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Country Policy and Information Note

Ethiopia: Actors of Protection

Version 2.0

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Executive summary

Ethiopia has a set of laws that criminalise behaviour and acts that might be persecutory or cause serious harm. The constitution recognises secular, religious and traditional courts. The law provides for the right to a fair public trial, the presumption of innocence, and an independent judiciary. However due process rights are not always respected while judicial independence is impaired by political interference, corruption and bribery. A weak and overburdened judicial system contributes to slow prosecutions and sometimes lengthy detentions without charge or trial, undermining the courts' effectiveness. Access to formal judicial systems is limited in rural areas and for women.

The government has taken various measures to improve prison conditions and passed a law to protect the rights of detainees. Prison conditions, however, remain dire and life threatening.

The security sector consists of the Ethiopian National Defence Forces (ENDF), Ethiopian Federal Police (EFP), State (regional) police forces, local militias and National Intelligence and Security Service. The EFP is responsible for maintaining law and order at federal level and in any region when there is a deteriorating security situation beyond the control of the regional government. It also investigates crimes under the jurisdiction of federal courts. The State police maintain law and order in the regions. They vary in size, structure, training and how they fulfil their role. Local militias operate across the regions in co-ordination with regional police forces or act on behalf of the ethno-linguistic communities they represent. The ENDF sometimes provides internal security to support the police. There are internal and external oversight mechanisms over security forces. The Ethiopian Human Rights Commission receives and investigates complaints and state and federal institutions have implemented some of its recommendations regarding human rights protections and prison conditions.

The government generally retains control over federal security forces but in some areas central government control is limited over regional forces due to ethnic and regional loyalties. The effectiveness of the security forces is undermined by a lack of resources, training and corruption. The army and police have been responsible for harassment, excessive use of force, torture and extra-judicial killings especially in areas of internal conflict such as Tigray and Amhara. Oversight is limited and impunity is a significant problem.

In general, the state is willing and able to provide protection, which is accessible, from non-state actors. The onus is on the person to demonstrate otherwise. However, the state's ability to provide protection is likely to be limited in areas affected by conflict.

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Assessment

About the assessment

This section considers the evidence relevant to this note – that is information in the [country information](#), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person is able to obtain protection from the state (or quasi state bodies)

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

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1. Material facts, credibility and other checks/referrals

1.1 Credibility

- 1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 1.1.3 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).

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1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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2. Protection

- 2.1.1 Where the person has a well-founded fear of persecution from non-state actors, including ‘rogue’ state actors, decision makers must assess whether the state can provide effective protection.
- 2.1.2 In general, the state is willing and able to do this. The onus is on the person to demonstrate otherwise. Each case needs to be considered on its facts.
- 2.1.3 The Ethiopian Federal Police is responsible for maintaining law and order at federal level and for investigating crimes that fall under the jurisdiction of federal courts. The EFP also maintains law and order in any region when there is a deteriorating security situation beyond the control of the regional government, as do the military (see [Ethiopian Federal Police \(EFP\)](#)). The Criminal Justice Reform Working Group noted there are reports of excessive caseload among investigators that are triggered by lack of capability and capacity, namely shortage of competent investigators, poor management of caseload and lack of technology (see [Capacity and effectiveness of security forces](#)). However, in general, the police are effective in maintaining law and order and protecting the population from major crimes, including terrorism.
- 2.1.4 Each of the region has a special (para military) force (see [Special forces \(paramilitary forces\)](#)). Local militias also operate across the regions in co-ordination with regional police forces or act on behalf of the ethno-linguistic communities they represent (see [Local militias](#)). State (regional) police are responsible for law and order in the regional states. However, they vary in size, structure, training and how they fulfil their role within the region they are operating in. According to Freedom House petty bribery and corruption among the police are widespread. In a national survey by the Federal Ethics and Ant-Corruption Commission (FEACC) more than 60% participants thought that local police were highly corrupt.
- 2.1.5 Ethiopia has an extensive intelligence and security services. Although there is no reliable data on the size of the national intelligence security services, it is broadly considered to have a strong capacity and is highly effective (see [National Intelligence and Security Service \(NISS\)](#) and [Information Network Security Agency \(INSA\)](#)). The Ethiopian National Defence Forces (ENDF) play a role in internal security when community security is insufficient to maintain law and order. It's comprised of a ground force, air force, republic guard (established in 2018 to protect senior officials) and navy. The RNDF has an estimated 150,000 active personnel. The CIA World Factbook noted that the ENDF has traditionally been one of sub-Saharan Africa's largest, most experienced, and best equipped militaries although it suffered heavy casualties and equipment losses during the 2020-2022 Tigray conflict. The

government generally retains control over federal and defence security forces and their actions (see [Ethiopian National Defense Force \(ENDF\)](#)). However, the proliferation of ethnic-based militias and other armed groups has challenged state authority and eroded the rule of law in some parts of the country. Decision makers need to consider each case on its facts, with the onus on the person to demonstrate why they would not be able to obtain protection.

- 2.1.6 Oversight mechanisms are generally limited and rely on internal accountability systems and disciplinary policies within security forces, rather than oversight through an independent external body (see [Regulation](#)). The Ministry of Peace oversees the Federal Police and the government-funded Ethiopia Human Rights Commission (EHRC) investigated human rights abuses across the country. EHRC did not face adverse action from the government despite criticizing it for disregarding the rule of law and abusing human rights, and in some instances, federal and regional government bodies appeared to follow EHRC reports and recommendations in taking corrective measures to address human rights violations and abuses ([Ethiopia Human Rights Commission \(EHRC\)](#)).
- 2.1.7 A national survey by The Hague Institute for Innovation of Law found that approximately 80% of the people take some form of action to resolve their most serious legal problems and that around 45% of all these problems are resolved with 40% of the most serious problems are completely resolved. 43% of the people who have legal problems seek the support of village elders and 18% of the most serious problems reach a formal court which is higher than the usual 5% to 10% seen in some other countries (see [Access to justice](#)).
- 2.1.8 The constitution provides the legal framework for establishing a criminal justice system, providing for a national defence service, federal and state (regional) police forces, federal and regional prisons, the recognition of religious and traditional courts and an independent judiciary. The criminal code establishes a series of laws criminalising behaviour and acts that might be persecutory or cause serious harm, and outlines the available sentencing options (see [Legal Context](#)).
- 2.1.9 The constitution and penal code prohibit and criminalise torture and other cruel and inhuman treatment, prohibit arbitrary arrest and/or detention, and provide for detainee rights. However, the security forces sometimes engage in harassment, use of excessive force, torture, arbitrary arrest and detention, enforced disappearances, sexual and gender-based violence against women and girls, and extra-judicial killings. Many of these abuses occur particularly in areas of internal conflict, such as Tigray (during the civil conflict between November 2020 and November 2022) (see [Human rights abuses](#)).
- 2.1.10 The constitution provides for an independent judiciary but the government maintains significant influence over the judicial process, which is subject to political interference and reportedly affected by arbitrary decisions made by the Prime Ministers Offices especially in cases involving political opponents. However, the government took some steps to improve and bolster the independence of the judiciary such as appointing judges based on merit and experience rather than party loyalty and transferring the budgetary decisions

for the judiciary from the executive to parliament (see [Judicial independence](#)).

- 2.1.11 The constitution provides for the right to a fair public trial and the presumption of innocence. This is however not respected in practice. Criminal courts remain weak and overburdened. Corruption within the justice system remains a significant challenge and judges caught accepting bribes are rarely punished. A weak and overburdened judicial system contributes to slow prosecutions and sometimes lengthy detentions without charge or trial, undermining the courts' effectiveness. However, as reported by the US State Department, the courts pushed authorities to present evidence or provide clear justifications within 14 days or release the detainee and also demanded to see police investigative files to assess police requests for additional time (see [Judicial independence](#), [Arbitrary arrest](#)).
- 2.1.12 Many rural citizens had little access to formal judicial systems and relied on traditional mechanisms for resolving conflict. By law, all parties to a dispute must agree to use a traditional or religious court. Sharia (Islamic law) courts heard religious and family cases involving Muslims if both parties agree and received some funding from the government. Other traditional systems of justice, such as councils of elders, functioned predominantly in rural areas. Women often believed they lacked access to fair hearings in the traditional court system because local custom excluded them from participation in councils of elders and due to persistent gender discrimination (see [Religious and traditional courts](#)).
- 2.1.13 There is a functioning prison system, with estimates of over 100,000 detainees. Despite some reported improvements, conditions in prisons are reportedly harsh and life-threatening in some cases, with unreliable medical care, unhygienic conditions and overcrowding. Some sources reported that there are ongoing and consisted allegations and complaints of torture and ill treatment in places of detention (see [Detention conditions](#)).
- 2.1.14 Various laws, including the Constitution, include the right to legal aid, which is provided by Public Defenders under the Federal and Regional Supreme Courts, the attorney general, Ministry of Women and Children Affairs, lawyers in private practice, professional law associations, non-governmental organisations and university-based law clinics. However, legal aid legislation is fragmented and provision is uncoordinated.
- 2.1.15 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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Country information

About the country information

This contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the [research methodology](#). It provides the evidence base for the assessment.

The structure and content of this section follow a [terms of reference](#) which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

Decision makers must use relevant country information as the evidential basis for decisions.

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section updated: 12 January 2024

3. Brief overview of political institutions

3.1.1 The US Central Intelligence Agency World Factbook last updated 13 December 2023 (CIA Factbook 15 August 2023) noted that Ethiopia is a federal parliamentary republic with a bicameral Parliament consisting of the House of Federation (HoF) and the House of People's Representatives (HoPR). Members of the HoF (153 seats maximum; 144 seats current) are indirectly elected by state assemblies to serve 5-year terms and members of the HoPR (547 seats maximum; 470 seats current) are directly elected in single-seat constituencies by simple majority vote. 22 seats are reserved for minorities and all members serve 5-year terms¹. The same source further noted that the head of state is President Sahle-Work Zewde (since October 2018) and the head of government is Prime Minister Abiy Ahmed Ali (since April 2018)².

3.1.2 The Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD) report 'Ethiopian COI Compilation November 2019, which is based on various sources, (ACCORD Report November 2019) stated:

'According to the constitution, the highest executive powers of the federal government are vested in the prime minister and in the Council of Ministers. The powerful prime minister is head of government and is designated by the ruling party in the lower chamber, which is also responsible to nominate a candidate for the presidency... The prime minister is also Commander-in-Chief of Ethiopia's armed forces... In April 2018, Abiy Ahmed took office as prime minister of ... Ethiopia.

'... According to the regime typology used in the Democracy Index of the Economist Intelligence Unit (EIU), the research and analysis division of The Economist Group, Ethiopia is governed by an "authoritarian regime"...

¹ US CIA World Factbook, '[Ethiopia](#)' (Government), 13 December 2023

² US CIA World Factbook, '[Ethiopia](#)' (Government), 13 December 2023

Freedom House, a US-based NGO which conducts research and advocacy on democracy, political freedom and human rights, designates the Federal Republic of Ethiopia in 2018 as “not free”.³

3.1.3 The 2023 Freedom House report on political rights and civil liberties, based on events in 2022 (FH Report 2023), designated Ethiopia as ‘not free.’⁴

3.1.4 The US CIA Factbook last updated 13 December 2023 noted:

‘Ethiopia has over fifty national-level and regional-level political parties. The ruling party, the Prosperity Party, was created by Prime Minister ABIY in November 2019 from member parties of the former Ethiopian People’s Revolutionary Democratic Front (EPRDF), which included the Amhara Democratic Party (ADP), Oromo Democratic Party (ODP), Southern Ethiopian People’s Democratic Movement (SEPDM), plus other EPRDF-allied parties such as the Afar National Democratic Party (ANDP), Benishangul Gumuz People’s Democratic Party (BGPDP), Gambella People’s Democratic Movement (GPDM), Somali People’s Democratic Party (SPDP), and the Harari National League (HNL).

‘Once the Prosperity Party was created, the various ethnically-based parties that comprised or were affiliated with the EPRDF were subsequently disbanded; in January 2021, the Ethiopian electoral board de-registered the Tigray People’s Liberation Front or TPLF; national level parties are qualified to register candidates in multiple regions across Ethiopia; regional parties can register candidates for both national and regional parliaments, but only in one region of Ethiopia.’⁵

3.1.5 The ACCORD Report November 2019 observed:

‘The foundation of Ethiopian federalism was established in 1995, when a new constitution became effective...

‘Articles 1 and 2 of the 1995 constitution establish the Federal Democratic Republic of Ethiopia [FDRE], which comprises the territories of the members of the federation ... Article 47 lists the nine member states of the federation, often referred to as regions or Killil (Plural: Killiloch) ... Additionally there are two self-governing administrations: the Ethiopian capital Addis Ababa and the city of Dire Dawa, located in east-central of the country.’⁶

3.1.6 A detailed map A detailed map of Ethiopia’s regions (states) and zones (sub-divisions within regions) is available from [the UN Office for the Coordination of Humanitarian Affairs \(OCHA\)](#).

3.1.7 Nationsonline.org has provided below map of Ethiopia showing neighbouring countries, major cities and transport links⁷

³ ACCORD, [Ethiopia COI Compilation](#)’ (page 8), November 2019

⁴ FH, [‘Freedom in the World 2023 – Ethiopia](#)’, 2023

⁵ US CIA, World Factbook, [‘Ethiopia](#)’ (Government), 13 December 2023

⁶ ACCORD, [Ethiopia COI Compilation](#)’ (page 8), November 2019

⁷ Nationsonline.org, [‘Map of Ethiopia, Eastern Africa](#)’ no date



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section updated: 3 January 2024

4. Legal framework

4.1 The constitution and criminal code

4.1.1 [The Constitution of the Federal Democratic Republic of Ethiopia](#) was adopted on 8 December 1994 and promulgated by the Constitution of the Federal Democratic Republic of Ethiopia Proclamation No. 1/1995 which entered into force on 21 August 1995. The Constitution includes the protection fundamental rights and freedoms including to life, security of person and liberty, to equality, and access to justice (chapter 3 - Fundamental rights and freedoms) and provisions on the judicial system (chapter 9 – Structure and powers of the courts)⁸.

4.1.2 [The Criminal Code of the Federal Democratic Republic of Ethiopia 2004](#) came into force on 9 May 2005 and repealed the 1957 Penal Code and the 1982 Revised Special Penal Code of the Provisional Military. Article 1 – Object and Purpose of the Code explains:

‘The purpose of the Criminal Code of the Federal Democratic Republic of Ethiopia is to ensure order, peace and the security of the State, its peoples, and inhabitants for the public good.

⁸ Ethiopia Government, ‘[Constitution](#)’, adopted 1994, entered into force August 1994

'It aims at the prevention of crimes by giving due notice of the crimes and penalties prescribed by law and should this be ineffective by providing for the punishment of criminals in order to deter them from committing another crime and make them a lesson to others, or by providing for their reform and measures to prevent the commission of further crimes.'⁹

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4.2 Arrest and detention

4.2.1 The US State Department report on human rights practices in Ethiopia covering events in 2022 and published on 20 March 2023 (USSD HR Report 2022) stated: 'The constitution and federal law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government often did not observe these requirements, especially regarding the mass detentions made under the state of emergency.'¹⁰

4.2.2 With respect to arrest procedures the second periodic report submitted by Ethiopia to the UN Committee Against Torture on 6 May 2020 (UNCAT Ethiopia Report May 2020) noted:

'Article 19 of the FDRE Constitution entitles that every individual has a right to be informed of the reason why he/she is arrested...

'... Article 27 of the Code obliges an arresting or investigating officer to expressly inform a detainee that he/she has the right to remain silent and that any statement he/she voluntarily gives can be brought before a court of law as evidence against him/her. Similarly, Article 31 of the same Code prohibits the police from inducing or threatening or applying any other improper method in the process of examination of witnesses ...

'Pursuant to Article 19 ... arrested persons have a right to be released on bail.'¹¹

4.2.3 USSD HR Report 2022 stated:

'Under the constitution, accused persons have the right to a fair, public trial without undue delay, a presumption of innocence, legal counsel of their choice, appeal, the right not to self-incriminate, the right to present witnesses and evidence in their defense, and the right to cross-examine prosecution witnesses. The law requires officials to inform detainees of the nature of their arrest within a specific period, according to the severity of the allegation. The law requires that, if necessary, translation services be provided in a language defendants understand. The federal courts are required to hire interpreters for defendants that speak other languages and had staff working as interpreters for major local languages.'¹²

4.2.4 The same source added:

'The constitution and law require detainees to appear in court and face charges within 48 hours of arrest or as soon thereafter as local

⁹ Ethiopia government, '[Criminal code](#)', 2004, entered into force 2005

¹⁰ USSD, '[2022 Country report on human rights practices: Ethiopia](#)' (section 1. d), 20 March 2023

¹¹ UNCAT, '[Second periodic report submitted by Ethiopia...](#)' (paragraphs 48 to 49), 26 May 2020

¹² USSD, '[2022 Country Report on Human Rights Practices: Ethiopia](#)' (section 1. e), 20 March 2023

circumstances and communications permit ... With a warrant, authorities may detain persons suspected of serious offenses for 14 days without charge. The courts increasingly pushed authorities to present evidence or provide clear justifications within 14 days or release the detainee. Courts also demanded to see police investigative files to assess police requests for additional time.

‘A functioning bail system was in place. Bail was not available, however, for persons charged with murder, treason, or corruption. In other cases, the courts set bail between 500 birr (\$11.60) and 100,000 birr (\$1,900), [£7.01 to 1,402.34¹³] amounts that few citizens could afford. Often police failed to release detainees after a court decided to release them on bail; sometimes, police would file another charge immediately after the court’s decision.’¹⁴

4.2.5 The FH report 2023 noted: ‘Due process rights are generally not respected. The right to a fair trial is often not respected, particularly for government critics. In civil matters, due process is hampered by the limited capacity of the Ethiopian courts system, especially in the peripheral regions where access to government services is weak. As a result, routine matters regularly take years to be resolved.’¹⁵

4.2.6 A September 2023 HRW report stated: ‘Federal and regional investigative authorities have violated the due process rights of high-profile detainees, such as critical journalists or political opposition figures, by forcibly disappearing them or holding them incommunicado, denying them access to their lawyers and family members for weeks or months, or moving them between makeshift and official detention sites.’¹⁶

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4.3 Federal Attorney General

4.3.1 A 2020 article by Dr. Girmachew Alemu Aneme, an assistant Professor and Head of the Research and Publications Unit, School of Law, Addis Ababa University, published by the Hauser Global Law School Program, New York University School of Law (Aneme 2020) stated:

‘The Federal Attorney General is part of the executive branch of the Federal Government. The Federal Attorney General has the primary authority of prosecution of cases falling under the jurisdiction of federal courts. Article 6 of Federal Attorney General Establishment Proclamation No. 943/2016 enumerates the powers and duties of the Attorney General ...

‘Article 10 of the Council of Ministers Regulation 44/98 deals with the accountability of the Federal Prosecutors and according to Article 17 (2) of Federal Attorney General Establishment Proclamation No. 943/2016 stipulate that prosecutors shall be accountable to the Attorney General as well as to their immediate superior and division head. As the ultimate superior of all prosecutors, the Attorney General may thus initiate a specific criminal investigation or stop another. The Attorney General also has the

¹³ Xe, ‘[Xe Currency Converter](#)’ as at 8 January 2024

¹⁴ USSD, ‘[2022 Country Report on Human Rights Practices: Ethiopia](#)’ (section 1. d), 20 March 2023

¹⁵ FH, ‘[Freedom in the world 2023 – Ethiopia](#)’ (section F, F2), 9 March 2023

¹⁶ HRW, ‘[Q&A: Justice for serious international crimes committed in Ethiopia](#)’, 4 September 2023

authority to reverse a decision of a prosecutor or to dismiss a pending case.¹⁷

4.3.2 The UNCAT Ethiopia Report May 2020 stated:

‘Prosecutors are assigned to each police station and investigation center and oversee the entire investigation process. They visit persons under custody and take legal measures if there is any violation of human rights. Further strengthening this scheme, OAG has now been legally mandated to lead, supervise, follow up and coordinate the criminal investigation function of the federal police pursuant to Definition of Powers and Duties of the Executive Organs of the FDRE Proclamation No. 1097/2018. Equivalent offices of regional states are also entrusted with similar duties and responsibilities’¹⁸

4.3.3 The March 2021 report which explored different aspects of Ethiopia’s criminal Justice system by March 2021 report by Criminal Justice Reform Working Group (WG), which was established by the Federal Attorney General to advise the government on the design and implementation of legal and justice sector reform¹⁹ (CJWG Report March 2021) noted:

‘Attorney General Establishment Proclamation 943 Article 6 mandates OAG to cause a criminal investigation to be started, follow up report to be submitted on an ongoing criminal investigation, the investigation to be completed appropriately, orders discontinuation or restart of discontinued investigation based on public interest or when it is known that there could be no criminal liability, ensures that investigation is conducted in accordance with the law, and gives the necessary instruction. The essential questions to ask are whether the OAG is capable and willing to lead investigations. Whether there is an actual practice of leading investigation.’²⁰

4.3.4 The same source noted several concerns about OAG's ability and willingness to lead investigations, including power overlap between the Attorney General and the police that causes misunderstandings and conflict between the two sides, a lack of standardisation in the investigation process, a lack of coordination between the police and prosecutors that results in ineffective investigation and poor prosecution, the prosecutors' reluctance to visit crime scenes, and a lack of specialised investigative skills.²¹

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4.4 Legal aid

4.4.1 A June 2015 article on access to justice and legal Aid in Ethiopia by Abyssinia Law, an online free-access resource for Ethiopian legal information (Abyssinia Law Report June 2015) stated that ‘Access to justice is also recognized as a right in the FDRE Constitution.’²² However, according to the same source, there are four main barriers to accessing justice: ‘lack of legal identity, ignorance of legal rights, unavailability of legal services, and

¹⁷ Aneme, G. A., ‘[Introduction to the Ethiopian Legal System ...](#)’ (paragraph 4.1.1), February 2020

¹⁸ UN CAT, [Second periodic report submitted by Ethiopia...](#) (Para 41- 42), 26 May 2020

¹⁹ CJWG, ‘[Diagnostic Study of the Ethiopian Criminal Justice System](#)’ (pages ii to iii), March 2021

²⁰ CJWG, ‘[Diagnostic Study of the Ethiopian Criminal Justice...](#)’ (page 116), March 2021

²¹ CJWG, ‘[Diagnostic Study of the Ethiopian Criminal Justice...](#)’ (pages 116-119), March 2021

²² Abyssinia Law, ‘[Access to Justice and Legal Aid in Ethiopia](#)’, 9 June 2015

unjust and unaccountable legal institutions.’²³ The source also noted that unavailability, or expense, of obtaining legal representation or other forms of legal assistance presented a serious barrier to accessing to justice for the poor. Hence, various laws, including the constitution, include the right to legal aid²⁴.

- 4.4.2 The same source noted that lawyers licensed to practice law in the federal courts are required by law to render a minimum of fifty hours legal service a year free of charge or upon minimal payment to persons who cannot afford to pay and to persons for whom a court requests legal service. The Ethiopian Bar Association (EBA) and Alumni Association of Law Faculty of Addis Ababa University provided legal aid services in the premises of the Federal High Court/Federal First Instance Court and the EBA legal aid centre in Addis Ababa while regional associations such as Biruh (Dire Dawa), Tesfa (Hawassa), and Selam (Harrar) provided legal aid services in their respective towns. Additionally, NGOs including the Children’s Legal Protection Center (CLPC), the Ethiopian Women Lawyers Association (EWLA), Action of Professionals Association for the People (APAP) and Association for Nationwide Action and Protection against Child Abuse and Neglect (ANPPCAN) provided legal services through voluntary or paid staff and paralegals²⁵.
- 4.4.3 An undated entry on the Federal Supreme Court website stated: ‘Those accused of a crime have the right to a representation during their trial to ensure a fair trial. The Public Defenders’ Office ...organized under the Federal Supreme Court is mandated to provide free legal representation & services to indigent persons, who can’t afford to have representation as per the order of the bench/court.’²⁶
- 4.4.4 The Foreign, Commonwealth & Development office information pack for British nationals arrested or imprisoned in Ethiopia, last updated 30 August 2022, stated:
- ‘Article 20 (5) of the Ethiopian Constitution recognises the rights of an accused person to be represented by a “legal counsel of their choice, and, if they do not have sufficient means to pay and a miscarriage of justice would result, to be provided with legal representation at state expense”. However, in reality the government will assign defense counsel only for serious cases which entail capital punishment. The Charities and Societies Proclamation prevents Civil Society Organisations from providing free legal aid services.’²⁷
- 4.4.5 An August 2023 UNHCR legal aid factsheet on Ethiopia noted: ‘UNHCR Ethiopia, in collaboration with the Universities of Bule Hora, Dilla, Wollega, Dembi Dollo, Assosa, Arba-Minch, and Wollo, and Danish Refugee Council (DRC) provide free legal aid and legal awareness services to forcibly displaced persons and members of the host community to promote the rule of law through fairer, more consistent, and transparent delivery of legal justice to women, the poor, and vulnerable populations.’²⁸

²³ Abyssinia Law, ‘[Access to Justice and Legal Aid in Ethiopia](#)’, 9 June 2015

²⁴ Abyssinia Law, ‘[Access to Justice and Legal Aid in Ethiopia](#)’, 9 June 2015

²⁵ Abyssinia Law, ‘[Access to Justice and Legal Aid in Ethiopia](#)’, 9 June 2015

²⁶ Ethiopia Federal Supreme Court, ‘[The Public Defenders’ Office](#)’, no date

²⁷ FCDO, ‘[Information pack for British nationals arrested or imprisoned in ...](#)’, updated 30 August 2022

²⁸ UNHCR Ethiopia, ‘[Legal aid factsheet January-June 2023](#)’ 17 August 2023

4.4.6 The USSD HR Report 2022 noted:

‘... The government provided public defenders for detainees unable to afford private legal counsel, but defendants received these services only when their cases went to trial and not during the pretrial phases. In some cases, a single defense counsel represented multiple defendants in a single case ...

‘The federal Public Defender’s Office provided legal counsel to indigent defendants, but the scope and quality of service reportedly were inadequate due to attorney shortages. A public defender often handled more than 100 cases and might represent multiple defendants in the same criminal case. Numerous free legal-aid clinics, primarily based at universities, also provided legal services. In certain areas of the country, the law allows volunteers such as law students and professors to represent clients in court on a pro bono basis. There reportedly was a lack of a strong and inclusive local bar association or other standardized criminal defense representation.’²⁹

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section updated: 12 January 2024

5. Prison and detention system

5.1 Overview

5.1.1 A June 2021 report of the UN Office on Drugs and Crime (UNODC report June 2021) noted: ‘The prison system in Ethiopia is organized in one federal prison system and 10 regional prisons systems. The Aleltu Training Centre trains prison officers for both federal and regional prisons.’³⁰

5.1.2 Aneme 2020 stated:

‘The Federal Prisons Commission is established by Proclamation No.365/2003 as an institution and according to “Federal Prisons Commission Establishment (Amendment) Proclamation No. 945/2016 accountable to the Attorney General. The objectives of the Commission are to admit and ward prisoners, provide them with reformatory and rehabilitative services in order to enable them to make attitudinal and behavioral changes, and to help them become law abiding, peaceful and productive citizens. The Federal Prisons Commission has powers and functions akin to most prison facilities.’³¹

5.1.3 The same source added: ‘States are allowed to establish their own Police and Prison Commissions. The Police and Prison Commissions of the states are accountable to the State Justice Bureaus. Even though the State Police and Prison Commissions are functionally independent, they are obliged to cooperate with their federal counterparts in order to maintain improved conditions of prisons across the nation.’³²

5.1.4 The World Prison Brief, hosted at the Institute for Crime & Justice Policy Research (ICPR) at Birkbeck, University of London, is a database that provides free access to information about prison systems throughout the world using data largely derived from governmental or other official

²⁹ USSD, ‘[2022 Country Report on Human Rights Practices: Ethiopia](#)’ (section 1 D, E), 20 March 2023

³⁰ UNDOC, ‘[Ethiopia Prison Factsheet - Prison Reform and Rehabilitation in Ethiopia](#)’ June 2021

³¹ Aneme, G. A., ‘[Introduction to the Ethiopian Legal System ...](#)’ (paragraph 4.1.3), February 2020

³² Aneme, G. A., ‘[Introduction to the Ethiopian Legal System ...](#)’ (para 4.2.2), February 2020

sources.³³ According to the source, the Ministry of federal affairs is responsible for prisons and the prison administration consist of the federal prison Commission and 9 State prison Administrations. The source noted that as of 2015, there were 126 prisons - 6 federal and 120 regional – in Ethiopia and as of March 2020 the prison population including pre-trial and remand prisoners was 110,000.³⁴ UNODC report 2021) stated that: ‘There are approximately between 100,000 and 120,000 inmates in Ethiopia, with approximately 4,800 (4%) female inmates.’ According to the same source ‘Approximately 40,000 inmates were released as part of the government’s large-scale pardons in 2020 to prevent the transmission of COVID-19 in places of detention.’³⁵

- 5.1.5 The same source indicated a consistent reduction in the proportion of pre-trial /remand prison population from 56.6% in 1999/200 to 14.0% in the year 2009/2010 before rising slightly to 14.9% in the year 2011/2012³⁶. The source, noted that the pretrial/remand prisons ‘consists of the number of pre-trial/remand prisoners in the prison population on a single date in the year (or the annual average) and the percentage of the total prison population that pre-trial/remand prisoners constituted on that day³⁷. CPIT could not find current prison figures from the sources consulted (see [Bibliography](#))

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5.2 Training

- 5.2.1 UNODC report June 2021 noted that in December 2020 ‘30 prison personnel from the Prison Training Centre trained to deliver trainings to prison staff on international standards in prison management, including on Nelson Mandela Rules and Bangkok Rules.’³⁸ The Nelson Mandela Rules refer to the United nations Standard Minimum Treatment of prisoners (for further information see [Nelson Mandela Rules](#)).

- 5.2.2 UNODC’s semi-annual progress report 1 January-30 June 2021 noted: ‘The Ethiopian Federal Prison Commission launched a national prison-training curriculum at the annual consultation forum of Federal and Regional Prison Commissions organized by the Federal Prison Commission. The curriculum, developed with UNODC support, targets all prison wardens and prison officials in Ethiopia. The curriculum has included certification in the online training on the Nelson Mandela Rules, part of the education process thereby institutionalizing human rights, rehabilitation and security related best practices, setting an example for other countries in the region. ‘... The curriculum focuses on human rights, security and rehabilitations and is informed by lessons learned from the targeted trainings conducted for Ethiopian.’³⁹

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³³ WPB ‘[About the World Prison Brief](#)’, no date

³⁴ WPB, ‘[Ethiopia](#)’ no date

³⁵ UNODC, [Ethiopia Prison Factsheet - Prison Reform and Rehabilitation in Ethiopia](#) June 2021

³⁶ WPB, ‘[Ethiopia](#)’ no date

³⁷ WPB, ‘[Ethiopia](#)’ no date

³⁸ UNDOC, ‘[Ethiopia Prison Factsheet - Prison Reform and Rehabilitation in Ethiopia](#)’ June 2021

³⁹ UNODC ‘[Semi Annual Progress Report 1 January – 30 June 2021](#)’ (page 10), June 2021

5.3 Detention conditions

5.3.1 The UNCAT Ethiopia Report May 2020 noted:

‘Ethiopia recognizes that the conditions of detention centers and prison facilities lag behind and require significant improvements to meet international standards. Accordingly, challenges such as overcrowding, inadequate or obsolete infrastructure, lack of sanitary conditions, disease, malnutrition and violence between prisoners remain to be addressed and require relentless effort towards their significant improvement. The Government is committed to resolve these shortcomings and is working assiduously through the allocation of additional resources and capacity building.’⁴⁰

5.3.2 However, the same source noted government efforts to improve prison conditions. It stated:

‘Extensive measures have been taken in Ethiopia to improve the conditions of detention centres and prisons. Among the measures taken include improvement of basic services with in police custody centres and prisons. Accordingly, the daily budget for food and drink for a single prisoner at the federal prison administration has doubled. A decision has been reached in May 2019 to further increase the daily budget allotment. The OAG is also working with development partners to improve conditions of detention in all police stations in Addis Ababa including reduction of congestion, improved water supply, better sleeping facilities and other basic amenities.

‘The Federal Prison Commission and regional state prison administrations are building new prison facilities and upgrading existing ones to enhance compliance with international human rights standards. For instance, the Federal Government is building 4 new prison facilities to ensure prisoners are kept in conditions that respect their human dignity. The facilities under construction, inter alia, include modern cells, administrative blocks, academic and vocational schools and are also fitted with ramps and disability friendly latrines.’⁴¹

5.3.3 The UNODC report June 2021 noted that: ‘Despite progress, further improvements are needed in the treatment of prisoners in prisons including in the provision of basic services (rehabilitation support, health, education, food).’⁴²

5.3.4 The Committee Against Torture Concluding observations on the second periodic report of Ethiopia adopted on 10 May 2023 (UNCAT Report May 2023):

‘While acknowledging the steps taken by the State party to improve conditions in places of detention ... the Committee remains concerned at reports indicating overcrowding in some prisons ... and poor material conditions of detention ... in particular insalubrity and inadequate hygiene, lack of ventilation, the poor quality and insufficient quantity of the food and water provided and limited recreational or educational activities to foster

⁴⁰ UNCAT, ‘[Second periodic report submitted by ...](#)’ (paragraphs 114), 26 May 2020

⁴¹ UNCAT, ‘[Second periodic report submitted by ...](#)’ (paragraphs 82 to 83), 26 May 2020

⁴² UNODC, [Ethiopia Prison Factsheet - Prison Reform and Rehabilitation in Ethiopia](#) June 2021

rehabilitation. Furthermore, the limited access to quality health care, including mental health care, in particular for pregnant women and women held in detention with their children and the lack of trained and qualified prison staff, including medical staff, remain serious problems in the prison system. The Committee is also concerned at reports indicating the prevalence of violence in prisons, including violence perpetrated by prison staff against detainees and inter-prisoner violence and sexual abuse, and the practice of detaining pretrial detainees with convicted prisoners and children with adults.⁴³

5.3.5 The same source added:

‘In view of the numerous, ongoing and consistent allegations and complaints of torture and ill-treatment by police officers, prison guards and other members of the security forces, as well as the military, in police stations, detention centres, federal prisons, military bases and in unofficial or secret places of detention, particularly during the investigation stage of proceedings, the Committee remains deeply concerned at the lack of accountability, which contributes to an environment of impunity ...’⁴⁴

5.3.6 The Ethiopian Human Rights Commission (EHRC) report covering June 2022 to June 2023 which is based on a review of 126 police stations and 49 detention facilities (EHCR Report August 2023) noted:

‘The Commission has visited 49 detention/correction facilities and 346 police stations during the reporting period.

‘There are marked improvements in acknowledging and implementing the Commission’s recommendations. Some of the positive developments include most prisons having slightly increased the budget for food supply taking into account current market prices; improvement in prison health facilities; increase in the number of detention cells and in some cases construction of new facilities to reduce overcrowding; and notable improvements in terms of visitation rights - access to family and friends, and legal and religion counsel.

‘There are, however, several issues of concern that are yet to be addressed by the relevant authorities in some of the detention facilities. For instance, lack of appropriate or digitized register of detainees in some prisons, absence of special care and support for prisoners with communicable diseases, insufficient or absence of adequate support for infants and children ... inadequate supply of sanitary products ... and failure to keep juvenile detainees separate from adult prisoners.

‘Lack of a standardized pardoning system, and lack of special care for the vulnerable including persons with disabilities, older persons, pregnant women, and nursing mothers are also among issues that need to be improved. The inadequacy of water supply and healthcare compared to the size of the prison population, and over-crowdedness of sleeping areas in many of these facilities also need to be addressed.’⁴⁵

⁴³ UNCAT, ‘[Concluding observations on the second periodic report of ...](#)’ (paragraph 34), 7 June 2023

⁴⁴ UNCAT, ‘[Concluding observations on the second periodic report ...](#)’, (paragraph 40), 7 June 2023

⁴⁵ EHRC, ‘[Executive Summary: Ethiopia Annual Human Rights ...](#)’ (pages 6 to 7), 18 August 2023

5.3.7 The same source added:

‘Notable improvements and changes have also been recorded in police stations monitored in the last year. In Addis Ababa for instance, some police stations installed CCTV cameras to monitor the treatment of persons in their custody. Other positive steps include: police departments have set up/established onsite healthcare facilities; separate detention quarters for child detainees; efforts to transfer children in conflict with the law who are between the ages of 9 and 15 to rehabilitation centers for juveniles; improved hygiene in some police stations; taking administrative and legal measures against police officers who have committed human rights violations; and improvements such as at Kolfe Keraniyo, Arat Kilo and Lideta police detention centers after relocating to newly constructed buildings.

However, problems such as inadequate provision of food, water and health services; beatings and torture to compel confession; lack of a standardized procedure to execute arrests including informing the suspect of the charges and the reason for the arrest; and lack of formal internal complaints procedures persist in most of the police stations monitored.

‘Other issues requiring urgent attention include prolonged pre-trial detention in police stations; failure to execute bail order by courts; failure to provide separate quarters/compounds for women detainees, overcrowding; and in some cases, serious unsanitary conditions.’⁴⁶

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section updated: 12 January 2024

6. The judiciary

6.1 Structure

6.1.1 The entry by Assefa Fiseha in the Oxford Constitutional law on relations between the legislature and the Judiciary in Ethiopia noted that 79(1) of the constitution stipulates that ‘Judicial powers are vested in the courts.’⁴⁷ The same source added:

‘[A]ccording to articles 62 and 83 of the constitution, the HoF is mandated to interpret the constitution and resolve constitutional disputes ... [T]he HoF has no law-making functions. The HoF is a quasi-political body composed of, to use the words of the constitution, ‘nations, nationalities and people’. Each group has at least one representative but each ‘nation or nationality shall be represented by one additional representative for each one million of its population. As for the selection/election process article 61(3) of the constitution envisages two possibilities. Members of the HoF may be elected indirectly by the state legislature or the state legislature may decide the members to be elected directly by the people. So far experience indicates that all members are indirectly elected by the states.’⁴⁸

6.1.2 Aneme 2020 noted:

‘Ethiopia has a dual judicial system with two parallel court structures. In

⁴⁶ EHRC, ‘[Executive Summary: Ethiopia Annual Human Rights Situation ...](#)’ (page 7), 18 August 2023

⁴⁷ Fiseha, A., ‘[Relations Between the Legislature and the Judiciary in Ethiopia](#)’, March 2016

⁴⁸ Fiseha, A., ‘[Relations Between the Legislature and the Judiciary in Ethiopia](#)’, March 2016

addition to these courts, the FDRE Constitution allows the establishment of Religious and Customary courts. The federal courts and the state courts with their own independent structures and administrations. Judicial powers, both at Federal and State levels, are vested in the courts. The FDRE Constitution states that supreme federal judicial authority is vested in the Federal Supreme Court and empowers the [House of Peoples' Representatives] HPR ... to establish subordinate federal courts, as it deems necessary, nationwide or in some parts of the country. There is a Federal Supreme Court that sits in Addis Ababa with national jurisdiction and until recently, the Federal High Court and First Instance Courts were confined to the federal cities of Addis Ababa and Dire Dawa. In recent years, Federal High Courts have been established in five States. Federal courts at any level may hold circuit hearings at any place within the State or "area designated for its jurisdiction" if deemed "necessary for the efficient rendering of justice." Each court has a civil, criminal, and labor division with a presiding judge and two other judges in each division.⁴⁹

6.1.3 The CJWG Report March 2021 observed:

'... [T]he... Constitutions established a dual court structure: federal and State Courts. At the federal level, the constitution creates a federal supreme court vested with a supreme federal judicial authority and mandates the ... HPR by two thirds majority vote, to establish the Federal High Court and First Instance Court it deems necessary, either national [sic] wide or in some parts of the country. Absent such establishment, the constitution further states, the jurisdictions of the Federal High Court and First-Instance Court are delegated to states' supreme courts and high courts respectively ...

'The House of peoples representatives... has established Federal High court and First –Instance courts in Addis Ababa and Dire Dawa ... Federal High Courts in the regional states of Afar, Benshangul, Gambella, Somalia and Southern Nations Nationalities and Peoples The regional states also created their own Supreme, High (Zonal) and Wereda Courts by means of their respective states constitutions ...

'The FDRE constitution entitles regional states to establish Supreme Court, High courts and First Instance Courts in their respective regions. The Supreme Courts of regional states are seated in the capital city of the regions, the High Court's (Zonal courts) in cities of the Zones and Wereda (first instance courts) in each Wereda of the region ...'⁵⁰

6.1.4 With respect to the administration of the judiciary, Aneme 2020 stated:

'The FDRE Constitution provides that the President and Vice-President of the Federal Supreme Court shall be appointed by the House of Peoples' Representatives upon the recommendation of the Prime Minister; other federal judges are appointed by the HPR from a list of candidates selected by the Federal Judicial Administration Commission.

'The FDRE Constitution prohibits the removal of judges before retirement age except for violation of disciplinary rules, gross incompetence or inefficiency, or illness that prevents the judge from carrying out his

⁴⁹ Aneme, G. A., '[Introduction to the Ethiopian Legal System ...](#)' (paragraph 2.2.1 A), February 2020

⁵⁰ CJWG, '[Diagnostic Study of the Ethiopian Criminal Justice...](#)' (pages 194 to 197), March 2021

responsibilities. Such determinations are made by the Federal Judicial Administration Commission, which likewise decide issues of appointment, promotions, disciplinary complaints, and other conditions of employment.

‘... The day-to-day operations of the Federal Courts in Ethiopia are supervised and managed by court presidents, who therefore act both as judges and administrators with responsibilities and obligations towards the President of the Supreme Court.’⁵¹

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6.2 Judicial independence

- 6.2.1 The 2022 report by Bertelsmann Stiftung Transformation Index (BTI) project, a collaboration of nearly 300 country and regional experts from leading universities and think tanks that analyses and compares transformation processes towards democracy and inclusive market economy worldwide,⁵² covering the period 2019 to 2021 (BTI Report February 2022) commented:

‘...[T]he judiciary is far from independent and heavily affected by arbitrary decisions made by the Prime Minister’s Office. The legal system is to some extent institutionally differentiated, but severely restricted by functional deficits, insufficient territorial operability, scarce resources and nowadays by political interferences. Judicial appointments have been made on the basis of loyalty to the government to ensure that judicial decisions are consistent with government policy, even when that means contravening the rule of law and the constitution. Judges not loyal to the government run the risk of being replaced by a “more suitable” candidate.’⁵³

- 6.2.2 FH Report 2022 noted:

‘The judiciary is officially independent, but in practice it is subject to political interference, and judgments rarely deviate from government policy. Ethiopia’s security forces have maintained significant influence over the judicial process, especially in cases against opposition leaders and other political adversaries. Judges who attempt to exercise independence have faced arrests by authorities. Courts remain complicit in ensuring impunity for security forces, especially in relation to the political prisoners.’⁵⁴

- 6.2.3 The 2023 Africa Integrity Indicators, a research project initiated by Global Integrity, whose aim is to support locally-led efforts to solve governance-related challenges in collaboration with the Mo Ibrahim Foundation focusing on African governance in practice⁵⁵ (Global Integrity 2022) noted:

‘In the Ethiopian Constitution of 1995, Article 78 states the separation of government branches and the independence of the judiciary. Judges can interpret laws, although legislation is still a power vested in parliament. Regardless of the separation of powers, the judiciary in Ethiopia still has to deal with interference by politicians trying to influence judges.

⁵¹ Aneme, G. A., ‘[Introduction to the Ethiopian Legal System ...](#)’ (section 2.4.1.2), February 2020

⁵² BTI ‘[Who we are](#)’, no date

⁵³ BTI, ‘[Ethiopia country report 2022](#)’ (Rule of law), 23 February 2022

⁵⁴ FH, ‘[Freedom in the world 2023 – Ethiopia](#)’ (section F, F1), 9 March 2023

⁵⁵ Global Integrity, ‘[About us](#)’, no date

‘Several reform attempts over the years have failed to tackle the issue of the politicization of the judiciary and weak legislation. However, this is not a problem specific to the judiciary but rather a widespread issue in public institutions in the country.

‘Under the new government, the Ethiopian judiciary, led by Supreme Court president Meaza Ashenafi, has tried to bring about change. An important step was an amendment to the Federal Judges Code of Conduct and Disciplinary Procedure Regulation, with the aim of improving transparency in the system and requiring accountability from federal judges.

‘During the research period, the judiciary also has worked on securing financial independence (by dealing with parliament directly for funds), a key step in ensuring the branch is not dependent on other bodies of government.

‘Although these promising steps do not signify total independence for the judiciary they indicate a strong willingness to reform the sector and detach judicial institutions from their usual image of nondependent and unreliable institutions.’⁵⁶

- 6.2.4 The February 2023 report ‘Ethiopia: Overview of corruption and anti-corruption efforts’ by Matthew Jenkins, a Research and Knowledge Manager at Transparency International and S M Elsayed published by the Chr. Michelsen Institute (CMI) U4 Helpdesk, which works to reduce the harmful impact of corruption on society⁵⁷, February 2023 report on corruption in Ethiopia (Jenkins and Elsayed 2023) noted:

‘Since coming to power, Abiy’s administration has taken some steps to improve the system of judicial appointments by nominating judges based on merit and experience rather than party loyalty. In 2020, two proclamations were approved by parliament that were intended to bolster the independence and accountability of the judiciary, and a code of conduct for judges and new performance standards have been developed to operationalise these proclamations ... In his recent speech to parliament, Abiy also noted that budgetary decisions related to the judiciary have recently been transferred from the executive to the legislative branch.

‘However, the continued lack of security of tenure for judges renders it difficult for them to rule against the government; analysts argue that in recent years the judiciary has been used by the state to prevent opposition figures from contesting elections. Moreover, while there have been some signs of progress at the federal level, the picture is less encouraging at the regional level where judges have apparently been beaten and detained by the police and local officials for not making favourable decisions.’⁵⁸

- 6.2.5 The Committee against Torture Concluding observations on the second periodic report of Ethiopia adopted on 10 May 2023 (UNCAT Report May 2023) stated:

‘While noting the measures taken to strengthen the independence of the judiciary, such as the adoption of Proclamation No. 1233/2021 on the federal

⁵⁶ Global Integrity, [‘Africa Integrity Indicators Data’](#) (Ethiopia), 2023

⁵⁷ CMI U4, [‘About U4’](#), no date

⁵⁸ Jenkins, M and Elsayed, S., CMI U4 Helpdesk, [‘Ethiopia: Overview of corruption...’](#) (page 13), 2023

judicial administration and Proclamation No. 1234/2021 on federal courts, the Committee remains concerned about reports regarding the lack of independence of the judiciary vis-à-vis the executive branch and its susceptibility to political pressure, which may contribute to impunity, including for cases of torture. That concern is compounded by shortcomings in the justice system, such as a shortage of resources, including a dearth of judges and lawyers and a lack of basic training for them, delays in processing cases and a failure to enforce some court decisions.⁵⁹

6.2.6 The International Commission of Human Rights Experts on Ethiopia (ICHREE) report on the situation of human rights in Ethiopia (UNGA Report September 2023) stated:

‘...The independence of the judiciary is guaranteed by the Federal Constitution, but constitutional interpretation favors political decision makers over courts, both regional and federal. Courts are widely believed to lack independence and to be subject to regular political interference.

‘In 2021 legislation placed the Office of the Attorney-General under the Ministry of Justice, including the power to initiate and discontinue investigations, and appoint, administer and dismiss public prosecutors, undermining prosecutorial independence and impartiality. Prosecutors could face increased pressure from political actors in their choices of investigations, prosecutions and trials. There is the risk for further centralization of power in the federal Ministry of Justice in proposals in the draft Justice Sector Reform Policy Document (September 2023), seen by the Commission.’⁶⁰

6.2.7 A September 2023 HRW report observed:

‘... Concerns also remain over the influence that Ethiopia’s federal and regional authorities have over judicial processes, where investigative authorities have routinely appealed or ignored court decisions in cases involving critics of the government or opposition figures.

‘There have also been cases where investigations and judicial decisions have been subject to political interference, compromising the ability of domestic bodies to act with impartiality and independence. For example, in October 2022 police detained three Supreme Court judges in the Oromia region after they granted bail to six security personnel of the opposition political party leader.’⁶¹

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6.3 Corruption in the judicial system

6.3.1 Jenkins and Elsayed 2023 stated:

‘Corruption is certainly a topic that is recognised by the country’s political leadership as being endemic. ‘Judicial corruption has been explicitly targeted by Prime Minister Abiy...

⁵⁹ UNCAT ‘[Concluding observations on the second periodic report of ...](#)’ (paragraph 42), 7 June 2023

⁶⁰ UNGA, ‘[Report of the International Commission of ...](#)’ (paragraphs 88 and 90), 14 September 2023

⁶¹ HRW, ‘[Q&A: Justice for serious international crimes committed in Ethiopia](#)’, 4 September 2023

‘While the interference of the Prime Minister’s Office in the judiciary is viewed by some analysts as part of the problem this has not prevented Abiy from strongly criticising corruption in the judiciary in a speech to parliament in November 2022. Abiy listed a lengthy set of corruption problems in the judicial system, including prosecutors accepting bribes in exchange for intentionally losing or dropping cases, abuse of power on the part of court clerks overseeing case management resulting in evidence “disappearing” and a general lack of transparency and ethical standards. In a recent interview with The Reporter, Mesfin Erkabe, a member of the parliamentary legal, justice, and democracy affairs standing committee from Abiy’s ruling Prosperity Party also pointed to the reportedly widespread practice of “trading justice for money” ...⁶²

- 6.3.2 According to the same source, a Federal Ethics and Ant-Corruption Commission [FEACC] corruption perceptions survey found that ‘57% of the 4,018 citizens questioned expressed the view that the judicial system was not fair, although 89% of those that came into contact with the judiciary indicated that they had not been asked to pay a bribe to a judge, prosecutor or other court official.’⁶³
- 6.3.3 The FH Report March 2023 also noted that ‘...Corruption within the justice system remains a significant challenge, and judges caught accepting bribes are rarely punished.’⁶⁴
- 6.3.4 The BTI Report 2022 noted that although Abiy pledged to fight corruption, so far, it is fair to assume that the political core of the federal executive maintains control over the judiciary when it comes to cases of political importance⁶⁵.

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section updated: 3 January 2024

7. Security forces

7.1 Law and structures

- 7.1.1 The Constitution of the Federal Democratic Republic of Ethiopia under Articles 51 and 52, provides for the powers and functions of government: ‘It shall establish and administer national defence and public security forces as well as a federal police force’ and ‘[t]o establish and administer a state police force, and to maintain public order and peace within the State.’⁶⁶

The Australian Department of Foreign Affairs and Trade’s (DFAT) Country Information Report Ethiopia, ‘informed by DFAT’s on-the-ground knowledge and discussions with a range of sources in Ethiopia [and]... takes into account relevant and credible open source reports’, dated 17 August 2020 (DFAT report 2020), based on information prior to the conflicts in Tigray and Amhara in 2020 to 2023⁶⁷, noted:

⁶² Jenkins and Elsayed, CMI U4 Helpdesk, ‘[Ethiopia: Overview of corruption...](#)’ (pages 12 to 13), 2023

⁶³ Jenkins and Elsayed, CMI U4 Helpdesk, ‘[Ethiopia: Overview of corruption...](#)’ (pages 12 to 13), 2023

⁶⁴ FH, ‘[Freedom in the World 2023 – Ethiopia](#)’, (section C, C2), 9 March 2023

⁶⁵ BTI ‘[Ethiopia Country Report 2022](#)’ (Rule of law), 2023

⁶⁶ Ethiopia Government, ‘[Constitution of the Federal ...](#)’ (Art 51 (6) and 52 (2)(g)), 21 August 1995

⁶⁷ DFAT, ‘[Country Information Report Ethiopia](#)’ (paragraphs 1.1 to 1.4), 17 August 2020

‘Ethiopia has an extensive security and intelligence apparatus, a legacy of its previous political systems. The state exercises control over most of the country, and it has largely been effective in maintaining law and order and protecting the population from major crimes, including terrorism. The security and intelligence apparatus was used in the past to monitor and suppress dissent, and had a history of using force to quell instances of unrest, including large-scale anti-government protests.’⁶⁸

7.1.2 USSD HR Report 2022 noted:

‘National and regional police forces are responsible for law enforcement and maintenance of order, with the Ethiopian National Defense Force sometimes providing internal security support. The Ethiopian Federal Police report to the Prime Minister’s Office. The Ethiopian National Defense Force reports to the Ministry of Defense. The regional governments control regional security forces, which generally operate independently from the federal government and in some cases operate as regional defense forces maintaining national borders. Civilian authorities maintained effective control over the security forces. There were reports that members of the security forces committed numerous serious abuses.’⁶⁹

7.1.3 The US CIA Factbook updated on 13 December 2023 observed:

‘... national and regional police forces are responsible for law enforcement and maintenance of order, with the [Ethiopian National Defence Force] ENDF sometimes providing internal security support; the Ethiopian Federal Police (EFP) report to the Prime Minister’s Office... the regional governments control regional security forces, including “special” paramilitary forces, which generally operate independently from the federal government and in some cases operate as regional defense forces maintaining national borders; local militias also operate across the country in loose and varying coordination with these regional security and police forces, the ENDF, and the EFP; in April 2023, the federal government ordered the integration of these regional special forces into the EFP or ENDF... in 2018 Ethiopia established a Republican Guard military unit responsible to the Prime Minister for protecting senior officials’.⁷⁰

7.1.4 An April 2022 report by the Netherlands Institute of International Relations (Clingendael), an independent think tank and academy on international affairs (Clingendael Report April 2022) observed:

‘... the [Abiy]... administration has seemingly sought to centralise previously dispersed powers into a single institution. In the early stage of the transition, the internal security portfolio was placed under the powerful Ministry of Peace, the successor of the Ministry of Federal Affairs... the new ministry was granted supervising powers over Ethiopia’s main intelligence agencies, the [National Intelligence and Security Service] NISS and the [Information Network Security Agency] INSA, which had previously been directly supervised by the PM’s office. The Ministry also took the lead in the sensitive efforts to regulate the functioning of the various special forces and militias

⁶⁸ DFAT, ‘[Country Information Report Ethiopia](#)’ (paragraph 5.1), 17 August 2020

⁶⁹ USSD, ‘[2022 Country Report on Human Rights Practices ...](#)’ (executive summary), 21 March 2023

⁷⁰ US CIA World Factbook, ‘[Ethiopia](#)’ (military and security), 13 December 2023

operating in Ethiopia's regions. In the wake of the 2021 general elections, however, the new administration has moved both intelligence agencies back under the PM's direct oversight, together with the Federal Police Commission ...⁷¹

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7.2 Ethiopian National Defense Force (ENDF)

- 7.2.1 According to the US CIA Factbook last updated 13 December 2023, ENDF is comprised of ground forces, Ethiopian Air Force, a Republican Guard (established in 2018 to protect senior officials) and a navy (re-established in 2020). The same source while noting that information about Ethiopia's military personnel varies it stated that prior to the 2020-2022 Tigray conflict it had approximately 150,000 active-duty troops which included about 3,000 Air Force personnel with no figures available for the re-established Navy. The source also estimated Ethiopia's military expenditure in 2023 at 1.7% of GDP compared to 0.8% in 2018.⁷²
- 7.2.2 Similarly the 2024 US based Global Firepower Index (GFP), which measures and ranks military power based on each nation's potential war-making capability fought by conventional means⁷³, estimated that Ethiopia had 162,000 active military personnel comprising of 5,000 air force, 75,000 army and 10,000 navy⁷⁴.
- 7.2.3 The ENDF played a role in internal security. The March 2020 USSD human rights report covering events in 2019 (USSD HR Report 2019) stated: 'When community security was insufficient to maintain law and order, the military played an expanded role with respect to internal security; in particular, setting up military command posts in parts of the country like West and South Oromia, as well as Southern Nations, Nationalities, and Peoples' (SNNP) Region.'⁷⁵ According to multiple sources ENDF was, at the time of writing, active in Tigray, Benshangul/Gumuz, Oromia, the Southern Nations, Nationalities, and Peoples' Region (SNNPR), and Amhara regions^{76 77 78}.

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7.3 National Intelligence and Security Service (NISS)

- 7.3.1 The September 2016 report by Clingendael (Netherlands Institute of International Relations), a think tank and diplomatic academy on international affairs⁷⁹ noted that: 'The Ethiopian National Intelligence and Security Service was established in 1995 and currently enjoys ministerial status, reporting directly to the Prime Minister. It is tasked with gathering information necessary to protect national security. Its surveillance capacities

⁷¹ Clingendael, '[A clash of nationalisms and the remaking of the Ethiopian ...](#)' (section 4.3), April 2022

⁷² US CIA World Factbook, '[Ethiopia](#)' (military and security), last updated 13 December 2023

⁷³ GFP, '[Global Firepower 2024](#)', 2024

⁷⁴ GFP '[2024 Ethiopia military strength](#)', January 2024

⁷⁵ USSD, '[Country Reports on Human Rights Practices for 2019 ...](#)' (executive summary), March 2020

⁷⁶ Ethiopia Peace Observatory '[Actor profiles](#)', (EPDF), August 2023

⁷⁷ FH, '[Freedom in the World 2023 – Ethiopia](#)', (section, C1), 9 March 2023

⁷⁸ US CIA World Factbook, '[Ethiopia](#)' (military and security), last updated 15 August 2023

⁷⁹ Clingendael, '[About Us](#)' no date

have been used both to prevent terrorist attacks, such as those by Al-Shabaab, and to suppress domestic dissent.’⁸⁰

- 7.3.2 A January 2020 report by the Collaboration on International ICT Policy for East and Southern Africa (CIPESA), a UK Department for International Development (DfID) funded centre that focuses on decision-making that facilitates the use of ICT in support of good governance, human rights and livelihoods⁸¹ (CIPESA Report January 2020) noted with respect to NISS:

‘In 2013, the government re-established the National Intelligence and Security Services (NISS) with a ministerial status and as an autonomous body of the federal government. This institution has broad intelligence and security mandate and power to investigate threats “against the national economic growth and development activities” and to gather intelligence on serious crimes and terrorist activities. It is responsible for many of the human rights violations that happened in the country before 2017 including mass and illegal surveillance of citizens both online and offline, censorship of dissenting voices, torture, and intimidation of dissenting voices online and offline.’⁸²

- 7.3.3 ACCORD Report November 2019 observed: ‘According to Proclamation No. 1097/2018 the “Ministry of Peace shall have powers and duties to [...] oversee and follow up national intelligence and security, as well as information network and financial security functions”. The National Information Security Service (NISS) is accountable to the Ministry of Peace.’⁸³

- 7.3.4 The USSD terrorism report covering events in 2017 stated that: ‘... The National Intelligence and Security Service (NISS), which has broad authority for intelligence, border security, and criminal investigation, is responsible for overall counterterrorism management in coordination with the ENDF and EFP.’⁸⁴ The USSD terrorism report covering 2019 noted: ‘... The National Intelligence and Security Service continued to reorganize and reform to focus on collecting intelligence to detect and disrupt terrorism in support of EFP and attorney general efforts to conduct law enforcement investigations and prosecutions.’⁸⁵ According to the USSD terrorism report covering events in 2021 ‘Al-Shabaab and ISIS terrorist threats emanating from Somalia remain a high priority for the National Intelligence and Security Service.’⁸⁶

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7.4 Information Network Security Agency (INSA)

- 7.4.1 Citing sources, the Accord Report 2019 noted that the Information Network Security Agency (INSA), was established to safeguard the country’s

⁸⁰ Clingendael, ‘[Perpetuating power Ethiopia’s political settlement and ...](#)’ (page 28), September 2016

⁸¹ CIPESA, ‘[About us](#)’, no date

⁸² CIPESA, ‘[State of Internet Freedom in Ethiopia 2019](#)’ (page 13), January 2020

⁸³ ACCORD, ‘[Ethiopia: COI Compilation](#)’ (page 57), November 2019

⁸⁴ USSD, ‘[Country Reports on Terrorism 2017](#)’ (Ethiopia, legislation, law ...), 19 September 2018

⁸⁵ USSD, ‘[Country Reports on Terrorism 2019...](#)’ (Legislation, law enforcement ...) October 2019

⁸⁶ USSD, ‘[Country Reports on Terrorism 2021: Ethiopia](#)’ (Overview), February 2021

information and to defend the country from cyber-attacks, that it is accountable to the Ministry of Peace and PM Abiy Ahmed is its founder ⁸⁷.

7.4.2 The CIPESA Report January 2020 noted:

‘In 2006, the Ethiopian government established the Information Network Security Agency (INSA) and set up the country’s first cyber intelligence unit. The Agency was re-established in 2013 ... with the objective of ensuring “that information and computer based key infrastructures are secured, so as to be enablers of national peace, democratization and development programs.” Under Article 12 of the Proclamation, every concerned body has an obligation to cooperate with the Agency in exercising its powers and duties pursuant to the Proclamation.’⁸⁸

7.4.3 The FH Freedom of the Internet Report November 2019 stated:

‘The Information Network Security Agency (INSA), a government agency that has de facto authority over the internet with a mandate to protect the communications infrastructure and prevent cybercrime, has been placed under a new Ministry of Peace created by Abiy’s administration.

‘... In a positive step, Prime Minister Abiy—who is regarded as one of the founders of INSA—forced the resignations of agency officials who were accused of monitoring and hacking activists, leading to some optimism that INSA may become less abusive regarding its surveillance powers.’⁸⁹

7.4.4 DFAT Report 2020 noted that ‘The federal government operates a separate cyber-intelligence and security organisation, the Information Network Security Agency (INSA). INSA’s role includes investigating threats to national security, combatting cyber-crime and preventing cyber-attacks on critical infrastructure.’⁹⁰

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7.5 Ethiopian Federal Police (EFP)

7.5.1 Aneme 2020 stated: ‘The Federal Police Commission is established by the Federal Police Commission Proclamation No.720/2011. The Commission is accountable to the Ministry of Federal Affairs (now the Ministry of Federal & Pastoralist Development Affairs).’⁹¹ The same source noted that Article 6 of Proclamation No.720/2011 defines powers and functions which include the prevention and detection of crime, combatting and investigating crime, the maintenance of public order, enforcement of the law, and providing protection to citizens⁹².

7.5.2 The US Department of State’s Overseas Security Advisory Council (OSAC), a public-private partnership between the U.S. Department of State’s Diplomatic Security Service (DSS) and security professionals from U.S. organizations operating abroad, which share timely security information and

⁸⁷ ACCORD, ‘[Ethiopia: COI Compilation](#)’ (page 59), November 2019

⁸⁸ CIPESA, ‘[State of Internet Freedom in Ethiopia 2019](#)’ (pages 9 to 10), January 2020

⁸⁹ FH, ‘[Freedom of the Net 2019 Ethiopia](#)’ (sections A, A5 and C, C5), November 2019

⁹⁰ DFAT, ‘[Country Information Report Ethiopia](#)’ (para 5.13), 17 August 2020

⁹¹ Aneme, GA, ‘[Introduction to the Ethiopian Legal System ...](#)’ (section 4.1.2), February 2020

⁹² Aneme, G. A., ‘[Introduction to the Ethiopian Legal System ...](#)’ (section 4.1.2), February 2020

maintain strong bonds for the protection of U.S. interests overseas⁹³, noted in its October 2022 report:

'The Ethiopian Federal Police (EFP) are responsible for investigating crimes that fall under the jurisdiction of federal courts, including any activities in violation of the Constitution that may endanger the Constitutional order, public order, hooliganism, terrorism, trafficking in persons, or transferring of drugs. The EFP also maintains law and order in any region when there is a deteriorating security situation beyond the control of the regional government and a request for intervention is made, or when disputes arise between two or more regional governments and the situation becomes dangerous for the security of the federal government. The EFP safeguards the security of borders, airports, railway lines/terminals, mining areas, and other vital institutions of the federal government. The EFP delegates powers, when necessary, to regional police commissions...'⁹⁴

7.5.3 The DFAT report 2020 noted:

'The Ethiopian Federal Police Force reports to the Ministry of Peace and is subject to parliamentary oversight. It is responsible for preventing and investigating crimes that fall under the jurisdiction of the Federal Court, including terrorism, drug trafficking and human trafficking ...

'The Federal Police Force is responsible for coordinating regional police commissions and setting national policing standards, and it provides training and operational support to regional police forces.'⁹⁵

7.5.4 The October 2021 report by the European Institute of Peace, an independent body that partners with European states and the European Union to develop strategic and practical approaches to conflict prevention, resolution, dialogue, and mediation,⁹⁶ (EIP Report 2021) stated: 'Since 1991, the Ethiopian police have, in principle, been subject to civilian control ... At present, the police at the federal level are accountable to the Ministry of Peace (MoP), established in 2018 ... The Ministers, in turn, are accountable to the House of Peoples' Representatives and the Prime Minister.'⁹⁷

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7.6 Regional police forces

7.6.1 The DFAT report 2020 noted: '... all regional states have their own regional police forces. These are responsible for law and order at the state level and report to their respective state governments. Regional police forces are dominated by the ethnic group that is the majority in the state for which the force is responsible. One local source told DFAT that regional police forces often show favouritism to the ethnic community from which they are predominantly drawn.'⁹⁸

⁹³ OSAC, '[About us](#)', no date

⁹⁴ OSAC, '[Ethiopia Country Security Report](#)', 5 October 2022

⁹⁵ DFAT, '[Country Information Report Ethiopia](#)' (paragraph 5.8 to 5.9), 17 August 2020

⁹⁶ EIP, '[About us](#)' no date

⁹⁷ EIP, '[The Special Police in Ethiopia](#)' (page 27), October 2023

⁹⁸ DFAT, '[Country Information Report Ethiopia](#)' (paragraph 5.8), 17 August 2020

- 7.6.2 OSAC Report October 2022 noted: 'Regional police forces handle local crime under their jurisdiction and provide officers for traffic control and immediate response to criminal incidents.'⁹⁹
- 7.6.3 The EIP report 2021 noted:
 'The proclamations establishing the federal police (720/2011) define the relationship between the Federal Police Commission and the Regional Police Commissions. In principle, the relevant laws reinforce the dual structure of the police, in which the federal police administer and discharge federal mandates and regional states enforce regional state laws. The respective laws also allow the delegation of federal mandates to regional state police, such as investigating federal criminal cases. Otherwise, the regional special police operate autonomously when it discharges its regional state mandate.'¹⁰⁰
- 7.6.4 The USSD HR Report 2021 stated: 'The regional governments control regional security forces, which generally operate independently from the federal government.'¹⁰¹

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7.7 Regional 'special' forces

- 7.7.1 A July 2019 article by Professor Ann M. Fitz-Gerald, an Associate Fellow at the Royal United Services Institute (RUSI), a UK independent think tank engaged in defence and security research¹⁰² (Fitz-Gerald July 2019) stated:
 'The Liyu Haile (Amharic for "special force") is a force of well-trained professional soldiers, many of whom, according to author interviews with regional and federal officials, have defected from the national defence force and are attracted by a number of incentives including, certainly for some regions, higher pay ...
 'Little is known outside Ethiopia about the exact numbers, structure, funding, command arrangements and roles of these special forces. Yet they are certainly extensive and media sources confirm that all regions have them. Numbers range from thousands to tens of thousands, depending on the region. Whereas some have existed for longer than others, and access to weapon stockpiles and equipment differs between regions, the development of others has only unfolded in recent years.'¹⁰³
- 7.7.2 The EIP Report 2021 noted with respect to the special police force:
 '... In the last fifteen years ... Ethiopia's regional states have established regional special police forces, in addition to the regular regional state police. Established first in Ethiopia's Somali region in 2007 to conduct counter-insurgency operations and riot control, special police quickly spread to all other regions of Ethiopia.

⁹⁹ OSAC, '[Ethiopia Country Security Report](#)', 5 October 2022

¹⁰⁰ EIP, '[The special police in Ethiopia](#)' (page 18), 2021

¹⁰¹ USSD, '[2021 Country Report on Human Rights Practices](#)' (Executive summary), 12 April 2022

¹⁰² RUSI, '[About Rusi](#)' no date

¹⁰³ Fitz-Gerald, A. M., '[Ethiopia's Security Dilemmas](#)', 18 July 2019

‘The role and status of special police forces in Ethiopia remain contested. Resembling paramilitary forces, the regional special police units are well armed and receive military training. They are rapidly growing in size and have successfully recruited senior (former) army officers into their ranks. Special police forces have become deeply involved in Ethiopia's interregional conflicts and border disputes, most notably in the current conflict in Tigray. They have ... been involved in...coup attempts. They have also been linked to severe human rights abuses.’¹⁰⁴

7.7.3 On 12 April 2023 The Guardian reported that ‘some states have...built powerful security services resembling small armies that sometimes clash.’¹⁰⁵

7.7.4 With respect to the organisation of the special force, the EIP report 2021 stated:

‘The organisational structure of the special police varies from state to state. In the Somali regional state, especially under the administration of Abdi Iley, the Liyu police were directly accountable to the regional president. In other regional states such as Amhara, Oromia, and the South, the Liyu police are organised under the police commissions but with special links established directly with the regional state president. The police commissioner has several deputies: one of them is directly in charge of the special police. In turn, the police commissioners are accountable to the “Administrative and security affairs bureau,” which is accountable to the regional state president. In theory, the regional state executive body is accountable to the regional state’s elected legislative councils. Nevertheless ... The special police remain in most cases directly accountable to the regional state president. The legislature has little knowledge and control over the special police.’¹⁰⁶

7.7.5 For further information on special forces including origin, size, training and recruitment see EIP, [‘The special police in Ethiopia’](#), 2021.

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7.8 Local militias

7.8.1 The USSD HR Report 2018 listed local militias as one of the several actors of law enforcement in Ethiopia. It noted:

‘Local militias operated across the country in loose and varying coordination with these regional police, the Federal Police, and the military. In some cases militias functioned as extensions of the ruling party. Local militias are members of a community who handle standard security matters within their communities, primarily in rural areas. Local government authorities provided select militia members with very basic training. Militia members serve as a bridge between the community and local police by providing information and enforcing rules.’¹⁰⁷

7.8.2 Similarly, the USSD HR Report 2019 observed: ‘Local militias operated across the country in loose and varying coordination with these regional police, the Federal Police, and the military. Selected by community

¹⁰⁴ EIP, [‘The special police in Ethiopia’](#) (page 3), 2021

¹⁰⁵ The Guardian, [‘Gun battles erupt in Ethiopia as PM axes Amhara region’s ...’](#), 12 April 2023

¹⁰⁶ EIP, [‘The special police in Ethiopia’](#) (page 18), October 2021

¹⁰⁷ USSD, [‘2018 Country Reports on Human Rights Practices: Ethiopia’](#) (section 1, d), 14 March 2019

leadership, local militias are empowered to handle standard security matters within their communities, primarily in rural areas. It was widely reported that civilian authorities at times did not maintain control over regional security forces.’¹⁰⁸ On 11 October 2019 The Africa Report, a UK based news organisation, reported that ‘Each village, or “kebele”, chairman heads a militia consisting of, on average, 50 armed men.’¹⁰⁹

- 7.8.3 According to USSD HR Report 2022 noted: ‘Local militia groups in Afar, Oromia, and Somali Regions reportedly carried out attacks and killings of civilians as part of long-running regional boundary disputes’¹¹⁰ The same source added despite the law prohibiting detention in any facility other than an official detention centre ‘local militias and other formal and informal law enforcement entities reportedly operated an unknown number of unofficial detention centers.’¹¹¹
- 7.8.4 For a list and background of police, military and militia groups see Ethiopia Peace Observatory (EPO), a project of the Armed Conflict Location & Event Database (ACLED), [Actor profiles](#).

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section updated: 3 January 2024

8. Capacity and effectiveness of security forces

8.1 Security forces training

- 8.1.1 Regarding ENDF the DFAT Report 2020 stated that ‘International partners, including the US, provide funding for a range of training programs for the ENDF, including peacekeeping, professional military education, military training management and counter-terrorism operations.’¹¹²
- 8.1.2 With respect to police training, the UNCAT Report May 2020 noted:
 ‘... Ethiopia has widely conducted trainings on protection and promotion of human rights including the right to be protected from acts of torture and ill-treatments to different personnel of law enforcement institutions and the public in general. So far, the training has been provided to police, military, public prosecution, public defenders, courts, prison administration and medical personnel.
 ‘The thematic areas of the trainings include constitutional safeguards, protection of human rights during criminal investigations, weighing of evidence in the administration of justice, interrogation and investigation techniques, framing of criminal charges, techniques of public defending, and skills of identifying and reporting acts of torture.’¹¹³
- 8.1.3 The USSD HR Report 2021 noted that ‘Police at the federal and regional levels received training focused on human trafficking and exploitation.’¹¹⁴

¹⁰⁸ USSD, ‘[2019 Country Reports on Human Rights Practices...](#)’ (Executive summary) 11 March 2020

¹⁰⁹ The Africa Report, ‘[Abiy Ahmed and the struggle to keep Ethiopia together](#)’, 11 October 2019

¹¹⁰ USSD, ‘[2022 Country Report on Human Rights Practices: Ethiopia](#)’ (section 1, a) 20 March 2023

¹¹¹ USSD, ‘[2022 Country Report on Human Rights Practices: Ethiopia](#)’ (section 1, a) 20 March 2023

¹¹² DFAT, ‘[Country Information Report Ethiopia](#)’ (paragraph 5.6), 12 August 2020

¹¹³ UNCAT, ‘[Second periodic report submitted by Ethiopia ...](#)’ (paragraphs 41 to 42), 26 May 2020

¹¹⁴ USSD, ‘[2021 Country Report on Human Rights Practices: Ethiopia](#)’ (section 7. b), 12 April 2022

- 8.1.4 The EIP Report 2021 noted that special and regular police received different training. It observed:

‘Sources indicate that the special police’s training is primarily military. It is conducted in places separate from the institutions used to train the regular police. Whereas regular police are trained in police training institutes, special police are trained in areas that have strategic importance. Furthermore, the content of the training stands in stark contrast. Training for regular “civil” police focuses on the federal and regional constitution, criminal law, police ethics, crime prevention, criminal investigations, community policing, traffic management, and other policing-related social services. Regular police are trained on using firearms and police offensive and defensive techniques, but the intensity and coverage of those police tactics training are very minimal. ‘The training of the regional special police force is the near-opposite of the regular police force ...

‘The special police’s training is exceedingly focused on physical fitness, building the skill and capacity of the police officers in defending from attacks by an enemy – with or without a weapon – and how to take offensive actions against enemy forces or criminals. It is a paramilitary training in which recruits are taught tactical defence, counterinsurgency techniques, and anti-terror skills. The training also includes building up “commando skills.”’¹¹⁵

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8.2 Effectiveness of security forces

- 8.2.1 The DFAT Report 2020 stated:

‘Ethiopia has an extensive security and intelligence apparatus, a legacy of its previous political systems. The state exercises control over most of the country, and it has largely been effective in maintaining law and order and protecting the population from major crimes, including terrorism ... A proliferation of ethnic-based militias since 2018 has challenged state authority and eroded the rule of law in some parts of the country, particularly in western Oromia State.’¹¹⁶

- 8.2.2 With respect to the intelligence system, the same source observed:

‘Ethiopia has a highly capable domestic intelligence system. The NISS is an autonomous federal government office, in theory accountable to the Minister for Peace, but in practice directly accountable to the prime minister. While reliable data on the size of the NISS is not available, it is broadly considered to have a strong capacity to monitor the activities of persons of interest in Ethiopia, and high priority areas along its borders. A civilian monitoring and reporting system supports the intelligence network, whereby individuals report on the activities of others in their community or household.’¹¹⁷

- 8.2.3 The CIA Factbook 2023 noted: ‘the ENDF has traditionally been one of sub-Saharan Africa’s largest, most experienced, and best equipped militaries, but it suffered heavy casualties and equipment losses during the 2020-2022

¹¹⁵ EIP, ‘[The special police in Ethiopia](#)’ (page 14), 2021

¹¹⁶ DFAT, ‘[Country Information Report Ethiopia](#)’ (paragraphs 5.1 and 5.2), 17 August 2020

¹¹⁷ DFAT, ‘[Country Information Report Ethiopia](#)’ (paragraph 5.12), 17 August 2020

Tigray conflict.¹¹⁸ According to the Clingedael Report April 2022, at the start of the Tigray war in 2020 the ENDF suffered a significant loss of capacity due to a large number of Tigrayan soldiers defecting from the ENDF and taking with them a sizable share of the ENDF's arsenal¹¹⁹.

8.2.4 The CJWG Report March 2021 noted with respect to police effectiveness:

'Federal police lack of adequate number of police officers and budget to enable to respond to all demands from the public remains a challenge. The lack of well-trained and adequate number of professionals especially in the area of investigation and forensics is apparent. Nor are there the required infrastructures including equipped laboratories.

'... [T]he forensics department is ... not equipped with modern technology, sufficient budget, and well-trained and adequate number of professionals. It is simply staffed with police officers as opposed to expertise and scientists in the area. Even worse, there are reports that sometimes investigators are selected not because of their competence but simply based on their legible handwriting. Partly due this [sic] and poor management, the department is burdened with caseloads.

'While there are limited capacity and capability in such divisions as firearms examination and ballistics, and explosives, there is no capacity and capability at all to conduct DNA analysis ... There is also a lack of knowledge and expertise or due to the absence of staff and materials. Equipment is under-utilized due to a lack of expertise regarding its operation or because equipment and software licenses have not been updated ... '... [T]here are reports of excessive caseload among investigators that are triggered by lack of capability and capacity, namely shortage of competent investigators, poor management of caseload and lack of technology.¹²⁰

8.2.5 With respect to the effectiveness of special forces the EIP Report 2021 observed:

'The special police began to take a different shape and role as many of the regional states argued that they had lost faith in federal institutions, including the army. These regions started using the special police as a means to defend themselves from what they call "undue interference from the federal government or other regional states ...

'The special police are now considered a safeguard for the interests of the dominant elites in regional states, which often hold strong ethno-nationalist ideologies ...

"Special police forces have been successful in recruiting (former) senior officers from the armed forces...

'The trend of senior army officers joining their region's special police forces after retirement or dismissal has also taken place in other regional states...

'According to a key informant from Oromia, the defense and federal security apparatus is slowly losing its capable people as they continue to join the

¹¹⁸ US CIA World Factbook, '[Ethiopia](#)' (military and security), last updated 15 August 2023

¹¹⁹ Clingedael '[A clash of nationalisms and the remaking of the Ethiopian...](#)' (section 4.3), April 2022

¹²⁰ CJWG, '[Diagnostic Study of the Ethiopian Criminal Justice ...](#)' (pages 79 and 86), March 2021

regional state special police. This brings two significant consequences: regional state special police increasingly resemble Ethiopia's national defense force and lead to the gradual weakening and perhaps even liquidation of the defense force. It has compelled the federal government to elevate the role of the special police, effectively making them a part of the army.

'Special police forces have also been engaged in border security ...'¹²¹

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8.3 Corruption in the security forces

8.3.1 The FH Report March 2023 noted without giving details that 'petty bribery and corruption, often involving local officials and police, are widespread.'¹²²

8.3.2 The June 2023 USSD report on Trafficking in Persons stated:

'Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action. Corruption among police and judicial officials, especially the solicitation of bribes, remained a significant concern. In 2022, the government investigated two officials – one police officer in Southern Nations, Nationalities, and Peoples' Region and one immigration official employed at Bole International Airport – for potential trafficking and migrant smuggling crimes.'¹²³

8.3.3 Citing sources, CMI U4 Report February 2023 stated:

'A recent national corruption perception survey was conducted by the Federal Ethics and Anti-Corruption Commission (FEACC 2021) of 4,018 citizens. It must be noted that the reliability of the data provided by the FEACC is open to question given that the Commission reports directly to the Office of the Prime Minister and is reportedly subject to a high degree of political influence. Nonetheless, the survey revealed that 84.6% of respondents stated that they use acts of corruption to access services provided by public institutions.'¹²⁴

8.3.4 With respect to police corruption, the same source noted: 'There seem to be large discrepancies in the perceived incidence of corruption at different institutions. While 71% of people questioned stated that they had not witnessed any unethical or corrupt practices at health care institutions, more than 60% of the 4,018 survey participants thought that local police were highly corrupt.'¹²⁵

8.3.5 The FH Report 2022 noted:

'... The government established a national committee to coordinate an anticorruption campaign in November 2022. The committee announced it had received over 250 tips within a week of its creation and testified to the widespread presence of corruption, labeling it as a major threat to national security ...

¹²¹ EIP, '[The special police in Ethiopia](#)' (page 8 to 9), October 2021

¹²² FH, '[Freedom in the World 2023 – Ethiopia](#)', (section C, C2), 9 March 2023

¹²³ USSD, '[Trafficking in Persons Report 2023: Ethiopia](#)' (protection), 15 June 2023

¹²⁴ CMI U4, '[Ethiopia: Overview of corruption and anti-corruption...](#)' (pages 7 to 8), 17 February 2023

¹²⁵ CMI U4, '[Ethiopia: Overview of corruption and anti-corruption...](#)' (page 14), 17 February 2023

‘Despite these seemingly positive steps, the 2022 anticorruption campaign only focuses on malfeasance within institutions at the federal level. Whether the government intends to carry out new anticorruption investigations with integrity, without using it to repress political opposition members, is unclear.’¹²⁶

- 8.3.6 USSD HR Report 2022 stated: ‘The law provides criminal penalties for conviction of corruption. The government did not implement the law effectively or comprehensively. The government enacted policies to hold government officials more accountable.’¹²⁷

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8.4 Human rights violations by security forces

- 8.4.1 The CJWG Report March 2021 noted:

‘The Constitution demands all state organs, including the executive to respect and enforce human rights provisions of the Constitution. However, Ethiopian police have no good reputation in terms of protecting and respecting human rights ... Although there are some positive developments post-2018, there still remains a lot to be done to break with the past and ensure that policing in general and in the context of criminal justice in particular complies with human rights standards.’¹²⁸

- 8.4.2 The USSD HR Report 2022 observed:

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings by the government; enforced disappearance by the government; torture and other cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest and detention; political prisoners or detainees; serious abuses in a conflict, including unlawful or widespread civilian harm; unlawful recruitment or use of child soldiers by government forces and militia groups; serious restrictions on freedom of expression, including violence or threats of violence against journalists, unjustified arrests of journalists, censorship, and the existence of criminal libel and slander laws; serious restrictions on internet freedom; interference with the freedom of peaceful assembly; government corruption; lack of investigation of and accountability for gender-based violence including rape and conflict-related sexual violence; trafficking in persons; crimes involving violence or threats of violence targeting members of racial or ethnic minority groups; and existence or use of laws criminalizing same-sex sexual conduct.’¹²⁹

- 8.4.3 According to the same source security forces targeted individuals on the basis of ethnicity in conflict areas. It observed: ‘The constitution and law provide for equal protection to all persons without discrimination on grounds of race, nation, nationality, or other social origin. While the government generally enforced the law effectively, there were widespread allegations of

¹²⁶ FH, ‘[Freedom in the World 2023 – Ethiopia](#)’, (section C2), 9 March 2023

¹²⁷ USSD, ‘[2022 Country Report on Human Rights Practices: Ethiopia](#)’ (section 4) 20 March 2023

¹²⁸ CJWG, ‘[Diagnostic Study of the Ethiopian Criminal Justice...](#)’ (pages 88 to 89), March 2021

¹²⁹ USSD, ‘[2022 Country Report on Human Rights Practices: Ethiopia](#)’, (section 1, d), 21 March 2023

government security forces targeting individuals for arrest and detention based on ethnicity in response to the conflict in the north of the country.’¹³⁰

- 8.4.4 FH Report 2022 also noted that ‘human rights abuses and extrajudicial punishments by security forces occur widely throughout the country.

‘In May 2022, Ethiopian security forces arbitrarily arrested more than 4,500 people in the Amhara region, including journalists and activists, in an attempt to crack down on the Fano militia group that bases its operations there. The government provided no justification for the arrests, and whether the people arrested in May remained in custody at the end of the year was unclear.’¹³¹

- 8.4.5 With respect to torture, the USSD HR Report 2022 noted: ‘Although the constitution prohibits such practices, there were reports that security officials tortured and otherwise abused detainees.’¹³²

- 8.4.6 Many of the documented human rights violations occurred in context of the conflict. HRW Report 2022 noted: ‘Extrajudicial killings, mass arrests, arbitrary detentions, and violence against civilians occurred in ... regions facing unrest, insecurity, and conflict.’¹³³ The USSD HR Report 2022 noted: ‘According to HRW, Amnesty International, and numerous media reports, the government engaged in torture in its security operations connected to the armed conflict in the northern part of the country and failed to hold soldiers accused of torture accountable.’¹³⁴

- 8.4.7 The UNCAT report May 2023 stated:

‘... the Committee is deeply concerned about the alleged extensive violations of international human rights, humanitarian and refugee law, including in the regions of Tigray, Amhara and Afar, carried out against civilians suspected to be members or supporters of armed insurgent groups and members of the political opposition, in particular ethnic Tigrayans, as well as human rights defenders, dissenting journalists and protesters. It is gravely concerned about reports of summary executions, deliberate, sometimes ethnically motivated, attacks on civilian populations, enforced disappearances, torture and ill-treatment, arbitrary and prolonged detention without charge and judicial process, incommunicado detention in unofficial facilities or military centres, the recruitment and use of children in the hostilities, conflict-related sexual and gender-based violence, trafficking in persons, denial of access to humanitarian assistance and the destruction of civilian property by the federal and local security forces, the Ethiopian National Defence Forces, the Eritrean Defence Forces, the Tigrayan special forces, Tigrayan militias, the Amhara special forces, the Amhara militias and other allied groups.’¹³⁵

- 8.4.8 A September 2023 HRW report stated:

‘In Oromia, a long simmering and [abusive government counterinsurgency campaign](#) against an armed group, the Oromo Liberation Army, has been underway since 2019. The operation resulted in serious rights abuses

¹³⁰ USSD, ‘[2022 Country Report on Human Rights Practices...](#)’ (section 6), 20 March 2023

¹³¹ FH, ‘[Freedom in the World 2023 – Ethiopia](#)’ (section F, F2), 9 March 2023

¹³² USSD, ‘[2022 Country Report on Human Rights Practices...](#)’ (sections 1, c and g), 20 March 2023

¹³³ HRW, ‘[World Report 2023: Ethiopia](#)’ (section on security force abuses...), 12 January 2023

¹³⁴ USSD, ‘[2022 Country Report on Human Rights Practices...](#)’ (section 1, c and g), 20 March 2023

¹³⁵ UNCAT, ‘[Concluding observations on the second periodic report ...](#)’ (paragraph 14), 7 June 2023

against the civilian population, including arbitrary detentions, [summary executions](#), and [large-scale massacres](#). Similar abuses are continuing in 2023 according to reporting from the [Ethiopian Human Rights Commission](#) and the [media](#).¹³⁶

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section updated: 4 January 2024

9. Court system

9.1 Federal and state courts

9.1.1 Aneme 2020 noted:

‘The Federal Courts Proclamation allocates subject-matter jurisdiction to federal courts on the basis of three principles: laws, parties and places. It stipulates that federal courts shall have jurisdiction over, first, “cases arising under the Constitution, federal laws and international treaties,” second, over parties specified in federal laws.” Article 3(3) of the Federal Courts Proclamation states that federal courts shall have judicial power in places specified in the FDRE Constitution or in federal laws. Article 5 of the same proclamation stipulates that federal courts shall have civil jurisdiction over “cases to which a federal government organ is a party ...

Article 4 of the Federal Courts Proclamation bestows upon federal courts criminal jurisdiction over: offences against the national state; offences against foreign states; offences against the law of nations; offences against the fiscal and economic interests of the federal government; offences regarding counterfeit currency; offences regarding forgery of instruments of the federal government; offences regarding the security and freedom of communication services operating within more than one region or at international level; offences against the safety of aviation; offences of which foreigners are victims or defendants; offences regarding illicit trafficking of dangerous drugs; offences falling under the jurisdiction of courts of different regions or under the jurisdiction of both the federal and regional courts as well as concurrent offences and offences committed by officials and employees of the federal government in connection with their official responsibilities or duties.’¹³⁷

9.1.2 The CJWG Report March 2021 stated:

‘The federal courts have jurisdiction over cases arising under the constitution, federal laws and international treaties, involving parties specified in the federal laws and place specified in the constitution or federal laws ...

‘The States['] Supreme Courts have cassation [appeal] divisions empowered to review final decision[s] of state courts, the states’ Supreme Courts and High Courts exercise federal judicial power based on the constitutional delegation.’¹³⁸

¹³⁶ HRW, [‘Q&A: Justice for serious international crimes committed in Ethiopia’](#), 4 September 2023

¹³⁷ Aneme, G. A., [‘Introduction to the Ethiopian Legal System ...’](#) (section 2.4.1.1), February 2020

¹³⁸ CJWG, [‘Diagnostic Study of the Ethiopian Criminal Justice...’](#) (pages 195 to 197), March 2021

- 9.1.3 For an outline on the structure and power of the courts see [The Constitution of the Federal Democratic Republic of Ethiopia](#).

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9.2 State courts

9.2.1 Amene 2020 noted:

‘The FDRE Constitution provides for the establishment of three levels of state courts: the State Supreme Court (which also incorporates a cassation bench to review fundamental errors of state law), High Courts, and First-Instance Courts. State Supreme Courts sit in the capital cities of the respective states and have final judicial authority over matters of State law and jurisdiction. State High Courts sit in the zonal regions of states while State First Instance Courts sit at the lowest administrative levels of states.

‘The FDRE Constitution delegates to State Supreme Courts and State High Courts the jurisdictions of the Federal High Court and Federal First Instance Courts respectively. In order to guarantee the right of appeal of the parties to a case, decisions rendered by a State High Court exercising the jurisdiction of the Federal First Instance Court are appealable to the State Supreme Court while decisions rendered by a State Supreme Court on federal matters are appealable to the Federal Supreme Court.’¹³⁹

9.2.2 The same source added:

‘The state systems of judicial administration and accountability mirror the federal process. The state governments have also established Judicial Administration Commissions with a view to safeguarding the independence and accountability of State Courts. With respect to appointment, the President and Vice-President of the State Supreme Court are recommended by the President (Chief Executive Officer) of the states and appointed by the State Council; all other State judges are appointed by the State Council based upon recommendations made by the State Judicial Administration Commission. Similar guarantees of tenure of judges exist in State Judicial Administration Commissions.’¹⁴⁰

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9.3 Religious and traditional courts

- 9.3.1 The BTI Report 2022 observed that ‘The federal state of Ethiopia has a unique legal pluralistic structure with many secular and religious courts. Courts often have some degree of autonomy in cultural affairs, but less autonomy in political dispute.’¹⁴¹

9.3.2 Aneme 2020 stated:

‘To date, Sharia Courts that apply Islamic law are the only religious courts that have been officially established both at the federal and state levels. Sharia Courts apply only Islamic law and have their own appellate system. They are required, however, to follow the procedural rules of ordinary courts and receive their budgets from the state. Parties must voluntarily submit to

¹³⁹ Aneme, G. A., ‘[Introduction to the Ethiopian Legal System...](#)’ (section 2.4.2.1), February 2020

¹⁴⁰ Aneme, G. A., ‘[Introduction to the Ethiopian Legal System ...](#)’ (section 2.4.2.2), February 2020

¹⁴¹ BTI, ‘[Ethiopia Country Report 2022](#)’, (Rule of law), 23 February 2022

the jurisdiction of these courts, or the dispute should be redirected to the regular courts. Proclamation 188/1999 spells out the circumstances under which Islamic law can be applied by Sharia courts at the federal level. The Sharia Courts at the federal level have been reconstituted into a three-level judicial structure, distinct from the regular federal judicial structure. These are: (1) Federal First-Instance Court of Sharia, (2) Federal High Court of Sharia, and (3) Federal Supreme Court of Sharia. Like the federal state judicial organs, all the federal Sharia courts have been made accountable to the Federal Judicial Administration Commission. All of the State Councils have also given official recognition to Sharia Courts within their respective jurisdictions.’¹⁴²

9.3.3 The UNCAT Ethiopia Report May 2020 noted:

‘Federal First Instance, High and Supreme Courts of Sharia are established pursuant to Article 2(4) of the [Federal Courts of Sharia Consolidation Proclamation No. 188/1999]. However, these courts have no jurisdiction in criminal cases, and their civil jurisdiction in addition to being confined to family and succession cases, is subject to the consent of both litigating parties. Furthermore, the litigants in family disputes, and the deceased whose estate is to be liquidated in succession cases, need to be followers of Islam. Decisions rendered by Regional States’ and Federal Courts of Sharia are subject to further scrutiny as an appeal against such decisions can be lodged to the Cassation Bench of the Federal Supreme Court if a basic error of law was made in the decisions.’¹⁴³

9.3.4 With respect to tradition courts, the 2020 justice needs and satisfaction survey report by the Hague Institute for Innovation of Law (HiIL), an international civil society organisation committed to people-centred justice based in The Hague, Netherlands¹⁴⁴ observed:

‘Traditional dispute resolution are the diverse ways for resolving disputes based on community customs and practices. In a multi-ethnic country as Ethiopia, there is a wide variety of customary practices for resolving individual and group disputes. Village elders (Shimagale in Amharic) are the most common actors in the delivery of traditional justice. Their role is one of “peace-maker, reconciler and/or mediator”. Historically, traditional justice has been the main mean of resolving disputes ... The 1995 Constitution (Art. 34(5)) recognizes customary justice but grants it a relatively limited jurisdiction. Family and personal matters are areas where religious or customary laws can be applied. Such mechanisms can be used if the parties consent. Other areas of legal disputes are not explicitly excluded from the jurisdiction of customary dispute resolution mechanisms. However, the explicit mention of family and personal matters is an indication that the legislator foresees limited jurisdiction of customary law.’¹⁴⁵

9.3.5 USSD HR report 2022 stated:

¹⁴² Aneme, G. A., ‘[Introduction to the Ethiopian Legal System ...](#)’ (section 2.4.5), February 2020

¹⁴³ UNCAT ‘[Second periodic report submitted by Ethiopia under ...](#)’ (paragraph 110), 26 May 2020

¹⁴⁴ HiIL, ‘[Who we are](#)’, no date

¹⁴⁵ HiIL, ‘[Justice Needs and Satisfaction Survey in Ethiopia](#)’ (page 76), 2020

‘... The constitution recognizes both religious and traditional courts. Many rural citizens had little access to formal judicial systems and relied on traditional mechanisms for resolving conflict. By law, all parties to a dispute must agree to use a traditional or religious court before such a court may hear a case, and either party may appeal to a regular court at any time. Sharia (Islamic law) courts may hear religious and family cases involving Muslims if both parties agree before the start of the formal legal process to use the sharia court. Sharia courts received some funding from the government. Sharia courts adjudicated most cases in Somali and Afar Regions, which are predominantly Muslim. Other traditional systems of justice, such as councils of elders, functioned predominantly in rural areas. Women often believed they lacked access to fair hearings in the traditional court system because local custom excluded them from participation in councils of elders and due to persistent gender discrimination.’¹⁴⁶

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9.4 Municipality and social courts

9.4.1 The CJWG Report March 2021 noted:

‘The Ethiopian judicial system also incorporates courts named as Municipality or City Courts and Social or Kebele courts. The City Courts of Addis Ababa and Dire Dawa have First Instance, Appellate courts and a Cassation division in the Appellate courts. These courts have criminal jurisdictions over petty offences, offences in connection with fiscal matters coming under the competence of the cities’ administration and matters related to remand in custody and bail applications. Social courts or kebele courts ... also exist in the lowest levels of administrative hierarchy of regional governments and also in Addis Ababa and Dire Dawa ...’¹⁴⁷

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9.5 Military courts

9.5.1 The CJWG Report March 2021 noted:

‘... The Defence Force Proclamation No. 1100/2019 establishes two tiers Military Courts: the Primary Military Court and the Appellate Military Courts. The proclamation provides for the jurisdiction of these courts over “persons responsible for military offences provided under Art. 284-322 of the Criminal Code....”

‘The Appellate Military Court has appellate jurisdiction on cases disposed by the Primary Military Court and the final decision of the Appellate Military Court is subjected to the Cassation review of the Federal Supreme Court The Military courts shall apply criminal procedure code in disposing cases.

‘... [T]he jurisdiction of military courts are not limited to military offences by members of the Defence Force but extends to cover offences committed by civilians and police members ... Subjecting civilians to the trial by military

¹⁴⁶ USSD, ‘[2022 Country Report on Human Rights Practices: Ethiopia](#)’ (section 1, c), 20 March 2023

¹⁴⁷ CJWG, ‘[Diagnostic Study of the Ethiopian Criminal Justice System](#)’ (page 198), March 2021

courts is against the right enshrined under Art 14(1) of ICCPR, the right to be tried by an independent court.¹⁴⁸

9.5.2 The UNCAT Ethiopia Report May 2020 stated:

‘... [T]he recently adopted proclamation No. 1100/2019 gives military courts power to try any member of military force charged with having committed any of the criminal acts specified under the Criminal Code of Ethiopia (see article 270 (a), 271 (1) (a) and 272 (a)). Regulations have also been adopted prohibiting members of the national defence force from violating citizen’s right and human dignity and protection against bodily harm and inhuman treatment in the course of their active duty.’¹⁴⁹

9.5.3 The UNGA Report September 2023 noted:

‘The Commission notes that some recent reforms may embed or entrench structural flaws and the potential for institutional bias or over-centralization. Recent legislation handed military courts exclusive jurisdiction over all crimes, including international crimes, that involve a member of the defence forces, police or militia on active duty. Recourse to military courts as a means to avoid accountability and transparency is contrary to international standards.’¹⁵⁰

9.5.4 With respect to the independence of the military courts, the CJWG Report March 2021 observed:

‘The proclamation [Defence Force Proclamation No. 1100/2019] further states that the judges of the Primary Military Courts shall be appointed by the Council of Defence Commanders upon the recommendation of the Chief of the General Staff and the judges of The Appellate Military Court by the Commander-in-Chief of the Armed forces upon the recommendation of the Minister. The judges are appointed for a fixed period of 5 years and subjected to disciplinary measures including removal by the organ which appointed them, on grounds of inability to carry out their duties due to illness or being found guilty of disciplinary or criminal offence.’¹⁵¹

9.5.5 A September 2023 HRW report noted with respect to the independence of military courts:

‘The Ethiopian government’s reliance on the military court system to try serious violations committed by Ethiopian military forces continue to lack transparency and raise concerns about due process and justice and redress for victims and survivors of heinous crimes. At present, military court judges are appointed at the recommendation of the Minister of Defense, or the commander-in-chief of the armed forces at the recommendation of the Minister, which raises serious issues about the impartiality and independence of military courts.’¹⁵²

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¹⁴⁸ CJWG, ‘[Diagnostic study of the Ethiopian criminal ...](#)’ (pages, 198 to 199 and 203), March 2021

¹⁴⁹ UNCAT ‘[Second periodic report submitted by Ethiopia under ...](#)’ (paragraph 16), 26 May 2020

¹⁵⁰ UNGA, ‘[Report of the International Commission of ...](#)’ (paragraphs 88-89), 14 September 2023

¹⁵¹ CJWG, ‘[Diagnostic study of the Ethiopian criminal justice system](#)’ (pages 199-200), March 2021

¹⁵² HRW, ‘[Q&A: Justice for serious international crimes committed in Ethiopia](#)’, 4 September 2023

9.6 Access to justice

- 9.6.1 In 2020, HiiL published a report of a Justice Needs and Satisfaction Survey (JNS), which asked 5,400 randomly sampled people about the legal problems they experienced in the last 4 years, what they did to solve them and whether they managed to reach a fair resolution. The survey was conducted with the Office of the Federal Attorney General and the Federal Justice and Legal Research and Training Institute (JLSRTI)¹⁵³ (HiiL report 2020). For detailed information on the methodology including sampling, data analysis and limitations to data see '[Justice Needs and Satisfaction Survey in Ethiopia](#)' (chapter 2), 2020.
- 9.6.2 The HiiL report 2020 noted that '40% of the population (at least 7.4 million) have to deal with one or more serious and difficult to resolve legal problems every four years.'¹⁵⁴ The report noted that respondents were asked 'to assess and rank the problems using the subjective criterion of impact on life.'¹⁵⁵ According to the report 'The most frequently occurring types of legal problem are disputes around land, crime, disputes with neighbours, family issues, domestic violence, money-related disagreements, and employment problems.'¹⁵⁶
- 9.6.3 The report further stated that:
- 'Most people in Ethiopia actively pursue resolution of their legal problems. Local elders are the most frequently used dispute resolution mechanisms. Almost half (43%) of the respondents who had to deal with a problem say that they involved local elders ...
- 'Another noticeable aspect is that Ethiopians go to formal courts quite often compared with other countries. About 20% of the most serious legal problems reached a court of law. This percentage is significantly higher compared with other countries (around 5% on average). When looking at some other countries in Africa, only Malians go to formal courts more often...
- '45% of the legal problems are resolved but 55% do not reach a resolution. This means that every year in Ethiopia, 3.4M legal problems are resolved and 4.05M problems are not ...
- 'About 66% of the resolved problems were reported to have reached a fair resolution (48% fair, 18% very fair). Through extrapolation, the absolute number of problems that are perceived to be resolved fairly is around 2.2 million.
- '... Of all problems which were assessed as resolved, 18% were resolved unfairly. Furthermore, 16% ended with a partially fair resolution. Together with the unfairly resolved legal problems, the group accounts for 34% of all problems defined as resolved. In absolute numbers, this makes 1.2 million legal problems which reach a resolution but this resolution is not perceived as fair every year.'¹⁵⁷

¹⁵³ HiiL, '[Justice Needs and Satisfaction Survey in Ethiopia](#)', 2020

¹⁵⁴ HiiL, '[Justice Needs and Satisfaction Survey in Ethiopia](#)' (page 5.), 2020

¹⁵⁵ HiiL, '[Justice Needs and Satisfaction Survey in Ethiopia](#)' (page 48.), 2020

¹⁵⁶ HiiL, '[Justice Needs and Satisfaction Survey in Ethiopia](#)' (page 5, 28), 2020

¹⁵⁷ HiiL, '[Justice Needs and Satisfaction Survey in Ethiopia](#)' (pages 44 to 45, 74), 2020

9.6.4 The report added

‘When we focus on the most serious problems, we see that approximately 80% of the people take some form of action to resolve their legal problems. Some people do not take action because they do not expect a positive outcome...

‘... 40% of the most serious problems are completely resolved; 4% are partially resolved; 31% are in the process of resolution and 26% are not resolved and people do not take further actions ...

‘With 40% of the most serious problems completely resolved, Ethiopia scores well compared with other countries in the region. Only Nigeria has a higher percentage of problems completely resolved. In the other countries in which HiiL has conducted a JNS study, a lower percentage of the most serious problems is completely resolved. However, people in both Mali and Nigeria have fewer problems that are completely abandoned.

‘The main reasons for legal problems remaining unresolved are that the people who encounter them do not know what to do, the other party in the dispute is not cooperating, or the procedures are difficult to understand.’¹⁵⁸

9.6.5 In November 2023 Pham, P, and others at the Harvard Humanitarian Initiative (HHI), a University of Harvard academic and research centre in humanitarian crisis and leadership¹⁵⁹ published a report based on a national survey conducted from May to July 2023 to assess the needs, perceptions and attitudes about peace and justice in Ethiopia¹⁶⁰. (For details of methodology, design and data analysis see [Ethiopia Peace & Justice Survey 2023](#), November 2023). Among other things, respondents were asked about their trust in the justice system. The report noted that that less than 30% of the respondents expressed trust in judges. It observed:

‘More generally, 26% of participants express trust in the Ethiopian justice system; an opinion shared by just 3% of the participants in Tigray, 10% in Addis Ababa, 14% in SNNP, 16% in Amhara and 18% in Gambela. Lack of trust is generally associated with a perceived lack of judicial independence (71%), corruption (56%), or involvement in violence (44%). In addition, the survey finds that half of the population or more sees the Ethiopian justice system as too expensive for ordinary people (50%), inaccessible (53%) and too complicated (53%)¹⁶¹.

9.6.6 The same source has provided below figure showing the results of Ethiopian’s confidence in justice¹⁶².

¹⁵⁸ HiiL, ‘[Justice Needs and Satisfaction Survey in Ethiopia](#)’ (pages 178 to 179), 2020

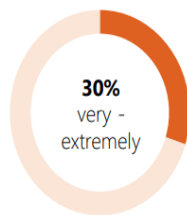
¹⁵⁹ HHI, ‘[Who we are](#)’ no date

¹⁶⁰ Pham, P, and others, HHI, ‘[Ethiopia Peace & Justice Survey 2023](#)’ (page 13) November 2023

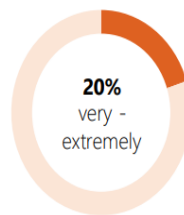
¹⁶¹ Pham, P, and others, HHI, ‘[Ethiopia Peace & Justice Survey 2023](#)’ (page 29), November 2023

¹⁶² Pham, P, and others, HHI, ‘[Ethiopia Peace & Justice Survey 2023](#)’ (page 31), November 2023

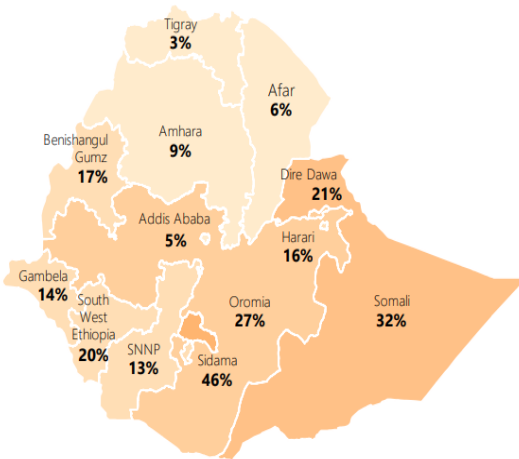
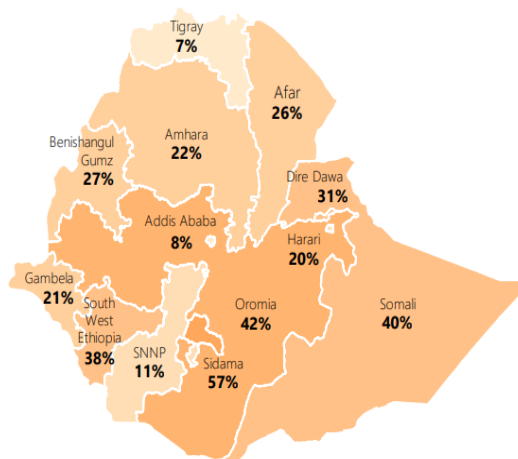
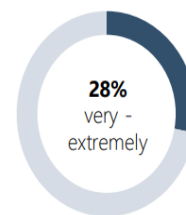
How much do you trust judges?
(% very - extremely)



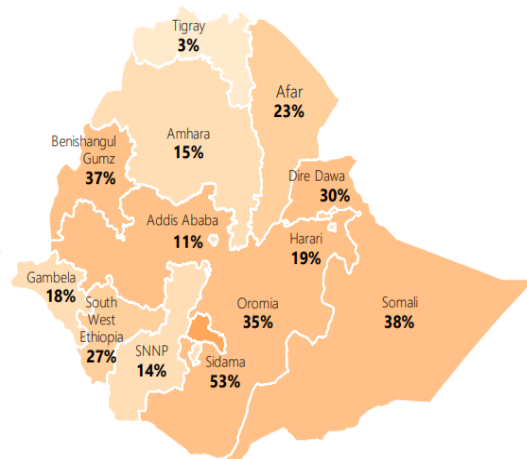
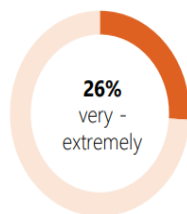
How much do you trust the existing
investigative and prosecution system?
(% very - extremely)



How much do you trust the federal government
to implement fair accountability efforts?
(% very - extremely)



How much do you trust the
justice system?
(% very - extremely)



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section updated: 12 January 2024

10. Oversight mechanisms

10.1 Regulation

10.1.1 The Law on Police Use of Force Worldwide organisation on their Ethiopia webpage, last updated in April 2021 (Law on Police Use of Force Worldwide

April 2021) stated: 'In Ethiopia, most oversight mechanisms are in the form of internal disciplinary rules or regulations within the police and prison services, rather than an independent external body established for the purpose. According to a 2012 Regulation, for example: Any police officer shall be liable for the damages caused as a result of his decision or action in violation of the law.'¹⁶³ The same source added: 'The judicial system in Ethiopia has proved largely unwilling to prosecute police and prison officers for excessive, discriminatory, or abusive use of force. This issue has been highlighted by the UN Human Rights Committee and the Committee against Torture.'¹⁶⁴

10.1.2 The EIP Report 2021 observed:

'The chain of command between the police, the civilian ministers, and the respective legislative bodies indicates a mechanism for ensuring transparency and accountability. Yet, several reports show there is no effective oversight by the respective legislative bodies, and reports of human rights abuses both at the federal and regional state level continue to be a significant concern ...

'In a focus group discussion held with stakeholders ... in the Amhara regional state, participants thought the special police was not accountable: visible human rights violations went unaddressed, and the special police were said to operate with a high degree of legal impunity. Minorities face widespread terror from special police forces. It was not subject to the rule of law. The same observation was made in Oromia – and at the federal level. A few internal accountability systems within the police itself relate to self-discipline, ethics, and dress codes. Still, there is little systematic accountability concerning their essential duties in the process of law enforcement.'¹⁶⁵

10.1.3 USSD HR Report 2022 stated: 'The government took limited steps to prosecute officials who committed human rights abuses or were involved in corruption, resulting in impunity for most abuses. The government took some steps toward holding government security forces accountable for abuses.'¹⁶⁶ However, the same source observed:

'The Federal Police Internal Investigative Bureau investigated cases of criminal acts perpetrated by police. The internal unit's decisions regarding penalties against police were confidential.

'The Ethiopian National Defense Force (ENDF) had a military police division with a military investigative unit that reported to the military attorney general's office. Military police passed evidence from their investigations to the prosecutors and defense counsels. The ENDF attorney general directed the investigations and heard the cases in military court.

'Reports of impunity for security forces continued, although some measures were taken to hold them accountable for human rights abuses. Lack of

¹⁶³ The Law on Police Use of Force Worldwide, '[Ethiopia](#)', last updated 13 April 2021

¹⁶⁴ The Law on Police Use of Force Worldwide, '[Ethiopia](#)', last updated 13 April 2021

¹⁶⁵ EIP, '[The special police in Ethiopia](#)' (page 18), October 2021

¹⁶⁶ USSD, '[2021 Country Report on Human Rights Practices](#)' (Executive Summary), 12 April 2022

transparency regarding those being charged and tried in courts of law made it difficult to assess the government's accountability efforts.'¹⁶⁷

10.1.4 FH Report 2022 also noted that 'most security forces who commit ... abuses go unpunished.'¹⁶⁸ However, some sources noted that the government investigated abuses committed by security forces in Tigray and punished the perpetrators.

10.1.5 A June 2023 report by HRW stated '... In September 2022, an Inter-Ministerial Task Force established by the Ministry of Justice reported that it would investigate violations in Western Tigray by December 2022. The government so far has not released details of these investigations nor held anyone responsible for serious violations.'¹⁶⁹

10.1.6 USSD HR Report 2022:

'... Government investigators examined allegations that members of the ENDF engaged in killing of civilians, rape and other forms of gender-based violence, and looting and destruction of property. Military prosecutors charged 28 soldiers for killing civilians without military necessity, and 25 soldiers for committing acts of sexual violence, including rape. As of August, according to a report of the government's Inter-Ministerial Task Force, the military court had sentenced 25 persons with imprisonment of up to 25 years, including one life sentence, and two acquittals; 33 cases involving rape (16), extrajudicial killings (9), bodily injury (7), and assault (1) were still pending trial. At year's end, the military police were also investigating several other cases of alleged conflict-related crimes. Human rights groups criticized the military's accountability efforts for lacking transparency.'¹⁷⁰

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10.2 Ethiopia Human Rights Commission (EHRC)

10.2.1 ACCORD Report November 2019 stated: 'The Human Rights Commission of Ethiopia was established by law on 4 July 2000.'¹⁷¹

10.2.2 In a report dated 7 December 2021 EHRC stated that its rating was upgraded from grade B (partial compliance) to grade A (full compliance) of the Paris Principles by the Global Alliance of National Human Rights Institutions for operation in accordance with the UN Paris Principles, a global network of 118 National Human Rights Institutions that promotes the establishment and strengthening of National Human Rights Institutions (NHRIs) in conformity with the Principles Relating to the Status of National Institutions (known as the Paris Principles). The Paris Principles serve as the internationally agreed benchmark for assessing the credibility of NHRIs. They require NHRIs to be independent in law, membership, operations, policy and control of resource¹⁷².

10.2.3 USSD HR Report March 2022 observed:

¹⁶⁷ USSD, '[2022 Country Report on Human Rights ...](#)' (sections 1a, and 1, c), 20 March 2023

¹⁶⁸ FH, '[Freedom in the World 2023 – Ethiopia](#)' (section F, F2), 9 March 2023

¹⁶⁹ HRW, '[Ethiopia: Ethnic Cleansing Persists Under Tigray Truce](#)' 1 June 2023

¹⁷⁰ USSD, '[2022 Country Report on Human Rights Practices: Ethiopia](#)' (section 1, c), 20 March 2023

¹⁷¹ ACCORD, '[Ethiopia COI Compilation](#)' (page 89), November 2019

¹⁷² EHRC, '[EHRC thanks its stakeholders for their support in its success in...](#)' 7 December 2021

'The EHRC is a quasi-independent government agency accountable to parliament and responsible for investigating and reporting on the country's human rights.

'The EHRC investigated human rights abuses across the country. The EHRC did not face adverse action from the government despite criticizing the government for disregarding the rule of law and abusing human rights, including through ethnic profiling of Tigrayans, arbitrary arrests of journalists, and ethnically and politically motivated killings. International human rights experts, however, accused the EHRC of systematic bias against Tigrayans when reporting on the conflict, and of deliberately censoring information about alleged atrocities attributed to the government and its allies. In some instances, federal and regional government bodies appeared to follow EHRC reports and recommendations in taking corrective measures in response to human rights violations and abuses.'¹⁷³

10.2.4 The August 2023 EHRC report stated: 'EHRC continues to monitor the impact of the conflict in the Amhara region on the human rights situation. The Commission is also receiving complaints of human rights violations both before and after the declaration of the state of emergency including from Addis Ababa and other areas of the country.'¹⁷⁴

10.2.5 According to the UNCAT Report June 2023 'adopted Proclamation No. 1224/2020 of 18 August 2020, which aimed to strengthen the effectiveness and independence of the Ethiopian Human Rights Commission'¹⁷⁵ but added that EHRC sometimes faced undue restrictions during its visits and received insufficient resources to allow it to perform all its functions effectively¹⁷⁶. This is corroborated by the EHRC which noted in its August 2023 EHRC report that: 'The Commission has not yet been granted access to monitor the conditions of detentions since the declaration of the State of Emergency.'¹⁷⁷

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10.3 Ombudsman

10.3.1 USSD HR Report 2022 stated: 'The Office of the Ombudsman has the authority to investigate complaints regarding administrative mismanagement by executive branch offices and officials, and to investigate prison conditions. A 2019 proclamation gives foreign nationals the right to present administrative complaints or rights abuse cases to the office.'¹⁷⁸

10.3.2 Citing other sources, the Jenkins and Elsayed 2023 noted:

'The ombudsman was created by Proclamation No. 211/2000 with the responsibility to "rectify or prevent unjust decisions and orders of executive organs and officials" and encourage efficient and transparent governance in line with the rule of law. As such, corruption is taken to fall within the purview of the ombudsman alongside other forms of maladministration.

¹⁷³ USSD, '[2022 Country report on human rights practices: Ethiopia](#)' (section 5), 20 March 2023

¹⁷⁴ EHRC, '[The human rights impact of the armed conflict on civilians ...](#)' 14 August 2023

¹⁷⁵ UNCAT, '[Concluding observations on the second periodic report ...](#)' (paragraph 22), 7 June 2023

¹⁷⁶ UNCAT, '[Concluding observations on the second periodic ...](#)' (paragraph 22 and 38), 7 June 2023

¹⁷⁷ EHRC, '[The human rights impact of the armed conflict on civilians in Amhara ...](#)' 14 August 2023

¹⁷⁸ USSD, '[2022 Country Report on Human Rights Practices: Ethiopia](#)' (section 5), 20 March 2023

‘The operations of the ombudsman were amended by Proclamation No. 1142/2019, which granted the ombudsman the authority to make recommendations to other state agencies but does not give powers to make determinations or enforceable orders. A recent study found this to be a particular problem with regards to the police force, which can in practice ignore interventions and requests by the ombudsman.’¹⁷⁹

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10.4 Monitoring of detention centres

10.4.1 With respect to oversight of prisons the UNCAT Ethiopia Report May 2020 noted:

‘Federal Police Commission and National Defence Force ... established disciplinary committees to receive complaints from or on behalf of detained persons ...

‘Independent observers are... given access to places of detention. The ICRC and local [Civil Society Organisations] CSOs that work on human rights issues visit places of detention. The ICRC has signed a MoU with the Government to allow them free access to all prison facilities ... These independent observers and CSOs give their findings to the prison administrations for any concern that need their immediate attention and appropriate measures will be taken accordingly. Furthermore, the findings of these independent observers and CSOs, to the extent they are found credible and useful, are incorporated into the [National Human Rights Action Plan] NHRAP for further measures towards the improvement of conditions of detention.’¹⁸⁰

10.4.2 The same report added:

‘EHRC regularly visits prison facilities and submits its findings and recommendations to the Government ...

‘So far as judicial supervision is concerned, a joint committee including the President of the Federal Supreme Court, the Attorney General and the Federal Police Commissioner conduct a bi-annual supervision of prisons and attempt to give solution to prisoners’ complaints concerning their respective Bureaus.

‘The new prison proclamation puts obligation on the administration including to: allow prisoners take their grievances against the Commission to formal courts, permit researchers as well as mandated national and international bodies including various UN committees and special rapporteurs, access to and inspect the conditions of prisons and prisoners. These all are encouraging measures towards the betterment of conditions of detention.’¹⁸¹

10.4.3 According to the USSD HR Report 2022: ‘From January to June [2022], the International Committee of the Red Cross visited 21,407 prisoners in 34 places of detention throughout the country as part of its normal activities.’¹⁸² The EHRC Report August 2023 stated that the Commission visited 49

¹⁷⁹ Jenkins and Elsayed, CMI U4 Helpdesk, ‘[Ethiopia: Overview of corruption...](#)’ (page 21), 2023

¹⁸⁰ UNCAT, ‘[Second periodic report submitted by Ethiopia ...](#)’ (paragraphs 21 and 53), 26 May 2020

¹⁸¹ UNCAT, ‘[Second periodic report submitted by ...](#)’ (paragraphs 56, 125 and 126), 26 May 2020

¹⁸² USSD, ‘[2022 Country Report on Human Rights Practices: Ethiopia](#)’ (section 1, c), 20 March 2023

detention/correction facilities and 346 police stations from June 2022 to June 2023¹⁸³. However, the same source observed that: ‘The Red Cross and international human rights monitors were denied access to alleged detention facilities in Western Tigray ... where many thousands of ethnic Tigrayans reportedly remained detained in life-threatening conditions.’¹⁸⁴

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10.5 Complaint mechanism

10.5.1 The UNCAT Ethiopia Report May 2020 noted:

‘... An arrested person can lodge his/her complaint before a judge concerning ill treatment in police custody. The Court may order the commencement of criminal investigations and that the detainee receive medical treatment, release of the victim from custody or any other remedy that is deemed appropriate to the particularities of the case. Arrested persons are also regularly visited by public prosecutors who are legally required to ensure the physical and mental wellbeing of persons in custody and take appropriate legal measures where violations of rights have been committed or complaints are received.

‘Besides the above mentioned complaint mechanisms, EHRC serves as a complaint outlet for victims of torture or ill treatment. The EHRC is empowered to conduct investigation into complaints and put forward recommendations and remedial measures. Failure, without due cause, to implement the recommendations of the Commission is punishable by imprisonment and/or fine.

‘... pursuant to Article 28 of the Council of Ministers Regulation on the Treatment of Federal Prisoners 138/2007, prisoners have the right to lodge any complaint, including complaints of torture or ill treatment either orally or in written form before concerned officials of the Prison Commission or Administration. The new Federal Prison Proclamation allows complaints to be lodged before courts of law in addition to the prison administration.’¹⁸⁵

10.5.2 The same report further noted that: ‘The existing complaint mechanisms, even those that were considered impartial (including EHRC’s regular visits to police detention centers and prisons across the country to evaluate their compliance with international human rights standards) were revealed to have at times been ineffective in preventing wide ranging human rights violations in police detention centers and prisons in many parts of the Country.’¹⁸⁶

10.5.3 USSD HR Report 2022 observed: ‘The law provides citizens the right to file cases in civil court, including in cases with human rights abuses. For human rights abuses where a government agency is the accused perpetrator, the victim initiates the process by filing a complaint at the EHRC. The EHRC investigates and makes recommendations to the concerned government agency.’¹⁸⁷ [For further information of EHRC and its role see [Ethiopia](#)

¹⁸³ EHRC, ‘[Executive Summary: Ethiopia Annual Human Rights Situation...](#)’ (page 6), 18 August 2023

¹⁸⁴ USSD, ‘[2022 Country Report on Human Rights Practices: Ethiopia](#)’ (section 1, c), 20 March 2023

¹⁸⁵ UNCAT ‘[Second periodic report submitted by Ethiopia...](#)’ (paragraphs 67 to 69), 26 May 2020

¹⁸⁶ UNCAT ‘[Second periodic report submitted by Ethiopia...](#)’ (paragraph 120), 26 May 2020

¹⁸⁷ USSD, ‘[2022 Country Report on Human Rights Practices: Ethiopia](#)’ (section 1, e), 20 March 2023

[Human Rights Commission \(EHRC\)](#)].

10.5.4 However, according to the same source:

‘There were reports that prisoners were mistreated by prison guards and did not have access to prison administrators or ombudspersons to register their complaints. Legal aid clinics operated in some prisons. At the regional level, these clinics had good working relations with judicial, prison, and other government officials. Prison officials allowed some detainees to submit complaints to judicial authorities without censorship, but courts sometimes declined to hear such complaints.’¹⁸⁸

10.5.5 The UNCAT Report May 2023 noted:

‘[T]he Committee is concerned at reports that detainees often do not lodge complaints owing to their fear of retaliation and, in cases where such complaints are lodged, the information on investigations carried out and their outcome is lacking. Moreover, it is concerned that there is still no specific, independent, effective and confidential mechanism for the receipt of complaints of torture or ill-treatment in all places of deprivation of liberty and that existing investigation bodies lack the necessary independence, as they belong to the same structure that employs the alleged perpetrators.’¹⁸⁹

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section updated: 12 January 2024

¹⁸⁸ USSD, ‘[2022 Country report on human rights practices...](#)’ (section 1, c), 20 March 2023

¹⁸⁹ UNCAT, ‘[Concluding observations on the second periodic report...](#)’ (paragraph 40), 7 June 2023

Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

All the COI included in the note was published or made publicly available on or before the 'cut-off' date(s). Any event taking place or report/article published after these date(s) is not included.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Wherever possible, multiple sourcing is used and the COI compared and contrasted to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

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Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of the issues relevant to the scope of this note and forms the basis for the [country information](#).

The Home Office uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal context
 - Criminal code
 - Constitution
- Judiciary
 - Court system
 - Judicial independence
 - Fair trial
 - Legal aid and other assistance
 - Prison system
- Security apparatus
 - Federal security apparatus - Ethiopian National Défense Forces, intelligence services, Ethiopia Federal Police
 - Regional security forces (special forces, state police, local militias)
 - Training
 - Corruption
- Human rights violations
 - Torture and ill treatment
 - Arbitrary arrest, detention, enforced disappearances
 - Extra-judicial killings
 - Sexual and gender based violence
- Avenues of redress
 - Police oversight / complaints mechanisms
 - Judicial remedy
 - Accountability and impunity
 - Ethiopian human rights commission

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Version control and feedback

Clearance

Below is information on when this note was cleared:

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The information in this section has been removed as it is restricted for internal Home Office use.

Official – sensitive: Not for disclosure – End of section

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Changes from last version of this note

All sections updated with latest published country of origin information. Assessment updated in light of new COI.

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