EXECUTIVE SUMMARY

1. This report addresses Ethiopia's compliance with its international human rights obligations with respect to the death penalty and related issues.

2. Ethiopia has not formally abolished the death penalty or implemented a moratorium on executions, nor has it limited the application of the death penalty to the "most serious" crimes. Although Ethiopia has not sentenced anyone to death or executed anyone in many years, capital punishment remains a possibility under Ethiopia's existing laws, as there are few safeguards in place, such as timely and consistent access to counsel, to ensure capital defendants receive a fair trial.

3. The ongoing conflicts between the government and ethnic groups within Ethiopia have resulted in a rise in arbitrary detention of civilians and combatants. There are credible reports of the government torturing detained civilians and combatants, and the government does not always comply with court orders for the release of detainees. The government also has a track record of harassing human rights defenders through legal and extra-legal means and of impeding or outright blocking them from accessing conflict zones.

4. This report examines the current state of the death penalty in Ethiopia and recommends Ethiopia (1) abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights. This report further recommends that, in the interim, Ethiopia should: (2) institute an official moratorium on executions; (3) limit the death penalty to the most serious crimes, as defined by international human rights standards; (4) ensure timely access to competent counsel for all persons accused of capital offenses; (5) take comprehensive steps to eliminate the use of torture; (6) provide for independent judicial oversight of conditions of detention; (7) codify and enforce rights safeguarding fair trials; and (8) discourage threats and prosecute violence against human rights defenders.

I. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

A12 Acceptance of international norms

Status of Implementation: Not Accepted, Not Implemented

5. In the third-cycle Universal Periodic Review, Ethiopia noted eight recommendations to ratify or consider acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights.[1] Ethiopia also noted ten recommendations to ratify or consider acceding to the Optional Protocol to the Convention Against Torture.[2]

6. Ethiopia has neither signed nor ratified the ICCPR[3] or the OPCAT.[4] Nonetheless, the Government of Ethiopia has sought to address the gap in the definition of torture in its criminal code by initiating preparations to draft a statute that defines torture similarly to the definition provided under the Torture Convention.[5]

D23 Death penalty

Status of Implementation: Not Accepted, Not Implemented

7. In the third-cycle UPR, eight member states made recommendations related to Ethiopia's use of the death penalty.[6] Ethiopia noted all of these recommendations, including recommendations to abolish the death penalty, remove capital punishment from the penal code, and establish a moratorium on executions.[7]

8. As of 2023, Ethiopia has ten individuals under a death sentence.[8] There is a de facto moratorium on the death penalty as Ethiopian authorities have not carried out any executions since 2007, but authorities have not established an official moratorium.[9] Further, Ethiopia has asserts "that the general consensus of the public at this moment is not towards abolishing the sentence of death penalty particularly for serious criminal offences."[10]

9. According to Article 15 of the Ethiopian Constitution, a death sentence can be carried out only when an individual has been convicted of a serious crime.[11] Yet Ethiopia retains the death penalty for both serious and less serious crimes.[12] For example, in 2020, authorities passed Proclamation No. 1176/2020 on the Prevention and Suppression of Terrorism Crimes, which permits the death penalty for nonviolent crimes such as "causing damage to property" that results in harm to historical sites or the natural environment.[13]

10. According to the Criminal Code of the Federal Democratic Republic of Ethiopia, a death sentence may only be passed in cases of grave crimes.[14] In 2021, Ethiopia informed the UN Human Rights Committee that the sentencing guidelines of the Federal Supreme Court of Ethiopia were "a notable measure taken to [limit] the death penalty to only the most serious crimes [in accordance with Article 14 of the ICCPR]."[15] Under Article 6, however, many offenses punishable by death do not meet the ICCPR's definition of "serious crime," which requires intentional killing.[16] A death sentence may be imposed for various offenses outside of intentional murder, including: (a) habitual gang armed robbery; (b) aggravated robbery; (c) threats or acts of treason; (d) committing economic crimes during wartime; (e) espionage; and (f) failure to provide proper medical treatment that causes the death of a wounded combatant.[17] Moreover, a provision for aggravating offenses creates the possibility for a court to impose a death sentence for crimes that otherwise do not carry the death penalty.[18]

11. Gender-based violence increases the risk that the criminal legal system will engage in gender-based discrimination with respect to the death penalty. A 2018 study by the Cornell Center on the Death Penalty Worldwide revealed that globally, women are disproportionately sentenced to death for crimes linked to gender-based violence.[19] Cornell's data indicate that women under sentence of death have overwhelmingly experienced prolonged domestic violence at the hands of a partner, spouse, or another family member.[20] Although Ethiopia supported a recommendation to adopt laws that comprehensively address all forms of violence against women and girls in the third-cycle UPR, Ethiopia has failed to provide information concerning the prosecutions of alleged perpetrators of violence against women since the last report.[21] Authorities have also provided only minimal information about the two women currently under sentence of death in Ethiopia, one of whom was sentenced to death for simple homicide, contradicting the government's assertion that the country authorizes the death penalty only for the most serious criminal offenses and for exceptionally dangerous criminals.[22]

No further information about either of these cases of women sentenced to death is publicly available, including any relationship they may have to the victim or to any codefendants.

D25 Prohibition of torture and cruel, inhuman, or degrading treatment

Status of Implementation: Partially Accepted, Not Implemented

12. In the third-cycle UPR, Ethiopia accepted seven recommendations related to torture and other cruel, inhuman, or degrading treatment or punishment.[23] The accepted recommendations include defining torture in its legislation in accordance with the Convention against Torture, ensuring impartial and transparent investigations into allegations of excessive force by law enforcement and torture in places of detention, strengthening laws and policies to prevent torture and mistreatment by senior officials, and bringing to justice people responsible for acts of torture.[24]

13. Ethiopia noted ten recommendations to accede to, ratify, or consider ratifying the OPCAT.[25] In noting one of these recommendations, Ethiopia asserted that it is "committed to undertake effective and impartial investigations and ensure redress for victims of human rights abuse."[26]

14. According to a report by the World Organisation Against Torture (OMCT), torture worsened in Ethiopia following the return of war in 2020 when the Tigray regional government attacked national defense forces.[27] There is evidence that throughout this conflict, government security forces have "adopted a punitive strategy in the conflict regions by using excessive force and resumed systematically [using] torture."[28] Additionally, the government has resumed "incommunicado torture and secret detention."[29]

15. A 2020 report from Amnesty International documented widespread torture and inhuman treatment by police and soldiers.[30] Adola resident Burusa Gofe conducted a telephone interview with Amnesty International in which he described numerous beatings by Oromia Police from which he suffered severe injury.[31] Gofe described being beaten by police multiple times throughout his detention, including being beaten with sticks and kicked in the pelvic area.[32]

16. Ethiopian women have also been victims of torture and cruel, inhuman, or degrading treatment.[33] In one notable instance, in Finchawa, soldiers arrested and beat Momina Roba, who was four months pregnant at the time.[34] Roba recounted that soldiers engaged in mass beatings and subjected detainees to inhuman treatment and torture.[35]

17. Repeated instances of torture and other forms of cruel, inhuman, or degrading treatment by both parties to the Tigray conflict have been documented and both civilian and captured combatant were victimized.[36] Authorities committed these acts of torture or ill-treatment against civilians in places of detention and at the homes of victims.[37] Victims reported being subjected to numerous forms of torture, including "beatings, being subjected to sit in painful postures for long hours, food and water deprivation, threats of being killed and verbal abuse among others."[38] In some cases, authorities engaged in ill-treatment against large groups, including on April 2, 2021, when they forcibly paraded at

least 600 almost-naked men along the main street of town as soldiers mocked them.[39]

D26 Conditions of detention

Status of Implementation: Accepted, Not Implemented

18. In the third-cycle UPR, five member states made recommendations related to conditions of detention.[40] Ethiopia accepted all the recommendations, which included ensuring the prevention of and accountability for violations of human rights in detention centers, continuing investigations into all allegations of torture in places of detention, and improving conditions in detention facilities, with particular consideration for women and children.[41]

19. A 2020 report by the nongovernmental organization World Prison Brief estimated that 110,000 persons were being held in prisons across Ethiopia.[42] This number increased during the ensuing conflict in Tigray that began in 2020.[43] Generally, prison cells across Ethiopia are described as "small and cramped" with 430-square-foot cells with very small windows holding as many as 38 people.[44] Additionally, prison authorities often house juveniles and adults together and reportedly sometimes house male and female people together.[45]

20. Conditions of detention in many areas of Ethiopia have not improved or have worsened, particularly due to violent conflict and civil unrest as part of the conflict in Tigray from 2020-2022 and other violent conflicts elsewhere in the country. In early 2021, the Ethiopian government began detaining thousands of ethnic Tigrayans under broad state of emergency powers.[46] Due to the rapid increase in the number of detainees, existing detention facilities were filled and the government converted other buildings and centers into detention facilities that often lacked even basic necessities.[47] By June 17, 2022, some 9,000 Tigrayans were being held without trial in overcrowded facilities with life-threatening conditions.[48] Authorities subjected many of these detainees to torture, denied them food and medical care, and in some instances even starved people to death.[49]

21. Prison and pretrial detention conditions remained "harsh and in some cases life threatening" into 2022.[50] Prisons and detention centers are frequently very overcrowded and lack food, water, sanitation, and medical care.[51] Conditions of pretrial detention vary widely but commonly are unhygienic.0

22. Recent conflicts elsewhere in Ethiopia have exacerbated inhuman detention conditions. In response to clashes between the Ethiopian military and the regional Fano militia, on August 4, 2023, the government declared a wide-ranging state of emergency that gave authorities broad powers nationwide to arrest suspects and enact other restrictions.[52] In less than one month, authorities had used the law to arrest over 1,000 people and placed many of them in improvised detention centers that lacked even basic amenities.[53]

D32 Enforced disappearances

Status of Implementation: Partially Accepted, Not Implemented

23. In its third-cycle UPR, Ethiopia accepted six of eight recommendations related to enforced disappearances. In particular, Ethiopia accepted five recommendations to ratify or consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.[54] Ethiopia noted two recommendation to ratify the CED. In response to the latter two recommendations, Ethiopia stated it was "in the process of ratifying [CED]."[55] Ethiopia also accepted one recommendation to enhance security in refugee camps, particularly for children, by investigating cases of child disappearances and holding those responsible accountable.[56]

24. Ethiopia has not ratified the CED.[57]

25. According to reports, the number enforced disappearances has increased since the third-cycle UPR, particularly as a result of the conflict in Tigray and other ethnic conflicts in the country.[58] Imad Abdulfetah, regional director for the Ethiopian Human Rights Commission (EHRC), noted that these disappearances have become widespread over the last several years. [59]

26. The EHRC has elsewhere "confirmed many acts of forced disappearance where the victims were arrested from their homes, workplaces, or from the streets by civil and uniformed government security personnel without a court order and then taken to an unknown location."[60]

27. Victims of enforced disappearances include members of the Ethiopian National Defense Force and opposition political parties, including the Oromo Federalist Congress, which states that four of its members have gone missing in recent years.[61]

D51 Administration of justice and fair trial

Status of Implementation: Accepted, Not Implemented

28. In its third-cycle UPR, Ethiopia accepted ten recommendations on the administration of justice and the right to a fair trial, including supporting the protection of human rights defenders, providing human rights training for prosecutors, judges, and law enforcement officials, ensuring the independence of the judiciary, and persisting in efforts toward accountability for past atrocities.[62]

29. During the conflict in Tigray, Ethiopia detained large numbers of ethnic Tigray individuals without charging them with any offense or bringing them to trial; Reuters estimated that as of June 17, 2022, around 9,000 Tigrayans remained in detention.[63]

30. Additionally, the executive branch of government does not always respect decisions and orders issued by Ethiopian courts, and there have been reports of the police continuing to hold political activists in custody—in some cases for months or years—after a court has ordered their release.[64] There are also reports that authorities fail to release prisoners who have paid bail.[65]

31. The Ethiopian Government provides counsel to indigent defendants, but in practice these defendants have access to counsel only when they go to trial, and there have been reports that police and other authorities deny indicted defendants visits with their lawyers.[66]

H1 Human rights defenders

Status of Implementation: Accepted, Not Implemented

32. In its third-cycle UPR, Ethiopia accepted four recommendations aimed at creating a safe and enabling environment for human rights defenders.[67]

33. There are reports that police harass and arrest human rights defenders who attempt to monitor and document illegal actions such as forced evictions.[68] During 2023, at least 50 human rights defenders reported experiencing arbitrary detention, abduction, harassment, or intimidation from government officials.[69]

34. There are also widespread reports of the Ethiopian government limiting or entirely blocking the access of human rights organizations to active conflict zones in Tigray and other regions.[70]

II. RECOMMENDATIONS

35. This stakeholder report suggests the following recommendations for the Government of Ethiopia:

- Formally abolish the death penalty and replace it with a fair and proportionate sentence aligned with international human rights standards.
- Ratify the Second Optional Protocol to the ICCPR.
- Amend domestic law to conform with the ICCPR and the Second Optional Protocol.
- In the meantime:
    - Institute an official moratorium on executions.
    - Ensure that no court sentences a person to death for a crime that is not among the "most serious," as specified under Article 6(2) of the ICCPR and as defined by the Human Rights Committee.
    - Commute the death sentences of any person found to have been sentenced to death for a crime that is not among the "most serious."
    - Ensure that every individual apprehended on suspicion of committing a capital crime and/or charged with a capital crime is provided with free, effective, and adequately funded legal representation, from the moment of arrest through trial and including all appeals processes.
    - On at least an annual basis, provide and publish transparent information on the number of people charged with capital offenses, the number of people sentenced to death, and the number of people currently under sentence of death, and disaggregate those data by gender, age, age of dependent children (if any), nationality, ethnic group, crimes of conviction, date of conviction, relationship to the victim, relationship to any codefendants, and date of execution (if applicable), to facilitate analysis of the demographics of people on death row, including women.

- Take steps to provide heightened fair trial and due process safeguards in capital cases involving women defendants, including by providing them with access to effective legal representation with experience in capital cases and with training on gender-sensitive defense strategies.
- Codify gender-specific defenses and mitigation in capital cases, encompassing women's experiences of trauma, poverty, and gender-based violence.
- Ensure that all judicial officers responsible for sentencing in capital cases receive comprehensive training on gender-based discrimination, gender-based violence, and tactics of coercive control that may lead to women committing death-eligible offenses.
- Provide training to all defense counsel who take on capital cases regarding gender-specific mitigation and how to raise discrimination against clients on the basis of their gender, when appropriate.
- Conduct credible, independent, and impartial investigations into all allegations of torture.
- Strengthen laws and policies to prevent torture and other ill-treatment by officials and bring those responsible for acts of torture to justice.
- End arbitrary detention of individuals where no criminal offense has been alleged.
- Ensure the prevention of and accountability for violations of human rights in detention facilities.
- Ensure that all prison authorities adopt gender-sensitive policies in relation to women's detention, based on the Bangkok Rules and the Nelson Mandela Rules, ensuring women's safety and security pre-trial, during admission to any detention facility, and while incarcerated.
- Immediately allow oversight bodies, including the United Nations Office of the High Commissioner for Human Rights and Ethiopian Human Rights Commission, to have regular and unconditional access to all detention centers.
- Provide for independent judicial oversight of detention conditions in all detention facilities.
- Ratify the International Convention for the Protection of All Persons from Enforced Disappearance.
- Ensure that authorities comply with all court orders authorizing the release of people from detention.
- End government harassment and threats against human rights defenders within Ethiopia, particularly people advocating for an end to the death penalty and pressing for accountability for torture.
- Investigate and prosecute acts of threats and violence against human rights defenders.
- Create a safe and enabling environment for domestic civil society organizations and international organizations to observe and report on the human rights situation in Ethiopia.

[1] Human Rights Council, *Report of the Working Group on the Universal Periodic Review*: *Ethiopia* (July 5, 2019), U.N. Doc. A/HRC/42/14, ¶ 163.21 Consider acceding to the Optional Protocol to the International Covenant on Civil and Political Rights and the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty, and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Ukraine); ¶ 163.18 Ratify the Optional Protocol to the International Covenant on Civil and Political Rights and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Spain); ¶ 163.22 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro); ¶ 163.23 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Croatia); ¶ 163.24 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Cyprus); ¶ 163.25 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Czechia); ¶ 163.147 Abolish definitively the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Luxembourg); ¶ 163.148 Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Portugal); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Ethiopia*, *Addendum* (July 5, 2019), U.N. Doc. A/HRC/42/14/Add.1, ¶ 3.

[2] Human Rights Council, *Report of the Working Group on the Universal Periodic Review*: *Ethiopia* (July 5, 2019), U.N. Doc. A/HRC/42/14, ¶ 163.201 Continue on this positive trajectory by undertaking effective and impartial investigations into past abuses, ensuring redress for victims and ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (New Zealand); ¶ 163.16 Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance (Togo); ¶ 163.34 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Sri Lanka); ¶ 163.19 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Montenegro); ¶ 163.35 Ratify the Optional Protocol to the Convention against Torture (Germany); ¶ 163.36 Consider acceding to the Optional Protocol to the Convention against Torture at the earliest convenience (Ghana); ¶ 163.37 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Switzerland); ¶ 163.38 Ratify the Optional Protocol to the Convention against Torture, and consistently apply article 36 of the Vienna Convention on Consular Relations in all cases (Austria); ¶ 163.39 Consider acceding to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile); ¶ 163.40 Ratify the Optional Protocol to the Convention against Torture (Denmark); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Ethiopia*, *Addendum* (July 5, 2019), U.N. Doc. A/HRC/42/14/Add.1, ¶ 3.

[3] U.N. Treaty Collection, *Second Optional Protocol to the International Covenant on Civil and Political Rights, Aiming at the Abolition of the Death Penalty*, available online at https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-12&chapter=4&clang=_en (last visited Jan. 29, 2024); Human Rights Committee, *Replies of Ethiopia to the list of issues in relation to its second periodic report*, U.N. Doc. CCPR/C/ETH/Q/2, (Nov. 3, 2021), ¶ 40.

[4] U.N. Treaty Collection, *Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, available online at https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-9-b&chapter=4 (last visited Jan. 29, 2024).

[5] Human Rights Committee, *Replies of Ethiopia to the list of issues in relation to its second periodic report*, U.N. Doc. CAT/C/ETH/RQ/2, (Feb. 20, 2023), ¶ 3.

[6] Human Rights Council, *Report of the Working Group on the Universal Periodic Review*: *Ethiopia* (July 5, 2019), U.N. Doc. A/HRC/42/14, ¶ 163.147 Abolish definitively the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Luxembourg); ¶ 163.148 Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Portugal); ¶ 163.150 Formally abolish the death penalty by removing capital punishment from the Penal Code (Sweden); ¶ 163.151 Establish a formal moratorium on the death penalty as a step towards its complete abolition (Australia); ¶ 163.152 Abolish the death penalty (Costa Rica); ¶ 163.145 Abolish the death penalty (Iceland); ¶ 163.146 Consider adopting a de jure moratorium on executions with a view to formally abolishing the death penalty (Italy); ¶ 163.149 Consider imposing a de facto moratorium on the use of the death

penalty with a view to its total abolition (Rwanda).
[7] Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Ethiopia*, *Addendum* (July 5, 2019), U.N. Doc. A/HRC/42/14/Add.1, ¶ 3.
[8] World Coalition Against the Death Penalty, *Ethiopia*, available online at https://worldcoalition.org/pays/ethiopia/ (last visited Jan. 29, 2024).
[9] World Coalition Against the Death Penalty, *Ethiopia*, available online at https://worldcoalition.org/pays/ethiopia/ (last visited Jan. 29, 2024).
[10] Human Rights Committee, *Replies of Ethiopia to the list of issues in relation to its second periodic report*, U.N. Doc. CAT/C/ETH/RQ/2, (Feb. 20, 2023), ¶ 129.
[11] Constitution of the Federal Democratic Republic of Ethiopia, Article 15.
[12] U.N. Treaty Collection, *Second Optional Protocol to the International Covenant on Civil and Political Rights, Aiming at the Abolition of the Death Penalty*, available online at https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-12&chapter=4&clang=_en (last visited Jan. 29, 2024); Human Rights Committee, *Replies of Ethiopia to the list of issues in relation to its second periodic report*, U.N. Doc. CCPR/C/ETH/Q/2, (Nov. 3, 2021), ¶ 40; Amnesty International, *Death Sentences and Executions 2022*. Also available online at https://www.amnesty.org.au/wp-content/uploads/2023/05/Amnesty-International-Death-Sentences-and-Executions-2022-Report.pdf.
[13] Prevention and Suppression of Terrorism Crimes Proclamation No. 1176/2020, Part 2, Section 3, ¶ 1-2 (Ethiopia).
[14] The Criminal Code of the Federal Democratic Republic of Ethiopia, Proclamation No. 414/2004, May 9, 2005.
[15] Human Rights Committee, *Replies of Ethiopia to the list of issues in relation to its second periodic report*, U.N. Doc. CCPR/C/ETH/Q/2, (Nov. 3, 2021), ¶ 39.
[16] Human Rights Committee, *General comment No. 36* (Sep. 3, 2019), CPR/C/GC/36, ¶ 35.
[17] Cornell Center on the Death Penalty Worldwide, *Federal Democratic Republic of Ethiopia (Ethiopia)*, available online at https://deathpenaltyworldwide.org/database/#/results/country?id=25 (last visited Feb. 5, 2024).
[18] Cornell Center on the Death Penalty Worldwide, *Federal Democratic Republic of Ethiopia (Ethiopia)*, available online at https://deathpenaltyworldwide.org/database/#/results/country?id=25 (last visited Feb. 5, 2024)
[19] Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, 4, Sept. 2018. Available online at https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf.
[20] Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, 4, Sept. 2018. Available online at https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf.
[21] Committee Against Torture, *Replies of Ethiopia to the list of issues in relation to its second periodic report* (Feb. 15, 2023) UN Doc., CAT/C/ETH/RQ/2. ¶ .
[22] Committee Against Torture, *Replies of Ethiopia to the list of issues in relation to its second periodic report* (Feb. 15, 2023) UN Doc., CAT/C/ETH/RQ/2. ¶ 19.
[23] Human Rights Council, *Report of the Working Group on the Universal Periodic Review*: *Ethiopia* (July 5, 2019), U.N. Doc. A/HRC/42/14, ¶ 163.55 Consider incorporating into its legislation a definition of torture in line with the Convention against Torture (Brazil); ¶ 163.153 Introduce a definition of torture in the Penal Code that covers all of the elements contained in article 1 of the Convention against Torture (Kyrgyzstan); ¶ 163.197 Ensure independent, impartial and transparent investigations into all alleged cases of excessive use of force by law enforcement officials, and hold those found culpable to account (Ghana); ¶ 163.156 Continue strengthening laws and policies on the prevention of acts of torture and cruel or degrading treatment by senior officials and, in particular, by the armed forces (Botswana); ¶ 163.154 Continue to prioritize the prevention of acts of torture and cruel or degrading treatment, and ensure that accountability constitutes the core of ongoing political reforms (South Africa); ¶ 163.157 Continue independent and transparent investigations into all allegations of torture in places of detention (Czechia); ¶ 163.155 Adopt all necessary measures so that acts of torture are not repeated, by ensuring that those responsible are brought to justice (Spain).
[24] Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Ethiopia*, *Addendum* (July 5, 2019), U.N. Doc. A/HRC/42/14/Add.1, ¶ 3.
[25] Human Rights Council, *Report of the Working Group on the Universal Periodic Review*: *Ethiopia* (July 5, 2019), U.N. Doc. A/HRC/42/14, ¶ 163.201 Continue on this positive trajectory by undertaking effective and impartial investigations into past abuses, ensuring redress for victims and ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (New Zealand); ¶ 163.16 Ratify the . . . the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Togo); ¶ 163.34 Consider ratifying . . . the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Sri Lanka); ¶ 163.19 Ratify the Optional Protocol to

the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Montenegro); ¶ 163.35 Ratify the Optional Protocol to the Convention against Torture (Germany) ¶ 163.36 Consider acceding to the Optional Protocol to the Convention against Torture at the earliest convenience (Ghana); ¶ 163.37 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Switzerland); ¶ 163.38 Ratify the Optional Protocol to the Convention against Torture; ¶ 163.39 Consider acceding to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile); ¶ 163.40 Ratify the Optional Protocol to the Convention against Torture (Denmark).

[26] Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Ethiopia*, *Addendum* (July 5, 2019), U.N. Doc.

[27] Committee Against Torture, *Ethiopia: One Step Forward Two Steps Back in Fighting Torture* (March 2023), Also available online at https://www.omct.org/site-resources/legacy/Ethiopia-CSOs-Shadow-report-for-76-CAT-2023.pdf

[28] Committee Against Torture, *Ethiopia: One Step Forward Two Steps Back in Fighting Torture* (March 2023), Also available online at https://www.omct.org/site-resources/legacy/Ethiopia-CSOs-Shadow-report-for-76-CAT-2023.pdf

[29] Committee Against Torture, *Ethiopia: One Step Forward Two Steps Back in Fighting Torture* (March 2023), Also available online at https://www.omct.org/site-resources/legacy/Ethiopia-CSOs-Shadow-report-for-76-CAT-2023.pdf

[30] Amnesty International, *Beyond Law Enforcement: Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia* (May 29, 2020). Available online at https://www.amnesty.org/en/documents/afr25/2358/2020/en/

[31] Amnesty International, *Beyond Law Enforcement: Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia* (May 29, 2020). Available online at https://www.amnesty.org/en/documents/afr25/2358/2020/en/

[32] Amnesty International, *Beyond Law Enforcement: Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia* (May 29, 2020). Available online at https://www.amnesty.org/en/documents/afr25/2358/2020/en/

[33] Amnesty International, *Beyond Law Enforcement: Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia* (May 29, 2020). Available online at https://www.amnesty.org/en/documents/afr25/2358/2020/en/

[34] Amnesty International, *Beyond Law Enforcement: Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia* (May 29, 2020). Available online at https://www.amnesty.org/en/documents/afr25/2358/2020/en/

[35] Amnesty International, *Beyond Law Enforcement: Human Rights Violations by Ethiopian Security Forces in Amhara and Oromia* (May 29, 2020). Available online at https://www.amnesty.org/en/documents/afr25/2358/2020/en/

[36] Ethiopian Human Rights Commission, United Nations Human Rights Office, Report of the Ethiopian Human Rights Commission (EHRC)/Office of the United Nations High Commissioner for Human Rights (OHCHR) Joint Investigation into Alleged Violations of International Human Rights, Humanitarian and Refugee Law Committed by all Parties to the Conflict in the Tigray Region of the Federal Democratic Republic of Ethiopia (November 3, 2021). Also available online at https://www.ohchr.org/sites/default/files/2021-11/OHCHR-EHRC-Tigray-Report.pdf

[37] Ethiopian Human Rights Commission, United Nations Human Rights Office, Report of the Ethiopian Human Rights Commission (EHRC)/Office of the United Nations High Commissioner for Human Rights (OHCHR) Joint Investigation into Alleged Violations of International Human Rights, Humanitarian and Refugee Law Committed by all Parties to the Conflict in the Tigray Region of the Federal Democratic Republic of Ethiopia (November 3, 2021). Also available online at https://www.ohchr.org/sites/default/files/2021-11/OHCHR-EHRC-Tigray-Report.pdf

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[39] Ethiopian Human Rights Commission, United Nations Human Rights Office, Report of the Ethiopian Human Rights Commission (EHRC)/Office of the United Nations High Commissioner for Human Rights (OHCHR) Joint Investigation into Alleged Violations of International Human Rights, Humanitarian and Refugee Law Committed by all Parties to the Conflict in the Tigray Region of the Federal Democratic Republic of Ethiopia (November 3, 2021). Also available online at https://www.ohchr.org/sites/default/files/2021-11/OHCHR-EHRC-Tigray-Report.pdf

[40] Human Rights Council, *Report of the Working Group on the Universal Periodic Review*: *Ethiopia* (July 5, 2019), U.N. Doc. A/HRC/42/14, ¶ 163.72 Strengthen the national legal framework to ensure the prevention of and accountability for violations of human rights in detention centres (Seychelles); ¶ 163.157 Continue independent and

transparent investigations into all allegations of torture in places of detention (Czechia); ¶ 163.173 Continue efforts to eradicate female genital mutilation and early marriage, and to improve conditions of detention in custodial facilities (Burundi); ¶ 163.179 Redouble efforts to improve conditions in detention facilities, with particular consideration for women and children (Holy See); ¶ 163.180 Improve conditions in detention centres and prison facilities to meet international standards (Zambia).

[41] Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Ethiopia*, *Addendum* (July 5, 2019), U.N. Doc. A/HRC/42/14/Add.1, ¶ 3.

[42] "Ethiopia | World Prison Brief." *World Prison Brief | an Online Database Comprising Information on Prisons and the Use of Imprisonment around the World*, https://www.prisonstudies.org/country/ethiopia. Accessed 9 Feb. 2024.

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[44] Confidential source on file with the authors, 2022.

[45] Ibid.

[46] Ibid.

[47] Ibid.

[48] Ibid.

[49] Ibid.

[50] Ibid.

[51] Ibid.

[52] Office of the High Commissioner for Human Rights, *Ethiopia: Deteriorating Human Rights Situation* (August 29, 2023). Also available online at https://www.ohchr.org/en/press-briefing-notes/2023/08/ethiopia-deteriorating-human-rights-situation

[53] Office of the High Commissioner for Human Rights, *Ethiopia: Deteriorating Human Rights Situation* (August 29, 2023). Also available online at https://www.ohchr.org/en/press-briefing-notes/2023/08/ethiopia-deteriorating-human-rights-situation

[54] Human Rights Council, *Report of the Working Group on the Universal Periodic Review*: *Ethiopia* (July 5, 2019), U.N. Doc. A/HRC/42/14, ¶ 163.16 Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance (Togo); ¶ 163.26 Accelerate accession to the International Convention for the Protection of All Persons from Enforced Disappearance (Iraq); ¶ 163.27 Proceed with the completion of the procedures for accession to the International Convention for the Protection of All Persons from Enforced Disappearance (Oman); ¶ 163.28 Continue the process of ratification of the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Senegal); ¶ 163.29 Expedite the process of acceding to both the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Sierra Leone); ¶ 163.30 Finalize procedures for acceding to the International Convention for the Protection of All Persons from Enforced Disappearance (Ukraine); ¶ 163.34 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Sri Lanka); ¶ 163.315 Ensure security in refugee camps and the protection of all boys and girls, especially against disappearances and all forms of violence, including sexual violence, and investigate cases of disappearance of children, establish their whereabouts and punish those responsible (Argentina); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Ethiopia*, *Addendum* (July 5, 2019), U.N. Doc. A/HRC/42/14/Add.1, ¶ 3.

[55] Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Ethiopia*, *Addendum* (July 5, 2019), U.N. Doc. A/HRC/42/14/Add.1, ¶ 3.

[56] Human Rights Council, *Report of the Working Group on the Universal Periodic Review*: *Ethiopia* (July 5, 2019), U.N. Doc. A/HRC/42/14, ¶ 163.315 Ensure security in refugee camps and the protection of all boys and girls, especially against disappearances and all forms of violence, including sexual violence, and investigate cases of disappearance of children, establish their whereabouts and punish those responsible (Argentina); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Ethiopia*, *Addendum* (July 5, 2019), U.N. Doc. A/HRC/42/14/Add.1, ¶ 3.

[57] Ethiopian Human Rights Commission, *The Human Right to Protection from Enforced Disappearance* (May 11. 2022). Also available online at https://ehrc.org/the-human-right-to-protection-from-enforced-disappearance/
[58] *Ethiopia - June 2023*. Ethiopia - June 2023 | The Global State of Democracy. (n.d.). https://www.idea.int/democracytracker/report/ethiopia/june-2023#:~:text=In%20a%20press%20release%20issued,those%20in%20the%20regions%20of
[59] *Enforced Disappearances Rise in Ethiopia, Says Rights Commission*, Voice of America (13 June 2023). Also available online at www.voanews.com/a/enforced-disappearances-rise-in-ethiopia-says-rights-commission-/7135831.html
[60] *News: Rights commission urges immediate halt to ever-increasing enforced disappearance of people in Ethiopia*. Addis Standard (June 5, 2023). Also available online at https://addisstandard.com/news-rights-commission-urges-immediate-halt-to-ever-increasing-enforced-disappearance-of-people-in-ethiopia/
[61] *Enforced Disappearances Rise in Ethiopia, Says Rights Commission*, Voice of America (13 June 2023). Also available online at www.voanews.com/a/enforced-disappearances-rise-in-ethiopia-says-rights-commission-/7135831.html
[62] Human Rights Council, *Report of the Working Group on the Universal Periodic Review*: *Ethiopia* (July 5, 2019), U.N. Doc. A/HRC/42/14, ¶ 163.106 Take appropriate measures to strengthen the capacity and the independence of the Ethiopian National Human Rights Commission, the Ombudsman and the judiciary (Bulgaria); ¶ 163.89 Ensure the independence of the Ethiopian Human Rights Commission, the Ombudsman and the judiciary (Germany); ¶ 163.118 Increase awareness-raising on human rights for its law enforcement agencies (Mauritius); ¶ 163.125 Pursue efforts to provide training to law enforcement personnel on human rights (Egypt); ¶ 163.184 Strengthen the independence and capacity of the judiciary, the Ombudsman and the Ethiopian Human Rights Commission (Netherlands); ¶ 163.185 Strengthen the judiciary and its independence, and ensure that the Ethiopian Human Rights Commission functions independently and in line with the Paris Principles (Spain); ¶ 163.186 Ensure the independence of the judicial system and continue its efforts towards accountability for past atrocities (Austria); ¶ 163.187 Accelerate the pace of reforms to ensure the independence of the judiciary, and amend restrictive legislation, including the Anti-Terror Proclamation, as well as media and electoral laws, in line with international standards (Canada); ¶ 163.189 Continue training provided to police officers, prosecutors and judges on human rights and other legal issues (South Africa); ¶ 163.190 Continue its efforts in the administration of justice and the protection of human rights defenders (Benin); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Ethiopia*, *Addendum* (July 5, 2019), U.N. Doc. A/HRC/42/14/Add.1, ¶ 3.
[63] Dawit Endeshaw and Katharine Houreld, *Deadly Detention*, Reuters (June 17, 2022), also available online at https://www.reuters.com/investigates/special-report/ethiopia-conflict-prisoners/
[64] Amnesty International, *Amnesty International Report 2022/23: The State of the World's Human Rights*. Also available online at https://www.amnesty.org/en/documents/pol10/5670/2023/en/
[65] Confidential source on file with the authors, 2022.
[66] Ibid.
[67] Human Rights Council, *Report of the Working Group on the Universal Periodic Review*: *Ethiopia* (July 5, 2019), U.N. Doc. A/HRC/42/14, ¶ 163.69 Accelerate the review of key national legislation with the aim of ensuring a safe and enabling environment for civil society, human rights defenders and journalists (Lithuania); ¶ 163.87 Repeal or amend legislation that may place obstacles on legitimate activities to promote and defend human rights (Croatia); ¶ 163.190 Continue its efforts in the administration of justice and the protection of human rights defenders (Benin); ¶ 163.219 Ensure that journalists and human rights defenders undertake their work in a free environment that guarantees the rights to freedom of opinion and of expression (Chile); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Ethiopia*, *Addendum* (July 5, 2019), U.N. Doc. A/HRC/42/14/Add.1, ¶ 3.
[68] Amnesty International, *Ethiopia: Human Rights Defenders Held for Documenting Forced Evictions Must be Released Immediately*, (Jan. 10, 2023). Also available online at https://www.amnesty.org/en/latest/news/2023/01/ethiopia-human-rights-defenders/#:~:text=The%20Ethiopian%20Human%20Rights%20Council%20(EHRCO)%20has%20been%20defending%20human,organization's%20selfless%20human%20rights%20advocacy.
[69] Ethiopian Human Rights Defenders, *Second Annual Report on the Situation of Human Rights Defenders in Ethiopia: 2023*, (January 2024). Also available at https://ethdefenders.org/the-second-annual-report-on-the-situation-of-human-rights-defenders-in-ethiopia2023/
[70] *Ethiopia Accused of Limiting rare UN Probe on Tigray Abuses*, Al Jazeera (Nov. 2, 2021). Also available at https://www.aljazeera.com/news/2021/11/2/ethiopia-tried-to-limit-rare-un-probe-on-tigray-abuses-report; Confidential source on file with the authors, 2022.