Rights for the African diaspora

Some African countries—among them Ethiopia and Ghana—have created an intermediate status for members of their diaspora, in addition to or instead of creating a right to dual nationality.

Ethiopia

Ethiopia has never recognised dual nationality. The 1930 Nationality Law, the 1995 Constitution and the 2003 Proclamation on Ethiopian Nationality all provide a comprehensive ban on holding another nationality.

Hundreds of thousands of people of Ethiopian descent live in foreign countries, whether they fled as refugees or seeking better economic opportunities, mostly to neighbouring countries (where naturalisation is difficult), but many to the United States and Europe, where they acquired new nationalities. Although advocacy for dual nationality was not successful, since 2002, “foreign nationals of Ethiopian origin” may be issued special identity cards that entitle the holder to various benefits. A foreign national of Ethiopian origin is defined as follows:

A foreign national, other than a person who forfeited Ethiopian nationality and acquired Eritrean nationality, who had been an Ethiopian national before acquiring a foreign nationality; or at least one of his parents, grand parents or great grand parents was an Ethiopian national.249

Holders of such cards enjoy rights and privileges that other foreigners do not, including visa-free entry, residence and employment, the right to own immovable property in Ethiopia, and the right to access public services.

Ghana

Ghana’s substantial overseas diaspora has resulted in a change to the previous prohibition on holding two passports.250 Since 2002, Ghana has accepted dual citizenship, although the Citizenship Act prohibits Ghanaians who have acquired citizenship of another country from being elected to the presidency or to parliament, and from appointment to certain public offices (see above).

249 “Proclamation No. 270/2002: Providing Ethiopians resident abroad with certain rights to be exercised in their country of origin”, 5 February 2002.
Ghana is also the first African state to provide the right of return and indefinite stay for members of the broader African diaspora. Under Section 17(1)(b) of the Immigration Act 573 of 2000, the minister of the interior may, with the approval of the president, grant the “right of abode” to a person of African descent. This provision was a response to lobbying from the many African Americans who have moved to Ghana since its independence and taken up residence in the country. The government has also indicated that it intends to adopt provisions facilitating travel and investment by members of the Ghanaian diaspora.251 A Non-Resident Ghanaians Secretariat (NRGS) was set up in May 2003 to promote further links with Ghanaians abroad and to encourage return.252