

Proclamation No. _____ /2022

The Federal Democratic Republic of Ethiopia

Digital Identity Proclamation

Whereas the nonexistence of a digital identification system has deprived citizens and residents of Ethiopia of their right to be identified, has hindered efficient service delivery, has enabled diversion of community services to undeserving entities, has enabled illegal individuals to hold multiple names and identities and get involved in criminal activities under those names and identities.

Whereas, establishing the Ethiopian Identity System that is developed by means of modern technology helps plan economic, social and political development in the country, build trust around relationships between governmental and private sector service providers and consumers, and bring about transparent and accountable processes.

Whereas it is a primary duty of the government to uniquely identify individuals residing in Ethiopia in order to formulate all-encompassing national policies that help bring about social and economic transformation, establish good governance and stable economic activity and that it has been found necessary to establish an institution to execute that.

Whereas establishment of a digital identification system helps establish fairness among residents by easily identifying and preventing problems of exclusion, as well as by reducing resource wastage, whenever policies and strategies are being formulated.

Whereas it is necessary to establish an Ethiopian identification system in order to ensure national security by reducing crime-related risks.

The following is hereby proclaimed in adherence to the Constitution of the Federal Democratic Republic of Ethiopia.

Part I
General Provisions

1. Short Title

This proclamation may be referred to as **“Ethiopian Digital Identity Proclamation Number /2014.”**

2. Definition

Unless its context implies otherwise, in this proclamation:

1. **“Ethiopian Digital Identity System”** means a reliable identity authentication system that serves to identify and authenticate an individual by recording the individual’s biographic and biometric information into a central database and assigning them a unique number.
2. **“Ethiopian Digital Identity”** means is a type of identification that is issued through the use of technology to an individual who has been registered in the Ethiopian Digital Identity System.
3. **“Basic Identification”** means a type of identification that enables an individual to obtain basic services that are offered by legal identification through the use of an identifier.
4. **“Temporary Ethiopian Digital Identity”** means is a type of digital identification with a unique number and without biometric data and it is given to a minor or a person who is verified to be incapable of providing biometric data due to a medical condition.
5. **“Biometric”** means a data collection technique that uses body features and parameters such as fingerprint, iris patterns, facial features, and other identifiers in order to authenticate the unique identify of a natural person.
6. **“Biometric Data”** means accumulated biometric information.
7. **“Unique Number”** means a number given to an individual based on the individual’s biometric data and serves to identify the individual from other individuals within the Ethiopian Digital Identity system.
8. **“Resident of Ethiopia”** means any person who lives or works within the territory of Ethiopia under a legal license in line with the immigration law.
9. **“Service”** means the Ethiopian Digital Identity Service established according to article 13 of this proclamation.
10. **“Enrollee”** means an individual who has received a unique number by providing their information in order to receive Ethiopian Digital Identity

11. **“Registrar”** means the entity responsible to collect enrollee’s information in accordance with the authority given to it by the institution.
12. **“User Entity”** means an entity that offers services based on Ethiopian Digital Identity information provided by the Ethiopian Digital Identity System.
13. **“Enrollee information”** means information that is entered into the Ethiopian Digital Identity system as stated in article 8.
14. **“Identity Card”** means a document that is prepared digitally or physically and holds the Ethiopian Digital Identity unique number together with the enrollee’s information.
15. **“Consent”** means an agreement expressly, unambiguously and voluntarily given by a data subject, in writing, orally or in any other clear form, for their personal data to be processed.
16. **“Identity Card Information”** means any digital text published on the Ethiopian Digital Identity Card.
17. **“Unique Identity Number”** means a randomly generated permanent 12-digit number assigned to each enrollee resident when they complete the process successfully. The number shall be given to an individual only once, it is irrevocable, shall remain valid indefinitely.
18. **“Unique Card Number”** means a 16-digit random number printed on identity card related to the unique Identity Number, and it shall be changed whenever a new card is issued.
19. **“Unique Alias Number”** means is a 16-digit number related to the Unique Identity Number, and it is generated after authentication is performed by the request of the bearer of the Unique Identity Number. Individuals may use the Alias Number to authenticate themselves at partner entities.
20. **“Region”** means a region established in accordance with the Constitution of the Federal Democratic Republic of Ethiopia Article 47; and for the purpose of this proclamation, it includes Addis Ababa City Administration and Dire Dawa Administration.
21. **“Government”** means the government of the Federal Democratic Republic of Ethiopia; and for the purpose of this proclamation, it includes regional administrations.
22. **“Person”** means any natural person.
23. Any expression in the masculine gender also applies to the feminine.

3. Scope of Application

This proclamation is applicable to any person residing in Ethiopia.

4. Objective

The proclamation has the following objectives: -

- 1.Ensure a universal and reliable digital identification system in which citizens and residents of the country get enrolled in.
- 2.Establish a generic and basic identification system designed to support all scenarios of identity usage by recording the demographic and biometric information of individuals.

Part II

The establishment, authority and duty of the Ethiopian Digital Identity

5. Establishment

- 1.The Ethiopian Digital Identity Service (hereafter referred to as “Service”) is established by this proclamation.
- 2.The Service shall report to the Prime Minister.

6. Head Office

The Service’s office shall be in Addis Ababa, however, as the need arises it may have branch offices in any part of the country.

7. Authority and Duties

The Service shall have the following authority and duties.

- 1.Leads, coordinates, follows up, controls and executes the enforcement of this proclamation throughout the country.
2. Establishes the necessary administrative structure to enable itself to carry out its responsibilities.
3. Collects, records, verifies, administers, keeps the confidentiality of, and updates from time to time the confidentiality of the necessary information required for the Ethiopian Digital Identity System.
4. Organizes entities licensed to offer authentication services on information registered in the Ethiopian Digital Identity system, in a manner that they are accessible.
5. Provides authentication service to other people or organizations who require verification of identity upon the subject’s consent.
6. Notwithstanding sub-article 4 of this article, in accordance with article 23 of this proclamation, it provides statistical information, which does not disclose personally identifiable information, to various entities.

7. Establishes a modern and technology-assisted information management system and updates it from time to time in order to keep the information belonging to the Ethiopian Digital Identity System in a centralized database, handle it appropriately, and secure it.
8. May use a database in data only in centers that are located only within the country and may use any alternative technology securing personal data.
9. Conducts and commissions research for technology-assisted techniques for securing individuals' personal data, and implements effective options that result thereof.
10. May establish an appropriate entity that leads, coordinates and supports the activities of the Ethiopian Digital Identity System, between service provider entities and each regional state, up to the lowest level of the administrative hierarchy, and transfers registration information to the institution.
11. Registers, issues, and verifies the Ethiopian Digital Identity in accordance with the proclamation.
12. Works in collaboration with stakeholders in executing this proclamation.
13. Collects service fees in accordance with a directive to be issued by the Council of Ministers.
14. Receives already collected information, which may serve as input for the Ethiopian Digital Identity Service, including vital events information, from the respective institutions.
15. In order to carry out the authority and duty given to it, the Ethiopian Digital Identity Service may delegate the services of registration, authentication and other services to cooperating entities, registering entities and others. The detail shall be decided by a directive.
16. Shall own property, enter into contract, shall sue and be sued as an entity.
17. Shall perform other related activities in order to achieve its objective.

8. The Services Structure

The Service

1. Director General and deputy directors appointed by the Prime Minister; and
2. Other employees as required

9. The Authority and Duty of the Director General

1. The Director General shall lead and administer the Service as the highest-ranking officer.
2. Notwithstanding the general sense of what has been stated in article 1 sub-article 1, the Director General shall have the following authority and duties:

- A/ Shall enforce and execute the authority and duties given to the institution by this proclamation.
- B/ Establishes, coordinates and manages branch offices in regional states.
- C/ Hires and administers the institution's employees in accordance with the federal civil service law.
- D/ Prepares a work plan and budget of the institution, and when approved implements them; submits periodic reports to the relevant entity.
- E/ Represents the institution in its affairs with third parties.
- F/ May delegate his/her authority to his/her deputy or other employees of the institution.

10. The Authority and Duty of Deputy Directors

Deputy Directors;

- 1/ Assist the Director General by planning, organizing, managing and coordinating the authority and duties given to him/her.
- 2/ Lead and manage the sectors they are assigned to;
- 3/ Carry out work assignments given to them by the Director General;
- 4/ In the absence of the Director General, and when no delegation is given, the Deputy Director who was appointed first shall act in place of the Director General; and both Deputies have served for the same amount of time, one of them, in mutual agreement of both Deputies, makes decisions on behalf of the Director General.

Part III

Ethiopian Digital Identity Enrollment and Service Provision

11. Principle

The Ethiopian Digital Identity System:

- 1. Has to be carried out according to the procedures established by this Proclamation,
- 2. Any individual living in Ethiopia has the right to register and obtain Ethiopian Digital Identity service.
- 3. The Service has the obligation to issue an Ethiopian Digital Identity to anyone who is living in Ethiopia.
- 4. It has to be organized in a manner that enables it to be a source of information and means of authentication for any activities that require authenticating individuals.

5. When collaborating entities establish a digital identifier system it has to be compatible to the Ethiopian Digital Identity technology system.

6. Serves as a reliable identifier of resident individuals as well as the basis for financial access and security inclusion.

7. Serves as a basis for issuance of resident identifications at the regional and federal levels.

8. It has to be organized in a manner that enables the government and the leadership to make sound decisions by establishing a demographic system that holds organized information of various citizens and residents of the country.

12. About Service Provision of the Ethiopian Digital Identity

1. Any private or governmental institute may require possession of the Ethiopian Digital Identity as a precondition to provide services to the customer.

2. The institute may register an individual based on testimonials of residence other than biometric data, such as Kebele ID, birth certificate, passport, human witness, and other acceptable testimonials, after it verifies the individual's identity carefully in accordance with the institute's guideline.

3. The authority to collect biometric data for the purpose of issuing basic identification service is solely given to the Ethiopian Digital Identity Service or to an institute licensed by it.

4. An Ethiopian citizen or anyone who resides in Ethiopia must bear an Ethiopian Digital Identity in order to receive any service that is provided based on biometric identity verification.

5. In accordance with a guideline to be issued by the institution, a person whose age is below the minimum age determined by the institution may receive a temporary Ethiopian Digital Identity through his/her parent or legal guardian.

13. About the Ethiopian Digital Identity Unique Number

1. The Ethiopian Digital Identity System, after the information listed under article 7 of this proclamation has been recorded, shall assign a unique number to each enrollee, which can uniquely and reliably identify one individual from any other.

2. The unique number shall be generated by electronic means and in a confidential manner and shall preserve the security of the information represented by the number.

3. One unique number shall be assigned to one enrollee and shall remain assigned to that person indefinitely.

4. The unique number mentioned in this article, sub-article 2 has to be written on the Ethiopian Digital Identity Card that is mentioned in this proclamation in article 21.

5. Whereas the unique number mentioned in this article, sub-article 2 is immutable, for the purpose of protecting individuals' personal information, the number to be printed on the card and the one to be used in various scenarios may be substituted by other varying tokenized numbers. The detail procedure is to be determined by subsequent guidelines.

6. Any person who has lost their Ethiopian Digital Identity unique number may appear in person at the institute or a licensed entity to recover their number.

7. If anyone attempts to perform double registration, the institution has the responsibility to prevent such attempts using the available technology. The institute shall issue a directive regarding penalties for double registration attempts.

8. The Ethiopian Digital Identity may be blocked or barred temporarily or permanently due to enrollee request, death, or court order. The detail procedure shall be determined by subsequent guidelines.

14. Information to be Recorded in the Ethiopian Digital Identity

1. The Ethiopian Digital Identity System shall include the following information:

A. Name, father's name, grandfather's name.

B. Date of birth

C. Sex

D. Regular place of residence to be determined by a directive to be issued by the institution.

E. Nationality: for individuals with document of evidence of nationality the stated nationality shall be recorded; for those people without document of nationality it shall record "Unverified".

2. The Ethiopian Digital Identity may also additionally record the following information:

A. Phone number

B. Email address

3. Information required in special cases

A. As will be determined by a directive to be issued by the institution, the unique number of the parent or guardian of a person whose age is below the minimum age.

B. For a person who cannot provide evidence, they must provide a witness who has a unique number.

4. Biometric data:

A. It shall not be obligatory to require biometric data from a person whose age is below the minimum age determined by the institution.

B. As will be determined by a directive to be issued by the institution, a person who cannot provide biometric data due to disability shall provide only the biometric data that they are capable of providing.

C. For those persons who need special assistance, the institution shall collect the data in a manner that is suitable to them, or they shall be given temporary identification through their parent or legal guardian.

D. The biometric data shall be renewed periodically in accordance with a time interval to be determined by the institution.

15. About Language

1. Information shall be recorded in the Ethiopian Digital Identity System in the federal working language and the English language.

2. Notwithstanding the provision stated in this article's sub-article, if the region in which the information is to be recorded has a working language different from that of the federal government, the information shall be recorded in the region's working language and the English language.

3. The institution can issue a directive to decide on additional recording languages.

4. Texts to be printed on the Ethiopian Digital Identity Card shall be printed in the federal working languages, or if different, in the region's working language.

5. Regarding the language to be used on digital identification cards to be printed by other cooperating entities, it shall be governed by national law.

16. About Notifying Information Change

Whenever there is a change in an individual's information after being recorded in the Ethiopian Digital Identity System, the individual may notify the institution and have the changes updated in accordance with a guideline to be issued by the institution.

Part IV

About Usage of Ethiopian Digital Identity

17. About assignment of a unique number

The service:

1. A unique number is given to an enrollee who has provided the information stated in this proclamation article 7(1) and paid the service fee in accordance with the directive issued based on this proclamation.
2. Prior to assigning a unique number to an individual, it must be first verified that the individual has not been assigned a unique number before.

18. Ethiopian Digital Identity Card

1. An Ethiopian Digital Identity Card that is issued by the Service or other partner entities must bear the following information: -

- A. Name, father's name, grandfather's name.
- B. Nationality.
- C. Date of birth.
- D. Sex
- E. Permanent place of residence.
- F. Photograph
- G. Unique number
- H. Identification issued date
- I. Expiry date
- J. And other information collected during enrollment shall be printed in accordance with guidelines to be issued by the institution.

2. The Ethiopian Digital Identity Card will serve for a period of time which is to be decided by a directive to be issued by the institution; and when an individual's identification card expires the individual must renew the card by presenting it to the institution.

3. An individual whose Ethiopian Digital Identity has been revoked according to article 23 of this proclamation must return the card to the institution.

4. When biometric data is redone the Ethiopian Digital Identity Card must then be renewed.

5. In accordance with this article and sub-article 4, whenever an individual renews their Ethiopian Digital Identity Card, the institution must re-verify the validity of the recorded information and the identity of the individual.

6. Any individual whose Ethiopian Digital Identity Card has been lost or damaged must apply for a replacement card by attaching evidence of notification to the police and the damaged card with their application.

7. When the applicant pays the required service fee as stated in the directive issued based on this proclamation, they shall be given the digital identification.

8. The institution must record the loss of the indicated Ethiopian Digital Identity Card into the central database as soon as such information is received.

9. Any individual who finds a lost card must immediately surrender the card to the institution or to a nearby police station.

Part V

Ethiopian Digital Identity Information Management and Renewal

19. About Ethiopian Digital Identity Information Fraud or Error

1. If the Ethiopian Digital Identity is confirmed to have been issued based on deliberately fraudulent information, that shall entail criminal liability.

2. Erroneous information entered due to an intended or unintended misrepresentation can be rectified in accordance with the legal procedure, without changing the unique number.

20. Method of Grievance and Resolution

1. For grievances encountered during the Ethiopian Digital Identity process, a system to address and resolve grievances shall be established.

2. The institution shall issue detailed guidelines regarding the procedure for filing and resolving grievances.

Part VI

Ethiopian Digital Identity Information Security and Protection

21. Information Management and Security

1. Information collected for the Ethiopian Digital Identity System shall be organized in a manner that is easy for use and be stored in a database that is administered by the institution.
2. The institution shall protect the information that it holds from any natural or artificial disaster, electronic attacks, theft and similar criminal sabotages by establishing a security program.

22. Protection of Personal Information

1. The institution shall, apart from those which are allowed by laws the country has ratified, protect the confidentiality of personal information of individuals in the process of collecting, recording, verifying and retaining the information to be entered into the Ethiopian Digital Identity System.
2. Information collected for the Ethiopian Digital Identity System shall not include that which is not compulsory to uniquely identify individuals, and that which does not directly support the system.
3. Information of an individual collected for the Ethiopian Digital Identity System is owned by the individual.
4. The institution may not disclose information of an individual collected for the Ethiopian Digital Identification System without consent given by the individual.
5. Anonymous, aggregated demographic reports and statistical information shall be given to entities who are legally permitted to receive such information.
6. Except in accordance with the provisions of this article, sub-articles 2 and 3, no information shall be given to other entities without permission obtained from the enrollee.
7. Other institutions that use information from Ethiopian Digital Identity shall not store or transfer the information they obtained by the permission of the enrollee; and doing so may expose them to civil and criminal liability.
8. During registration, a consent form that states the enrollee's rights and obligations shall be completed by the enrollee.
9. Provisions of personal data protection that are stated in this proclamation shall stay in force only until the proclamation that is to be enacted for protecting personal data comes into force.

23. Criminal Offense and Penalty

Any person

A) If an individual violates any obligation related to the Ethiopian Digital Identity shall be criminally liable and be penalized with light imprisonment of not more than 6 months, or by five hundred to five thousand birr of financial penalty.

B) If an individual provides fraudulent information or withholds valid information, they shall be criminally liable and penalized with rigorous imprisonment of up to one to five years.

C) If an individual is found to be using a falsified digital identity, they shall be criminally liable and be penalized with rigorous imprisonment of five to ten years.

D) If an individual forges or uses or falsifies the Ethiopian Digital Identity and unique number, they shall be criminally liable and punished with rigorous imprisonment of seven to fifteen years; however, if the offence is found to be committed by a public servant authorized to process the identity, the rigorous imprisonment may increase up to twenty-five years.

E) If an individual falsifies information collected for the Ethiopian Digital Identity by changing, modifying, deleting, or altering by any other means shall be penalized with rigorous imprisonment of ten to twenty-five years.

F) If an individual causes damages, destroys, makes unusable or illegally acquires information collected for the Ethiopian Digital Identity, they shall be criminally liable and be punished with rigorous imprisonment of ten to twenty-five years.

2/ If any individual commits other crimes by violating the provisions of this proclamation, they shall be penalized in accordance with the provisions of relevant criminal procedures.

Part VII

Various Provisions

24. The Obligation to Cooperate

Any individual has the obligation to cooperate so that the proclamation's purpose shall succeed, and the Service shall be able to execute the authority and duties given to it by means of this proclamation.

25. Budget

The institution's budget shall be sourced from

- A. Allocation from the government
- B. Service fees collected
- C. Support and assistance from other entities.

26. Accounting Books

- 1.The institution shall keep complete and valid accounting books
- 2.The accounting books shall be audited annually by the Auditor General or by entities assigned by the Auditor General.

27. Transitory Provisions

- 1.The institution shall organize the infrastructure, human resources and other resources to establish the Ethiopian Digital Identity System and shall start operation not later than four years after the date this proclamation enters into force.
- 2.Until the Ethiopian Digital Identity Service institution starts operation, an entity organized by the government shall take the responsibility and execute tasks under this proclamation.

28. Revoked Laws

- 1.The Vital Events Registration and Ethiopian Digital Identity Proclamation No. 760/2004 article 55 to article 62, and other provisions pertinent to the Ethiopian Digital Identity are revoked by this proclamation.
- 2.Any law, or procedure, or practice shall not prevail over issues covered by this proclamation.

29. The Authority to Issue Directives and Guidelines

- 1.The Council of Minters may issue a directive that is required to enforce this Proclamation.
- 2.The Service may issue directives that are required to execute the directive that is issued in accordance with this article sub-article 1.

30. Effective Date

This proclamation shall enter into force on the date of its publication in the Negarit Gazeta.

Addis Ababa 2022

Sahilework Zewdie

President of the Federal Democratic Republic of Ethiopia

Draft Proclamation