to a refugee or asylum seeker to live at a place of his choice outside refugee camp or settlement covering his full costs by himself or through a sponsor.



- 6) "Pass Permit" means a document issued by the Agency to enable a refugee to temporarily move outside of his designated refugee camp or regular residence.
- 7) "Family" means
 - a. The refugee's spouse;
 - b. An unmarried child of a refugee or asylum seeker under the age of eighteen; and
 - c. A person who depending on the degree of his dependency is considered by the Agency to be a close family member.
- 8) Definitions provided under the Proclamation shall apply to this Directive;
- 9) Any reference to the masculine gender applies to the feminine gender.

5. Principles

- 1) This Directive shall be enforced without discrimination on the basis of race, religion, nationality, membership of a particular social group, political opinion or other similar grounds.
- 2) Regular out of camp residency permit may not be availed to all refugees at the same time, but will be gradually realized taking into account the capacity of the government and other stakeholders to provide for the needs of refugees, the protection space, the capacity of the refugees to support themselves, and other appropriate considerations.
- 3) Regular residency outside the camps shall be implemented in a manner that takes into account the interaction of refugees with the host community.

6. Scope of Application

This Directive shall apply to recognized refugees and asylum seekers and any other persons who may come under the purview of the Directive in the course of the implementation of the same.



Part II

Regular Residency Outside Refugee Camp

7. Issuance of Regular Out of Camp Residency Permit

- 1) Any refugee who meets the conditions outlined under Article 8 may be granted a permit for regular out of camp residency.
- 2) The permit shall be issued only at the camp where the refugee is assigned to live or the Zonal Coordination Office or the head office of the Agency.
- 3) A refugee seeking to live outside of a refugee camp shall be given appropriate orientation by the Agency regarding living conditions and services provided outside the camp.
- 4) Regular Out of camp residency permit granted to refugees in accordance with the procedure prevailing before the issuance of this Directive shall remain valid and the provisions of this Directive shall apply to such refugees.
- 5) Refugees informally residing outside their designated refugee camp prior to the issuance of this Directive shall be deemed to fulfill the requirements set out under Article 8 and can obtain formal recognition of their out of camp residency by presenting themselves at the Agency's nearest refugee camp or office.

8. Conditions for Regular Residency Outside Camp

- 1) A refugee who had lived in a camp for a month (30 days) and longer may be granted permit for regular out of camp residency where he:
 - a. can prove that he can cover the costs of living outside camp; or
 - b. can produce a sponsor who can cover his cost of living on a regular basis outside of camp; or
 - c. receives a work permit that allows him to work legally in accordance with applicable laws.
- 2) Notwithstanding the foregoing, an orphaned child who has a court-appointed guardian, unaccompanied and separated child, a refugee or asylum seeker who has a medical condition verified by a physician, a single mother, an elderly person and a refugee who has an urgent overseas travel schedule may be granted permit under special conditions



without the need to stay in the camp for 90 days on the basis of recommendations provided jointly by protection officers and coordinators at the camp or reception centers.

- 3) An urban-assisted refugee whose inclusion into the urban assistance comes to an end may be granted a regular out of camp residency permit without having to be compelled to return to refugee camp provided he meets the conditions for regular out of camp residency.

9. Conditions that Preclude Regular Out of Camp Residency

A refugee who is being investigated in connection with a crime or security matter or who is facing restraints due to a communicable disease shall not be granted permission to live outside camp.

10. Unity of the Family

- 1) Any refugee who is a family member of a refugee who has been granted a permit for regular out of camp residency can apply for and receive permission to live together with the refugee who has permit.
- 2) A minor who has been granted permission to live outside camp in accordance with sub-article 1 of this Article shall not be compelled to return to camp where he attains majority while out of camp.

11. Benefits of Regular Out of Camp Residency Permit

- 1) Refugees who have been granted permit for regular out of camp residency permit have the right to freely move and establish residence in all areas of the country, except in areas restricted by the Agency in the interest of safety and security on the basis of this Directive or other applicable law.
- 2) A permit for regular out of camp residency enables refugees to access basic protection and other services provided by governmental, non-governmental and humanitarian organizations in accordance with the law of the country.

12. Obligations of Refugees with Regular Out of Camp Residency Permit

- 1) Refugees who are granted regular out of camp residency permit shall have the duties set out under the Proclamation.
- 2) Refugees who are granted regular out of camp residency permit may not live or move within areas located less than 30 km from the international borders and around areas



restricted by the Agency in the interest of safety and security pursuant to this Directive or other applicable law.

- 3) Refugees who are granted regular out of camp residency permit shall have the obligation not to engage in illegal activities and activities which are contrary to public morals and they are required to be compliant with the laws of the country.

13. Procedure to Request Regular Out of Camp Residency Permit

- 1) A Refugee seeking to establish regular residency outside of camp must be physically present at the camp where he is registered and complete the form prepared for this purpose.
- 2) The refugee applicant must provide proof that he is able to cover the full cost of living outside of camp, or that he has a sponsor who can cover the cost, or that he has a valid work permit, or a family member living outside of camp.

14. Evidence

- 1) A refugee requesting to live outside of camp may be able to prove that he is able to cover the full cost of living outside of camp by explaining his condition to the officer of the Agency handling the request.
- 2) The sponsor for a refugee who seeks to establish regular residency outside of camp shall be physically present at the nearest office of the Agency or the camp where the refugee is located or the Zonal Coordination Office or Head Office of the Agency and provide a renewed Kebele ID or passport or residence permit, fill in the form confirming his ability to be a sponsor and send the same to the camp where the refugee is located.
- 3) Where the person sponsoring the refugee is living abroad, he shall present a bank statement and an affidavit confirming his willingness and ability to sponsor the refugee concerned.
- 4) A refugee who produces a valid work permit from the competent authority is not required to provide proof of employment.
- 5) A refugee who requests to live outside of camp on the ground of having a family member who has regular residence outside of camp may prove that his family member has established regular residence outside camp and his relationship to the said person based on evidence available in the Agency's database.



15. Appeal

- 1) A refugee who is aggrieved by a decision rendered on his application for regular out of camp residency permit may, successively, appeal in writing to the camp coordinator, the head of the Coordination Office and the Deputy Director General.
- 2) The superior officer who receives the appeal shall review the complaint jointly with the concerned departments and notify his decision within 5 working days.
- 3) The decision of the superior officer shall be final and unappealable.

16. Change of Circumstances

In the event there is a change of the circumstances that enabled the refugee to establish out of camp residency in accordance with this Directive, the refugee may continue his out of camp residency without having to return to camp by establishing that he meets other conditions for regular out of camp residency.

17. Duration and Renewal of Regular Out of Camp Residency Permit

- 1) A regular out of camp residency permit is valid only for three consecutive years.
- 2) A refugee who has been granted regular out of camp residency permit to live outside camp shall renew his permit being physically present at the camp or Zonal coordination office or head office of the Agency where he obtained the permit, as the case may be, before the expiry of his permit as specified in this Article.
- 3) Notwithstanding the provision of sub-article 2 of this Article, a refugee who fails to renew his permit within the specified time due to a reason beyond his control may be able to renew his permit by explaining the reason to the Agency.

18. Replacement of Regular Out of Camp Residency Permit

In case a refugee loses his regular out of camp residency permit, he may obtain a replacement by producing a letter explaining the situation from the nearby police station where the refugee resides; or in case the permit is damaged, he may obtain a replacement by presenting remains of the damaged permit to the nearest office of the Agency.

19. Conditions for Termination of Regular Out of Camp Residency Permit

- 1) Permit for regular out of camp residency shall be terminated where:



- a. the permit is not renewed within the specified time or the renewal request is rejected because the conditions for out of camp residency are no longer met; or
 - b. the refugee who is in possession of the permit requests to return to camp on account of compelling circumstances described under Article 20 of this Directive; or
 - c. the refugee requests to voluntarily return to camp.
- 2) Without prejudice to the provision of Sub-article 1 of this article, a regular out of camp residency permit may be cancelled:
- a. if the permit was found to be obtained through a fraudulent or illegal means, or
 - b. if the refugee has been found to be a recidivist under law, or
 - c. if the refugee is found by the appropriate body to be a security concern for the area in which he resides, or
 - d. if the refugee is convicted for participating in human trafficking crime.
- 3) A refugee whose permit has been cancelled pursuant to sub-article 2 of this Article may be granted a new regular out of camp residency permit where the circumstance for the cancellation of the permit has been convincingly changed.
- 4) A refugee whose regular out of camp residency permit is terminated or cancelled in accordance with sub-Articles 1 and 2 of this Article may be returned to camp.

20. Return to Camp

The Agency may facilitate the return to camp of a refugee residing out of camp where:

- 1) he no longer has sponsor to cover his cost due to the sponsor's resignation from his role, disappearance, death, illness or other legal reason;
- 2) the work permit granted to the refugee is canceled or it has become difficult for the refugee to engage in lawful employment, or
- 3) the refugee's family member who was granted regular out of camp residency permit has returned to camp.

21. Protection for Refugees Residing out of Camp

The Agency shall, in accordance with its mandate and in collaboration with the United Nations High Commissioner for Refugees (UNHCR) and other institutions, provide legal protection to refugees who have established regular out of camp residency.



22. Urban Assisted Refugees

- 1) Refugees who meet the criteria outlined under Article 23 of this section shall be issued with identification document confirming their inclusion into the urban assistance program.
- 2) The commencement, termination, and other details relating to the implementation of urban assisted living shall be determined in accordance with procedures agreed between the Agency and partner humanitarian organizations.
- 3) Prior to making a decision on urban assisted living, a determination shall be made that the refugees requesting urban assisted living do not meet the conditions for regular out of camp residency under this Directive.
- 4) Refugees who qualify for inclusion into urban assistance program shall receive a pass permit which enables them to move out of camp pursuant to relevant provisions of this Directive and be provided by the agency's head office with an identification document confirming their inclusion in the urban assistance program.

23. Conditions and Criteria for Inclusion to the Urban Assistance Program

The Agency, in coordination with partners, shall give permit to refugees who meet the following criteria and conditions to live in urban areas while receiving assistance where:

- 1) there is a medical condition encountered by the refugee prior to or during his time as refugee or while in refugee camps, and the refugee needs to be transferred to the city because his medical condition could not be treated in a medical center at the camp or in the vicinity;
- 2) the Agency approves a request by a refugee who qualifies under sub-article 1 to include, another refugee under the urban assistance program, as his caregiver;
- 3) where there is a protection issue or a safety and security threat that poses risk to life to a refugee or has no designated camp and urban assisted living is found by the Agency to be the ultimate solution to address the problem;
- 4) out of humanitarian considerations where it is proved that living in a camp poses challenge to the overall well-being of a refugee whose life is at risk on account of physical disability, old age and other similar causes.



Part III

Temporary Movement Outside Refugee Camps

24. Issuance of Pass Permit

A pass permit to facilitate the movement of refugees from place to place may be issued at the level of refugee camps, Zonal Coordination Office and the Agency's head office.

25. Circumstances Where a Pass Permit is not Required

- 1) Refugees may be allowed to move without a pass permit to areas in the vicinity of camps and nearby towns particularly identified by the Zonal Coordination Office taking into account security conditions.
- 2) Notwithstanding the provision of sub-article 1 of this Article, refugees travelling to regional capital cities shall be required to be in possession of a pass permit.

26. Issuance of Pass Permit at Refugee Camps and Reception Centers

A refugee may be issued a pass permit at a refugee camp or reception center under the following circumstances:

- 1) A one-year pass permit for inclusion in the urban assistance program, regular out of camp residency, preparation for overseas travel and for job search and related activities for refugees who have attended vocational or higher education.
- 2) A three-month pass permit, renewable by the issuing camp or reception center where necessary, for the purposes of a round trip out of and return to camp to make family visits, vacations, excursion, bereavement, marriage, seeing off a relative and other related short-term stay.
- 3) A pass permit for a round trip to/from Zonal Coordination Office so that a refugee may obtain a pass permit from the Zonal Coordination Office for the purposes specified under Article 27.
- 4) Notwithstanding sub-article 1 of this Article, a pass permit for preparation for overseas travel and for urban-assisted refugees may only be issued at camps subject to verification by the Addis Ababa Refugee Service Team which shall be communicated to the camp concerned.



27. Issuance of Pass Permit at the Zonal Coordination Office

A pass permit may be issued by Zonal Coordination Office under the following circumstances:

- 1) It shall grant a pass permit to a refugee or asylum seeker who needs to travel to hospitals in different Ethiopian cities for the purpose of advanced medical treatment.
- 2) It shall provide a pass permit to a refugee who is officially summoned by government offices.
- 3) It may summon a refugee from camp by fax or telegram on the basis a fax message sent to it from Addis Ababa.
- 4) It may provide a pass permit to an urban-assisted refugee residing in urban areas near the concerned Zonal Coordination Office.
- 5) It may provide a pass permit to facilitate the movement of refugees outside a reception center or camp for various reasons not including travel to border areas.

28. Issuance of Pass Permit at the Head Office

A pass permit may be issued by the Head Office/Addis Ababa to a refugee under the following circumstances.

- 1) It shall grant a one-year pass permit, which may be renewed up to two times where necessary, for the purposes of assisted urban living, for overseas travel by one in possession of a valid documentary evidence from embassy, for wedding and for job search and related activities for refugees who have attended vocational or higher education.
- 2) It shall grant a pass permit, as necessary, for refugees who need to obtain services from immigration, marriage, embassy, education, city administrations, banks and similar institutions.
- 3) It shall grant a pass permit for a refugee to travel from camp to Addis Ababa on the basis of applications made by clients in person, whether they are based domestically or abroad, requesting for various reasons that a refugee be allowed to travel to Addis Ababa; or by those who provide the necessary documents for overseas travel by the refugee, upon verification of the documents.



- 4) It may provide a pass permit for a temporary stay in Addis Ababa for a refugee who applies to follow up a property interest on the basis of a decision by a joint committee of Protection Officers and Refugee Services Team.
- 5) It may grant a one-year temporary pass permit to asylum seeker who requests that his refugee status determination process be undertaken in Addis Ababa owing to a health problem or security concerns
- 6) It shall provide pass permits to enable asylum seekers arriving in Addis Ababa from different countries to travel to a reception center for the necessary registration process. The duration of the pass permit shall be determined based on the distance of the reception station concerned.
- 7) Refugees may, up on presentation of relevant documents, travel legally to a third country to live, to be reunited with family members, to attend education and to obtain medical care. A request for overseas travel made by a refugee in any other way or under different circumstances shall be decided by a joint committee of Protection Officers and Refugee Services Team.
- 8) A refugee detained by the police while moving around illegally shall be provided permit to return to camp following investigation into why and how he moved out of station.
- 9) An urban-assisted refugee who requests to move to a different location for various reasons may be granted a pass permit valid for up to three months.
- 10) A refugee who has left his camp for vacation may be given a one-year pass permit to stay in Addis Ababa after his pass permit expires, provided he produces evidence showing that he is going through the process for overseas travel.
- 11) A refugee who is found moving around without the necessary pass permit may only be provided permit to return to the camp where he came from.

29. Principles of Pass Permit

- 1) A pass permit may only be provided where the refugee voluntarily applies for it.
- 2) A pass permit is used to freely move around the areas covered under the permit, to carry out the purpose for which the permit was provided, and to enable refugees access basic services during the course of their movement.



30. Obligations of Refugees Granted Pass Permit

Any refugee who is granted a pass permit shall have the obligations:

- 1) not to engage in illegal activities and acts contrary to public morals and to respect the laws of the country;
- 2) to refrain from using fraudulent documents and having another person use the pass permit granted to him; and
- 3) not to move outside permitted areas without authorization.

31. Content of Pass Permit

A pass permit provided to refugees at any level shall include the following particulars:

- 1) The refugee's name and surname;
- 2) The refugee's residence or camp;
- 3) The refugee's personal identification number;
- 4) Date of issue of pass permit;
- 5) Date of expiry of pass permit;
- 6) Registry number of pass permit issued;
- 7) Phone number;
- 8) Area covered under permit;
- 9) Reason for issuance of pass permit;
- 10) List of accompanying family members;
- 11) Photos of family members included under permit;
- 12) Name and address of contact in case of emergency;
- 13) Full address of the residence of permit holder;
- 14) The pass permit must be typed by a computer.

32. Renewal of Pass Permit

The department of the Agency which issued the pass permit in accordance with this Directive, may renew the pass permit as deemed necessary.



33. Replacement of Pass Permit

- 1) A police report confirming that the pass permit is lost shall be presented.
- 2) An application to replace a lost or damaged pass permit may only be made by the refugee who was provided the pass permit or his family member.
- 3) In case the pass permit is damaged, the remains of the damaged pass permit must be submitted to the Agency.
- 4) Where a refugee, who has been provided a replacement pass permit, has found his lost pass permit or has identified its whereabouts, he shall immediately return it to the Agency or inform it of its location.

34. Conditions for Termination of Pass Permit

A pass permit granted to a refugee may be terminated for the following reasons:

- 1) Where the refugee who was granted a pass permit voluntarily returns to the camp or residence he came from;
- 2) Where the refugee is found to have violated the duties set out under Article 12 of this Directive;
- 3) If he has lost his refugee status;
- 4) If it is proven that the refugee has left the country;
- 5) If it is proven that the pass permit was obtained through false evidence, deception, fraud or other illegal means;
- 6) Where the pass permit has expired and is not renewed; and
- 7) When the Agency determines that continued possession of the pass permit by the refugee poses a threat to national interest and security.

35. Data Registration and Organization

- 1) The Agency shall keep and organize overall data regarding refugees and the pass permits issued to them and provide such information to concerned bodies as appropriate.
- 2) The names of refugees who have been granted pass permits at all levels, the date of issuance and duration of the permit, and the purpose of the permit shall be recorded in the refugee database.



36. Appeal

Any refugee who is denied a pass permit while he meets the required criteria has the right to appeal to the superior of the refugee officer who denied him the permit.

Part IV

Miscellaneous Provisions

37. Monitoring and Protection of Refugees

- 1) The Agency shall undertake the proper monitoring and supervision to ensure the implementation of the Refugees Proclamation and the regulations and directives thereto pertaining to refugees and asylum seekers who have been allowed to move or reside outside of camps in accordance with this Directive.
- 2) The Agency shall undertake monitoring to ensure refugees living outside camps receive appropriate protection and assistance. It shall work for the protection of refugee rights and the provision of assistance to refugees in collaboration with government bodies at different levels and other partner organizations.

38. Transitional Provision

- 1) Directives or internal procedures previously in force in relation to the movement or residence of refugees outside of camps have been replaced by this Directive.
- 2) Notwithstanding sub-article (1) of this Article, pass permits, inclusion into the urban-assistance program and regular out of camp residency permits granted before the issuance of this Directive shall remain valid.

39. Service Charges

Refugees or asylum seekers shall not pay service fee for any of the services described in this Directive.

40. Repealed Laws

Provisions of any other directives which are contrary with this Directive are hereby revoked.



41. Effective Date

This Directive shall come into force as of December 30, 2019.

DONE AT ADDIS ABABA, ON THIS 30TH DAY OF DECEMBER 2019.

AGENCY FOR REFUGEES AND RETURNEES AFFAIRS