



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Committee against Torture

List of issues in relation to the second periodic report of Ethiopia*

Specific information on the implementation of articles 1 to 16 of the Convention, including with regard to the Committee's previous recommendations

Issues identified for follow-up in the previous concluding observations

1. In its previous concluding observations,¹ the Committee requested the State party to provide information on the measures it had taken in follow-up to the Committee's recommendations on fundamental legal safeguards, rape and other forms of sexual violence in the context of armed conflict, and coerced confessions (paras. 12, 16 and 31, respectively). The Committee regrets that it has received no information from the State party on the implementation of these recommendations, despite a reminder sent by the Committee's Rapporteur for follow-up to concluding observations on 1 December 2011.

Articles 1 and 4

2. With reference to paragraphs 7–11 and 85 of the State party's second periodic report,² please specify the legislative measures taken or being taken to amend article 424 of the Criminal Code to incorporate a definition of torture that covers all of the elements contained in article 1 of the Convention and which applies to any act by which severe pain or suffering is intentionally inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity and is punishable by appropriate penalties, taking into account its grave nature, in accordance with article 4 (2) of the Convention.³ Please indicate whether a timetable has been set for this amendment. Please also specify whether the State party intends to ensure that neither statutes of limitations for criminal and civil proceedings nor mitigating circumstances are applicable to the crime of torture, including that no exceptional circumstances whatsoever may be invoked as a justification of torture, in accordance with article 2 (2) of the Convention, and that in no cases may an order from a superior officer or public authority be invoked as a justification of torture, in accordance with article 2 (3) of the Convention.

Article 2⁴

3. With regard to paragraphs 48–50, 63, 89–93 and 97 of the State party's periodic report, please provide information on any new measures taken by the State party to ensure that all

* Adopted by the Committee at its seventy-fifth session (31 October–25 November 2022).

¹ CAT/C/ETH/CO/1, para. 42.

² CAT/C/ETH/2.

³ CAT/C/ETH/CO/1, para. 9; CCPR/C/ETH/Q/2, para. 11; A/HRC/42/14, paras. 163.55 and 163.153; and A/HRC/42/14/Add.1, para. 3.

⁴ The issues raised under article 2 could also touch on issues raised under other articles of the Convention, including article 16. As stated in paragraph 3 of the Committee's general comment No. 2



detainees, in particular those detained for terrorism-related offences or during states of emergency, including in the context of the conflict in the region of Tigray,⁵ enjoy all fundamental legal safeguards, in law and in practice, from the outset of their deprivation of liberty. In particular, please provide information on any measure: to ensure the rights of detainees to be informed of the reasons for their arrest, the nature of the charges against them and their rights in a language they understand, to have ready access to an independent lawyer without delay, to notify a relative or any other person of their choice of their arrest, to receive a confidential medical examination by an independent physician of their choice and to be brought promptly before a judge and have the lawfulness of their detention reviewed by a court, in accordance with international standards; to keep detention registers up to date; and to ensure the provision of effective legal assistance and to facilitate access to such assistance by all disadvantaged persons at the initial stage of police questioning and at all stages of criminal proceedings, regardless of the penalties faced.⁶ Please also indicate the steps taken to amend article 19 (3) of the Constitution and article 59 (3) of the Criminal Procedure Code to ensure that the maximum duration of police custody, regardless of the reason and in all jurisdictions, does not exceed 48 hours, is renewable only once in exceptional circumstances duly demonstrated by tangible evidence, and that once that period has elapsed, the detained person is brought in person before a judge. Please provide information on further measures taken to ensure that court orders to release suspects on bail are strictly enforced.⁷

4. With reference to paragraphs 52, 53, 56, 68, 70, 72, 94–96, 113, 122 and 124 of the State party's periodic report, please clarify the measures adopted to allow the Ethiopian Human Rights Commission to conduct regular and unannounced visits to all civilian and military places of deprivation of liberty, including unofficial detention centres, without any restriction and to ensure effective follow-up of the findings and recommendations of such systematic monitoring. Please indicate further steps taken to give the necessary weight to the conclusions of the Commission on individual complaints, including by communicating such conclusions to the public prosecutor's office in cases where torture or ill-treatment is found to have occurred. Please provide updated information, including statistical data, on the complaints examined by the Commission in relation to alleged torture or ill-treatment, and specify how many such cases have been submitted to the competent authorities for prosecution and the details of such cases. Please provide information on the measures taken to enable the Commission to fully execute its mandate in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), including information on the steps taken to enhance its independence and impartiality.⁸ Please provide details about amendments made in July 2020 to Ethiopian Human Rights Commission Establishment Proclamation No. 210/2000.⁹ Please indicate whether the State party has considered ratifying the Optional Protocol to the Convention with a view to establishing a system of regular unannounced visits by national and international monitors, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment. Please also clarify whether all human rights non-governmental organizations and institutions that ask to visit the country's detention centres are granted access and under what conditions. Please provide information on any such non-governmental organizations or institutions that have been denied access to places of detention.

(2007) on the implementation of article 2 by States parties, the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman and degrading treatment or punishment under article 16 (1) are indivisible, interdependent and interrelated. The obligation to prevent such ill-treatment in practice overlaps with and is largely congruent with the obligation to prevent torture. In practice, the definitional threshold between ill-treatment and torture is often not clear. See also chapter V of the same general comment.

⁵ See Office of the United Nations High Commissioner for Human Rights (OHCHR), "Press briefing notes on Ethiopia", 16 November 2021, "Deputy High Commissioner for Human Rights Urges All Parties to Pull Back from a Posture of War in Ethiopia", 17 December 2021, and "Special Session of the Human Rights Council on the grave human rights situation in Ethiopia", 17 December 2021.

⁶ CCPR/C/ETH/Q/2, para. 14.

⁷ CAT/C/ETH/CO/1, para. 12.

⁸ Ibid. paras. 13 and 25.

⁹ CCPR/C/ETH/Q/2, para. 2.

5. With regard to paragraphs 71, 72, 78–81, 140 and 141 of the State party’s periodic report, please provide further information on the measures taken to prevent and combat all forms of violence against women, including domestic and sexual violence, especially those cases involving actions or omissions by State authorities or other entities which engage the international responsibility of the State party under the Convention. In particular, please report on the steps taken: (a) to criminalize marital rape; (b) to strictly enforce legislation prohibiting gender-based violence and harmful traditional practices, such as female genital mutilation and early marriage, especially in rural areas; (c) to create effective conditions and procedures for victims to report incidents of domestic and sexual violence and harmful traditional practices without fear of reprisal or stigmatization; and (d) to provide victims with legal, medical, psychosocial and rehabilitative services, as well as with compensation. Please provide information, including statistical data, disaggregated by the age and ethnicity or nationality of the victims, on the number of complaints of gender-based violence, including harmful traditional practices, and the investigations, prosecutions, convictions and sentences imposed on perpetrators, as well as redress provided to victims since the consideration of the initial report. Please report on any assessments that have been conducted, and on the achievements of the national strategy and action plan on harmful traditional practices against women and children, addressing female genital mutilation, child marriage and abduction, since their adoption in 2013.¹⁰

6. Please provide information on the measures taken, including through the interministerial task force established to oversee the implementation of the recommendations contained in the joint report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Ethiopian Human Rights Commission,¹¹ to investigate, prosecute and adequately punish members of the Ethiopian National Defence Forces, the Eritrean Defence Forces, the Amhara special forces, the Amhara militias, the Tigrayan special forces, Tigrayan militias and other allied groups who are allegedly responsible for widespread rape, including gang rape, and other forms of sexual and gender-based violence committed against women and girls in the context of the armed conflict in the regions of Tigray, Amhara and Afar. Please also provide information on steps taken to compensate and rehabilitate the victims, to prevent the recurrence of such crimes and to facilitate humanitarian access for international organizations and non-governmental organizations to areas where women and girls are affected by armed conflict.¹²

7. With reference to paragraphs 30, 37, 38, 74, 78, 139, 142–145 and 147 of the State party’s periodic report, please provide updated information, disaggregated by the age, sex, ethnicity or nationality of the victims, on the complaints, investigations, prosecutions, convictions and sentences recorded in cases of trafficking in persons during the period under consideration. Please also provide information on measures taken to combat internal and external trafficking in persons, in particular trafficking of women and children for forced labour and sexual and other forms of exploitation, especially in Tigray, Amhara and Afar.¹³ In particular, please indicate the steps taken: (a) to ensure the effective enforcement of the Proclamation for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants, and to separate the crime of smuggling from that of trafficking; (b) to ensure

¹⁰ CAT/C/ETH/CO/1, para. 32; CCPR/C/ETH/Q/2, para. 7; and CEDAW/C/ETH/Q/8, paras. 8–9.

¹¹ “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”, 3 November 2021.

¹² CAT/C/ETH/CO/1, para. 16; CEDAW/C/ETH/Q/8, para. 10; and communication ETH 2/2021 (all communications mentioned in the present report are available from <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>). See also OHCHR, “Human Rights Council Marks International Women’s Day and Concludes Interactive Dialogue with the High Commissioner on the Situation of Human Rights in the Tigray Region of Ethiopia”, 8 March 2022, “Human Rights Council Discusses Situation of Human Rights in Afghanistan and in the Tigray Region of Ethiopia”, 7 March 2022, “Oral Update on the Situation of Human Rights in the Tigray Region of Ethiopia and on Progress Made in the Context of the Joint Investigation”, 7 March 2022, and “Tigray Conflict: Report Calls for Accountability for Violations and Abuses by All Parties”, 3 November 2021.

¹³ OHCHR, “Ethiopia: Critical Moment to Strengthen Fight against Trafficking in the Tigray, Afar, and Amhara”, 3 October 2022.

that victims of trafficking have access to effective remedies and reparation, as well as to adequate victim and witness protection programmes; (c) to ensure that non-custodial accommodation is provided, with full access to shelters and appropriate medical and psychosocial support, for potential victims of trafficking while identification processes are being carried out; and (d) to provide training to police officers and other public officials on how to identify and investigate cases of trafficking, forced labour and other exploitation and to address the protection needs of victims. Please indicate whether the national action plan to combat trafficking in persons and the national migration policy have been adopted and, if so, specify the budget allocated to them, as well as other steps taken to operationalize and support them.¹⁴

Article 3

8. With respect to paragraphs 33–36, 101 and 102 of the State party’s periodic report, and in the light of reported cases of at-risk Eritrean refugees being forcibly returned to their country of origin,¹⁵ please provide updated information on the measures taken to effectively enforce Proclamation No. 1110/2019 on refugees¹⁶ and ensure, in practice, that no person is returned to a country where he or she is at risk of being tortured. Please indicate whether individuals facing expulsion, return or extradition are informed that they have the right to seek asylum and to appeal a deportation decision. If so, please indicate whether such an appeal has suspensive effect. Please also provide detailed information on the plans and procedures in place to identify and immediately refer vulnerable asylum-seekers, including victims of torture, trafficking in persons and gender-based violence, as well as unaccompanied minors or children separated from their families, to the appropriate services and to ensure that their specific needs are taken into consideration and addressed in a timely manner.¹⁷

9. Please provide updated data, disaggregated by sex, country of origin and age group (minor or adult) of persons seeking asylum, on the number of: (a) asylum applications received during the period under review; (b) successful applications for asylum, refugee status or other forms of humanitarian protection, specifying how many were accepted on the grounds that the applicants had been tortured or were at risk of torture if returned or expelled; (c) persons extradited, expelled or returned and the countries to which they were sent; (d) appeals against decisions regarding expulsion; and (e) successful appeals, specifying the number of decisions regarding return or expulsion, as applicable, that were reviewed on the grounds that the applicants had been tortured or that there were substantial grounds for believing that they would be in danger of being subjected to torture if they were returned or expelled. Please indicate the number of returns, extraditions and expulsions carried out by the State party during the reporting period on the basis of diplomatic assurances or the equivalent thereof, and indicate with as much precision as possible the content that the State party requires of any such assurances or guarantees and what measures have been taken in such cases with regard to subsequent monitoring.

Articles 5 to 9

10. With respect to paragraphs 31 and 32 of the State party’s periodic report, please provide information on any new legislation or measures that have been adopted to implement article 5 of the Convention. Please inform the Committee of any extradition treaties concluded with other States parties and indicate whether the offences referred to in article 4 of the Convention are included as extraditable offences in such treaties. Please indicate what measures have been adopted by the State party to comply with its obligation to extradite or prosecute (*aut dedere aut judicare*). Please report on any requests for extradition of persons accused of acts of torture, and indicate whether those requests were granted or whether the State party prosecuted the cases itself. Please clarify what treaties or agreements on mutual legal and judicial assistance the State party has entered into and whether such treaties or

¹⁴ CAT/C/ETH/CO/1, para. 33; CCPR/C/ETH/Q/2, para. 15; and CEDAW/C/ETH/Q/8, para. 11.

¹⁵ OHCHR, “Tigray Conflict”, 3 November 2021.

¹⁶ Article 11 of which enshrines the principle of non-refoulement (CAT/C/ETH/2, para. 33).

¹⁷ CAT/C/ETH/CO/1, para. 19; and CCPR/C/ETH/Q/2, para. 16.

agreements have led in practice to the transfer of any evidence in connection with prosecutions concerning torture or ill-treatment. Please provide examples.

Article 10

11. With reference to paragraphs 22, 26, 41–46, 93, 104, 133 and 140 of the State party's periodic report, please provide up-to-date information on any educational and training programmes developed by the State party to ensure that all law enforcement officials, prison staff, immigration and border control officers and members of the military are fully acquainted with the provisions of the Convention and are aware that breaches will not be tolerated, that allegations of torture and ill-treatment will be investigated and that offenders will be prosecuted. Please indicate whether these training courses are mandatory or optional, how often they are conducted, how many law enforcement officials, members of the military, prison staff and immigration and border control officers have already completed them, what percentage of all such officials have completed them and what measures have been taken to train the remaining officials. Please also provide details on the programmes used in the training of police officers and other law enforcement officials in non-coercive investigating techniques. Please further indicate whether the State party has developed any methodology to assess the effectiveness of training and educational programmes in reducing the number of cases of torture and ill-treatment and, if so, please provide detailed information on that methodology. Lastly, please indicate the measures taken to give effect to the provisions of article 10 (2) of the Convention.¹⁸

12. Please provide detailed information on the programmes aimed at training judges, prosecutors, forensic doctors and other medical personnel who deal with persons deprived of their liberty to detect the physical and psychological consequences of torture, ensure the effective documentation of torture and verify the admissibility of confessions. Please indicate whether these programmes include specific training on the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), as revised.¹⁹

Article 11

13. Please describe the procedures in place for ensuring compliance with article 11 of the Convention and provide information on any interrogation rules, instructions, methods, practices or arrangements for custody that may have been introduced since the consideration of the initial report. Please indicate the frequency with which these rules, instructions, methods, practices or arrangements are reviewed and report on the procedures in place for reviewing them. Please also indicate the ministries, national security organs and agencies of the Government with powers of arrest and detention, including the conditions under which they may carry out arrests and detentions. Please comment on reports regarding the existence of unofficial places of detention, including detention facilities run by militia groups.²⁰

14. Please provide annual statistics for the period since the consideration of the initial report, disaggregated by place of detention, sex, age and nationality of the detainee, on the total capacity and occupancy rate of all detention facilities, stating the number of remand and convicted prisoners at each facility. Please provide information on measures adopted to ensure the separation of pretrial detainees from convicted prisoners, minors from adults²¹ and men from women, and specify in which facilities detainees are not yet separated in this way. Please also provide information on the steps taken to promote alternatives to pretrial detention and imprisonment, such as community service or victim compensation orders, providing statistical data for the period under consideration on the use of such alternative measures, particularly for children in conflict with the law. With regard to paragraphs 28, 91 and 98 of the State party's periodic report, please provide further details on the measures

¹⁸ CAT/C/ETH/CO/1, para. 21.

¹⁹ Ibid.

²⁰ CAT/C/ETH/CO/1, paras. 10 and 20. See also OHCHR, "Tigray Conflict, 3 November 2021, and "Ethiopia: Bachelet Urges End to 'Reckless' War as Tigray Conflict Escalates", 3 November 2021.

²¹ CAT/C/ETH/CO/1, paras. 26–27; and CCPR/C/ETH/Q/2, para. 21.

taken, including disciplinary action, to ensure that detainees do not remain in pretrial detention for longer than the maximum period prescribed by law.

15. With respect to paragraphs 14, 20, 82, 83, 110 and 114–119 of the State party's periodic report, please provide detailed, up-to-date information on the progress of projects to improve conditions of detention in police stations, prisons and other places of detention. In particular, please indicate the steps taken to further reduce overcrowding in places of detention, including through the use of alternatives to imprisonment both before and after trial, and to improve sanitation, the quality and quantity of food and water, as well as the health care provided to detainees, including psychiatric care. Please describe what further measures have been taken to address the special needs of: (a) children in conflict with the law, including with regard to rehabilitation and education services; (b) women deprived of their liberty, in particular pregnant women and women held in detention with their children; and (c) persons with disabilities. Please provide further details on the State party's legislation and practice on solitary confinement and include data on the use of solitary confinement during the period under review, indicating its average duration. Please indicate whether solitary confinement and other isolation or segregation regimes are subject to any oversight mechanism or external supervision.²²

16. With regard to paragraphs 127–132 of the State party's periodic report, please provide information on measures taken to raise the minimum age of criminal responsibility, in accordance with international standards, and ensure that children above 15 and under 18 years of age are classified as "young persons" who are subject to the lighter penalties provided for in articles 157–168 of the Criminal Code and are strictly separated from adults in all places of detention. Please clarify the current legislation and policies in relation to juvenile remand and the use of alternative measures to conviction and imprisonment for juveniles.²³

17. With reference to paragraphs 134 and 135 of the State party's periodic report, please provide data regarding deaths in custody during the period under consideration, disaggregated by year, place of detention, sex, age, ethnic origin or nationality of the deceased and cause of death. Please provide detailed information on the number and outcome of investigations conducted in these cases, specifying whether a forensic medical assessment, including an autopsy, was performed and on the number of deaths suspected of having been caused by assaults committed or tolerated by government officials involving the excessive use of force or the failure to provide the detainee with the necessary medical attention and treatment in time. Please also provide information on the number of sentences pronounced, the criminal and disciplinary penalties imposed and the steps taken to prevent the recurrence of such acts. Please indicate whether relatives of the deceased persons received compensation in any of the cases. Lastly, please describe the steps taken to reduce the incidence of inter-prisoner violence in penitentiary institutions, including efforts to recruit and train a sufficient number of prison personnel, to investigate all incidents of violence and to ensure that prison officials are held accountable in cases where they fail to take reasonable measures to prevent and respond to such violence.²⁴

18. In the light of paragraphs 55 and 98 of the State party's periodic report, and given the allegations of torture during incommunicado detention in unofficial facilities or military centres, particularly in the context of the armed conflict in Tigray, Amhara and Afar, and the fact that the use of such facilities in itself constitutes a violation of the Convention, please indicate which State officials have the authority to arrest and detain suspects, specifying in which locations and for how long they may be detained. Please also indicate whether the State party has opened investigations into the practice of incommunicado detention in unofficial facilities or military centres and, if so, what the outcomes of the investigations were. Please also comment on reports about the widespread practice of arrests without a warrant and arbitrary and prolonged detention without charges and judicial process, notably during the state of emergency that was declared on 2 November 2021,²⁵ which disproportionately targeted suspected members or supporters of insurgent groups and

²² CAT/C/ETH/CO/1, para. 26; and CCPR/C/ETH/Q/2, para. 13.

²³ CAT/C/ETH/CO/1, para. 27.

²⁴ Ibid., para. 29.

²⁵ Lifted on 15 February 2022.

members of the political opposition, in particular ethnic Tigrayans, as well as human rights defenders, dissenting journalists and protesters.²⁶ Please provide information on the steps taken to ensure that all allegations of arbitrary arrest and detention are promptly and effectively investigated and that perpetrators are brought to justice. Please include statistical data in this respect for the reporting period.²⁷

Articles 12 and 13

19. With reference to paragraphs 57–62, 64 and 88 of the State party’s periodic report, please provide more detailed information regarding which authorities are competent to initiate and carry out an investigation, at both the criminal and disciplinary levels, when there is reason to believe that an act of torture or ill-treatment has been committed by law enforcement officers, prison personnel or members of the military, and describe how these authorities interact with the public prosecutor’s office during the investigation and what safeguards are in place to ensure that there is no hierarchical or institutional link between the suspected perpetrators and the inspectors. In this regard, please also specify:

(a) Whether the public prosecutor’s office is required to initiate an *ex officio* investigation where there is reason to believe that an act of torture or ill-treatment has been committed and to request that the potential victim undergo a forensic medical examination;

(b) Whether the alleged perpetrator is automatically relieved of his or her duties while the investigation is being conducted and prohibited from making any further contact with the alleged victim;

(c) What measures have been taken and resources allocated to strengthen the judiciary so that victims can safely obtain redress before the courts and all persons who have violated human rights law or committed acts of abuse are brought to justice, irrespective of their status and political, ethnic or religious affiliation.²⁸

20. Please provide statistical data for the period under consideration, disaggregated by sex, age, ethnic origin or nationality of the victim and the services to which the persons accused of committing acts of torture belong, on complaints of actual or attempted acts of torture and ill-treatment and complicity, participation or acquiescence in such acts. Please indicate how many *ex officio* investigations have been opened into the above-mentioned offences. Please also provide disaggregated statistical data on all judicial and disciplinary proceedings initiated, convictions handed down, decisions to stay proceedings, cases shelved and criminal penalties and disciplinary measures imposed.²⁹

21. With respect to paragraphs 14, 21, 66–73, 100, 120, 125 and 138 of the State party’s periodic report, please clarify whether the State party has set up a dedicated, effective and independent system of confidential complaints that can be lodged with an independent body outside the prison administration and describe the measures put in place to ensure confidentiality and the remedies available to complainants when the competent authorities refuse to investigate their case. Please describe the mechanisms in place to protect victims of torture and their relatives, as well as witnesses and investigators, against any form of intimidation or reprisals that their complaints may provoke, including after visits undertaken by inspection bodies.³⁰

22. Please provide updated information on the investigation and prosecution of serious and widespread human rights violations and abuses, including torture and ill-treatment, extrajudicial killings, enforced disappearances, arbitrary arrests and detention, and conflict-related sexual and gender-based violence, by the federal and local security forces, the Ethiopian National Defence Forces, the Eritrean Defence Forces and affiliated forces against civilians alleged to be members of armed insurgent groups in the context of the armed conflict in Tigray, Amhara and Afar. Please also provide up-to-date information on the concrete measures taken to document and investigate the widespread reports of severe human rights

²⁶ CAT/C/ETH/CO/1, para. 15. See also OHCHR, “Press Briefing Notes on Ethiopia”, 14 January 2022.

²⁷ CCPR/C/ETH/Q/2, para. 12.

²⁸ CAT/C/ETH/CO/1, paras. 10–11.

²⁹ *Ibid.*, para. 18.

³⁰ *Ibid.*

violations and abuses committed by the Tigrayan special forces and associated groups, including killings, abductions, illegal detentions, acts of sexual and gender-based violence against civilians, and deliberate attacks on camps for refugees and internally displaced persons, in order to identify, prosecute and punish the perpetrators of those crimes and provide effective redress to victims.³¹

Article 14

23. Please provide statistical data on redress and compensation measures, including means of rehabilitation, ordered by the courts and actually provided to victims of torture or ill-treatment or their families since the consideration of the initial report. Please include data on the number of applications for State compensation for torture and ill-treatment, the number of time-barred claims owing to the courts' inaction, the number of applications granted and the range of awards in successful cases. With reference to paragraphs 74, 75 and 136 of the State party's periodic report, please clarify whether the State party has taken legislative and administrative measures to ensure that victims of torture and ill-treatment have access to effective remedies and can obtain redress in cases in which the perpetrator has not been identified or found guilty of an offence. Please also provide information on any ongoing rehabilitation programmes for victims of torture and ill-treatment and on the resources allocated to them.³²

Article 15

24. With respect to paragraphs 76, 87 and 137 of the State party's periodic report, and given widespread allegations that detainees are still tortured to extract confessions or information for investigations,³³ please describe the measures taken, including disciplinary measures, to ensure that the exclusionary rule with regard to evidence obtained under torture is fully implemented by the courts, in line with article 31 of the Code of Criminal Procedure. Please provide up-to-date statistics on the number of: (a) cases in which detainees have alleged that their confessions were extracted under torture; (b) cases in which confessions have been declared inadmissible; and (c) cases that have been investigated and the outcomes of those investigations, specifying whether a forensic medical examination of the alleged victim was carried out, the sentences handed down to those found guilty and the redress and compensation granted to victims.³⁴

Article 16

25. With regard to paragraphs 15 and 123 of the State party's periodic report, please describe the measures taken to address the excessive use of force by members of the security forces and members of the military, including extrajudicial killings. Please provide information on the current legislative framework on the use of force, particularly lethal force, and describe its compatibility with the Convention and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Please update the Committee on the current status of the new draft law on the use of force that was being drafted in 2019 and indicate whether it has since been enacted. Please also indicate whether the State party has established an independent accountability mechanism that receives and investigates allegations of excessive use of force by law enforcement officers and military personnel. Please provide up-to-date statistical data, disaggregated by the type of offence and the sex, age and ethnic origin or nationality of the victim, on the number of cases of excessive use of force and extrajudicial killings by public officials identified during the period under consideration and the number of prosecutions sought, convictions secured and penalties imposed in relation to these cases. In particular, please report on the outcomes of criminal investigations conducted into cases of excessive use of force by law enforcement and security forces, including during protests that took place: (a) in Wolayita Zone on 9 and 10 August

³¹ CAT/C/ETH/CO/1, para. 15; and CCPR/C/ETH/Q/2, para. 8. See also Ethiopian Human Rights Commission and OHCHR, "Joint Investigation into Alleged Violations of International Human Rights", 3 November 2021.

³² CAT/C/ETH/CO/1, para. 30.

³³ CCPR/C/ETH/Q/2, para. 11.

³⁴ CAT/C/ETH/CO/1, para. 31.

2020; (b) in the region of Oromiya and in Addis Ababa, following the killing of Haacaaluu Hundeessaa in June 2020; (c) in Oromiya in October 2019; (d) in Sidama Zone in July 2019; (e) in Amhara in January 2019; (f) in Addis Ababa on 17 September 2018; (g) in the town of Weldiya, in Amhara, on 20 January 2018; and (h) in Oromiya and Amhara between November 2015 and October 2016. Please include information on any forms of redress provided to victims.³⁵

26. With reference to paragraph 112 of the State party's periodic report, please provide information on the measures taken to ensure that the death penalty is imposed only for the most serious crimes, in line with international legal standards that limit its application to crimes of extreme gravity involving intentional killing.³⁶ Please indicate whether the State party is considering the possibility of reviewing its policy with a view to abolishing the death penalty in law or taking affirmative steps to formalize the moratorium on the death penalty. Please inform the Committee of efforts made to commute all death sentences into alternative penalties and to ensure that conditions of detention for condemned prisoners do not constitute cruel, inhuman or degrading punishment or treatment by taking immediate steps to strengthen legal safeguards and guarantees of due process in all phases of the proceedings and concerning all offences. Please provide the Committee with updated information for the reporting period on the precise number of death sentences passed, the courts responsible and the crimes for which those sentences were handed down, as well as on the current number of prisoners on death row.³⁷

27. Please respond to allegations that human rights defenders, political opponents, civil society activists and journalists who are critical of the Government have been subject to harassment, intimidation, arbitrary arrests and prolonged detention, torture and ill-treatment, and threatened with criminal charges of terrorism or disinformation. Please provide statistical data for the reporting period on the number of related complaints, the outcomes of any investigations opened following these complaints and the sentences and penalties handed down.³⁸

28. With reference to paragraph 133 of the State party's periodic report, please indicate the steps taken to amend article 576 of the Criminal Code and article 258 of the Family Code with a view to explicitly prohibiting corporal punishment of children in the home and alternative care settings. Please provide information on the measures taken to investigate cases of corporal punishment of children and to raise public awareness of positive, participatory and non-violent forms of discipline.³⁹

Other issues

29. With respect to paragraphs 24, 97 and 138 of the State party's periodic report, please provide updated information on the measures taken by the State party to respond to threats of terrorism, including the new Prevention and Suppression of Terrorism Crimes Proclamation.⁴⁰ Please describe whether those measures have affected human rights safeguards in law and in practice and, if so, how they have affected them. Please also describe how the State party has ensured that those measures are compatible with its obligations under international law, especially the Convention. Furthermore, please indicate what training is given to law enforcement officers in this area; the number of persons who have been convicted under legislation adopted to combat terrorism; the legal remedies and safeguards available in law and in practice to persons subjected to antiterrorism measures; and whether

³⁵ [CCPR/C/ETH/Q/2](#), para. 10.

³⁶ International Covenant on Civil and Political Rights, art. 6 (2); and Human Rights Committee, general comment No. 36 (2019), para. 35.

³⁷ [CAT/C/ETH/CO/1](#), para. 24; and [CCPR/C/ETH/Q/2](#), para. 9.

³⁸ [CCPR/C/ETH/Q/2](#), para. 19.

³⁹ [CAT/C/ETH/CO/1](#), para. 28; and [CCPR/C/ETH/Q/2](#), para. 21.

⁴⁰ [CAT/C/ETH/CO/1](#), para. 14; and [CCPR/C/ETH/Q/2](#), para. 19. See also communications ETH 3/2019, ETH 2/2015, ETH 7/2011 and ETH 4/2011; and OHCHR, "United Nations Special Rapporteur on the Right to Freedom of Opinion and Expression, David Kaye, Visit to Ethiopia, 2–9 December 2019, End-of-Mission Statement", 9 December 2019, "Release of Five Ethiopian Journalists Is A Positive Step, But Others Remain in Detention – UN Expert", 10 July 2015, and "UN Experts Urge Ethiopia to Stop Using Anti-Terrorism Legislation to Curb Human Rights", 18 September 2014.

there have been complaints of the non-observance of international standards in applying measures to combat terrorism and, if so, what the outcome was.

30. Given that the prohibition of torture is absolute and cannot be derogated from, not even within the framework of measures related to states of emergency and other exceptional circumstances, please provide information on any steps taken by the State party during the coronavirus disease (COVID-19) pandemic to ensure that its policies and actions comply with its obligations under the Convention. In addition, please specify the measures taken in relation to persons deprived of their liberty, including in places of confinement such as homes for older persons, hospitals or institutions for persons with intellectual or psychosocial disabilities.
