

Country File
ETHIOPIA



Last updated: **December 2008**

Region	Africa
Legal system	Civil Law
UNCAT Ratification/ Accession (a)/ Succession (d)	14 March 1994 (a)
Relevant Laws	<ul style="list-style-type: none"> • Constitution of 8 December 1994 • Criminal Code of 9 May 2005 • Criminal Procedure Code of 2 November 1961
Relevant Articles	<ul style="list-style-type: none"> • Prohibition of Torture: Article 31 of the Criminal Procedure Code • Definition of Torture: Article 424 of the Criminal Code • Penalties: Articles 270–272 and 424 of the Criminal Code • Others <ol style="list-style-type: none"> 1. Defences: Article 28 of the Constitution 2. International law status: Article 9 of the Constitution
Languages Available	<ul style="list-style-type: none"> • English
Other Relevant Information	

Relevant Articles – ETHIOPIA

ENGLISH (Translation)

Constitution of 8 December 1994

Article 9 Supremacy of the Constitution

1. ...
4. All international agreements ratified by Ethiopia are an integral part of the law of the land.

Article 28 Crimes against Humanity

1. Criminal liability of persons who commit crimes against humanity, so defined by international agreements ratified by Ethiopia and by other laws of Ethiopia, such as genocide, summary executions, forcible disappearances or torture shall not be barred by statute of limitation. Such offences may not be commuted by amnesty or pardon of the legislature or any other state organ.
2. In the case of persons convicted of any crime stated in sub-Article 1 of this Article and sentenced with the death penalty, the Head of State may, without prejudice to the provisions herein above, commute the punishment to life imprisonment.

Criminal Code of 9 May 2005

Article 270 War Crimes against the Civilian Population

Whoever, in time of war, armed conflict or occupation organises, orders or engages in, against the civilian population and in violation of the rules of public international law and of international humanitarian conventions:

- (a) killings, torture or inhuman treatment, including biological experiments, or any other acts involving dire suffering or bodily harm, or injury to mental or physical health;
- (b) ...

is punishable with rigorous imprisonment from five years to twenty-five years, or, in more serious cases, with life imprisonment or death.

Article 271 War Crimes against Wounded, Sick or Shipwrecked Persons or Medical Services

- (1) Whoever, in the circumstances defined above, organises, orders or engages in:
 - (a) killings, torture, withholding medical care and attention required by their condition or inhuman treatment or other acts entailing direct

suffering or physical or mental injury to wounded, sick or shipwrecked persons, or to members of the medical or first aid service;

(b) ...

is punishable in accordance with Article 270.

Article 272 War Crimes against Prisoners and Interned Persons

Whoever, in the circumstances defined above:

(a) organizes, orders or engages in killings, acts of torture or inhuman treatment or acts entailing dire suffering or injury to prisoners of war or interned persons;

(b) ...

is punishable in accordance with Article 270.

Article 424 Use of Improper Methods

(1) Any public servant charged with the arrest, custody, supervision, escort or interrogation of a person who is under suspicion, under arrest, summoned to appear before a Court of justice, detained or serving a sentence, who, in the performance of his duties, improperly induces or gives a promise, threatens or treats the person concerned in an improper or brutal manner, or in a manner which is incompatible with human dignity or his office, especially by the use of blows, cruelty or physical or mental torture, be it to obtain a statement or a confession, or to any other similar end, or to make him give a testimony in a favourable manner, is punishable with simple imprisonment or fine, or, in serious cases, with rigorous imprisonment not exceeding ten years and fine.

Nothing in this Article shall affect the concurrent application of the relevant provision where the act constitutes an additional crime.

(2) Where the crime is committed by the order of an official, such official shall be punished with rigorous imprisonment not exceeding fifteen years and fine.

Criminal Procedure Code of 1961 (Proclamation No. 185, 2 November 1961)

Article 31 No inducement to-be offered

(1) No police officer or person in authority shall offer or use or make or cause to be offered, made or used any inducement, threat, promise or any other improper method to any person examined by the police.

(2) No police officer or other person shall prevent or discourage by whatever means any person from making or from requiring to be recorded in the course of the police investigation any statement relating to such investigation which he may be disposed to make of his own free will.