

Proclamation No. _____ /2022

Federal Democratic Republic of Ethiopia Digital Identity Proclamation

Whereas the establishment of a reliable digital identification system ensures the right to be identified, promotes trust, transparency and accountability in collaboration between governmental and private providers on the one side and consumers on the other, as well as promotes efficient service delivery;

Whereas establishing a technologically developed, inter-sectoral, basic digital identification helps to plan national development effectively, achieve economic transformation, ensure good governance, reduce resource wastage by eliminating redundancy and non-inclusion, whenever policies are designed and developmental activities are being undertaken, thereby ensuring fair distribution of resources among citizens;

Whereas establishing a robust, accessible, confidential Ethiopia Digital Identification System is essential for national security by reducing crime-related risks, the following has been proclaimed in accordance with article 55 (1) and (6) of 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/2022.”

2. Definition

Unless its context implies otherwise, in this proclamation:

1. “Digital Identification System” means a reliable identity authentication system that, by recording demographic and biometric data about a resident individual, uniquely identifies the individual and enables issuance of an Identity Card to the individual.
2. “Digital Identity” means a type of identity with a unique identification number given to an individual registered in the Digital Identification System through the use of technology.
3. “Basic Identification” means a type of identification that enables an individual to obtain basic nationwide services that are normally obtained through legal identification via the use of a unique identifier.
4. “Temporary Digital Identification” means a type of digital identification given to a minor without the collection of biometric data.
5. “Biometric” means an authentication data collection technique that uses identifying bodily features and computations such as fingerprints, iris patterns, facial features, and other identifiers in order to authenticate the unique identify of a natural person.

6. "Biometric data" means a collection of biometric data collected for the purpose of a digital identification service.
7. "Unique Number" means a unique number based on biometric data used to differentiate one person from another. It is a number that is generated by the digital identification system and assigned uniquely to the individual when the individual completes the registration process. This unique number is irrevocable and serves for the lifetime of the individual.
8. "Alias Number" means is a number computationally associated with the unique number. The alias number is generated upon request by the individual, and it is given after it has been verified. An individual may use it to identify themselves with service providers.
9. "Digital Identification Institute" is the government agency or institution that commissions the Digital Identity System and executes this proclamation.
10. "Resident" means any person who lives or works under permission in the territory of Ethiopia in accordance with the country's law.
11. "Enrollee" means an individual who has receives a unique number by providing their information in order to receive a Digital Identity.
12. "Registrar" means the Digital Identification Institution or a body entrusted by the institution, to collect the individuals' information.
13. "Consumer body" means a body that verifies an individual's identity under permission by the institution and the individual.
14. "Authentication" means the process of verifying the identity of an individual upon request by a consumer body.
15. "Enrollee information" means information recorded in the Digital Identity System, and includes biometric data.
16. "Permission" means consent given by an individual for their information to be processed for known purposes solely based on the individual's own will.
17. "Identity Card" means a document that is prepared in digital or physical options and holds the Digital Identity unique number together with the enrollee's information.
18. "Identity Card Information" means any digital text published on the Digital Identity Card.
19. "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.
20. "Government" means the government of the Federal Democratic Republic of Ethiopia; and for the purpose of this proclamation, it includes regional administrations.
21. "Person" means anyone who is a natural or legal person.

22. In this proclamation, any phrase expressed with a masculine gender includes the feminine gender as well.

3. Scope of Application

This proclamation is applicable to any person residing in Ethiopia.

4. Objective

The proclamation has the following purposes: -

1. To give a legal basis for the usage of digital identification system by establishing a universal, consistent, reliable Digital Identification System and by storing the enrollee's information.
2. To establish a framework of confidence in order to develop trust in the interactions among registrars, service providers and consumers.
3. To promote accountability, transparency and security of citizens by ensuring the growth and predictability of the country's economic, social and political developments.

5. The Ethiopian Digital Identification Institute shall take the mandate given by the Council of Ministers to execute the procedures and processes of the Digital Identification System as stipulated in this proclamation,

Part II

About the Digital Identity Enrollment and Service Provision

6. The Ethiopian Digital Identification procedure, processes, systems and principles

1. The Ethiopian Digital Identification shall be executed in accordance with the procedures and process laid out in this proclamation.
2. To an individual who provides the information listed under article 7 of this proclamation, the digital identity shall be given free of charge.
3. It is a system that ensures the right of any individual residing in Ethiopia to register and receive a digital identity service.
4. It is a system that shall be instituted in a manner that serves for any purposes that require the verifying the identity of residents.
5. When collaborating entities establish a digital identification system, their system shall be compatible to the Ethiopian Digital Identity technology system.
6. To ensure individuals' personal data protection, the information contained in the digital identity system shall be used only for the stated purpose.
7. It shall serve as the basis for securing the social and economic sectors, as well as ensuring access and fair distribution of resources.

8. It shall serve as the basis for government issued resident ID cards, vital event documents and other individual ID cards.
9. The authority to collect biometric data for the purpose of issuing a basic identification service is solely given to the Digital Identity Institute or a body licensed by the institute.
10. 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.

7. Information to be Recorded in the Ethiopian Digital Identity

1. It shall carefully assess and determine that the individual's information is unique, and then register the individual based on documents that verify individual identity, residence, address, or based on other legally accepted documents, or by human testimonials.
2. For a minor, they may register under the custody of their guardian, and shall receive a temporary digital ID with a unique number.
3. The Digital Identity System shall include the following information:
 - A. Name, Father's Name, Grandfather's Name, or for resident foreign nationals, First Name and Last Names, or First Name, Middle and Last Name;
 - B. Date of birth, day, month and year;
 - C. Sex
 - D. Residence – address;
 - E. Nationality: for individuals with a document providing evidence of nationality the stated nationality shall be recorded; for those people without a document of nationality it shall record "Unverified"
4. The Digital Identity may in addition contain the following information:-
 - A. Phone number
 - B. Email address
 - C. Mailing Address
5. 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. A person who has submitted application for registration, when they are unable to provide the identification support documents in accordance with this article, sub article 1, they shall present themselves with one witness who already has a unique number.
6. Biometric data:

- A. It is not required to provide biometric data for minors below the stated age.
- B. While a photo of the face is compulsory biometric data, if, due to disability or otherwise, the enrollee is confirmed to be unable to provide other biometric data, only the available data may be collected.
- C. If it is so confirmed that the enrollee needs special support during data collection, the institute is obliged to collect the data in a manner suitable to such an enrollee.
- D. Biometric data should be renewed.

8. About issuance of a unique number

1. Before the unique number is issued, the registrar shall confirm that no such number has been given to the individual previously.
2. The Digital Identification System, upon the completion of data elements as described under article 7, shall assign each individual a unique number that reliably differentiates that individual from any other.
3. The unique number shall be generated by electronic means, in a confidential manner, and shall preserve the security of the information represented by the number.
4. One unique number shall be assigned to one enrollee, and shall remain unchanged for their lifetime.
5. Notwithstanding the unique number described in this article sub article 3, it is possible to assign an alias number that serves in place of the unique number, according to the individual's request.
6. The unique number described in this article sub article 2, or the alias number described in sub article 4, shall be specified on the Identity card in accordance with this proclamation article 12.
7. While the unique number described in this article, sub article 2 is immutable, for the individual's security, the number that is printed on the card, or the number that is used in other ways may be replaced with an alias number that may be changed depending on the situation.
8. Any person who has lost their unique Digital Identity number may appear in person at the institute or a licensed entity to recover their number.
9. If an individual attempts to double-register intentionally or unintentionally, the Digital Identification Institute has the responsibility to prevent such issuance and take other legal measures.
10. Notwithstanding that which is stated in this article, sub article 3, an individual's digital identification number may be locked or disabled if the individual requests so, or if the individual dies, or by a court order. The procedure shall be determined by a directive.

9. About Language

1. The information recorded into the Digital Identification System shall be recorded in the working language of the federal government, as well as in the English language.
2. If the region where the information is being recorded has a working language different from that of the federal government, the information shall be recorded in the region's working language and in the English language.
3. Notwithstanding that which is described in this article, sub articles 1 and 2 about using the working language of the federal government, information may also be recorded in an additional language the individual prefers.
4. Texts to be printed on the Ethiopian Digital Identity Card shall be printed in working language of the federal government, in the region's working language and in the English language.
5. Regarding the language to be used on digital identification cards, it shall be governed by the country's law.

10. About Digital Identification change of information

When there are changes on the information that have been recorded into the Digital Identification System, such changes should be reported.

Part III

About Digital Identification Verification and Clients

11. About Digital Identification Service Provision and Usage

1. Digital Identification Verifications cannot be allowed, under any circumstances, without the holder's permission.
2. Whereas there could be other ways in place, to verify the identity of individuals who have not yet registered for Digital Identification, any service provider can require the person to have Digital Identification prior to providing its service.
3. Anyone who has Digital Identification can consider it as a legal and sufficient proof of identity.
4. Any person who is a resident in Ethiopia, in order to receive any verification that depends on the Digital Identification, must provide the unique number or an Identity card bearing the unique number.

12. About Digital Identification Users

1. Client bodies may get the information they need, upon the permission of the individual, from the institute or bodies mandated by the institute.

2. Any enrollee, when they want to receive various services, may get verification services through client bodies.
3. Client bodies need to get permission from the institute before they receive verification service.

Part IV

Administration of Digital Identification, Renewal, Digital Identification Card and Digital Identification Information management.

13. Digital Identification Information Management

1. The institute shall employ a strong enrollee information management system.
2. From time to time the Digital Identification Institute shall perform an updating of identification information, renewal, temporary locking or revoking.

14. About Digital Identity Information Fraud or Error

1. Notwithstanding that which is stated in this proclamation article 8, sub article 9, if a person's Digital Identification is confirmed to be fraudulent, the institute may rectify the information, lock the identification and take legal measures.
2. When it is found that there is erroneous information entered unintentionally or intentionally, the institute has the responsibility to rectify the error, including the unique number.

15. Public participation, grievance and resolution procedure

1. The institute shall establish a system in which the public and client bodies participate in the formulation of the Digital Identification processes and procedures.
2. The institute shall establish a detailed procedure for the filing and resolution of grievances that may happen in the course of service provision.
3. An individual who believes they have not received satisfactory response for their grievances may take their case to a formal court.

16. About the Digital Identity Card

1. Any Identification Card that is given by the Digital Identification Institute or by other bodies mandated by the institute, shall bear the following information:
 - A. All the information listed in this proclamation article 7, sub article 3, from letters A to D.
 - B. Photograph.
 - C. Unique number or alias number.
 - D. Date of issuance and date of expiry of the identification card.

E. And other information that shall be collected in accordance with subsequent directives.

2. Whenever an individual's Identification Card expires, or when biometric data is retaken, the Digital Identification Card must be renewed.
3. Notwithstanding that which is stated in this proclamation in article 6, sub article 2, the Digital Identification Card may be issued by the institute or by bodies mandated by the institute.
4. When the Digital Identification Institute renews the Identification Card, it has the responsibility to re-verify the authenticity of previously collected information as well as the authenticity of the individual's identity.
5. Anyone whose Digital Identity Card is lost or damaged can apply for a replacement by bringing a document that they have reported the incident to the Police, or attach the damaged Identification card.
6. According to the provisions of this proclamation, any individual whose unique number has been locked has to return the Identification Card to the Institute.
7. When the institute receives information about that which is stated in this article, sub article 5, the fact that the Identification Card has been lost shall be recorded in a central database.
8. Fraudulent activities that are performed through the use of Digital Identification are severe in nature, therefore, any person who finds a lost card shall surrender it to the institute or to a nearby police station.

Part V

Digital Identification, security and protection of personal information

- 17.** The handling and security of personal information and security
 1. Personal information collected for the Digital Identification System shall be stored in a database that is administered by the Digital Identification Institute, organized in a manner that is easy to use.
 2. The Digital Identification Institute shall employ a system to protect the information from natural or man-made disasters, as well as from electronic attacks, theft and other similar damages.
 3. The institute shall employ strong procedural and technical mechanisms to protect personal data from theft and damage.
 4. The personal data technical protection framework shall provide a level of protection that is on par with the legal protection framework.
- 18.** Protection of Personal Information of the enrollee
 1. The Digital Identification Institute shall, except under circumstances which are allowed by the constitution and International Laws ratified by the country, maintain the confidentiality of personal information in the course of their collecting, verifying, storing, and processing.

2. Information collected for the Ethiopian Digital Identity System shall not include information that is not compulsory to uniquely identify the individual, and that which does not directly support the system.
3. The subject of the information collected for the Digital Identification System is the individual themselves; therefore, any verification processes should be done under the permission of the individual.
4. Any person, law enforcement or intelligence agency may not collect, disclose, distribute, print, use, transfer a copy to a third party or publicly disclose information without the individual's permission.
5. The Digital Identification Institute shall not disclose the enrollee's information to another person, transfer it, or allow it to change without the individual's permission.
6. The Institute may transfer anonymous and summarized reports to authorized bodies free of charge or for a price.
7. A verification service rendered to a client is intended for single use; recording the verification data into a database and reusing it does not constitute authentication.
8. Storing an enrollee's shared information in a database and reusing that information may not be considered as authentication.
9. Client bodies may store shared enrollee information in their database and retain it, however, they shall not use that data as a source of authentication for themselves or third parties.
10. Notwithstanding that which is stated in this article sub articles 6, 7 and 8, using information obtained for themselves or third parties, for purposes other than they were designed for, shall entail criminal liability.
11. During registration, a consent form shall be prepared by the institute that describes the enrollee's rights and obligations, and shall be completed and signed by the enrollee.
12. Notwithstanding that which is stated in this article, sub article 10, a consent form shall be prepared by the institute that describes the witness's consent, rights and obligations, and shall be completed and signed by the witness. The witness's unique number shall be recorded in the form and in the Digital Identification System.
13. Notwithstanding that which is stated in this article, sub articles 10 and 11, any service providers and clients can establish a procedure that requires having the Digital Identification as a prerequisite for service provision.
14. Notwithstanding that which is stated in this article, sub articles 3 and 4, if the individual gives consent, the information may be made public.
15. Any information that is received by illegal means is not acceptable in any legal, arbitative or administrative processes.

19. Criminal Liability

1. Failure to carry out the obligations stated in this proclamation shall entail criminal liability.
2. Notwithstanding that which is generally stated in this proclamation, sub article 1

Any person: -

- A) Who intentionally, or with ill intent, provides erroneous information or withholds valid information, or
 - B) Found to be using an invalid or counterfeit digital identification, or
 - C) Who has counterfeited a digital identity card and unique number, or falsified them, or
 - D) Who has altered, modified, deleted, violated personal data ownership rights, or otherwise falsified information collected in relation to the digital identification or,
 - E) Who has caused damage, erased, rendered useless, or otherwise illegally retrieved the information collected in relation to the Digital Identification, shall be penalized with a rigorous imprisonment of not less than seven years and not more than ten years, and a financial penalty of not less than two hundred fifty thousand birr and not more than five hundred thousand birr.
3. If the crime described in this proclamation article 2 is committed by a person authorized to give Digital Identification or perform verification, or a government employee, or an employee or manager of a client body, they shall be penalized with ten to fifteen years of rigorous imprisonment and a financial penalty not less than seven hundred fifty thousand birr and not more than one million birr.

Part VI

Various Provisions

20. Any person 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 the institute through this proclamation.

21. Revoked Laws

1. The vital event registration and the National Identification Proclamation 760/2004 from article 55 to 62, the National Intelligence and Security Service statute 804/2005 article 9, sub article 11 and other provisions that pertain to national identification and are covered under this proclamation are revoked by this proclamation.
2. Any law, or procedure, or practice shall not prevail over the affairs covered by this proclamation.

22. The Authority to Issue Directives and Guidelines

1. The Council of Ministers may issue a directive that is required to enforce this proclamation.
2. The institute that the Council of Ministers shall mandate may issue directives required to enforcing this proclamation and the directive to be issued in accordance with that which is stated in this article, sub article 1.
 - A. Regarding penalty for double registration,
 - B. Regarding the conditions under which the confidential alias number can be changed in order to protect the enrollee’s security,
 - C. Regarding the procedures by which a unique number is assigned to an individual, about the contents of a biometric data, and other detailed procedures,
 - D. Regarding the process by which registration, verification and other services are delegated to clients, registrars and other bodies,
 - E. Regarding circumstances under which a special unique number is issued to a minor’s guardian
 - F. Regarding circumstances under which it is not mandatory to provide biometric data of a minor.
 - G. Regarding circumstances under which persons with disabilities are allowed to provide partial biometric data upon confirmation that collecting complete biometric data is impossible.
 - H. Regarding special circumstances concerning people with medical conditions and that need special support to collect their biometric data, and therefore regarding issuing them temporary identification,
 - I. Regarding the validity period of biometric data before renewal is required,
 - J. Regarding the determination of the age of minority, where the person is categorized as a minor, and therefore, will be allowed to register through their legal guardian to obtain temporary Identification,
 - K. Regarding changes to the contents of the Digital Identification, announcing changes made and rectifying the recorded information,
 - L. Regarding grievance management and resolution procedures,
 - M. Regarding the information contained in the Digital Identification Card to be issued by the Digital Identification System as well as other delegated bodies, and regarding the procedure by which the printing of such information is decided,

- N. Regarding the decided upon period of validity of Digital Identification,
- O. Regarding the detailed procedure by which a person whose age is below the age of majority determined by the Digital Identification Institute is given a unique number through their legal guardian.
- P. Regarding circumstances under which enrollees' permanent residence is to be decided to be inclusive.
- Q. Regarding circumstances under which biometric data is not provided in person due to disability.
- R. Regarding circumstances under which erroneous data entered unintentionally or intentionally is rectified according to legal procedure, without modifying the unique number.

Effective date of the proclamation

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