

Directive No..... / 2018

A Directive to provide for Issuance of Residence Permit to Foreigners

Whereas it was deemed necessary to create a conducive living environment for foreigners engaged in investment activities in Ethiopia and who have long ties with and the potential to contribute to the economic development of the Country;

Whereas Addis Ababa is the seat of the African Union and it was found imperative to introduce a new system of issuing Permanent Residence Permit to foreigners who are retired and long time employees of the African Union including foreigners who are married to Ethiopian nationals;

Whereas it is necessary to provide an effective, expedited and secured service of issuing residence permit in a transparent, consistent and accountable manner;

The National Intelligence and Security Service issued this directive pursuant to article 38(1) of Council of Ministers Regulation on Immigration No 114/2004.

Part One General

1. Short Title

This Directive may be cited as “A directive to permanent or temporary residence permit to foreigners domicile in Ethiopia”...no/2018.

2. Definition

In this Directive, unless the context dictates otherwise;

1. “Government” means the Government of the Federal Democratic Republic of Ethiopia.
2. “States” means the states provided under article 47(1) of the FDRE Constitution.
3. “Ministry” means Ministry of Foreign Affairs.
4. “Service” means National Intelligence and Security Service.
5. “Main Department” means Main Department for Immigration and Nationality Affairs.
6. “Director” means the Director of the Main Department.
7. “Director” means the Foreigners and Consular Director of the Main Department.
8. “Commission” means Ethiopian Investment Commission”.
9. “Agency” means the Charities and societies Agency.
10. “Mission” means Federal Democratic Republic of Ethiopia’s Diplomatic Missions, Permanent Representative or Consulate General abroad.
11. “Immigrant Visa” means a type of Visa issued to a foreigner to entre in to Ethiopia in order to get a permanent residence permit.
12. “Permanent Residence Permit” means an Identification Card valid for five or more years as the case maybe, which is issued to foreigners who entered the country with an immigrant visa and allowed to reside in Ethiopia.
13. “Temporary Residence Permit” means an identification card valid for one year that is issued to foreigners who are not eligible for a permanent residence permit.
14. “Alien Passport” Means a document valid for one year that is issued to a foreigner who resides in Ethiopia and unable to obtain a travel document from his/her country.

15. "Family Member" means a person who is a spouse or a child or a dependant of another person."
16. "Proclamation" means as the case may be, the National Intelligence and Security Services Proclamation No. 804/2013 and Immigration Proclamation no 354/2003
17. "Regulation" means Council of Ministers Regulation on Immigration no 114/2005
18. "Foreigner" means any Person who is not an Ethiopian national.
19. In this directive, any reference to the masculine gender shall also apply to the feminine gender.

3. Principles

1. The objective of this directive is establishing a residence permit issuance procedure that is consistent, expedited transparent and fair and secured; providing a modern, high quality and accessible service.
2. To establish a modern and organized resident permit issuance and documentation.

4. Scope

This Directive shall be applicable on foreigners who applied for or issued with temporary and permanent resident permit and on the Main department and Ethiopian missions abroad.

Part Two
Residence Permit
Section one
Permanent Residence Permit

5. Issuance of Permanent Residence Permit

1. Permanent Residence Permit shall be issued to foreigners who entered Ethiopia with an immigrant visa; and foreigners who entered the country with various visa types which subsequently changed to immigrant visa and given permission to establish their domicile in Ethiopia.
2. Without prejudice to sub article 1 of this article, a permanent residence permit may be issued to a foreigner who;
 - a. Established his domicile in Ethiopia and lived at least three years in Ethiopia prior to submitting his application;
 - b. Has sufficient source of income to maintain himself and his family ;and
 - c. Has good character.
3. a permanent Residence permit may be issued to a foreigner and his family members, irrespective of the period provided under sub article 2 (a) of this article and in special circumstances where;
 - a. foreigners engaged in a major investment in Ethiopia and fulfils the condition set under 2(C) including his/her family;
 - b. a permanent Residence permit may be granted to foreigners who engaged on charity work in Ethiopia including his/her family;
 - c. a permanent Residence permit may be granted to foreigners that has made or is expected to make outstanding contribution to Ethiopia including his/her family.

4. A permanent residence permit may be issued to employees of African Union and U.N Economic Commission for Africa who has made outstanding contributions to Ethiopia; and decide to establish their domicile in the country or retired after long term of service or resigned including their family member
5. A permanent residence permit may be issued to foreigners who served for long years in different international organizations, made outstanding contribution to Ethiopia and decided to live in Ethiopia.
6. Notwithstanding sub article 2 of this article, a permanent residence permit may be issued to a foreigner who is married to an Ethiopian national that has been valid for at least a year.

6. Criteria to be eligible for Permanent Residence Permit

1. A foreigner who invested in Ethiopia may be issued with a permanent residence permit, if he/she can produce to the Main Department with:
 - a. valid investment permit and a letter issued form the Commission that indicates he is engaged in major investment activities;
 - b. valid temporary residence permit or an original and a copy of visa;
 - c. Original and copy of a valid passport;
 - d. Three passport size color photographs of the applicant taken not later than three months prior to the application, on a white background that clearly show the ears; and
 - e. Two copies properly filled application form prepared for this purpose.

7. A Foreigner Engaged In Charitable Activities In Ethiopia

1. A foreigner engaged in charitable activities shall produce to the Main Department;
 - a. An original and copy of a valid license certificate to undertake charitable activities issued from the Agency or relevant government bodies;
 - b. Support letter from the Agency;
 - c. A Valid temporary residence permit or an original and copy of a visa
 - d. An original and copy of a valid passport; and
 - e. Two copies properly filled application form prepared for this purpose
2. A permanent residence permit may be issued to foreigner who retired after long years of service in charitable activities in Ethiopia, by producing in addition to article 1(c);
 - a. an evidence from a relevant government body that, during his/her service time, attest he has made major contribution/s to Ethiopia in his charitable activities;
 - b. a decision to live in or spend his retirement in Ethiopia
 - c. produce evidence for sufficient source of income to support himself; or;
 - d. Show that the charity institution will provide for his/her maintenance.

8. A Foreigner that Made or Expected to Make Outstanding Contribution to Ethiopia

1. A foreigner supported by a letter from the President's Office, Prime Minister's Office, Federal Ministries or Regional states' Presidents that explains the

person in question contributes in the economic, education, science, health and aid sectors of Ethiopia and his/her contribution proved;

2. **authorization by the Authority**
3. A certificate of Clearance from criminal record;
4. An Original and a copy of valid passport; and
5. An application signed by the applicant.

9. **Employees of International Organizations**

1. Permanent Residence Permit may be issued to employees of African Union, United Nations Economic Commission For Africa and other regional, continental and international organizations in Addis Ababa ; and who wish to establish their domicile in Ethiopia, where;
 - a. sub articles 1, 2, 4 and 5 of article 8 of this regulation are fulfilled;
 - b. an evidence of sufficient source of income and pension fund is produced; and
 - c. A support letter signed by the Minister or the State Minister of the Ministry is submitted.
2. A permanent residence permit may be issued to the family members of persons indicated under sub article 1 of this article.

10. **Foreigners Married to Ethiopian Nationals**

2. Permanent residence permit may be issued to foreigners married to Ethiopian nationals, their family members and dependants, where;
 - a. an application is submitted for by the spouse who is an Ethiopian national;
 - b. a sufficient source of income to maintain the foreigner for whom an application is submitted;
 - c. Resident Identification card or a valid passport both original and copy;
 - d. An evidence of marriage, if concluded in Ethiopia, valid at least for a year since its conclusion, or if concluded abroad, valid for at least a year prior to the application and authenticated by the Ministry;
 - e. An Original and a copy of minimum six months valid passport of the foreigner;
 - f. affidavit jointly signed by the couple.
 - g. Three passport size color photographs of the applicant on a white background that clearly show the ears, taken not later than three months prior to the application; and
 - h. Two copies properly filled application form prepared for this purpose.

11. **Foreigners Adopted By Ethiopian Nationals**

1. Permanent residence permit may be issued to foreigners adopted by Ethiopian nationals, where;
2. The relevant document is submitted for adoptions made in Ethiopia;
3. For adoptions made abroad, original and copy of an adoption certificate authenticated by the Ministry;
4. An Original and a copy of valid passport;

5. Three passport size color photographs of the applicant on a white background that clearly show the ears, taken not later than three months prior to the application

Section Two **Temporary Resident Permit**

12. Issuing Temporary Resident Permit

1. A foreigner who is not entitled to permanent residence permit shall be issued a temporary residence permit where;
 - a. If entered to Ethiopia with business or student visa;
 - b. If intended to stay in Ethiopia for more than ninety days and registered within thirty days of his entry.

13. Conditions To Issue Temporary Residence Permit

1. Except those who enter the country for meetings, workshops and seminars, Temporary residence permit may be issued to any foreigner who enters with a work visa, after fulfilling the following in addition to sub article 1(e, g and h);
 - a. A support letter from the commission for foreigners who entered with a business visa;
 - b. For foreigners who entered with an “employee of a foreign investor visa” A support letter from and renewed business license of the employer;
 - c. Support letter from government bodies to those who entered with different governmental services visas”
 - d. a written request from a private organization for a foreigner who entered the country with an employee of a private organization visa;
 - e. support letter from Government communication Office for a foreigner who entered the country with a media or journalist visa;
 - f. a note verbale from the ministry for a foreigner who entered the country with an employee of continental and international organization visa;
 - g. a letter and work license of the organization for a foreigner who entered with a nongovernmental organization visa,
 - h. support letter from employer government office for foreigners who entered with government employees visa;
2. Temporary Residence permit may be issued to members of the family of applicants listed under sub article 1(a-h) of this article, after fulfilling conditions set out for issuing permanent residence permit.
3. Temporary residence permit may be issued to a foreigner who entered the country with a student visa where he produces in addition to sub article 1 e, f and g of article 10 of this directive;-
 - a. Written evidence from a legally recognized institution in Ethiopia that provides the education or training;
 - b. Evidence that shows to cover his tuition and accommodation expenses.

Part Three
Various Services

14. Renewal and expiry of residence permit

1. Renewal of residence permit identification card shall be authorized by the Main department where;
 - a. He has already been issued with a residence permit, producing two copies of original passport and residence permit valid for sixth months;
 - b. three recently taken portrait photographs;
 - c. Finger print;
 - d. an affidavit signed jointly by the married couple to attest the validity of the marriage for a renewal of an identification card of residence permit provided for concluding a marriage with an Ethiopian national along with two copies of an original valid permanent residence permit of one of the spouses;
 - e. in case of divorce, If he/she has a child in wedlock, if the department is convinced that he/she has owns a property;
 - f. It is ascertained that the 1 request for renewal does not purport to conditions listed under article 17;
 - g. Renewal application form is signed and submitted in two copies; and
 - h. Payment is made.
2. A residence permit issued to a foreigner shall be revoked for failing to renew his permit while living in the country for consecutive period of one year. Without prejudice to paying a penalty fee pursuant to Directive no 1/2007 , a decision may be made by the Director or his duly designated representative, regarding cases of failure to renew residence permit within sixth months or those who have good cause for failing to renew their residence permit,
3. Where a foreigner holding a permanent residence permit fails to renew his residence permit for more than sixth months after leaving the country, he shall renew it within fifteen days of his entry into the country by producing an evidence of application he made to Consulate General or diplomatic mission of Ethiopia abroad.
4. The residence permit shall be renewed after putting it on the record and penalty fees is paid;.

15. Replacing Lost or Destroyed Resident Permit

A resident Permit may be replaced where;

1. An application for a replacement is submitted to the Main department along with details of the lost resident permit, a letter from a domestic or foreign police institution or evidence attesting an application is made to the relevant body to that effect.
2. The applicant was issued with the resident permit due to marriage, in addition to the things listed under sub article 1 of this article, a jointly signed affidavit and marriage certificate must be submitted.

3. The Permanent residence permit was issued as a result of a marriage and it is ascertained that there are children, assets and property that makes it necessary for one to remain in the country after the dissolution of the marriage.
4. Any holder of resident permit who has found or knows the whereabouts of the lost or destroyed resident permit for which he received a replacement, notifies and returns it immediately to the Main Department.
5. The conditions listed under article 17 does not pertain to the applicant prior to an application is filled and submitted for the lost or destroyed resident permit.
6. The applicant pays pursuant to directive no 1/2007 the fee for a replacement of lost or destroyed resident permit.
7. An original and copy of a valid passport of the applicant; and
8. the destroyed resident permit's reference number is stated, suspended and submitted to the Main department;

16. Request for Correction of Resident Permit

A Replacement of a resident permit will be issued by the Main department to rectify mistakes on the card where;

1. The correction to be made is indicated on the application form and an evidence that sufficiently shows a correction is submitted;
2. The requested correction does not result in a change of name or rights and obligations;
3. It is ascertained that any correction to be made is not made more than once;
4. The correction is not related to the conditions listed under article 17 of this Directive; and
5. The required payment is paid.

17. Revocation or Rejection of Residence Permit

1. Without Prejudice to sub- articles 1-6 of article 28 of this directive, a residence permit may be revoked or rejected where;
 - a. It is obtained using false evidence or in dubious, fraudulent or using illegal means or by an evidence submitted for convenience;
 - b. the person is decided be deported for engaging in illegal activities;
 - c. the person is convicted of committing or participating in human trafficking, drug trafficking or actions against public morale and other similar crimes;
 - d. It ascertained that the residence permit being in the hand of the person is a threat for national security and public interest;
2. Without prejudice to sub article 1 of this article, a residence permit shall be revoked where the holder of the permit left Ethiopia and stayed abroad for a consecutive period of more than one year; or fails to convince the Main Department that it was due to unforeseen accident or for reasons beyond his capacity.

18. Validity of Residence Permit

Pursuant to this directive and other laws of the country;

1. Permanent residence permit shall be valid;
 - a. for five years for the applicant and his family members;
 - b. for ten years when renewed for the second or more times;

- c. for 15 years where deemed necessary by the Main Department;
2. Temporary Residence permit shall be ;
 - a. issued for a year ; and
 - b. upon expiry temporary Residence permit shall be replaced by a new temporary Residence permit ;

19. payments for permanent or temporary resident permit

1. Payments for resident permits shall be regulated by the directives to regulate service payments issued on 2 December 2014 reference number t-24-1/12/07 and the directives to regulate service payments number 1/2007 EC, accordingly;
 - a. Eight thousand (8000) birr or an amount equivalent to a foreign exchange rate in USD, Pound Sterling or Euro for Permanent Residence Permit; or
 - b. One thousand five hundred (1500) birr for issuing a temporary residence permit shall be paid without prejudice to sub article 1 of this article.

20. Residence Permit and Travel Document

An Alien Passport shall be issued, pursuant to the Regulation, to a foreigner who is issued a residence permit and unable to obtain his national travel document.

21. Return of Residence Permit

1. A foreigner who holds a residence permit shall return it to the main department where;
 - a. he leaves Ethiopia for good;
 - b. by a government decision or by his own initiation
 - c. he dies, changes domicile or fails to return after leaving the country
 - d. terminated by law
2. The residence permit is returned, it shall be revoked, registered at the registry of dead files and destroyed.

22. Termination of Rights

1. The rights acquired by a foreigner for holding a permanent or temporary residence permit shall be terminated where the residence permit is revoked for reasons listed under article 30 of the regulation and sub article 1 of article 17 of this directive.
2. Contracts concluded or rights and obligations of a foreigner acquired prior to returning the residence permit shall not be terminated.

23. Carrying travel documents

1. Any foreigner, whenever entering to or exiting from Ethiopia, must carry a travel document or passport issued by a country where he is a national thereof or recognized by the Government and the resident permit identification card.
2. Without the need to have a visa, any foreigner issued with a residence permit identification card, whenever entering or exiting Ethiopia, shall present his identification card with a valid passport to the immigration officers assigned on entry or exit points who then shall indicate the date and affix a stamp on his travel document after ascertaining that he fulfilled immigration requirements.

Part Four
Issuance of Immigrant Visa

24. Immigrant Visa

An immigrant visa is issued at the Main department and Missions to any applicant where he fulfills the conditions set out by the Main Department.

25. Applicants to Immigrant Visa

The following shall be issued with an immigrant visa;

1. Foreigners who are engaged in investment, employees of continental and international institutions and other institutions to be determined by the main department;
2. Foreigners and their family members who wish to re-enter and whose permanent residence permits expired for reasons of Health, court decision, education and other similar reasons;
3. Foreigners who have valid marriages with Ethiopian nationals.
4. Foreigners adopted in Ethiopia; where the adoption is made abroad, producing the original and a copy of adoption certificate authenticated by the country of adoption.

26. Eligibility for Immigrant Visa

Immigrant visa may be issued to a foreigner with;

1. a valid travel document;
2. a foreigner is present
3. Immigrant visa application is filled;
4. a decision is made after undertaking proper investigation;
5. a non-refundable fee is paid and registered in electronic database and photo is provided.

27. Foreigners with Immigrant visa

Any foreigner who entered the country with an immigrant visa shall within thirty days of being issued with an immigrant visa, commence the process of getting resident permit or registered.

28. Rejection Of Immigrant Visa

A request for an immigrant visa may be rejected where;

1. He/she is a threat to the peace and security of Ethiopia;
2. He/she does not have sufficient means of income to maintain himself/herself or if there exists a probable cause that he/she might be a public burden;
3. He/she is determined as a person who committed serious crime;
4. He/she is suspected of being infected with a contagious disease;
5. he produced fraudulent documents;
6. He Violated regulations enacted in accordance with the proclamation.

Part Five

Miscellaneous Provisions

29. Responsible Organ To Issue Residence Permit

1. The Directorate is responsible to provide residence permit services listed in this directive.
2. The Directorate shall organize the necessary job positions and officers in order to implement this directive.
3. The Directorate shall prepare and provide task listings to officers to undertake their responsibilities diligently.

30. Notification

Any foreigner pursuant to the proclamation and regulation shall:

1. Notify any changes made regarding names, nationality, employment, marital status or address to the Main Department within thirty days of the changes made.
2. Present his residence permit or travel document used to enter the country whenever requested as may be necessary by the relevant government authorities.

31. Amendment and Repeal

The Service may at any time and when deemed necessary amend or repeal this Directive.

32. Effective Date

This Directive shall enter into force on the.....day of2018.

National Intelligence and Security Services
Addis Ababa