PROCLAMATION NO. 6/1995

A PROCLAMATION TO PROVIDE FOR THE ESTABLISHMENT OF THE SECURITY, IMMIGRATION AND REFUGEE AFFAIRS AUTHORITY

WHEREAS, it has become necessary to establish the Security, Immigration and Refugee Affairs Authority;

NOW, THEREFORE, in accordance with Article 55(1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

1. Short Title

This Proclamation may be cited as the "Security, Immigration and Refugee Affairs Authority Establishment Proclamation No. 6/1995."

2. Establishment

1. The Security, Immigration and Refugee Affairs Authority (hereinafter referred to as the "Authority") is hereby established as an autonomous public institution of the Federal Government.

2. The Authority shall be accountable to the Prime Minister.

3. Head Office

The head office of the Authority shall be in Addis Ababa and it may establish branch offices elsewhere as may be necessary.
4. Objective
The objective of the Authority shall be to execute policies and laws on state and public security, immigration nationality and refugees.

5. Powers and Duties of the Authority
The Authority shall have the following powers and duties:
1. to formulate policies and strategy concerning state and public security as well as immigration and refugee affairs;
2. to be responsible for internal and external state and public security activities;
3. in cooperation with the appropriate organs, to follow up and investigate any conspiracy against the Ethiopian independence and economy, notify the appropriate organ of same;
4. in cooperation with the appropriate organs, to provide for the registration and issuance of entry and exit permits to foreign nationals as well as premits to move within the Country;
5. in cooperation with the appropriate organs, to investigate and cause decisions to be taken on the cases of persons who apply for asylum and Ethiopian nationality;
6. to issue passports to nationals other than diplomatic passports; issue travel documents (visas) to any person;
7. in cooperation with the appropriate organs and international organizations, to be responsible for matters relating to refugees;
8. to issue licences for the possession or use of arms, firearms and explosives; prescribe conditions under which explosives may be sold; issue permits to persons who deal with explosives and to persons who repair arms and firearms.

6. Organization of the Authority
The Authority shall have:
1. a Head appointed by the Government; and
2. the necessary staff.

7. Powers and Duties of the Head
1. The Head shall be the chief executive of the Authority and, as such, shall direct and administer the activities of the Authority.
2. Without limiting the generality stated in sub-Article (1) of this Article, the Head shall:
a) exercise the powers and duties of the Authority specified in Article 5 of this Proclamation;
b) employ and administer employees of the Authority in accordance with the Federal civil service laws;
c) prepare the annual work programme and budget of the Authority and implement same upon approval;
d) effect expenditure in accordance with the approved budget and work programme of the Authority;
e) represent the Authority in all its dealings with third parties;
f) submit reports on the activities of the Authority.

3. The Head may delegate part of his powers and duties to the other officials and to employees of the Authority to the extent necessary for the efficiency of the Authority.

8. Delegation
The Authority may, where it finds it necessary for the performance of its activities, delegate its powers to federal or regional executive organs.

9. Budget
The budget of the Authority shall be allocated by the Government.

10. Books of Accounts
1. The Authority shall keep complete and accurate books of accounts.
2. The Commission’s books of accounts and financial documents shall be audited annually by the Auditor General or by Auditors designated by him.

11. Inapplicable Laws
Any laws or directives that contravene this Proclamation or relate to matters provided for herein shall be inapplicable.

12. Transfer of Rights and Obligations
The rights and obligations of the former Ministry of Internal Affairs, related to matters specified under Article 5 of this Proclamation, are hereby transferred to the Authority.

13. Effective Date
This Proclamation shall enter into force as of the 24th day of August, 1995.

Done at Addis Ababa, this 24th day of August, 1995.

NEGASO GIDADA (DR.)
PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA