



# JUSTICE SNAPSHOT **ETHIOPIA** 2021

Hamle 1, 2012 – Sene 30, 2013  
**Rapid Justice Sector Assessment**



**SITUATIONAL  
OVERVIEW**



**JUSTICE  
SERVICES**

**ACTION  
MATRIX**

**ROADMAP**



UNIVERSITY **LAW SCHOOLS**  
OF ETHIOPIA

Northwestern  
PRITZKER SCHOOL OF LAW  
Bluhm Legal Clinic



**JUSTICEMAPPING**

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## ACRONYMS

AR	Annual Report
CCTV	Close-circuit television
EC	Ethiopian Calendar
EHRC	Ethiopian Human Rights Commission
ETB	Ethiopian Birr
EWLA	Ethiopian Women Lawyers Association
MoJ	Ministry of Justice
NGO	Non-Governmental Organisation
OAG	Office of the Attorney-General
OPD	Office of the Public Defender
PD	Public Defender
PP	Public Prosecutor
RFIC	Regional First Instance Court
RHC	Regional High Court
RPC	Regional Police Commission or Regional Prison Commission
RSC	Regional Supreme Court

## INTRODUCTION

The Justice Snapshot Ethiopia is a rapid justice assessment of the justice System as it operated at federal and regional levels and in the Chartered Cities in the Financial Year, 2012-2013 (Ethiopian Calendar), or June 2020–July 2021 (Gregorian Calendar).

The assessment was commissioned to inform UN Agency programming in support of Government’s national policy (Ethiopia 2030: The Pathway to Prosperity) and justice institutions’ own roadmap set down in its Common Agenda—as well as to strengthen institutional capacity to capture data on its own justice system.

This is a collaborative product of regional governments, UN agencies, justice institutions and individual justice actors/practitioners, court users, implementing and development partners. It applies and adapts Justice Audit methodology and draws from lessons learned in previous Justice Snapshots (see Methodology).

### *A process to improve data collection and inform policy making . . .*

This Justice Snapshot is intended as the start of a process that sees government and justice institutions investing more in their own data. The data belong to the government and institutions concerned and have been validated by Justice Snapshot Steering Committees established in each of the regions (save for Tigray).

### *. . . providing an agreed set of data all can plan around*

This document should be read as a printed version of the Justice Snapshot Ethiopia interactive website, and follows the order of presentation of the website. Accordingly, it is best appreciated alongside the website to capture the full breadth of the tool, which a static version alone cannot convey fully.

The **Situational Overview** provides the context in which statutory justice services function—and the budgetary allocations available to them.

**Justice Services** show the resources and infrastructure with which justice service providers work at federal and regional levels and in the two Chartered Cities. They show the cases entering the system and how they are processed by the system. They show the governance mechanisms in place nationally.

The **Action Matrix** sets out a number of Justice Investment Options indicated by the data and institutional Annual Reports. They show the gaps in justice services and areas for improvement suggested by the data and government’s own priorities. Activities are linked to the UN Agency (or Agencies) best able to implement such activities.

The **Roadmap** is drawn from government policy documents (as well as data relevant to the Sustainable Development Goals—SDGs) and benchmarks are offered against which progress can be monitored.

After *Acknowledgements* and *Methodology*, the *Baseline Data* section lists all the data collected and cleaned, and validated by the JSSC in excel format, as well as survey data (which can be found on the website online or on the offline version). The data contained in any visualisation can be cross-checked there. The *Library* section lists all documentation relevant to the justice sector, including the laws (and similarly is available on the website online or on the offline version).

The data are provided in good faith, there will be errors and these errors are identified or indicated where they are apparent. Are they 100% accurate? No, but few countries can boast this. Are they the best available? Probably yes. It is worth recalling that this exercise marks the beginning of a process to improve data collection locally which will inform policy making nationally.



# SITUATIONAL OVERVIEW

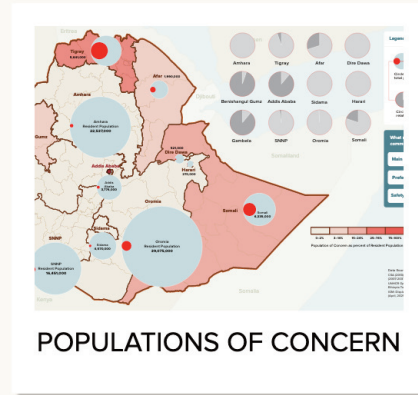
Situational Overview goes deeper into data about the foundations needed to support a functioning justice system.



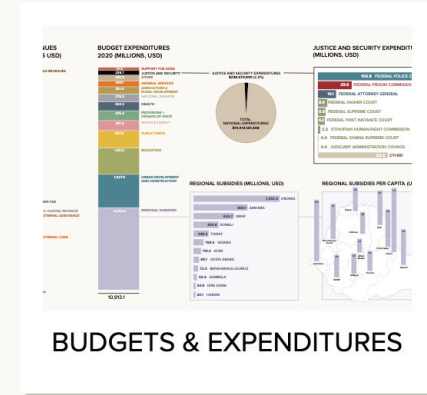
JUSTICE IN LAW



JUSTICE IN PRACTICE



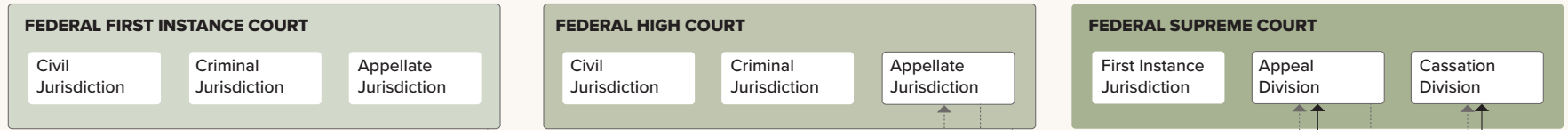
POPULATIONS OF CONCERN



BUDGETS & EXPENDITURES

**FEDERAL**

Oversight: Federal Judicial Administration Council



Article 13 FCP 1234/2021

Article 9(1,2) FCP 1234/2021  
Article 10(1)(a) FCP 1234/2021

Article 10(1)(b) FCP 1234/2021

Article 9(3,4) FCP 1234/2021

**REGIONAL**

Oversight: State Judicial Administration Council



Article 35 CPEC (2013)

Article 10(1)(e) FCP 1234/2021

Article 37 CPEC (2013)

Article 10(1)(e) FCP 1234/2021

**CHARTERED CITIES**

Oversight: City Judicial Administration Council



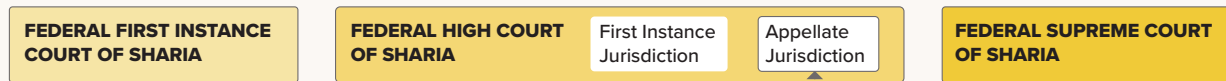
Article 50(3) AARC Proc. 361/2003

Article 43(3) AARC Proc. 361/2003

Article 10(1)(f) FCP 1234/2021

**FEDERAL SHARIA**

Oversight: Federal Judicial Administration Council



FCoSCP 1999 Art 9 (2)

FCoSCP 1999 Art 8 (1,2)

**REGIONAL SHARIA**

Oversight: State Judicial Administration Council



## BEFORE THE 2018 POLITICAL REFORM

Law making is apportioned between the federal government and regional states in accordance with Article 51 and 52 of the FDRE Constitution.

In matters falling under the jurisdiction of the federal government, the House of Peoples' Representatives, the parliament, has the power to enact laws in the form of proclamation (the primary legislation in Ethiopia) which includes the following matters (Art. 55 of the FDRE Const.):

- Natural resources of the Federal State;
- Inter-region and foreign trade law;
- Federal transportation laws;
- Electoral laws and other laws with regard to the enforcement of political rights;
- Nationality and other laws;
- Standard and calendar;
- Patent and copyright laws.

The House of People's Representatives is also empowered to enact laws in the form of codes on (Art. 55(3), (4) and (5), (6) of FDRE Constitution):

- Labor Code;
- Commercial Code;
- Criminal Code;

Civil laws necessary to establish and sustain one economic community. As per Article 62(8) of the Constitution, the House of Federation has the power to determine civil matters on which the House of Peoples' Representatives makes laws.

In addition to the House of Peoples' Representatives, executive organs have also given the power to enact regulations and directives. The provision of Article 77(3) of the FDRE Constitution states that the Council of Ministers shall enact regulations pursuant to powers vested in it by the House of Peoples' Representatives. Here, the provision makes clear that legislative power vested to the Council of Ministers is legislative power delegated from the legislature (i.e. the House of Peoples' Representative). According to Article 74(5) of the Constitution, the Prime Minister has the power to supervise the implementation of regulations and directives adopted by the Council of Ministers. The provision of Art. 74(5) of the same implies that the Council of Ministers has the power to enact directives in addition to regulations. Ministries are also given the power to enact directives to implement the powers given under proclamations and regulations.

## WHO INITIATES LAWS?

The Constitution clearly provides that the Council of Ministers "shall submit draft laws to the House of Peoples' Representatives on any matter falling within its competence, including draft laws on a declaration of war" (Art. 77(11) of the Constitution). Thus, the Council of Ministers has the power to initiate draft laws on matters that fall under the jurisdiction of the federal Government.

Further, each ministry has the power to initiate policies and laws (Proc. No. 471/2005, Art. 10). According to Art. 4 of Proc. No 470/2005, the Government; the House of Federation; the Speaker; and the Federal Supreme Court; members of the House; Committees of the House; and other governmental institutions directly accountable to the House have the power to initiate and submit draft bills to the House on matters within their jurisdictions. Any draft bill must be made in writing and be submitted to the Speaker to its presentation to the House. Then the Speaker must present the summary of the draft law and deliberation on the content in general must be held (Proc. No. 470/2005, Art. 7(a)). Then, the Speaker will refer it to the concerned standing committee (Proc. No 470/2005; Art. 7(b)).

The committee which took the assignment will present it to the House with its proposal after 20 working days (Proc. No 470/2005; Art. 8). Thus, second reading will be held in the House (Proc. No 470/2005; Art 9). If the deliberation cannot be exhausted, the bill shall be referred for further scrutiny to the pertinent committee (Art. 9(c) of the same). The committee who received for the second time shall read out the amended version and its final decision to the House. (Proc. No 470/2005; Art. 10(a)). Then, the House shall pass the bill (draft law) after a through discussion on the final proposal (Art. 10(b)). Then, the Speaker shall send the draft to the president for signature (Art 11(a)).

The President is required to sign the bill within 15 days; otherwise, the bill will be effective after 15 days if the President fails to sign it (Proc. No 470/2005; Art. 11(b)). What is more, the ratified law must be numbered by the Speaker and thereby published in the Federal Negarit Gazeta (Art. 11(c)).

### **AFTER THE 2018 POLITICAL REFORM**

The law-making process after the 2018 political reform is similar to the pre-reform period except that the Government established the Law and Justice Affairs Advisory Council.

In 2018, the Office of the FDRE Attorney General established the Legal and Justice Affairs Advisory Council. It is an ad hoc organ that was created in order to facilitate legislative reform, and the group is made up of legal experts from universities. They have produced a road map to detail proposed reforms for Ethiopia's legal system.

The advisory council also establishes ad hoc committees of subject matter experts on discreet topic areas (i.e., freedom of assembly). The committee performs a diagnostic study to understand the gaps and challenges in legislative design (and implementation) and submits their recommendations for a draft legislation to the advisory council. Then, the council will then submit a proposal to the AG, and if they approve, it will be sent to the Council of Ministers, and then Parliament, to become a formal rule. This process was intended to expedite the legislative reform process, but the counsel's tenure is coming to an end.

### **CIVIL LAW**

Ethiopia is a mostly civil law system. It is code based, and they intend to have legislation for every matter. However, a decision in federal cassation set the precedent that when the law is silent or ambiguous, courts should consider previous rulings on similar topics (which is a departure from an entirely civil law system).

### **JUSTICE IN LAW**

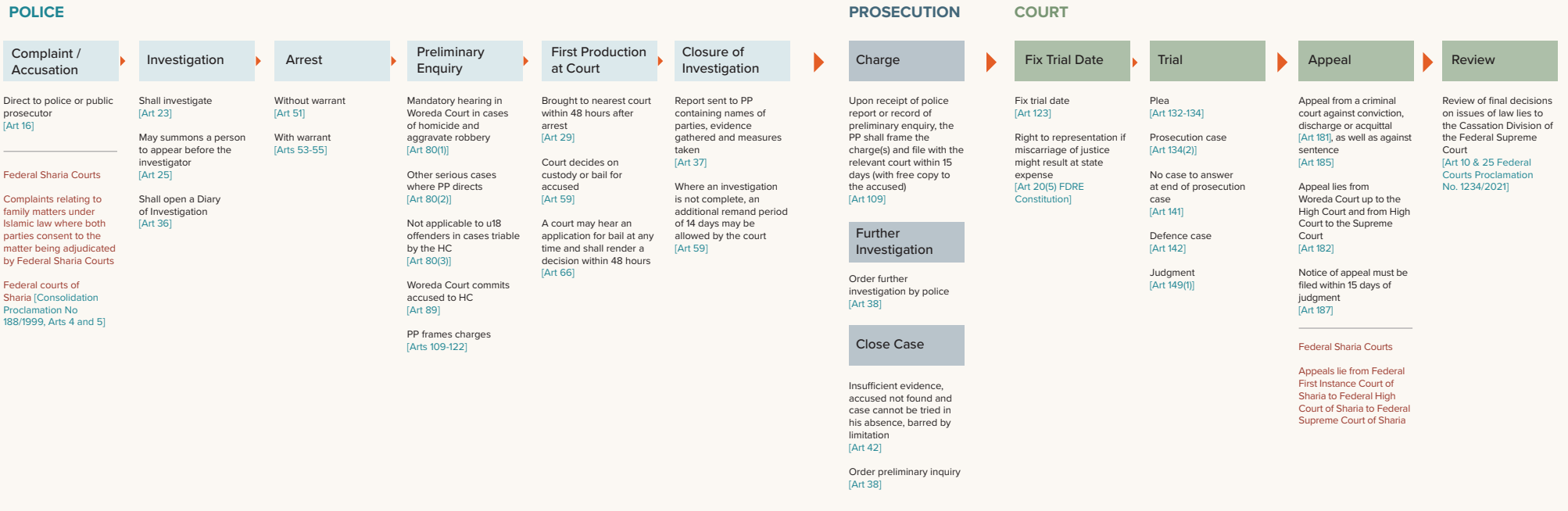
The series of visuals in this section illustrate how the justice system ought to function according to the laws of Ethiopia. Each procedure is set down according to the legal proclamation by which it is governed.

So the review of each stage of the criminal justice process is set down with direct reference to the Criminal Procedure Code Proclamation 1961, so to with the Sharia courts, Child justice and Chartered Cities.

The illustration to show the hierarchy of courts shows how each branch of the law mirrors another in terms of procedure. The Federal court structure is mirrored at the regional level. The Sharia courts also reflect the federal hierarchy, though otherwise quite distinct. The Sharia and regional courts have their own Supreme Courts where all matters are finalized—save for the Cassation division in the Federal Supreme Court which can review questions of law from any other court, including a Social court in a kebele in Makelle.

Criminal Procedures / Federal Sharia Courts | Child Justice

Chartered Cities



Draft CPEC 2013	Investigation	Arrest	Preliminary Enquiry	First Production at Court	Closure of Investigation	Prosecution	Trial	Review
	Investigation to be led and supervised by PP [Art 75]	Unless investigations justify arrest investigations to be carried out without arrest [Art 108]	The accused can have his evidence recorded before court [Art 129]  The court may discharge the accused, with or without bail [Art 137]	Every accused has a right to bail [Art 138]	Total duration of remand in custody may not exceed four months [Art 119(3)]	ALTERNATIVES TO TRIAL [Art 163]  PP may divert appropriate cases to reconciliation [Art 165], plea bargaining [Arts 170-174], or traditional institutions system [Arts 181-184]	Pre-hearing to establish trial procedure, as well as identify and ensure the availability of Defence Attorneys / Interpreters where necessary. [Art 236-237]	Review of judgment by Court of Rendition in case of wrongful conviction [Art 365-369]

## GENERAL

In March 2021, The SRS Security Bureau and ICRC held a workshop on juveniles in detention in Jigjiga, Somali region.

One of the presenters noted the authorities are facing a serious challenge on management of juveniles. Rural urban migration has increased ‘juvenile prevalences’. Juvenile detention is common in major cities and more so in Jijiga. The causes of juvenile delinquency include neglect of parental role, drug abuse, poor school environment etc. These issues are covered in the Security Bureau 10-year strategic plan, but the budget is inadequate for justice and security sectors (the full report is in the Library\_Regions\_Somali).

## THE LAW ON JUVENILES

There is no specific law governing young persons in conflict with the law. The relevant provisions are contained in the Penal Code (PC), 2004 and Criminal Procedure Code (CPC) 1961 (relevant extracts are contained in the Library—see Federal Laws\_Juvenile Justice).

For purposes of criminal liability, the PC classifies child offenders into three distinct age groups and prescribes distinct measures for their reform and rehabilitation. The first group, called “infants”, is totally exonerated from application of the penal law as infants not having attained the age of nine years are not criminally responsible for their acts and where an offence is committed by an infant appropriate steps may be taken by the family, school or guardianship authority to ensure their proper upbringing (Art. 52 PC).

The second group, called ‘young persons’ are children between the ages of 9 and 15 inclusive. For them, the PC provides special punishments and measures upon conviction. (Art. 53, PC).

The third group are young persons between the ages of 15 and 18 and are treated under the ordinary provisions of the PC as having full liability of persons aged 18 and above (Art. 56 (4)). However, the law provides that mitigation of the penalty is always permitted, the death penalty may never be imposed (Art 176 PC).

A child may be deprived of his liberty according to the Criminal Procedure Code (CPC) and the PC in the following circumstances:

- Where the condition of the young offender involves a mental health problem, the court is bound to order his/her admission to a suitable institution (Art. 158, PC) where s/he is deprived of his liberty;
- School or home arrest where the offence is of less serious (Art 161, PC);
- If the court finds that the character and disposition of the young offender are bad, it may exercise its discretion to order such person to be admitted to a special institution designed for the correction and rehabilitation of young offenders. The duration of such deprivation of liberty cannot exceed five years or be less than one year. The offender in a corrective institution should be provided with general, moral and vocational education (Art 162, PC)
- Supervised education where the child offender is morally abandoned or is exposed to the danger of corruption (Art 159, PC);
- Prison if the young offender is ‘incorrigible’ and ‘likely to be a cause of trouble’ to others up to 10 years (Art 168(1)(b), PC)—and the principle of segregation applies (ie s/he should be kept separately from adults).

*Note: There is only one curative institution with a limited capacity and only one remand home in Addis Ababa for young male offenders.*

## ADDIS ABABA WOMEN CHILDREN & SOCIAL AFFAIRS BUREAU REHABILITATION CENTER FOR CHILDREN IN CONFLICT WITH THE LAW

The center is under the authority of the Addis Ababa Women and Children Affairs Bureau. It is the only detention center for young persons in the country. It has adequate utilities (water and electricity) and health care services for the 87 young persons accommodated there as of October 2021. The institution has a library and internet service and a minibus which is not fit for purpose. When a young person needs medical treatment outside s/he is usually transported via Uber. There are no workshops for vocational training. There is a telephone and detainees are allowed to call their families twice a week.

Capacity and space are considered a problem by the administration. Officially it can hold 100 but the space is described as 'limited'. There is a staff of 97 (no breakdown provided) and the salary is described as 'very low'.

The population was provided as follows:

- Total population: 87 (Boys: 85, Girls: 2)
- Sentenced: 59 (Boys: 58, Girls: 1)
- Unsentenced: 32 (Boys)

Note: there are data mismatches: 1) the sentenced + unsentenced total 91 (versus 87 provided) and there is no accounting for 1 of the 2 girls).

## THE PROCESS

Cases of young, or juvenile (as used in the English translations), offenders are heard both in regular courts and in a juvenile court established in Addis Ababa. This court is empowered to hear and decide cases of young offenders. Juvenile cases outside the capital city are handled by woreda courts.

The CPC provides that in cases where a young person is involved in commission of a crime he shall be taken immediately before the nearest woreda court (first instance court) by the police, the public prosecutor, the parent or guardian or the complainant. Arrest ("taking") warrant must be obtained in the manner prescribed for adult cases. The police shall also make every possible use of summons in order to avoid the publicity and the adverse psychological effects on the juvenile which are inherent in the use of arrest (Art. 172 (1)).

The woreda court shall ask the person bringing the young person to state the particulars and the witnesses, if any, of the alleged offence or to make a formal complaint. It is the woreda court which, after the young person has been brought before it, records the accusation or complaint against him, and directs the police to conduct any investigations the court thinks necessary (Art. 172 (2)). The police may not, on their own initiative, undertake any investigative steps which involve custody of the accused. They must, by whatever means, immediately take him before the nearest woreda court.

If the accusation relates to an offence punishable with rigorous imprisonment exceeding 10 years or with death, the court shall direct the public prosecutor to frame a charge (Art. 172 (3)). In such a case the juvenile will be tried in the High Court on a formal charge drawn by a public prosecutor.

The woreda court can hear cases where the accusation relates to an offence ordinarily punishable by up to 10 years of rigorous imprisonment, while any grave cases have to be heard before the High Court. If the case is less serious and is to be heard by the woreda court, the juvenile is tried without any formal charge and usually without the participation of the public prosecutor. There is a special division in the High Court that hears cases of juveniles charged with serious crimes.



Where the case requires an adjournment or transfer to a higher court for trial, the young person shall be handed over to the care of his parents, guardian or relative or, in default of any such person, to a reliable person who shall be responsible for ensuring his attendance at the trial (Art. 172 (4)).

When a young person is brought before the woreda court his parent, guardian or other person in loco shall be summoned without delay (Art. 173). This is done to inquire whether his parents, etc., can represent him or not and to release him on bail upon their recognizance.

The court shall appoint an advocate to assist the young person where no parent, guardian or other person in loco parentis appears to represent the young person or the young person is charged with an offence punishable with imprisonment exceeding 10 years or with death (Art 174).

All proceedings shall be held in chambers. Nobody shall be present at any hearing except witnesses, experts, the parent or guardian or representatives of welfare organizations (Art 176 (1)). The public prosecutor shall be present at any hearing in the High Court.

The accusation, or complaint or charge, is then read to the young person and s/he is asked what s/he has to say (Art. 176 (4)). If it is clear to the court from what is said the young person fully understands and admits the accusation or charge, the court may convict him/her immediately (Art. 176 (4)). Before sentencing, however, the judge usually adjourns the case for about a week and asks the probation officers to prepare a pre-sentence report. Meanwhile, the young person is either remanded in custody or on bail on the parent's or guardian's recognizance.

If the young person denies the accusation or charge, witnesses have to be summoned. The witnesses are to be examined by the court and cross-examined by the defence. Finally, the court may give judgement specifying the provision of the law on which it is based. If the young person is found not guilty, s/he shall be acquitted immediately; if s/he is found guilty, the court may impose appropriate measures or penalty (Article 162 ff. PC).

In order to arrive at a decision which is in the best interest of the young person, the court may call before it any person or representative of any institution with

a view to obtaining information concerning the character and antecedents of the juvenile (Art. 177 (2)). In assessing the sentence the court shall also take into account the age, character, degree of mental and moral development of the young offender as well as the educational value of the measures to be applied.

When the young person is convicted of a criminal offence, the court shall order one of the treatment measures designed by law to rehabilitate the offender after having ordered all necessary inquiries for its information and guidance. The court may sentence the juvenile to special penalties where the measures 'have been applied and have failed' (Art. 166).

The treatment measure may be in a free or closed environment. The free environment treatment measure is either supervised education or reprimand or probation.

If the young offender is in need of care and protection, measures for his/her education under supervision shall be ordered. S/he shall be entrusted either to relatives, or to a person (guardian or protector), a reliable family, home or an organization for the education and protection of children (Art. 159 (1)).

Specific conditions of supervised education may also be ordered. The specific conditions may be regular attendance at a school or the obligation to undergo an apprenticeship for a trade, the prohibition to associate with certain persons or resort to certain places, the obligation to appear personally before or to report on certain dates to the supervisory authority (Art. 159 (2)).

Where appropriate and designed to produce good results the court may also reprimand the young offender (Art. 160 (1)). A reprimand measure may be coupled with any other penalty or measure and may be applied alone (Art. 160 (2)).

The court may also suspend the sentence, placing the young offender under a specific period of probation (Art. 171). The duration of the period of probation should be between one and three years.

The treatment measures in a closed environment is either school or home arrest or admission to a curative institution or admission to a corrective institution. School or home arrest is ordered in less serious cases, or when the young offender seems likely to reform. In such a case, the court may order the young offender to be kept at school or in his/her home during free hours or holidays and perform a specific task adapted to age and circumstances. The court shall determine the duration of the restraint in a manner appropriate to the circumstances of the case and the degree of gravity of the offence committed (Art. 161).

Admission to a curative institution may be ordered if the condition of the young offender requires treatment (mental illness or addiction to a substance, or disabled). In such a case, the court shall order the young offender to be admitted to a suitable institution where s/he shall receive the medical care required by his condition. The treatment shall, where possible, include education and instruction (Art. 158).

### **OBSERVATION OF THE JUVENILE COURT IN ADDIS ABABA (SEPTEMBER 2021)**

The court was arranged as a circle and quite different from a normal court. There was no superior position for the judge. The judge sat in a position that did not reflect a hierarchy – again quite different from the formal court lay-out. The judge wore a normal suit without tie.

The judge's approach was friendly and professional: use of language and gestures were appropriate and serious at the same time. Most of the presented cases were theft. A male social worker was there at the court proceeding at the time.

The courtroom was not open to everyone. Other people present were relatives, witnesses, one person from the rehabilitation center (checking whether all juveniles were presented at court), police (depending on the case), and court staff. A female prosecutor was present for a homicide case.

Interpretation was not available. In more than one case, the young accused person spoke in broken Amharic and the judge took the time to explain the meaning of what was said.

None of the young persons were produced before the court in police custody and none were observed to be wearing any kind of restraint (such as handcuffs).

All juvenile offenders observed were represented by the lawyer appointed by the court.

Criminal Procedures / Federal Sharia Courts | Child Justice

Chartered Cities

POLICE

Complaint / Accusation

A young person to be brought immediately before the Woreda Court by police, prosecutor, family member or complainant [Art 172(1)]

Infants who have not attained the age of 9 years shall not be deemed to be criminally responsible [Art 52, Criminal Code 2004]

Investigation

The court to direct police in the manner in which investigations to be made [Art 172(2)]

Arrest

Pending trial, the young person to be handed over to the care of a parent, guardian, relative or other reliable person who shall be responsible to ensure the young person appear at trial [Art 171(4)]

PROSECUTION

Charge

In grave cases (over 10 years imprisonment or the death penalty), the Woreda Court shall instruct the PP to frame a charge [Art 172(3)]

COURT

Fix Trial Date

The court shall appoint an advocate to assist the young person where: (a) no parent, guardian, etc. appears to represent young person; or (b) the young person is charged with an offence punishable with rigorous imprisonment exceeding 10 years or with death [Art 174]

Trial

Proceedings shall be held in chambers with nobody present except witnesses, experts, the parent or guardian or representative of welfare organisations [Art 176(1)] in an informal manner [Art 176(2)] and in line with trial procedure [Art 176(3)-(7)]

Judgment: where found guilty, the court shall seek further information to inform its decision in the best interests of the child [Art 177(2)]

The court may vary or change its order at any time in the interest of the young person [Art 180]

A person over 15 and under 18 shall be tried under ordinary provisions [Art 56(1), Criminal Code, 1964]; and

The death penalty 'in no case' shall be executed on a person who was not 18 at the time of the offence [Art 117(1) and Art 176, Criminal Code, 1964]

Addis Ababa is one of the two federal cities that are accountable to the Federal Government of Ethiopia. The other city with the same status is Dire Dawa and both are federal cities.

The structure of both cities government organs of power are as follows:

- (a) City Council;
- (b) Mayor;
- (c) City Cabinet;
- (d) City Judicial Organs; and
- (e) Office of the City Chief Auditor.

Here they differ. Addis has sub-cities and then kebeles as follows:

- (a) Sub-City Council;
- (b) Sub-City Chief Executive; and
- (c) Sub-City Standing Committee.

The organs of power of Kebele administration are as follows:

- (a) Kebele Council;
- (b) Kebele Chief Executive;
- (c) Kebele Standing Committee; and
- (d) Kebele Social Courts.

In Dire Dawa the administration moves from the city to the qebeles (different spelling in the Proclamation—see Library\_Laws). The organs of power of qebele administration are the following:

- (a) Qebele Council,
- (b) Qebele chief executive,
- (c) Qebele standing committee, and
- (d) Qebele social Court.

Both city governments have wide ranging powers to develop policy and plans for the development of each city, organize services and administer available resources and the budget of the city, as well as expropriate private property and/or clear and takeover land holdings designated as an object of public interest, subject to payment of commensurate compensation in accordance with the law.

Justice services in both cities are provided by

- City Police Commissions. They are accountable primarily to the Federal Police Commission and, by delegation, to the City Government.
- Appointment of the City Police Commissioner and Deputy Commissioner is by the Minister of Federal Affairs.
- Responsibility for the daily operations of the City Police Commission rest with the Mayor.
  - Public Prosecution Office of the City Government
  - City Courts and
  - Kebele Social Courts whose organization and procedure are determined by the City Council.

Note Social Courts are also present in some regions, namely: Tigray, Amhara, Oromia, Southern Nations, Nationalities and Peoples and Harari.

## CHARTERED CITIES

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### Chartered City Courts (Addis Ababa and Dire Dawa)

Addis Ababa  
[Addis Ababa Revised Charter  
Proclamation No 361/2003]

Dire Dawa  
[Dire Dawa Charter Proclamation  
No 416/2004]

### Kebele / Qebele

Cases of property and money  
claimed up to:

- Birr 5000  
[Addis Ababa at Art 50]
- Birr 2000  
[Dire Dawa at Art 41(1)]

### City Court of First Instance

Civil: certificates of death, change  
of name, permits, change in land  
use etc

[Addis at Art 41(1)(a-i)]  
[Dire Dawa at Art 33(1)(a-i)]

Criminal: petty offences, remand  
in custody and bail applications  
[Addis at Art 41(2)(a-d)]  
[Dire Dawa at Art 33(2)(a-d)]

Appeal from Kebele / Qebele  
Court  
[Addis at Art 50(3)]  
[Dire Dawa at Art 41(4)]

### City Court Appellate

Appeals from the First Instance  
Court  
[Addis at Art 43(3), Art 50(4)]  
[Dire Dawa at Art 35(3), Art 41(4)]

## INTRODUCTION

Justice in Practice contrasts with Justice in Law to show what is actually happening on the ground by triangulating surveys of the general population, court users, practitioners and court observations

The statutory justice system services a fraction of the Ethiopian population in the settlement of their disputes and prosecution of offences. This is the main finding of the Hague Institute for Innovative Law (HiiL) and the Federal Office of the Attorney-General in their Justice Needs and Satisfaction Survey 2020 (available in the library).

The extracts here show that most people prefer to deal with their matters locally according to customary law. The data are not mutually exclusive so a percentage of those who choose which path is not available, suffice to say there is little here to disagree with the generally held view across the continent that 80% of cases are dealt with by non-statutory fora.

Crime and land disputes are cited as the ‘most impactful legal problem’ people face. While almost half of victims of crime do nothing about it, over 90% of people with land disputes take action.

## WHAT PRACTITIONERS SAY . . .

Practitioners were surveyed in Amhara and Oromia. The teams asked questions of 494 police and prison police, judges (Zonal and Woreda courts) and their registrars, as well as lawyers and prosecutors (including 142 women respondents—29%). The breakdown is as follows:

Police total: 119, including 43 women

Prison police total: 61, including 16 women

RHC judges total: 41, including 5 women

RFIC judges total: 65, including 13 women

RHC Registrars total: 31, including 7 women

RFIC Registrars total: 21, including 14 women

Lawyers total: 63, including 11 women

Prosecutors total: 93, including 33 women.

The approach adopted was a purposive sampling method. Criteria were agreed (eg gender proportions and mix of junior and senior office holders) with the teams, but the teams decided whom to interview. The answers do not claim to be representative. Those practitioners viewing the responses will judge whether the responses agree with their own experience.

## ... ABOUT SAFETY

Most practitioners felt safe in their place of work: registrars felt the most secure (77% said they always or mostly felt safe) and prosecutors came in lowest (55% said they always or mostly felt safe). Both police and prison police recorded the same results with 67% saying they always or mostly felt safe.

The threat level practitioners work under appears to run at around 1 in 3 judges, police, prison police and prosecutors being threatened or assaulted. For lawyers the threat level for some reason appears to be higher with 48% registering a threat or attack in the past two years. Registrars sitting behind the scenes register low levels of threat (17%).

The majority of prosecutors said in making professional decisions they were not free from external influence compared with 35% of judges who said they were not. While the question was confined to judges and prosecutors, the complaint is not (see 'Challenges they face at work' below).

## ... ABOUT THEIR ENVIRONMENT

Most practitioners are content with their work environment with 64% judges finding it very good or good, 60% of police and 62% prison police. The prosecutors were the least content (45%).

Training showed a more varied picture. Practitioners were asked when they were last trained:

- Of those who claimed they had never been trained or at least not in the past 10 years
  - 43% police
  - 38% prison police
  - 20% judges
  - 44% registrars
  - 29% prosecutors
  - 56% lawyers—this outlier requires further enquiry

- Of those who claimed they had received training in the past 2 years:
  - 26% police
  - 28% prison police
  - 48% judges
  - 25% registrars
  - 27% prosecutors
  - 4% lawyers

*Equipment*

'IT' registered as the 'Big Ask' by all. Transport was first for prison police (institutional data for all regions indicated this to be an issue, not only in terms of staff, but ambulances / mobile vans to ferry prisoners to hospital / court as well as trucks to bring in food and equipment) and ran a close second with prosecutors.

## ... ABOUT THE MAIN CHALLENGE THEY FACE AT WORK

There were a number of responses which were then organized and refined into a set of composite answers. For example:

- External interference was often given as 'external' or 'political' interference or influence; sometimes it was rendered as 'interference in our independence', others as 'pressure from government / officials'; or 'politicisation of justice', 'influence from outside' or simply: 'no freedom'.
- Lack of professionalism included: 'unethical conduct of practitioners', 'lack of training', 'lack of quality service by practitioners', 'lack of discipline in judges', 'improper application of laws'.
- Inadequate equipment covered equipment from communications to IT, protective equipment to office equipment, absence of internet and 'no adequate system to acquire relevant information', 'absence of witness recording'.



- Weak rule of law covered: ‘absence of justice from courts’, ‘absence of rule of law’, ‘means of finding the justice is very difficult’, ‘inequality before the law’, ‘legal gaps’, ‘bring the accused to justice’ and, more borderline, ‘unfair criticism stating you support some group’.
- Court inefficiency included the following responses: ‘case management’, ‘long / too many / adjournments’, ‘judicial incompetence’, ‘cases delayed / delayed judgments’, ‘poor time keeping’, ‘case backlog’.

The other word bubbles concerning transport, insecurity, work space and workload were less nuanced. Practitioners here complained of the shortage of vehicles, general insecurity in the country, insufficient infrastructure, and staff shortages to cover the workload.

*Note: the Practitioner Survey questionnaire and answers by region are in the Baseline data.*

### WHAT COURT USERS SAY . . .

Court users were also surveyed in Amhara and Oromia regions. As with Practitioners, a purposive sampling method was adopted. The courts were on vacation at the time and therefore not functioning as normal. Student teams (under supervision as above) surveyed 643 Court Users in the precincts of the court (37% women, for full breakdown by gender see Methodology).

The Court Users included:

129 civil complainants

108 civil defendants

88 victims of crime

150 criminal accused

78 witnesses; and

90 family members.

The difference by 1 of family members and victims of crime appearing in the visual is because an answer was either left blank or ‘N/A’—and so were not included.

### . . . ABOUT GETTING JUSTICE

Most people think they will ‘definitely’ or ‘likely’ get justice. There was no discernible difference in response by either men or women. This answer may not be surprising given that these people are interviewed in the court precincts. However many were summonsed to attend and may have felt compelled to attend and could have voiced a different opinion.

Just over half of men and women (again no appreciable difference in response) understood what was happening in the case. Whether the minority did not understand due to language problems or failure to grasp the process is not clear. The court observations conducted by the same teams suggest that courts are challenged to assist litigants who do not speak the language of the court.

Most witnesses were formally summonsed to attend court (though the other means used of contacting witnesses suggests a degree of practicable flexibility). Most had to pay their own expenses. It appears as yet there is no system in place to reimburse witness their travel costs to attend court.

Most of the 150 criminal accused surveyed were kept in police custody on arrest and for periods in excess of the 48 hour rule (by which time they shall be produced before a court). Over 75% said their families knew they were in police custody. Around 80% stated they had no access to either a lawyer or a paralegal while in police custody. Of those interviewed at court, most said they were not represented at court on that day. Of significance is the gender difference here, even though the numbers are small: a fraction of the 25 women accused said they had a lawyer versus some 30% of men who said they had. Whether this is an outlier, or women are less represented than men in the criminal justice system requires further study.

The experience of victims of crime with the criminal justice system appears to be overwhelmingly positive. 75% victims of crime had some contact with the police and all but a handful said they would return to the police were something similar to happen again. Similarly with the courts.

#### ... ABOUT THE PATHWAYS CHOSEN TO SEEK JUSTICE

Just over 40% court users said they first went to customary dispute resolution mechanisms. Most of the others chose to go to the police or woreda courts. This does not conflict with the HiiL survey as the survey here is of court users (rather than the general population) and by the fact they are at court indicate some confidence in, or inherent bias towards, the statutory justice system.

Where people go according to type of dispute / case (while numbers are small) are unsurprising perhaps with around 50% in civil matters (slightly more in family matters) preferring customary resolution and 75% going to police / court in criminal matters.

Generally there are attempts to settle the matter amicably, more so in civil matters than in criminal, suggesting restorative approaches to justice are preferred. Although a significant minority indicated they felt under pressure to settle.

#### ... ABOUT THE COSTS OF ACCESSING JUSTICE

Court Users were asked a number of questions about payments (see original survey data in the Baseline). The answers were unclear so are not represented here. It is recommended further court user surveys be conducted when the courts are functioning normally.

What the responses are clear on is that accessing justice costs money—whether in the form of court fees, photocopying, or fees to elders; or in other form. And that these costs are met either from savings or from loans, friends/family or selling something.

Anecdotally, there is said to be a great deal of corruption in the justice system. Further study is needed to see if this is so and the typical transaction costs a victim of crime, say, would face to bring his/her case before the courts.

Interestingly, practitioners surveyed place financial ‘corruption’ far down the list of challenges facing the justice system (see What Practitioners say about ... Challenges they face in their work), even if ‘external interference’ is a corruption of due process. The court observations revealed that most courts do not post up a list of the fees they charge for all to see (see below).

It was reported prior to the research that adjournments were frequent and onerous to the parties. This is not supported by the surveys. Incidents of more than 10 adjournments were few. Just under 75% were there for the first time or between 2–5 times. The Annual reports seen show there is a significant push by the courts to improve efficiencies in their case disposal rates.

While the costs associated with adjournments do not appear onerous—for most people the courts are within an hour’s travel—slightly more than 25% pay over ETB 150 (USD \$3) to get to and from court, nevertheless they are costs and, at present, they do not appear to be reimbursed.

*Note: the Court User Survey questionnaire and answers by region are in the Baseline data.*

## COURT OBSERVATIONS

Student teams under the supervision of a team leader and law professor visited 31 courts (19 woreda courts and 12 zonal courts) in Amhara and Oromia regions during the month of September 2021. The court observation forms and data collected are located in the Baseline data.

The courts were on vacation at the time and only hearing urgent civil (mainly family) matters and criminal proceedings. The observations were not carried out under normal circumstances therefore and so have not been visualized here. It is not clear, for instance, whether the extraordinarily high number of courts that were closed to the public (33% zonal courts were ‘not open’ to the general public and 37% woreda courts) was due to the vacation period, or nature of the (family) proceedings.

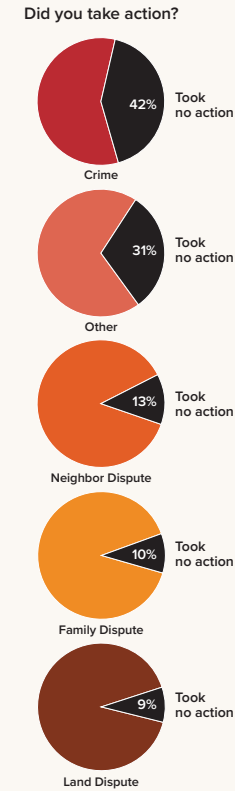
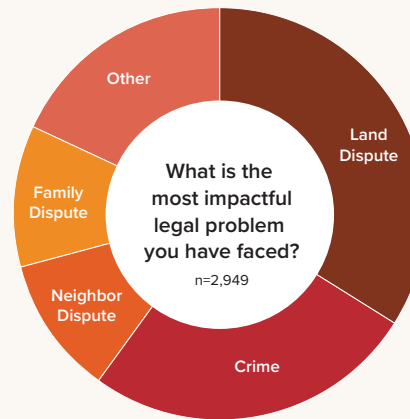
What could be objectively verified was that most courts are stuffy and lack adequate ventilation but otherwise had adequate lighting, seating and security. Furthermore, most courts have toilets for the public but not for women and very few for persons with disabilities (and they were not very clean).

While staff were mostly helpful, few courts had noticeboards for the public detailing times of opening of the court(s), names of cases to be heard (‘cause-list’) or costs of court fees, photocopying etc.

Observations of the criminal benches in these courts, showed 30 out of 87 criminal accused had a lawyer to represent them in in Woreda courts, while in the Zonal court, 20 out of 70 accused had a lawyer. These observations support the data elsewhere concerning representation in court. The observations further show that of those tried without representation the maximum prison sentence passed by the court was:

- 12 years in the woreda court
- 8 years or 5–10 years in the zonal court.

# SITUATIONAL OVERVIEW | JUSTICE IN PRACTICE



**What practitioners say about...**

- Safety
- Their environment
- Challenges they face at work

**What court users say about...**

- Getting justice
- Pathways to justice
- Costs of accessing justice

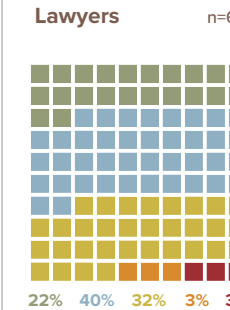
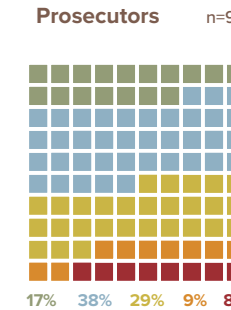
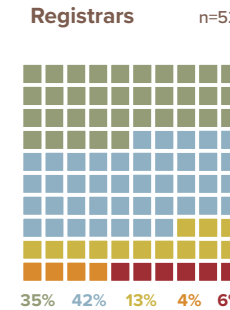
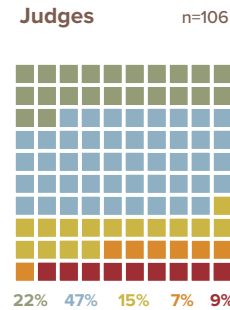
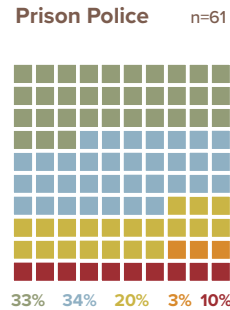
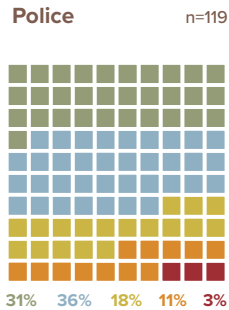
Data Source  
HiIL (2020), Justice Needs and Satisfaction in Ethiopia (Legal problems in daily life)

What practitioners say about safety by sector

Close

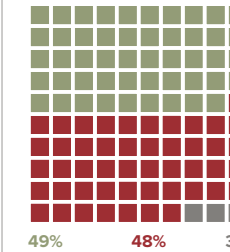
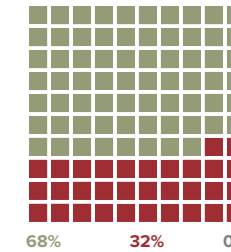
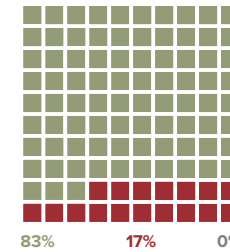
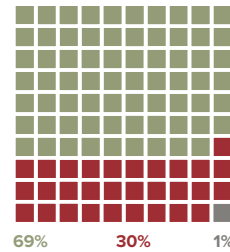
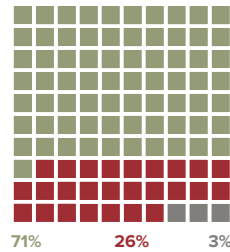
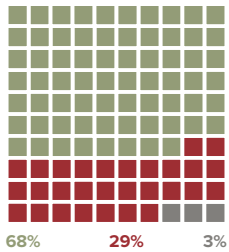
Do you feel safe in your place of work?

- ALWAYS
- MOST OF THE TIME
- SOMETIMES
- RARELY
- NEVER



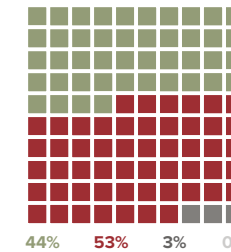
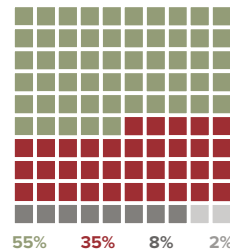
Have you been threatened or attacked because of your work in the past 2 years?

- NO
- YES
- PREFER NOT TO ANSWER



Do you feel free to reach decisions without any external influence? (Judges and Prosecutors only)

- YES
- NO
- PREFER NOT TO ANSWER
- NO RESPONSE



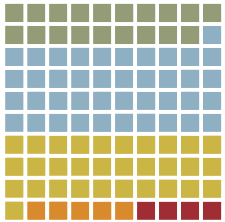
What practitioners say about their environment by sector

Close

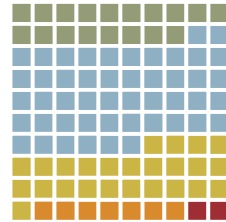
How would you describe your work environment?

- VERY GOOD
- GOOD
- ADEQUATE
- POOR
- VERY POOR
- PREFER NOT TO ANSWER

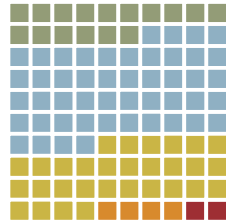
Police n=119



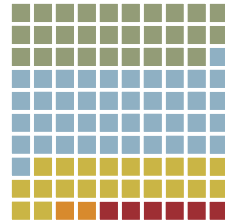
Prison Police n=61



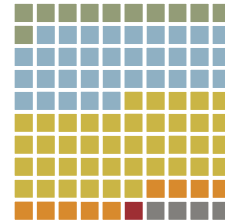
Judges n=106



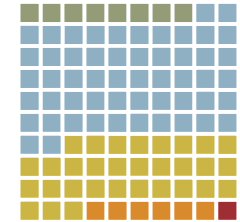
Registrars n=52



Prosecutors n=93

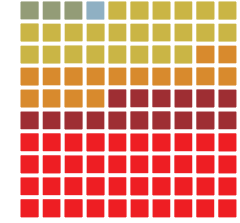
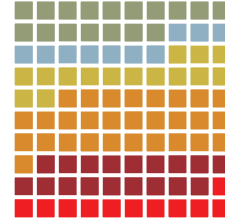
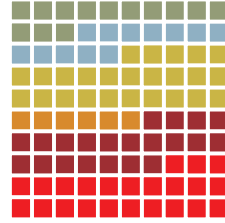
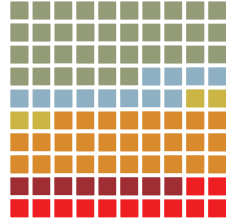
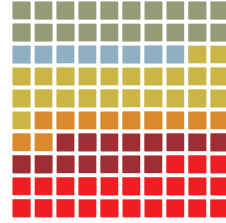
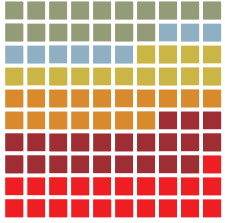


Lawyers n=63



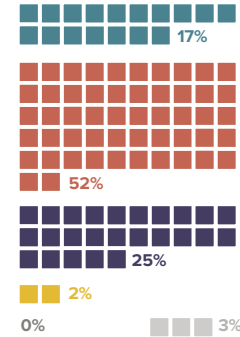
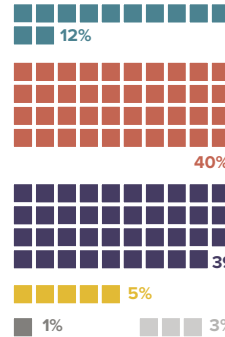
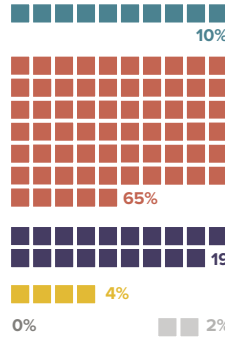
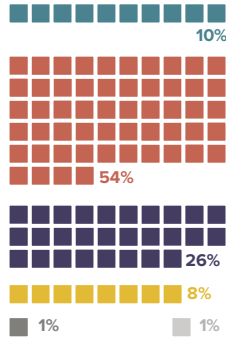
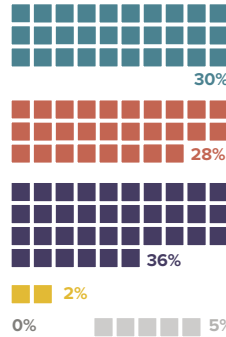
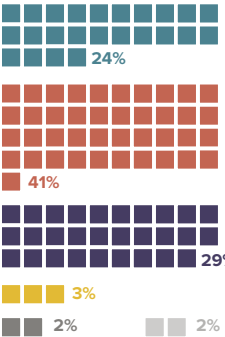
When did you last receive training for your professional development?

- THIS YEAR
- LAST YEAR
- 2-4 YEARS
- 5-9 YEARS
- >10 YEARS
- NO TRAINING



What type of equipment would enable you to do your job better?

- COMMUNICATIONS
- IT
- TRANSPORT
- OTHER
- DON'T KNOW
- NO RESPONSE



What practitioners say is the main challenge they face at work

Close



RESPONSES BY SECTOR

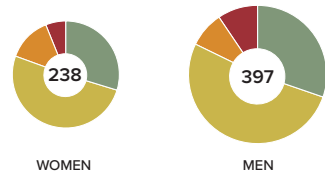
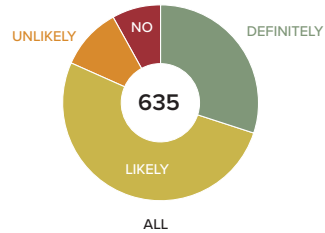
	Lawyers	Police	Prison Police	Prosecutor	RFIC Judge	RFIC Register	RHC Judge	RHC Register	Totals
External Interference	5	7	0	<b>19</b>	<b>15</b>	0	<b>10</b>	0	56
Inadequate Transport	0	11	9	12	3	<b>3</b>	5	1	44
Lack of Professionalism	11	10	<b>11</b>	3	3	<b>3</b>	0	1	42
Inadequate Equipment	1	11	6	8	7	0	2	4	39
None	4	9	7	2	0	0	3	<b>10</b>	35
Inadequate Pay	2	<b>12</b>	9	3	4	1	0	3	34
Workload	0	6	2	6	3	<b>3</b>	7	6	33
Inadequate Working Space	1	5	0	7	9	<b>3</b>	2	2	29
Insecurity in Country	2	<b>12</b>	3	4	6	0	1	0	28
Low Budget	0	8	8	7	0	0	1	0	24
Weak Rule of Law	8	6	2	0	1	0	0	0	17
Court Inefficiency	<b>12</b>	0	0	0	2	0	1	0	15
Weak Enforcement	2	0	0	2	4	2	0	0	10
Distrust	3	4	0	1	0	0	1	0	9
Weak Investigation Capacity	3	0	0	6	0	0	0	0	9
Low Public Awareness	1	0	0	1	3	1	2	1	9
Leadership	0	4	0	1	0	1	0	0	6
Weak Coordination	0	1	0	1	1	1	0	1	5
* Other									
Corruption	3	0	0	1	0	0	0	0	4
Poor Data Management	0	0	1	0	0	<b>3</b>	0	0	4
Unreliable Evidence	3	1	0	0	0	0	0	0	4
Poor Accommodations	0	1	0	0	2	0	0	0	3
Prefer Not to Answer	1	1	0	1	0	0	0	0	3
Judicial Insecurity	0	0	0	0	0	0	3	0	3
Sexual Harrassment	0	0	0	0	0	0	1	0	1
Total Respondents	62	109	58	85	63	21	39	29	466



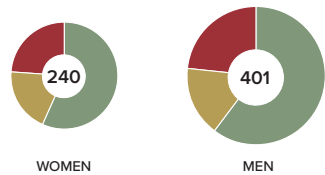
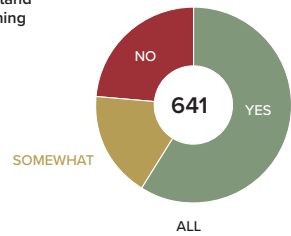
WHAT COURT USERS SAY ABOUT GETTING JUSTICE

Number in center = Total responses

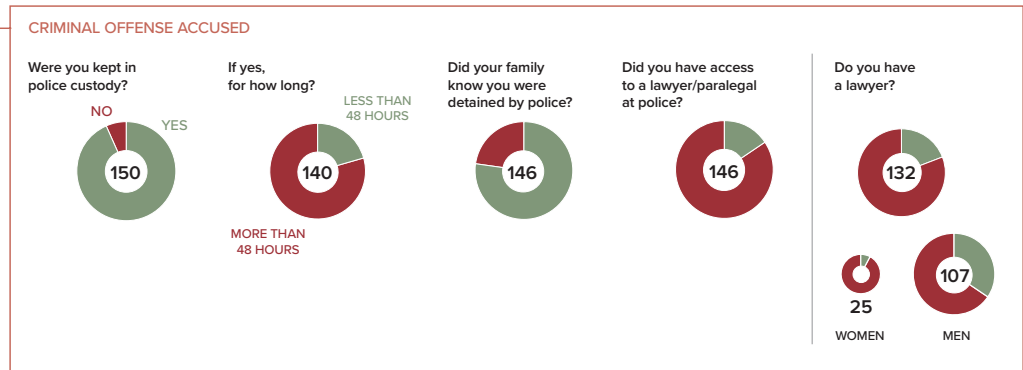
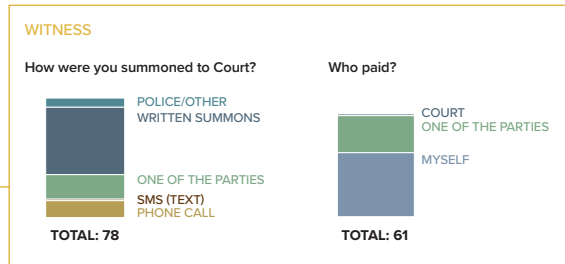
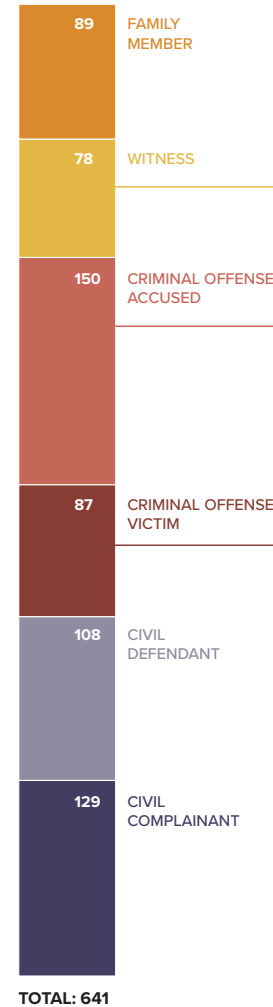
Do you think justice will be served in this case?



Do you understand what is happening in this case?



TYPE OF COURT USER

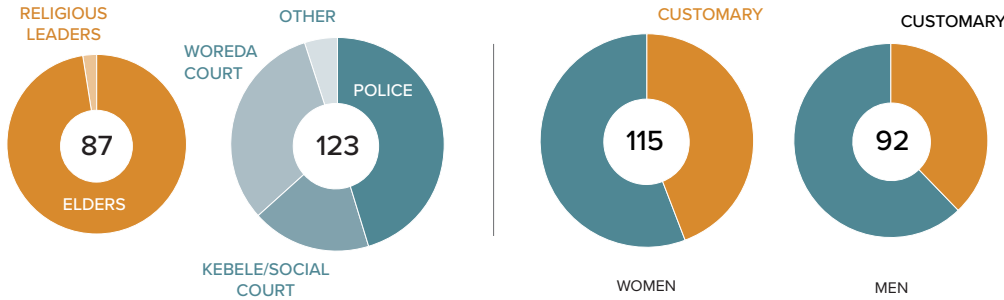


WHAT COURT USERS SAY ABOUT PATHWAYS TO JUSTICE 📄

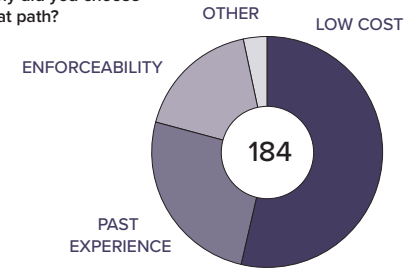
Number in center = Total responses

■ CUSTOMARY JUSTICE SYSTEM  
■ STATUTORY JUSTICE SYSTEM

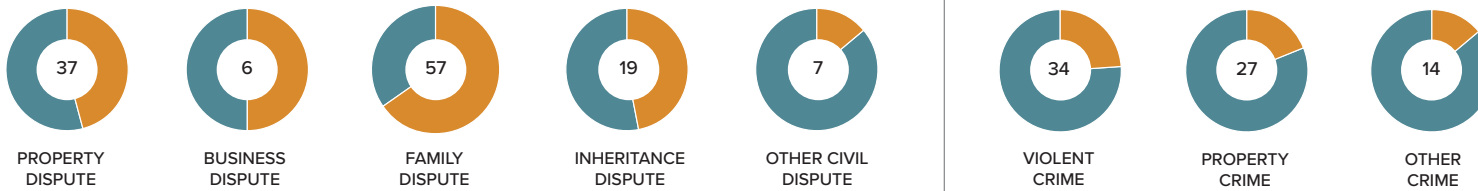
When the incident first happened, to whom did you go to resolve the matter?



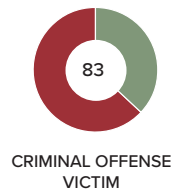
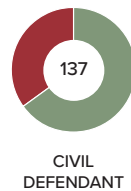
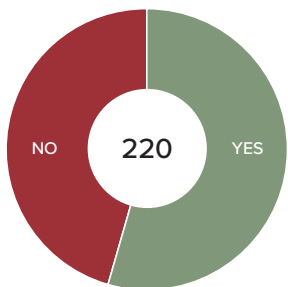
Why did you choose that path?



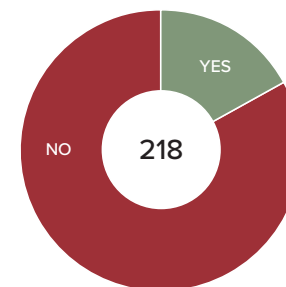
Who people went to based on type of case



Was there an attempt to resolve the case after it started?



Have you been under any pressure to resolve the case?

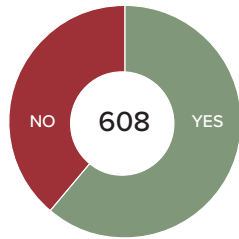


WHAT COURT USERS SAY ABOUT COST OF ACCESSING JUSTICE 

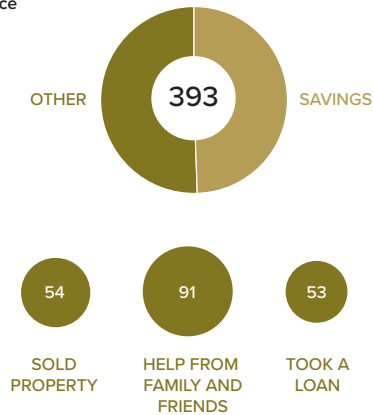
Number in center = Total responses

PAYMENTS

Did you make a payment regarding this case?

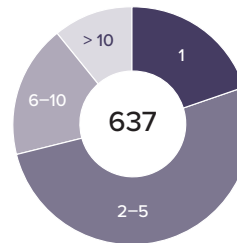


How did you finance the case?

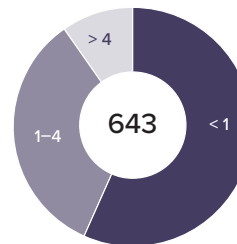


TRAVEL

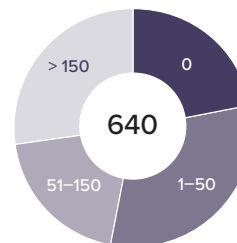
Number of times visited court for this case



Time taken to get to court for this case in hours



Cost of travel for this case



Populations of concern are persons identified by the UNHCR as refugees, returnees, stateless people, internally displaced, and asylum-seekers.

The data show the situation of these persons around the country from data sourced from the UNHCR in the second quarter of 2021. In view of the conflict in certain parts of the country, the situation in November 2021 is worse.

*Data Note:* Given an absence of up-to-date population statistics (disaggregated for gender) for Sidama, population figures were calculated using census projections from 1984. Using given figures (SNNPR population projection for 2021, SNNPR population projection for 2017, and Sidama population projection for 2017) a 2021 Sidama population, rounded to the nearest thousand, was projected using an established SNNPR growth rate (8.80%) to arrive at 4,570,000.

The side pop-ups capture data collected from a survey jointly undertaken by UNHCR and the Hague Institute for Innovative Law (HiiL) in 2020 of the justice needs of host communities and refugees. It is set in the context of the wider general population of Ethiopia and the findings of another survey by HiiL with the Federal Office of the Attorney General into Justice Needs and Satisfaction also in 2020 (see Justice in Practice).

The situation in Gambela region is particularly intense as the number of people ordinarily resident in the region has doubled in size placing enormous pressure on host communities, resources, services and available land to accommodate them.

The main problem for both refugees and their host communities is crime and while, for the general population, crime is an issue, the main one is land.

Safety is a concern for refugees outside their camps (almost half expressed anxiety, according to HiiL) and for host communities inside the camps.

The preferred means of resolution of disputes is to settle the matter locally. Refugees use refugee agencies and organizations, such as the camp authorities (RCC), a significant proportion will go to the police but very few will access the statutory justice system—unlike the host community and general population.

UNHCR/UNDP established the ‘Community and Safety and Access to Justice Project’ (2019–2020) to provide refugee and host communities with access to justice and improved safety. A project within this programme included working with the Regional Supreme Court (RSC) to conduct mobile court services directly to refugee camps (servicing: Terkidi, Jewi, Kule, Ngunieyyile, Pugnido I, Pugnido II, and Okugo) and their surrounding host communities.

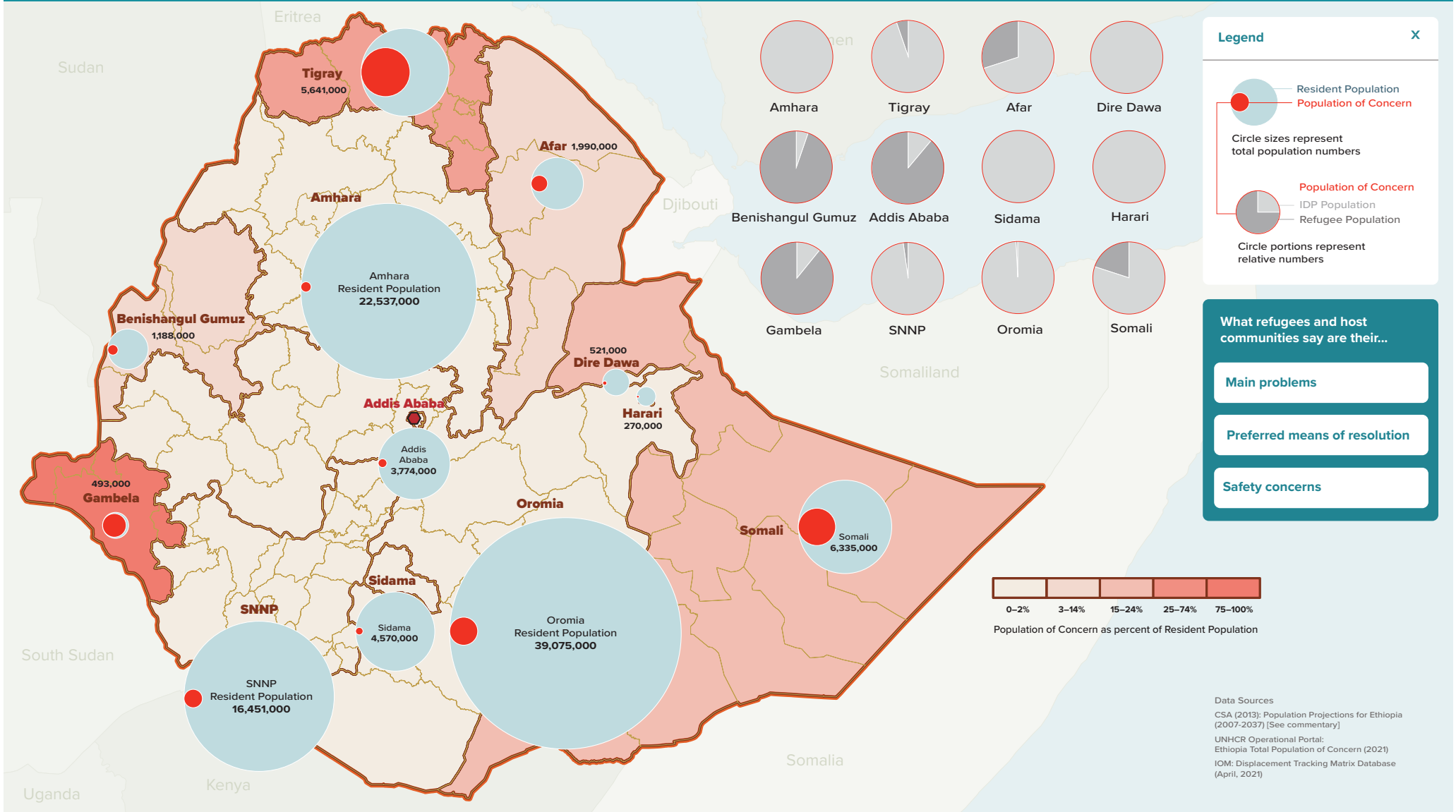
The mobile court comprised: one judge each from the RSC, RHC and RFIC + a prosecutor, police officer, lawyer (to provide legal advice to the refugee), secretary to the judges—and a driver: total 8 in the team.

In 2021, court travel to camps decreased from four times a month to twice a month, due to budget cuts. In the period January–June 2021 the courts handled 557 mostly civil cases (most of these are name change requests by the refugee). Few criminal cases were dealt with as they are processed through the normal Woreda courts as the accused are kept either in police stations or sent to prison once convicted.

Challenges were not only funding, but also the prevailing security situation in the region. As well as the refugees’ language problems with Amharic and lack of awareness of how to access the courts and witnesses reluctance to appear before the statutory courts. Most cases, therefore, were solved through family mediation and the local camp administration (RCC).

A Danish Refugee Council (DRC) assessment of access to justice and legal aid for refugees in Dimma (December 2020) made similar findings to UNHCR/HiiL survey above and added 9 out of 10 refugee respondents expressed their strong need for legal aid services and pointed to the need for a mechanism for coordinating and targeting legal aid services to both refugee and host communities.

# SITUATIONAL OVERVIEW | POPULATIONS OF CONCERN



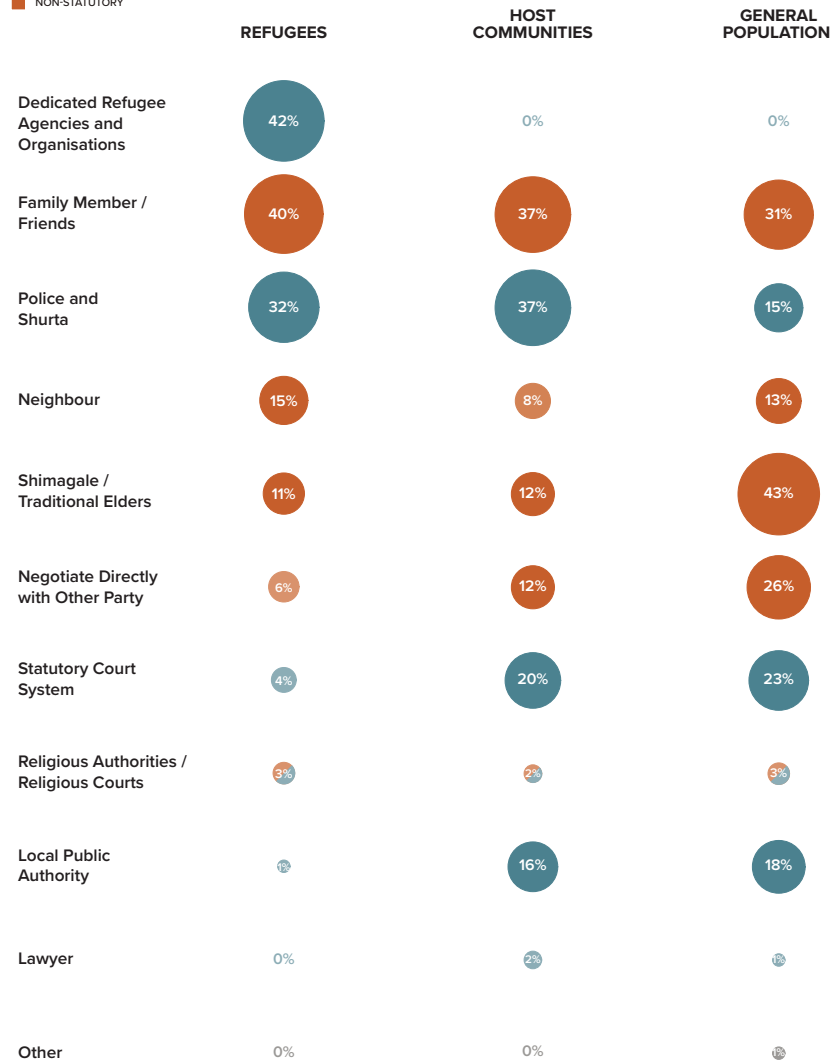
WHAT PEOPLE SAY ARE THEIR MAIN PROBLEMS 



Source  
 Hiil Refugee & HC Assessment and for  
 general population from Hiil JNS 2020

WHAT PEOPLE SAY ARE THEIR PREFERRED MEANS OF RESOLUTION 

■ STATUTORY  
■ NON-STATUTORY



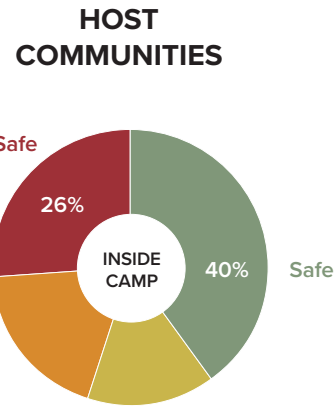
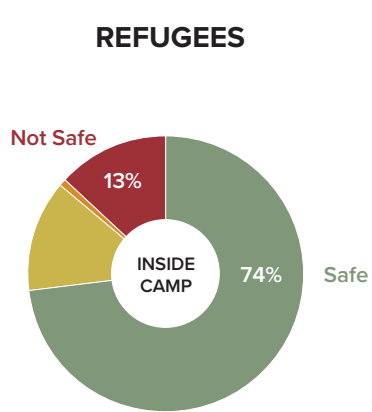
Source  
Hiil Refugee & HC Assessment and for general population from Hiil JNS 2020



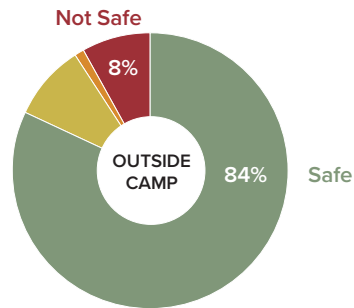
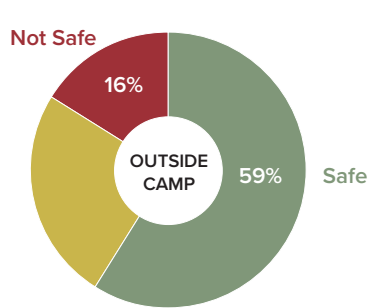
WHAT PEOPLE SAY ARE THEIR SAFETY CONCERNS 

- VERY SAFE OR SAFE
- NEITHER SAFE NOR UNSAFE
- NO ANSWER
- VERY UNSAFE OR UNSAFE

How safe do you feel walking *inside* the camp?



How safe do you feel walking *outside* the camp?



Source

HiIL Refugee & HC Assessment and for general population from HiIL JNS 2020

How much does the federal government allocate to the federal security and justice sector in terms of central funding?

The answer is: USD \$238,674,890 in this past budget year 2013 (EC), according to the figures provided by the Ministry of Finance—or 2.2% of the total federal budget.

The data collected from the MoF show revenue, expenditure (broken down by sector) and specifically allocations made to the various branches of the federal security sector (police and prisons) and federal justice sector (federal courts, federal Attorney-General, Ethiopian Human Rights Commission and Judiciary Administration Council).

The data also show the subsidies made to each region which are then disaggregated per capita, so that Gambela may receive a lower amount as a region but this corresponds to relatively high subsidies on a per capita basis (based on resident population and not incoming populations of concern).

What is allocated, for instance, to the provision of legal aid services is not known. It is unlikely to be much. Often a little can and does go a long way (because it has to) and the UN Principles and Guidelines on Legal Aid in Criminal Justice Systems 2013 provide practical signposts for how this can be done.

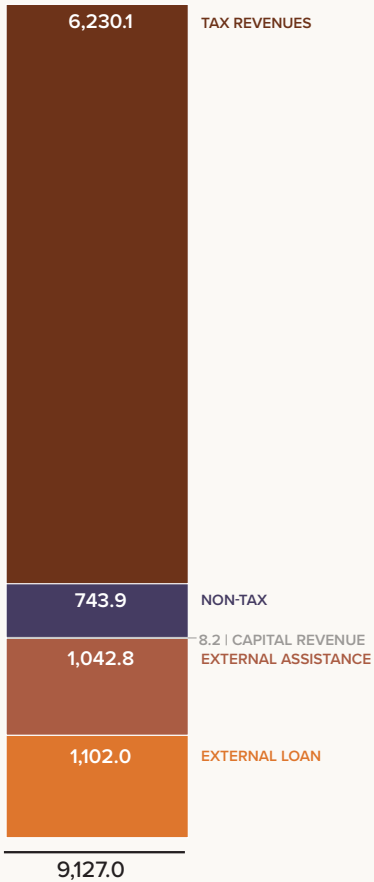
What is known from the data collected on justice services is that legal aid services are significantly under-resourced. The mobile courts in Gambela and the University legal clinics staffed by law professors and their students around the country all find their services having to shrink due to the absence of funding.

What the data further indicate is that the prospect of obtaining the services of a lawyer outside urban centres is remote. So even if more funding was made available to the provision of legal aid services, how these services would be provided is not answered.

Improved communication at the local (woreda) level—urged by the Justice Institutions' Common Agenda—usually produces closer cooperation and coordination of services between justice actors to find local solutions to local problems. Problems that would be assisted by funding, but do not depend on funding for their resolution. For instance, installing ramps where they are needed can be built by petty offenders in lieu of a prison sentence (i.e. under a kind of 'community service order'), or enhancing witness protection and creating safe spaces for vulnerable people at police or in courts. Elaborate models are expensive, but simple and effective methods and procedures are available and draw on promising practices elsewhere.

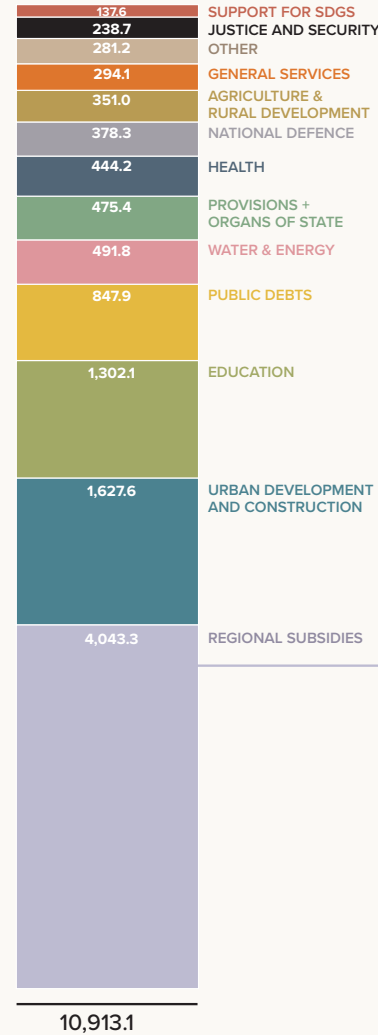
# SITUATIONAL OVERVIEW | BUDGETS AND EXPENDITURES

## BUDGET REVENUES 2020 (MILLIONS USD)

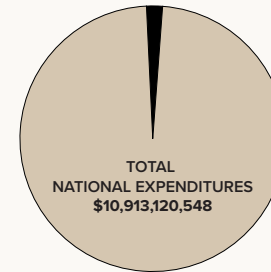


Data Source  
Ministry of Finance Ethiopia:  
2013 EC Budget Year GOE Federal  
Budget Proclamation Part Two

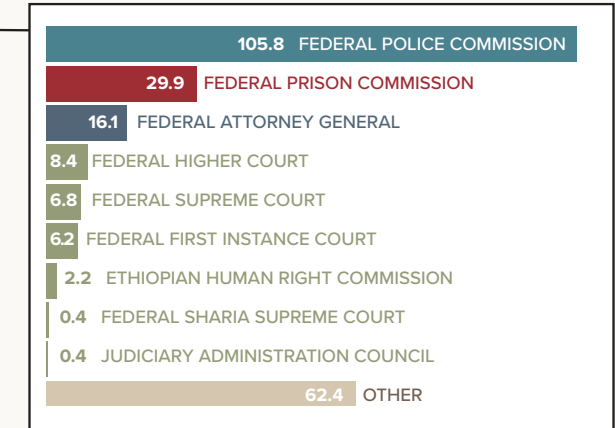
## BUDGET EXPENDITURES 2020 (MILLIONS, USD)



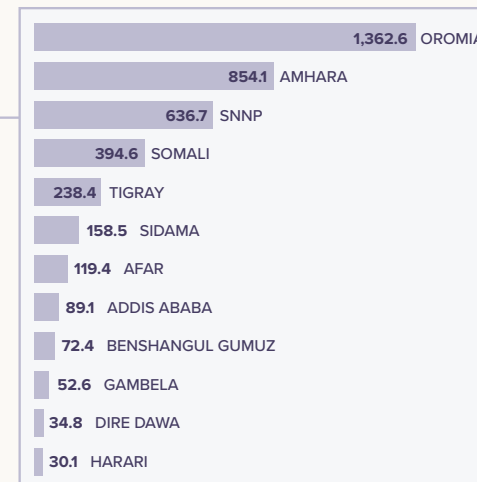
JUSTICE AND SECURITY EXPENDITURES  
\$238,674,890 (2.2%)



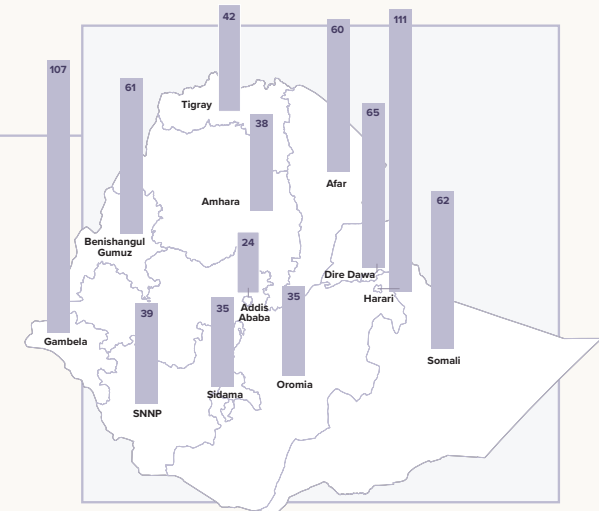
## JUSTICE AND SECURITY EXPENDITURES (MILLIONS, USD)



## REGIONAL SUBSIDIES (MILLIONS, USD)



## REGIONAL SUBSIDIES PER CAPITA (USD)



# JUSTICE SERVICES

Justice services brings together three dimensions of data across the justice system from arrest to prison showing key data at a national level and more detailed views at each regional level.

## Resources & Infrastructure

displays information about material resources and human resources available to police, legal aid providers, office of the attorney general, the courts and prisons; and the physical infrastructure conditions within which they operate.

## Case Management

displays information about the civil and criminal caseloads.

## Governance & Training

displays information about investment in justice institutions and oversight mechanisms that address susceptibility to corruption, pay and compensation, appointment protocols, recruitment strategies and pools, and professional qualifications.



ETHIOPIA



ADDIS ABABA



DIRE DAWA



AFAR



AMHARA



BENISHANGUL GUMUZ



GAMBELA



HARARI



OROMIA



SIDAMA



SNNP

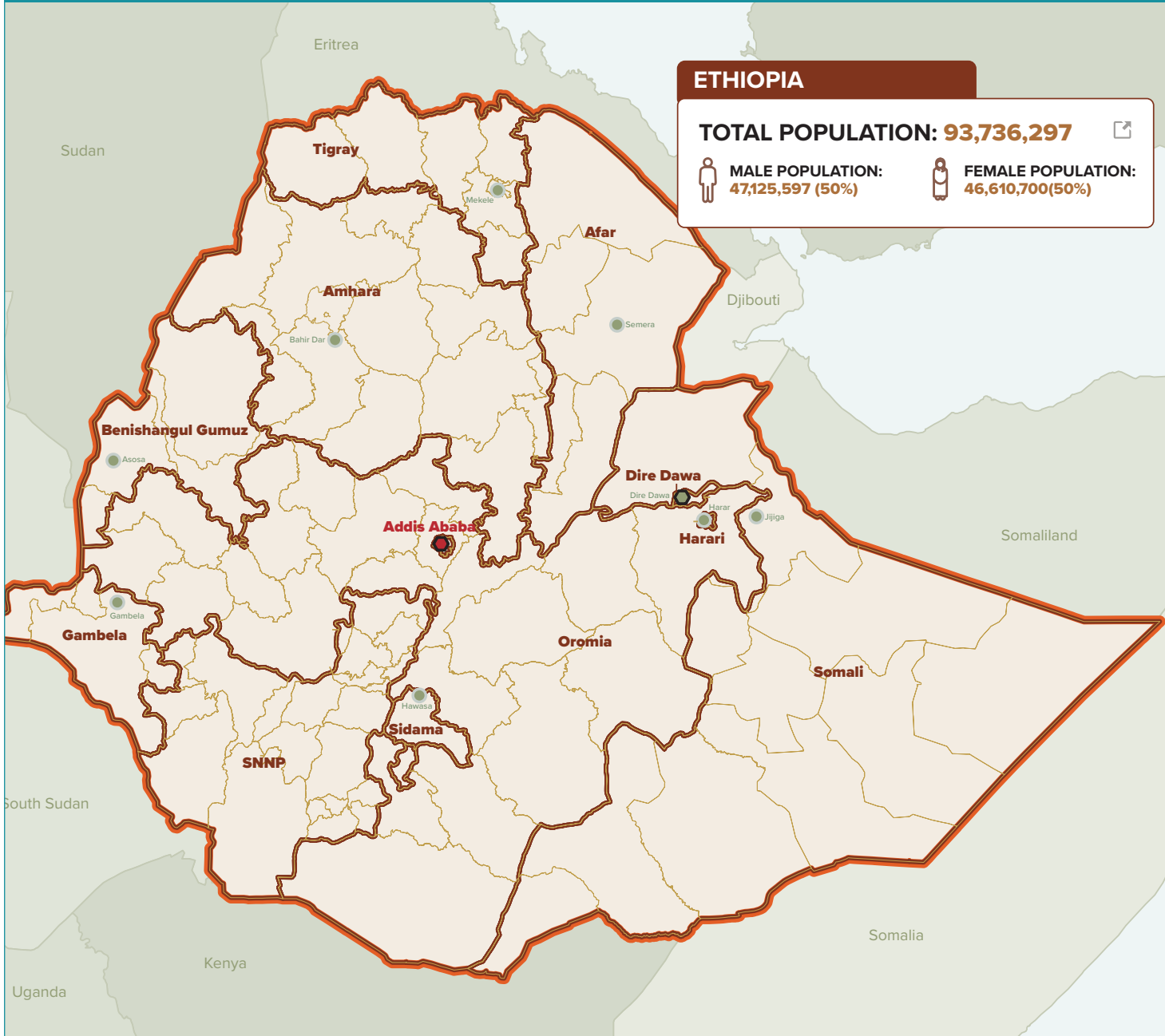


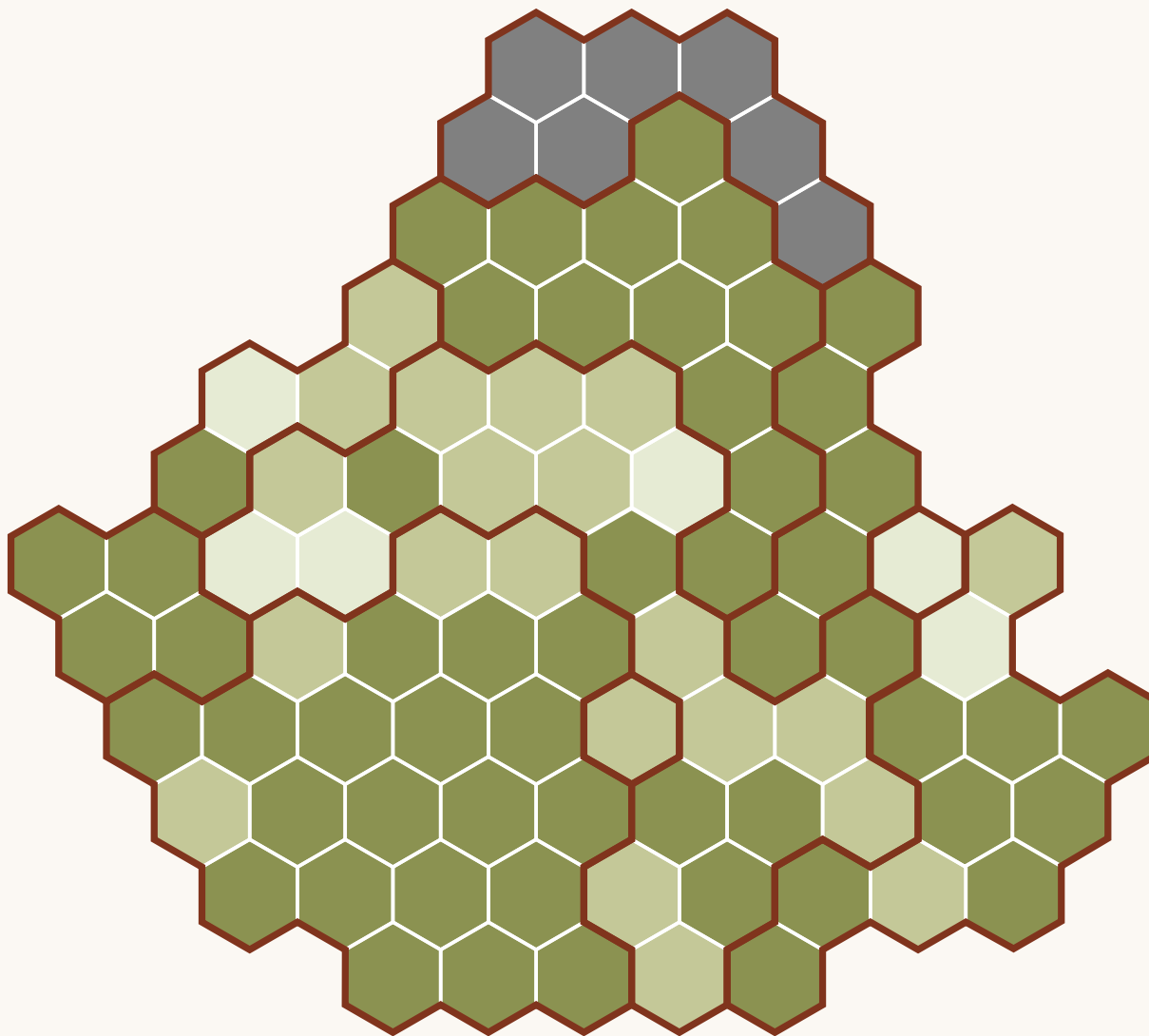
SOMALI



TIGRAY

# JUSTICE SERVICES | ETHIOPIA





This Cartogram provides a simplified national view of the 10 regions of Ethiopia and the zones within each region to provide a quick assessment of both the presence of justice institutions and the gradation of challenge with which they are faced (save for Tigray as data were inaccessible at the time of the research).

The data relied on were provided—and validated—by the institutions in each region. The model applied here is based on the four pillars of a zonal justice system: Police, Office of Attorney-General (Public Prosecutors), Zonal Court and Defence services (made up of PD or ULC).

There are three gradations of challenge: low, moderate, and high.

- High: zones without all four justice institutions + those that do not satisfy sufficient summary variable indicators.
- Moderate: zones with all four justice institutions + satisfy a basic number of summary variable indicators (5/10).
- Low: zones with all four justice institutions + satisfy a high number of summary variable indicators (8/10).

To the right of the cartogram a data box indicating: Institutional presence—Infrastructural conditions—Personnel per 100k changes as the viewer hovers over any hexagon in the cartogram triggering a pop up to appear with the name of the region, zone and its population.

Each row should be read from right to left to reveal whether that institution is a) present, b) has serviceable infrastructure and c) adequate staffing.

For further data on a region or zone, the viewer then moves to the region indicated in the side bar.

## INTRODUCTION

Data collection continued through September into October. Access to key actors was initially postponed due to the elections and further inhibited by the pandemic. Security actors were increasingly stretched pre and post-elections. The timing of this research was called into question on more than one occasion. The research team worked in very difficult circumstances.

The data were validated by the federal institutions in Addis on 28 October.

## 1. RESOURCES AND INFRASTRUCTURE

### FEDERAL POLICE

The Federal police indicated agreement to share police data was a management decision of the department responsible. Management had not met by the end of the research, so police data could not be collected. No federal Police Annual report 2013 was available.

### FEDERAL OFFICE OF THE ATTORNEY GENERAL

The federal OAG operates 10 offices in Addis and 3 One Stop Centres. A new office is to be established in Lemi Kura sub-city. The offices are all equipped and able to access utilities, save for the provision of ramps (only 2 have access for disabled persons) and safe spaces (0). The 359 federal prosecutors (113 women—31%) are paid ETB 25,250 per month (USD \$535).

### BAR

There is no independent Bar Association at present (draft legislation is in process towards this end). At present the OAG/MoJ registers advocates, issues and suspends licenses, administers the entrance exam and keeps the register of advocates. While there are individual associations of lawyers as groups (eg Ethiopian Womens Law Association, EWLA and Ethiopian Lawyers Association), there is no one regulatory body. This produces difficulties in counting the number of lawyers in each region and nationally. Further enquiry is needed not only as to numbers but also as to locations. It is assumed, as elsewhere, that the overwhelming majority of practicing lawyers will congregate in the urban centres. If so, this poses challenges for ensuring meaningful legal aid services to people in quieter and more remote locations. Again this is not a situation unique to Ethiopia. In other countries, the legal establishment has resorted to paralegals in the same way the health profession uses primary health care workers. These paralegals provide appropriate advice and empower people to access justice in simple and minor cases, or refer them to lawyers in serious and complex cases.



## COURTS

The federal courts do not have a physical regional presence outside Addis Ababa and Dire Dawa. They see cases in all the regions through ‘ተዘዋዋሪ ችሎታ’, e- filing and e-litigation and e-designation systems. The ‘ተዘዋዋሪ ችሎታ’ takes place in the court rooms of the regional courts. The federal courts have plasma e-litigation court hearings in 46 places in different regions of the country. The federal courts also have e-filing and e-designation system in Mekelle, Bahri Dar, Assosa, Hawassa, Diredawa and Harari. Such electronic systems are facilitated by the ICT office and only require limited offices to facilitate such services. Usually, an employee of the federal courts receives files, scan and send it to the federal court which entertains the case and returns it back.

In Addis, there are 10 federal First Instance courts, 4 federal High Courts and one Supreme Court. All report needing structural repair, but all appear to have essential utilities.

### JUDGES:

- FSC: 44 (13 women—0%) share 12 vehicles
- FHC: 144 (32 women—22%) share 40 vehicles
- FFIC: 210 (76 women—36%) share 38 vehicles

No interpreters are employed by the federal courts. They are hired on an ad hoc basis.

All Judges have access to office equipment (such as internet, printers / copiers etc) but those in the FHC and FFIC report they do not have ready access to the Laws and Commentaries nor updates on the laws. Recording technology is also absent from the court rooms.

FHC judges are remunerated ETB 33,476 per month (approx. USD \$710) and FFIC judges at ETB 28,250 (approx. USD \$600).

## SHARIA COURTS

The Federal Supreme Court of Sharia sits in Addis Ababa.

Addis Ababa has 1 High Court of Sharia and 1 First Instance Court of Sharia. Both spaces appear adequate in terms of utilities but none have ramps for disabled access nor safe spaces for vulnerable witnesses/complainants.

### KADIS

- SC of Sharia: 6 sit
- HC of Sharia: 4 sit
- FIC of Sharia: 3 sit—as elsewhere there are 0 women Kadis.

None have access to a vehicle and office equipment is limited. None have internet access.

## OFFICE OF THE PUBLIC DEFENDER

There are 9 offices in Addis. In terms of infrastructure and resources:

- 8/9 have internet and continuous electricity
- 1/9 have male toilets and 0 have female toilets
- 0/9 have ramps to facilitate disabled access, nor safe spaces.

Addis has 72 PDs (24 women—33%) who share 3 vehicles and appear to have adequate office equipment. They are paid ETB 20,500 per month.

## LEGAL AID SERVICES

No data were collected for NGO legal aid service providers. This requires further enquiry.



## UNIVERSITY LAW CLINICS

Addis Ababa University operates 3 legal clinics staffed by 3 lawyers (1 woman) and 50 students (25 women). The offices lack toilets for men or women and vehicles, but the staff appear to have adequate space (one has a ramp) and equipment to work. The legal clinics do not have a license to represent clients in court. The services therefore focus on advice and assistance.

## PRISONS

UNODC completed an assessment of the federal prisons in 2018 (available in the Library under Institutions\_Prisons).

There are five federal prisons:

- Kilinto, a remand prison for pre-trial detainees in Addis
- Kaliti, maximum security prison in Addis
- Shoa Robit, in Amhara region
- Ziway, in Oromia region
- Dire Dawa prison

In terms of infrastructure and resources:

- Minors are not separated from adult offenders
- All have access to continuous electricity and water
- 0 / 5 have internet
- 5 / 5 have health clinics
- 4 / 5 have workshops
- 11 mobile prison vans are available in Addis
- 4 trucks for rations are available at the RPC in Addis Ababa

No data on staffing were made available.

The Prisons Annual Report contained little in the way of data, such as population numbers. The tables of data in the report focused on performance targets, such as:

- % Customer satisfaction
- % Complaints resolved (no figures as to number of complaints received)
- % Stakeholder cooperation performance
- % Solved good governance problems
- % Legal services efficiency etc

The original was in the Amharic so may suffer in translation. However it is unclear what these targets are aimed at, or what the percentiles listed mean (without numbers to show how they are calculated).

EHRC visited most federal prisons in the past 12 months (it unclear whether a visit was made to Dire Dawa). No reports were available from the EHRC as they are reorganising their library of materials. The International Committee of the Red Cross (ICRC) visits federal and regional prisons as well as other places of detention. The NGO Justice for All-Prison Fellowship Ethiopia also is reported to have had access to many prison and detention facilities around the country.

## 2. CASE MANAGEMENT

### GENERAL

Cases in the federal courts (sourced from the Supreme Court's Annual Report 2013) show that civil cases dominate the courts. In the past year:

Of civil cases disposed: 109,000 in FHC and FFIC (combined)

Of criminal cases disposed: 47,000 in FHC and FFIC (combined)

Criminal cases constituted 43% of the caseload disposed by the courts.

The data collected were validated by all institutions, save for the Sharia Courts who agreed to share their data and no further.

### CRIMINAL JUSTICE

Federal institutional data were not available from police. Annual reports were available from all federal institutions for 2013, save for police.

**FEDERAL POLICE** No data

### FEDERAL OFFICE OF THE ATTORNEY GENERAL

In round terms, federal prosecutors laid charges in just over 50% of cases last year. These figures were not disaggregated by type of offence (i.e. GBV) nor age (young offender).

On enquiry the research team was informed of the following disposals:

- 53% conviction
- 14% acquittal
- 21% settled

The balance were withdrawn. Data disaggregated by offence (GBV) or age (under 18) were not available.

### COURTS

The data the FFIC and FHC keep and the report they prepared for the 2021 fiscal year shows that they categorize cases as follows: those cases that are less than 30 days old, those cases that are between one month and two months old, those cases that are between 2–6 months old, those case that are between 6 months and one year old, those cases that are between one year and 3 years old, those cases that are between 3 years and 6 years old and those cases that are 6 years and above.

Target indicators in the Annual Report emphasise efficiency in case disposal in all courts. The data show all courts to be managing their caseload and an apparent absence of significant case backlogs going back many years (disposal rates averaged 87% in the FFIC, 74% in the FHC and 77% in the FSC).

- FFIC disposal rate per judge per month: approx. 50 cases (210 judges disposed of 128,000 cases last year—both civil and criminal).
- FHC disposal rate per judge per month: approx. 16 cases (144 judges disposed of 28,000 cases last year).

Data as to case disposal (to gauge the conviction / acquittal rates) were not available, nor were data disaggregated by offence (GBV) nor age (under 18).

- Sharia First Instance Court disposal rate per kadi per month: 95 cases (3 kadis disposed of 3422 last year).

### OFFICE OF THE PUBLIC DEFENDER

The 72 PDs in Addis Ababa are reported to have disposed of 2500 cases in the past 12 months (i.e. 2% of the total caseload disposed in FSC, FHC and FFIC).

The caseload per PD shows a mean disposal rate in Addis Ababa of 3 cases disposed per month.

## LEGAL AID SERVICES

The EWLA provided legal services last year and advised 319 people including mediating 22 cases and disposing of 63 cases in court (data were not disaggregated).

The EWLA also conducted a number of trainings, including empowering 200 women to 'self represent' in court; 50 police men on GBV; and 50 high school students on self-confidence and training.

## UNIVERSITY LAW CLINICS

The Addis Ababa University (AAU) legal clinics do not have the license to represent clients in court. The clinics concentrate on providing legal advice and assisted 4,237 in the past year.

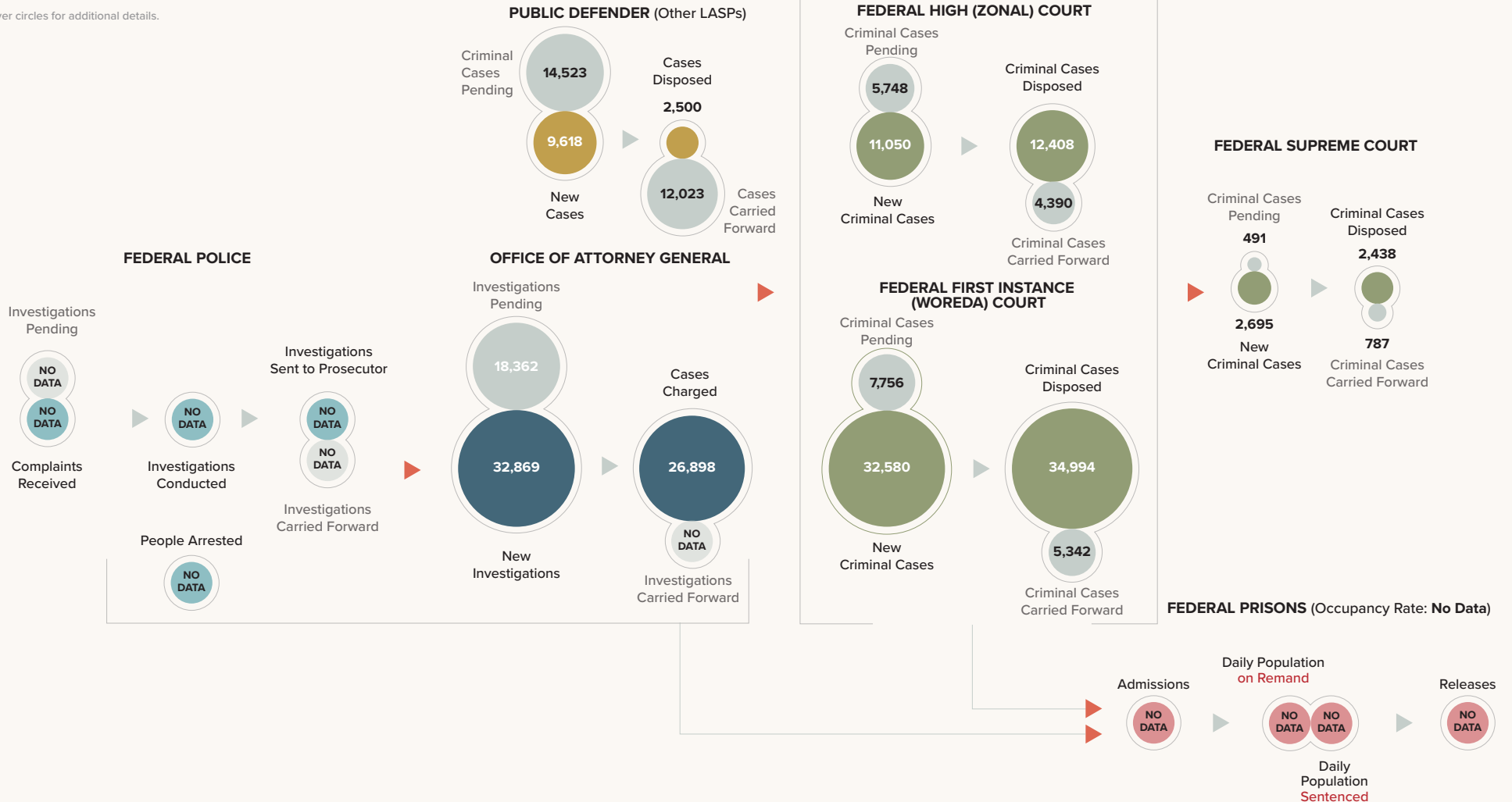
An enhanced role for ULCs requires further enquiry and the role of students, in particular, under student 'practice rules' which allow final year law students access to practice in courts under supervision. Presently their role is limited to the provision of legal advice (under supervision).

## PRISONS

The total federal prisoner population varied between 6,820–7,810. The breakdowns by subset (sentenced / unsentenced and gender) did not add up. Further clarification was not possible within the time available, so in view of the data anomalies, the data are not set down here.

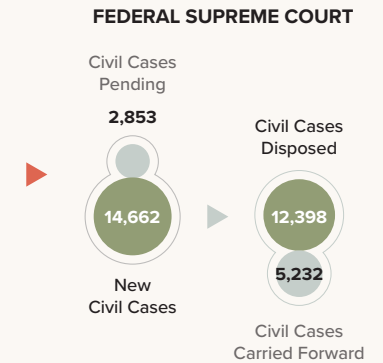
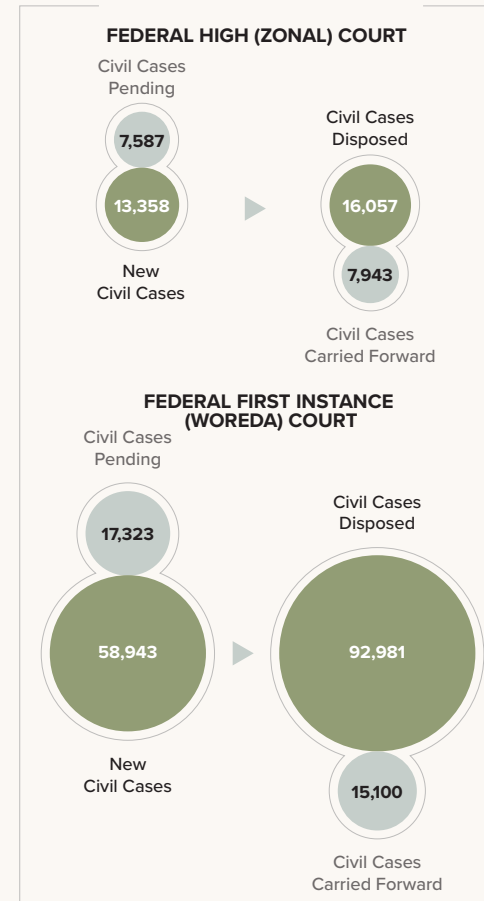
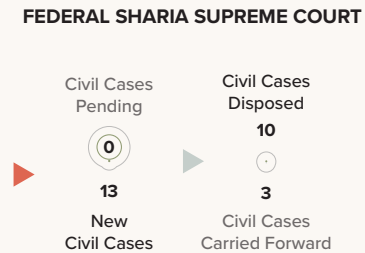
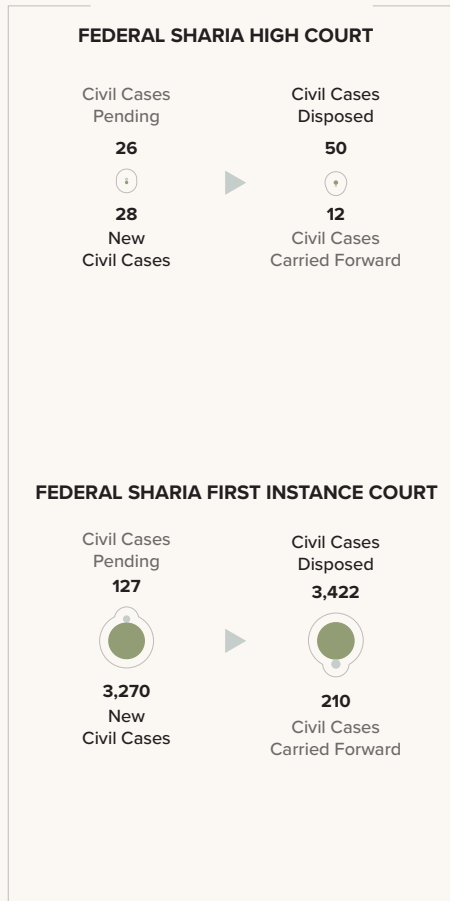
Federal Criminal Cases | Federal Sharia and Civil Cases

Hover over circles for additional details.



Federal Criminal Cases | Federal Sharia and Civil Cases

Hover over circles for additional details.



## 1. INFRASTRUCTURE AND RESOURCES

### FEDERAL POLICE

The Federal police indicated agreement to share police data was a management decision of the department responsible. Management had not met by the end of the research, so police data could not be collected. No federal Police Annual report 2013 was available.

### OFFICE OF THE ATTORNEY GENERAL

The federal OAG operates 1 office and 0 One Stop Centres. The 28 federal prosecutors (5 women) have adequate office space (including safe space for vulnerable witnesses) and office equipment and share 3 vehicles. They are paid ETB 18,000 (+ allowances).

### COURTS

The federal courts do not have a physical regional presence outside Addis Ababa and Dire Dawa. They see cases in all the regions through ‘ተዘዋዋሪ ችሎታ’, e-filing and e-litigation and e-designation systems. The ‘ተዘዋዋሪ ችሎታ’ takes place in the court rooms of the regional courts. The federal courts have plasma e-litigation court hearings in 46 places in different regions of the country. The federal courts also have e-filing and e-designation system in Mekelle, Bahri Dar, Assosa, Hawassa, Diredawa and Harari. Such electronic systems are facilitated by the ICT office and only require limited offices to facilitate such services. Usually, an employee of the federal courts receives files, scan and send it to the federal court which entertains the case and returns it back.

In Dire Dawa, there is 1 Federal High Court and 1 Federal First Instance Court. No further data as to infrastructure nor resources were supplied. A Federal High Court judge is paid ETB 32,750 per month.

### SHARIA COURTS

There is no Federal Supreme Court of Sharia in Dire Dawa which has 1 High Court of Sharia and 1 First Instance Court of Sharia. Both spaces appear adequate in terms of utilities but none have ramps for disabled access nor safe spaces for vulnerable witnesses/complainants.

#### KADIS

- HC of Sharia: 4 sit
- FIC of Sharia: 2 sit—as elsewhere there are 0 women Kadis.

None have access to a vehicle and office equipment is limited. None have internet access.

### OFFICE OF THE PUBLIC DEFENDER

There is 1 office in Dire Dawa.

The office of the PD is a shared space in the Federal High Court, it has no independent office.

Dire Dawa has 2 PDs (1 woman) with no vehicle nor basic office equipment. They are paid ETB 21,500 per month.

### LEGAL AID SERVICES

No data were collected for NGO legal aid service providers. This requires further enquiry.

### UNIVERSITY LAW CLINICS

Dire Dawa operates 2 legal clinics staffed by 2 women lawyers and 10 students (4 women). The offices have essential utilities and office equipment but no vehicle. As with AAU, the services focus on advice and assistance. In the past 12 months they report advising in 1,132 matters and mediating 31 disputes.

## PRISONS

Dire Dawa has 1 federal prison which has been expanded recently.

In terms of infrastructure and resources:

- Minors are not separated from adult offenders
- It has continuous electricity and water
- 0 internet
- 1 health clinic
- 0 mobile prison vans
- 0 trucks for transporting rations.

Staffing:

- 357 men
- 94 women prison police.

No data were available as to salaries.

It is not clear whether the EHRC visited Dire Dawa in the last year.

## 2. CASE MANAGEMENT

Case data for Dire Dawa are incomplete.

**FEDERAL POLICE** No data

### **FEDERAL OFFICE OF THE ATTORNEY GENERAL**

In round terms, federal prosecutors laid charges in 20% of cases last year, including 51 charges of GBV.

### **COURTS**

The data were finally released by the courts on 19 October. The case data appeared to be for the FHC, though there was no label. This is assumed from the caseload. There were no data available for the number of criminal cases disposed in the past year. It appears that 51 civil cases were disposed of by the court.

In the Sharia Courts, there were no data for the First Instance courts. In the Federal High Court of Sharia, there were recorded to be 214 new cases last year, all of which were brought by women.

### **OFFICE OF THE PUBLIC DEFENDER**

The 2 PDs in Dire Dawa report disposing of 40 cases in the past 12 months (just under 2 cases per month each).

### **UNIVERSITY LAW CLINICS**

As in Addis Ababa, the clinics concentrate on providing legal advice and assisted 1,132 in the past year.

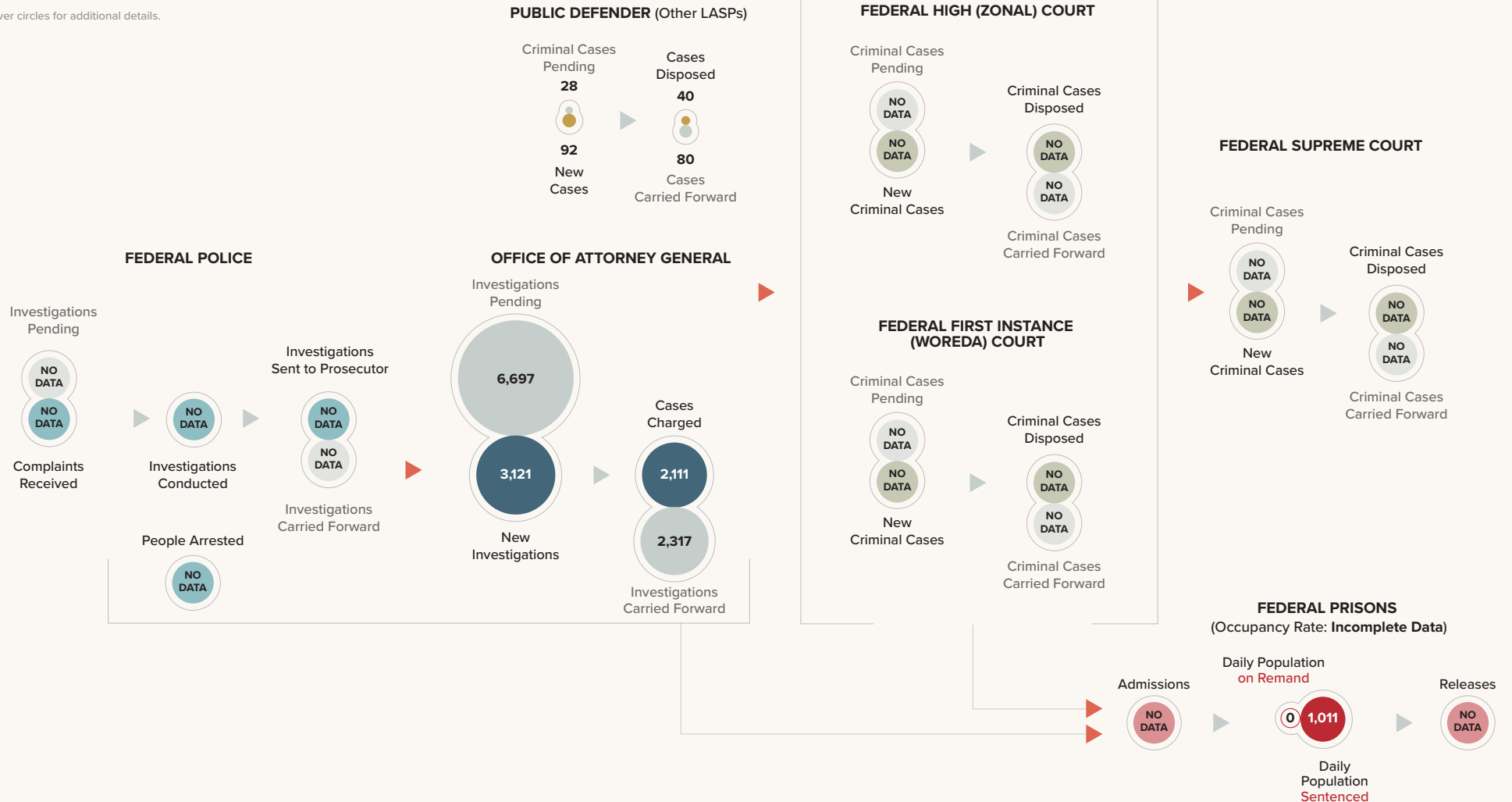
**PRISONS**

In Dire Dawa (with the new extension), there are recorded to be 950 adult men, 50 women and 11 boys aged between 15–18, all sentenced. There was no breakdown of sentence to indicate the numbers serving less than 3 years. It appears the 11 boys are either included as men or excluded from the total count. There were no data concerning the prison's capacity.



Federal Criminal Cases | Federal Sharia and Civil Cases

Hover over circles for additional details.



Federal Criminal Cases | Federal Sharia and Civil Cases

Hover over circles for additional details.



The data provide governance snapshots covering:

- a) Qualifications and recruitment / appointment;
- b) Oversight;
- c) Pay; and
- d) Location of training centres by institution.

The view offered is a national one because, save for pay and the location of training centres, the data are generic across the country.

Each of the justice institutions (Police, OAG, Courts, Prisons) submits an Annual Report at the end of the financial year. These reports contain accounts of performance over the past year against indicators and targets. Where they have been made available, the ARs are in the Library. The originals are in Amharic. The reports are submitted to the Regional State Council.

The Social Courts functioning at the Kebele level in Chartered Cities and some regions, are presided over by 3 ‘judges’. These are recruited from the same kebele and preference is reportedly given to those with a diploma in Law. Most cases are mediated. Social courts also operate in other regions (see Justice in Law).

The Judicial Administration Council (JAC) operates at federal and regional levels. At the federal level, it is comprised of the President and Vice-President, FSC as well as the President of the FHC, members of the House of People’s Representatives (HPR), Federal OAG / Ministry of Justice, prominent lawyers and academics. The Federal and State JACs are responsible for the appointment, promotion, placement of judges and evaluation of performance. The JAC Proclamation sets out the requirements for all levels of courts.

All require law degrees and in addition:

- 1) FIC: 3 years experience federal Asst. judge or regional judge; 3 years experience as attorney, prosecutor or lawyer; or 5 years experience as attorney or law teacher in higher education or other institutions

- 2) FHC: 7 years experience as federal First Instance judge or regional high court judge; 7 years experience as PP or Attorney or Lawyer: or 12 years experience as an Attorney or law teacher in higher education or other institutions

- 3) FSC: 10 years experience as FHC judge; or 20 years experience in any legal profession.

Judges operate under a Code of Conduct as do Public Prosecutors.

There is no organised Bar (as in other countries), there are associations of lawyers. The Council of Ministers issued a Code of Conduct regulation for Federal Attorneys / Advocates ( Proclamation 199/2002). The OAG (recently changed to Ministry of Justice) is responsible for enforcing it. The OAG/MoJ registers advocates, issues or suspends licenses, administers the entrance exam and keeps the register of advocates. Ethical issues are dealt with by the OAG/MoJ using the Advocates Disciplinary Council (Art 23 Proclamation 199/2000).

In many regions, police reported they had a public complaints mechanism, but further enquiry may be useful to understand how this mechanism functions in practice.

Prisons are inspected by the EHRC. As with all inspection mechanisms, coverage depends on adequate funding. In several regions, the regional prison commission reported a visit by the EHRC in the course of the year, but not of all prisons in the region.

Pay varies from region to region.

- Police: Regional data ranges from ETB 1,975 per month (in B-G and Amhara) up to ETB 3,417 (Gambela)—most other regions record monthly pay in the region of ETB 2,800.
- OAG: Regional data ranges from ETB 8,741 (Afar) to ETB 17,145 (SNNPR) with Gambela at ETB 12,000, Oromia at ETB 14,500.
- OPD: Regional data ranges from ETB 8,000 (Harari) to ETB 15,745 (B-G). Sidama pays ETB 18,182 for PDs in the RSC.

- Bar: Lawyers are paid on a case by case basis. The ranges of fees paid by Court Users are shown in Justice in Practice.
- Social Courts: ETB 7,433 per month is paid in Addis courts to the presiding judge. The two other judges who sit alongside are paid on a daily basis, the amount is not known.
- Courts of First Instance and High Courts: No data for SC judges. Regional data (FIC) range from ETB 8,709 (Afar) up to ETB 18,645 (Sidama). Regional data (RHC) range from ETB 10,701 (Afar), ETB 11,800 (Gambela) to ETB 23,335 (Oromia) and ETB 24,037 (Sidama).
- Courts of Sharia: Regional data in FIC of Sharia range from ETB 8,747 (Afar) to ETB 15,365 in B-G. Regional data in HC of Sharia range from ETB 10,764 (Afar) to ETB 19,695 (B-G). In Federal courts of Sharia, the remuneration appear lower: ETB 3,000 for a judge in the First Instance Courts and ETB 7,000 for judges in the High Court.
- Prisons: Five regions agree this amount (basic ETB 1,975 + ETB 850 benefits) Harari and Sidama appear not to include the benefit. Gambela is the outlier at ETB 3,825 and appears to be a typographical error.

The pay scales are usually set against a Minimum Expenditure Basket (MEB). However there is only one MEB calculated for Somali region. Researchers could not find alternative sources that were authoritative and have settled for the World Bank assessment of the poverty line (USD \$3,50 per day) and multiplied by 30 days to produce a figure in Ethiopian Birr (rounded up) of ETB 5,000.

Training and the need for greater professionalisation of services is mentioned in Annual Reports as well as the Practitioner Survey in Justice in Practice. Some regions have training facilities, many complain that they are ill equipped or the infrastructure is poor. Some regions have a 'Justice Organs Professional Training and Legal Research Center'. It is unclear whether these cater to all justice organs. Further enquiry will be needed and Training Needs Assessments (TNA) should take into account the adequacy of the plant available to accommodate the training courses.

# JUSTICE SERVICES | ETHIOPIA | GOVERNANCE AND TRAINING



## GOVERNANCE



## OVERSIGHT



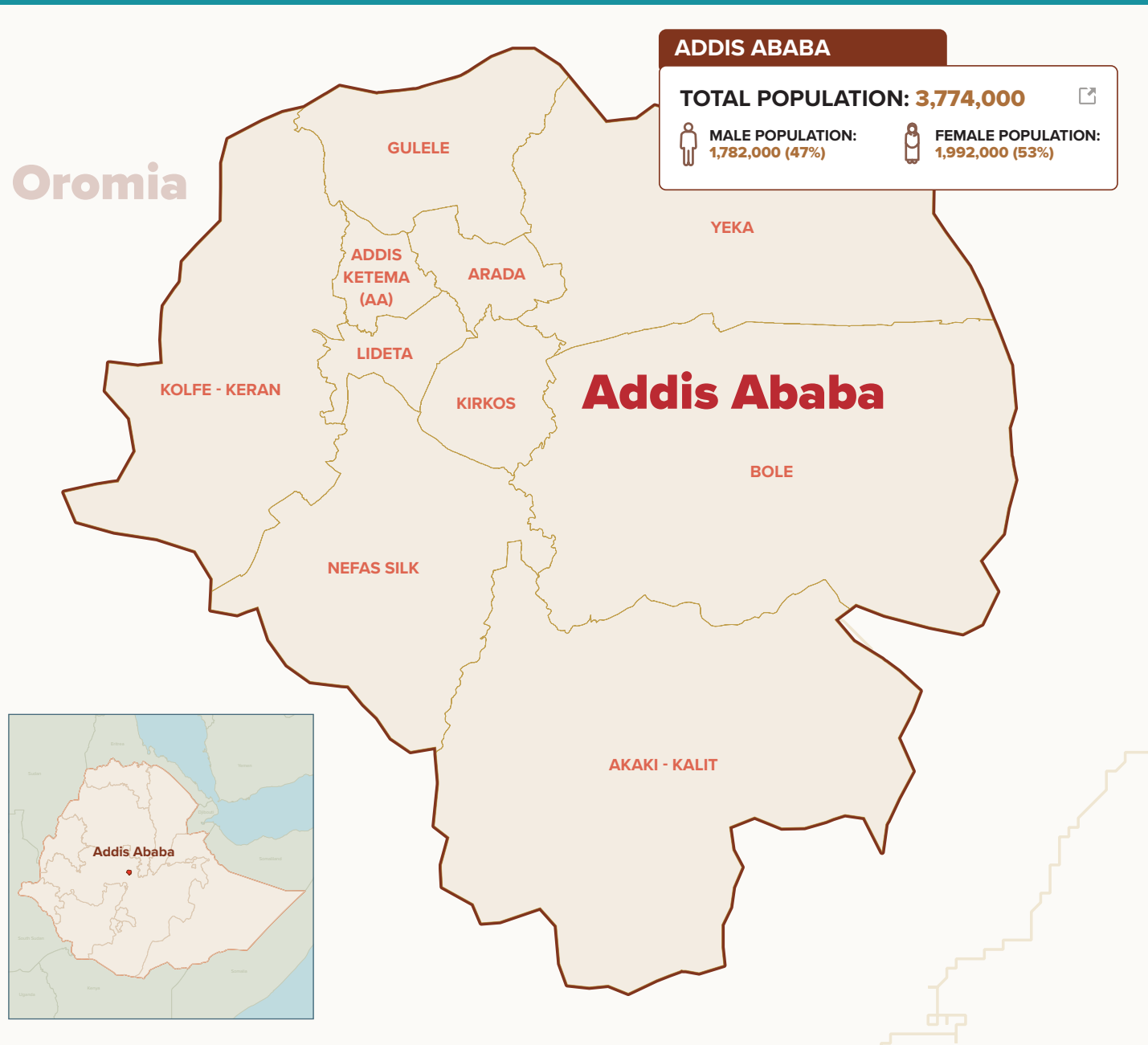
## SALARIES



## TRAINING

<b>POLICE</b>	<b>Qualification:</b> Secondary education and over 18 <b>Recruitment:</b> Police Commission	Public Complaints Mechanism	ETB 2,700 (regional mean)	Federal Police University, ILQSO (Adama), Somali Regional State Police Training Center, Amhara Region Police College (Debre Markose), Oromia Police College
<b>OFFICE OF ATTY. GENERAL</b>	<b>Qualification:</b> Degree in Law (LLB), over 23 and under 45 years <b>Appointment:</b> Office of the Attorney-General / MoJ	Code of Conduct	ETB 13,915 (regional mean) ETB 25,250 (Federal Addis)	Federal Office of the Attorney-General / MoJ, regional State OAGs
<b>PUBLIC DEFENDER</b>	<b>Qualification:</b> Degree in Law (LLB) <b>Appointment:</b> Supreme Court	No Separate Code of Conduct	ETB 11,837 (regional mean) ETB 20,500 (Federal Addis)	Federal Justice and Legal Research and Training Institute
<b>BAR</b>	<b>Qualification:</b> Degree in Law (LLB) <b>Licensing:</b> Office of the Attorney-General / MoJ	Code of Conduct	Fee per case basis	University Law Schools
<b>SOCIAL COURTS</b>	<b>Qualification:</b> Resident in the kebele and over 25 <b>Appointment:</b> Social Courts Judicial Administration Council	Social Courts Judicial Administration Council	ETB 7,433 (presiding judge in AA) Other judges daily allowance	No formal training provided
<b>FIRST INSTANCE COURT</b>	<b>Qualification:</b> Degree in Law (LLB), minimum 30 years (federal) <b>Appointment:</b> Judicial Administration Council (JAC)	Code of Conduct	ETB 15,150 (regional mean) ETB 28,250 (Federal Addis)	Federal Justice and Legal Research and Training Institute  SNNPR Justice Organs Professional Training and Legal Research Center
<b>HIGH COURT</b>	<b>Qualification:</b> Degree in Law (LLB), 7 years experience as judge/PP (federal) <b>Appointment:</b> Judicial Administration Council (JAC)	Code of Conduct	ETB 19,344 (regional mean) ETB 33,476 (Federal Addis)	Amhara (ANRS) Justice Professionals Training and Legal Research Institute
<b>SUPREME COURT</b>	<b>Qualification:</b> Degree in Law (LLB) and 10 years experience as judge/lawyer (federal) <b>Appointment:</b> Judicial Administration Council (JAC)	Code of Conduct	No Data	Justice Training Center (Mekelle)
<b>SHARIA COURTS</b>	<b>Qualification:</b> Knowledge of Islamic law, over 25 years <b>Appointment:</b> Supreme Council for Islamic Affairs (federal) and Supreme Court of Sharia (regional)	Code of Conduct	ETB 14,485 (HC regional mean) ETB 12,279 (FIC mean regional)	Supreme Court of Sharia
<b>PRISONS</b>	<b>Qualification:</b> Secondary education and over 18 <b>Recruitment:</b> Prison Commission	Ethiopian Human Rights Commission	ETB 2,825	ALELTU Training Centre (Federal and Regional Prison officers)

WB poverty line \$3.50 per day =  
approx ETB 5,000 per month



Addis Ababa is the capital of Ethiopia, state capital of Oromia region and a federal city accountable to the Federal Government of Ethiopia (Dire Dawa is the other one).

The structure of the city’s organs of power is as follows:

- (a) City Council;
- (b) Mayor;
- (c) City Cabinet;
- (d) City Judicial Organs; and
- (e) Office of the City Chief Auditor.

The city is made up of sub-cities each of which comprise:

- (a) Sub-City Council;
- (b) Sub-City Chief Executive; and
- (c) Sub-City Standing Committee.

The sub-cities are made up of kebeles each of which comprise:

- (a) Kebele Council;
- (b) Kebele Chief Executive;
- (c) Kebele Standing Committee; and
- (d) Kebele Social Courts.

The city government has wide ranging powers to develop policy and plans for the development of Addis Ababa, organize services and administer available resources and the budget of the city, as well as expropriate private property and/or clear and takeover land holdings designated as an object of public interest, subject to payment of commensurate compensation in accordance with the law.

Justice services are provided by

- The Addis Ababa City Police Commission. It is accountable primarily to the Federal Police Commission and, by delegation, to the City Government.
  - Appointment of the City Police Commissioner and Deputy Commissioner is by the Minister of Federal Affairs.
  - Responsibility for the daily operations of the City Police Commission rests with the Mayor.
- Public Prosecution Office of the City Government
- City Courts and
- Kebele Social Courts whose organization and procedure are determined by the City Council.









Note: Social Courts are also present in some regions, namely: Tigray, Amhara, Oromia, Southern Nations, Nationalities and Peoples and Harari.

**Two levels of Chartered City Courts (both exercise municipal jurisdiction):**





1. First instance
2. Appellate — see Justice in Law, Chartered Cities and Hierarchy of Courts

The Chartered City Courts have civil and petty criminal jurisdictions.


**CITY COURTS** 

-  10 sub-City courts, staffed by 50 judges (14 women — 28%)
-  Open from 09h00, Tuesday-Friday, public access (0 ramps or safe spaces)
-  Each court has separate courtroom (+utilities)
-  3 judges sit in judgement in civil cases; 1 judge sits in criminal cases
-  In criminal cases, the city prosecutor, or the police on behalf of the prosecutor, bring a charge supported by evidence
-  In both courts women judges were observed to sit
-  Lawyers are allowed to appear in hearings
-  A typical case in the First Instance City Court is said to take between 3-4 months











**CITY PROSECUTORS** 

-  240 city prosecutors work from 11 offices in the sub-cities
-  Offices said to be in good repair, with basic utilities and office equipment
-  City prosecutors have 0 vehicles
-  City prosecutors' basic monthly remuneration: ETB 25,000

**CITY POLICE** 

-  No data provided as concerns infrastructure, resources nor governance

**SOCIAL COURTS** 

-  116 Social Courts at kebele level dealing with small claims (<ETB 5,000)
-  3 judges generally sit on a case (one is permanent)
-  Open access to the public (space reportedly limited)
-  No access ramp for disabled persons.
-  Courts sit for 2 days in a week (normally Tuesdays and Thursdays)
-  Lawyers can appear but generally do not given size of claim
-  Unpaid *Iqub* (traditional money saving), landlord/tenancy disputes, failure of payment of water and electricity supply are typical cases
-  Disputes resolved through arbitration
-  Appeals to the sub-City Court are 'rare'
-  Most cases dealt with within 4-6 weeks



**GENERAL**

The Addis Ababa City Courts have civil and petty criminal jurisdictions. Almost all cases are finally disposed of in the Appellate Court. In principle, an appeal lies to the Cassation division of the Federal Supreme Court on matters of law.

**CITY COURTS**

The caseload in the 10 City Courts is distributed between civil and criminal cases with an emphasis on criminal cases.

The 50 judges last year disposed of 55,691 criminal matters and 47,733 civil cases ie:

- 172 cases disposed per judge each month, or
- 8 cases disposed per judge each day.

The Appellate court favours civil appeals (1470 disposed) over criminal (451 disposed).

As with other courts, efficiency of process is a performance indicator and all courts appear to be on top of their respective caseloads.

**CITY PROSECUTORS**

In the past 12 months, the 240 prosecutors report they disposed of 585 cases (just over 2 cases per prosecutor per year).

**CITY POLICE**

The City Police agreed to participate in the research at the close of the collection period and provide case data. The data show they forwarded to the City Prosecutors 786 cases which compare with the 951 recorded as new by the Prosecutors (who can initiate their own investigations).

**SOCIAL COURTS**

In the three courts observed, the annual caseload was given as 5, 9 and 11 cases for the year.

The case data recorded in the Social Courts Annual Report 2013 of the performance of the 116 Social Courts in Addis Ababa show:

	Civil	Petty Offences	Total
Number of cases planned to be filed	3,000	1,170	
Actual number of cases filed	1,958	849	2,807
Estimated number of cases to be closed by the end of the year via trial	1,390		
Closed cases by trial	1,003		
Estimated number of cases to be closed by the end of the year via mediation	1,355		
Closed through mediations	898		
Total number of cases closed	1,901	738	2,012*
Pending	57	111	168
Interrupted	–	–	–

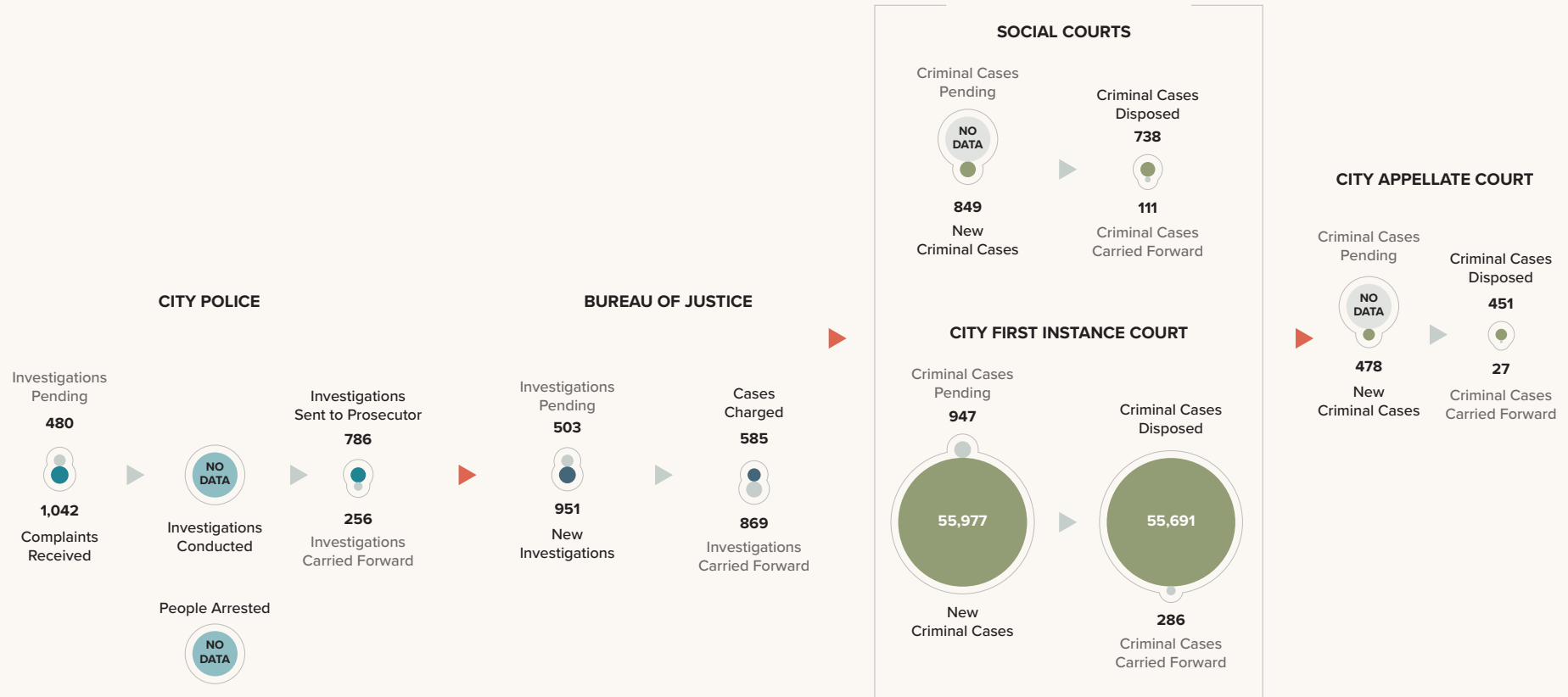
*The cases in italics are not counted as they are ‘planned’.*

*\*The total number of cases closed is in error (the total of 1,901 + 738 = 2,639).*

The total disposed cases for the year (criminal: 738 + civil: 1,901) show a ratio of 23 cases disposed per court in the last year (ie <2 per month per court).

**Criminal Cases | Sharia and Civil Cases**

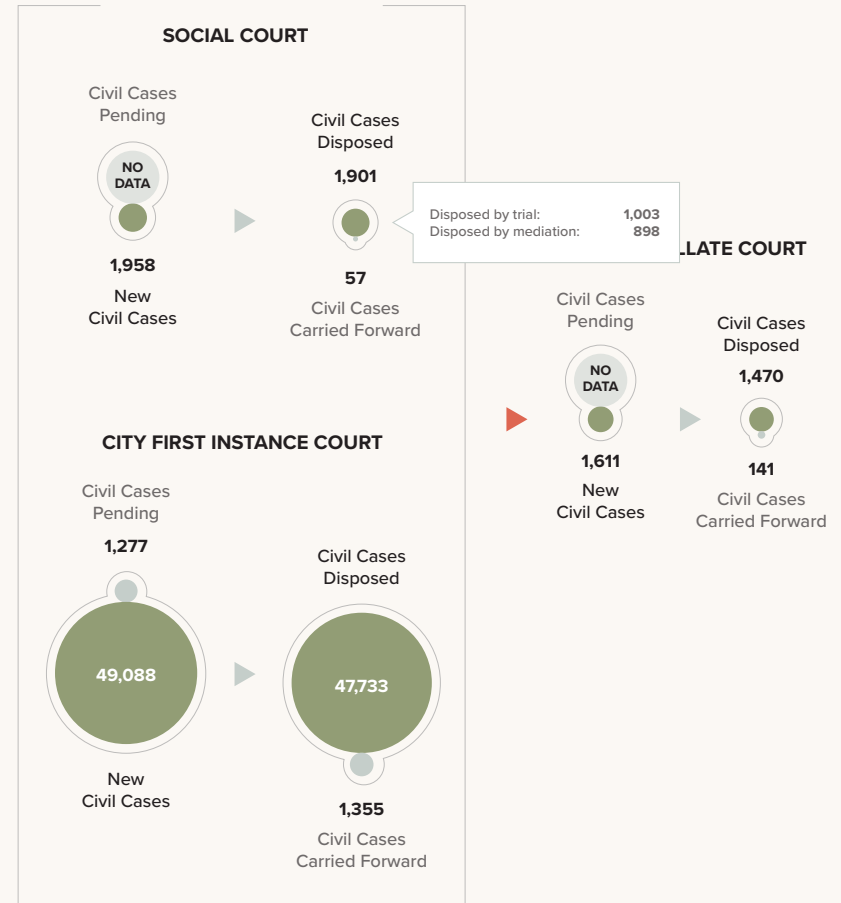
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Criminal Cases | Sharia and Civil Cases

Hover over circles for additional details.

NO SHARIA COURTS



# JUSTICE SERVICES | CHARTERED CITY — DIRE DAWA

## DIRE DAWA

TOTAL POPULATION: **535,684**



MALE POPULATION:  
269,995 (50%)



FEMALE POPULATION:  
265,689 (50%)



Dire Dawa is a federal city accountable to the Federal Government of Ethiopia. The other city with the same status is Addis Ababa and both are federal cities.

The structure of the city's government organs of power is as follows:

- (a) City Council;
- (b) Mayor;
- (c) City Cabinet;
- (d) City Judicial Organs; and
- (e) Office of the City Chief Auditor.

In Dire Dawa the administration moves from the city to the qebeles (unlike Addis Ababa which moves from the city to sub-cities and then to the kebeles (different spelling in the Proclamation – see Library\_Laws).

The organs of power of qebele administration are the following:

- (a) Qebele Council,
- (b) Qebele chief executive,
- (c) Qebele standing committee, and
- (d) Qebele social Court.

The city government has wide ranging powers to develop policy and plans or the development of the city, organize services and administer available resources and the budget of Dire Dawa, as well as expropriate private property and/or clear and takeover land holdings designated as an object of public interest, subject to payment of commensurate compensation in accordance with the law.


Justice services are provided by





- The Dire Dawa City Police Commission which is accountable primarily to the Federal Police Commission and, by delegation, to the City Government.
  - Appointment of the City Police Commissioner and Deputy Commissioner is by the Minister of Federal Affairs.
  - Responsibility for the daily operations of the City Police Commission rests with the Mayor.
- Public Prosecution Office of the City Government
- City Courts and
- Qebele Social Courts whose organization and procedure are determined by the City Council.


**Two levels of Chartered City Courts (both exercise municipal jurisdiction):**





1. First instance
2. Appellate — see Justice in Law, Chartered Cities and Hierarchy of Courts


The Chartered City Court has civil and petty criminal jurisdictions. The City Police was not willing to participate in this research..





**CITY COURTS** 

-  1 City Court in newly finished modern building that combines both First Instance and Appellate City Courts
-  2 male judges sit. Each has own court and share 1 vehicle
-  Court has utilities and office equipment
-  Court has a ramp for disabled access

**CITY PROSECUTORS** 

-  3 city prosecutors (1 woman) occupy 1 office, located in Dire Dawa Administration Justice, Security and Legal Affairs Bureau.
-  Adequate utilities and office equipment
-  0 access for disabled nor safe spaces for vulnerable witnesses or victims of crime
-  0 vehicles

**SOCIAL COURTS** 

-  19 Social Courts at kebele level dealing with small claims (<ETB 2,000)
-  1 judge in each court (data are unclear)
-  Over 50% with separate court rooms for hearings (data are vague on resources and infrastructure)
-  Conditions appear better in urban kebeles than in rural ones

## GENERAL

The Dire Dawa City Court has civil and petty criminal jurisdictions. Almost all cases are finally disposed of in the Appellate Court. In principle, an appeal lies to the Cassation division of the Federal Supreme Court on matters of law.

The City Police was not willing to participate in this research.

## CITY COURTS

The breakdown of civil and criminal cases in the City Court is unknown. The data provided were inconsistent and are not relied on. The total cases reported for the year (2,367) were almost all disposed of by the court (2,217), suggesting a disposal rate by the 2 judges to be averaging over a 12 month period, 92 cases disposed per judge per month.

In the Appellate court the data are inconsistent and show a total caseload of 63 cases, 5 of which are reported to have been disposed of in the course of the year. The cases reportedly carried forward appear unreliable on the face of the figures. During validation, it was communicated that 43 cases were appealed from the Social Courts. However these are not recorded in the data provided for the Appellate court.

## CITY PROSECUTORS

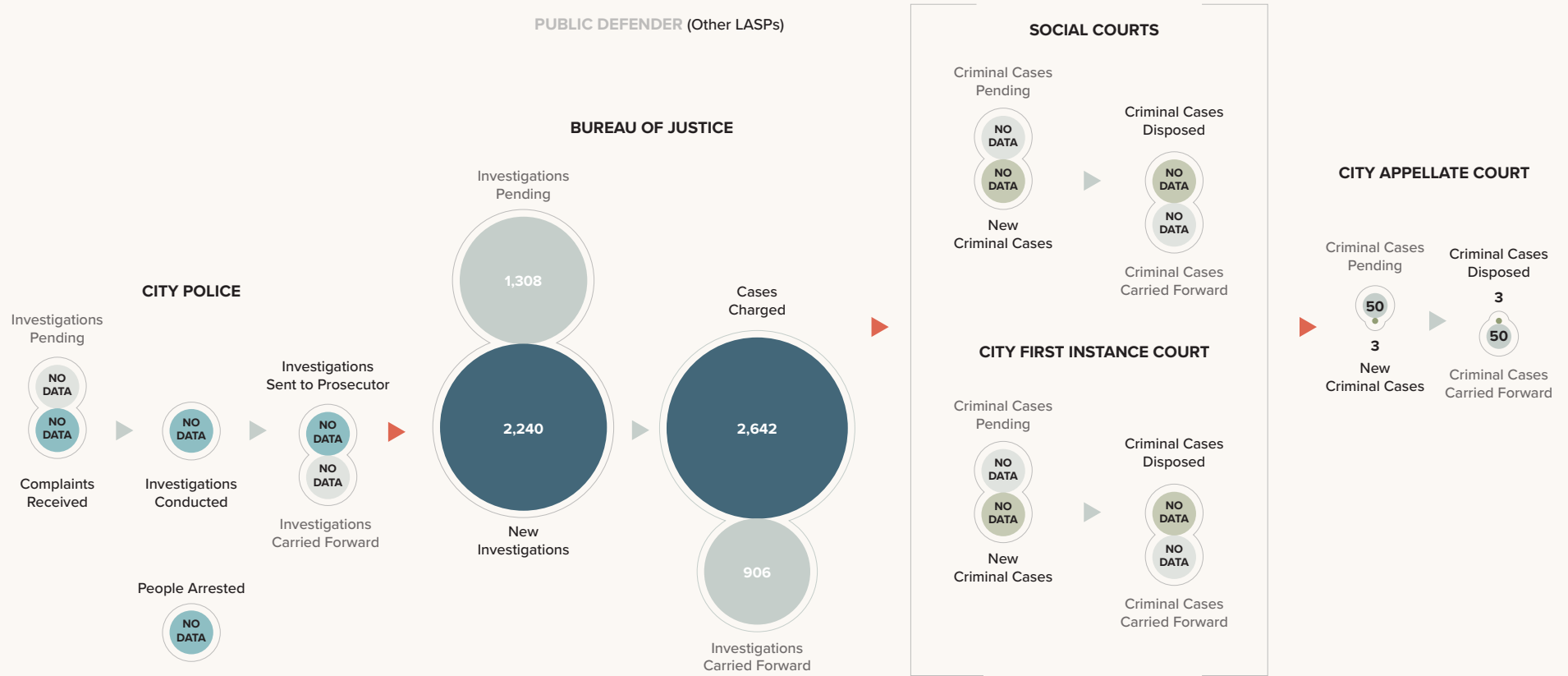
The case data show 1,308 cases pending from the previous year and 2,240 new cases (while prosecutors deal with civil cases as well as criminal, these are usually a small part of the caseload, so it is assumed a significant majority of these cases are criminal in nature), of which 2,642 were disposed (producing an average disposal rate of 73 cases per month per prosecutor).

## SOCIAL COURTS

Caseload is heavy with almost 50,000 cases in the past year. While it is assumed the majority are civil in nature, the breakdown of civil and criminal cases could not be clarified and so the case figures are not recorded.

**Criminal Cases | Sharia and Civil Cases**

Hover over circles for additional details.

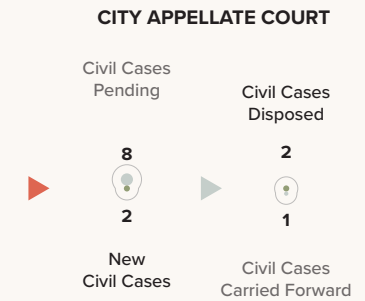
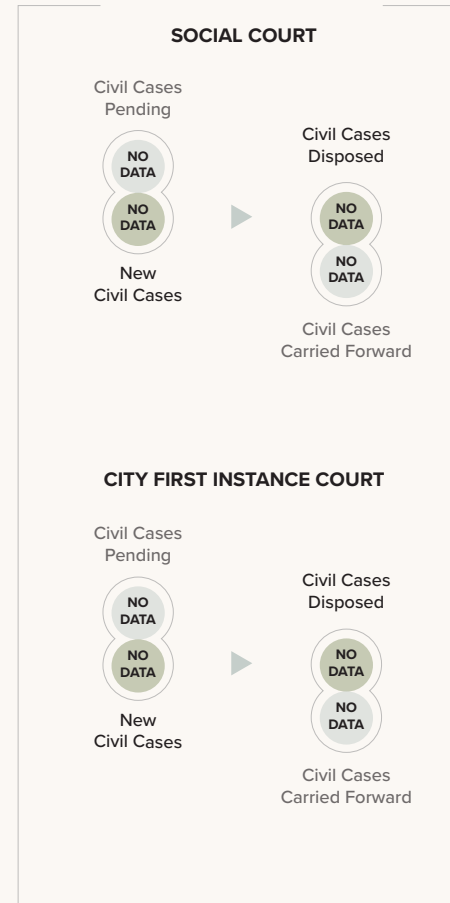




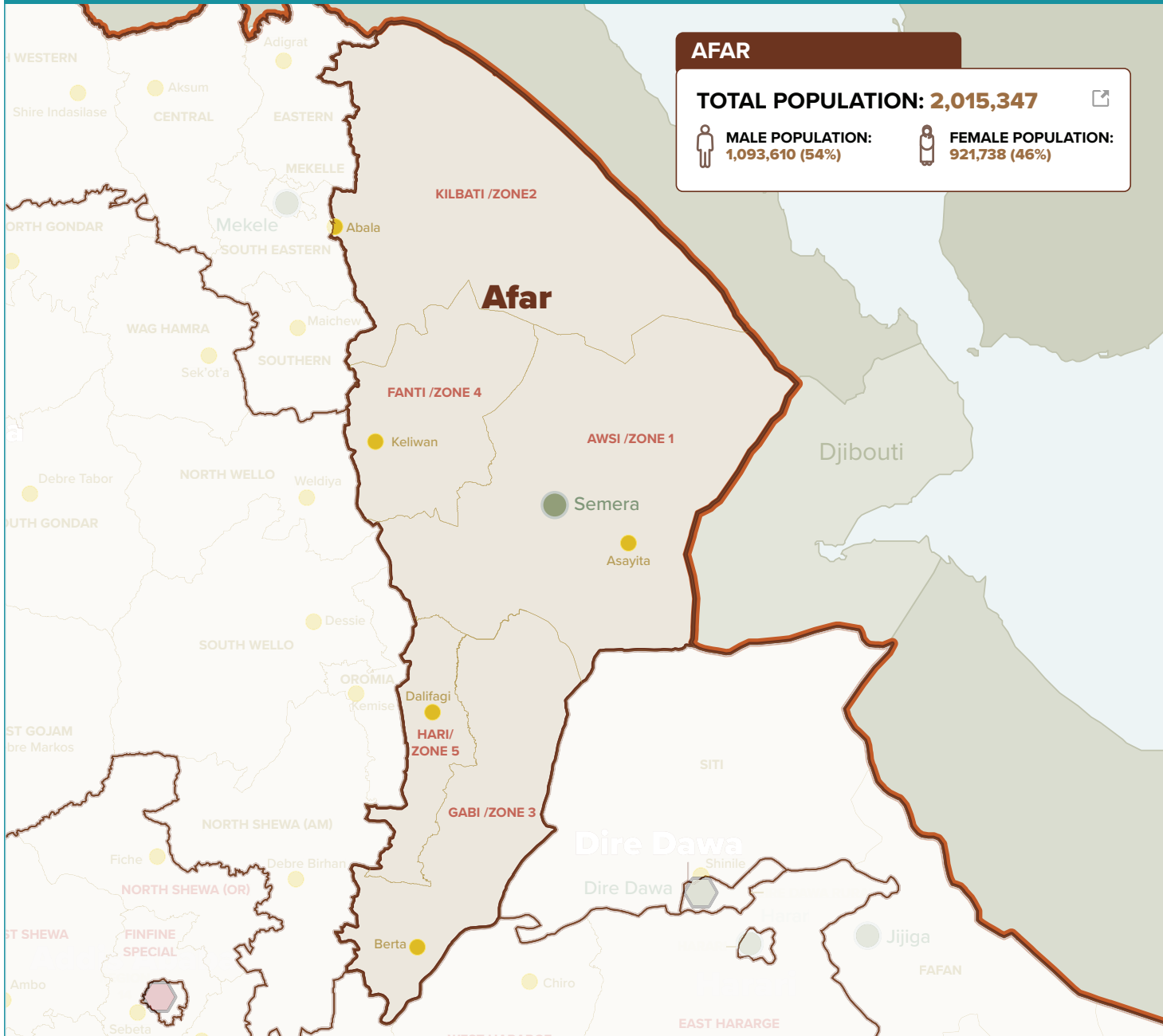
Criminal Cases | Sharia and Civil Cases

Hover over circles for additional details.

NO SHARIA COURTS



# JUSTICE SERVICES | AFAR



## INTRODUCTION

The statutory justice system is reported to be alien to most people in Afar. The language of the courts is Amharic which most local people neither speak nor read. Most seek relief from customary and religious fora.

Infrastructure is said to be poor in the region across all institutions. The regional Sharia courts do not have their own buildings. Case management and case tracking are unsupported and weak.

Data were collected by a regionally based team from institutional headquarters in the region and cross checked with the Annual Reports (ARs) of the institution. The Supreme Court, OAG and Prisons produced and shared their Annual Report for the year 2012–2013 (EC). The AR for the Regional Police Commission was not obtained and data for police are solely sourced from the Regional Police Commission.

The data collection started after representatives of these institutions met and agreed the team's workplan. Data were collected from 25 August through September. Queries about data were discussed with the institutions providing them. The data shared by the institutions with the research team were then formally validated by the committee of institutional representatives on 30 September.

## POLICE

Police have operational police stations in each Woreda in all Zones of Afar (42 in total). Infrastructure is poor:

- 25% can access electricity
- Less than 15% can access water
- Half have toilets
- 100% need structural repair

There are no ramps to facilitate access for the disabled.

Of the 549 regular police in the region, 79 (17%) are women and of the 42 investigators available, 5 are women (12%). There are reported to be 0 Women and Child Units in the region.

There are 24 vehicles available to service these 42 police stations. While a few have computers, none are reported to have a printer, scanner or photocopier.

The case data could not be cross-checked and does not appear to match with the case data reported by prosecution and courts.

## OFFICE OF THE ATTORNEY GENERAL

The regional Office of the Attorney General, formerly under the State Region Justice Bureau is now independent and reports directly to the Regional Council, according to the Annual Report 2013.

A new office building is under construction in Awsi Zone, but infrastructure appears poor. The 41 offices staffed by public prosecutors (matching the number of police stations, short by one) lack electricity and toilets and have neither access for disabled persons nor safe spaces for victims and vulnerable witnesses.

There are 7 vehicles to service these branch offices and 156 public prosecutors (of whom 14 are women, or 9%).

The AR notes that almost all of the public prosecutors were trained in human rights law and the role of prosecutors and judges in serving the ends of justice by the FOAG (there is no judicial training centre in the region).

Case management data set out in the Annual report is preferred to the case data provided to the research team which shows significant mismatches and lacks the detailed record of case outcomes recorded in the AR.

**APPEALS:** Case data further show of 71 cases appealed in 2012-2013, 19 were appealed by the OAG (52 by the accused) of which 60% were successful.

**FEDERAL CASES:** Total of 399 files registered of which 369 were disposed by a court. 38 related to crimes committed against women and children. 17 resulted in convictions.

**CIVIL CASES:** 19 files—6 pending.

**LAWS:** A new Family Code was drafted.

## LEGAL AID SERVICES

The AR of the Office of the Attorney General notes human rights safeguards for accused in police custody are not adequately protected. Public prosecutors also represent 'indigent' defendants (40 given in the AR for the year).

The office of the Public Defender is only present in 2 / 5 Zones and there was no data available on numbers of PDs servicing these two offices. An indication is provided in the case management data revealing PDs had 12 new cases in the year and defended in 4. The service is de minimis.

The picture is no better as presented by other service providers. The Ethiopian Women Lawyers Association opened a branch office recently and the University Law Clinic in Samara University had to cease operating due to the pandemic.

The inference is that very few of the 566 convictions secured by the public prosecutors will have been represented. Student practise rules allow final year students to appear in courts under supervision.

The team report there are 4 lawyers practising in the region (0 women).

## COURTS

There is one Supreme Court (SC) in the regional capital. One Zonal (High) court in each of the five zones. There are 32 First Instance (Woreda) courts (not quite matching the 42 police stations).

All the courts (SC, RHC and RFIC) report need structural repair. While all courts appear to have separate court rooms (therefore removing the need for judges to hold trials or hearings in their own offices) and continuous electricity, none but the Supreme Court have toilets and it is unclear whether any of the Woreda Courts have adequate access to water.

None have ramps to facilitate access for the disabled, nor safe spaces in courts for victims and vulnerable witnesses.

Of the judges:

- 8 sit in the SC, 0 women
- 26 sit in the RHC, 2 women
- 147 sit in the 32 woreda courts, 21 women

Judges (High/Zonal Court) are paid ETB 10,701 per month.

Judges (First Instance / Woreda Court) are paid ETB 8,709 per month

Court interpreters are not generally available.

Resources are poor:

- Access to the internet is limited to the SC and one Zonal court. The other 4 Zonal and all Woreda Courts have no internet
- 0 Woreda courts have printer or scanner or copier and only 1 / 5 Zonal Courts
- The SC has 3 cars for the 8 judges. The Zonal Courts have 1 each. The Woreda courts have 0.
- 0 courts have recording facilities
- 0 Woreda courts have access to printed copies of the law or commentaries on them

Security of judicial officers appears to be a live concern in Afar. In 2012-2013, the researchers were informed that 6 judges were threatened (including 1 woman judge), 2 were injured and 2 judges were killed.

The case data are taken from the regional Supreme Court's Annual Report 2013 (EC). The report notes that the courts generated ETB 8.7 m (\$187,000) in income from court fees and fines.

## PRISONS

The Annual Report (EC:2013) of the Regional Prison Commission confirms there are five prisons in the region, of which one is under construction and replacing the old one (Abala Prison) and one is under renovation (Gabi).

100% are reported to be in need of structural repair. The data collected show:

- 3 / 5 prisons have continuous electricity and water
- 0 have separate accommodation for adult / minors nor unsentenced / sentenced prisoners
- 3 / 5 have health clinics (no data were provided on staffing levels of health professionals)

Staffing numbers of prison police were not shared with the research team and are considered confidential.

The AR notes that the prison data base is being computerized. However the data show that none of the prisons maintain computer-based records of prisoners' admissions nor releases and that all resort to paper and pen (ie registers).

Other resources:

- 0 had access to internet
- 0 had mobile prison buses or vans (to transport prisoners to court for instance)
- Each had a truck
- 2 / 5 had workshops
- 4 / 5 provided education programmes for sentenced prisoners (the AR records 211 prisoners or 66%).

The prison population provided is as of September 2021 and shows 570 total for the region (16 women or 2.8%). Of these 241 are unsentenced (42%) and 7 are women (2.9%).

Data was unavailable for the number of prisoners serving less than 3 years, but the view of the prison administration was that few of their prisoners constituted a public danger (3%) while over 30% were deemed to be suffering from mental health issues.

The total population data for region is not available in the AR. However the data provided is consistent with the population data given, showing 175 prisoners held in Awsi, 117 in Kilbatti and 155 in Gabi.

Ten staff are studying nursing in Samara Health Science College to improve the health of prisoners. Due to corona vires, 204 prisoners were released.

The AR reports the RPC conducted a survey of prisoners' human rights. The findings included: food was 'not enough' and cells in Fanti and Hari 'are in bad condition'. Prisoners were issued with new uniforms and new foam mattresses. Special treatment and care were done for female prisoners and female prisoners with children.

# JUSTICE SERVICES | AFAR | RESOURCES AND INFRASTRUCTURE

# ZONES

	POLICE		PUBLIC DEFENDER		UNIV. LAW CLINIC		OFFICE OF ATTY GENERAL		RFI COURT		RH COURT		RS COURT		SFI COURT		SH COURT		SH COURT		PRISON	
	Structures in Need of Repair	Investigators per 100K	Dedicated Offices	LASPs per 100K	Dedicated Offices	LASPs per 100K	Offices per Woreda	Prosecutors per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Structures in Need of Repair	Prisons Over Capacity
AWSI /ZONE 1	100%	1.7	N/A	N/A	1	N/A	1.22	9.6	13%	6.1	100%	0.7	Yes	1.2	0%	No Data	0%	0.6	No	0.6	100%	0%
KILBATI /ZONE 2	100%	1.8	N/A	N/A	1	N/A	1.43	6.2	13%	7.8	100%	1	N/A	N/A	0%	No Data	0%	0.2	N/A	N/A	100%	0%
GABI /ZONE 3	100%	2.9	1	No Data	1	N/A	1.33	8.4	17%	11.7	100%	1.9	N/A	N/A	0%	No Data	0%	0.3	N/A	N/A	100%	0%
FANTI /ZONE 4	100%	2.1	N/A	N/A	N/A	N/A	1.2	7	20%	4.9	100%	1.4	N/A	N/A	0%	No Data	0%	0.7	N/A	N/A	100%	0%
HARI /ZONE 5	100%	2.8	1	No Data	N/A	N/A	1.5	5.5	20%	6.9	100%	2.8	N/A	N/A	0%	No Data	0%	0.5	N/A	N/A	100%	0%
NATIONAL AVERAGE		4.9		0.3																		

Afar region has been affected by the conflict in the north.

## POLICE

No Annual Report was available for police. The number of complaints (425) appears unusually low and the number of investigations conducted (425) unusual (as not all complaints or reports of crime justify an investigation). The 11 GBV cases recorded were all investigated and all sent on to the PP. Police record sending 386 files to the PP in total.

## OFFICE OF THE ATTORNEY GENERAL

The OAG record receiving 973 files from police. Their cases data are sourced from the AR 2013 which also notes they achieved a 98% conviction rate.

The way in which it sets out the case data is as follows (note: informal translation from the Amharic):

‘Between 2012 and 2013 budget year, 596 files were registered, 973 new files were registered in 2013, a total of 1,567 (sic) cases was brought before the court. Out of 1,567 files, 666 cases get a verdict. Out of 666 cases in 566, the court finds the accused guilty and in 29 the court acquitted the accused, 37 cases were resolved through negotiation by the party, and 872 cases are pending. 3 case was referred to the body which has jurisdiction, 60 cases are under investigation by the public prosecutor.

Therefore the plan for prosecution resulting in conviction by public prosecutor was 98% in the year and the outcome was 95.1% in mid-year.’

The AR goes on to note as concerns appeal cases:

‘Public prosecutors won on 60% of appealed cases that are appealed by public prosecutors. Accused won on 39% of appealed cases.’

PPs do not only prosecute cases, they provide free legal aid services to indigent accused (40 in the year) and assist in drafting laws.

## COURTS

The Annual Report collects case data broadly by number of cases registered, disposed and carried forward and the revenue collected.

Case data for Zonal and Woreda Courts are combined in the Annual Report on which the case data collected relied. The number of cases per level of court is not known and so ‘No data’ is entered. The Data Note sets out the total case data for both courts.

## LEGAL AID SERVICES

EWLA is the service provider and opened an office in the course of the year. Data for the year are incomplete.

Samara University Law Clinic ceased functioning with the outbreak of the pandemic.

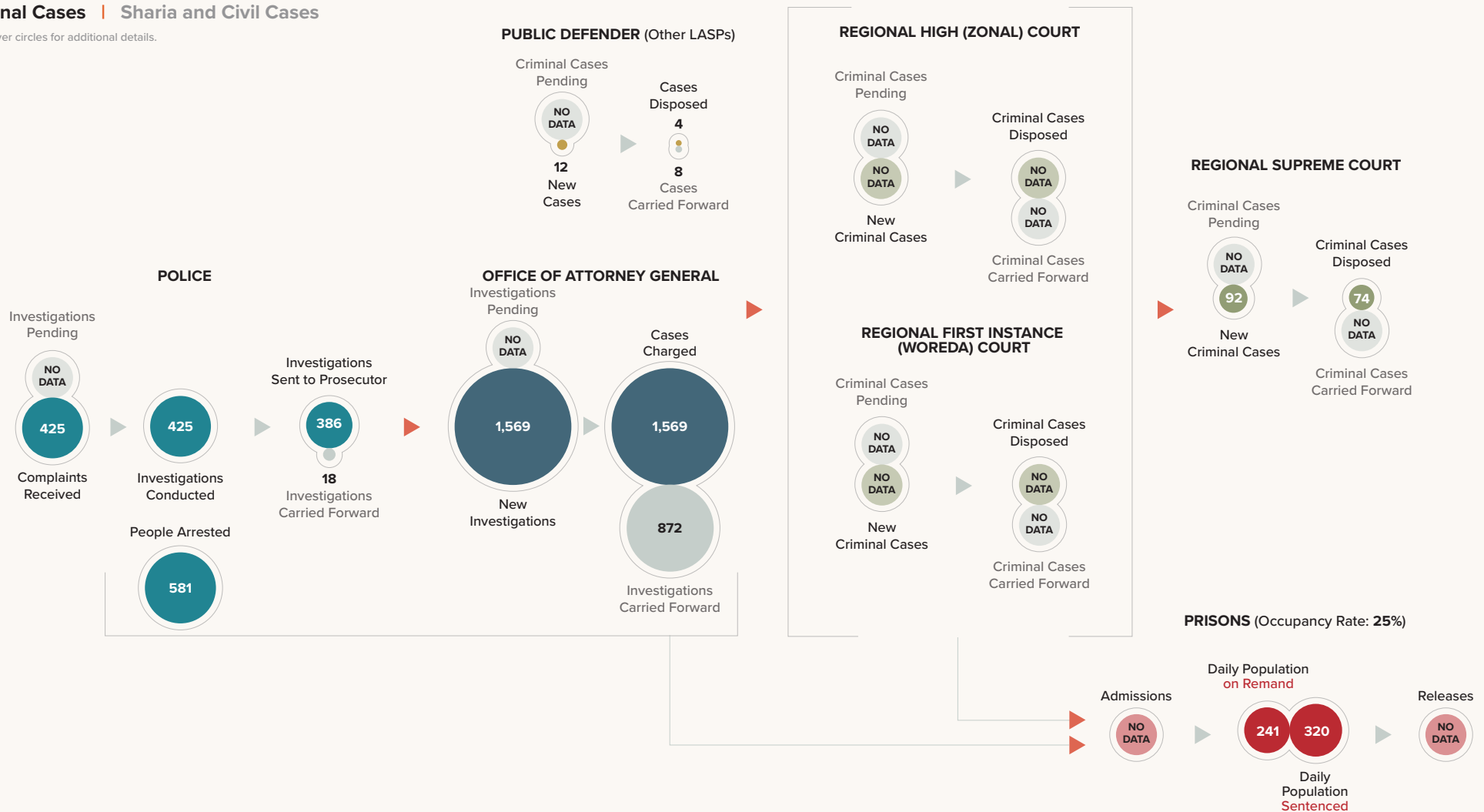
## PRISONS

The five prisons are stated to have a holding capacity of 2,000–3,000. The lower figure is given here and shows 25% space available is occupied by 561 prisoners (3% women) of whom 43% are unsentenced (on remand). The prisons had no data for the number of persons under 18.

In interview, the opinion provided by the prison administration was that 3% of the general population posed a danger to society and over 30% suffered from some mental illness. The data do not show whether any prison police were injured or otherwise threatened or harmed in the course of their duties.

**Criminal Cases | Sharia and Civil Cases**

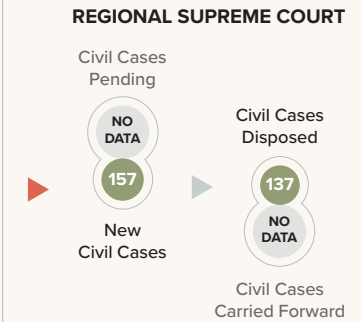
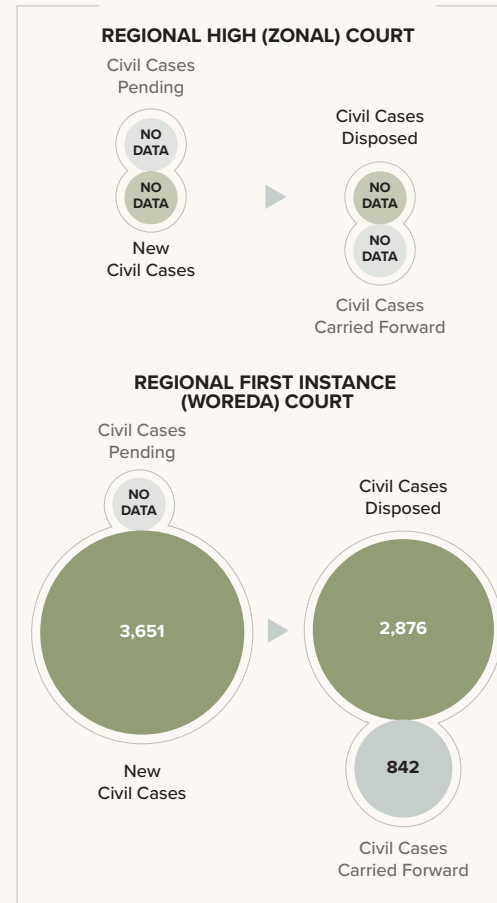
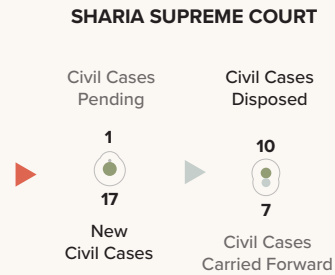
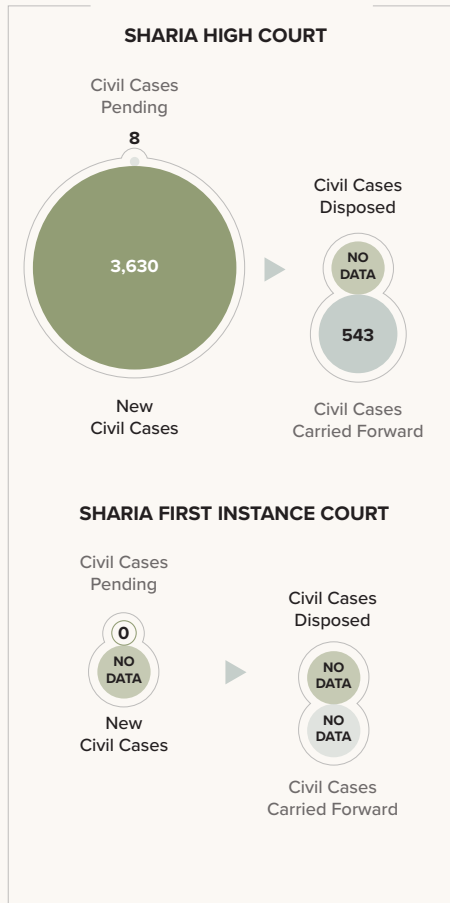
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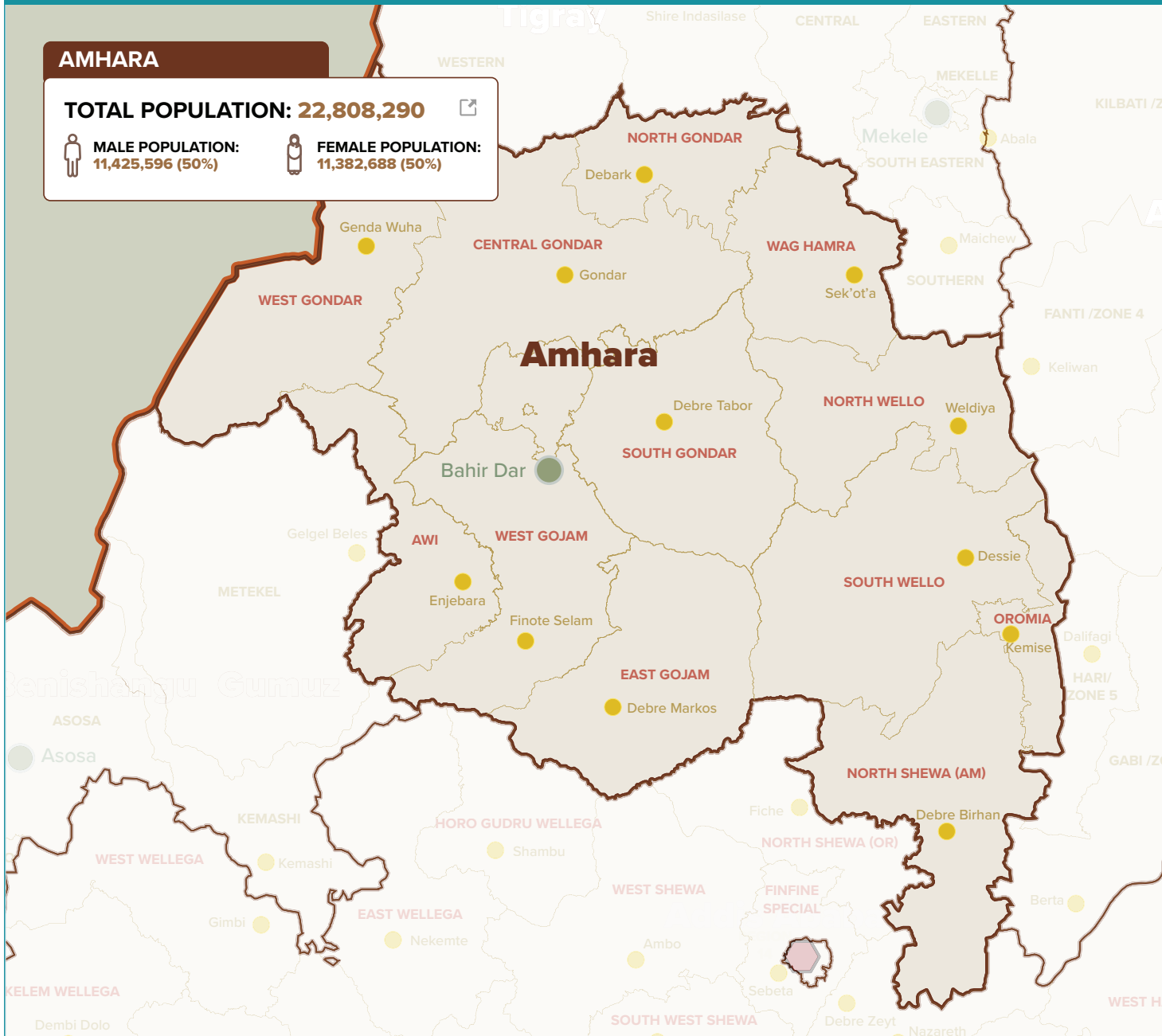


Criminal Cases | Sharia and Civil Cases

Hover over circles for additional details.



# JUSTICE SERVICES | AMHARA



## INTRODUCTION

The data for the region was collected by a regionally based team from institutional headquarters in the region and cross checked with the Annual Reports (ARs) of the institutions.

The data collection started after representatives of these institutions met and agreed the team's workplan. Data were collected from 25 August through September. Queries about data were discussed with the institutions providing them. The data shared by the institutions with the research team were then formally validated by the committee of institutional representatives on 4 October.

Researchers had significant challenges in collecting data due to the political situation in parts of the region.

Researchers found no mechanism or forum that allowed local justice actors and community leaders to discuss local problems and find local solutions on a regular basis. The observation was that they may meet once a year.

Cost and distrust were given as the main ones. A general comment is that justice services come at a cost to the person in search of them.

## POLICE

Police data were sourced from the central police research department via telephone calls to each Zone. They reveal: 214 Woreda police stations across the 12 Zones. They further show most have continuous electricity, water and toilets; and most need structural repair (175).

In terms of resources, the data collected show the following:

- 132 cars shared among 214 Woredas
- 0 police stations have access to radios, internet or adequate stationery
- There are no printers, scanners or photocopiers in any of the stations

None of the police stations have a ramp to assist disabled access and 1 (W Gojam) has a Women and Child Unit.

The number of police in the region was stated to be 'sensitive' when the research team asked for the data to be shared. However a statement of human resources is tabulated in the RPC Annual Report 2013 and shows a total of 6,029 police in the region, 171 of whom are women (2.8%) as follows:

	Male	Female	Total
Community policing	62	10	72
Woreda-designated leadership and members	974	102	1,076
Peacekeeping Officers	306	15	321
Zone Coordinators	858	7	865
Kebele Officers	3,658	37	3,695
Total	5,858	171	6,029

*The original is in Amharic and was translated into English.*

In interview with the police administration, the researchers were told that investigators lacked training and access to adequate forensic laboratory analysis. This combination delayed the investigative process.

In addition, the Annual report noted the following challenges:

- Lack of manpower to prevent attacks on the region
- Poor coordination of tasks
- Funding constraints producing under-staffing and under-resourcing
- Government agencies refusing to provide the required evidence.
- Impunity for those considered politically loyal

### OFFICE OF THE ATTORNEY GENERAL

There are reported to be 200 offices for public prosecutors (PPs) across the region (comparing with the 214 police stations and including sub-woreda offices) with the following infrastructure in round figures:

- 25% only have access to internet while
- 75% have continuous electricity
- 99% have toilets for men
- 0% have toilets for women

Only 1 office has a ramp for disabled access (W Gojam) and 0 have safe spaces for victims of crime and vulnerable witnesses.

In terms of human resources, there are 1,504 public prosecutors, of whom 339 are women (23%). The data show 64 PPs received threats in the last year (including 12 women PPs). A newly recruited PP is said to earn: ETB 15,745 + 2,500 (benefits) per month.

In interview with the research team, the OAG office pointed out the lack of adequate material resources in the zonal and woreda offices such as stationary, scanners and computers. The data show that while offices may have access to printers, very few have scanners or photocopiers. Even if each of the zonal offices have one computer, it is stated that it is inadequate. The OAG office

emphasised the insufficient number of vehicles for prosecutors in the region and how this negatively impacts on efficiency and the safety of prosecutors in moving around the region. The data show 7 Zones have 0 vehicles, 2 Zones have no data and 3 Zones have a total of 6 vehicles. The data also show 0 PPs have access to laws, commentaries and updates of laws.

### LEGAL AID SERVICES

There are reported to be 814 lawyers in practise in the region (21 women—3%).

The offices of the Public Defender are distributed across all Zones except for N Wello and Wag Hamra which have no data. The data show 47 offices across 10 zones.

- Less than 25% (10 offices of the 47) have access to internet
- Just over 50% (26 / 47 offices) have continuous electricity
- 19% have access to toilets (men) and 17% (women)
- 0 have ramps to enable disabled access nor safe spaces for those in need of protection.

There are 41 PDs to service the region (11 women—27%). The view of the OPD in interview with researchers is that they are both understaffed and lack organisation as a separate department of the court.

Material resources are singularly lacking. The data show a stark picture with almost no computers or printers / copiers / scanners and 0 vehicles. They report they have no laws nor commentaries available to PDs nor updates of laws.

The Ethiopian Women Lawyers Association (EWLA) operates offices in 9 / 12 zones. It is the only NGO providing legal aid services in the region. While offices have electricity, the data show they have neither internet nor toilets. The data also show they have no safe spaces for vulnerable clients. In interview, EWLA explained that material resources in zones and woreda offices are not owned by EWLA office but rather borrowed from the office of public prosecutor and police office.

Four of the offices have no lawyers, but are staffed by ‘paralegals’ who are law students. There are 15 lawyers covering the other 5 offices (5 women—33%). They are paid around ETB 7000 per month. There is no data as to whether the paralegals (or law students) are paid anything. It is assumed they are volunteers.

None of the offices are equipped with computers, printers/copiers/scanners; nor do any have a vehicle. None have access via a ramp for disabled people.

University Law Clinics operate out of Bahir Dar University, Debre Markos and Debre Birhan Universities and run 23 offices in 7 Zones (+ 3 offices in Bahir Dar City). While almost all these offices have continuous electricity:

- 2 / 26 offices have internet
- 8 / 26 have toilets for men and women
- 10 have safe spaces for vulnerable persons
- 3 are equipped with a ramp to enable access for disabled people.

They are staffed by law lecturers supporting their students. Three Zonal offices are not staffed by any lawyers but only students. In Central Gondar, the two offices are serviced by 135 students (15 women students). In S Wello, the data show the single office is serviced by 22 lawyers and a single student. Lawyers are reported to be paid between ETB 4500-6500 per month. Student practise rules allow final year students to appear in courts under supervision.

While 60% of offices have access to a computer, around 30% have access to a printer, scanner or photocopier and only N Shewa has access to vehicles.

## COURTS

There are 184 Woreda (First Instance) Courts across all 12 zones (comparing with the 214 Woreda police stations and 200 PP offices). A Zonal (High) Court in each zone and 4 Supreme Courts (in S Wello, N Shewa, W Gojam and Central Gondar).

The data suggest none of the 4 SCs have adequate infrastructure as none have separate court rooms, toilets etc, but what weight to give these data is open to question as none are reported to need structural repair.

There were no data on the infrastructure for two Zonal Courts. Of the remaining 10 Zonal courts, most had electricity, water and toilets but all were in need of structural repair.

The infrastructure of the Woreda courts appears from the data to be poor, while over 50% have electricity and over 70% have water:

- 16% have separate court rooms
- 42% have toilets (men) and 36% have toilets (women)
- All are reported to be in need of some sort of structural repair.

This situation was confirmed in an interview with the Supreme Court who highlighted major access to justice issues such as lack of space in court rooms to conduct trials; inaccessibility of current laws and commentaries for judges; lack of materials such as scanners, recording machines, computers, inadequate stationary etc.

On special procedures / considerations for vulnerable groups, the data show the following:

- *Supreme Court:* 0 ramps to assist disabled
- *Zonal Courts:* 5 / 12 have ramps + 2 Zonal Courts have safe spaces for women and vulnerable witnesses
- *Woreda Courts:* 0 ramps and 0 safe spaces
- *Special Training in Child Justice:* 4 Zonal Court judges

The research team was told of the difficulty for judges in conducting trials in very small rooms while sharing with other judges at the same time, creating a lot of noise and inconvenience. In addition, the SC drew attention to:

- Shortage of computers which forces judges to take down proceedings and write judgments by hand
- Shortage of recording and transcribing machines in the courts (only 5 / 184 Woreda courts have recording technology (<3%))
- Absence of any document management system to store and retrieve soft copy of scanned files
- Absence of a Regional ICT Training Centre equipped with the required technological inputs
- Inability to provide walking-Aid vehicles for judges with physical-disabilities (eg motorcycles)
- Absence of CCTV for security purposes
- Lack of Court Libraries (the data collected show neither Zonal nor Woreda Courts have access to laws, commentaries or updates on laws)
- Lack of technical and material support to develop Regulations, Directives and Manuals to be enacted based on The Regional Court and The Judicial Administration Proclamations.

The data show that the total number of vehicles available to each level of court is as follows:

- 4 Supreme Courts: 20
- 12 Zonal Courts: 29
- 184 Woreda Courts: 16

On numbers of judges by court, the data show the following:

- Supreme Court: 75 judges in the 4 SCs (48 in W Gojam); 15 women (20%)
- High (Zonal) Court: 219 judges in the 12 Zonal courts (averaging: 18 judges per court); 30 women judges (14%)
- First Instance (Woreda) Courts: 1,278 judges (averaging 7 judges per court); 304 women judges (24%)

Judicial security is an issue as 4 judges were threatened last year (including 1 woman judge) and 3 were injured (all men judges).

## PRISONS

There are 29 regional prisons in Amhara. Infrastructure appears as follows:

- Access to continuous electricity is problem in many parts of the country
- Over 75% have continuous water
- 86% have health clinics
- 100% have separate sections for women and girls and for separating minors from adults.

Data were sourced centrally. Conditions specific to individual prisons were not known.

This 'institutional' view is qualified by the Prison AR 2013 which notes:

- Widespread water shortage
- Power shortage and interruptions are a major obstacle to our work.
- As the children who go into prison with their mothers grow, it becomes more difficult for the children to be safe.
- Young inmates are being exposed to more crime because they are not separated from adults. It was planned to separate children under the age of 18 from adult inmates at least overnight, not in all but in two prisons (Bahir Dar and Debre Markos).
- Prisoners' pardon was delayed

The 29 prisons are staffed by:

- 2644 prison police including
- 377 women prison police—14%
- 72 health professionals (total prisoner population, Sep 2021: 20,238 amounts to 1 health professional : 295 prisoners)

The AR 2013 noted:

- Lack of security personnel
- Security problems in some parts of the region are a threat to prisons (Kemise, Ataye, Chilga)
- Lack of modern security surveillance cameras, radios in prisons
- There are budget constraints to focus on training professionals.

Only 2 prisons use computer systems to manage their data base of admissions and releases. All state they have workshops and education programmes.

Researchers interviews with the prison administration disclosed problems of prison congestion and overcrowded cells and a lack of space to separate sentenced from unsentenced prisoners. For instance, Injebara prison in Awi zone is reported to be the most congested prison in the region where 80-100 prisoners occupy a single cell.

They also pointed out the problem of not having well-equipped workshops to rehabilitate inmates. The same is true regarding health facilities in prisons as most of the zonal prisons are characterized by lack of trained physicians and adequate medical inputs.

The AR goes on to note that the education programme reached:

- 2,963 for 1st – 8th
- 313 for standard secondary

Training was provided to prisoners in agriculture (vegetable and fruit, as well as livestock management) and traditional and modern crafts.

# JUSTICE SERVICES | AMHARA | RESOURCES AND INFRASTRUCTURE

# ZONES

	POLICE		PUBLIC DEFENDER		UNIV. LAW CLINIC		OFFICE OF ATTY GENERAL		RFI COURT		RH COURT		RS COURT		SFI COURT		SH COURT		SH COURT		PRISON		
	Structures in Need of Repair	Investigators per 100K	Dedicated Offices	LASPs per 100K	Dedicated Offices	LASPs per 100K	Offices per Woreda	Prosecutors per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Structures in Need of Repair	Prisons Over Capacity	
NORTH GONDAR	100%	No Data	1	0.8	N/A	N/A	2	6.8	0%	6.9	100%	1.6	N/A	N/A	0%	0.4	0%	0.1	N/A	N/A	100%	0%	
SOUTH GONDAR	75%	No Data	1	0.2	2	0.2	1.33	5.4	53%	4.6	100%	1	N/A	N/A	0%	0.3	0%	N/A	N/A	N/A	N/A	No Data	0%
NORTH WELLO	100%	No Data	No Data	No Data	N/A	N/A	1.18	6.9	No Data	7.7	No Data	1	N/A	N/A	0%	0.4	0%	0.1	N/A	N/A	No Data	0%	
SOUTH WELLO	100%	No Data	7	No data	1	0.6	1.19	7	0%	6.3	0%	0.9	No	0.5	0%	0.6	0%	N/A	N/A	N/A	N/A	No Data	0%
NORTH SHEWA (AM)	100%	No Data	6	0.1	4	N/A	1.45	8.5	16%	6.3	100%	0.9	No	0.2	0%	0.2	0%	N/A	N/A	N/A	N/A	No Data	100%
EAST GOJAM	62%	No Data	7	N/A	7	N/A	1.29	6.6	32%	7.7	100%	1.1	N/A	N/A	0%	0.1	0%	N/A	N/A	N/A	N/A	No Data	0%
WEST GOJAM	60%	No Data	5	0.2	2	N/A	1.36	4.9	0%	3.1	0%	0.7	No	1.6	0%	0.3	0%	N/A	No	0.1	No Data	0%	
WAG HAMRA	100%	No Data	No Data	No Data	N/A	N/A	1.33	9.4	No Data	5.2	No Data	0.8	N/A	N/A	0%	1.3	0%	0.2	N/A	N/A	No Data	0%	
AWI	20%	No Data	3	0.5	2	0.1	1.22	5.7	9%	5.9	100%	0.9	N/A	N/A	0%	1.4	0%	0.1	N/A	N/A	No Data	0%	
OROMIA	100%	No Data	6	1	N/A	N/A	1.2	5.7	0%	3.5	100%	0.8	N/A	N/A	0%	0.8	0%	0.2	N/A	N/A	No Data	100%	
CENTRAL GONDAR	100%	No Data	7	0.2	2	N/A	1.92	6.6	0%	4.1	100%	0.9	No	0.2	0%	0.1	0%	N/A	N/A	N/A	N/A	No Data	0%
WEST GONDAR	100%	No Data	4	0.2	N/A	N/A	1.8	12.4	100%	8.2	100%	2.7	N/A	N/A	0%	0.7	0%	0.2	N/A	N/A	No Data	No Data	
NATIONAL AVERAGE		4.9		0.3		0.1		9.3		6.0		1.7		1.4		0.3		0.4		0.5			



## GENERAL

Case management is not systematized in the region, nor are data disaggregated by gender, age, disability, disposition etc.

The data show civil cases dominate the courts: 444,000 in the regular courts and 12,000 in the Sharia courts.

Criminal cases (127,000) constitute 28% of the courts' caseload.

## CRIMINAL JUSTICE

The data show some disparity between cases investigated by police and received by OAG but the overall volume is consistent under 50,000.

Nothing explains from where the 103,000 new cases in Woreda Courts, nor 20,000 in the Zonal Courts, come.

Court dispositions are not known (ie, the number convicted, acquitted, or settled), but the prison data shows only 10% of the standing population are unsentenced. While data are not available from the PD, it can be assumed (from experience elsewhere) that representation of accused in court at trial will be low. The one NGO (EWLA) and ULCs are unable to fill the gap in justice services, so most of those sentenced, it can be inferred, will not have been defended by a lawyer.

The percentage of women in the criminal justice system shows nothing out of the ordinary.

## POLICE

The 8,166 cases pending are all attributable to cases awaiting forensic test results. While the case management data do not differ significantly from the figures recorded in the Annual report, the difference in number of arrests is significant (the AR records: 54,649).

There is no central research unit holding data on case management. The research team found the data to be 'scattered' among several police departments (including the crime investigation office).

## OFFICE OF THE ATTORNEY GENERAL

OAG case data are incomplete, as can be seen in the Data Notes.

## OFFICE OF THE PUBLIC DEFENDER

There are no data on cases managed by the OPD. The interview states There is no reporting system between PD office to Zonal High courts to Regional Supreme court, because the PD office in the region is not organized as an independent office but rather as part of the ordinary court system: the OPD has no independent budget, it shares all resources and facilities with the courts.

## LEGAL AID SERVICES

The case management data show a mean of 7 cases per office per month (773 cases divided by 9 offices divided by 12 months)—66% of these cases are reported to be disposed of by way of advice and counsel.

## UNIVERSITY LAW CLINICS

As concerns the caseload, the data show that the 1,889 cases registered by the ULCs were all disposed of in the year. The majority (1,113) disposed of by way of advice and counsel (i.e., 59%).

## COURTS

The disposed cases by each level of court correspond with the 'decided cases' listed by court in the Annual Report 2013. The AR places emphasis on court efficiency noting the number of cases decided within 30 days, 1–2 months, 2–6 months, 6–12 months, 1–3 years and over 3 years.

**PRISONS**

Case figures in prison (extracted from the AR 2013 and translated into English from the Amharic)

	Male	Female	Total
Newly admitted inmates during the fiscal year	31,767	766	32,533
Prisoners released during the fiscal year	25,184	574	25,758
Imprisoned after court's decision	15,098	272	15,370
Imprisoned in Regular adjournment	2,955	75	3,930
Youth inmates	9,969	159	10,238
Imprisoned in timely adjournment	1,699	56	1,755
Frequent inmates	823	3	826
Information about children with their parents in prison	52	52	104

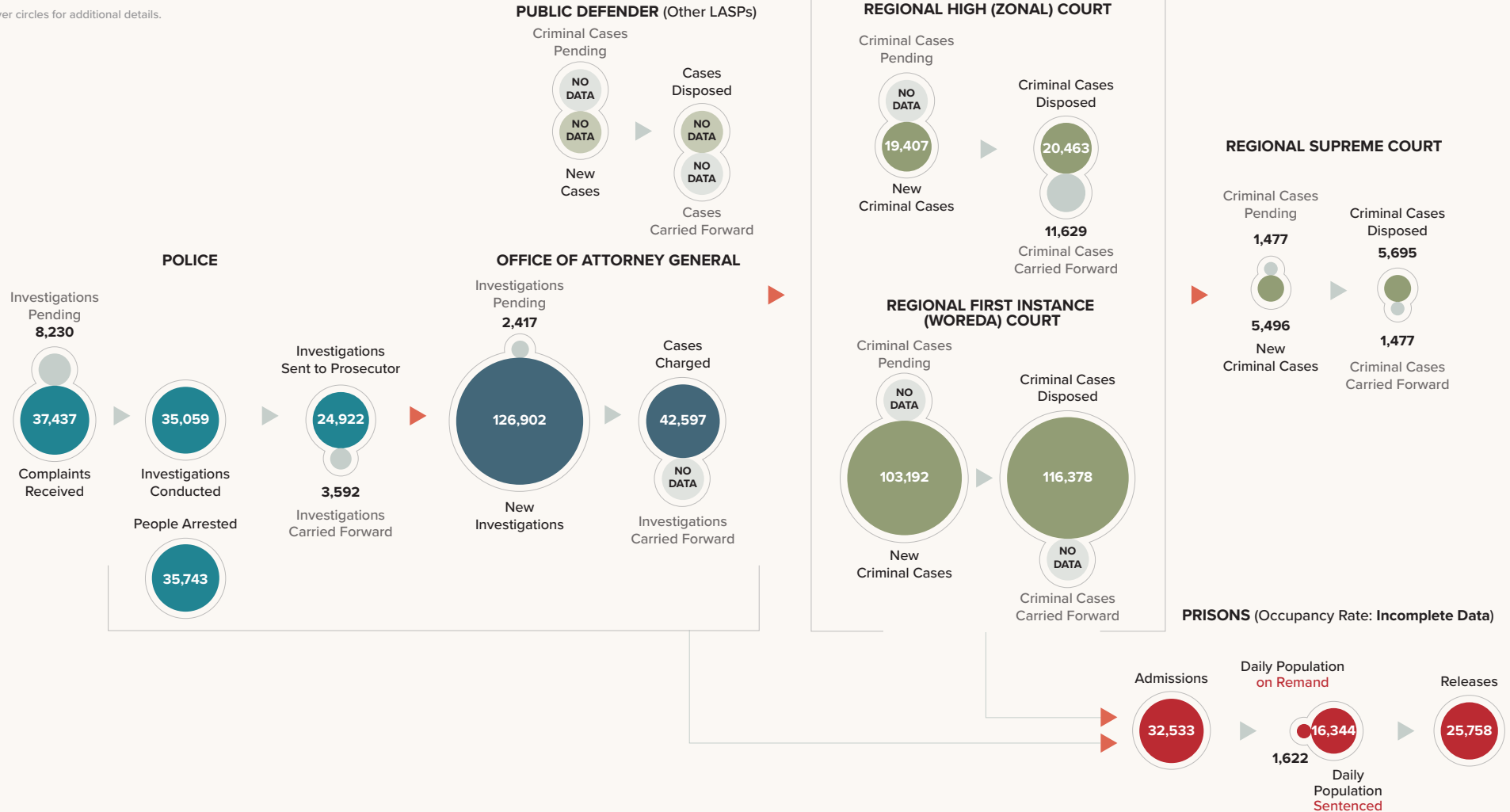
*Those in italics may include typographical errors. The first totals 3,030, the second 10,128.*

The case data in the table above show that the number of admissions far exceeds the number of releases for the year. This would indicate a growing prison population year on year.

The case data shown in the visual reveal 45% of the sentenced population are serving less than 3 years imprisonment, which suggests they are convicted of crimes at the lower end of the criminal scale.

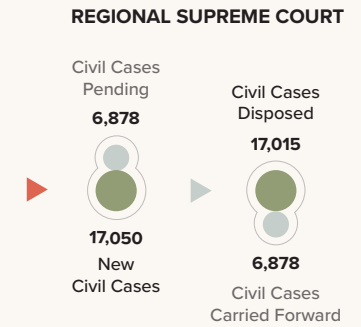
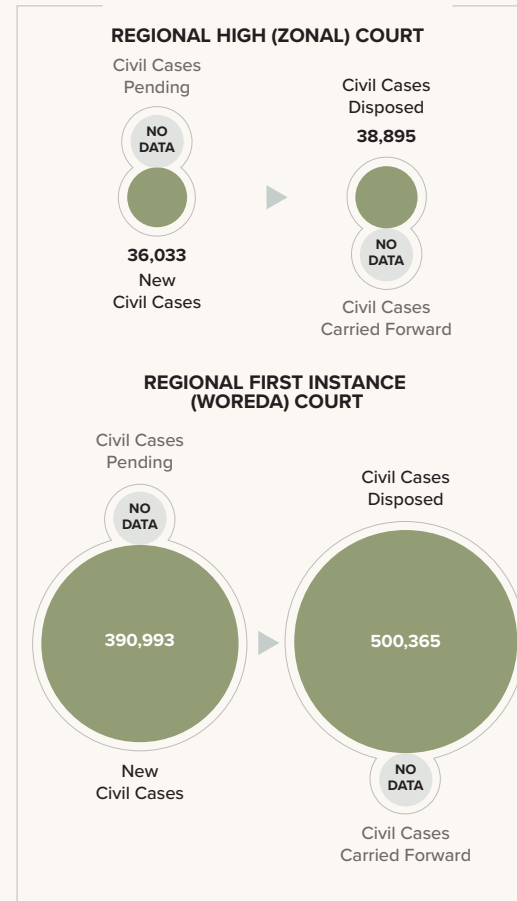
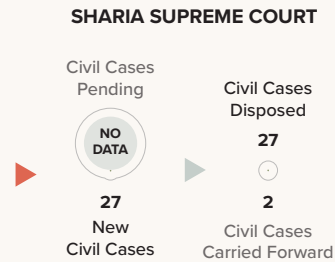
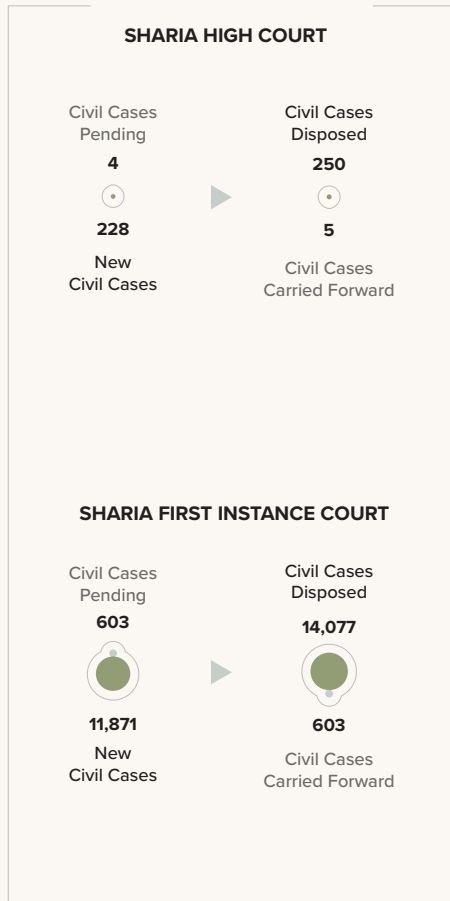
**Criminal Cases | Sharia and Civil Cases**

Hover over circles for additional details.



Criminal Cases | Sharia and Civil Cases

Hover over circles for additional details.

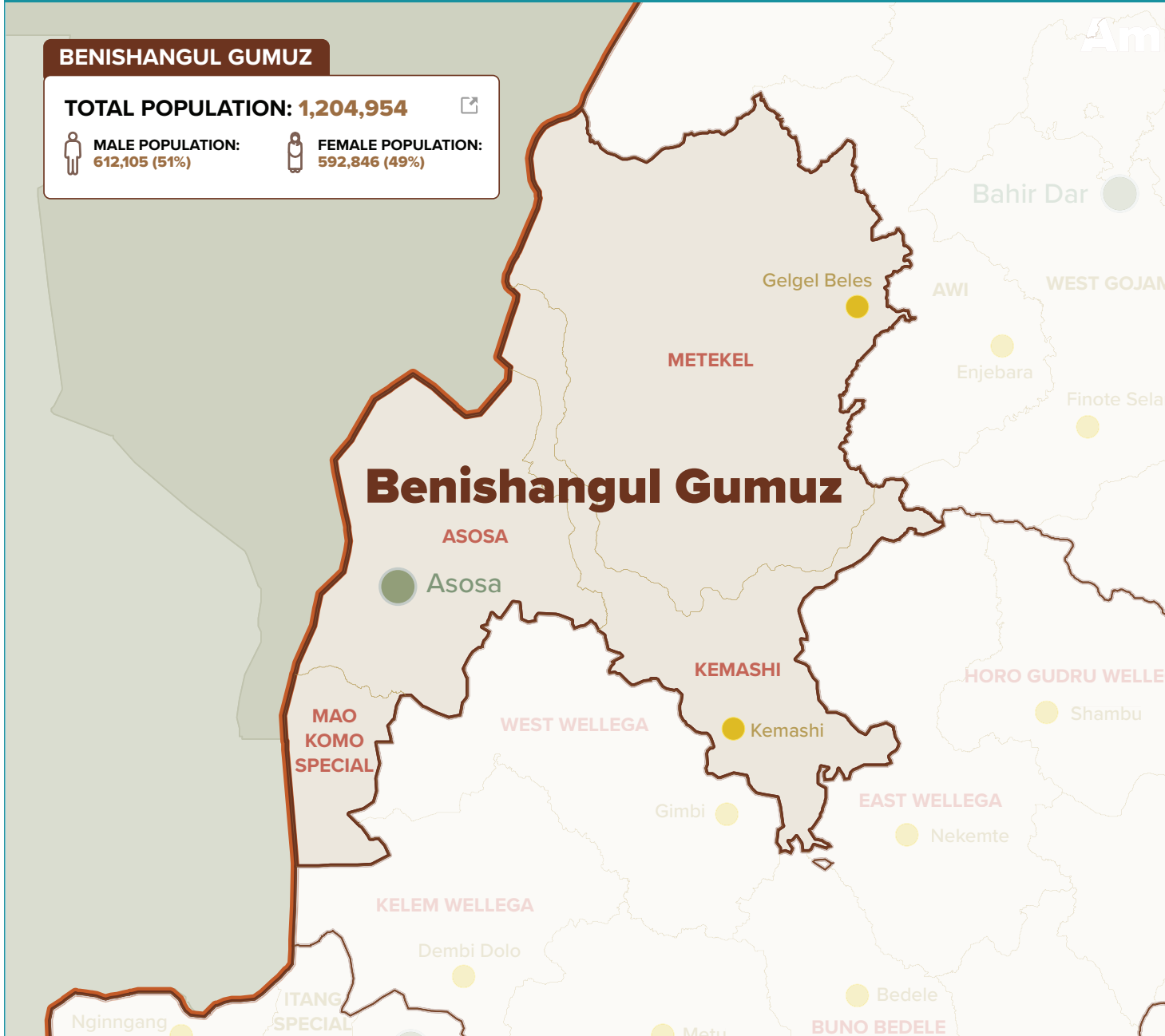


**BENISHANGUL GUMUZ**

**TOTAL POPULATION: 1,204,954**

**MALE POPULATION:**  
612,105 (51%)

**FEMALE POPULATION:**  
592,846 (49%)



## INTRODUCTION

The data for the region was collected by a regionally based team from institutional headquarters in the region and cross checked with the Annual Reports (ARs) of the institutions. All were available and shared. The data collection started after representatives of these institutions met and agreed on the team's work plan. Data was collected from 25 August through September. Queries about data were discussed with the institutions providing them. The data shared by the institutions with the research team were then formally validated by the committee of institutional representatives on 5 October.

Unlike in some other regions, there is a sector coordination forum in which most justice sector institutions participate. Prisons do not take part in the meetings. Concerns have been raised that the coordination system occasionally may have the effect of exposing courts to political pressure in some cases with political dimensions. Infrastructure is inadequate across all institutions and the same can be said for all data management systems. Researchers have noted that the lack of trust in the justice system is the greatest barrier to accessing justice and the on-going conflict has further undermined trust in the system.

There is a shortage of female police investigators, which has the effect of making it harder for women to report crime, in particular crime that entails GBV. Mothers are sentenced to prison and serve their terms with their children in prison. There are lapses in the adherence to the laws and rules pertaining to young offenders, who are sometimes, for example, interrogated without the presence of a guardian and detained together with adults. Child justice training has been limited to few focal points but never rolled out to frontline staff. Little to no effort has been made to make the justice system more accessible for people with different physical abilities.

## POLICE

There are 25 police stations across the three zones and one special woreda of Benishangul Gumuz Region. None of those police stations have either a continuous water supply nor electricity and all are in need of structural repair.

In terms of resources, the data collected show the following:

- The police have access to 22 cars and each station has at least one vehicle.
- Most police stations have access to radios and computers but only two have internet.
- Computers appear distributed but police stations in 8 / 12 Zones do not have printer, scanner or photocopier

None of the police stations have a ramp to assist disabled access but all police stations in Metekel and Asosa have Women and Child Units.

Police initially supplied human resources data (disaggregated by gender). In the data validation process, police requested these data not be published.

Researchers observed that the police are often unable to collect evidence and instead rely on whatever evidence that the complainant can present. This dilemma is of course exacerbated in cases with complex facts and evidence.

## OFFICE OF THE ATTORNEY GENERAL

There are 23 branch offices of the OAG in the region. None of these offices have an internet connection and only four of them have continuous electricity. None of the offices have either ramps to facilitate access for disabled people nor safe spaces for victims and witnesses. However, unlike in many other regions, all offices have toilets for both men and women.

There are 136 prosecutors in the region, 12 of whom are women (just under 9%). Material resources are sparse. As most offices don't have electricity it comes as no surprise that they also don't have any computers, scanners, printers or photocopiers. None of the offices have access to a vehicle. None of the offices have access to the Laws of Ethiopia, let alone the commentaries on those laws. A newly recruited prosecutor received a remuneration package worth ETB 18,245 per month.

Researchers have noted that public prosecutors seem not to have sufficient links or lines of communication with the police, and police are mostly left to conduct investigations without much advice or support from the prosecutors. The Criminal Procedure Code gives prosecutors 15 days to frame charges but in practice this time limit is often ignored, which presents particular predicaments in cases in which the accused is remanded in custody. The conviction rate stands at 64% which is lower than in neighbouring regions.

## LEGAL AID SERVICES

There are seven public defender offices across three zones of the region. None of them have continuous electricity nor toilets. About half of the offices have computers and other office equipment, and even internet connections. There are a total of six public defenders in the region, three of whom are women. None of the offices have access to a vehicle.

There is an NGO, with one lawyer, providing legal aid services in Assosa. In Metekel and Asosa there are also University Legal Clinics. However, due to conflict in Metekel, that clinic has no staff. Student practise rules allow final year students to appear in courts under supervision. There were no data available for the number of practising lawyers in Benishangul Gumuz.

The research team was unable to find any cases in which legal advice, in any form, was provided to accused persons either at police stations or in prisons. The official data from the Public Defender's office however suggests that they have some involvement in approximately 14% of the cases in which charges were framed. This is a considerably higher figure than in neighbouring regions.

## COURTS

There are 22 First Instance Courts, four High Courts, and one Supreme Court in the region. None of the courts, not even the Supreme Court, have any toilet facilities. All courts are also in need of structural repair. There is access to the internet at the Supreme Court and also at two of the High Courts, but none of the First Instance Courts have internet. Same is true for access to other office equipment like computers, copiers and printers—these are mostly available in the higher courts but not at first instance level. None of the first instance courts judges and staff have access to the Laws of Ethiopia and the accompanying commentaries. There are no access ramps, no safe spaces for victims and witnesses and few of the judges have received any training on child justice procedures. UNICEF used to provide support in cases involving women and children, but this support appears to have come to an end.

The courts ordinarily have access to two vehicles, however, one of those cars has been severely damaged in an accident.

Researchers have noted that there is widespread perception that the judiciary is often subjected to undue influence by the executive.

## PRISONS

There are three prisons in the region; two have continuous electricity and only one has a steady supply of water. Two of the prisons have separate sections for women, but none are able to separate children from adults or unsentenced prisoners from sentenced prisoners. All prisons are in need of structural repairs. All prisons have health clinics.

There is no data on human resources in the prison system as the prison administration considers these figures to be sensitive and not for public disclosure. Data management and documentation is done without the help of computers. While none of the prisons have any workshops for vocational training they nevertheless endeavour to offer sentenced prisoners some formal training programmes.

Prisons are overcrowded and the situation in the Metekel Zone prison is particularly acute as it operates at 360% of official capacity. There are insufficient beds and blankets thus forcing prisoners to sleep on the bare concrete floors. The shortages of water and poor hygiene further exacerbate the health situation in many prisons. There are reported to be 'informal prisons' at Assosa TVET colleges, the GERD site, and at Metekel Zone command post.



# JUSTICE SERVICES | BENISHANGUL GUMUZ | RESOURCES AND INFRASTRUCTURE

# ZONES

	POLICE		PUBLIC DEFENDER		UNIV. LAW CLINIC		OFFICE OF ATTY GENERAL		RFI COURT		RH COURT		RS COURT		SFI COURT		SH COURT		SH COURT		PRISON	
	Structures in Need of Repair	Investigators per 100K	Dedicated Offices	LASPs per 100K	Dedicated Offices	LASPs per 100K	Offices per Woreda	Prosecutors per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Structures in Need of Repair	Prisons Over Capacity
METEKEL	100%	3.6	2	0.4	1	N/A	1.14	11.6	100%	26.8	100%	7.2	N/A	N/A	0%	0.6	100%	0.2	N/A	N/A	100%	100%
ASOSA	100%	11	3	0.7	2	3.4	1.29	9.8	78%	No Data	100%	No Data	Yes	No Data	0%	1.6	100%	0.2	Yes	0.7	100%	100%
KEMASHI	100%	12.7	2	0.6	N/A	N/A	1.2	17.5	100%	No Data	100%	No Data	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%	0%
MAO KOMO SPECIAL	100%	2.7	N/A	N/A	N/A	N/A	N/A	N/A	100%	No Data	N/A	N/A	N/A	N/A	0%	1.3	N/A	N/A	N/A	N/A	N/A	N/A
NATIONAL AVERAGE		4.9		0.3		0.1		9.3		6.0		1.7		1.4		0.3		0.4		0.5		

## POLICE

The police received 1,456 complaints during the year and were able to investigate them all. This resulted in 1,236 investigations being forwarded to the OAG. 125 investigations pertained to reports of GBV and they were all forwarded to the OAG. There was no data on any juveniles arrested.

## OFFICE OF THE ATTORNEY GENERAL

The OAG had 16,249 investigations pending from the previous year, and opened another 4,207 during the course of the year. Note that this figure is considerably higher than the number of investigations forwarded by the police. Charges were filed in 1,747 cases, and 336 of those cases were categorized as GBV cases—again the figure is far greater than the number of GBV cases forwarded by the police. There is no data on how many, if any, juveniles were charged. OAG data indicates a conviction rate of over 77% in Benishangul-Gumuz. Less than 2% of criminal cases that were prosecuted by the OAG ended in an acquittal. The OAG reported that 172 of the GBV cases ended in a conviction, amounting to a conviction rate of 51%.

## COURTS

There were 5,243 new criminal cases filed in the RFIC and 1,386 in the RHC. Note that these numbers are considerably higher than the number of cases in which the OAG is reported to have framed charges. The disposal rate was very high. There was no data on the disposal of neither GBV nor juvenile cases.

The regular courts received 7,610 new civil cases, while the Sharia courts received 985. Again the disposal rate was high at well over 100% for both the regular courts and Sharia courts. This implies that there were some pending cases at the beginning of the year, although there was no data on any pending cases.

## LEGAL AID SERVICES

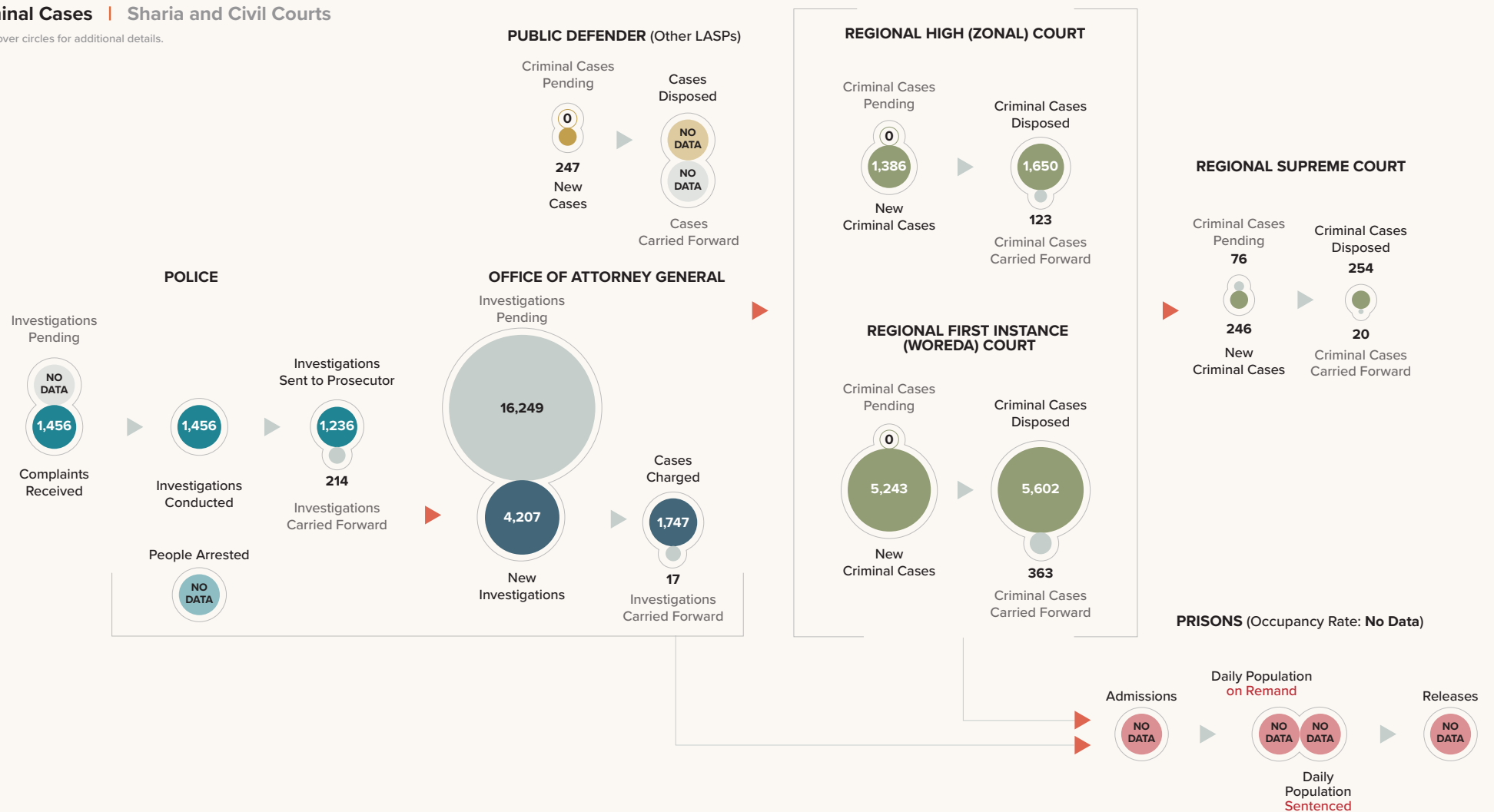
The Office of the Public Defender received 247 cases and there is no data on how many were disposed. If seen in the context of the 6,885 criminal cases that were filed in all courts, the Public Defender was able to represent accused persons in about 3.6% of cases. As there were 7 Public Defenders, this suggests that, on average, each Public Defender was able to dispose of about 35 cases in a year, or about 3 in a month. In the same period, an NGO in Asosa, with one lawyer, provided legal aid services 201 in cases. In Metekel and Asosa there are also University Legal Clinics. In Asosa the Clinic handled 33 cases. However, due to conflict in Metekel, that clinic had no staff and could not operate.

## PRISONS

Case management data was not centrally organized and was hence incomplete and unreliable.

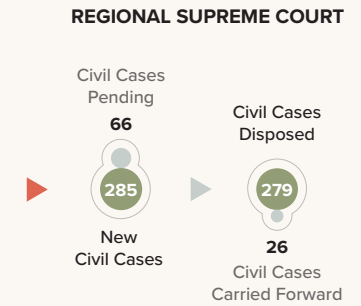
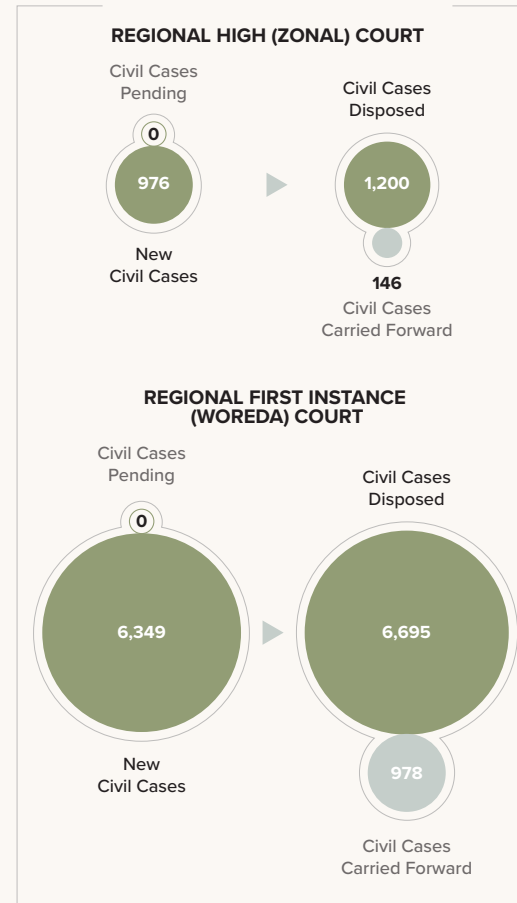
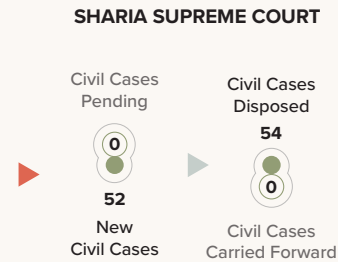
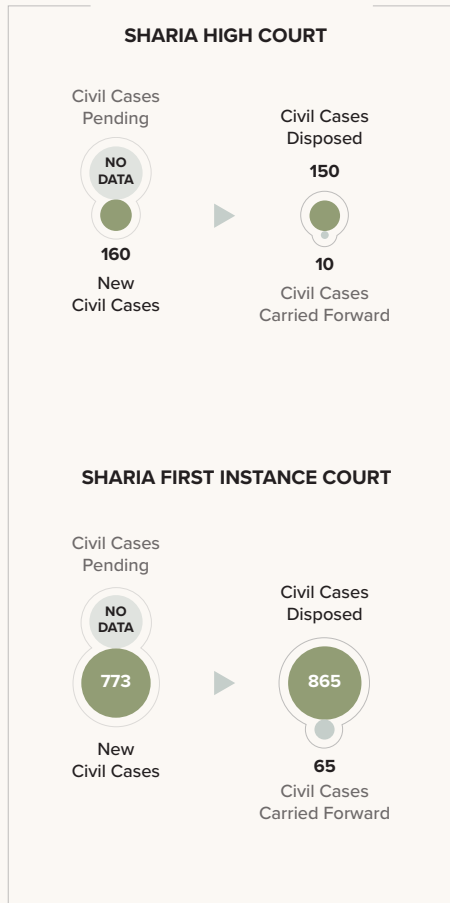
**Criminal Cases | Sharia and Civil Courts**

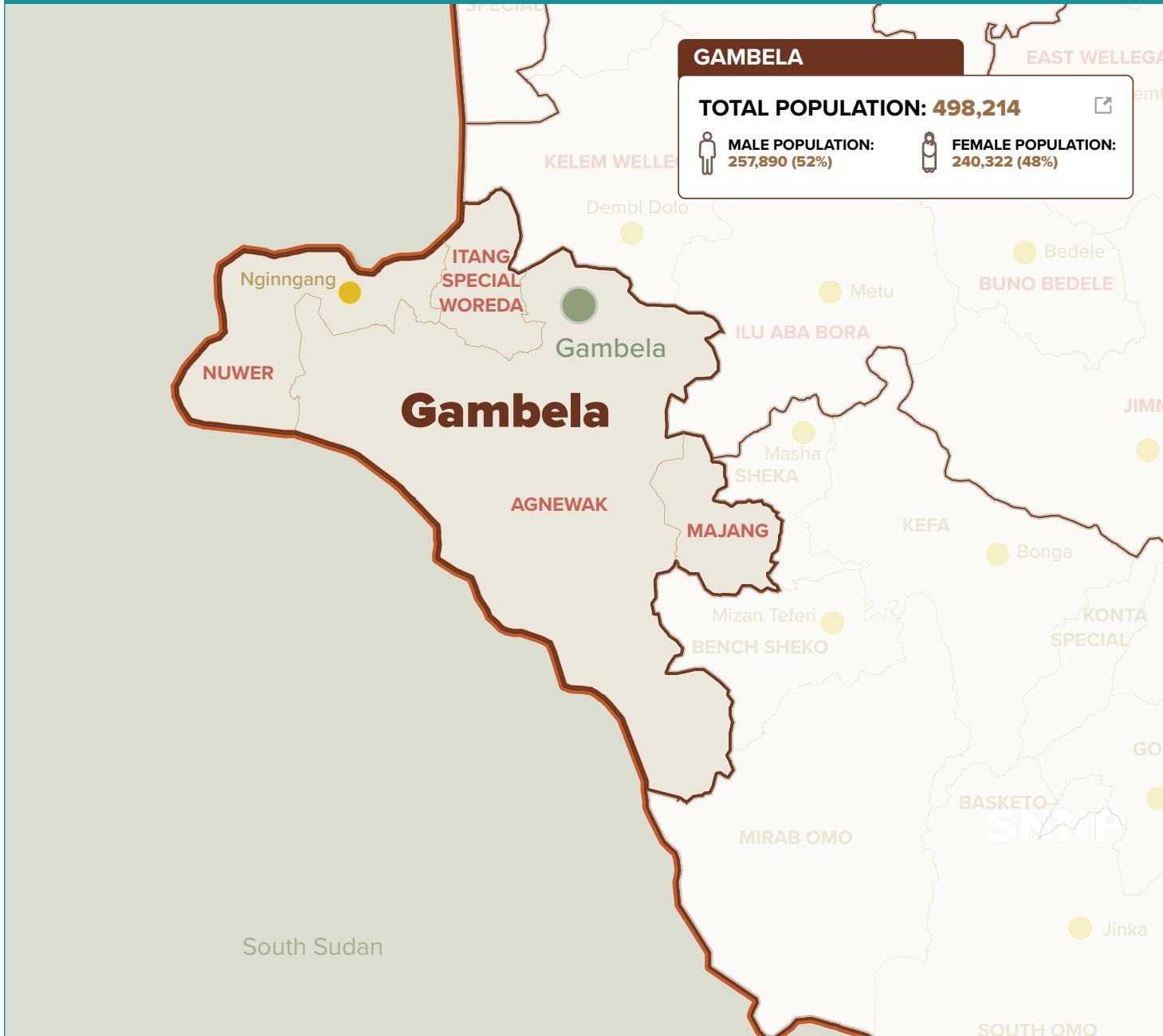
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Criminal Cases | Sharia and Civil Cases

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## INTRODUCTION

Gambela is classified as a less developed, or newly emerging, Regional State.

Currently the number of refugees and displaced persons has almost doubled the resident population and placed pressure on existing services as well as on social cohesion—see Situation Overview and Populations of Concern.

The data for the region was collected by a regionally based team from institutional headquarters in the region and cross checked with the Annual Reports (ARs) of the institutions. All institutions shared their Annual Reports for the year 2013 (EC).

The data collection started after representatives of these institutions met and agreed the team's workplan. Data were collected from 25 August through September. Queries about data were discussed with the institutions providing them. The data shared by the institutions with the research team were then formally validated by the committee of institutional representatives on 28 September.

Unlike federal counterparts, which have a forum where justice actors meet on a regular basis to discuss local problems and find local solutions, no such arrangement is in place in the region.

The research team noted several obstacles for ordinary people accessing justice beyond those mentioned. They include:

- Lack of legal awareness as many people do not know the remedies that exist.
- Distance: courts are few and far away from the villages where most people live.
- People prefer to solve their disputes amicably without the need to go to court and so choose traditional dispute resolution mechanisms even though they sometimes run counter to individual rights, especially, female complainants.
- People also cite as a challenge, the costs of court fees and travel to and from court.
- People mistrust the impartiality of the courts especially when external actors in positions of influence and authority seek to exert pressure on the outcome.

In terms of the research and data collection, they noted:

- Data capture, storage and communication (through filing regular reports) is a challenge across all institutions.
- State institutions lack basic documents such as copies of the Proclamation establishing their institution or access to Regulations and Directives to provide guidance in their work and assurance that they are working within the rules and regulations set down.

## POLICE

There are 13 police stations in woredas across the four Zones of Gambela region. All are in need of structural repair and infrastructure appears poor: none have electricity, water, toilets nor holding cells. None of them have ramps to facilitate access for those with a disability. Four of the 12 police stations have a Women and Child Unit.

There are 3,380 regular police. Precise human resource figures were not available at the regional level. Researchers enquired of Zonal administrations where the data on police human resources were not generally disaggregated by gender and only totals were provided. A junior police man or woman can expect ETB 3,417 per month (just over USD \$70). There were reported to be 10 investigators to service the region (of whom 1 is a woman investigator).

The Annual Report 2013 notes the problem of investigators. External commentators observe that investigations are sometimes abandoned due to external pressure / influence (eg a suspect is related to a public official), that coordination between police and prosecutors is weak and legal advice and assistance at police is non-existent.

The data show 12 vehicles available to police in the region and otherwise nothing in terms of resources, whether access to internet, radios, computers, printers, photocopiers, scanners—or even adequate stationery. The AR 2013 noted:

- 120 radios donated by Australian government
- Internet installed at the Regional Police Commission
- 17 police vehicles purchased by the regional government:
  - 13 sent to woredas

The AR further notes the absence of community cooperation with police and challenges in providing water to detained suspects in police stations.

## OFFICE OF THE ATTORNEY GENERAL

The 13 police stations are covered by 15 offices of the Attorney General staffed by 101 Public Prosecutors (PPs), including 5 women (5%). Infrastructure (as with police) is poor: offices have no electricity, internet, toilets nor access points for disabled persons nor safe spaces for vulnerable witnesses.

The OAG Annual Report 213 cites the shortage of funding, office space and equipment and lack of training on ‘document handling’ as challenges. The data collected here suggest a significant deficit of office equipment: there are no computers, printers, copiers, scanners nor vehicles. PPs do have access to laws and updates of laws however.

Last year the 101 prosecutors (who are paid ETB 11,915 per month) filed some 400 charges.

## LEGAL AID SERVICES

The data show 4 PDs (0 women) working out of 4 offices in three of the four Zones (0 in Itang Special) with poor infrastructure and zero resources. They receive ETB 8700 per month (USD \$187). Last year they disposed of four cases.

There are 0 NGOs providing legal aid services in the region. Gambela University’s Law School Legal Aid Clinic is the only free legal aid services provider and it lacks funds and manpower. For two months in 2020, it operated in Gambela Town, Abol, Itang and Gog under the Community Service and Access to Justice programme through UNDP. There is no Bar Association in the region and no data on the number of practising lawyers.

## COURTS

There are 13 Woreda Courts across the four Zones (comparing with the 13 police stations), 4 Zonal courts (2 in Agnewak and 0 in Itang Special) and a Supreme Court in the regional capital.

The infrastructure and working environment appear to be very poor: 0 courts have separate court rooms in which to conduct hearings openly before the public; nor electricity, water, toilets (for men or women) and all are in need of structural repair.

The SC has 8 judges (2 women—25%) supported by 2 interpreters.

The RHC have 33 judges (4 women—12%). A High Court judge is paid ETB 11,800 per month (USD \$254)

The RFIC (Woreda Courts) have 86 judges (14 women—16%). This averages at 6 judges to each court. A FIC judge is paid ETB 10,550 per month (USD \$227). Neither HC nor FIC have interpreters.

None of the courts have access to the internet, nor to photocopiers or printers, recording technology or law books and commentaries. The SC has two vehicles, the RHC and RFIC have none.

There is no access for disabled persons via ramps in any court, nor are there safe spaces for victims of crime in need nor vulnerable witnesses. Four of the 86 Woreda Court judges are reported to have had special training in child justice.

The Supreme Court Annual report 2013 indicates that the courts generated ETB 1,257,901 (from judges) and ETB 2,265,813 from Fines. In USD this amounts to over \$75,000.

## PRISONS

The 4 prisons in the region are all in need of structural repair and appear to be in poor state: 0 have continuous electricity, water or health clinics. Minors are not separated from adults, nor sentenced from unsentenced prisoners.

Prisons Annual Report 2013 points to under-funding, shortage of accommodation for prisoners and shortage of weapons for staff.

Other challenges include security concerns and 'frequent' escapes of prisoners as well as the occurrence of cholera outbreaks.

The research team was informed the prison staff is 173 prison police (27 women—16%) and 0 health professionals. This conflicts with the Prison Annual Report 2013 which states there are: 285 prison police (65 women—23%).

A junior prison police is paid ETB 3,825 per month (USD \$82).

All the prisons record admissions, transfers and releases manually in registers. There is no computerised database nor access to IT. None of the prisons have internet access. None of the prisons has a mobile prison van or bus, nor truck to transport, for instance, food for the daily ration.

All four have formal education programmes for sentenced prisoners but only 1 has a workshop. One was visited by the Ethiopian Human Rights Commission in the past 12 months. One has a formal complaints procedure for prisoners. Family visits are allowed to sentenced and unsentenced prisoners twice per week.



# JUSTICE SERVICES | GAMBELA | RESOURCES AND INFRASTRUCTURE

# ZONES

	POLICE		PUBLIC DEFENDER		UNIV. LAW CLINIC		OFFICE OF ATTY GENERAL		RFI COURT		RH COURT		RS COURT		SFI COURT		SH COURT		SH COURT		PRISON	
	Structures in Need of Repair	Investigators per 100K	Dedicated Offices	LASPs per 100K	Dedicated Offices	LASPs per 100K	Offices per Woreda	Prosecutors per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Structures in Need of Repair	Prisons Over Capacity
NUWER	100%	1.2	1	0.6	N/A	N/A	2	20.8	0%	16.2	0%	5.2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%	0%
AGNEWAK	100%	2.1	2	1.1	N/A	N/A	1	21.4	0%	16.6	0%	4.8	No	5.4	N/A	N/A	N/A	N/A	N/A	N/A	100%	0%
MAJANG	100%	2.4	1	1.2	N/A	N/A	1	22.3	0%	24.7	0%	17.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%	0%
ITANG SPECIAL WOREDA	100%	3.8	N/A	N/A	N/A	N/A	1	11.3	0%	11.3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
NATIONAL AVERAGE		4.9		0.3		0.1		9.3		6.0		1.7		1.4		0.3		0.4		0.5		

## POLICE

The 10 investigators (including 1 women) conducted 561 investigations, including 51 investigations into GBV. They transferred 362 cases to the OAG.

## OFFICE OF THE ATTORNEY GENERAL

The OAG received 400 cases from police (so are broadly consistent) and laid 400 charges at courts (including 7 GBV cases and against 30 juveniles).

## COURTS

In the courts the combined new criminal cases for RHC and RFIC grow to around 1000 and the Zonal Courts register 24 GBV cases (no data for Woreda Courts re GBV cases). The trail goes silent as concerns the 30 juveniles (though picked up again in the prisons below).

Most of the new cases into the RHC and RFIC are disposed of in the same year with 90% disposal rate in the RFIC and 93% in the RHC.

## LEGAL AID SERVICES

The 4 new cases into the Office of the Public Defender provide the only record of legal aid services. There are 0 NGOs operating in Gambela and while the ULC operated in Gambela Town, Abol, Itang and Gog over two months in 2020, funding ceased and with it the ULC's services.

## PRISONS

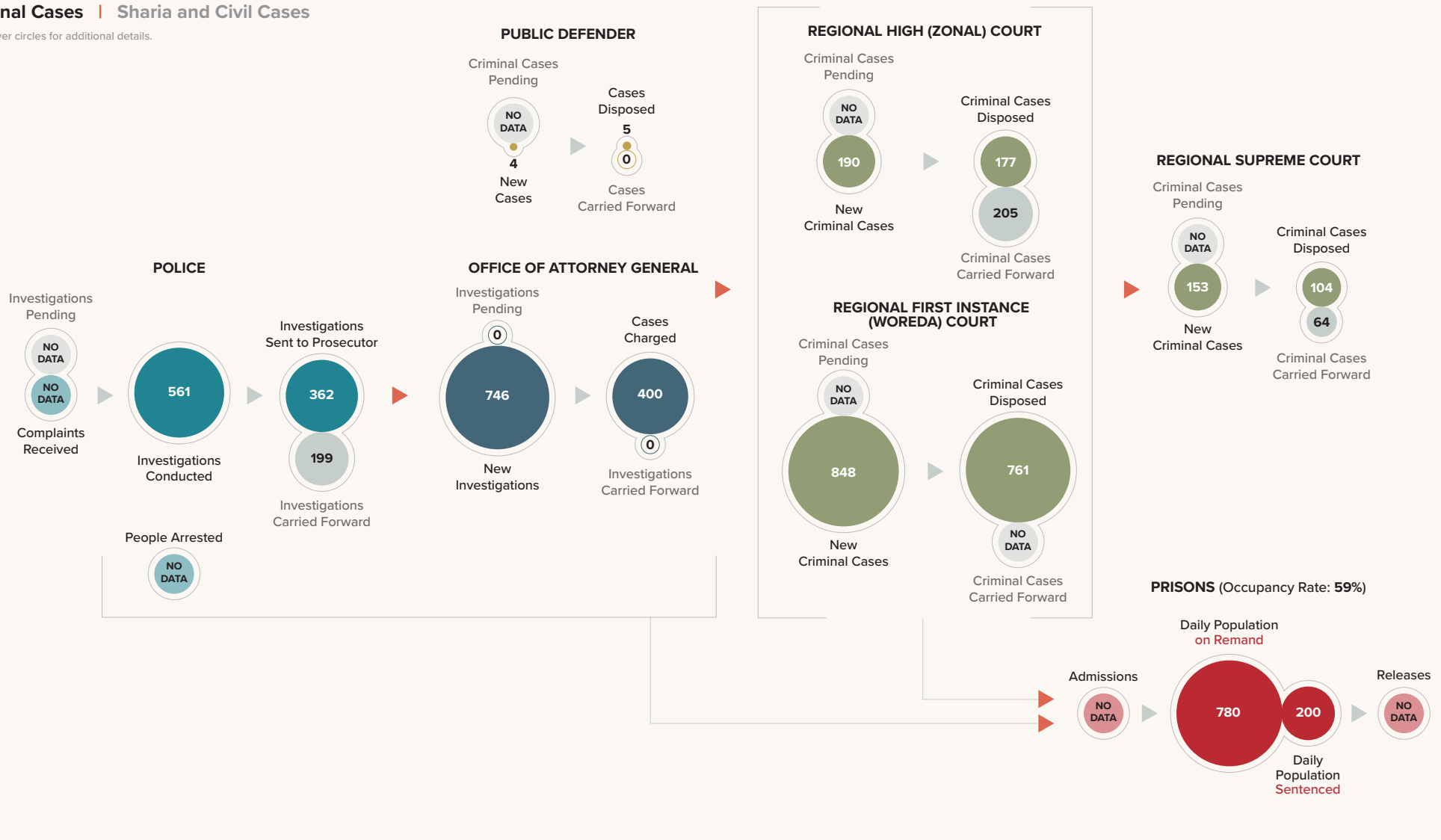
The 4 prisons are just over half full mainly of unsentenced (remand) prisoners (75%), including few women and significant numbers of young men under 18. There are significant data mismatches as concerns both total women and total under 18 numbers. Whether there are 8 women (provided for in the total by prisons), or 25 combining sentenced and unsentenced populations (again from data provided) remains unclear. The point is there are very few.

As concerns boys under 18, the total recorded equals 100 while the number unsentenced is given as 310. The point is that the population of boys is significant and they are not separated from adult prisoners.

Of the sentenced population, over 50% are serving less than 3 years (putting them in the category of crime towards the lower end of the scale). The prison administration in interview offered the view that around 10% of their prisoners posed a threat to society and 15% had some form of mental illness. The Annual report states that 'it was planned to identify mentally ill patients' and provide them with 'counseling and treatment'.

Criminal Cases | Sharia and Civil Cases

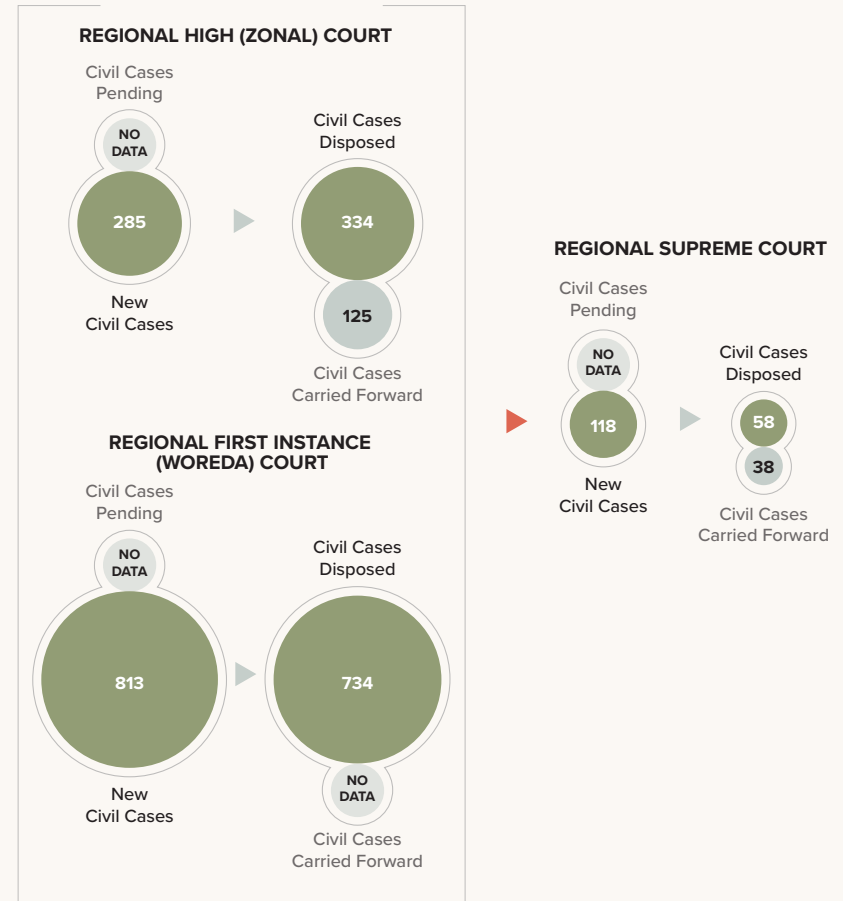
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Criminal Cases | Sharia and Civil Cases

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NO SHARIA COURTS



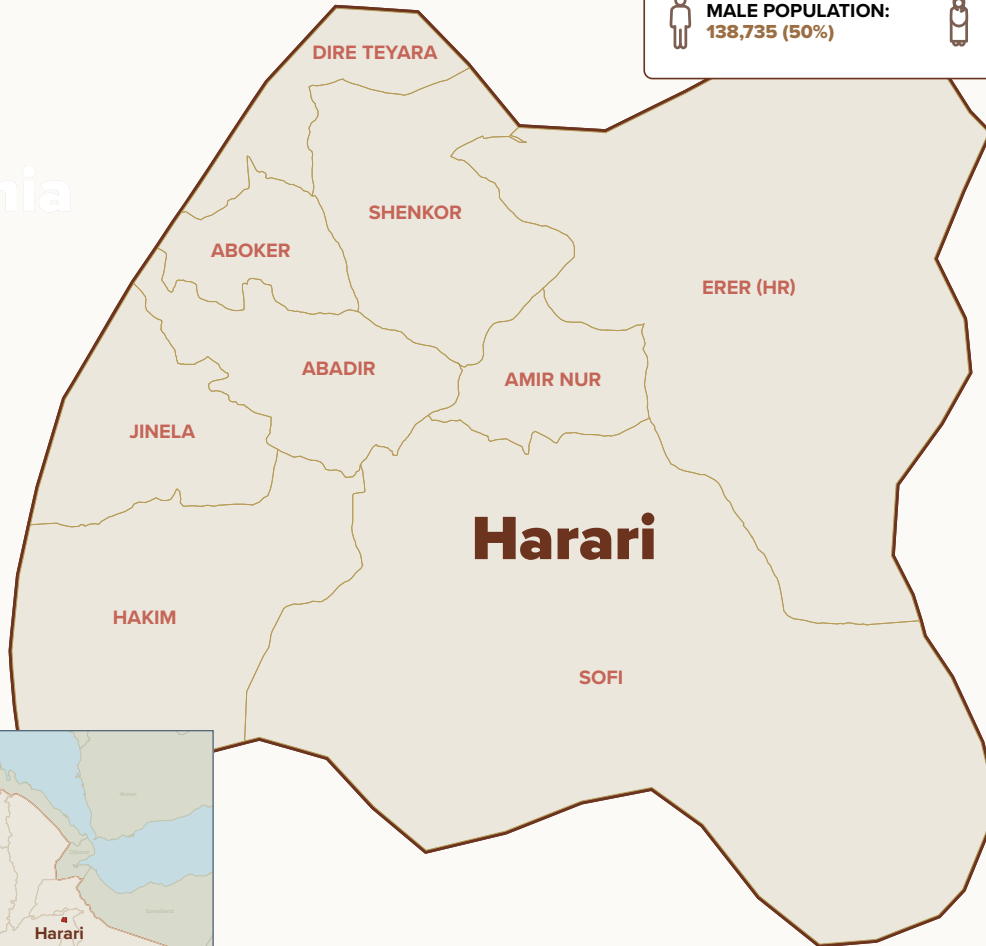
HARARI

TOTAL POPULATION: 275,491

MALE POPULATION:  
138,735 (50%)

FEMALE POPULATION:  
136,758 (50%)

Oromia



## INTRODUCTION

The data collected were validated by the Justice Snapshot Steering Committee on 7 October 2021.

There is no forum for coordination among justice sector institutions in the region.

## POLICE

The 10 police stations all report needing structural repair. All have electricity, toilets and holding cells. 0 have continuous water.

There are 1,262 regular police in the region (14.5% women) and 76 investigators (no data on women).

Resources are poor: there are 9 vehicles for policing, 0 radios, 0 internet, 1 computer and 0 printer / copier / scanner, though 9 / 10 stations reported having adequate stationery.

There is 1 police station with a Women and Child Unit. 0 police stations have ramps to facilitate access for the disabled.

Police appear to lack a structured system for receiving and processing complaints from the public and this is especially true in the remote Woredas. This is likely further inhibited by the lack of resources (especially communications). The shortage of women and child units suggests GBV cases may not always be handled optimally. While there are 76 male investigators there is no data on the number of women investigators.

## OFFICE OF THE ATTORNEY GENERAL

The 10 branch offices of the OAG mirror the 10 woreda police stations. While they all have electricity, only 1 has internet and 1 has toilets (for men and women). 0 have ramps to assist access for those with a disability and 0 have safe spaces to vulnerable witnesses and victims of crime.

There are 61 prosecutors (21% women) in the region serviced by 3 vehicles. They have access to the laws, but not to commentaries or new laws as they are published.

Each office has access to a computer but only one has a printer / copier / scanner. Stationery supplies are considered adequate.

## COURTS

The Supreme Court's Annual Report was not available at the time this research was completed.

There are 4 Woreda courts in Harari's 1 zone, 1 Zonal Court and 1 Supreme Court. They are all located in the same compound. All have separate court rooms. All courts (including RSC) are said to be in need of structural repair. The compound shares the toilets available but has no electricity nor continuous water supply.

The 9 judges of the Supreme Court (1 woman—11%) share 4 vehicles and have access to internet and a photocopier, library of laws and recording equipment in court.

The 9 judges of the Zonal court (3 women—33%) share 1 vehicle and have access to internet and a photocopier, but no library of laws.

The 12 judges of the Woreda Courts (4 women—33%) share 2 vehicles between them. They have 0 access to internet, photocopier, court recording equipment nor laws.

None of the courts have ramps for disabled access. 1 Woreda Court is recorded as having safe spaces for vulnerable witnesses and victims of crime. One judge is said to have been trained in child justice.

## LEGAL AID SERVICES

There is one office of the Public Defender staffed by 4 PDs (0 women) located in the Regional Supreme Court and shares the same resources and available utilities. There is access to a computer but no printer/scanner or photocopier. The PDs have 0 vehicles and no access to laws or commentaries.

LASPs in Harari Region were managed by Haramaya University College of Law (supported by western donors) however project funding ceased in the course of the past year.

The ULCs have 5 offices in the region. All have electricity and 2 access to internet, but 0 have toilets nor safe spaces or ramps for disabled access. Each office is staffed by a lawyer who are supported by students. They have no vehicles. They have access to computers but not to any printers.

The ULCs used to carry a significant caseload. However, due to interruptions caused by the pandemic, high staff turnover and other factors, the centres have not compiled reports for the past two years and no longer maintain data sets. Researchers found that unlike in many other regions, the legal aid service providers have strong links to both the police and the prosecutors, who often refer cases to legal aid service providers. Student practise rules allow final year students to appear in courts under supervision. There were no data on the number of lawyers in practise in the region.

## PRISONS

The prison is in need of structural repair. It has continuous electricity and water supplies. Sentenced prisoners are separated from unsentenced. Boys are not separated from adults (at the time of the research it was not known if there were any boys in the prison). The prison has a health clinic serviced by 3 health professionals (for a population of 559 prisoners—1 : 186 prisoners).

The 162 prison police (17% women) record admissions and releases both through a computer and paper register system. They run 1 workshop and a formal education programme for sentenced prisoners. The prison has 3 mobile prison vans and 0 trucks.

There was no data on when the last inspection visit was made by the EHRC.

The prison Annual Report has targets concerning the following:

- Prisoners who received legal aid
- Prisoners released on probation
- Pardoned inmates
- Work on the food supply and control of inmates
- Drinking and safe water supply and service activities
- Prisoners who received and benefited from beds and mattresses
- Sanitary monitoring and inspection of inmates' homes and surroundings
- New Incoming Prisoners Received Pre-Health Screening
- Prisoners living with HIV and receiving special support and care

# JUSTICE SERVICES | HARARI | RESOURCES AND INFRASTRUCTURE

# ZONES

	<b>POLICE</b> Structures in Need of Repair Investigators per 100K		<b>PUBLIC DEFENDER</b> Dedicated Offices LASPs per 100K		<b>UNIV. LAW CLINIC</b> Dedicated Offices LASPs per 100K		<b>OFFICE OF ATTY GENERAL</b> Offices per Woreda Prosecutors per 100K		<b>RFI COURT</b> Dedicated Courtrooms Judges per 100K		<b>RH COURT</b> Dedicated Courtrooms Judges per 100K		<b>RS COURT</b> Dedicated Courtrooms Judges per 100K		<b>SFI COURT</b> Dedicated Courtrooms Judges per 100K		<b>SH COURT</b> Dedicated Courtrooms Judges per 100K		<b>SH COURT</b> Dedicated Courtrooms Judges per 100K		<b>PRISON</b> Structures in Need of Repair Prisons Over Capacity	
<b>HARARI</b>	100%	No Data	1	1.5	5	1.8	10	22.1	100%	5.8	100%	3.3	Yes	3.3	25%	2.9	N/A	N/A	Yes	1.1	100%	0%
<b>NATIONAL AVERAGE</b>		4.9		0.3		0.1		9.3		6.0		1.7		1.4		0.3		0.4		0.5		



**GENERAL**

The data raise questions as to reliability:

- Tracking GBV cases across the system show police sending 27 to the OAG but both RHC and RFIC record jointly 390 cases.
- Police record sending 1,008 to the OAG who acknowledge receipt of 885. The FIC courts record 2,058 new criminal cases and HC record 934.

The provenance of these cases in the courts is unclear. It is observed that all institutions lack a centralized data storage and management system. The courts are in the process of developing a database for tracking cases through both regular and Sharia courts. For the purposes of this research no data were available for the Sharia courts. There is further reported to be no coordination between institutions to review data and consistency in collection and reporting. Even within institutions, there is inconsistency in the way in which separate units collect data. There is need for further research across all institutions as to how data are generated, stored and communicated.

As elsewhere the data show civil cases dominate the courts: in round figures 6,000 civil v 3000 criminal cases.

**CRIMINAL JUSTICE**

**POLICE**

The police Annual Report provides insight into the data police collect and how they track cases—see table below (the original is in Amharic and this is an informal translation).

Cases of GBV for instance are hard to quantify since police appear to count these along with ‘crimes against children’. Also the data collected as presented here (ignoring the quality of the translation) are confusing. For instance, are cases ‘transferred from 2012’ to be added to ‘total compliant submitted only in 2013’, so that the ‘live’ cases total: 340? The pattern of the data is not immediately evident.

Overreliance is not placed on 16 cases sent to the OAG (compared with the 27 recorded in the data provided) as the report covers a 9 month period only, but, taken together, they raise further questions over the reliability to be placed on the figures cited.

**2013 9 MONTH REPORT**

Type of case	Sent to AG	Through mediation	Withdrawn	Under investigation	Carried over from 2012	Closed	Total compliant submitted only in 2013
Severe Tactical / Criminal Investigation	85	9	15	91	140	94	200
Crimes against women and children	16	7	14	27	67	23	65
Traffic	42	111	17	91	115	153	261
Caught on scene	1					94	94
Total	535	671	455	458		1,206	2,317

## OFFICE OF THE ATTORNEY GENERAL

Public prosecutors filed 779 charges in the course of the year. It is unclear then from where the 3,000 criminal cases in the Woreda and Zonal Courts come.

Prosecutors in Harari attained a very high conviction rate at close to 93% (although the data from the courts points to a slightly lower conviction rate).

The AR 2013 observes that courts, police, and prosecutors are not working together in reopening cases that have been closed and the institutions do not respond as required. The report further complains of the 'non-availability' of witnesses and defendants.

## COURTS

There was no Annual Report available.

The case data show the Woreda courts disposing of case numbers that appear to exceed the number registered. The Zonal courts state the number of cases carried forward at year's end are 203, when the figures amount to 300.

Conviction rates are high in both courts: 71% in the Woreda Courts and 88% in the Zonal courts. Data are not available as the percentage of defendants represented in these courts, though the data from LASPs below are gloomy. Juvenile cases are low in both courts (6% in the RHC and 2% in RFIC).

## LEGAL AID SERVICES

the only data available are the 98 new cases recorded by the OPD. No NGO is operating and funding in support of Haramaya Law Clinic has since ended (which previously took a leading role in providing legal services to indigent persons). The inference is that many of the 379 sentenced prisoners in the prisons will have been unrepresented at trial.

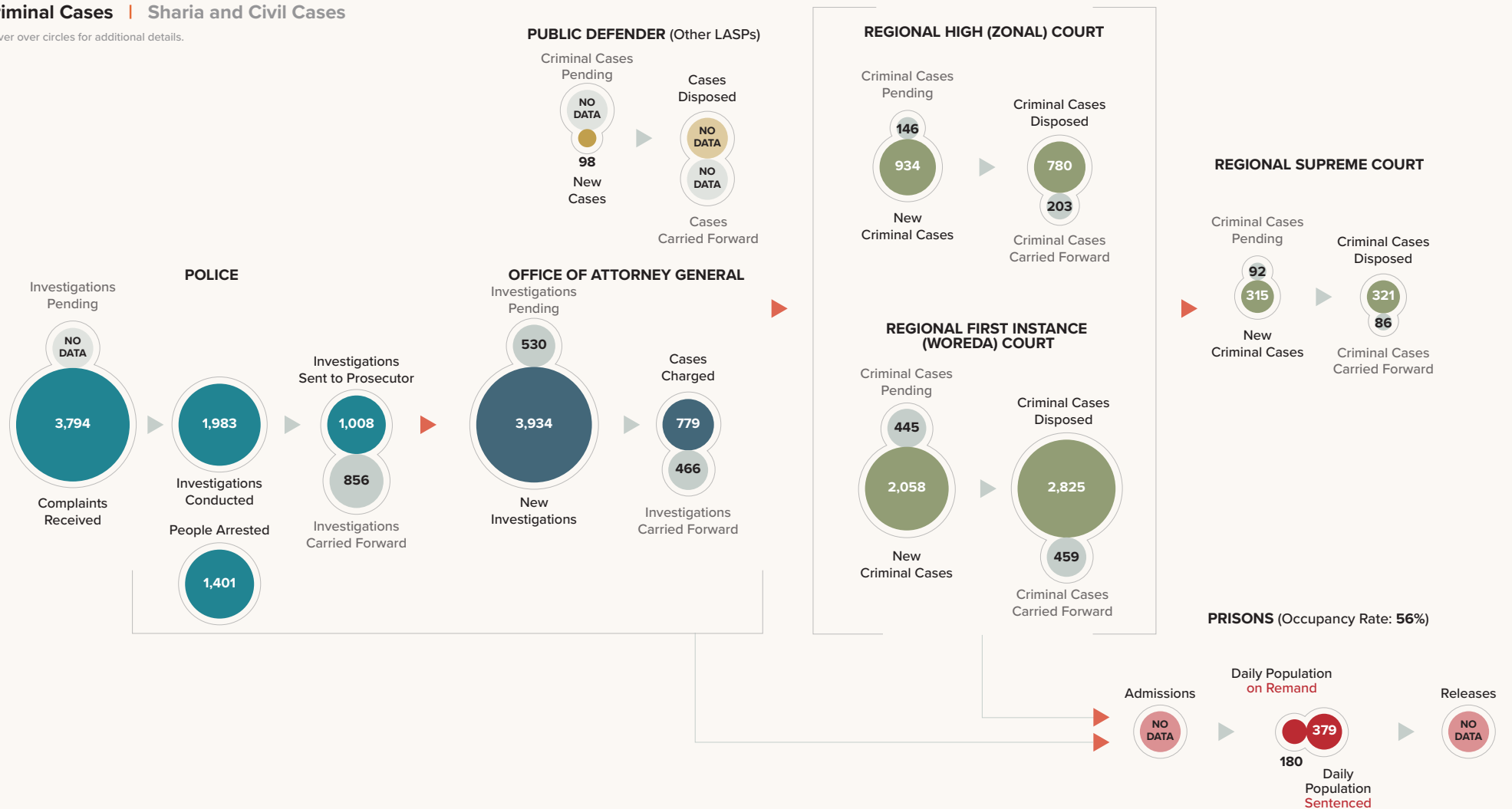
## PRISONS

The single regional prison has a stated capacity of 1,000. The number of prisoners held on a given day in 2013 was given as 559 (5% women). The occupancy rate is 56%. Less than half of prisoners were unsentenced (on remand).

No data were available as to the number of sentenced prisoners serving terms of less than 3 years. The prison appeared to hold 0 persons under 18.

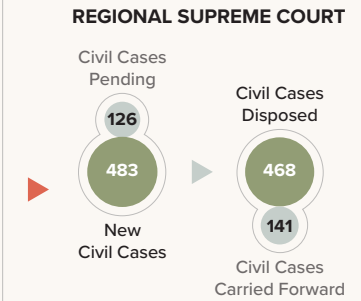
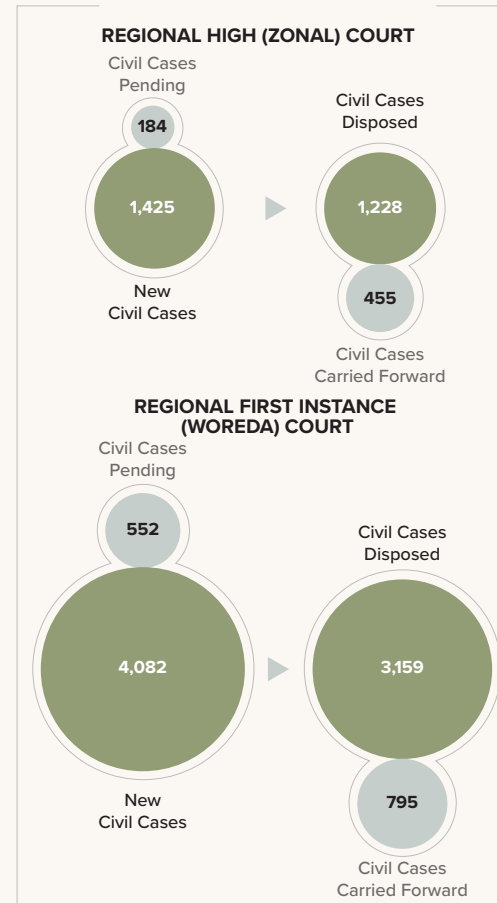
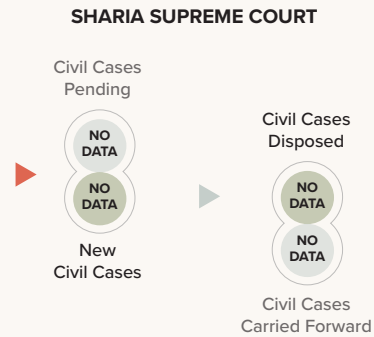
**Criminal Cases | Sharia and Civil Cases**

Hover over circles for additional details.

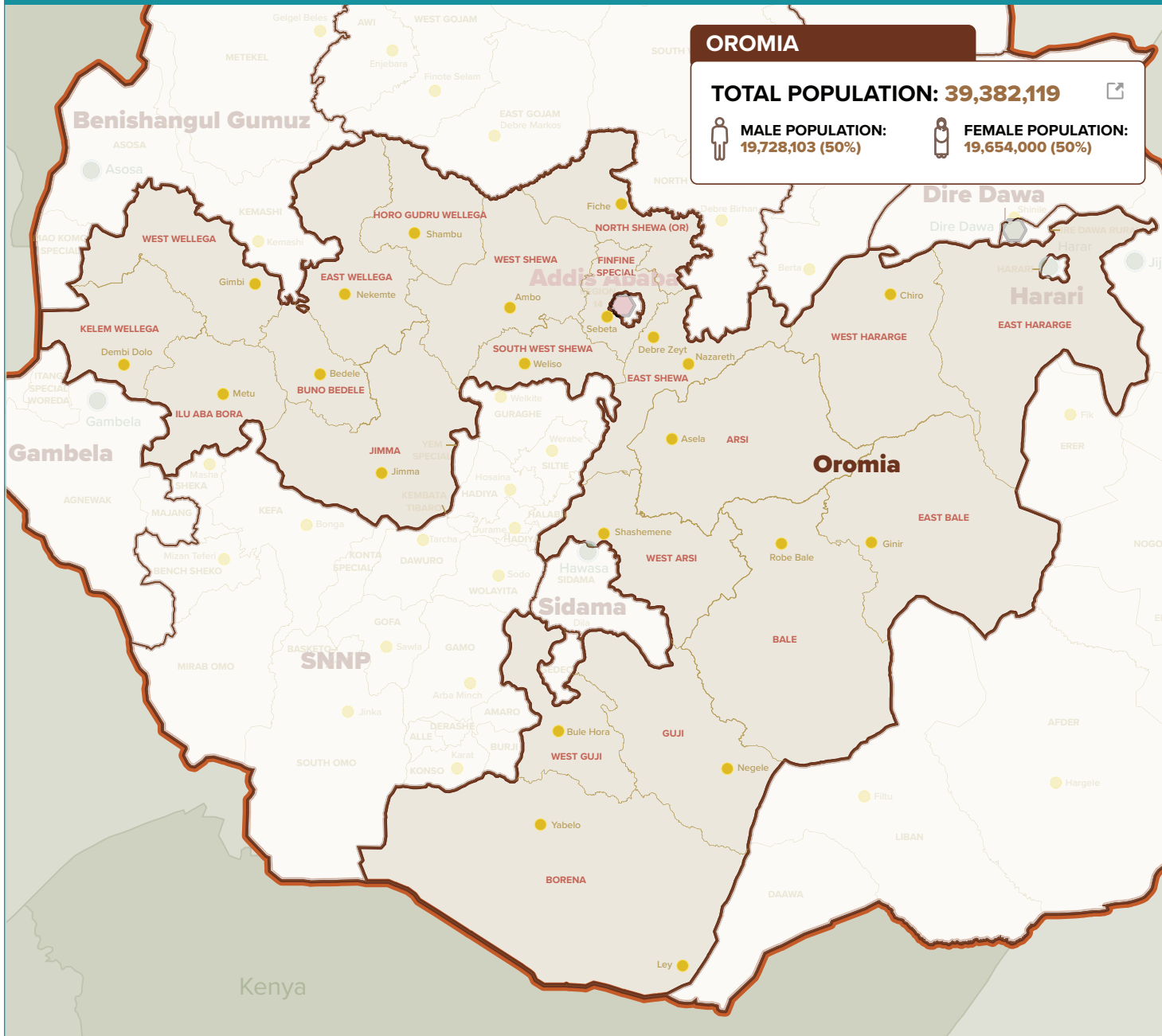


Criminal Cases | Sharia and Civil Cases

Hover over circles for additional details.



# JUSTICE SERVICES | OROMIA



## INTRODUCTION

Data were validated by individual institutional representatives via email as the Justice Snapshot Steering Committee were unable to meet together in the time available. The last email agreeing the data presented and consent to publish the data was received on 15 October.

No justice sector coordination mechanism exists though plans are progressing to launch such a forum in the near future. Several years ago, there was a permanent committee of justice system reform at regional and all lower structures.

## POLICE

The 22 zones in the region have 349 police stations. Over 80% are said to be in need of structural repair. Half have electricity and just under half have a continuous water supply. About three quarters of all police stations have separate lockups for men and women. Between them, the 349 police stations in the region have access to 371 vehicles. Most stations have computers and other office equipment like copying machines and printers, but only 37 stations have an internet connection. Only 51 stations use VHF radio as a primary means of communication, however, this may not always be due to resource constraints as it is conceivable that communication via encrypted mobile applications is deemed more practical in areas with good network coverage. There is a forensic laboratory in the region.

There are 16,874 police officers in Oromia, of which about 15% are women. Among those police officers, there are 2,306 investigators and here the proportion of women investigators reaches 19%. A police constable (a junior rank) in Oromia receives a monthly remuneration package worth ETB 2,825.

In the last 12 months, it is reported that 132 police men and women (2) were injured and 63 (men) killed in the course of their duties. This is said to be due to the security situation in the region.

Women and child units exist in 49 of the police stations, but only one station has a ramp to facilitate access for persons with disabilities.

The research team found police face a number of challenges including:

- Poor infrastructure
- Lack of equipment; and
- Low remuneration

They noted the security situation in the country is putting immense stress on regular policing.

The Police Annual Report showed the following disciplinary actions taken against serving police officers in the last 12 months:

No.	Ethical conducts that have been taken	Quantity
1	Oral warning	3,798
2	Written warning	1,002
3	Punished from their salary in percentage	1,088
4	Those who punished one-month salary	155
5	Removed from their profession	71
6	Removed from leadership positions	193
7	Temporarily Suspend from job	138
8	Decided against them to pay twice price of the army they lost	11
9	It was decided to bring them to the law while they are working on their duty	51
10	Derogated from their position	6
11	It was decided to forfeit them one level development in position	15
12	Fired from their job and salary	179
<b>Total</b>		<b>6,707</b>

**LEGAL AID SERVICES**

There are 164 Public Defender Offices in the region staffed by 200 Public Defenders, 18 of whom are women. About two thirds of the offices have electricity and close to three quarters have toilets for men, but only 35 of the offices have toilets for women (raising questions over equal access to legal aid services for men and women). Most of the offices have computers, printers, copiers and adequate stationary. There are 0 vehicles available for the Public Defenders in Oromia (limiting their outreach and effectiveness in what is Ethiopia’s largest region, covering an area of over 353,690 km2).

The research team found a significant gap in the provision of advice and assistance to indigent accused and complainants. With the exception of the universities, they found no NGO providing legal aid services throughout the region, save in the city of Adama by one branch of Ethiopian Women Lawyers’ Association.

The free legal services provided by Haramaya, Wollega and Arsi Legal Clinics are inhibited from reaching more people in need of their services due to lack of funds. Student practise rules allow final year students to appear in courts under supervision in all Universities except for Bule Hora, Dembidollo and Selale.

The Annual Report of the SC reports that ‘free defense lawyering was given to 191,306 indigents.’ No further information was provided (see AR in Library).

**OFFICE OF THE ATTORNEY GENERAL**

There are 325 AG branch offices in the region. Most of these offices have electricity, computers, printers, and copiers. However, only 18 of them have access to a car. The size of the region is noted above, this may hamper effectiveness as well as jeopardise prosecutors’ security.

There are 2,375 prosecutors working in the region, and about 13% of them are women. Approximately 100 of the prosecutors have specialised training on child justice procedures. A newly recruited prosecutor receives a monthly pay package worth ETB 14,502 (+ allowances).

The OAG 2013 AR contains case figures (again not significantly different from those captured by the research teams)—see Library. The AR contains a detailed Governance section including survey data (unfilled) on public satisfaction and trust as well as internal governance indicators, transparency and auditing as well as training in various areas of need to develop capacity. Gender is mainstreamed with five indicators (including increasing the number of women in leadership positions) and one for persons with disability, namely to increase the number of ‘investigation places’ where children, women, persons with disability and HIV carriers are protected.

## COURTS

In Oromia there are 305 First Instance Courts, 22 High Courts, and 4 Supreme Courts. The data suggest that the infrastructure of the Supreme Courts is relatively good, with electricity, toilets, water and court rooms in most courts. That notwithstanding, all Supreme Courts are said to be in need of structural repair.

Among the High Courts, all have dedicated court rooms, all but 3 have electricity, and most have toilets. However, only 12 of them have a regular supply of water. 18 of the High Courts are believed to require structural repair.

At the First Instance level, about three quarters of courts have separate court-rooms and electricity. Less than half of the courts have water and just over half have toilets for women. Over 70% of the First Instance Courts are thought to be in need of structural repair.

All Supreme Courts have access to the internet, copiers, printers and other office equipment and so do most High Courts. While the situation in First Instance courts is more challenging, the data suggest that the majority of the First Instance Courts do have the most basic office equipment. The Supreme Courts have 34 vehicles at their disposal while the High Courts have 25 and the First Instance Courts 38 (to serve 305 courts).

In the Supreme court there are 77 judges, 8% of whom are women. The corresponding figures in the High Courts are 301 judges with 11% women and in First Instance Courts, 1,579 and 9% women.

Access ramps for disabled people and safe spaces for witnesses and victims are all very few and far between, and less than 4% of judges have training on child justice procedures.

## PRISONS

There are 38 prisons in Oromia and the data suggest that they all have electricity and water as well as separate facilities for accommodating women and girls. None of the prisons are able to separate unsentenced prisoners from sentenced prisoners and only about a quarter can separate male juveniles from adults. 30 prisons have health clinics (staffed by 96 health professionals) and 34 of the prisons are said to require structural repair.

Most of the prisons use a combination of computer systems and manual systems to track admissions, releases and other essential information. Only 6 of the prisons have internet access. Almost all prisons have at least one van or bus for transporting people but none of them have any trucks that can be used for carrying e.g. rations. 6 prisons have workshops for vocational training yet 35 prisons have some formal training programmes on offer.

A total of 3,153 prison police work in the prison system, 21% of whom are women. A prison police constable gets a monthly pay package of ETB 2,825.

The Annual Report of the RPC 2013 (see Library) includes a number of performance indicators such as:

- giving special emphasis to providing a conducive environment for women, mothers incarcerated with their children, prisoners with disabilities, elderly prisoners and people suffering from various serious diseases.
- giving attention to providing separate compounds to young convicted persons (apart from adult offenders).
- expanding vocational training centres to increase the number of people for training.
- improving farming and agriculture activities and outputs; and
- investing in developing staff capacity (through training) and bringing women to leadership positions by increasing their participation and efficiency.



The population of the prisons in Oromia and total ADMISSIONS and RELEASES for the year 2012–2013 is also captured in the report. Differences in data collected by research teams and data recorded in the AR are not significant.

We have used the data for Admissions and Releases. We copy the table relied on below:

No.	Types	Sex			In percent (%)
		Male	Female	Total	
1	Inmates' from 30/10/2012	27,453	932	28,385	46.88
2	New entrants	30,527	1,641	32,168	53.12
Total		57,980	2,573	60,553	100
3	Those released for various reasons	19,166	912	20,078	33.16
4	Inmates from June 15/2013	38,814	1,661	40,475	66.84
Total		57,980	2,573	60,553	100
Types of inmates based on their nature					
5	On Conviction	35,951	1,464	37,415	92.44
6	On regular adjournment	2,415	169	2,584	6.38
7	On remand	448	28	476	1.18
Total		38,814	1,661	40,475	100
8	Children incarcerated with parents or care givers	275	253	528	
Total		39,089	1,914	41,003	

The following table demonstrates the number and nature of the legal inmates available and released in /from the zones and woredas prisons from July/1/2012 to June 15 /2013.

The figures in Rows 1 and 4 show that the prison population increased year on year by 12,000 (over 30%). The total row after 4 is, we suggest, in error and should not have been summed up.

The AR figures also show that 92% of the total population are sentenced prisoners. The AR figures do not vary significantly from the data captured by the research team (total sentenced; 38,044 versus 37,415 in the table above). The research data show that 20,199 (of the 38,044) were sentenced to less than 3 years, that is 53% convicted prisoners were sentenced to terms generally accepted to be at the lower end of the criminal scale (and so possibly open to community-based sanction rather than imprisonment).

# JUSTICE SERVICES | OROMIA | RESOURCES AND INFRASTRUCTURE

# ZONES

	POLICE		PUBLIC DEFENDER		UNIV. LAW CLINIC		OFFICE OF ATTY GENERAL		RFI COURT		RH COURT		RS COURT		SFI COURT		SH COURT		SH COURT		PRISON	
	Structures in Need of Repair	Investigators per 100K	Dedicated Offices	LASPs per 100K	Dedicated Offices	LASPs per 100K	Offices per Woreda	Prosecutors per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Structures in Need of Repair	Prisons Over Capacity
WEST WELLEGA	100%	5.8	9	0.5	3	0.6	1	6.1	No Data	2.9	100%	0.6	N/A	N/A	100%	0.3	100%	0.1	N/A	N/A	100%	50%
EAST WELLEGA	100%	8.2	7	0.4	8	1.1	1.12	8.3	89%	4.6	100%	1.1	No	0.6	100%	0.2	N/A	N/A	N/A	N/A	100%	100%
ILU ABA BORA	100%	8.2	6	0.6	1	0.2	1.23	9.6	53%	6.4	100%	1.1	N/A	N/A	0%	0.9	100%	0.1	N/A	N/A	50%	50%
JIMMA	91%	4.7	9	0.3	10	0.2	1.05	3.8	100%	1.6	100%	0.4	N/A	N/A	100%	1.6	100%	0.4	N/A	N/A	100%	50%
WEST SHEWA	52%	6.2	19	0.7	8	0.3	1.05	5.8	73%	4.9	100%	0.9	N/A	N/A	100%	0.2	N/A	N/A	N/A	N/A	100%	100%
NORTH SHEWA (OR)	94%	4.1	6	0.7	3	0.2	1.15	6	100%	6.6	100%	1	N/A	N/A	100%	0.2	N/A	N/A	N/A	N/A	100%	100%
EAST SHEWA	33%	4.9	12	0.5	2	0.1	1.25	6.2	45%	3.5	100%	0.9	Yes	0.9	0%	0.2	0%	N/A	N/A	N/A	50%	100%
ARSI	100%	3.8	8	0.5	5	0.1	1.04	4.8	100%	3.4	100%	0.6	N/A	N/A	100%	0.7	100%	N/A	N/A	N/A	100%	100%
WEST HARARGE	90%	4.9	8	0.3	8	0.3	1	4.9	53%	3.3	100%	0.5	N/A	N/A	0%	0.6	0%	N/A	N/A	N/A	100%	100%
EAST HARARGE	100%	4.6	2	0.1	22	0.6	0.91	4.3	90%	3.2	100%	0.5	N/A	N/A	95%	0.5	100%	N/A	N/A	N/A	80%	100%
BALE	38%	6	3	0.2	1	0.1	1	7.7	100%	4.7	100%	0.6	N/A	N/A	100%	0.7	100%	0.1	N/A	N/A	100%	100%
BORENA	50%	15.6	7	1.4	N/A	N/A	1.08	14.9	100%	6.7	100%	0.9	N/A	N/A	100%	1.2	100%	0.2	N/A	N/A	100%	100%
SOUTH WEST SHEWA	100%	4.2	9	0.8	N/A	N/A	1.09	8.1	100%	6	100%	1.4	N/A	N/A	100%	0.2	100%	0.1	N/A	N/A	100%	100%
GUJI	74%	7.1	6	0.4	N/A	N/A	1	5.3	No Data	3.2	100%	0.4	N/A	N/A	100%	0.8	100%	0.1	N/A	N/A	100%	100%
WEST GUJI	20%	6	9	0.7	6	0.3	1.11	4.2	100%	2.9	100%	0.6	N/A	N/A	100%	0.3	N/A	N/A	N/A	N/A	100%	100%
BUNO BEDELE	100%	6.1	3	0.4	N/A	N/A	1.11	8.4	0%	4.8	100%	1.4	N/A	N/A	100%	0.8	100%	0.1	N/A	N/A	100%	100%
WEST ARSI	100%	4.6	13	0.5	2	0.1	1.08	4	100%	3.5	100%	0.4	Yes	0.3	100%	0.5	100%	N/A	N/A	N/A	100%	100%
KELEM WELLEGA	0%	5.1	5	0.4	3	0.3	1	4.1	100%	3.8	100%	0.8	N/A	N/A	100%	0.1	N/A	N/A	N/A	N/A	100%	100%
HORO GUDRU WELLEGA	77%	10.6	10	1.2	3	0.4	1	8.5	18%	5.8	100%	1.1	N/A	N/A	100%	0.2	N/A	N/A	N/A	N/A	100%	100%
FINFINE SPECIAL	100%	6.8	8	1.2	1	No Data	2.5	12	100%	7.5	100%	1.9	Yes	3.1	100%	0.4	100%	0.1	Yes	0.3	0%	100%
EAST BALE	100%	8.5	2	1.4	N/A	N/A	1.17	9.6	100%	4.3	100%	0.7	N/A	N/A	100%	1.1	100%	0.2	N/A	N/A	100%	100%
ADAMA	100%	No Data	3	No Data	1	No Data	No Data	No Data	100%	No Data	100%	No Data	N/A	N/A	100%	No Data	N/A	N/A	N/A	N/A	N/A	N/A
NATIONAL AVERAGE		4.9		0.3		0.1		9.3		6.0		1.7		1.4		0.3		0.4		0.4		100%

## POLICE

The police had 198 investigations pending from the previous year and another 80,669 complaints were received during the year. This led to 40,611 investigations being carried out of which 40,582 were forwarded to the OAG.

The data reported in the Annual Report were collected at a different time and are different but not significantly. They show:

- 91,154 reported crime
- 46,930 completed investigations
  - 35,335 convictions
  - 694 acquittals
  - 9,331 settlements
  - 16,708 'interrupted'
- 9,742 pending

This shows a conviction rate of 75% or acquittal rate of <2%.

The police received 2,153 reports of GBV and investigated 1,631 of them. It is not clear how a total of 2,349 GBV cases were then subsequently forwarded to the OAG. The data suggest that 2,796 juveniles were arrested during the year.

The Police Annual Report 2013 report 2,119 GBV complaints of which 733 were investigated and 1,044 compromised (or settled). The data further reveal that of the 733 forwarded, 40 ended in conviction, 251 in acquittal (the balance were pending). The AR also captured sexual offences against children and showed 455 cases in 2013, 366 investigated with 271 convictions, 6 acquittals and 0 settled or compromised.

## OFFICE OF THE ATTORNEY GENERAL

The OAG had 36,054 investigations pending from the previous year and initiated 104,216 new investigations during the year. These investigations led to charges being framed in 49,580 cases. Out of that number 3,747 cases were GBV cases. In 3,220 of those GBV cases the accused person was convicted, indicating a relatively high conviction rate (86%) for GBV cases.

OAG data suggest that convictions were handed down in 49,529 cases, although the data on disposals are inconsistent (see data notes in baseline data). There are no data on how many, if any, juveniles were charged, but OAG data suggest that 1,015 persons under the age of 18 were convicted.

## COURTS

There were 111,607 new criminal cases filed in the RFIC and 19,188 in the RHC. As in many other regions, these numbers are considerably higher than the number of cases in which the OAG is reported to have framed charges. The disposal rate greatly exceeded 100% which suggests that, despite there being no data on it, there must have been cases pending at the beginning of the year.

With 419,240 civil cases filed in the regular courts and another 10,035 cases in the Sharia courts, the civil caseload significantly outweighed the criminal caseload. Disposal rates in both regular and Sharia courts were well above 100% but without accurate data on cases pending at the beginning of the year it is impossible to calculate the backlog.

## LEGAL AID SERVICES

There were 200 Public Defenders working in Oromia, but there is no case management data from them.

EWLA has an office in Adama and they arrange voluntary legal aid committees outside of Adama too. They received 2,654 new cases and were able to dispose of 1,987 cases, mainly through litigation and also through mediation and negotiation. The 87 University Legal Clinics handled 4,513 cases in total, representing close to 2,000 clients in court (most of whom were women) and settling the remainder of cases through mediation and negotiation.

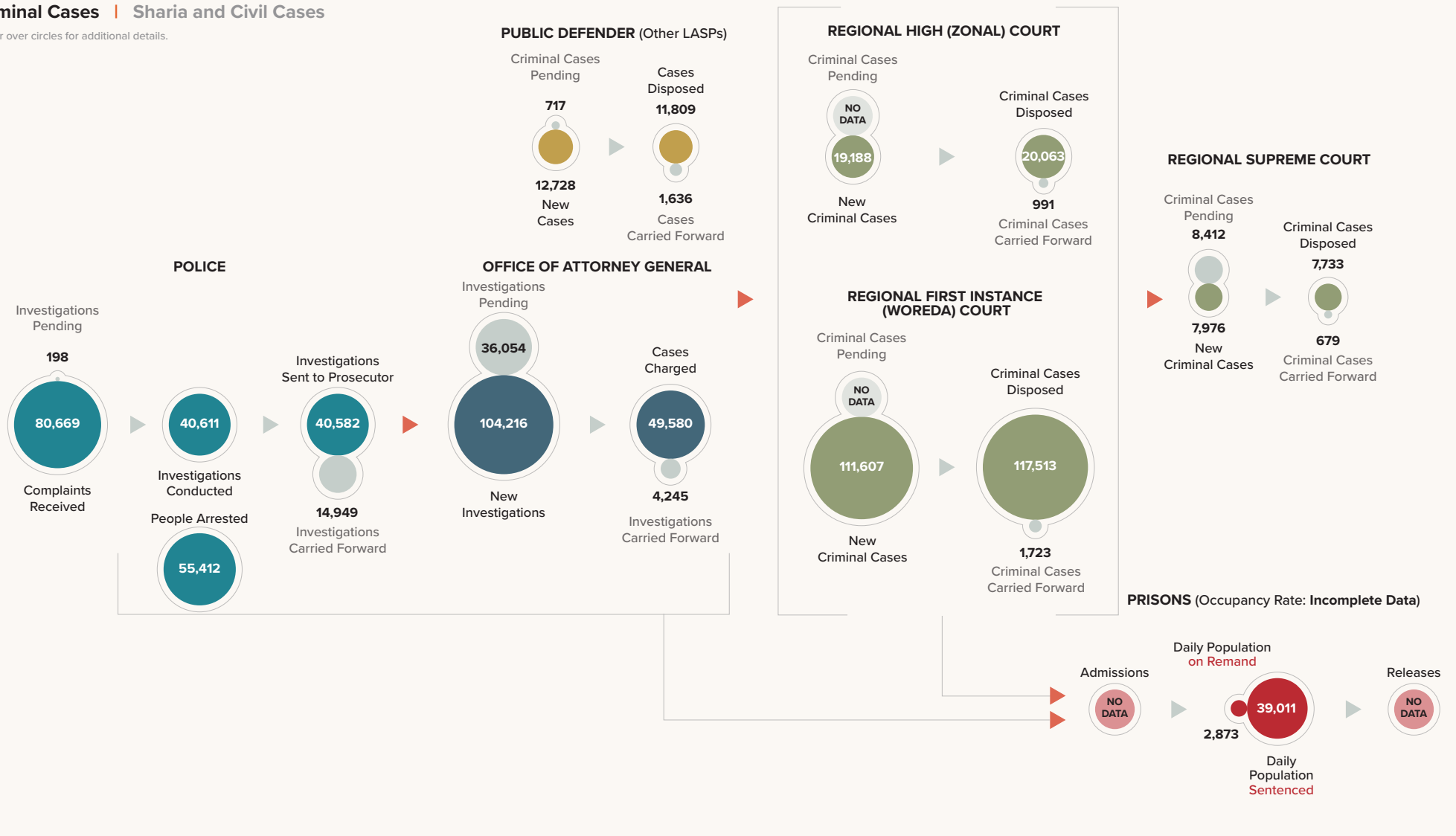
## PRISONS

There is no established figure for the holding capacity of prisons in Oromia. This is problematic because without knowing how many people a given prison can safely and humanely accommodate, it is impossible to know when it should be considered fully occupied or even overcrowded.

At the time of the visit in September 2021, the Oromia prisons held 41,884 people (including 1,699 women and 12 girls—4% of the population and 1095 boys—2.6%). The remand rate, at under 7%, was much below that of other regions. More than half of the sentenced prisoners were sentenced to terms of less than 3 years, which, as in many other regions, points to an opportunity for non-custodial and alternative sentencing.

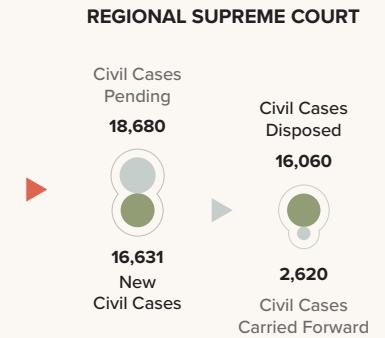
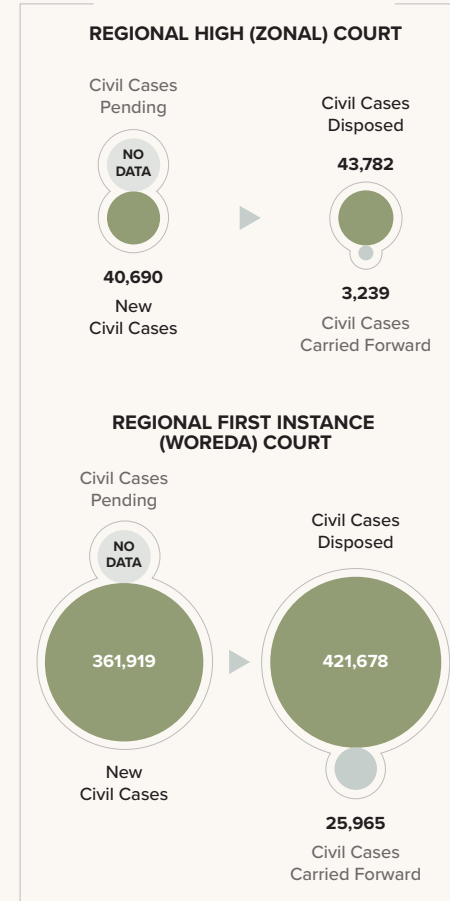
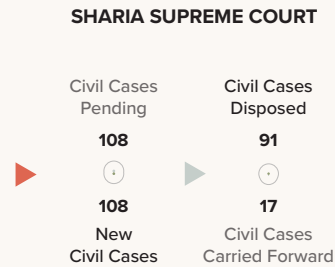
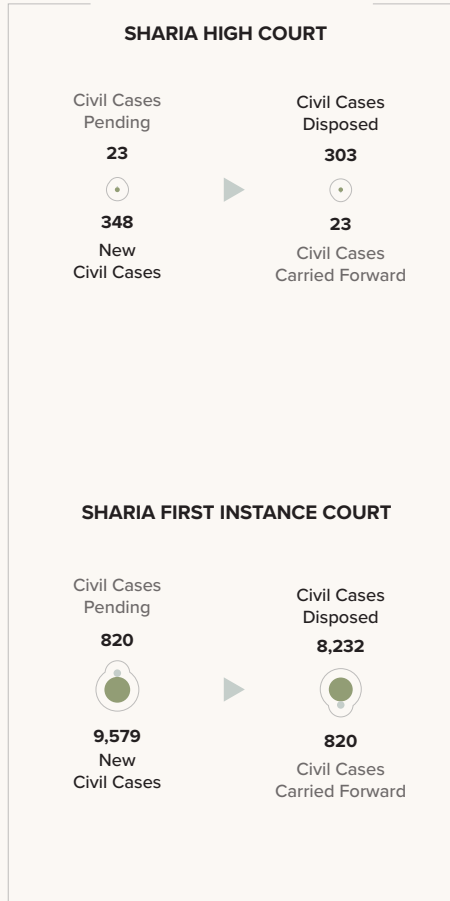
**Criminal Cases | Sharia and Civil Cases**

Hover over circles for additional details.

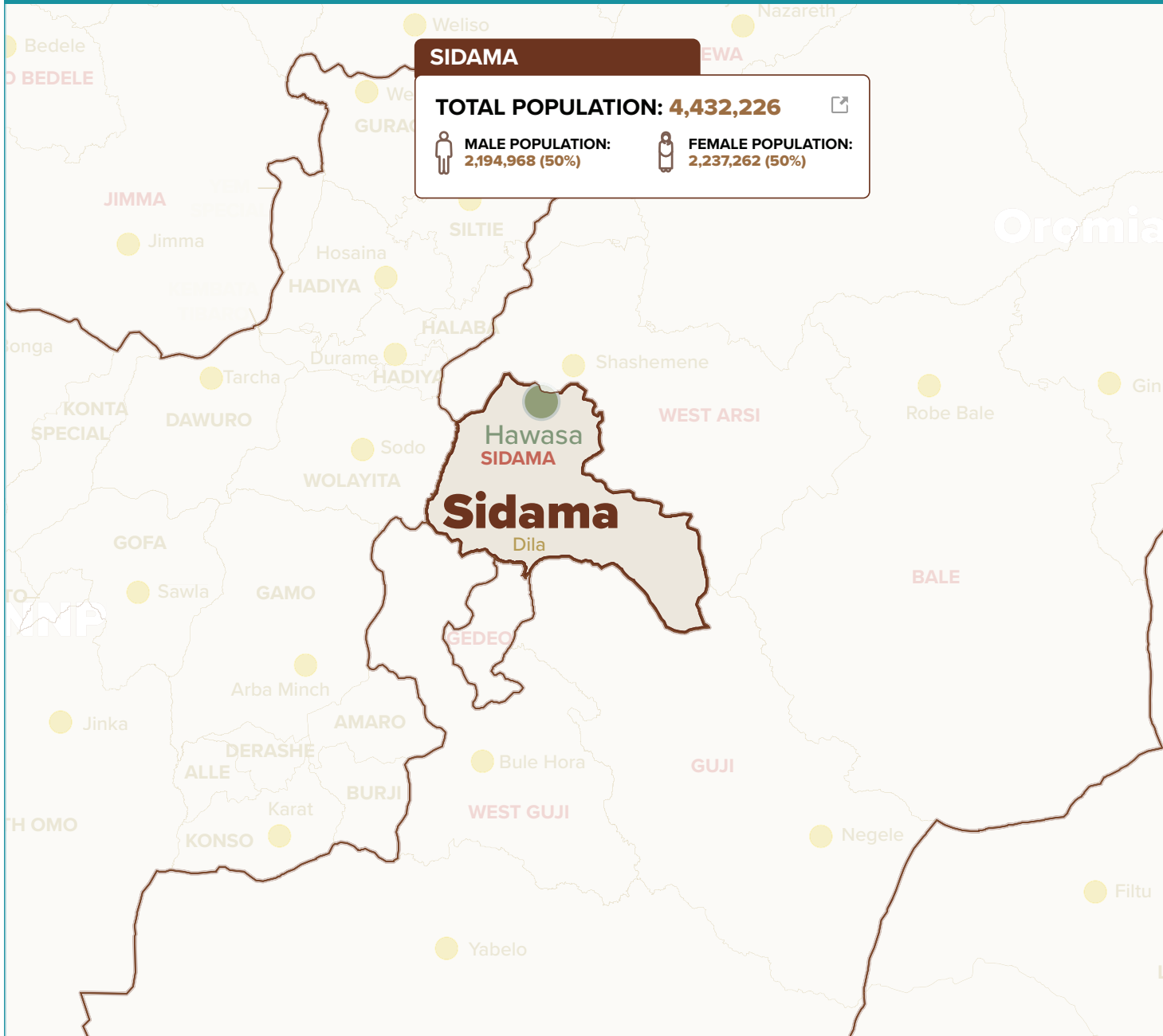


Criminal Cases | Sharia and Civil Cases

Hover over circles for additional details.



# JUSTICE SERVICES | SIDAMA



## INTRODUCTION

The Sidama region was established in 2020. The spelling in the official maps is given as ‘Sidama’ and this spelling is retained for the purposes of this assessment. However, it was made clear that the preferred spelling is ‘Sidaama’.

The region was previously a zone in SNNPR. Most of the offices in the region are still administered by SNNPR. Hawassa City is—and will be—the capital city of both regions for the coming two national election periods. Therefore, regional institutions of both regions are located in Hawassa city. The new region is establishing offices due to its new status (woreda level offices becoming Zonal level, Zonal level institutions becoming Regional level institutions).

The data collected were validated by the Justice Snapshot Steering Committee on 30 September 2021.

## POLICE

There are 44 police stations in Sidama. They all have:

- Continuous electricity
- Continuous water supply
- Working toilets for both men and women
- Separate detention cells for men and women

All that notwithstanding, all stations are said to be in need of structural repairs. There are 2,838 police officers, 17% of whom are women. Out of the 2,838 officers, 200 are investigators and 25% of the investigators are women.

There are 49 vehicles available to the police in Sidama and all offices have computers and adequate stationary. About half of the stations also have equipment such as copy machines, printers, and scanners. Only 10 stations use VHF radio as primary means of communication. All police stations in Sidama have a women and child unit, but none have access ramps.

The police annual report notes 76 police officers were disciplined for breaching the code of conduct.

## OFFICE OF THE ATTORNEY GENERAL

There are 48 OAG branch offices in Sidama. Half of them have continuous electricity but only two of those offices have computers and other office equipment like copiers and printers. One office has access to the internet. There are 0 official vehicles available for 435 prosecutors (17% women). Prosecutors have access to the Laws of Ethiopia but not to the commentaries on those laws. A newly recruited prosecutor gets a remuneration package worth ETB 15,445 per month (USD \$330).



## LEGAL AID SERVICES

There are 5 Public Defender Offices in Sidama. All have electrical power, and most have functioning toilets. However, only one office has internet access. One of the offices also has an access ramp and a safe space for victims and witnesses of crime. 3 of the offices have computers while only one has a photocopier. None of the offices have a car. There are 5 public defenders in the region (including 1 female PD). The monthly remuneration for a Public Defender in the Regional Supreme Court is ETB 18182 (USD \$390).

There are no NGOs providing legal aid services in Sidama supervised by the regional OAG.

There are 9 university legal clinics staffed by 9 lawyers (all men) and 8 students (3 women and 5 men). All clinics have electricity, but only 2 have computers. 5 have photocopiers. There is no shortage of stationery. Student practise rules allow final year students to appear in courts under supervision. There were no data on the number of practising lawyers in the region. Presently, lawyers licensed by the SNNPR OAG are still allowed to practice in Sidama region.

## COURTS

There are 38 First Instance Courts, 3 High Courts and 1 Supreme Court. All higher courts have electricity. The Supreme Court has no toilets at all while 1 High Court has 1 toilet for men. The higher courts all have designated court rooms for hearings. In all but 6 First Instance Courts, trials are conducted in the judge's office. About 60% of those courts have electricity, but unlike the higher courts, all first instance courts have toilets for men (0 courts have toilets for women).

### Judges

- 15 in Supreme Court (1 woman—6.6%).
- 40 in High Court (3 women—7.5%).
- 172 in First Instance Courts (40 women—23.2%)

Internet access is not accessible in the Supreme Court and only available in 1 High Court and 1 First Instance Court. There is little by way of other office equipment such as copiers and printers. The Supreme Court has 3 cars, the High Courts have 1, and the First Instance Courts have 0.

There is technology to record proceedings in the higher courts but not at first instance level. There are no access to ramps save for at one of the High Courts. There are no safe spaces for victims and witnesses at any of the courts, and none of the judges have received training on child justice procedures.

## PRISONS

There are 2 prisons in Sidama. Both have electricity but only 1 has a regular supply of water. Both prisons have separate spaces for women and girls, but they cannot separate children from adults, nor sentenced prisoners from unsentenced prisoners. Both prisons are in need of structural repair.

There are 434 prison police, 77 of whom are women. A prison police constable is remunerated ETB 1,975 per month (USD \$40). There are 17 health professionals working in the 2 prisons, both of which have clinics. 1 of the prisons has a computerised system for recording admissions and releases while the other uses a paper based system. Both prisons have vocational training workshops and they offer formal training programmes for sentenced prisoners. The prisons have no trucks for e.g. supplying rations.

# JUSTICE SERVICES | SIDAMA | RESOURCES AND INFRASTRUCTURE

# ZONES

	<b>POLICE</b>		<b>PUBLIC DEFENDER</b>		<b>UNIV. LAW CLINIC</b>		<b>OFFICE OF ATTY GENERAL</b>		<b>RFI COURT</b>		<b>RH COURT</b>		<b>RS COURT</b>		<b>SFI COURT</b>		<b>SH COURT</b>		<b>PRISON</b>			
	Structures in Need of Repair	Investigators per 100K	Dedicated Offices	LASPs per 100K	Dedicated Offices	LASPs per 100K	Offices per Woreda	Prosecutors per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Structures in Need of Repair	Prisons Over Capacity		
<b>SIDAMA</b>	100%	4.5	5	0.1	9	0.2	1.92	9.8	16%	3.9	100%	0.9	Yes	0.3	0%	0.1	0%	N/A	No	0.1	100%	100%
<b>NATIONAL AVERAGE</b>		4.9		0.3		0.1		9.3		6.0		1.7		1.4		0.3		0.4				

## POLICE

The police had 3,061 cases pending from the previous year and another 16,111 complaints received during the year. There is no data on how many of those cases were investigated or referred to the OAG. The police received 176 reports of GBV and investigated 120 of them. All 120 investigated GBV cases were subsequently forwarded to the OAG. The data suggests that no juveniles were arrested.

## OFFICE OF THE ATTORNEY GENERAL

The OAG received 13,516 cases and laid charges in 11,327 cases. Included in that number are 470 cases of GBV. Note that the OAG filed charges relating to GBV in a far greater number of cases than the police investigated. There is no data in how many, if any, juveniles were charged. OAG data point to a conviction rate of over 90% in Sidama. Convictions are by far the most common outcome in criminal cases. Less than 2% of criminal cases that were prosecuted by the OAG ended in an acquittal.

## COURTS

There were 17,291 new criminal cases filed in the RFIC and 3,229 in the RHC. Note that these numbers are considerably higher than the number of cases in which the OAG is reported to have framed charges. The balance could perhaps be made up of cases in which the police prosecuted without the involvement of the OAG. The disposal rate was very high. There was no data on convictions, however, the data shows that 1,723 (about 10%) persons were acquitted in the RFIC and 293 (9%) in the RHC. These figures differ significantly from those coming from the OAG, but again this might be because the court data includes cases prosecuted by both the OAG and the police. A total of 146 cases involving GBV and 91 juvenile cases were disposed of.

The regular courts received 24,034 new civil cases, while the Sharia courts received 488. Again the disposal rate was high at well over 90% for the regular courts and very nearly 100% in the Sharia courts. In 4,254 of the civil cases in the regular courts women were the primary complainants. This shows that most civil cases were instigated by women. There was no data on the proportion of women complainants in the Sharia courts.

## LEGAL AID SERVICES

The Office of the Public Defender received 496 cases and disposed of 294. In 200 of those cases the accused was a man and in 94 cases the accused person was a woman. If seen in the context of the 20,806 criminal cases that were filed in all courts, the Public Defender was able to represent accused persons in about 1.4% of cases. As there were 5 Public Defenders working in Sidama, this suggests that on average each Public Defender was able to dispose of about 59 cases in a year, or about 5 in a month.

There was no data for any other legal aid service provider which is controlled by the Sidama Region OAG.

There used to be 9 university legal aid clinics in Sidama, however, their services were disrupted by the Covid-19 pandemic.

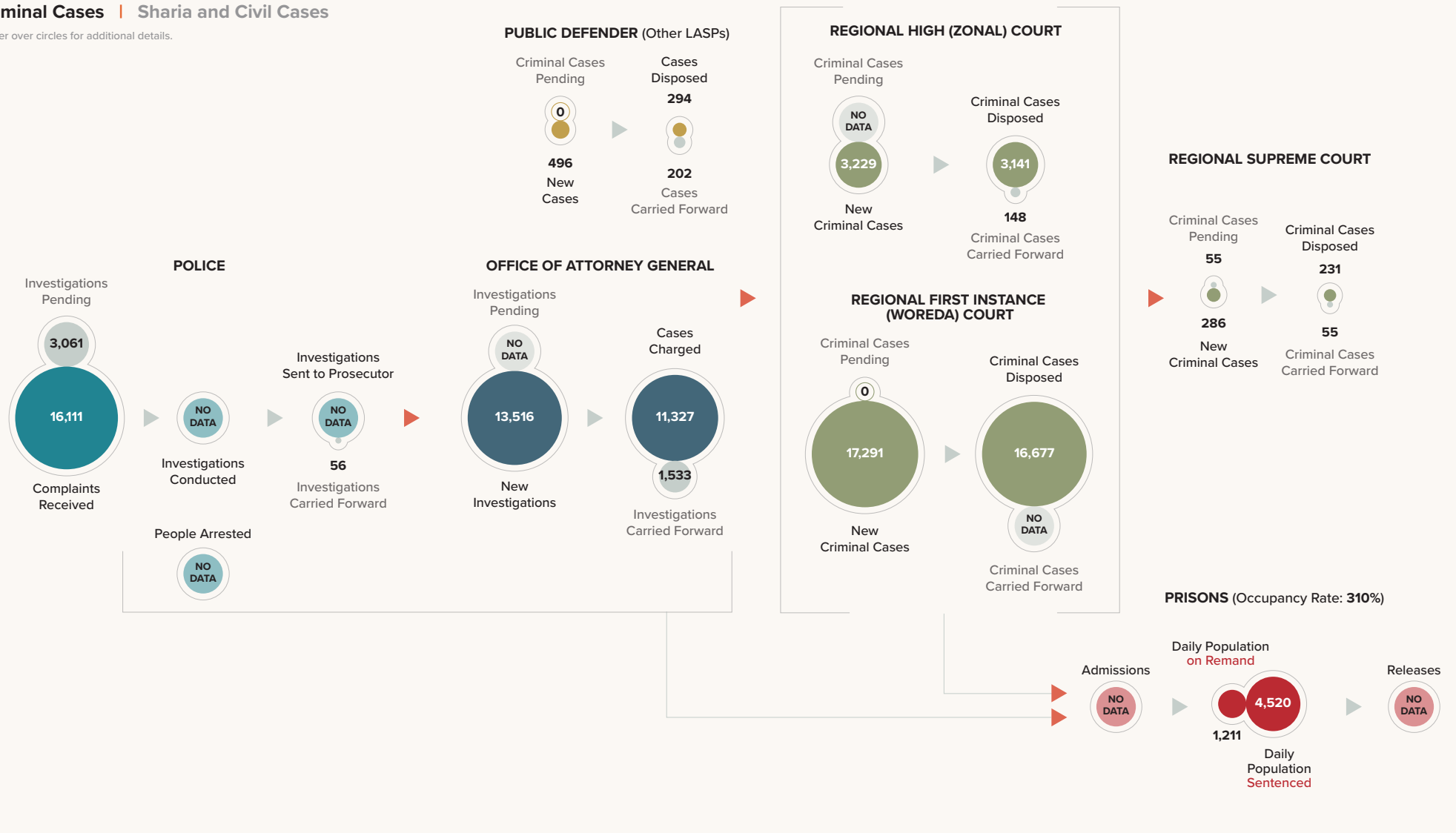
## PRISONS

Data suggest that prisons are overcrowded, with prisons operating at 319% of capacity. The data further indicate 75% of sentenced prisoners are sentenced to terms of 3 years or less, implying that they have been convicted of relatively minor offences (and in line with international guidelines, could be considered for alternative community-based sanctions). The proportion of unsentenced prisoners stands at about 21%.

The data around juveniles is inconsistent. They indicate 820 sentenced boys in total but 900 boys sentenced to less than 3 years imprisonment. However, regardless of which of these numbers are correct, the proportion of both sentenced and un-sentenced juveniles is relatively high in the Sidama prison system.

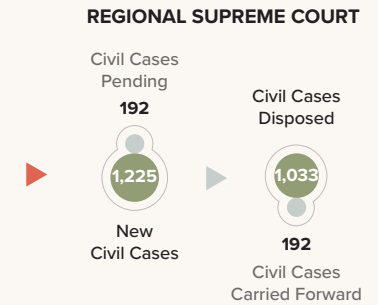
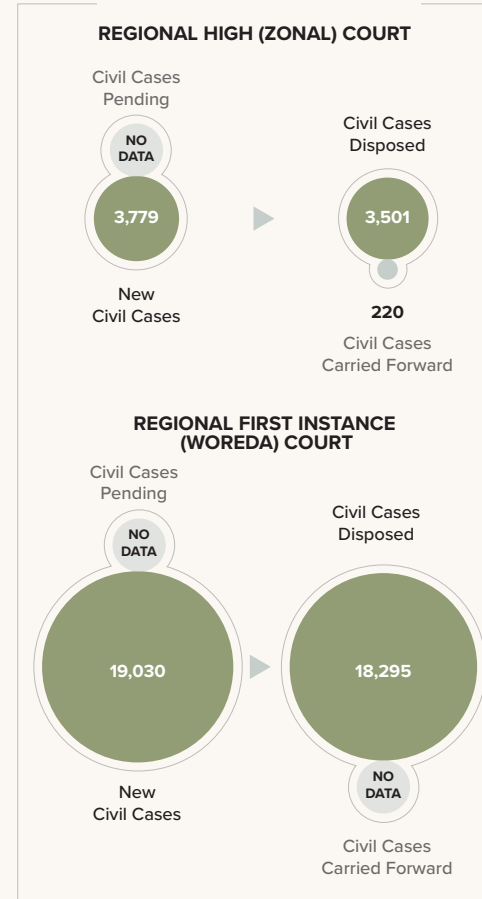
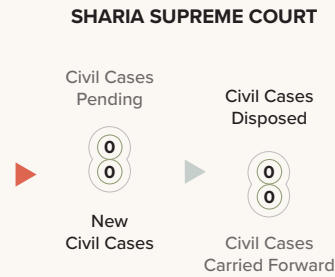
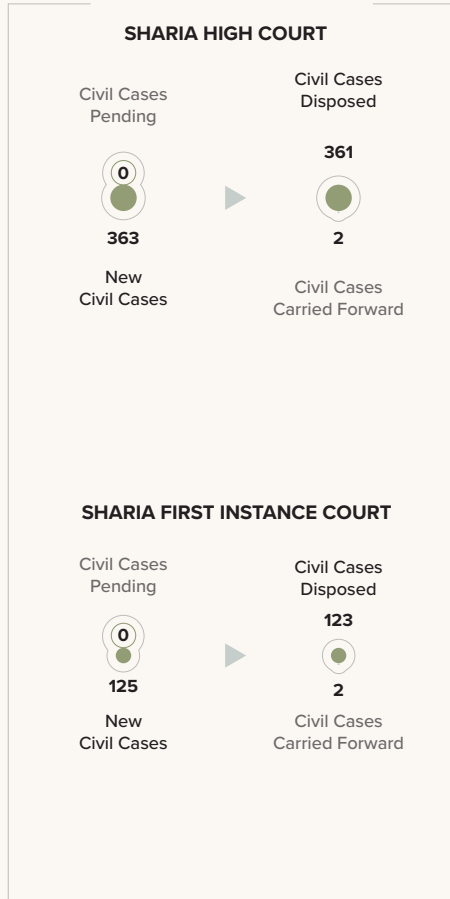
**Criminal Cases | Sharia and Civil Cases**

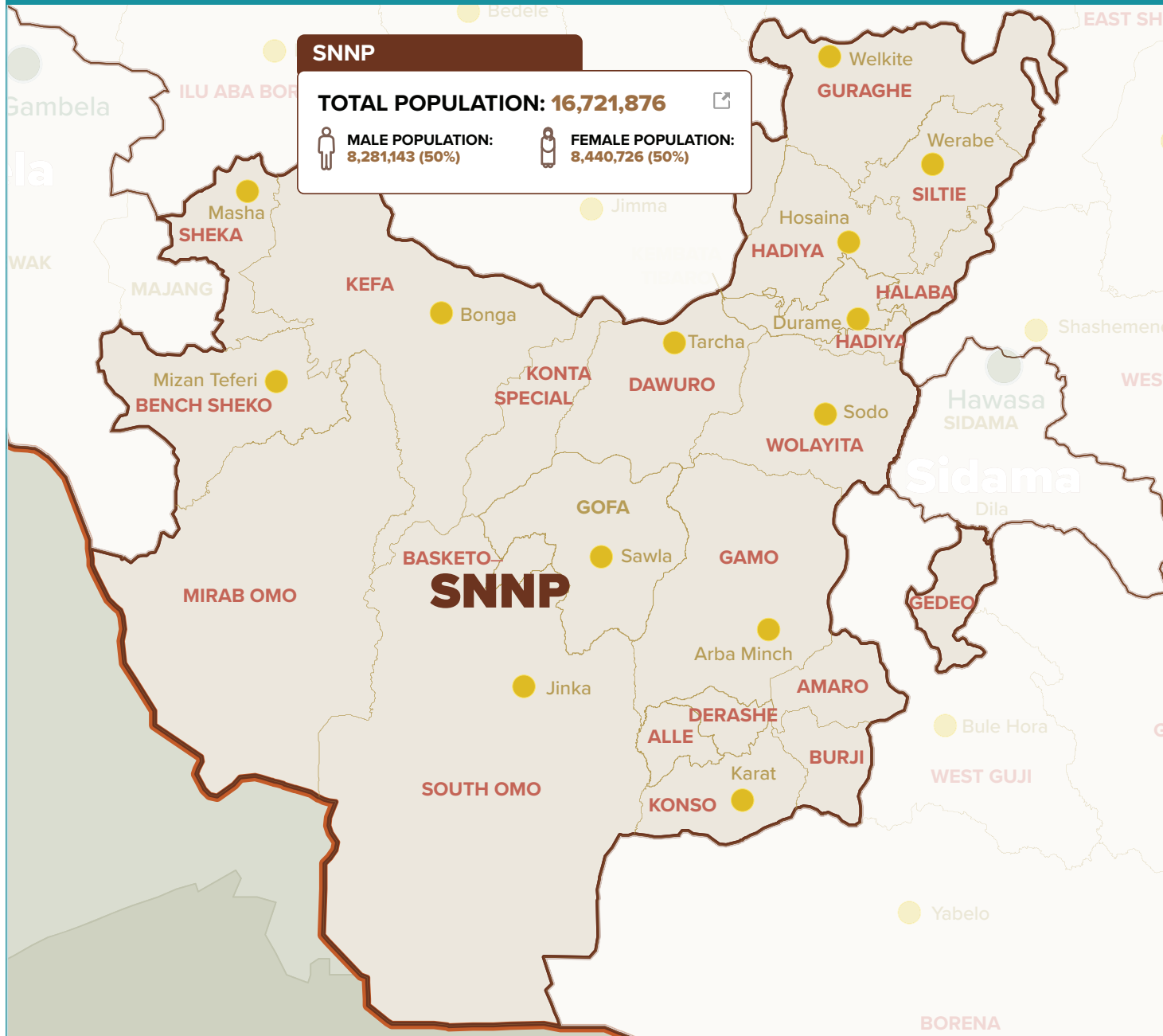
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Criminal Cases | Sharia and Civil Cases

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## INTRODUCTION

The regional government of the Southern Nations, Nationalities, and Peoples' Region is based in the city of Hawassa. Following the formation of the Sidama Region in June 2020, Hawassa is located outside of the boundaries of the region. The regional government is planning to move to a city within the region's boundaries after two consecutive national electoral cycles.

Access to the statutory justice system is said to be hampered by:

- (a) the costs it entails;
- (b) the physical distance to justice institutions in urban centres from the rural areas where most people reside, and;
- (c) a sense of distrust in the statutory justice system as a whole.

The data for the region was collected by a regionally based team from institutional headquarters in the region and cross checked with the Annual Reports (ARs) of the institutions.

The data collection started after representatives of these institutions met and agreed the team's work plan. Data were collected from 25 August through September 2021. Queries about data were discussed with the institutions providing them. The data shared by the institutions with the research team were then formally validated by the committee of institutional representatives on 30 September.

Researchers note what they call a "sectoral myopic legacy". By this they refer to the tendency of each institution to have their own plans and not realizing that successful outcomes require cooperation between all institutions in the sector. There appears to be no regular forum for justice sector institutions to coordinate, collaborate, and to address common challenges.

## POLICE

Police have a total of 220 operational police across the region, with presence in all Zones and Special Woredas. Both infrastructure and resources are poor. The data suggests that all those 220 police stations are in need of structural repair. None of the police stations have ramps to allow disabled people access. There are a total of 10,329 police officers in the region, of which 1,469 (approximately 14%) are women. Out of the 662 investigators, 93 (again, about 14%) are women.

While all police stations in Guraghe have women and child units, such units are largely absent in the other Zones and Special Woredas, with the exception of Gamo and Bench Sheko which have one women and child unit each. None of the police stations from which data was obtained has access to the internet.

Researchers observed that the police are often unable to collect evidence and instead rely on whatever evidence that the complainant can present. This finding is, to some extent, corroborated by the data on human resources, which points to a relatively low number of investigators as a proportion of all police across the zones. Shortages in material resources, also evident in the data, may further hamper the ability of the police to investigate crimes reported to them. The annual report from 2013 points to very limited use of forensic evidence.

## OFFICE OF THE ATTORNEY GENERAL

There are 194 dedicated branch offices of the Regional OAG across the region. The infrastructure of the offices appears to be relatively good in Guraghe while many offices in the other zones lack even the most basic facilities such as toilets, let alone electricity or internet. Out of the 1,617 prosecutors in the region 203 (or 12.5%) are women. Between them, the prosecutors in the region have access to 22 vehicles. None of the offices outside of Guraghe have safe spaces for victims and witnesses.

Researchers have noted that public prosecutors seem not to have sufficient links or lines of communication with the police, and police are mostly left to conduct investigations without much advice or support from the prosecutors—even if there are some attempts to conduct joint investigations. In many instances, this leads to inadequate investigations that do not allow prosecutors to frame charges. Investigation files then have to be sent back to the police and the case is inevitably delayed, which gives rise to frustration among victims and complainants. Sometimes the complainant gives up and the case is withdrawn. The Criminal Procedure Code gives prosecutors 15 days to frame charges but in practice this time limit is often ignored. Prosecutors face significant logistical challenges as their jurisdiction is vast, requiring travel of more than 1,000 km in some cases.

Official data points to a conviction rate of over 75% in SNNPR. Convictions are by far the most common outcome in criminal cases. Less than 3% of criminal cases ended in an acquittal.

## LEGAL AID SERVICES

There are 573 lawyers (15 women) holding First Rank Licenses in SNNP (i.e. lawyers able to litigate from RFIC up to the RSC) and 33 lawyers (2 women) holding Second Rank Licenses only allowed to practise in the RFIC, according to the OAG. A total of 606 lawyers for the region, or 3.7 lawyers per 100,000.

There are Public Defender Offices in eight of the 23 Zones and Special Woredas. Additionally, in Bench Sheko, there is a Public Defender who works from a space in the court complex as there is no dedicated Public Defender Office in that zone. The situation with regard to material resources for Public Defenders is dismal—none of them have access to any computers, photocopiers, scanners or printers. They don't even have adequate office stationery. They are not provided with access to either the Laws of Ethiopia or the commentaries on those laws. Despite the vastness of SNNPR, Public Defenders do not have access to a single vehicle.

Many of the Zones and Special Woredas have University Legal Aid Clinics, but these also operate with very meagre material resources, as most lack computers and other equipment necessary to function optimally. Again, as none of them have access to vehicles, their capacity for outreach is severely curtailed. Student practise rules allow final year students to appear in courts under supervision.

Researchers have noted that, in practice, there is no legal aid available at the pre-trial stage. It is only possible to access a public defender after charges have been framed. Even then, access to public defenders is hampered by a means test that requires the accused to obtain written evidence from the lower kebele administration to prove that he or she satisfies the requirements of the means test. This barrier might in part explain why so very few defendants are represented by public defenders. The fact that the combination of incomplete investigations, insufficient prosecutorial resources, and almost non-existent criminal defence gives rise to very high conviction rates raises concerns about due process.



## COURTS

SNNPR has a total of 208 First Instance Courts, 24 High Courts and four Supreme Courts. All Supreme Court buildings, High Court buildings and 171 of the First Instance Court buildings are said to be in need of structural repair. Supreme and High Courts all have courtrooms, and so do a majority of First Instance Courts. Electricity, water and toilet facilities seem adequate for Supreme Courts and most High Courts, although only 16 of the 24 High Courts have toilets for women. Among First Instance courts, the situation is worse with 78 of the 171 First Instance Courts offering toilets for women.

There are 67 judges in the Supreme Courts, seven of whom are women (10.4%), 225 High Court judges, 22 of whom are women (9.7%), and in the First Instance Courts 94 out of 780 are women (12%).

Judges (High/Zonal Court) are paid ETB 22,137 per month.

Judges (First Instance / Woreda Court) are paid ETB 17,145 per month.

Material resources are sparse. While vehicles, office equipment and recording facilities are generally available in the Supreme and High Courts, none of the First Instance Courts have access to vehicles and only a handful of them have the office equipment needed. The security situation for judicial personnel is sombre: in a single year, 120 judges were threatened and ten were injured in the line of duty.

## PRISONS

There are 22 prisons in SNNPR. They all have electricity and all but one have a continuous supply of water and a health clinic. Most of the prisons also have separate spaces for female prisoners, children, and unsentenced prisoners.

Several of the prisons accommodate a far larger number of prisoners than they are designated to hold. On average, prisons in the region operate at around 126% of capacity. This in combination with the 'inability [of prisoners] to eat properly' and the lack of medical care (both documented in the 2013 Annual Report) is a major cause for concern. However, construction of new prison facilities is underway albeit with delays due to financial constraints. Data suggests that about 45% of sentenced prisoners are sentenced to terms of 3 years or less, implying that they have been convicted of relatively minor offences. If this category of prisoners could be considered for alternative sentences such as community service or suspended sentences, and those who have served the bulk of their sentence could be considered for parole, this might be a more effective way of reducing overcrowding in the long term than merely building more prisons. The AR indicates increasing prisoners' access to vocational training, training on agriculture, as well as psychosocial support, are policy goals, while the evidence on the ground is that prisons will need more resources and funding if these goals are to be realised.

# JUSTICE SERVICES | SNNP | RESOURCES AND INFRASTRUCTURE

# ZONES

	POLICE		PUBLIC DEFENDER		UNIV. LAW CLINIC		OFFICE OF ATTY GENERAL		RFI COURT		RH COURT		RS COURT		SFI COURT		SH COURT		SH COURT		PRISON		
	Structures in Need of Repair	Investigators per 100K	Dedicated Offices	LASPs per 100K	Dedicated Offices	LASPs per 100K	Offices per Woreda	Prosecutors per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Structures in Need of Repair	Prisons Over Capacity	
GURAGHE	100%	3.5	1	0.1	1	1.3	1.62	11.6	71%	5.5	100%	1.2	N/A	N/A	0%	0.2	0%	0.1	N/A	N/A	100%	100%	
HADIYA	100%	4.3	1	0.1	4	No Data	1.82	6.7	59%	3.1	100%	0.9	Yes	0.3	0%	N/A	N/A	N/A	N/A	N/A	N/A	No Data	100%
KEMBATA TIBARO	100%	4.7	1	0.1	N/A	N/A	1.56	10.2	83%	4.1	100%	0.9	N/A	N/A	0%	N/A	N/A	N/A	N/A	N/A	N/A	No Data	100%
GEDEO	100%	4.6	1	0.1	7	N/A	0.11	9.1	67%	3.7	100%	1.2	N/A	N/A	0%	N/A	0%	0.1	N/A	N/A	100%	100%	
WOLAYITTA	100%	No Data	N/A	N/A	5	0.7	0.06	1.2	82%	5	100%	0.9	No	0.6	0%	N/A	N/A	N/A	N/A	N/A	N/A	No Data	100%
SOUTH OMO	100%	6.1	N/A	N/A	1	N/A	1.1	13.7	73%	5.6	100%	1.4	N/A	N/A	0%	N/A	N/A	N/A	N/A	N/A	N/A	0%	100%
SHEKA	100%	9.8	N/A	N/A	N/A	N/A	2	15.7	80%	10.1	100%	4.9	N/A	N/A	0%	N/A	N/A	N/A	N/A	N/A	N/A	0%	100%
KEFA	100%	5.6	N/A	N/A	1	No Data	1.31	9.3	71%	4.3	100%	0.6	No	0.7	0%	N/A	N/A	N/A	N/A	N/A	N/A	0%	100%
GAMO	100%	4.7	1	0.1	6	N/A	1.64	11	72%	3.5	100%	1	N/A	N/A	0%	N/A	0%	0.1	N/A	N/A	100%	100%	
BENCH SHEKO	100%	8.6	N/A	N/A	1	N/A	1.33	11.1	75%	6.1	100%	1.9	N/A	N/A	0%	N/A	0%	0.2	N/A	N/A	100%	100%	
KONSO	100%	19.9	N/A	N/A	N/A	N/A	1.67	31.6	75%	12.9	100%	7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
HALABA	100%	6.6	N/A	N/A	N/A	N/A	3	7.3	25%	5.9	100%	2.1	N/A	N/A	0%	N/A	0%	0.3	N/A	N/A	No Data	100%	
GOFA	100%	11.4	N/A	N/A	N/A	N/A	1.71	23.2	69%	14.9	100%	3.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%	100%
BASKETO	100%	1.2	1	0.2	N/A	N/A	2	1.5	0%	0.9	100%	0.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%	0%
DAWURO	100%	49.8	N/A	N/A	N/A	N/A	1.2	127	67%	53.6	100%	10	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%	100%
MIRAB OMO	100%	4.2	N/A	N/A	N/A	N/A	2.4	6.3	100%	3.4	100%	1.5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%	100%
KONTA SPECIAL	100%	5.1	1	0.4	N/A	N/A	3	5.8	33%	2.9	100%	1.5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	No Data	100%
SILTIE	100%	27.7	N/A	N/A	1	0.8	1.56	51.5	67%	21.4	100%	11.1	N/A	N/A	0%	4.8	100%	0.8	N/A	N/A	100%	100%	
AMARO	100%	1.3	N/A	N/A	N/A	N/A	2	0.7	50%	0.5	100%	0.3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
BURJI	100%	2.9	N/A	N/A	N/A	N/A	1	7.4	100%	1	100%	2	N/A	N/A	0%	0.5	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DERASHE	100%	10.3	N/A	N/A	N/A	N/A	2	27	100%	9	100%	No Data	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%	100%	
YEM SPECIAL	100%	6.2	1	0.7	N/A	N/A	2	10.3	100%	4.1	100%	3.4	N/A	N/A	100%	0.7	N/A	N/A	N/A	N/A	N/A	100%	0%
ALE SPECIAL	100%	No Data	N/A	N/A	N/A	N/A	N/A	N/A	100%	No Data	100%	No Data	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%	0%	
NATIONAL AVERAGE		4.9		0.3		0.1		9.3		6.0		1.7		1.4		0.3		0.4		0.5			

## GENERAL

Case management is an inexact science in SNNPR as elsewhere. Given the general lack of technology and the physical environment to support technologies, emphasis may be needed to supporting simpler case reporting systems using paper and pen (PAPI) systems.

## CRIMINAL JUSTICE

The data reported by police total 66,446 matters (9,448 cases pending from the previous year + 56,998 complaints during the year). Of these, 1,207 cases were investigated. It is unclear how then 43,640 cases were forwarded to the OAG.

The OAG data show a total of 90,190 new investigations during the year. It is unclear if these comprise the 43,640 cases forwarded by the police + investigations that the OAG themselves initiated without the involvement of the police.

The OAG proceeded to file charges in 37,385 cases.

In the same period, the First Instance Courts registered a total of 71,424 new criminal cases while the High Courts registered 9,176 new criminal cases. The total of 80,600 appears to be greater than the number of charges filed by the OAG.

The data from First Instance Courts show 65,000 cases disposed, of which 61,200 ended in a conviction, generating a conviction rate of over 94%.

The picture in the High Court is similar showing a conviction rate of over 80%.

These high conviction rates can be juxtaposed against the data from the Public Defenders Offices. They represented accused persons in a total of 170 cases, or in about 0.02% of the number of criminal cases filed in the courts (80,600). Paradoxically, the prosecutors from the OAG defended more 'indigent' accused persons (270) than the Public Defenders did.

## POLICE

The data on investigation outcomes show that of the 56,998 complaints registered, 7,695 (or about 14%) were settled, by the police, through mediation. It is unclear how the police mediate cases, what training they have for this task, or what parameters police mediation is subject to.

## OFFICE OF THE ATTORNEY GENERAL

According to OAG data, 28,246 criminal cases were disposed of. This number contrasts with the courts which say that 65,000 criminal cases were disposed of. The OAG data indicate that out of the 28,246 criminal cases disposed, 28,073 ended in a conviction—amounting to a conviction rate of over 99%.

## PUBLIC DEFENDER'S OFFICE

As noted earlier, the Public Defenders are able to assist only a fraction of all people who are charged with criminal offences in SNNPR. Public Defenders represented a total of 75 men and 95 women in the year 2020/1 out of 35,997 men and 1,388 women charged with criminal offences in the same period.

The 9 public defenders in SNNPR appear on average to have handled just under 19 cases in the year each (<2 each per month).

This contrasts with prosecutors who appear to have averaged 55 cases every year. This raises questions over the effective deployment of the Public Defenders in SNNPR as the low numbers of cases they take on seem not to be attributed to human resource constraints. This may require further research: why are Public Defenders not able to represent more clients?

## COURTS

The data show that civil cases dominate the regular courts, with about 61% of cases (114,797) being civil cases. In addition to that, the Sharia courts, which hear only civil cases, disposed of 4,733 cases. This relatively large civil case load invites the question as to whether it might be possible to divert some of these cases towards traditional dispute resolution forums which often are both more accessible and far less costly than using the statutory system and courts.

## PRISONS

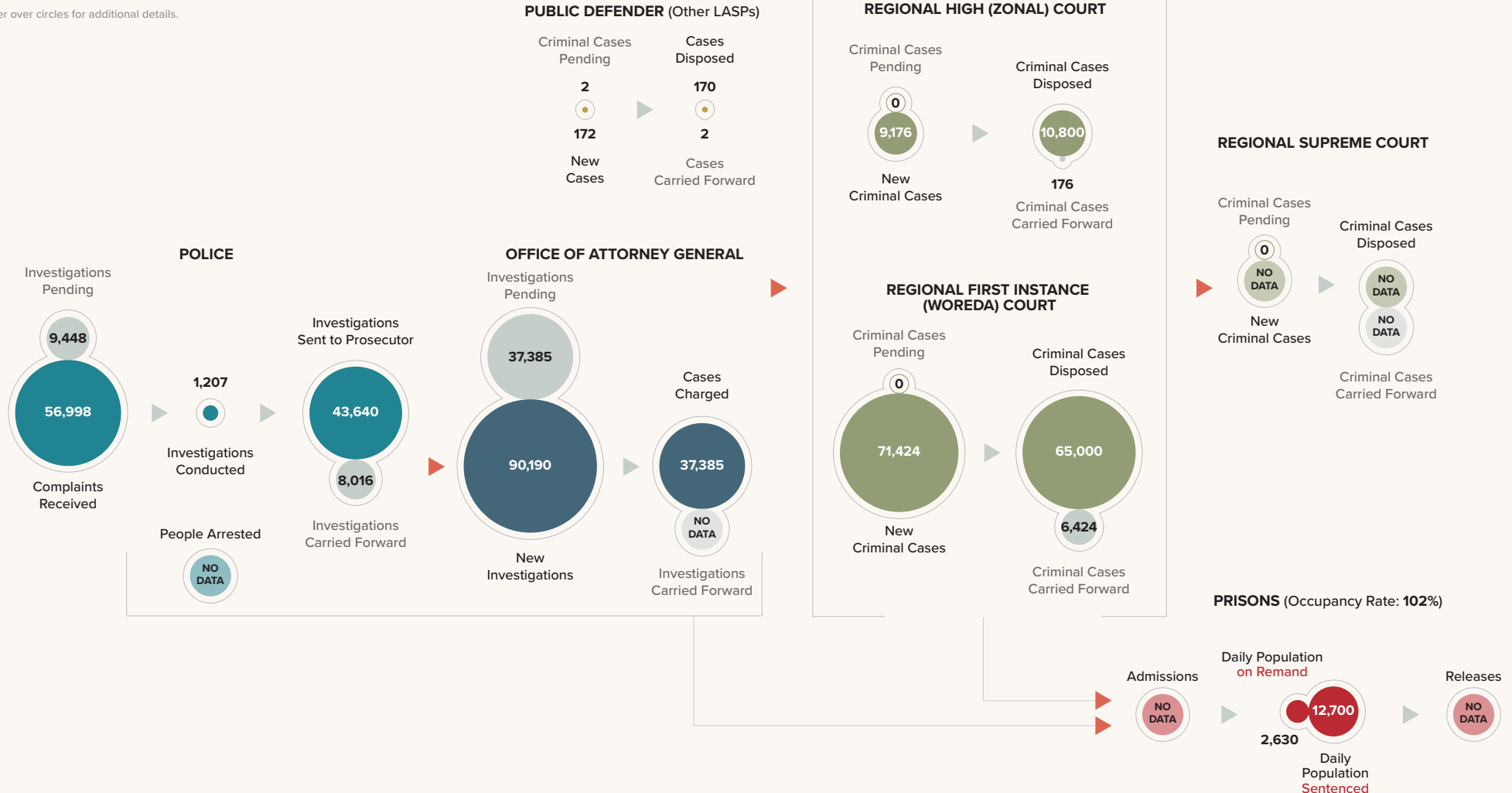
The SNNPR prisons have the capacity to hold 15,000 people. They are currently said to be accommodating approximately 19,000 people. There is overcrowding therefore.

- 67% of prisoners are sentenced (12,700 prisoners): 4,220—or 30%—are sentenced to prison terms of less than 3 years, i.e. for crimes at the lower end of the criminal scale. They could be considered for non-custodial sentences.
- The 2013 (EC) SNNPR Prison Administration Report shows that 1,060 prisoners were pardoned. Pardons, but also parole, are options to consider for prisoners sentenced to longer terms but who are deemed to have been sufficiently rehabilitated and therefore no longer pose a threat to society.
- Assuming 30% of unsentenced prisoners are also charged with relatively minor offences, they should be eligible for bail.

Taken together, these measures are likely to help bring down the number of prisoners to well below the maximum holding capacity in the region.

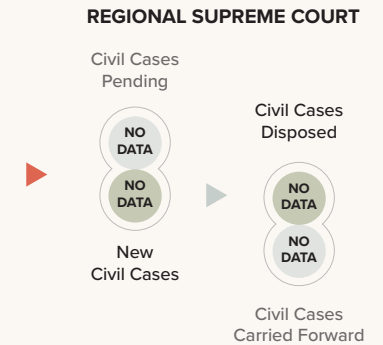
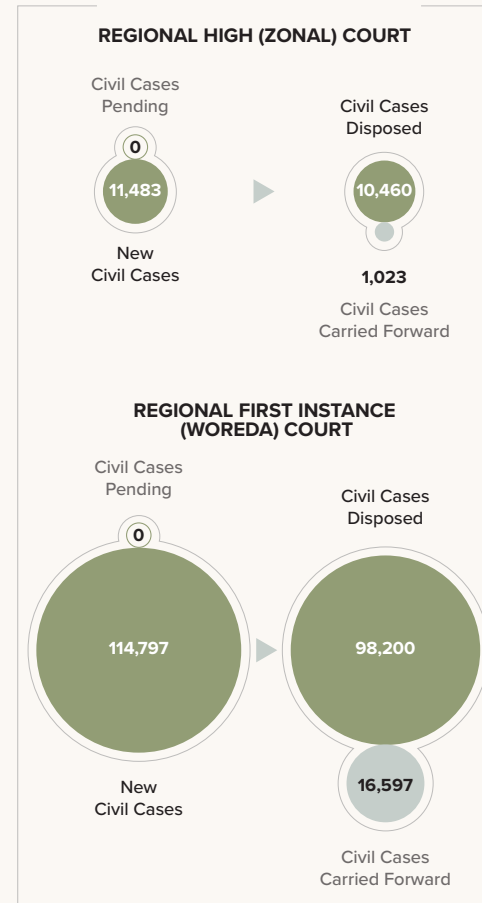
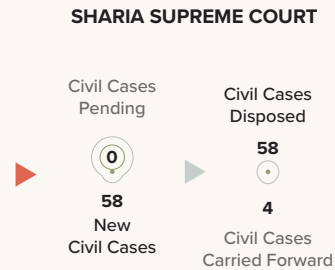
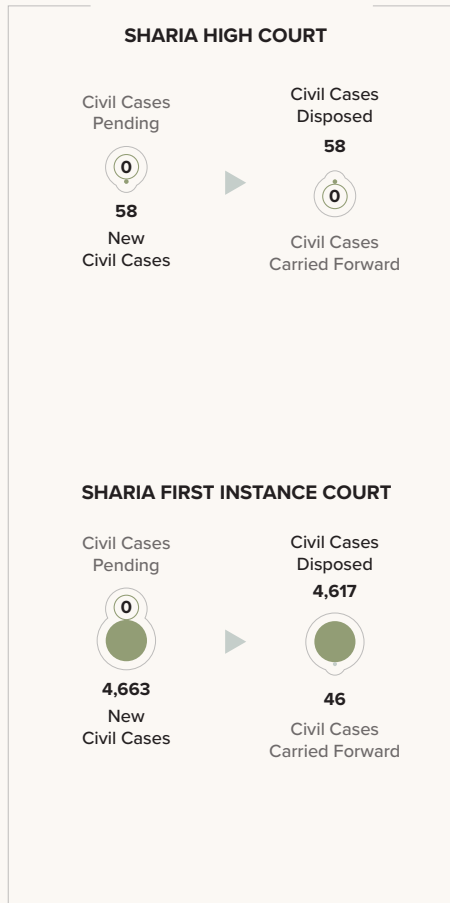
**Criminal Cases | Sharia and Civil Cases**

Hover over circles for additional details.

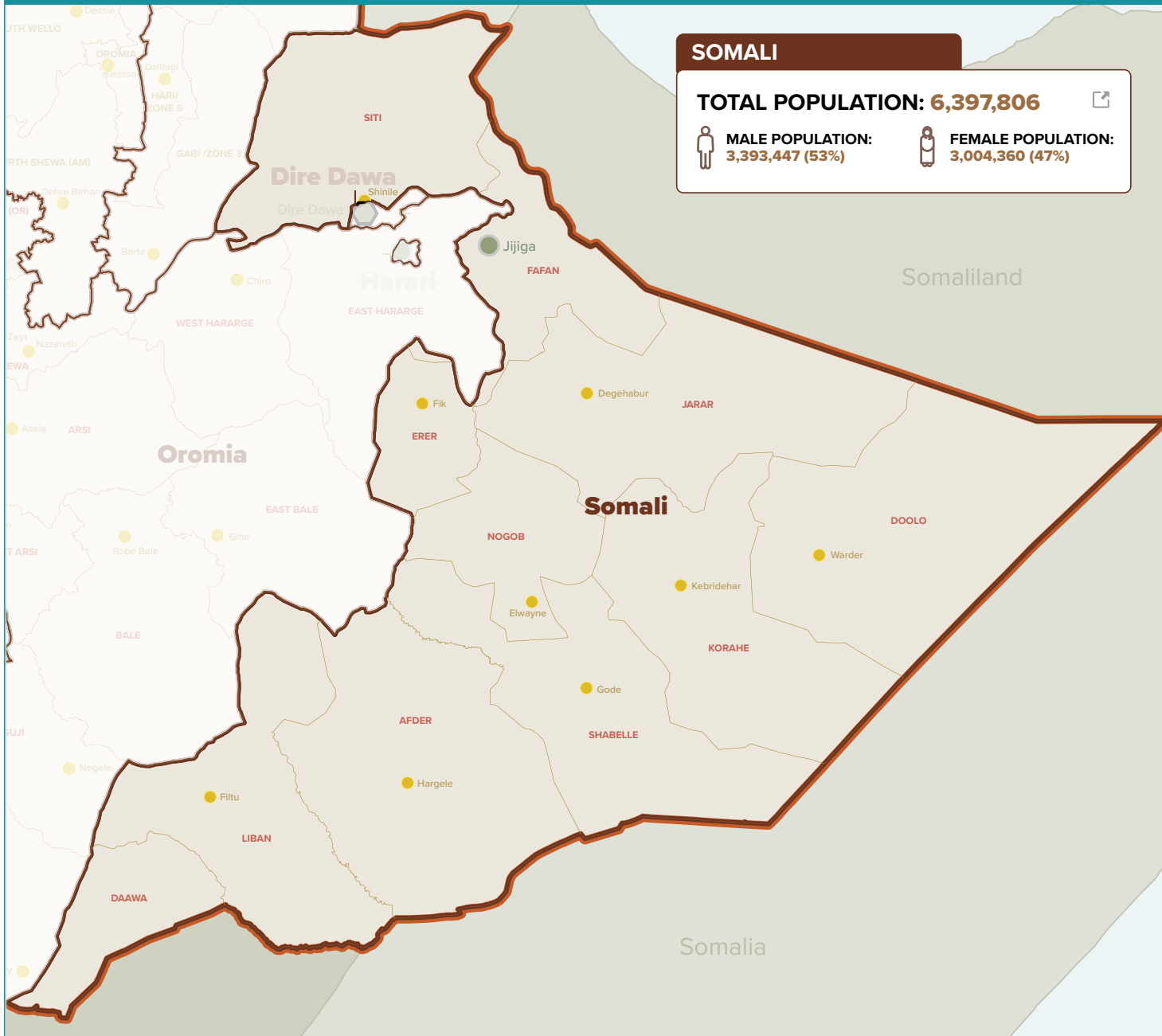


Criminal Cases | Sharia and Civil Cases

Hover over circles for additional details.



# JUSTICE SERVICES | SOMALI



## INTRODUCTION

The Somali region is one of the country's lesser developed regions. There are 11 Zones in the region.

The team collected data from each institution in difficult circumstances as elections were taking place and senior justice actors had other priorities to attend to. Data collection continued into October. The data have been cleaned of obvious error, but only the courts have been cross-checked against the Supreme Court's Annual Report 2013 (as not other ARs were available). The data were shared with each institution for validation separately as the Justice Snapshot Steering Committee were not able to meet collectively. The data were validated by individual email by 17 October.

There appears to be a reasonable distribution of justice services in terms of police (98 stations), prosecution (111 branch offices), Woreda courts (92) and Sharia Courts of First Instance (82) across the region. There is a prison in each Zone. There appears to be an absence of defence and legal aid services.

## POLICE

Police report all woreda level police stations are in need of structural repair:

- 20% operate without electricity
- Over 50% without water

While most have holding cells, around half have toilets for men and women.

Human resource data were considered sensitive and withheld, as were monthly remuneration packages.

The police record a fleet of 11 vehicles (distributed one per zone) but few radio communications (most in Fafan), no internet outside of Fafan, almost absence of computers in police stations (outside Fafan again) with few having adequate stationery. None of the police stations had ramps to assist disabled persons. None had a Women and Child Unit.

## OFFICE OF THE ATTORNEY GENERAL

The infrastructure is poor according to the data received. Of the 111 offices:

- 2 have internet
- 16 have electricity (12 in Fafan)
- 4 have male toilets
- 0 have female toilets

No special arrangements have been made in terms of ramps to support disabled access or safe spaces for vulnerable witnesses and victims of crime.

The 685 Public Prosecutors (9% women) are paid ETB 18,803 per month (USD \$400). They have access to the laws of the country, but have few resources such as computers (available in 30% of offices) and printers / photocopiers (in 20% of offices). No data was available for the number of vehicles available.



**COURTS**

All the courts from Woreda up to Supreme Court are said to be in need of structural repair. Approximately half of Woreda Courts and two thirds of Zonal Courts have court rooms (as opposed to judge’s offices where hearings are held)—the Supreme Court has its own.

- Electricity is available in 8 / 11 Zonal Courts (70%) and 19 / 92 Woreda Courts (20%)
- Water is available in 0 Zonal Courts and in 6 / 92 Woreda Courts
- Toilets are available for men in 0 Zonal Courts and 8 / 92 Woreda Courts —0 toilets for women are available in either court.

Judges:

- RSC: 25 (including 1 woman)
- RHC: 114 (including 4 women—3.5%)
- RFIC: 286 (including 19 women—23%)

The RSC and RHC have access to 4 and 11 court interpreters respectively. In the RFIC there are reported to be 11 interpreters available for the 92 courts.

The 25 judges in the RSC share 6 cars, the 114 judges in the RHC share 2, and the 286 judges in the RFIC share 2 also. None of the courts have court recording technology and rely on paper and pen. There is no access to internet, laws or photocopiers in the Zonal and Woreda Courts (available in the Supreme Court).

Some 16% of RFIC judges and 22% of RHC judges have received training in special procedures governing juvenile justice.

There are no ramps in any court to facilitate access for the disabled. There are no safe spaces in RHC or RFIC for vulnerable witnesses or victims of crime.

The following table is taken from the AR (original in Somali and translated informally into English) and shows what oversight and governance actions have been taken in the past year:

No.	Details	No. of Judges	Remark
1	Judges dismissed due to discipline	37	
2	Judges changed from place due to discipline	332	This number is added to together from all parts of the region
3	Judges retained in their former place of work	62	These includes judges with disability, women and judges with other health issues
Total		431	
4	Warned Judges	3	
5	Judges with performance bellow standard	48	
6	Awarded Judges	23	

Training courses were also implemented by the Supreme Court using partnerships with other bodies and organisations, as shown in the table below:

No.	Training	Trainers	Number of beneficiaries
1	Training for the Change activities and reconstructions of Court Leadership	Judges and people from government authority	393
2	Quality decisions and execution of Court decisions	Social workers	300
3	Case management and Recording	Lawyers	135
4	Training on Court reform process	Judges	393
5	Training practice for judicial behavior	Attorneys	371
6	Training on professionalism		100
Total			1,692

## SHARIA

All courts reported needing structural repair. All courts have separate court rooms.

- Electricity is available in 4 / 11 Sharia High Courts (SHC) and 25 / 82 Sharia Courts of First Instance (SFIC)
- Water is available in 7 / 11 SHC and 30 / 82 SFIC
- Toilets for men are available in all but one SHC and in 70% of SFIC, but 0 toilets for women are available in either court

## KADIS

- Sharia Supreme Court (SSC): 20 (0 women)
- Sharia High Court (SHC): 262 (0 women)

There were no data for the number of Kadis in the SFIC. There no discipline problems recorded for Kadis.

The Sharia courts—from Supreme Court to First Instance Courts—appear to be barely resourced. There is one vehicle for the SSC and a copier. The High and First Instance courts have 0 vehicles, 0 internet and 0 printers / copiers.

None of the courts have ramps for the disabled and neither the SHC nor SFIC have safe spaces to safeguard vulnerable witnesses.

## LEGAL AID SERVICES

### OPD

There are 11 offices (1 per Zone) staffed by 12 PDs (1 woman). Of the offices, 1 has access to internet and over half have electricity. All have male toilets, only 1 has female toilets.

The 12 lawyers have access to the laws of the country but not to Commentaries and updates. They have 0 vehicles, 0 photocopiers, 2 computers among the 11 offices and inadequate stationery.

## NGOs

There was no data provided concerning legal aid services by NGOs.

## ULC

There is one ULC with an office in Fafan. It is equipped with toilets for men and women, has electricity and access to a computer and printer / copier, but no ramps nor safe spaces for vulnerable persons.

The staff of 25 lawyers supported by 15 students has no vehicle. Student practise rules allow final year students to appear in courts under supervision. There were no data on the number of lawyers in practise in the region.

## PRISONS

The 11 prisons are all reported to be overcrowded (with populations exceeding capacity in 11/11 prisons). Almost all (10/11) are in need of repair.

- 0 have continuous water
- 8 have continuous electricity
- 0 separate adults from young offenders (under 18)
- 11 separate unsentenced from sentenced prisoners
- 5 have health clinics

The number of staff was considered sensitive and not disclosed as was their remuneration package.

Almost all (10) record admissions / releases on paper (not in a computer database).

- 0 have internet
- 0 have mobile prison vans or trucks to deliver the rations
- 1 has a workshop
- 3 have teaching programmes for sentenced prisoners.

One prison was inspected by the EHRC in the past year. All 11 prisons are said to have a formal complaints mechanism.

# JUSTICE SERVICES | SOMALI | RESOURCES AND INFRASTRUCTURE

# ZONES

	POLICE		PUBLIC DEFENDER		UNIV. LAW CLINIC		OFFICE OF ATTY GENERAL		RFI COURT		RH COURT		RS COURT		SFI COURT		SH COURT		PRISON			
	Structures in Need of Repair	Investigators per 100K	Dedicated Offices	LASPs per 100K	Dedicated Offices	LASPs per 100K	Offices per Woreda	Prosecutors per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Dedicated Courtrooms	Judges per 100K	Structures in Need of Repair	Prisons Over Capacity		
DAAWA	100%	No Data	1	0.2	N/A	N/A	1.5	3	75%	2.3	100%	0.8	N/A	N/A	100%	No Data	100%	3	N/A	N/A	100%	100%
NOGOB	100%	No Data	1	0.1	N/A	N/A	1.14	3	43%	1.1	100%	0.6	N/A	N/A	100%	No Data	100%	1.6	N/A	N/A	N/A	N/A
ERER	100%	No Data	1	0.2	N/A	N/A	2.25	9.2	75%	3	100%	1.7	N/A	N/A	100%	No Data	100%	3.3	N/A	N/A	100%	100%
SITI	100%	No Data	1	0.4	N/A	N/A	1.25	23.5	67%	11.6	100%	3.6	N/A	N/A	100%	No Data	100%	10.9	N/A	N/A	100%	100%
FAFAN	100%	No Data	1	0.4	1	4.7	2	17.1	55%	8	100%	4.6	Yes	4.7	100%	No Data	100%	7.6	Yes	3.8	50%	100%
JARAR	100%	No Data	1	0.2	N/A	N/A	1.18	13.9	36%	6.9	100%	2	N/A	N/A	100%	No Data	100%	2.7	N/A	N/A	100%	100%
KORAHE	100%	No Data	1	0.2	N/A	N/A	1.2	14.9	40%	6.2	100%	1.6	N/A	N/A	100%	No Data	100%	6.2	N/A	N/A	100%	100%
SHABELLE	100%	No Data	1	0.2	N/A	N/A	1.2	11.6	70%	5.5	100%	1.9	N/A	N/A	100%	No Data	100%	3.7	N/A	N/A	100%	100%
DOOLO	100%	No Data	1	0.2	N/A	N/A	1.14	5.4	57%	2.1	100%	1.7	N/A	N/A	100%	No Data	100%	3.9	N/A	N/A	100%	100%
AFDER	100%	No Data	1	0.5	N/A	N/A	1.22	31.4	89%	9.4	100%	3.1	N/A	N/A	100%	No Data	100%	9	N/A	N/A	100%	100%
LIBAN	100%	No Data	1	0.2	N/A	N/A	1.6	16.2	57%	4.5	100%	1.5	N/A	N/A	100%	No Data	100%	4.3	N/A	N/A	100%	100%
NATIONAL AVERAGE		4.9		0.3		0.1		9.3		6.0		1.7		1.4		0.3		0.4		0.5		

## GENERAL

The data were collected by the team in September from the institutions concerned.

No case data were collected from Police, First Instance Courts (regular as well as Sharia) nor from OPD and ULC. It is not clear whether the institutions were unwilling to share or did not have their data in an organized condition to share.

The data shown have been validated by the concerned member of the Justice Snapshot Steering Committee representing his / her institution.

**POLICE** No data

## OFFICE OF THE ATTORNEY GENERAL

The data show that less than 50% of total investigation files led to a charge last year. Of those charged, 4% related to GBV cases and 7% to juvenile cases.

The cases reportedly carried forward do not appear consistent with the total caseload.

## COURTS

No data available for First Instance Courts in regular courts and Sharia courts.

The civil caseload in the regional High (Zonal) Court is higher than the criminal caseload by around 1,000 cases (6,000 v 5,000 in round figures). The total disposed is double the new cases coming in, but the number of pending cases is not known, so is not necessarily wrong. The High Court picks up 121 of the cases charged by the OAG and 196 of the juvenile cases.

The Supreme Court shows a relatively light caseload (154 new cases in 2012–13) for the 25 SC judges, but the number of pending cases is not known.

The 260+ judges of the High Court of Sharia processed 9,450 out of 9,887 cases in the year and the Supreme Court of Sharia had only 3 cases carried forward at the end of the reporting year.

## LEGAL AID SERVICES

There were no data for the OPD nor ULCs and it is inferred there were no NGOs providing legal aid services that the research team were able to identify.

## PRISONS

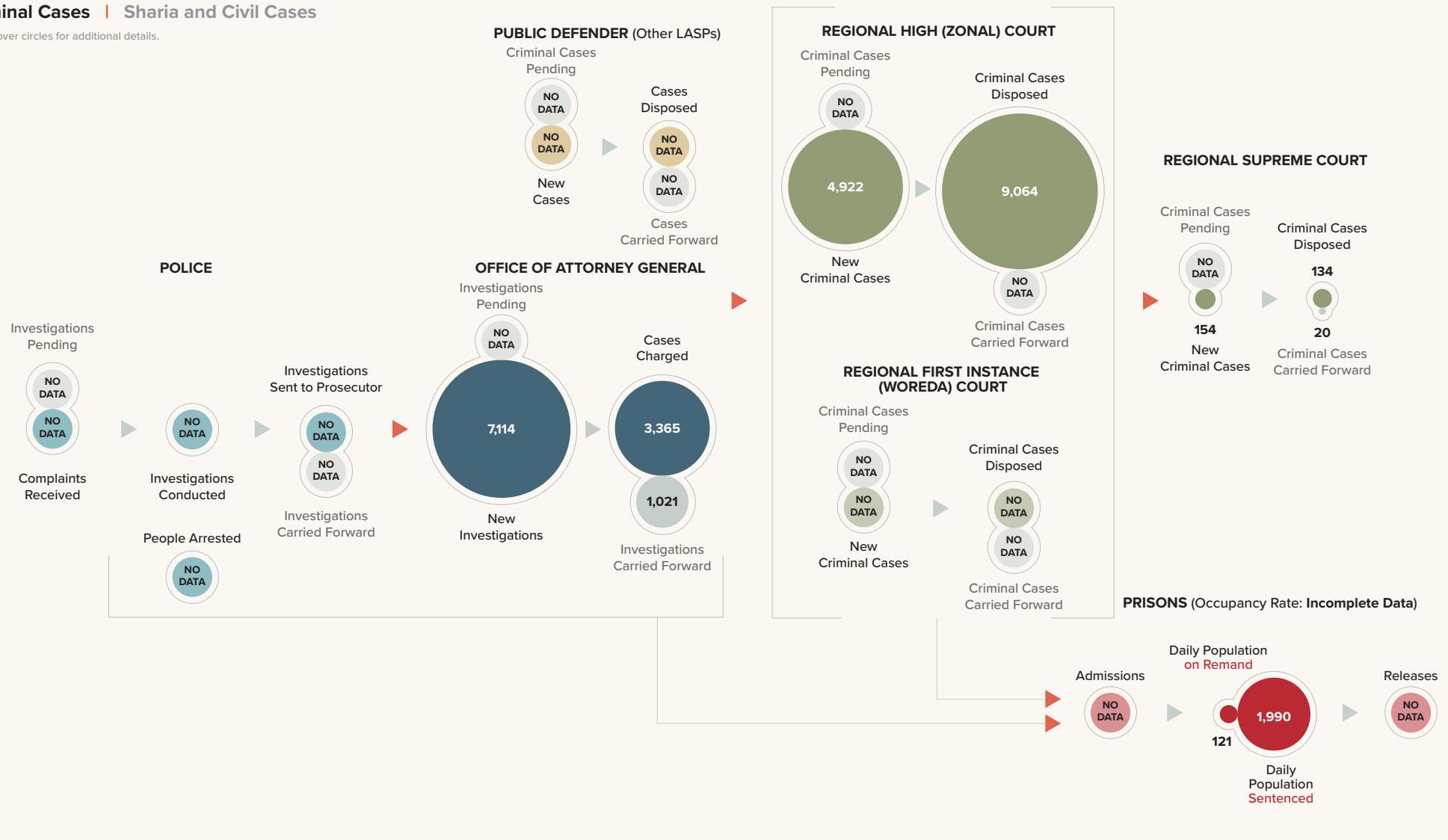
The remand population is 6% of the total prison population. 37% of the sentenced population are reported to be minors (boys under 18). It is not known how many of these are serving terms of less than 3 years. The population of boys under 18 is significant and no explanation was provided of the nature of their offences, further enquiry is needed.

Just over 10% of adult men are serving these shorter sentences. The very few women (11) make up 0.5% of the population.

The prison data are silent as to the overall capacity of the prison. Prison police offered no opinion on the percentage of prisoners who were considered dangerous, or mentally ill. In the absence of the prison Annual Report there is no way of knowing what challenges the prison administration faced in the course of the year.

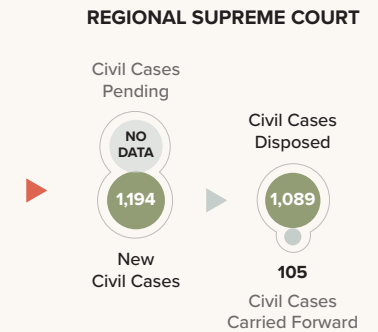
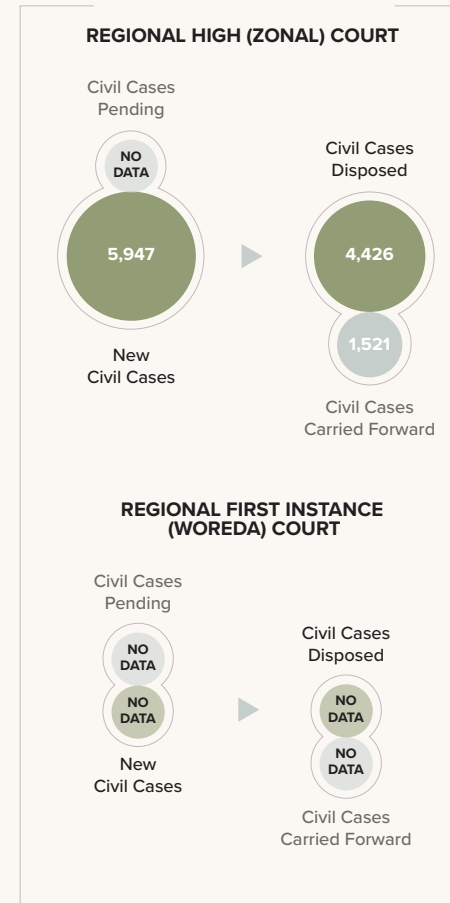
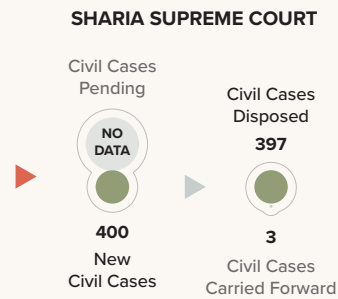
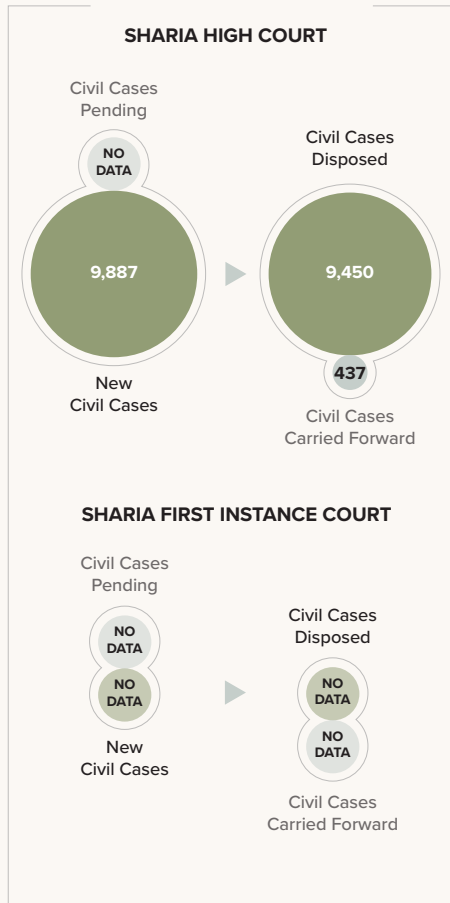
**Criminal Cases** | Sharia and Civil Cases

Hover over circles for additional details.



Criminal Cases | Sharia and Civil Cases

Hover over circles for additional details.



# JUSTICE SERVICES | TIGRAY

## TIGRAY

**TOTAL POPULATION: 5,641,000**

**MALE POPULATION:**  
2,785,000 (49%)

**FEMALE POPULATION:**  
2,856,000 (51%)



## DATA INACCESSIBLE

Owing to communications difficulties, data from Tigray were not accessible.

# ACTION MATRIX

Action Matrix specifies options—anchored in data analysis and voiced by stakeholders—to reconstitute, stabilize, or otherwise improve justice operations at each stage along the justice process.

## Justice Investment Options

points to investment opportunities which will both increase public trust in the statutory justice system and put in place protocols and build capacity to increase access to justice; especially for women and men who are currently marginalized and fail to access the system. It addresses financial investments in human resources and material conditions for those working inside the system; reforms to case processing practice; development of training programmes; and establishment of governance and oversight mechanisms.

HUMAN RESOURCE	INFRASTRUCTURE	RESOURCE	CASE PROCESSING
Recruit and train women into senior management positions in prisons.	Build Custodial Corps Headquarters.	Adequate provision of basic health equipment: first, red/grease, surgical, identification, examination body and medical supplies (basic medicines for common illnesses/diseases) in prisons.	Authorize accredited paralegals to provide advice and assistance to sentenced prisoners on appeal and to returned prisoners to link them to a lawyer / legal services / law courts.
Establish prison / health partnership with Ministry of Health.	Build Prison training Centre in Mandimba.	Procure key vehicles (truck for ration, ambulance, mobile prison van and pick-up).	Institute court appointed lawyers / legal assistance where the interests of justice require.
Recruit additional technical training staff to work in the prisons.	Ensure prison building/structures are secure and built adequately ventilated (including fans where the temperature requires) and fit.	Procure adequate office equipment (including copiers and printers), furniture & stationery (including admission, property & other registers, colour codes, files and filing cabinets) in all prisons.	Develop non-custodial (community-control) facilities for minor offenders and young offenders.
Expand in-prison vocational & rehabilitation programs including mechanics, plumbing/pipe welding, carpentry, schools & health clinics, and horticulture / farming.	Stabilize electrical power or install back-up generators in each prison.	Invest in adequate hygiene & sanitation (schemes and washing / toilet areas) and establish water supply management system.	Expand use of restorative justice, alternative & traditional dispute resolution (TR) mechanisms where they are in the interests of justice.
Partner with external agencies to provide prisoners with educational services.	Invest in adequate hygiene & sanitation (schemes and washing / toilet areas) and establish water supply management system.	Establish and equip workshops in prisons (mechanics, carpentry, tailoring etc).	Develop National Backlog Reduction Strategy (NBR) and implement all courts.
Recruit women judges.	Develop horticulture in prisons with significant land.	Provide prisoners with adequate bedding in line with local custom and ambient temperature.	Institute joint police / AGO case preparation.
Improve security of judges at work and at home.	Develop horticulture in prisons with significant land.	Review & upgrade kitchen cooking facilities.	
Provide security persons for judicial facilities for authorized	Ensure prison accommodation is suitable and available		

## JUSTICE INVESTMENT OPTIONS



## INTRODUCTION

The activities which make up the Action Matrix are produced from a gap analysis of the data collected, and review of Annual Reports and strategy documents produced by individual justice institutions. They are aligned with Federal Government of Ethiopia goals contained in the Ten Years Perspective Development Plan 2020–2030: The Pathway to Prosperity, and the ‘Common Agenda’ produced by the Justice Sector Coordination Committee (JSCC), although this applies to the Federal Government, the issues are pertinent across the regions. The activities in the Action Matrix are intended to inform Government and UN agency planning and programming.

The activities also reflect priority actions identified by the institutions. They indicate the inputs required and programming interventions needed including as concerns investigation, prosecution and judicial aspects of the legal system, as well as the prison administration systems at federal and regional levels.

While the activities recommended here are of general application, they are also specifically assigned to particular UN agencies according to their mandates and areas of expertise (and areas which call for joint programming are highlighted).

## HUMAN RESOURCES

The data indicate that on a national scale, there is a need for increased professional capacity across justice service providers. In terms of numbers, there is an adequate number of judges, but a dearth of legal aid service providers. Across the board, women’s representation is low.

Government’s 10 Year Perspective Development Plan (10YPDP) The Pathway to Prosperity, places emphasis on increasing the number of women in senior management and leadership positions. The Rapid Assessment data suggest that further research is needed to define both the opportunities and obstacles to advancing a more prominent role for women, and so, a ‘gender assessment of career opportunities and obstacles’ is required across all institutions. It is, for instance, difficult to programme an intervention in SGBV if women expertise is not available at the point of complaint and investigation in the police station.

Basic pay scales for police and prison police appear inadequate to meet minimum monthly outgoings. Minimum Expenditure Baskets (‘MEBs’), were only available for the Somali region. The metric used here is extrapolated from the USD 3,50 per day needed by each person to stay out of poverty, as assessed by the World Bank. This makes police and prison police susceptible to corrupt and dishonest practices just to cope with covering basic expenditure.

The 10YPDP also emphasizes the need for data to inform policy and reform. All teams noted the problems institutions had in collecting the data sought for this Rapid Justice Assessment. The establishment of a data statistics unit is recommended across all institutions.

When reviewing the location of justice services in phase 1 of the research, the major gap was in the provision of legal aid services. With reference to the case data for Public Defenders, it appears that in a number of regions, Public Defenders handle relatively few cases, yet Court Observations indicate that defendants in criminal cases received substantial custodial sentences without being represented. There is potential for optimising human resources in the provision of legal aid services through partnerships, for example increasing the reach and resources available to the ULCs in combination with other legal aid service providers (such as paralegals).

It is recommended that the work of lawyers be supplemented by the provision of a trained cadre of paralegals in line with the model of Paralegal Advisory Services (PAS) developed by the PAS Institute in Malawi (supported by UNDP) and applied in countries in western, southern, eastern and northern Africa (as well as in Bangladesh, with funding from GIZ and the FCDO)—see more below.

The security risks faced by PPs and judges are evident from the number who have been threatened and intimidated as well as what they (as practitioners) say about external pressure and influence to which they appear often subject. There is insufficient information currently available. Some practitioners call for increased use of CCTV, others for vehicles to transport them around some of the larger regions. An assessment is required of the current arrangements in place for the protection and better security of judges and prosecutors.

Prisons appear to lack qualified health professionals. This problem is not unique to Ethiopia. Elsewhere, prison administrations are placed under the Ministry of Health to ensure health clinics are properly equipped and staffed.

## BUILT INFRASTRUCTURE

Across the board, data point to poor working conditions for justice practitioners in terms of buildings and offices in need of repair, as well as reliable access to basic utilities. With regard to accessibility, the data from police and courts suggest woreda police and courts in particular are not adapted for facilitating access for disabled persons nor providing safe spaces for vulnerable witnesses or victims of crime. This issue would benefit from further enquiry to determine what is needed. For instance, witnesses may need discreet routes of ingress and egress to / from courts, or the introduction of simple screens to shield the person from the dock.

Ramps were used as a proxy indicator for disabled access, however, for example, the court observations further show that there is little available in the courts for assisting those who are hard of hearing to follow proceedings. This may require sensitizing court staff on adjusting the space available to cater for special needs at little or no cost, rather than investing in structural alterations. Functioning toilets (especially for women) appear to be in short supply whether for staff or members of the public. The lack of toilet facilities for women is not only a practical problem but presents a barrier to justice for individual women and girls seeking justice services.

Prisons, as elsewhere, appear to be the ‘poor cousins’ of the justice system. The data are unclear (because incomplete) in many places as to the degree to which individual prisons are congested. Further there appears to be a little information on the capacity of individual prisons—or the prison system as a whole. Without clear data as to the holding capacity of each prison, accurate monitoring of overcrowding is inhibited, as is the ability to ensure separate accommodation for prisoners under trial and convicted, as well as juveniles from adults.

There are general remarks from the available literature that point to this as a problem, and to the subsequent impact this has on cell space, ventilation and bedding, as well as to hygiene generally and the state of the kitchens. Research elsewhere suggests that where prisons are overcrowded, the prison administration are more concerned with security considerations than rehabilitating offenders, which tends to result in longer periods locked up in cells. While emphasis is placed in Annual Reports on vocational training for prisoners, workshops (for learning a trade) appear few and under-equipped. The regime for prisoners meeting with their family members is progressive in many regions where daily visits are allowed. What is unclear is the space available for prisoners and their visitors to congregate and what facilities (i.e. toilets) are available.

UNODC has completed an assessment of federal prisons and the EHRC visits all places of detention (as does the International Committee of the Red Cross). The direction of travel appears to be moving towards prison as a dynamic correctional centre (rather than a warehouse for holding people). The prison annual reports suggest performance indicators are aligned behind this approach. It would be timely therefore to conduct a national assessment of prison conditions (with UNODC and through the EHRC and in consultation with the ICRC who have broad expertise on water and sanitation management and developing metrics for guiding the calculation of metres<sup>2</sup> needed per person).

There is only one juvenile centre dedicated to holding young offenders in the country with a population of less than 100 young persons. International trends are away from building more such institutions as not being in the best interests of the young persons and directing more attention to non-institutionalised disposals.

## MATERIAL RESOURCES

The data provide useful indicators to indicate strategic needs over a more generalized wish list of ‘equipment’.

A gap that cuts across all institutions is the absence of dedicated statistics or research units to collect data at regular intervals and communicate the data up the chain of command to the centre to inform decision making and policy development. Research teams across the nine regions and including at federal level talked to the difficulty their institutional focal persons encountered in sourcing the most basic data for the region. As already mentioned, data are not systematically collected. This is a process and requires central investment if indicators of performance are to have meaning or impact. Each unit will need to be basically equipped (ie with computer, printer/scanner and internet access).

A more joined up justice system is one that communicates more effectively. This is a matter of leadership, it is also a matter of basic technology. Expanding access to the internet would promote information loops. However there are more basic tools of the trade that many institutions lack at present, such as a photocopier / scanner and printer – all in one technologies that enable practitioners to send reports, share materials and provide justice seekers with an immediate copy of a needed document.

Police appear to lack communications equipment—such as radios (and rely on their private cellphones instead); police investigators lack the vehicles to visit the scene of crime (and so, anecdotally, rely on the complainant or other to facilitate transport to the scene, as is the case in many countries); and access to forensic laboratories is limited in terms of availability and slow when it is available (one region attributed its entire backlog of pending investigations to the wait for results from the forensic lab).

Public prosecutors, judges and public defenders lack ready access to the laws they are charged with administering, commentaries on these laws and updates to these laws. In a number of other jurisdictions, the judiciary have developed 'Bench Books' for the lower judiciary to ensure consistency of approach and promote greater certainty in the application of the law in dealing with the most common matters and offences that come before the lower courts. If internet is not available, the courts, PDs and PPs will rely on hard copies of the laws and commentaries. A review of available library facilities accessible across institutions per region, would assist in meeting continuing professional education needs.

Courts lack the equipment to record proceedings. Court observations find that many do not signpost / publicise their charges (in terms of court fees, costs of photocopies etc) to assist court users and justice seekers as well as deter bad practices from developing. Judges in remote woredas lack transport.

Prison health clinics appear under-equipped with refrigerator, sterilization equipment and basic medicines. Prisons lack key vehicles (mobile prison vans for the safe transport to court of unsentenced prisoners or transfer of sentenced prisoners). Several annual reports talk to the need for adequate bedding for prisoners as well as modernized kitchen cooking equipment.

## CASE PROCESSING

Generally, case management data are not disaggregated. Broadly stated, the picture presented for each institution is: total pending (sometimes), total new, total disposed and total carried forward. This is useful to show the volume of cases coming into the system and the number disposed of in the course of the year and the general efficiency of the courts.

However, since data are collected and communicated and reflected in annual reports, they could show more detail by, for instance, disaggregating case data by:

- Gender and age (young boys and girls as well as elderly men and women); as well as
- Type of offence / complaint (providing insight into the concerns of ordinary people) and
- Type of disposal (significant proportions of the criminal caseload end up in a conviction by the court and yet the court observations show a significant proportion of offenders at both Woreda and Zonal Courts are not represented by lawyers).

Data could be further disaggregated by:

- Time spent in police detention (criminal defendants in the court users surveys indicate many spent more than 48 hours in police custody before being produced before the court; and
- Time spent in prison awaiting trial, or
- Time served in prison as a sentence of the court.

In prisons, maintaining records on admission and release data offer insights into the prisoner turnover, which informs effective prison management. While prisons in the main do not appear to be full of people awaiting trial, a significant proportion of the sentenced population appear to have been sentenced to <3 years in prison. This is further supported by several prison interviews noting how low is the proportion of prisoners who are actually considered dangerous by the prison administration.

This gives rise to questions about introducing non-custodial and more community-based sanctions and merit further enquiry and study (on which UNODC is well placed to lead) as to how these might be introduced in Ethiopia.

Given the lack of resources in most AG offices, the fragmentary cooperation between prosecutors and the police, and the very limited capacity to secure and use forensic evidence, the conviction rates in many regions are high (typically ranging between 80-95%). In some regions, practitioner surveys suggest that prosecutors have conviction rate targets. Taken together with what the data suggest is a large proportion of unrepresented criminal defendants, a policy of measuring the performance of prosecutors with reference to conviction rates risks compromising due process and the fairness of criminal trials. In other jurisdictions, conviction rate targets have also had the effect of distorting prosecutorial priorities. For example, it is likely to be easier to secure a conviction in a drug possession case than in, say, a rape or GBV case. A deeper dive into the conviction and representation rates in criminal cases would assist in ensuring that prosecutorial attention and investigative resources are maximised.

Public Defenders are present in all regions, however, the data indicate that the number of accused persons represented by PDs is low as compared to the total number of people charged with criminal offences (in several regions, the PPs appear to represent more 'indigent' accused than the PD), a significant proportion of whom could be presumed eligible for legal aid. One interpretation is that Public Defenders are underutilized. Researchers in one region pointed to an overly complex and cumbersome means test as one explanation for the low number of cases handled by PDs. In line with sub goal 2 (Activity 15) of the Common Agenda (strengthening Public Defender services), a review of the procedures for accessing PD services might be conducted to address barriers to accessing legal aid services.

A general note on public defender systems is that they function effectively in high volume urban centres where the caseload justifies the costs of retaining standing defence counsel. However where the case volume is low, it is less expensive to contract out for services as happens in the UK for instance and in South Africa under the 'judicare' system. Relying on 'pro bono' support from lawyers is widely discredited (see Lilongwe Declaration on Accessing Legal Aid in Criminal Justice Systems 2004 and Plan of Action) as, simply put, they do not work.

Case Management Information Systems (CMIS) are being introduced and experience from elsewhere suggest such systems need to a) build on existing reporting mechanisms and b) be simple to administer.

The introduction to the Justice Institutions' Common Agenda and implementation Roadmap calls for a 'coordinated approach and focus on common goals'. The data support this priority, as they point to patchy system coordination of justice services.

Solutions to similar challenges have been developed at the local level in other countries (viz: Kenya, Uganda, Malawi, Bangladesh) to convene committees made up of justice actors and community leaders (police, prisons, courts, prosecutors, the Bar, NGOs, ULCs and elders) to meet regularly and find local solutions to local problems.

These (variously called) Case Coordination Committees, Access to Justice Committees and Court User Committees are chaired by the local judge / magistrate and have proved effective in addressing a spike in terms of certain types of offences, or prison overcrowding, or delays in the process.

They provide a forum for justice agencies to meet and discuss their common concerns. They can provide the basis for a feedback loop that channels data to the Zonal authorities and on to the regional headquarters which in turn are able to provide a directive, material support, or other response to address the needs of those working in the woredas on the front line of the justice system. The important aspect of these approaches is that the membership is made up of justice practitioners, and they act as practical problem-solving entities, outside the political fray.

The Common Agenda also highlights the need to address the handling and protection of the rights of arrested and accused persons. As mentioned above, the case data show a significant deficit in legal aid services, not only at police, but also at court (where unrepresented defendants are, according to the Court Observations, sentenced to long terms of prison) and in prison.

The UN Principles and Guidelines on Legal Aid in Criminal Justice Systems (see Library) provide useful signposts for addressing these gaps. One highly effective service that draws from the health sector and provision of primary health care workers to deal with simple and minor ailments is the Paralegal Advisory Service (PAS) in Malawi which has seen its model copied and applied in countries in western, southern, eastern and northern Africa (as well as in Bangladesh, with funding from GIZ and the FCDO).

The PAS Institute is currently funded by UNDP/EU in Malawi and demonstrates how trained non-lawyers can provide the link in the chain of justice decision makers (from police, through courts to prisons and into the communities they serve). The role of paralegals applying this model is provenly sustainable because the services are efficient and effective (1 + 10 = 100, that is: 1 lawyer supervising 10 paralegals can reach in a day 100 justice seekers) and the impact is measurable and significant in terms of societal benefits they confer (see Lilongwe Declaration on Accessing Legal Aid Services in Criminal Justice Systems in Africa, 2004—also in the Library).

The Common Agenda points to the need for training on fundamental rights and accountability (it is assumed of justice service providers) when it comes to the rights of accused and arrested persons, as well as to video recorded investigation, monitoring mechanisms and policy consultation fora. Evaluations of paralegal work in police, at court and prisons reveal positive impact on suspects rights and protections in police custody, during interview and individual monitoring of persons in conflict with the law from police through courts to prison.

## TRAINING PROGRAM

There are a number of laws under review at present. This emphasizes, perhaps, the need for continuous legal education and keeping justice practitioners updated on these new laws and any commentaries thereon. In turn, this requires investment and a review of the current training curricula for Judges, Prosecutors, police, prison police and lawyers, as well as a degree of innovation.

In one region at least, there were indications that expertise and training were sought across institutions, drawing individual lawyers with expertise in a particular legal field to meet with members of the judiciary and share learning. This is in line with the injunction in the Common Agenda to ‘identify common activities that can be done with legal professionals’ and advocates’ associations’ (Goal 2 at 7).

Special procedures concerning the treatment of young persons in conflict with the law were observed in the Juvenile Court in Addis (see Justice in Law and commentary on Child Justice) as well as in court observations of some of the woreda and zonal courts.

The data are unclear (because not disaggregated by age) as to the volume of child justice cases and importance should also be given to the implementation of diversion of young offenders as well as alternative dispute resolution mechanisms. This is an area for UNICEF in particular to study further and advise and support the Common Agenda’s call for ‘formulating juvenile policies’ (Goal 2, sub goal 2 at 13) as well as implementing a work plan that protects the rights and interests of children in the justice system (Goal 2, sub-goal 4 at 22).

The Gender Assessment suggested across institutions (filter by Human Resources) should also assess the cost of fitting public institutions with child care facilities (in line with the Government’s 10 Year Perspective Development Plan: The Pathway to Prosperity in Chapter 9, Justice and Public Services), as well as to indicate the steps to be taken by police, PPs and courts to ensure safe spaces for women and other vulnerable witnesses and victims when they come to them in search of remedy or protection. This is an area for UN Women, UNDP and UNOHCHR to offer their guidance and support based on international good practice.



Case files and charges presented to the courts are stronger when they are jointly prepared by police and PPs. Joint police / OAG training courses work well elsewhere and produce closer collaboration after the training. They are specifically useful in equipping the prosecuting authorities with the skills to collect evidence in complex financial and transnational crimes (identified by the Common Agenda as a weakness to be addressed in the current system).

Practitioners among the prison police requested further training in the management of their prisons and conflict among/with their prisoners. UNODC is well placed to lend their expertise here and link with such institutions as the International Centre for Prison Studies in the UK and protection team of ICRC in the delegation in Addis Ababa.

The major role played by elders and the application of non-state justice fora (see HiiL data in Justice in Practice) require further study and thought (Common Agenda, Goal 3, activity 3). It may be inferred from the flow of cases into the formal (statutory) justice system that these non-state justice mechanisms manage much of the ordinary problems, disputes, offences that occur within communities. The data from surveys (see HiiL above) suggest these to be the first (and only) pathway to justice people choose. An action-oriented research approach (also envisaged in the Common Agenda) would implement a number of pilot activities and plans to test how better to ‘coordinate customary dispute resolution mechanisms and the formal justice system’.

## GOVERNANCE AND OVERSIGHT

It was unclear whether the oversight mechanisms such as the EHRC and Judicial Administration Council (JAC) were appropriately financed to perform their tasks adequately, and specifically in inspecting places of detention and overseeing the courts. Where government’s priority in criminal justice is to address the rights of accused and arrested persons, an independent inspection mechanism such as the EHRC requires the budget to conduct periodic inspections anywhere in the country.

At the same time, the apparent lack of transparent complaints mechanisms affects the ability of institutions to function to their full potential. Practitioner interviews across the justice institutions mentioned a lack of public trust in the system. Open complaints procedures, Codes of Conduct and clear disciplinary procedures are tools to ensure greater accountability.

All the service providers appear handicapped by the absence of transport (as discussed above). Vehicles are costly to purchase, run and maintain, attention needs to be given therefore to effective fleet management. Innovation too is called for, such that prison workshops can be equipped to service prison and other government vehicles (including police).

Innovation is needed too in the provision of legal aid services. Mention has been made of the role of paralegals. In addition, thought might be given to Public Private Partnerships (PPPs) whereby those providing services contract with government to expand coverage and improve coordination of services (also recommended in the UN Principles and Guidelines on Legal Aid already mentioned). Further research might go into enhancing the role of final year law students so that they can appear in the lower courts, under supervision. Advocates require a national association to set standards for the profession and regulate conduct.

The Common Agenda calls for alternatives to prison as sentencing options. The data suggest many sentenced prisoners are serving sentences less than 3 years which in other countries (eg: Kenya) satisfies the criteria for consideration of a non-custodial disposal. It is not clear whether prisons classify prisoners according to risk they pose.

Anecdotally (i.e. when asked), many regional prison administrations thought the percentage of ‘dangerous’ persons in their custody was low (less than 10%). The data were also unclear as to prison capacity (i.e. the number of prisoners a prison could officially hold), or how capacity is measured (i.e. in terms of x metres<sup>2</sup> per prisoner).


Observations of 31 courts (conducted informally by two research teams) indicated around 30% of accused in woreda courts and slightly less in Zonal courts were represented by a lawyer (and corresponds with the number of criminal defendants surveyed at court—see Justice in Practice—who were represented at court). They further show that the maximum sentence passed by a court on an unrepresented accused in the woreda court was 12 years and between 5–10 years in the Zonal Court.

Taken together these data suggest a significant proportion of prisoners are either being held unlawfully or unnecessarily. In other countries, paralegals have conducted a census of prisons to establish who is in the prison at a given point of time. These data have been used to release some immediately. They have also been used to review bail guidelines and sentencing practice.

Periodic surveys of public opinion serve to gauge confidence in the formal justice system and adherence to rule of law. Practitioners complain of external interference in their work; investigators are told to stop their enquiries, PPs to dismiss a case and judges to rule in a certain way. During the research, judges were suspended in one region for granting bail in a case with political overtones. UNDP and other agencies are well placed to draw on good practices from around the world to strengthen mechanisms to deter such conduct and shield practitioners.

The Common Agenda seeks to bridge the gap between the customary and statutory justice systems (Goal 3 at 3). The experience of the joint UN agencies around the continent serves well here to inform the drafting of guidelines to elders when to refer a case to the statutory justice system and when to retain it and resolve it under customary laws. Or, as in some neighboring countries, courts can establish panels of elders to whom cases that are better heard under customary laws can be referred. Whatever the pathway, the Common Agenda calls for clear signposts and investment in public awareness.



<p><b>Rehabilitate / adapt courts (access to disabled, witness and interview rooms (safe spaces) and public toilets men/women/disabled).</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Court                  Investment Type: Built Infrastructure                  UN Agency: UNDP                  Case Process Stage: Trial</p> 	<p><b>Set up a research and data centre in the FSC and RSC.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Court                  Investment Type: Human Resources                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p>	<p><b>Procure vehicles for Judiciary (especially in remote Woreda courts).</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Court                  Investment Type: Material Resources                  UN Agency: UNDP                  Case Process Stage: Cross cutting</p>
<p><b>Stabilise electrical power or install back up (generator) in all courts.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Court                  Investment Type: Built Infrastructure                  UN Agency: UNDP                  Case Process Stage: Trial</p>	<p><b>Improve security of judges at work and at home.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Court                  Investment Type: Human Resources                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p>	<p><b>Install court libraries (laws, commentaries).</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Court                  Investment Type: Material Resources                  UN Agency: UNDP, UNOHCHR                  Case Process Stage: Cross cutting</p>
<p><b>Expand use of restorative justice, alternative and traditional dispute resolution (TDR) mechanisms where they are in the interests of justice.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Court                  Investment Type: Case Processing                  UN Agency: UNDP, UNHCR, UNICEF, UNODC                  Case Process Stage: Pre-trial</p>	<p><b>Install internet all courts.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Court                  Investment Type: Material Resources                  UN Agency: UNDP                  Case Process Stage: Cross cutting</p>	<p><b>Refresher courses to judges on sentencing practice and principles.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Court                  Investment Type: Training Program                  UN Agency: UNDP                  Case Process Stage: Post-trial</p>
<p><b>Develop non-custodial (community-centred) sanctions for minor offences and young offenders.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Court                  Investment Type: Case Processing                  UN Agency: UNODC, UNICEF                  Case Process Stage: Post-trial:</p>	<p><b>Procure adequate office equipment (computers, printers, p/copiers, toner (+ maintenance contracts), fans, secure filing cabinets + stationery including court registers).</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Court                  Investment Type: Material Resources                  UN Agency: UNDP                  Case Process Stage: Cross cutting</p>	<p><b>Cross-institutional training courses in child justice and diversion in practice.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Court                  Investment Type: Training Program                  UN Agency: UNICEF                  Case Process Stage: Cross cutting</p>

<p><b>Train police, PPs, judicial administrative staff and prison police on CMIS.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Cross-institutional                  Investment Type: Training Program                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p> 	<p><b>Review procedures for public legal aid provision with a view to simplifying processes and maximising access.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Legal Services                  Investment Type: Human Resources                  UN Agency: UNDP, UNOHCHR                  Case Process Stage: Cross-cutting</p> 	<p><b>Develop and implement resource plan to operationalise ULCs and expand coverage nationally.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Legal Services                  Investment Type: Material Resources                  UN Agency: UNDP, UNHCR                  Case Process Stage: Cross-cutting                  Human Rights: YES</p> 
<p><b>Train customary elders (in communities and in displaced persons' camps and settlements) on referral mechanisms for serious crimes, GBV and child justice.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Cross-institutional                  Investment Type: Training Program                  UN Agency: UNDP, UNOHCHR, UNICEF, UN Women, UNHCR</p> <p>Case Process Stage: Pre-trial</p> 	<p><b>PD offices equipped (computers, printers, scanners, p/copiers, toner (+ maintenance contracts), fans, secure filing cabinets and access to internet).</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Legal Services                  Investment Type: Material Resources                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p> 	<p><b>Procure motor cycles for paralegals / ULC students.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Legal Services                  Investment Type: Material Resources                  UN Agency: UNDP, UNHCR                  Case Process Stage: Pre-trial</p> 
<p><b>Institute continuous legal education (annually) to judiciary, PPs, PD and lawyers in practise.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Cross-institutional                  Investment Type: Training Program                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p> 	<p><b>Procure vehicles for transporting PDs (including attending at remote courts).</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Legal Services                  Investment Type: Material Resources                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p> 	<p><b>Cross-institutional training courses in child justice and diversion in practice.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Legal Services                  Investment Type: Training Program                  UN Agency: UNICEF                  Case Process Stage: Pre-trial</p> 
<p><b>Standardise and expand Student Practice Rules nationally.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Legal Services                  Investment Type: Governance &amp; Oversight                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p> 	<p><b>Equip PD offices with laws and commentaries.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Legal Services                  Investment Type: Material Resources                  UN Agency: UNDP, UNOHCHR                  Case Process Stage: Cross-cutting</p> 	<p><b>Rehabilitate / adapt PP branch offices (safe spaces, access to disabled, public toilets men/women/disabled).</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: OAG / MoJ                  Investment Type: Built Infrastructure                  UN Agency: UNODC, UNDP                  Case Process Stage: Cross-cutting</p>

<p><b>Institute joint police / PP case preparation.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: OAG / MoJ                  Investment Type: Case Processing                  UN Agency: UNODC                  Case Process Stage: Pre-trial</p>	<p><b>Procure vehicles for PPs to access remote areas.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: OAG / MoJ                  Investment Type: Material Resources                  UN Agency: UNODC, UNDP                  Case Process Stage: Pre-trial</p>	<p><b>Stabilise electrical power or install back up (generator) at Woreda police stations.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Police                  Investment Type: Built Infrastructure                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p>
<p><b>Improve security of PPs at work and at home.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: OAG / MoJ                  Investment Type: Human Resources                  UN Agency: UNODC                  Case Process Stage: Trial</p> 	<p><b>Cross-institutional training courses in child justice and diversion in practice.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: OAG / MoJ                  Investment Type: Training Program                  UN Agency: UNICEF                  Case Process Stage: Cross-cutting</p>	<p><b>Institute joint police / PP case preparation.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Police                  Investment Type: Case Processing                  UN Agency: UNODC                  Case Process Stage: Investigation</p>
<p><b>Equip PP branch offices with laws and commentaries.</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: OAG / MoJ                  Investment Type: Material Resources                  UN Agency: UNDP, UNOHCHR                  Case Process Stage: Cross-cutting</p>	<p><b>Conduct Training Needs Assessment for PP (including joint training with police investigators).</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: OAG / MoJ                  Investment Type: Training Program                  UN Agency: UNODC                  Case Process Stage: Cross-cutting</p>	<p><b>Recruit and train police investigators (esp. women).</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Police                  Investment Type: Human Resources                  UN Agency: UN Women, UNICEF, UNODC                  Case Process Stage: Investigation</p>
<p><b>PP branch offices equipped (computers, printers, scanners, p/copiers, toner (+ maintenance contracts), fans, secure filing cabinets and access to internet).</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: OAG / MoJ                  Investment Type: Material Resources                  UN Agency: UNODC, UNDP                  Case Process Stage: Cross-cutting</p> 	<p><b>Rehabilitate / adapt Woreda police stations (access to disabled, public toilets men/women/disabled).</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Police                  Investment Type: Built Infrastructure                  UN Agency: UNDP                  Case Process Stage: Complaint</p> 	<p><b>Equip with vehicles (crime scene investigation).</b></p> <p>Justice Value Added: Capacity                  Target Justice Institution: Police                  Investment Type: Material Resources                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p>

<p><b>Equip police with radios and modern communications (including internet).</b>                  Justice Value Added: Capacity                  Target Justice Institution: Police                  Investment Type: Material Resources                  UN Agency: UNODC, UNDP                  Case Process Stage: Cross-cutting</p>	<p><b>Procure adequate office equipment (computers, printers, p/copiers, scanner, toner (+ maintenance contracts), secure filing cabinets, fans ).</b>                  Justice Value Added: Capacity                  Target Justice Institution: Police                  Investment Type: Material Resources                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p>	<p><b>Expand horticulture in prisons with agricultural land.</b>                  Justice Value Added: Capacity                  Target Justice Institution: Prisons                  Investment Type: Built Infrastructure                  UN Agency: UNODC, UNDP                  Case Process Stage: Post-trial</p>
<p><b>Review of forensic laboratory services.</b>                  Justice Value Added: Capacity                  Target Justice Institution: Police                  Investment Type: Material Resources                  UN Agency: UNODC, UNDP                  Case Process Stage: Investigation</p>	<p><b>Conduct TNA for police.</b>                  Justice Value Added: Capacity                  Target Justice Institution: Police                  Investment Type: Training Program                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p> 	<p><b>Provide space adequate for visitors to meet with prisoners.</b>                  Justice Value Added: Capacity                  Target Justice Institution: Prisons                  Investment Type: Built Infrastructure                  UN Agency: UNODC, UNDP                  Case Process Stage: Post-trial</p> 
<p><b>Stock police with PPE (Personal Protective Equipment).</b>                  Justice Value Added: Capacity                  Target Justice Institution: Police                  Investment Type: Material Resources                  UN Agency: UNODC, UNDP                  Case Process Stage: Arrest</p>	<p><b>Provide training for the police on the rights of displaced perons.</b>                  Justice Value Added: Capacity                  Target Justice Institution: Police                  Investment Type: Training Program                  UN Agency: UNHCR                  Case Process Stage: Cross-cutting</p> 	<p><b>Stabilise electrical power or install back-up generators in each prison.</b>                  Justice Value Added: Capacity                  Target Justice Institution: Prisons                  Investment Type: Built Infrastructure                  UN Agency: UNODC, UNDP                  Case Process Stage: Cross-cutting</p> 
<p><b>Stock police with stationery, forms, registers, etc.</b>                  Justice Value Added: Capacity                  Target Justice Institution: Police                  Investment Type: Material Resources                  UN Agency: UNODC, UNDP                  Case Process Stage: Pre-trial</p>	<p><b>Establish and equip workshops in prisons (mechanics, carpentry, tailoring etc).</b>                  Justice Value Added: Capacity                  Target Justice Institution: Prisons                  Investment Type: Built Infrastructure                  UN Agency: UNODC, UNDP                  Case Process Stage: Post-trial</p>	<p><b>Review and revise the system of prisoner classification in accordance with global good practice.</b>                  Justice Value Added: Capacity                  Target Justice Institution: Prisons                  Investment Type: Governance &amp; Oversight                  UN Agency: UNODC                  Case Process Stage: Post-trial</p>

**Establish prison / health partnership with Ministry of Health.**

Justice Value Added: Capacity  
 Target Justice Institution: Prisons  
 Investment Type: Human Resources  
 UN Agency: UNODC  
 Case Process Stage: Post-trial

**Review and upgrade kitchen cooking facilities.**

Justice Value Added: Capacity  
 Target Justice Institution: Prisons  
 Investment Type: Material Resources  
 UN Agency: UNODC  
 Case Process Stage: Cross-cutting

**Set up a research and data centre in RPC and FPC.**

Justice Value Added: Capacity  
 Target Justice Institution: Prisons  
 Investment Type: Human Resources  
 UN Agency: UNODC  
 Case Process Stage: Cross-cutting

**Provide prisoners with adequate bedding in line with local custom and ambient temperature.**

Justice Value Added: Capacity  
 Target Justice Institution: Prisons  
 Investment Type: Material Resources  
 UN Agency: UNODC, UN WOMEN, UNICEF, UNOHCHR  
 Case Process Stage: Post-trial

**Procure adequate office equipment (including computers, printers, p/copiers, toner (+ maintenance contracts and scanners), furnishings & stationery (including admission, property & other registers, colour codes files and filing cabinets) in all prisons.**

Justice Value Added: Capacity  
 Target Justice Institution: Prisons  
 Investment Type: Material Resources  
 UN Agency: UNODC  
 Case Process Stage: Cross-cutting

<p><b>Engage disabled persons' interest organisations to make recommendations for improving access for disabled persons at court.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Court                  Investment Type: Built Infrastructure                  UN Agency: UNDP, UNOHCHR                  Case Process Stage: Trial</p> 	<p><b>Develop guidelines for cases to be referred to police and courts by elders / TDR mechanisms.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Cross-institutional                  Investment Type: Governance &amp; Oversight                  UN Agency: UNDP                  Case Process Stage: Pre-trial</p> 	<p><b>Authorise accredited paralegals to provide advice and assistance to sentenced prisoners on appeal.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Case processing                  UN Agency: UNDP                  Case Process Stage: Post-trial</p>
<p><b>Invest in regular meetings of justice practitioners at district level (judiciary, police, custodial corps, PP, legal service providers, elders) to coordinate local justice services.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Court                  Investment Type: Governance                  UN Agency: UNDP                  Case Process Stage: Cross cutting</p> 	<p><b>Develop guidelines for cases to be referred to TDR by police, PP and courts.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Cross-institutional                  Investment Type: Governance &amp; Oversight                  UN Agency: UNDP                  Case Process Stage: Pre-trial</p> 	<p><b>Establish legal advice / assistance for detainees at police.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Case processing                  UN Agency: UNDP, UNOHCHR                  Case Process Stage: Arrest</p>
<p><b>Provide interpretation services in all courts and in areas with concentrations of displaced persons.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Court                  Investment Type: Human Resources                  UN Agency: UNDP, UNHCR                  Case Process Stage: Trial</p> 	<p><b>Engage disabled persons' interest organisations to make recommendations for improving access for disabled persons at PD offices.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Built Infrastructure                  UN Agency: UNDP, UNOHCHR                  Case Process Stage: Trial</p> 	<p><b>Visualise, publish and distribute to all police stations, prisons and courts materials on legal aid services.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Governance &amp; Oversight                  UN Agency: UHCHR, UNDP                  Case Process Stage: Cross-cutting</p>
<p><b>Establish information / advice centres at court.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Court                  Investment Type: Human Resources                  UN Agency: UNDP                  Case Process Stage: Pre-trial</p> 	<p><b>Authorise accredited paralegals to provide advice and assistance to remand prisoners to link them to a lawyer / their families / the courts.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Case processing                  UN Agency: UNDP                  Case Process Stage: Pre-trial</p>	<p><b>Expand Public / Private Partnerships between OPD, ULCs, NGOs to enhance coverage and outreach of legal services.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Governance &amp; Oversight                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p>

# ACTION MATRIX | JUSTICE INVESTMENT OPTIONS

# ACCESSIBILITY

<p><b>Survey public awareness of laws, rights &amp; legal aid services at regular intervals.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Governance &amp; Oversight                  UN Agency: UNDP, UNICEF, UNOHCHR, UN Women, UNODC, UNHCR                  Case Process Stage: Cross-cutting</p> 	<p><b>Establish paralegal advisory services in prison in support of sentenced prisoners.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Human Resources                  UN Agency: UNDP                  Case Process Stage: Post-trial</p> 	<p><b>Train paralegals in first legal aid services in police, courts and prison.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Training Program                  UN Agency: UNDP                  Case Process Stage: Pre-trial</p> 
<p><b>Establish paralegal advisory services at court.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Human Resources                  UN Agency: UNDP                  Case Process Stage: Pre-trial</p> 	<p><b>Recruit, train and resource Public Defenders.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Human Resources                  UN Agency: UNDP                  Case Process Stage: Trial</p> 	<p><b>Develop accredited paralegal training course / diploma, drawing on existing good practice.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Training Program                  UN Agency: UNDP, UNHCR                  Case Process Stage: Cross-cutting</p> 
<p><b>Establish paralegal advisory services at police.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Human Resources                  UN Agency: UNDP                  Case Process Stage: Arrest</p> 	<p><b>Establish information / advice centres in refugee camps, IDP camps and in areas with large concentrations of displaced persons.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Human Resources                  UN Agency: UNHCR                  Case Process Stage: Cross-cutting</p> 	<p><b>Develop national legal awareness campaign (laws, rights, legal aid services).</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Training Program                  UN Agency: UNDP, UNICEF, UNOHCHR, UN Women, UNODC, UNHCR                  Case Process Stage: Cross-cutting</p> 
<p><b>Establish paralegal advisory services in prison in support of unsentenced prisoners.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Human Resources                  UN Agency: UNDP                  Case Process Stage: Pre-trial</p> 	<p><b>Establish paralegal advisory services in refugee camps, IDP camps, and in settlements with high concentrations of displaced persons.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: Legal Services                  Investment Type: Human Resources                  UN Agency: UNHCR                  Case Process Stage: Pre-trial</p> 	<p><b>Engage disabled persons' interest organisations to make recommendations for improving access for disabled persons at PP offices.</b></p> <p>Justice Value Added: Accessibility                  Target Justice Institution: OAG / MoJ                  Investment Type: Built Infrastructure                  UN Agency: UNDP, UNOHCHR                  Case Process Stage: Trial</p>

**Provide safe spaces at Woreda police for vulnerable persons (gender desks / separate rooms / buildings).**

Justice Value Added: Accessibility  
 Target Justice Institution: Police  
 Investment Type: Built Infrastructure  
 UN Agency: UN Women, UNICEF, UNODC, UNHCR  
 Case Process Stage: Complaint



**Authorise accredited paralegals to provide advice and assistance to remand prisoners to link them to a lawyer / their families / the courts.**

Justice Value Added: Accessibility  
 Target Justice Institution: Prisons  
 Investment Type: Case Processing  
 UN Agency: UNDP  
 Case Process Stage: Pre-trial



**Engage disabled persons' interest organisations to make recommendations for improving access for disabled persons at Woreda police.**

Justice Value Added: Accessibility  
 Target Justice Institution: Police  
 Investment Type: Built Infrastructure  
 UN Agency: UNDP, UNOHCHR  
 Case Process Stage: Cross-cutting



**Authorise accredited paralegals to provide advice and assistance to sentenced prisoners on appeal.**

Justice Value Added: Accessibility  
 Target Justice Institution: Prisons  
 Investment Type: Case Processing  
 UN Agency: UNDP  
 Case Process Stage: Post-trial

**Establish legal advice / assistance for detainees at police.**

Justice Value Added: Accessibility  
 Target Justice Institution: Police  
 Investment Type: Case Processing  
 UN Agency: UNDP, UNOHCHR  
 Case Process Stage: Arrest



**Engage disabled persons' interest organisations to make recommendations for improving access for disabled persons in prison.**

Justice Value Added: Accessibility  
 Target Justice Institution: Prisons  
 Investment Type: Built Infrastructure  
 UN Agency: UNODC, UNOHCHR, UNDP  
 Case Process Stage: Post-trial





# ACTION MATRIX | JUSTICE INVESTMENT OPTIONS

# LEGITIMACY

<p><b>Institute court appointed lawyers / legal assistance where the interests of justice require.</b></p> <p>Justice Value Added: Legitimacy                  Target Justice Institution: Court                  Investment Type: Case Processing                  UN Agency: UNDP, UNOHCHR                  Case Process Stage: Pre-trial</p>	<p><b>Establish court website with court judgments, FSC directives &amp; circulars, cause listing and warning of witnesses and parties.</b></p> <p>Justice Value Added: Legitimacy                  Target Justice Institution: Court                  Investment Type: Material Resources                  UN Agency: UNDP                  Case Process Stage: Trial</p>	<p><b>Conduct periodic surveys of public confidence in the rule of law.</b></p> <p>Justice Value Added: Legitimacy                  Target Justice Institution: Cross-institutional                  Investment Type: Governance &amp; Oversight                  UN Agency: UNDP, UNICEF, UNOHCHR, UN Women, UNODC, UNHCR                  Case Process Stage: Cross-cutting</p>
<p><b>JAC needs assessment (ensure adequately resourced to fulfil role).</b></p> <p>Justice Value Added: Legitimacy                  Target Justice Institution: Court                  Investment Type: Governance                  UN Agency: UNDP                  Case Process Stage: Cross cutting</p>	<p><b>Publish court fees and charges all courts.</b></p> <p>Justice Value Added: Legitimacy                  Target Justice Institution: Court                  Investment Type: Material Resources                  UN Agency: UNDP                  Case Process Stage: Cross cutting</p> 	<p><b>Strengthen mechanisms to prevent external interference in the judicial process.</b></p> <p>Justice Value Added: Legitimacy                  Target Justice Institution: Cross-institutional                  Investment Type: Governance &amp; Oversight                  UN Agency: UNOHCHR, UNDP, UNODC                  Case Process Stage: Cross-cutting</p>
<p><b>Gender assessment of career opportunities and obstacles for Judges.</b></p> <p>Justice Value Added: Legitimacy                  Target Justice Institution: Court                  Investment Type: Human Resources                  UN Agency: UN WOMEN, UNDP                  Case Process Stage: Trial</p> 	<p><b>Establish data / statistics unit (in each institution at district &amp; regional levels).</b></p> <p>Justice Value Added: Legitimacy                  Target Justice Institution: Cross-institutional                  Investment Type: Human Resources                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p>	<p><b>Equip &amp; furnish each data / statistics unit with office equipment (computers, printers, p/copiers, toner (+ maintenance contracts), fans, secure filing cabinets + stationery).</b></p> <p>Justice Value Added: Legitimacy                  Target Justice Institution: Cross-institutional                  Investment Type: Material Resources                  UN Agency: UNDP                  Case Process Stage: Cross cutting</p> 
<p><b>Expand recording equipment and transcription services.</b></p> <p>Justice Value Added: Legitimacy                  Target Justice Institution: Court                  Investment Type: Material Resources                  UN Agency: UNDP                  Case Process Stage: Trial</p>	<p><b>Institute case management information systems (CMIS) across all institutions (police, courts, PP, PD and prisons).</b></p> <p>Justice Value Added: Legitimacy                  Target Justice Institution: Cross-institutional                  Investment Type: Case Processing                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p> 	<p><b>Train data / statistic unit members in each institution.</b></p> <p>Justice Value Added: Legitimacy                  Target Justice Institution: Cross-institutional                  Investment Type: Training Program                  UN Agency: UNDP                  Case Process Stage: Cross-cutting</p> 

# ACTION MATRIX | JUSTICE INVESTMENT OPTIONS

## LEGITIMACY

<p><b>Provide office space for PDs.</b></p> <p>Justice Value Added: Legitimacy          Target Justice Institution: Legal Services          Investment Type: Built Infrastructure          UN Agency: UNDP          Case Process Stage: Cross-cutting</p>	<p><b>Gender assessment of career opportunities and obstacles for Public Prosecutors.</b></p> <p>Justice Value Added: Legitimacy          Target Justice Institution: OAG / MoJ          Investment Type: Human Resources          UN Agency: UN Women, UNODC          Case Process Stage: Trial</p>	<p><b>Allocate specific funding to EHRC to maintain annual inspection visits to all places of detention.</b></p> <p>Justice Value Added: Legitimacy          Target Justice Institution: Police          Investment Type: Governance &amp; Oversight          UN Agency: UNOHCHR          Case Process Stage: Cross-cutting</p> 
<p><b>Institute court appointed lawyers / legal assistance where the interests of justice require.</b></p> <p>Justice Value Added: Legitimacy          Target Justice Institution: Legal Services          Investment Type: Case Processing          UN Agency: UNDP, UNOHCHR          Case Process Stage: Pre-trial</p> 	<p><b>Cross-institutional training courses in child justice and diversion in practice.</b></p> <p>Justice Value Added: Legitimacy          Target Justice Institution: OAG / MoJ          Investment Type: Training Program          UN Agency: UNICEF, UNOHCHR          Case Process Stage: Pre-trial</p> 	<p><b>Establish women and child units in selected police stations.</b></p> <p>Justice Value Added: Legitimacy          Target Justice Institution: Police          Investment Type: Human Resources          UN Agency: UN Women, UNICEF, UNODC          Case Process Stage: Complaint</p>
<p><b>Establish a national Bar Association.</b></p> <p>Justice Value Added: Legitimacy          Target Justice Institution: Legal Services          Investment Type: Governance &amp; Oversight          UN Agency: UNOHCHR          Case Process Stage: Cross-cutting</p> 	<p><b>Review vehicle fleet management policy.</b></p> <p>Justice Value Added: Legitimacy          Target Justice Institution: Police          Investment Type: Governance &amp; Oversight          UN Agency: UNDP          Case Process Stage: Cross cutting</p> 	<p><b>Gender assessment of career opportunities and obstacles for Police.</b></p> <p>Justice Value Added: Legitimacy          Target Justice Institution: Police          Investment Type: Human Resources          UN Agency: UN Women, UNODC          Case Process Stage: Complaint</p>
<p><b>Gender assessment of career opportunities and obstacles for Public Defenders.</b></p> <p>Justice Value Added: Legitimacy          Target Justice Institution: Legal Services          Investment Type: Human Resources          UN Agency: UN Women, UNDP          Case Process Stage: Cross-cutting</p> 	<p><b>Review complaints mechanism for the public and formal complaints procedures.</b></p> <p>Justice Value Added: Legitimacy          Target Justice Institution: Police          Investment Type: Governance &amp; Oversight          UN Agency: UNDP, UNOHCHR          Case Process Stage: Cross-cutting</p>	<p><b>Review pay/grade terms and conditions.</b></p> <p>Justice Value Added: Legitimacy          Target Justice Institution: Police          Investment Type: Human Resources          UN Agency: UNODC          Case Process Stage: Cross-cutting</p>

**Cross-institutional training courses in child justice and diversion in practice.**

Justice Value Added: Legitimacy  
 Target Justice Institution: Police  
 Investment Type: Training Program  
 UN Agency: UNOHCHR, UNICEF  
 Case Process Stage: Arrest



**Develop vehicle fleet management policy.**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Governance & Oversight  
 UN Agency: UNODC  
 Case Process Stage: Cross-cutting

**Review measurements of prison holding capacity in line with international standards.**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Governance & Oversight  
 UN Agency: UNODC, UNOHCHR  
 Case Process Stage: Cross-cutting

**Ensure prison buildings/structures are secure and cells adequately ventilated (including fans where the temperature requires) and lit.**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Built Infrastructure  
 UN Agency: UNODC  
 Case Process Stage: Cross-cutting

**Review complaints mechanism for prisoners and formal complaints procedures.**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Governance & Oversight  
 UN Agency: UNODC  
 Case Process Stage: Post-trial

**Gender assessment of career opportunities and obstacles in Prisons.**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Human Resources  
 UN Agency: UN WOMEN, UNODC  
 Case Process Stage: Post-trial

**Invest in adequate hygiene & sanitation (kitchens and washing / toilet areas) and stabilise water supply.**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Built Infrastructure  
 UN Agency: UNODC, UNDP  
 Case Process Stage: Cross-cutting

**Conduct assessment of prisoner record management systems (admissions/transfers/release).**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Governance & Oversight  
 UN Agency: UNODC  
 Case Process Stage: Cross-cutting

**Expand in-prison vocational & rehabilitation programs based on an assessment of demand for skills in the employment market, and within prisons (eg: mechanics to maintain police/prison vehicles). carpentry (schools & health clinics), and horticulture / farming.**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Human Resources  
 UN Agency: UNODC  
 Case Process Stage: Post-trial

**Allocate specific funding to EHRC to maintain annual inspection visits to all places of detention.**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Governance & Oversight  
 UN Agency: UNDP  
 Case Process Stage: Cross-cutting

**Ensure adequate separation of prisoners: remand from sentenced; men from women; and adult men from young persons.**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Governance & Oversight  
 UN Agency: UNODC, UNOHCHR  
 Case Process Stage: Cross-cutting



**Partner with external agencies to provide prisoners with educational services.**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Human Resources  
 UN Agency: UNODC  
 Case Process Stage: Post-trial



**Procure key vehicles (truck for ration, ambulance, mobile prison van and pick-ups).**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Material Resources  
 UN Agency: UNODC  
 Case Process Stage: Cross-cutting

**Recruit additional technical training staff to work in the prisons.**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Human Resources  
 UN Agency: UNODC  
 Case Process Stage: Post-trial



**Conduct full Training Needs Assessment (TNA) in line with international standards on good prison management and corrections practise and develop standardised in-service training courses (all ranks).**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Training Program  
 UN Agency: UNODC  
 Case Process Stage: Cross-cutting

**Review pay/grade terms and conditions.**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Human Resources  
 UN Agency: UNODC  
 Case Process Stage: Cross-cutting

**Train Prison leadership and senior staff (prison management, case management & risk assessment)**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Training Program  
 UN Agency: UNODC  
 Case Process Stage: Post-trial

**Adequate provision of basic health equipment (PPE, refrigerator, surgical, sterilisation, examination beds) and medical supplies (basic medicines for common illnesses/disease) in prisons.**

Justice Value Added: Legitimacy  
 Target Justice Institution: Prisons  
 Investment Type: Material Resources  
 UN Agency: UNODC  
 Case Process Stage: Post-trial





## INTRODUCTION

The recommendations for a concrete programming intervention and UN agencies best placed to support various areas of work (Terms of Reference at p6) are set out in the Action Matrix.

The national policy documents available (Pathway to Prosperity 2020–2030 and the Justice Institutions' Common Agenda) set the direction (and in some instances the targets) in terms of where government intends to be by 2030. What is less clear are benchmarks to indicate progress towards these targets.

This framework provides an offering of how these benchmarks might be articulated, based on the data assembled and gaps they reveal as aligned behind the policy direction set by Government and the justice institutions.

It is noted that most institutions in most regions have produced their own 10 Year Strategic Plans and where these were available they have been collected (see Library, D. By Region, 2. Policy). Therefore, this Roadmap could be replicated at each regional level so that progress can be checked in each region. Accordingly, the courts (see, for instance, in Case Management) could read Regional or Federal First Instance Court, High Court and Supreme Court. They are not distinguished in the template offered here.

The Roadmap is divided into four sections:

Capacity

Governance

Case Management

System Legitimacy

## CAPACITY

Government intends to provide 'satisfactory standard workplaces' (Pathway to Prosperity ('10YDP') at Chapter 9). What a 'satisfactory standard' may mean in terms of resources and infrastructure is advanced in the first two sub-sections, based on the data collected (both institutional and survey) and policy guidance. It is for the key stakeholders and their external partners to agree which, if any, are relevant, extrapolate the baseline from the data provided and set the target with benchmarks to indicate progress over time.

The Common Agenda prioritises the need to 'Strengthen justice service delivery capacity at federal and regional levels'. Given the law reforms in process, continuous legal education updating key personnel of recent developments is clearly important. Where training is sought after by everyone and the 'lack of professionalism' is cited by practitioners as a main challenge, a strategic approach to developing appropriate legal aid services (with greater use of law students and innovative application of paralegals) may be considered, along with increasing investigative skills and case preparation by jointly training police and public prosecutors (especially if the rights of accused and arrested persons are signalled as a priority of Government).

The budget allocated to justice services (excluding prisons and police) amounted to just over 2% of the federal budget in the last financial year. Monitoring government expenditure and allocation of resources by institution over time enables government to check shortfalls and enables external contributing partners to gauge government commitment.

## GOVERNANCE

The laws under review for reform or newly promulgated and ‘under process’ can be tracked here. The laws set down here are those currently before the Legal Justice Affairs Advisory Council (LJAAC).

The Common Agenda aims to strengthen coordination between justice services. The first indicator is drawn from promising practices around the world (mentioned in the commentary to the Action Matrix) where the judiciary chair a committee made up of all justice service providers (including elders) at regular intervals. This can start in pilot form and be scaled up nationally over time.

The second picks up the injunction of the Justice Institutions’ Common Agenda to improve on data collection. This assessment has shown the challenges justice institutions have encountered in marshalling their data to share with the research team: better data leads to better policy and so to better practice.

The third and fourth indicators are surveys measuring public confidence in justice providers.

Indicators for measuring implementation of the SDGs as concerns Gender and Persons with Disabilities are mainstreamed in the 10YDP as well as the Common Agenda and directly taken from these policies.

Tracking monthly pay scales against average monthly expenditures for an average family monitors whether salaries are adequate and so reduce individual susceptibility to seeking extra compensation. As has been noted, the metric usually applied is a monthly shopping basket (in different geographies), or Minimum Expenditure Basket. No such metric was found to cover the regions of Ethiopia and so has fallen back on the World Bank poverty line (\$3,50 per day).

## CASE MANAGEMENT

The 10YDP prioritises improved efficiencies in case processing as well as in case outcomes. The Common Agenda takes a more qualitative approach. These two sub-sections offer indicators to accommodate both efficiency in justice delivery and improved quality of the justice delivered.

Tracking who is in prison assists differentiate those who are there because weak or vulnerable from those who pose a real threat to free society. They show whether government policy to implement alternatives to imprisonment are gaining traction. They also show whether minority groups of prisoner (such as women, young persons or foreign nationals) are increasing over time.

## SYSTEM LEGITIMACY

Surveys of court users indicate trends over time. For instance, whether the costs of justice are going up; or whether the rights of arrested and accused persons are being applied as prioritised in the Common Agenda (and they are presented before a court within 48 hours of arrest, or have access to legal aid services).

The question whether men and women expect justice is better asked in a representative survey of the general population along with perceptions of safety. The homicide rate is a useful proxy for violent crime and general safety (which is why it is also a SDG indicator).

The practitioner survey (see Justice in Practice) cites ‘external interference’ as the main challenge facing justice service providers in the performance of their duties. The 10YDP recognizes this problem and states that Government intends to ‘raise the share of institutions that fulfil the criteria of independence’ to 100%. Periodic surveys of practitioners will indicate progress made towards this target.

JUSTICE SECTOR RESOURCES

10YDP SDG

	2021	2023	2025	2027	TARGET
% Courts adequately equipped	-	-	-	-	-
% Police equipped with adequate communications	-	-	-	-	-
% Prisons with adequate health care facilities (prisoners per health care professional)	-	-	-	-	-
# Personnel per vehicle					
Police investigators	-	-	-	-	-
Public Prosecutors	-	-	-	-	-
Public Defenders	-	-	-	-	-
Judges	-	-	-	-	-
# Vehicles per prison	-	-	-	-	-
# Vehicles per ULC	-	-	-	-	-
% Institutions with continuous internet access					
Police	-	-	-	-	-
Courts	-	-	-	-	-
Office of Attorney General	-	-	-	-	-
Office of Public Defender	-	-	-	-	-
Prisons	-	-	-	-	-

JUSTICE SECTOR EXPENDITURES (USD)

UNSDCF

	2021	2023	2025	2027	TARGET
Justice Sector as percent of total state expenditures					
Police budget	-	-	-	-	-
Prisons budget	-	-	-	-	-
Legal Aid budget	-	-	-	-	-
Prosecution budget	-	-	-	-	-
Courts budget	-	-	-	-	-
EHRC budget	-	-	-	-	-
JAC budget	-	-	-	-	-

JUSTICE SECTOR INFRASTRUCTURE

10YDP

	2021	2023	2025	2027	TARGET
% Institutions with continuous electricity					
Police	-	-	-	-	-
Courts	-	-	-	-	-
Prisons	-	-	-	-	-
% Institutions with continuous water					
Police	-	-	-	-	-
Courts	-	-	-	-	-
Prisons	-	-	-	-	-
% Institutions with child care facilities	-	-	-	-	-
% Police stations with women and child units	-	-	-	-	-
% Courts with safe spaces / special procedures for vulnerable witnesses and victims of crime	-	-	-	-	-
% Prisons with separate accommodation for adult and young offenders	-	-	-	-	-

JUSTICE SECTOR TRAINING

COMMON AGENDA

	2021	2023	2025	2027	TARGET
% Police investigators with investigation training	-	-	-	-	-
% Case preparation training jointly conducted with police and PPs	-	-	-	-	-
% Prosecutors receiving continuous legal education	-	-	-	-	-
% Judges receiving continuous legal education	-	-	-	-	-
% PDs receiving continuous legal education	-	-	-	-	-
% Legal aid service providers trained to provide appropriate assistance	-	-	-	-	-
% Prison leadership trained in conflict and prison management	-	-	-	-	-
% Sentenced prisoners engaged in workshop programmes	-	-	-	-	-



LEGAL FRAMEWORK

UNSDCF

	STATUS
Prison Commission	REVISED
Criminal Procedure and Evidence Code	PENDING ENACTMENT
Administration Procedure law	ENACTED
Commercial law	REVISED
Review of specific laws in line with the Constitution and democratic process and human rights and norms	
Anti-Terrorism	REVISED
Civil Societies	REVISED
Mass media	UNDER PROCESS
Access to information	UNDER PROCESS
Computer crimes	UNDER PROCESS
Legal Practice	REVISED
Ethiopian Human Rights Commission	REVISED
Freedom of Assembly	UNDER PROCESS
Police proclamation	UNDER PROCESS

JUSTICE SECTOR OVERSIGHT

COMMON AGENDA | SDG

	2021	2023	2025	2027	TARGET
% Woreda and zonal courts convening cross-institutional justice coordination meetings (including elders)	-	-	-	-	-
% Justice institutions with databases	-	-	-	-	-
% People reporting confidence in police	-	-	-	-	-
% People reporting confidence in courts	-	-	-	-	-
% Places of detention inspected by EHRC	-	-	-	-	-

GENDER PARTICIPATION

COMMON AGENDA | 10YDP | UNSDCF

	2021	2023	2025	2027	TARGET
% Women in leadership position					
In Judiciary	-	-	-	-	-
In Police	-	-	-	-	-
In Prisons	-	-	-	-	-
In Office of Attorney General	-	-	-	-	-
In regional State Bar	-	-	-	-	-

PERSONS WITH DISABILITIES (PWD)

COMMON AGENDA | 10YDP | UNSDCF | SDG

	2021	2023	2025	2027	TARGET
% of PWD who occupy leadership positions	-	-	-	-	-
% of institutions with facilities for PWD					
Woreda police stations	-	-	-	-	-
Woreda courts	-	-	-	-	-
Zonal courts	-	-	-	-	-
Prisons	-	-	-	-	-

FINANCING

SDG

	2021	2023	2025	2027	TARGET
Monthly salaries USD					
Police	-	-	-	-	-
Prison Police	-	-	-	-	-
Public prosecutors	-	-	-	-	-
First Instance Court judges	-	-	-	-	-
High Court judges	-	-	-	-	-
Public Defenders	-	-	-	-	-

**CASE PROCESSING**

10YDP COMMON AGENDA

	2021	2023	2025	2027	TARGET
% Investigation reports from police charged by prosecutors	-	-	-	-	-
% GBV cases charged	-	-	-	-	-
% Juveniles diverted	-	-	-	-	-
% Cases referred to ADR	-	-	-	-	-
<hr/>					
% Pending cases vs new cases					
First Instance Court	-	-	-	-	-
High Court	-	-	-	-	-
Supreme Court	-	-	-	-	-

**CASE OUTCOMES**

COMMON AGENDA

	2021	2023	2025	2027	TARGET
% Cases ending in acquittal (FIC and HC)	-	-	-	-	-
% Cases ending in settlement/compromise (FIC and HC)	-	-	-	-	-
% Cases ending in conviction (FIC and HC)	-	-	-	-	-
% Sentences imposing prison terms	-	-	-	-	-
% Sentences imposing non-custodial sanctions	-	-	-	-	-
% Represented by a lawyer at trial	-	-	-	-	-

**PRISON CONFINEMENT**

SDG

	2021	2023	2025	2027	TARGET
Total number unsentenced	-	-	-	-	-
% unsentenced with legal assistance	-	-	-	-	-
Total number sentenced	-	-	-	-	-
% Sentenced to less than 3 years	-	-	-	-	-
% Sentenced prisoners in work and/or vocational training	-	-	-	-	-
% Prisoners under 18	-	-	-	-	-
% Women prisoners	-	-	-	-	-
% Foreign nationals	-	-	-	-	-

JUSTICE IN PRACTICE

10YDP

	2021	2023	2025	2027	TARGET
% People who feel that they are very likely or likely to get justice through statutory system	-	-	-	-	-
All	-	-	-	-	-
Women	-	-	-	-	-
Men	-	-	-	-	-
% Court users who incurred financial hardship as a result of the case	-	-	-	-	-
% Accused spending >48 hours in police custody before production at court	-	-	-	-	-

ACCESS TO JUSTICE

COMMON AGENDA

10YDP

UNSDCF

SDG

	2021	2023	2025	2027	TARGET
% Accused and arrested persons with access to legal aid services	-	-	-	-	-
At police	-	-	-	-	-
At court	-	-	-	-	-
In prison	-	-	-	-	-
% Refugees / displaced persons with access to legal aid service providers	-	-	-	-	-
% Population aware of constitution and laws	-	-	-	-	-
% Population reporting harassment or discrimination in past 12 months	-	-	-	-	-

SAFETY

UNSDCF

SDG

	2021	2023	2025	2027	TARGET
# Intentional homicides / 100,000	-	-	-	-	-
% People who feel safe at home at night	-	-	-	-	-
All	-	-	-	-	-
Women	-	-	-	-	-
Men	-	-	-	-	-

INSTITUTIONAL INDEPENDENCE

10YDP

	2021	2023	2025	2027	TARGET
% Judges who report they are able to adjudicate without external interference	-	-	-	-	-
% Public prosecutors who report they are able to prosecute without external interference	-	-	-	-	-
% Police investigators who report they are able to investigate crime without external interference	-	-	-	-	-

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The Justice Snapshot of Ethiopia was produced by the Governance and Justice Group (GJG) and Justice Mapping working with and through the University Law Schools of Ethiopia in association with the Bluhm Legal Clinic, Northwestern Pritzker School of Law, Chicago (USA).

The regional data were collected under the auspices of a Justice Snapshot Steering Committee (JSSC) established in each region. These committees contained representatives of the justice institutions, nominated by their principals. The Regional JSSCs approved the workplan presented by the research team for each region. They facilitated the data collection. They validated the cleaned data for publication and they commented on and approved the final Justice Snapshot.

At the **REGIONAL LEVEL**, the Justice Snapshot Steering Committee members are:

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- Alamayehu Mekonnen, Commander, Afar Prison Commission
- Muhammed Ahmed, Judge, Courts

They guided the work of **SEMERA Law School** under the supervision of:

- Usman Ahmed

Assisted by:

- Ahmed Mahmud
- Darsa Muhammed

### GAMBELA

- Tut Ngut Tual, Crime Investigation Police
- Philip Pidack, Commander, Prisons

- Chang Teny, Senior Judge, Courts
- Wondimu Lemma, Senior Prosecutor, Office of the Attorney-General
- Teshome Mekonnen, Public Defender, Office of the Public Defender

They guided the work of **GAMBELA Law School** under the supervision of:

- Gatkek Kuajien Chuol

Assisted by:

- Habtamu Amare
- Biniyam Zerfu Basha

### SIDAAMA

(Please note the spelling of SIDAAMA follows the spelling provided in the maps and hereafter is spelled as SIDAMA)

- Bekele Bekuka Kata, Regional Supreme Court
- Kadi Dereje, President, Sharia Court
- Eshetu Argeta, Chief Inspector, Sidaama Police Commission
- Tadele Tibebe, Vice Attorney-General
- Asdesach Tumicha, Office of the Public Defender
- Yonas Yoye, Commissioner, Sidaama Prison Commission

They guided the work of **HAWASSA Law School** under its Head, Ato Behailu Eshetu, and under the direct supervision of:

- Hunegnaw Tesfaye

Assisted by:

- Bernebas Dessenow
- Tinsae Alemu

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- Zewde Dinaro, Ass. Inspector, SNNPR Prisons
- Fikadu Cofore, Commander, SNNPR Prison Commission
- Akililu Kebede, Regional Supreme Court
- Sheikh Abrar, President, Sharia Court
- Kasahun Filfilu, Vice Attorney-General
- Seifu Kiniso, Director, Office of the Attorney-General
- Alazar Kuma, Head, Administration, Office of the Public Defender

They guided the work of **HAWASSA Law School** under the supervision of:

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Assisted by:

- Biniyam Zerfu Basha, Law student
- Belayneh Arimo, Public Prosecutor
- Yoftahe Tekalign, Mizan Young Lawyers Centre
- W/ro Romanwork Arega, South Ethiopia Young Lawyers Association

### BENISHANGUL-GUMUZ

- K/R Nega Jara, Human Resources Directorate, Police
- Mr. Fikadu Merga, Officer, Prisons
- Mr. Kebede Gudaya, Head, JAC Office, Courts
- Mr. Semeneh Tasew, Public Prosecutor, Office of the Attorney-General

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With the support of

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- Tariqua Demissaw, EWLA Assosa Branch Office Head.

Assisted by:

- Eyosiyas Dereje
- Ayechewu Werku

### HARARI

- Nesri Zakaria, Commissioner, Police
- Leta Bedada, Commissioner, Prisons
- Ferhan Mahammed, Head, JAC Secretariat
- Ayub Ahmed, Chief, Head, Office of the Attorney-General
- Mahir Abdu Semad, Office of the Public Defender

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Assisted by:

- Mulugeta Bariso Kula
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#### Coordinator, Prisons

- Senbeta Abdeta Negasa, Director, Office of the Public Defender
- Geleta Akkuma Sori, Coordinator, Legislative Drafting Team, State

#### Justice Bureau

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- Commander Dalassa, Director of Planning, Oromia Police Commission
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- Angatu Ejeta Gelasa

Assisted by:

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- Mustefa Defo Komicho

### SOMALI

- Ahmed Mohamed, Head, Commissioner's Office, Police
- Elias Ali, Commander, Prisons
- A/wahab Hussein Jigre, Head of Reform, Courts
- Abdullahi Hussein, Head, Planning, M&E section, OAG

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- Salahadin Towfik

Assisted by:

- Mohammed Mukhtar
- Hana Ahmed Ziyad

### AMHARA

- Abiye Kassahun, President, Amhara Supreme Court
- Haileyessus Tesfamariam, Vice-president, Amhara Supreme Court
- Firew Tadesse, Planning & Budget Preparation Office, Courts
- Abraraw Miheret, Planning and Statistics Officer, Office of the Attorney-General
- Geremew Gebretsadik, Head, Office of the Attorney-General
- Zemene Yohannis, Inspector, Police
- Yimer Seid, Inspector, Police
- Yedineke Wondimagne, Inspector, Prisons
- Commander Asrat, Amhara Prison Commission, Health
- Mr Ayenew, Prisons Planning officer

They guided the work of **BAHIR DAR Law School** under the supervision of:

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Dire Dawa University Law School under:

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Assisted by:

- Fetya Miftah
- Gamada Jirata

**IN ADDITION**, teams from university law schools surveyed Practitioners and Court Users and observed court proceedings in Zonal and Woreda Courts in Oromia and Amhara.

The teams for Oromia are:

### HARAMAYA UNIVERSITY

The survey team was supervised by:

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With Team leader

- Tura Kedir

Assisted by:

- Tofik Fuad
- Amin Kemal
- Bilisa Geremu
- Dabele Shiferaw
- Remedan Shame
- Teshome Chala
- Meserat Tamesgen
- Iskel Fekede
- Gemechis Degefa

### JIMMA UNIVERSITY

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- Gebre Negash

With Team Leader:

- Firaol Tafese

Assisted by:

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- Yosef Alemayehu
- Ashenafi Belete
- Tadele Geremew
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The teams for Amhara are:

### **BAHIR DAR UNIVERSITY**

The survey team was supervised by:

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With Team Leader:

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With Team Leader:

- Eyerusalem Bersoma

Assisted by:

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- Muluken Yitayih
- Animaw Demis
- Tsigereda Kemal
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- Cleophas Torori
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### UNOHCHR

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- Mitiku Mekonnen Chere

### UNOCHA

- Zelealem Letyibelu
- Willem Muhren

## THE JUSTICE SNAPSHOT TEAM

The Justice Snapshot team is headed up by Justice (retired) Johann Kriegler (founding Justice of the Constitutional Court of South Africa) and is managed by Radha Nair, Co-director, The Governance and Justice Group (GJG).

The GJG works in partnership with Justice Mapping (USA), directed by Eric Cadora.

### THE GJG TEAM

Given the COVID pandemic and other considerations, the GJG team was dislocated by geography and worked from bases in Addis Ababa, Chicago, London, Monchique (Portugal), Nairobi and Thimphu (Bhutan).

#### ADDIS ABABA:

The team was led by Dr Alemu M. Negash and managed by Lidya Girma. They were supported in Addis by Rihana Jemal and Amanuel Girma.

CHICAGO: Prof Tom Geraghty, Bluhm Legal Clinic, Northwestern University; and Dr Mizanie Abate, Addis Ababa University, Faculty of Law in residence as a Fulbright Scholar at Northwestern University Pritzker School of Law—advised on content and approach. In addition, Prof Geraghty supervised a team of students who conducted the literature review and library research. They are: Lauren Stapleton, Regan Seckel and Riley O’Farrell. They were assisted by Louis Stapleton English who curated the library.

LONDON: Radha Nair managed the project. Fergal Stapleton English developed the framework and models for analysing the institutional data in Justice Services and survey data in Justice in Practice. Finneas Stapleton English researched Justice in Law and drafted the manuals guiding the work of the university law students in the field as they collected institutional and survey data and supported the data collection and analysis.

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**NAIROBI:** Meskerem Geset also advised on content and approach, especially as concerns gender and child justice.

**THIMPHU:** Marcus Baltzer joined the team to support data cleaning and analysis.

### **THE JUSTICE MAPPING TEAM**

The information technology and data design team is directed by Eric Cadora, founder and director, Justice Mapping (USA). He is supported by: Charles Swartz, IT Manager, Andrii Yelbaev, Computer Programming Engineer and Alexandra Dubow, Data Visualization Designer.

## METHODOLOGY

### WHAT IT IS

The Justice Snapshot is a rapid justice assessment, designed to enable local teams deployed on the ground to collect data across the justice system within a narrow time-frame (3 months). It engages with justice stakeholders and national authorities to produce a common evidence base for planning and costing short, medium and long term reforms in the justice system, while providing a monitoring and evaluation framework to measure progress.

Experience shows that justice data may be scattered, but they exist. The Justice Snapshot combines data collection, surveys and practitioner interviews within an accessible and easy-to-update website that anchors system stabilization in reliable baseline data and encourages national institutions to invest in data collection to inform and streamline their priorities for programming.

The data are collected for a 12 month period against an agreed cut-off date. In this Justice Snapshot of Ethiopia, the data are for the financial year from Hamle 1, 2012 (E.C.) to Sene 30, 2013 (E.C.), in line with the Ethiopian Calendar (E.C.). This corresponds to July 2020–July 2021 in the Gregorian Calendar.

### WHAT IT DOES

The Justice Snapshot sets in context the environment within which justice operates. It depicts the way the justice system is designed to function in law, as compared with how it appears to function in practice; it captures the internal displacement of people due to conflict or environmental hazard, which could place unmanageable case volume pressures on the system; and it shows the money and external funding available to support the operation of the justice system.

The Snapshot provides a library of reference documents, from the laws in effect to national policy documents and project papers and research / academic studies, to provide a 'go to' resource. It enables users to cross check the data used in the visualisations with the source data in the Baseline.

Most importantly, it leaves national authorities and development partners with greater analytical and monitoring capacity than when it began. By embedding

the vast array of information that has been collected, analyzed, and visualized within a website, the Snapshot can be updated to establish an increasingly accurate repository of data to inform both justice policy and the strategic interventions needed going forward.

### WHY IT WORKS

It provides context, bringing together information about: what practitioners say about working in the justice system, as compared with what users of the system have to say about their experiences of it; the dislocation of large numbers of people; and the funding envelopes available to deliver justice generally and by institution. These data may better inform responses to provide justice and other social services where they are needed most.

It measures impact, compiling data from the most elemental level of individual police stations, courthouses, and prisons to identify weaknesses or gaps in personnel, infrastructure, and material resources. This enables state planners and development partners to assess and address highly strategic building, equipping, and training needs and to monitor and evaluate incremental progress over time so as to scale up what works and remedy what does not.

It is accessible, quick and transparent, applying a tried and tested methodology and using live, interactive, visualizations to accentuate nuances in data, instead of a static report; while signaling discrepancies through data notes and making all source data available to users.

It is collaborative and transferable, engaging the justice institutions from the beginning in collecting and analyzing their own data to stabilize justice system operations. It is objective and apolitical, generating a series of data-driven accounts of the functioning of the justice system, ranging across security and migration to infrastructure/resources, case-flow and governance—and weaving them together to illustrate how the whole of a country's justice system is functioning, giving national authorities the tools to inform their interventions, rather than policy prescriptions.

## METHODOLOGY

### HOW IT WORKS

The data are collected from each justice institution (police, prosecution, legal aid providers, judiciary, prison) with the consent of the principals of each institution. The data are owned by the respective institutions and are shared for purposes of combining them on one, shared, site.

The methodology applied in the Justice Snapshot derives from the Justice Audit. The Justice Audit is distinguished from the Justice Snapshot in that the former takes place over a longer period of time and is able to serve as a health check of the justice system. It engages with governments to embark jointly on a rigorous data collection, analysis and visualization process to better inform justice policy and reform.

As with the Justice Audit, the Justice Snapshot does not rank countries, nor score institutions. Instead, it enjoins justice institutions to present an empirical account of system resources, processes and practices that allow the data to speak directly to the stakeholder. The GJG and Justice Mapping have conducted Justice Audits at the invitations of the Malaysian and Bangladesh governments.

The data collected in the Justice Snapshot comprise a breakdown of each institution's resources, infrastructure and governance structures—and track how cases and people make their way through the system. All data are, in so far as it is possible, disaggregated by age, gender and physical disability. And all data are anonymised and Personally Identifiable Information (PII) removed.

These administrative data are triangulated with surveys of justice practitioners (police and prison officers as well as judges, registrars, prosecutors and lawyers) and court users (people coming to the courts for redress whether as defendants, victims, witnesses, or family members).

The regional baseline data sets are collected by independent research teams and enumerators under the guidance and with the support of the Justice Snapshot Steering Committee (JSSC) in each region—members of which are nominated by their principals in each justice institution. Once the institutional data are collected, they are cleaned of obvious error. Any gaps in data are indicated 'No Data' unless the data show, for instance, 0 vehicles. Where the accuracy

of data cannot be verified, or require further explanation, these are indicated in the 'Data Note' box. The clean data are then submitted to the JSSC for validation and signed off by the institutions concerned. The cleaned data sheets appear by institution in the Baseline Data as these are the data visualised throughout the Justice Snapshots.

*Note: the data captured will never be 100% accurate. Gaps and error will occur especially in this first Justice Snapshot as those working on the frontline of the justice system are not used to collecting data systematically and especially not on a disaggregated basis. However, data collection and accuracy will improve over time and as systems are embedded within each institution.*

The data are then organized and forwarded to Justice Mapping who design the visualisations based on the data and populate the visuals with the data. Both the Justice Audit and Justice Snapshot are designed to be living tools rather than one-off reports. The purpose is to capture data over time and identify trends and so monitor more closely what works (and so scale up) and what does not (and so recalibrate or jettison).

The data identify investment options in the Action Matrix to inform the UN joint agencies own programmes, sharpen budgetary allocations and improve aid performance for 'Better Aid' (and more joined-up justice services). These investment options are also aligned with government and institutional development plans.

### HOW DATA MAY BE UPDATED AND SUSTAINED

The engagement with key institutional actors at the outset is not just a courtesy. The methodology aims to maximize the participation of all actors and encourage them to invest in their own data collection better to inform policy for the sector as a whole and leverage more resources for their own institution. From the moment it is formed, the JSSC takes ownership of the process, and so is central to this approach.

Following this Justice Snapshot, it is intended that each JSSC (and State Councils as well as Federal government) will encourage their respective institutions to collect disaggregated data, at regular intervals, using standardised data

## METHODOLOGY

collection sheets. These data will be reported in line with existing procedures up the chain—and to an information management unit (IMU), or units, to conduct successive Justice Snapshots going forward at 1-2 year intervals to monitor change over time. The law schools who led the data collection would be available to provide backstopping and technical support as required.

Each Justice Snapshot follows a six-stage process:

1. Planning
2. Framing
3. Collecting
4. Interrogating
5. Designing
6. Validating

### 1. PLANNING

The GJG was contracted on 3 May 2021 through to end September 2021. UNDP commissioned the work on behalf of a Technical Working Group (TWG) made up of: UNDP, UNODC, UNICEF, UN Women, UNOHCHR and UNHCR.

At the time:

- National elections had been delayed and a revised date in early June was further revised to 21 June.
- The issuance of visas for outside visitors was suspended on 18 June and remained in effect up until the time data had been collected (early September).
- Conflict in the north (Tigray) was ongoing and spreading into neighbouring regions (Afar and Amhara) and emerging as a civil war.
- The Courts were on vacation (June–September) open only for urgent family and criminal cases.
- The COVID pandemic was also active.

STAGE	ACTION	MAY	JUN	JUL	AUG	SEP	OCT	NOV
PLANNING	Desk review, contracting, first iteration.							
FRAMING	Shapefiles, Data collection forms, survey q'aires, Inception report, second iteration.							
COLLECTING	Phase I: location of justice services, data integrity check, formation of Justice Snapshot Steering Committees (JSSCs): federal and regional levels (9 regions) and Chartered Cities. Phase II: JSSC meeting 1 to launch population of justice services (institutional data collection) in 9 regions + Surveys: Practitioners and Court Users in 2 regions.							
INTERROGATING	Data cleaning + formatting. JSSC meeting 2 to validate institutional data. Data analysis + draft commentaries.							
DESIGNING	Justice Mapping design visuals for representing data collected + third iteration.							
VALIDATING	Presentation of draft Rapid Justice Assessment to UN agencies and national stakeholders, fourth iteration. Incorporation of comments / feedback: final report and assessment.							

## METHODOLOGY

Notwithstanding this context and GJG observations to the Joint UN Agencies, this assessment already long delayed was instructed to proceed. Due to time lost as a result of the elections, an extension was granted until 30 November 2021.

In view of the dislocation of team members due to the factors bulleted above. A core team was established in an office in Addis Ababa led by Dr Alemu M Negash with three project assistants (two of whom lawyers and one data specialist). He and his team were supported by two senior advisers (both law professors) and a senior adviser on gender and child justice (and former judge of the High Court)—as well as the team leader and data analysts in Portugal and project manager in London, UK.

From the outset, weekly meetings were held by Zoom with all team members and on a daily basis by WhatsApp between the project manager and project assistant in Addis and project team leader and team lead (Addis).

The presence of senior law professors on the team facilitated access to the network of law schools across the country. Following letters to the Deans of Law Schools in all regions, law professors were nominated. Over 60 contracts were drawn up with law professors, assistant lecturers and students from the Universities of:

- Addis Ababa
- Gambella
- Hawassa
- Dire Dawa
- Assosa
- Haremaya
- Semera
- Bahir Dar
- Jijiga
- Arsi
- Debre Birhan; and
- Jimma

Regrettably, the difficulties of communication with Mekelle in Tigray prevented inclusion of that region in the assessment.

All contractual and financial matters were handled by the Project Assistant in Addis and the Project Manager in London. All content matters were handled by the Addis team lead and project team lead in Portugal and ratified by the senior advisers.

The GJG reported to the UN Technical Working Group (TWG) made up of UNDP, UNODC, UNHCR, UN Women, UNICEF and UNOHCHR and communicated regularly with the TWG co-chairs from UNDP and UNODC.

It was agreed at the outset that a problem-driven iterative adaptation (PDIA) approach would be adopted to provide flexibility to the project team in navigating the elections and allowing for progress to be made notwithstanding ongoing events within the country.

Example: first meetings with key stakeholders to seek their consent to the research and nomination of their representatives on a federal JSSC were not practicable. It was assumed in consultation with UNDP that since they had approved the ToRs earlier and appointed a Justice Sector Coordination Committee (JSSC) made up of senior office holders, the research could start. A first introductory meeting with the JSSC could not be convened until early in September (when the data collection was already advanced).

It was further agreed that iterative versions of the assessment be shared throughout the assessment period. During these presentations, the UN TWG and UN HoAs were able to see and comment on the direction / approach of the assessment team and further clarify their expectations to the team. Given the time-frame and disruption to it caused by the elections, there was broad acceptance that what was desirable needed to be balanced with what was feasible; and insistence by the UN Agencies that the visualizations of the data (on a web-based platform) would need to be further supported by a narrative text.

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### *Getting to work...*

A desk review was conducted of available material. A team of law students in the Bluhm Legal Clinic of Northwestern University used their search engines to source materials for the review and prepared summaries of them.

Government's 10 Year Perspective Development Plan, The Pathway to Prosperity 2020-2030 and the Federal Justice Institutions own 'Common Agenda' were obtained and studied for policy direction and identification of priorities.

Annual reports produced by each institution (federal and by region) were also sourced and translated—along with their strategy plans where available.

The materials were uploaded on to a Library.

UNOCHA were approached for Shapefiles which were promptly provided to Justice Mapping to map the country by region and zone.

UNHCR provided their data on populations of concern to show the movement of people in and around the country.

The open source data of the Ministry of Finance showed the income and expenditure for the financial year 2012-2013 (Ethiopian Calendar)—equivalent to 2020–21 in the Gregorian Calendar.

The Feteḥ Project under USAID was approached and the ToRs of the Assessment were shared. Cooperation was explored but the timelines were at variance and it was agreed that the assessment should proceed alone.

Within six weeks, the team was able to present to the UN TWG and their Heads of Agencies what the assessment would look like.

## 2. FRAMING

Institutional Data Collection (IDC) forms were developed by:

- Geography (down to the woreda level); and
- Institution (by four dimensions: infrastructure, resources, case management and governance).

Gender, age and disability were mainstreamed in the data collection across the dimensions above.

Further adaptations were made in view of the literature reviewed, the emphasis in the Terms of Reference and consultations with senior advisers.

IDC Forms were developed for: Police, Office of the Attorney-General, Office of the Public Defender, University Legal Clinics (ULCs), NGO Legal Aid Service Providers (LASPs), Courts (both federal and regional at all levels, including City and Sharia Courts) and Prisons.

The Forms were designed to capture key data points that collectively indicated the gradation of challenges facing justice service providers in any given Zone in the country and so flag to the viewer areas for priority action.

Survey questionnaires and Court Observation forms were also developed.

The IDC Forms collected institutional data. These are subject to challenge in terms of accuracy and reliability, so they are further viewed against—or triangulated with—survey data and appear in Situation Overview, Justice in Practice.

The first is an earlier general population survey carried out by the Hague Institute for Innovative Law (Hiil) extracts of which appear in Justice in Practice (the full report is in the Library).

The next two are surveys conducted of Practitioners (ie the justice service providers: the police, prison police, judges, registrars, public prosecutors and lawyers) and Court Users (ie the justice seekers: civil complainants and victims,



## METHODOLOGY

civil defendants and criminal accused, witnesses and family members). Questionnaires were drawn up in consultation with senior advisers and field tested and then translated for application in two regions.

Additionally, Court Observation forms were developed for woreda and zonal courts, as well as for social / City courts and the juvenile court in Addis Ababa. The results are commented on but not visualized (and appear in the Baseline data) as the woreda and zonal courts were on vacation and observations were limited to 19 woreda courts and 12 zonal courts and limited in caseload.

These survey data were then analysed to produce a picture of how justice services appear to work in practice across Ethiopia.

The Surveys and Court Observations were conducted by two teams each in Oromia and Amhara regions. Oromia has 21 Zones and Amhara has 12 Zones. Six Zones were selected for the survey catchment areas in each based on geography: rural, peri-urban, urban.

Teams were formed under a law professor from the universities of Bahir Dar and Debre Birhan (Amhara) and Jimma and Haramaya (West and East Oromia) and included 10 students in each team supervised by the law professor.

The survey questionnaires and court observation form were each subjected to cognitive and field testing in Addis. The questionnaires and forms were translated into Oromifa and Amharic and then back translated to ensure the sense was maintained.

### 3. DATA COLLECTION

Phase I identified the location of justice services in each region, save for Tigray (down to Woreda level), Chartered City (down to the Social Courts) and at federal level. Phase I aimed to identify whether the presence of justice services was an active presence. Team leaders were briefed and provided with a short guidance note to share with their teams:

#### Location Services Population: Supplementary information

- This document provides supplementary information for Phase I of the data collection process (the Location of Justice Services).
- It provides further questions going to what is meant by the terms: ‘operational’; ‘functioning’; and ‘active’.
- The answers of which inform whether the researcher enters a ‘1’ (yes) or ‘0’ (no).
- I.e. Police station is operational = 1. Police station is not operational = 0.

#### 1. ‘Operational’ Police Station

- Is the Police Station open to the public (i.e can an individual go there to report a crime)?
- Is the police station staffed?

*Example: The physical infrastructure of the police station exists, but it is not staffed.*

*Answer: The Police Station is not ‘operational’ so enter: 0*



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### 2. 'Functioning' Woreda/Zonal/Regional Supreme Court

- Are Judges sitting?
- Are cases being heard?

*Example: The physical infrastructure of the court exists, but no judges are sitting.*

*Answer: The court is not 'functioning' = 0 (no)*

### 3. 'Active' Prosecution Office

- Is the Prosecution office occupied by a prosecutor?
- If there is an office but no prosecutor allocated to that office = 0

*Example: A prosecutor is not stationed at the Woreda but appears regularly on circuit.*

*Answer: There is an 'active' prosecution office = 1 (yes)*

### 4. 'Active' Legal Service Provider

- Is there an NGO or University law Clinic providing legal services in the woreda?

*Example: There is an NGO which provides legal assistance once a week.*

*Answer: They are 'active' legal service providers in the Woreda = 1 (yes)*

### 5. 'Active' Public Defender's Office

- Is there a PD allocated to a Woreda?

*Example: No physical infrastructure but a Public Defender appears regularly on circuit.*

*Answer: There is an 'active' Public Defender = 1 (yes)*

### 6. 'Functioning' Regional Prison

- Is the prison staffed and does it hold prisoners?

*Example: The physical infrastructure exists but there are no prison officers based there.*

*Answer: The prison is not 'functioning' = 0 (no)*

The teams also conducted short 'Data Integrity Checks' to understand how data are generated at source, stored (on paper—PAPI—or in computer files—CAPI) and communicated up the chain of command. The Data Integrity Check also sought to understand if data were made public (ie through Annual Reports).

It appears that all justice services (save for the OPD which is not an independent office and sits in the Supreme Court at both federal and regional levels) produce Annual Reports which most forward to their line Ministries. Most indicate these reports are public (though 4 regional police commissions indicated they were not). CAPI appears to be widely available (so facilitating communication of data to the centre / headquarters) with notable exceptions such as in SNNPR.

The teams also invited heads of justice institutions to nominate their representatives to sit on a Justice Snapshot Steering Committee (JSSC)—their names appear in the Acknowledgements.

Phase II followed immediately on the back of Phase I. The purpose was then to apply the IDC forms and collect data against the justice services identified in Phase I. Data on infrastructure and resources were collected up to Zonal level and data on security, case management and governance were collected at the Regional level. The data were sourced from the institutional regional headquarters from the person responsible. So, for instance, case data in the courts were sourced from the registrar of the Supreme Court or someone in his/her office. Human resource data from the person responsible in the regional police commission. Data on infrastructure from the institution's planning officer etc. Each team accompanied the data with a list of the sources from which the data came. In a number of instances, the case data were sourced from the Annual Reports. Sources are not named to protect Personally Identifiable Information (PII).

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The law professors and lecturers came to Addis Ababa for a Roundtable meeting to review the IDC forms between 13–16 August. The forms were then translated into Amharic and circulated. The law professors and lecturers recruited two senior students to assist the research. They were provided with guidance notes to assist them:

### 1. GENERAL

- The data collection builds on the work you did earlier and seeks to populate the justice services you located in Phase 1.
- During Phase 1 we identified the locations of each justice service down to the woreda level.
- We now seek to aggregate the services in each Zone as concerns their infrastructure and resources and at the regional level as concerns security, case management and governance.

### 2. PEOPLE TO BE APPROACHED

- They should be the same people you spoke to in Phase 1. They will then indicate the appropriate person to contact in terms of the data collection process.
- The Justice Snapshot Steering Committee (JSSC) you formed in Phase 1 (with the persons nominated by each institution) should now start to perform its task, namely, to guide and support you and your team in this research.

### 3. THE DATA

- The data fields are not exhaustive as this is a Rapid Justice Assessment.
- They are more strategic and aim, once triangulated with survey and observation data, to provide a broadly accurate picture of how the justice system functions at federal, regional, and chartered city levels.

### 4. TYPES OF DATA

- In FORM 'A': We are collecting data for (1) Infrastructure, as well as (2)

Human and (3) Material Resources aggregated to each Zone.

- In FORM 'B': We are also collecting data for (4) security, as well as (5) case management and (6) governance, including training aggregated to each region.
- These six types of data, and their respective forms, appear for each institution.

### 5. SOURCES OF DATA

- All data should be sourced if it is to be credible or carry any weight.
- A 'Source Identification' form is provided that should be completed.
- If possible, data should be cross-checked. This means identifying opportunities where data verification is possible.
- For instance, Woreda-level material resources may not be independently verifiable, but the number of RFIC Judges may be. Likewise, the number of pending, new and disposed cases in the year.
- If a response is precise – we should ask what is the independent verifiable source for that figure? (e.g... Annual Report)
- If a response is not precise, then an estimate should be indicated and we should ask the basis for this estimate (e.g... institutional policy, recent visits, and direct observations, or simply belief).
- The bottom line is that the time and resources of this research do not allow for independent verification, we rely on the data received from each institution and validated by the JSSC.

### 6. DATA COLLECTION FORMS

- Each form type (A or B) contains the same types of data and follows a broadly similar sequence of data fields.
- For Form A, a maximum of 5 Zones are captured. If there are more than 5 Zones in a given Region, there will be more copies of Form A.

## METHODOLOGY

- For Form B, given it asks questions at a regional level, there will only ever be one copy.

### 7. DATA COLLECTION PROCESS

- Forms should be printed and distributed to the student researchers.
- The students will complete the forms with the relevant institutional representative.

#### NOTE:

1. *Not every zone will have a Regional Supreme Court. The researcher should strike through the response (e.g YES / NO) on the form.*

2. *Where there are no data for a field, for instance the interviewee shrugs when asked a question, or says s/he does not know the answer, the researcher will enter: '-99'.*

3. *Where the interviewee is asked, for example, the number of Woreda courts with access to internet and the answer is none of them, the researcher will enter: '0'.*

- They will submit the forms to the supervising law professor who will spot check the form to ensure:
  - (1) all fields are completed;
  - (2) there are no evident outliers or mistakes; and
  - (3) the law professor will retain the forms in hard copy.
- The data will be entered into the 'Consolidated Data Entry Sheet' (in Excel) and sent to Dr Alemu M. Negash and his team in Addis Ababa.

### 8. DATA CLEANING

- The data will be reviewed by the GJG in Addis Ababa and in Europe. Where there are queries over, or gaps in, the data, these will be communicated through Dr Alemu and his team to the regional team con-

cerned to answer.

- Once cleaned, the data will be returned to the regional team who will share the data with the JSSC for validation.

### 9. DATA VALIDATION

- This is an important phase. Data must be validated by the institution concerned for that region. This not only ensures the institutions do not reject the published data but protects the research teams from allegations that the data are made up.

Once the data are validated by the JSSC, the work is complete!

The teams met with the regional JSSC for lunch to introduce the students, share the IDC forms and present the workplan during the week-end of 21–22 August. They then deployed to collect the data.

On 2 September, the Federal Justice Sector Coordination Committee (JSCC) convened in Addis to hear a presentation from the full GJG team on the proposed approach to the assessment. The JSCC clarified to the team that the output should pay particular attention to the Common Agenda set out by the JSCC.

The law professors and lecturers from Oromia and Amhara were briefed on the survey questionnaires at a roundtable meeting in Addis (22-24 August). Comments were recorded and the necessary changes made to the questionnaires. The target numbers of Court Users, Practitioners to interview and Courts to observe were agreed to arrive at clusters of each that provide a useful sample. Emphasis was placed on the ethics of field work (with which team leaders were familiar) and the importance of obtaining informed consent before starting any survey. A short user manual was provided to the teams to guide them in their work:

# METHODOLOGY

## I. Basic Standards for Data Collection

The interviewer is expected to observe the following at all times:

1. Be courteous towards everyone.
2. Do not disturb or upset anyone with your behaviour. Remember that people might be watching you (or able to hear you) even when you don't realize it.
3. Always carry your letter of introduction.
4. Dress in a respectful manner.
5. Turn off your cell phone during the interview.
6. Do not eat, drink, or chew gum during the interview.
7. If you make an appointment, you must arrive at the stated time. Respondents should never be kept waiting.
8. Remain neutral: never look like you are shocked, surprised, disappointed, or pleased with an answer.
9. Do not change the wording or sequence of questions. Everyone needs to be asked the same question in the same order.
10. Be patient with the respondents. Many respondents may have low education levels. Be respectful if they become confused or need something repeated.
11. Ask your supervisor if you have any questions or doubts during an interview or need clarification on any section of the questionnaire.
12. Complete all questionnaires thoroughly in the field. At the end of each interview, check the questionnaire for completeness and accuracy.

Always thank people for their time, even if they chose not to participate.

## II. Data Collection: Procedure for Court User and Practitioner Surveys

### 1. Reading the Introduction

- ⇒ It is very important that you read the introduction section to the potential respondent.
- ⇒ When you read the introduction, though, try to look up and make eye-contact with the respondent. This is a good way to build rapport with the potential interviewee.

#### Introduction

"I am a student at ...X... University Law School, and we are conducting a survey of court users. The purpose is to understand your experience of the justice system. Nothing you say will identify you, you will notice I do not ask your name, therefore anything you say by way of response cannot be traced back to you. Is it ok if I ask you a few questions? It will only take a few minutes. If you choose not to participate that is quite all right. I hope you do participate since your experiences and opinions are very valuable to us. You are perfectly free to stop this interview whenever you wish."

### 2. Consent

- ⇒ Only start a survey if the person being interviewed has been read the consent statement and has given their consent to participate. If the respondent does not consent, thank them for their time, and move on. Remember, we are only able to get someone's consent if they are over 18 years old and of sound mind.

### 3. Name and Phone Number

- ⇒ We will not be collecting the name or phone number of the respondent.

### 4. Privacy

- ⇒ If you are not alone with the respondent, you should ask whether there is a place where you can speak in private. If the person refuses, or if there is not a private place, it is ok to conduct the interview in front of others if the person agrees.

## METHODOLOGY

### 5. Reading Answer Choices

⇒ Please note, none of the answer choices are secret—if the respondent would like the choices read you should read it to them.

### 6. Collecting Answers

⇒ It is important that the interviewer report any answer that the respondent gives. The function of the interviewer is not to judge the respondent, teach the respondent, or uncover if the respondent is telling a lie.

### 7. Answer Right Away

⇒ The questionnaire should be completed on site. You must not record the answers on scraps of paper with the intention of transferring to the application later. Neither should you count on your memory for filling in the answers once you have left the court area.

### 8. “Other” Responses

⇒ For some of the questions, it is foreseeable that the respondent will give an option other than the ones that are coded. If this is to happen, write in the other response in the language in which it is given.

### 9. Avoiding “I don’t knows”

⇒ Most people have an opinion on most issues, they just need to be empowered to share their opinion and encouraged to take the time to think about it. If someone tells you that they “do not know” the answer to a question, remind the person that his/her opinion is very valuable to us and ask if he thinks having a few moments to think about the question further would be helpful.

### 10. Ending the Interview

⇒ Make sure to thank the respondent when the interview has concluded.

## COURT USER SURVEY

### I. Data Collection: Input

1. On beginning the court user survey, the researcher must read out the informed consent statement and indicate that they have done so by signing the form.

**Introduction**  
"I am a student at ...X... University Law School, and we are conducting a survey of court users. The purpose is to understand your experience of the justice system. Nothing you say will identify you, you will notice I do not ask your name, therefore anything you say by way of response cannot be traced back to you. Is it ok if I ask you a few questions? It will only take a few minutes. If you choose not to participate that is quite all right. I hope you do participate since your experiences and opinions are very valuable to us. You are perfectly free to stop this interview whenever you wish."

Signature of Enumerator: .....X.....

Form Identifier: .....

2. After reading out the informed consent, and signing the form, the researcher must put in a form identifier.
  - a. This will be the initials of the researcher, the initials of the University, the acronym for the form, and the number of the form.
    - Name of researcher = Finn Stapleton English ('FSE')
    - Name of University = Jimma University ('JU')
    - Name of form = Court User Survey ('CU')
    - Number of the survey = if it is my FIRST survey, then 1, if it is my 13th survey, then 13 ('1')
3. The researcher is to 'X' one of the coded responses for each question.

See example below

Q103: Why are you here today?	Civil Complainant	<input type="checkbox"/>
	Civil Defendant	<input type="checkbox"/>
	Victim of Criminal Offense	<input type="checkbox"/>
	Accused of Criminal Offense	<input checked="" type="checkbox"/>
	Family Member	<input type="checkbox"/>
	Witness	<input type="checkbox"/>

# METHODOLOGY

4. There are exceptions to the singular option.
  - ⇒ Here the questions shift and are meant to capture multiple responses.
  - ⇒ List of questions where multiple options can be recorded:
    - Q202;Q403;Q405;Q602;Q702;Q705;Q706;&Q707

See example below.

Q705: Which of the following have you paid?	Elder	<input type="checkbox"/>	
	Police	<input type="checkbox"/>	
	Lawyer	<input type="checkbox"/>	
	Court Messenger	<input type="checkbox"/>	
	Judge	<input checked="" type="checkbox"/>	
	Prison police	<input type="checkbox"/>	
	Legal services provider	<input checked="" type="checkbox"/>	
	Doctor/Medical professional	<input checked="" type="checkbox"/>	
	Religious leader	<input checked="" type="checkbox"/>	
	Elder (Birr):		
Police (Birr):			
Lawyer (Birr):			
Court Messenger (Birr):			
Judge (Birr):			
Prison police (Birr):			
Legal services provider (Birr):			
Doctor/Medical professional (Birr):			
Religious leader (Birr):			
Q706: How much did you pay?	From savings	<input checked="" type="checkbox"/>	
	Help from family and friends	<input type="checkbox"/>	
	Took a loan	<input type="checkbox"/>	
	Funds weren't needed	<input type="checkbox"/>	
	Sold property	<input checked="" type="checkbox"/>	
	Legal Aid	<input type="checkbox"/>	
	Prefer not to answer		
	Q707: How did you finance it?	From savings	<input checked="" type="checkbox"/>
Help from family and friends		<input type="checkbox"/>	
Took a loan		<input type="checkbox"/>	
Funds weren't needed		<input type="checkbox"/>	
Sold property		<input checked="" type="checkbox"/>	
Legal Aid		<input type="checkbox"/>	
Prefer not to answer		<input type="checkbox"/>	

5. As mentioned, the answers are not secret, the researcher may prompt the respondent (see example below)

Enumerator: “Q602: Why did you choose that path?”

Enumerator: “Because it was cheaper, quicker or nearer? Or perhaps it is because you trust the system?”

Section 6: Pathways to Justice		
Q601: When the incident happened who did you first go to resolve the matter?	Elders	<input type="checkbox"/>
	Police	<input type="checkbox"/>
	Kebele/Social Court	<input type="checkbox"/>
	Woreda Court	<input type="checkbox"/>
	Religious leader	<input type="checkbox"/>
Other:		
Q602: Why did you choose that path?	Cheaper/Quicker/Nearer	<input type="checkbox"/>
	Tried/Tested/Trusted	<input type="checkbox"/>
	Enforceability	<input type="checkbox"/>
	Other:	

## II. Data Collection: Consolidation

1. Once the data collection has been completed, or during its completion, the hard copies of forms will need to be input into soft copy.
2. An excel ‘consolidation’ sheet will be provided – see instructions (separate document)
3. Each Court User form will need to be manually inserted into this document.
4. Especially important to remember the FORM IDENTIFIER (i.e FSEJUCU1)
5. Send completed consolidation sheet to GJJ teams in Addis



# METHODOLOGY

## PRACTITIONER SURVEY

### I. Data Collection: Input

1. On beginning the Practitioner Survey, the researcher must read out the informed consent statement and indicate that they have done so by signing the form.


**Informed Consent**

I am a student at X University Law School, under Professor Y, we have been contracted to conduct surveys of justice practitioners and court users by UNDR. The purpose of this survey of justice practitioners is to capture the voice of those working in the justice system. We are asking the same questions of everyone. The Federal Government and Federal justice institutions have agreed the terms of reference for this research and formally approved it. I will not record your identity or anything that identifies you. I will only record your gender. Therefore anything you say, by way of response, cannot be traced back to you.

Is it ok if I ask you a few questions? If you choose not to participate that is quite all right. I hope you do participate since your experiences and opinions are very valuable to us, it will only take a few minutes. You are perfectly free to stop this interview whenever you wish.

**No** – thank you for your time.  
**Yes** – thank you.

Enumerator, now, before taking the interview sign below to certify that you read the introduction exactly and the respondent gave his/her consent voluntarily.

Signature of enumerator:  ..... Form identifier: .....

2. After reading out the informed consent, and signing the form, the researcher must put in a form identifier.
  - a. This will be the initials of the researcher, the initials of the University, the acronym for the form, and the number of the form.
    - Name of researcher = Finn Stapleton English ('FSE')
    - Name of University = Jimma University ('JU')
    - Name of form = Practitioner Survey ('PS')
    - Number of the survey = if it is my 13th survey, then 13 ('13')

## COURT OBSERVATIONS

### Notes

- 1 You are an observer. There are no interviews with anyone. You enter only what you directly observe.
- 2 You may feel more comfortable by informing the presiding judge what you are doing and the purpose. However you do not require permission as the court should be open to the public. This means to anyone. If you are not allowed in, identify the court as per section 1 and fill in Q201 with NO. Then leave.
- 3 Public Access and Security. Sit in the court and complete these questions. If you wish to add any further notes do so and attach them to the form. Please compile all these notes at the end and submit to your law professor who will share them with the office in Addis Ababa.
- 4 User friendliness. Walk around and complete the questions from 301-313. Again add any notes if you wish.
- 5 Type of court. We are more interested in the criminal cases, so please spend most of the time in the criminal bench.
- 6 Process. Sit in the court until it adjourns (for lunch, or the end of the day). With each case please make a note covering the questions.

401 – If in a language other than Amharic or Oromifa, please note it.

402 – Can you see someone operating a machine? If proceedings are not recorded, leave 403 blank.

404 – It may be you observe a number of hearings and only one person (out of this number) had trouble following things. If so, circle 'Yes' and note 1 / 5 (or the total number of persons you observed give evidence) and add a note that 'generally most...' or 'very few...' understood the proceedings. If no one had any trouble, circle No and leave 405 blank.

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406 – are there any speakers to amplify what is said, or other visible aid that people with hearing problems can see? If you cannot see anything that might assist people with hearing problems, circle No.

407 – is there a sign anywhere that indicates to people they can seek assistance with interpretation? If not, circle NO

408 – were the proceedings conducted formally and in line with civil or criminal procedure?

409 – if 0 children appeared as parties, enter No and leave 410 blank.

411 – did you see the judge refer to a law book? Could you see if s/he had access to any law books (ie on the bench)?

412 – Add up the total number of cases you observed in the session and enter the figure.

413 – if they were all criminal cases, enter the same figure as in 412.

414 – Note each criminal case whether the defendant was represented by a lawyer. If the person is represented, leave 415 blank.

415 – Did the judge or clerk or other person appear to hurry the defendant along or put pressure on him/her to get a move on.

416 – In criminal cases, did the accused in the dock appear under any form of restraint? For instance, handcuffs, leg irons, rope or other?

417-9 – These questions go to the atmosphere in the court and whether the proceedings were conducted fairly, equally and respectfully. This is more subjective and should be guided by the treatment of the accused (was s/he pushed into the dock or dragged out of it), the tone of the judge, whether s/he interrupted or raised his or her voice; and whether the judge favoured the prosecution over the defence?

420 – Record the sentences ordered by the court in front of you on the day of your visit

421 – similarly record the judgments ordered by the court.

The surveys do not claim to be representative (unlike the Hiil Justice Needs and Satisfaction survey). They are offered as ‘purposive’ surveys and the weight given to each will be determined by the viewer. The Court User surveys were conducted at Woreda and Zonal Courts selected on the basis of location (a mix of rural, urban and peri-urban) in two regions. As noted above, the courts were on vacation and only dealing with urgent cases in the main family and criminal matters.

All data collected (both institutional and survey) were spot-checked by the team leaders and checked for gaps, obvious error and outliers. Each survey and court observation form carried an individual identifier for the student who conducted the survey / court observation.



## 4. INTERROGATING

The institutional data collection forms began coming in on 6 September and the process of cleaning them started.

The GJG methodology is as follows: the raw data is retained untouched in a folder (in Google Drive) and a new folder opened (Data Cleaning). The raw data are copied to the new folder and the data are then checked.

Numerous sets of eyes review each piece of data. The first is the Law professor or lecturer supervising his/her students and looking out for gaps and obvious error before s/he submits the data to the team in Addis. The raw data are then sent to the GJG team. Two team members check the data. The first eyes check each data value:

- For internal inconsistency (within data subsets as well as across institutions, ie police investigation reports sent to OAG and OAG record of investigation reports received from police); and
- Against institutional Annual Reports and other available documentation.

The second eyes review the data again and the comment of the first eyes and either adds to it or indicates the date seen. The data are then sent back to the GJG team leader in Addis who reviews again before sending back to the data collection team leader to respond. The response is entered in the excel sheet in the column provided and a decision is then made on the data. An example is set out below:

		Eyes 1	Eyes 2	Response	Decision
e3_number new cases in 2020/1 (total)	1220	MB: In e5 in police B the number sent to prosecutors by police was 386	AS 0709	Response puts this down to federal and traffic cases which the PPs investigate not police.	Insert Data note, reads: Police record 386 investigation files sent to OAG.
e4_number Investigation files in 2020/1 (total)	1641	MB: Police only investigated 425 (see e3 in police B)	AS 0709		Insert Data Note, reads: OAG also conduct investigations (with police) into traffic accidents and federal cases.

The decision may be to amend the data originally captured if the response is satisfactory, or enter '-99' to indicate the data is either unavailable or wholly unreliable, or replace with data from the Annual Report. Data Notes (as shown above) are written to inform the viewer of data mismatches or discrepancies allowing the viewer to determine what weight s/he will give to the data represented.

All institutional data received were cleaned in this way. Once cleaned, the data were transferred to a new 'Cleaned' folder in the G Drive. These data were then formatted, cleaned of all comments, queries and responses and left only with the data and any Data Note. These data sets were then sent to the team leaders in each region to share with their JSSC for validation (ie that the data represent the best available as shared by the institutions with the data collection teams). The data were validated either by a meeting of the JSSC or individually by each institutional representative and the data signed off by them, as follows:

- Afar: 30 September 2021
- Amhara: 4 October
- Benishangul-Gumuz: 5 October
- Gambela: 28 September
- Oromia: 15 October
- SNNPR: 30 September
- Sidama: 30 September
- Harari: 7 October
- Somali: 19 October
- Federal: 28 October (save for the Federal Police and Federal Sharia Courts\*)
- Addis Ababa Chartered City: 28 October
- Dire Dawa: 1 November

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*\*Note: The Federal Courts of Sharia did not validate their data, not due to disagreement with the data but due the time needed to do so. Federal and City police did not participate in the assessment research either in Addis Ababa nor in Dire Dawa.*

Once validated, the data sets are sent to Justice Mapping for uploading on the web platform where they are again subject to scrutiny by the Justice Mapping design team.

Survey data were not cleaned but formatted and analysed. They included:

- 494 practitioner surveys (including 142 women respondents—29%)
  - Police total: 119, including 43 women
  - Prison police total: 61, including 16 women
  - RHC judges total: 41, including 5 women
  - RFIC judges total: 65, including 13 women
  - RHC Registrars total: 31, including 7 women
  - RFIC Registrars total: 21, including 14 women
  - Lawyers total: 63, including 11 women
  - Prosecutors total: 93, including 33 women.
- 643 Court User surveys (including 240 women - 37%)
  - Civil complainants: 129, including 75 women
  - Civil defendants: 108, including 24 women
  - Criminal victims: 88, including 44 women
  - Criminal accused: 150, including 29 women
  - Witnesses: 78, including 29 women; and
  - Family members: 90, including 39 women.
- 31 Court Observations of Woreda (19) and Zonal courts (12) + 3 social courts and 2 city courts in Addis Ababa and of the juvenile court in Addis.

These data are not validated, given the nature of them, and are accorded such weight as the viewer thinks they merit. Court Observational data have not been included in the visualization as the operations of the small number of courts observed at the time (on vacation + in COVID) were judged insufficient as a basis for asserting that the view shown was typical of these courts.

### 5. DESIGNING

The GJG works closely with Justice Mapping (New York). The design work to visualize the data has run in parallel with the assessment and produced iterative versions to share with the UN TWG for comment and input.

The visualization of data (often dense and complex) ensures the viewer can stay in the blue water observing the whole justice system, while at the same time being able to dive down into the weeds to see what is happening there. The viewer is urged to refer back to the Baseline data (the ‘weeds’) to check the view being offered.

Commentaries are included in each visual to provide a narrative account of what is shown. Data Notes also appear to shed light on the data shown. Some (particularly case data) do not appear to make sense. This may be due to error, or due to some intervening element that the data fields did not originally capture (such as ‘reopened cases’). While efforts were made in the cleaning process to explain or rectify these mismatches and anomalies, many remain. This serves to emphasise that data collection and management constitute a process of change and improvement over time.

The use of Red Amber Green (RAG) colours is less to ‘rate’ an institution than to show where there is and there is not the presence of a service. The use of colour elsewhere is to illustrate the gradation of challenge facing a justice service and whether the challenge is High, Moderate or Low. This is intended to aid decision makers and those responsible for identifying priorities and allocating budgets to reform and support programmes.

The Action Matrix is the result of a gap analysis of the data collected (institutional and survey) as well as the weaknesses mentioned in the Justice Institutions’ Common Agenda and challenges mentioned in institutional Annual Reports. It harnesses data driven recommendations behind policy objectives.

The Roadmap signposts the way forward in monitoring progress against policy targets and programme goals and activities set down in the Sustainable Development Goals (SDGs) all countries have signed up to, the Government’s own development plan (The Pathway to Prosperity 2020–2030), the federal

justice institutions’ ‘Common Agenda’ and the UN’s Strategic Development Country Framework.

In other countries, Justice Mapping have made this tool updateable. This version is not (for reasons of time and available budget). An offline version is available. The report can be printed as a pdf document.

### 6. VALIDATING

The UN TWG envisages a process of consultations on the assessment. The report will be shared for comment and feedback at regional and federal levels; and will be discussed in two workshops at technical and leadership levels.

The comments will then be consolidated and returned to GJG and Justice Mapping who will then incorporate them in a final assessment report by the end of November 2021.

## BASELINE DATA

### INSTITUTIONAL DATA COLLECTION

Addis Ababa Federal (Downloadable XLS)

Dire Dawa Federal (Downloadable xls)

Addis Ababa City (Downloadable xls)

Dire Dawa City (Downloadable XLS)

Afar (Downloadable XLS)

Amhara (Downloadable XLS)

Benishangul Gumuz (Downloadable XLS)

Gambela (Downloadable XLS)

Harari (Downloadable XLS)

Oromia (Downloadable XLS)

Sidaama (Downloadable XLS)

SNNP (Downloadable XLS)

Somali (Downloadable XLS)

### DATA INTEGRITY CHECK

Data Integrity Check (Downloadable XLS)

### JUSTICE SERVICES

Regional Location Data Dashboard (Downloadable XLS)

### SURVEY DATA

#### COURT OBSERVATIONS

AMHARA 1 (Downloadable XLS)

AMHARA 2 (Downloadable XLS)

OROMIA 1 (Downloadable XLS)

OROMIA 2 (Downloadable XLS)

#### COURT USER SURVEY

AMHARA 1 (Downloadable XLS)

AMHARA 2 (Downloadable XLS)

OROMIA 1 (Downloadable XLS)

OROMIA 2 (Downloadable XLS)

#### PRACTITIONER SURVEY

AMHARA 1 (Downloadable XLS)

AMHARA 2 (Downloadable XLS)

OROMIA 1 (Downloadable XLS)

OROMIA 2 (Downloadable XLS)

## A. SECURITY AND JUSTICE FRAMEWORK

### 1. Customary Dispute Resolution

Dispute resolution mechanisms among the Afar People of Ethiopia and their contribution to the Development Process, Gebre-Egziabher, KA. (2014)

*Describes customary dispute resolution system in Afar region.*

Indigenous Conflict Resolution Mechanisms among the Kembata Society, Mengesha, AD., Yesuf, SS., Gebre, T. (2015)

*This study assesses the role of indigenous institutions in the handling of conflicts amongst the Kembata people in the Southern Nations, Nationalities and Peoples Regional State (SNNPRS).*

Traditional Conflict Resolution Mechanism in Ethiopia: (The case of Enashma of the Boro-Shinasha Community, Benisahngul-Gumuz Regional State), Esho Dezo, M. (2020)

*Describes customary dispute resolution system for civil and criminal conflicts in Benisahngul-Gumuz*

Where Formal and Informal Justice Meet: Ethiopia's Justice Pluralism, Baker, B. (2013)

*Baker describes how formal justice systems incorporate informal processes at the community and regional level.*

Legal Pluralism in Ethiopia Glossary

Ethiopia: The Roles of the Council of Elders (Menguddo) in Gumma Customary Institution of Conflict Resolution, Mengistu, BT. (2019)

*This study focuses on the role of the council of elders in the Gumma customary institution of conflict resolution, in the Meiso district of northeastern Oromia. Although the customary system is considered efficient, the paper calls for a synthesis between the customary and modern systems in order for sustainable peace and development in the region.*

Ye Shagach Chilot (the court of the Sheikhs): A Traditional Institution of Conflict Resolution in Oromiya Zone of Amhara Regional State, Ethiopia, Zeleke, M. (2010)

*A result of a legal system which fails to “fully provide the judiciary needs of the nation”, this paper places emphasis on the importance of traditional institutions in Ethiopia and the significance of reconciliation “the key role” of these institutions.*

Bases and Practices of Restorative Justice: The Case of the Ethiopian Criminal Justice System, Ayalew, N.A. (2020)

*“The purpose of this paper is to assess the legal and institutional basis and practice of restorative justice in Ethiopia.”*

Citizenship and Customary Law in Africa: Nwauche, E.S. (2020)

*A collection of essays which “engage with perspectives of citizenship where customary law and constitutionalism intersect”.*

Coexistence Between the Formal and Informal Justice Systems in Ethiopia: Challenges and Prospects, Wourji, T.W. (2012)

*Raising the “voluntary importation of European laws”, this paper discusses the coexistence of formal and informal legal systems in Ethiopia, arguing that the “irrelevance” of the informal system will soon be prevailed by the formal.*

Customary Laws in Ethiopia: a Need for Better Recognition?, The Danish Institute for Human Rights (DIHR) (2012)

*This paper calls on the Ethiopian government to adopt an “improved recognition model” of customary law in order to protect women’s rights.*

Homicide in Ethiopia: Human Rights, Federalism, and Legal Pluralism, Donovan D.A., Assefa G. (2003)

*This study queries how the Ethiopian state can maintain the degree of protection of human rights necessary to defend its standing among the international community, whilst simultaneously respecting and incorporating within its formal legal system the multitude of customary law systems existing within its borders.*

Customary Dispute Resolution in Afar Society, Talachew G., Habtewold S. (2021)

*A paper focusing on customary dispute resolution among the Afar people.*

Law and Development, and Legal Pluralism in Ethiopia, Stebek, E.N. & Abdo M. (2013)

*This book addresses law and development in Ethiopia, “and the relationship between Ethiopia’s formal and traditional normative systems in the pursuit of development and social justice”.*

National Conference on Law and Development: Legal Pluralism, Traditional Justice Systems & the Role of Legal Actors in Ethiopia (2012/13)

*A paper on the proceedings of the First National Conference on Law and Development.*

Legal Pluralism in Ethiopia: Actors, Challenges and Solutions, Epple S. & Assefa G. (2020)

*The intention of this book is to explore the potential of legal pluralism shedding light on the connections between various legal actors. Without neglecting the strain these systems come under, the conditions allowing for “cooperative coexistence of different legal systems” are examined.*

## 2. Federal Laws

Federal Courts Advocates' Licensing and Registration Proclamation No. 199 (2000) (Amh. / Eng.)

Federal Advocates Service Licensing and Administration Proclamation No. 1249 (2013)

Federal Court Advocates' Code of Conduct Regulations (1999) (Amh. / Eng.)

Protection of Witnesses and Whistleblowers of Criminal Offences Proclamation (2010) (Amh. / Eng.)

Federal Ethics and Anti-Corruption Commission Establishment Proclamation (2001) (Amh. / Eng.)

Anti-Corruption Special Procedure and Rules of Evidence Proclamation (2001) (Amh. / Eng.)

Anti-Corruption Special Procedure and Rules of Evidence (Amendment) Proclamation (2001) (Amh. / Eng.)

The African Union Convention on Preventing and Combating Corruption

Ratification Proclamation (2007) (Amh. / Eng.)

Disclosure and Registration of Assets Proclamation (2010) (Amh. / Eng.)

The Revised Anti-Corruption Special Procedure and (Rules of Evidence (Amendment) Proc.882 (2015) (Amh. / Eng.)

Constitution of the Federal Democratic Republic of Ethiopia (1994)

Definition of Powers and Duties of the Executive Organs of FDRE Proc.No. 1097 (2018) (Amh. / Eng)

Reconciliation Directive on Criminal Issues No.1 (2012) (Amh.)

Criminal Code (2004)

Criminal Procedure and Evidence Code (Draft) (2013) (Amh.)

Criminal Procedure and Evidence Code (Draft) (2013) (Eng.)

Ethiopia Criminal Procedure Code (1961)

Ethiopian Red Cross Society Re-Establishment Charter Proc.No.1067 (2017) (Amh. / Eng.)

Meles Foundation Establishment Proclamation (2013) (Amh. / Eng.)

Organisations of Civil Societies Proclamation (2019) (Amh. / Eng.)

Proclamation to Re-Establish the Ethiopian Red Cross Charter (2017)

Ethics and Discipline of Federal Judges (2013) (Amh.)

A Proclamation to Amend the Federal Courts Proclamation (2003) (Amh. / Eng.)

Amended Federal Judicial Administration Council Establishment Proclamation (2010) (Amh. / Eng.)

Federal Courts (Amendment) Proclamation (1998) (Amh. / Eng.)

Federal Courts (Amendment) Proclamation (2001) (Amh. / Eng.)

## LIBRARY

- Federal Courts of Sharia Consolidation Proclamation (1999) (Amh. / Eng.)
- Federal Courts Proc.No.1234 (2021) (Amh. / Eng.)
- Federal Courts Proclamation (2021) (Amh. / Eng.)
- Federal Courts Proclamation Reamendment Proclamation (2005) (Amh. / Eng.)
- Federal Courts Proc.No.25 (1996) (Amh. / Eng.)
- Federal High Court Establishment (2003) (Amh. / Eng.)
- Federal Judges Code of Conduct and Disciplinary Procedure Regulation (2013) (Amh.)
- Federal Judicial Administration Proc.No.1233 (2021) (Amh. / Eng)
- Federal Justice and Legal Research and Training Institute Establishment Proclamation (2018) (Amh. / Eng.)
- Accession to African Human and Peoples' Rights Charter Proclamation (1998) (Amh. / Eng.)
- Ethiopian Human Rights Commission Establishment Proclamation (2000) (Amh. / Eng.)
- Ethiopian Human Rights Commission Establishment Proclamation (Amendment) (2020) (Amh. / Eng.)
- Institution of the Ombudsman Establishment Proclamation (2000) (Eng.)
- List of UN Instruments Ratified by FDRE
- Immigration Proclamation (2003) (Amh. / Eng.)
- Refugees Proclamation (2019) (Amh. / Eng.)
- Extracts from the (Draft) Criminal Procedure and Evidence Code, Book 8, Special Procedure, Section 1: Proceeding for Juveniles (2013)
- Extracts from the Criminal Procedure Code, 1961, Book IV, Trial, Title II, Special Procedures, Chapter 3: Procedure in Cases Concerning Young Persons (1961)
- Extracts from the Criminal Code 2004, Infants & Juvenile Delinquents, Art.52-56
- Extracts from the Criminal Code 2004, Measures & Penalties Applicable to Young Persons, Art.157–177
- Ethiopian Federal Police Commission Establishment (Amendment) Proclamation (2016) (Amh. / Eng.)
- Ethiopian Federal Police Commission Establishment Proclamation (2011) (Amh. / Eng.)
- Ethiopian Federal Police Commission Human Resource Management Directive No. 011 (2005) (Amh.)
- Federal Police Officers Administration Council of Ministers Regulation No.268 (2012) (Amh. / Eng.)
- Federal Prison Proc.No.1174 (2019) (Amh.)
- Federal Prison Proclamation (2020) (Amh. / Eng.)
- Federal Prison Wardens Administration Council of Ministers Reg.No.137 (2007) (Amh. / Eng.)
- Federal Prisons Commission Establishment (Amendment) Proclamation (2016) (Amh. / Eng.)
- Federal Prisons Commission Establishment Proclamation (2003) (Amh. / Eng.)
- Federal Prisons Discipline (2005) (Amh.)
- Treatment of Fed. Prisoners Council of Ministers Reg.No.138 (2007) (Amh. / Eng.)
- Federal Attorney General Legal and Establishment of Judicial Advisory Council Guideline No.5 (2012) (Amh.)



Federal AG Establishment Proc.No. 943 (2016) (Amh. / Eng.)

Federal Attorney General Establishment Proclamation (2016) (Amh. / Eng.)

Federal Attorney General Establishment Proclamation (2016) (Amh. / Eng.)

OAG, Criminal Investigation & Prosecution Determination Guide (2012) (Amh.)

Procedure of Granting and Executing Pardon Proclamation (2014) (Amh. / Eng.)

Procedure of Pardon Proclamation (2004) (Amh. / Eng.)

Public Prosecutors' Administration Council of Ministers Reg.No.443 (2018) (Amh. / Eng.)

Computer Crime Proclamation (2016) (Amh./ Eng.)

Prevention and Suppression of Terrorism Crimes Proclamation (2020).pdf

Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants Proclamation (2015) (Amh. / Eng.)

### 3. Government Policy

Implementation Penal Guidelines Report (2020) (Amh.)

Growth and Transformation Plan II, Vol I. (2015,16-2019, 20)

The second national Growth and Transformation Plan, which specified aim of bringing Ethiopia to a low-middle income country by 2025.  
*The report stresses intensive focus on “rapid and inclusive” economic growth as a means of accelerating nation-wide economic transformation.*

National Integrated Crime Prevention Strategy (2012) (Amh.)

Ethiopia 2030: The Pathway to Prosperity, 10 Years Perspective Development Plan (2021-2030)  
*Renamed from 10 Year Development Plan*

FDRE Criminal Justice Policy (2003) (Amh.)

Justice Institutions' Common Agenda and Implementation Roadmap

### 4. UN Agencies

#### UN WOMEN

Assessment of Violence Against Women and Girls Cases Investigated, Prosecuted and Adjudicated in Addis Ababa and Dire Dawa City Administrations, UN Women (2020)  
*A UN Women's report addressing the “pervasive problem” of violence against women and girls (VAWG) in Ethiopia, specifically assessing the availability of quality and comparable administrative data on different forms of VAWG “that have been reported, investigated, prosecuted and adjudicated” in Addis Ababa and Dire Dawa over a three-year period (2016-2018).*

Legislating for Gender Equality in Ethiopia: Policy Brief on Recommendations for Legislative Reform Measures Based on a Comprehensive Assessment of Ethiopian Law from a Gender Perspective, UN Women (2021)  
*A UN Women report which calls for legislative reform measures in order to ensure gender equality.*

Review of Ethiopian Law From a Gender Perspective, UN Women (2021)  
*A UN report based on an assessment of the current Ethiopian legal framework and the existence of gaps and (direct as well as indirect) discriminatory provisions.*

#### UNCHR

Human Rights in the Administration of Justice: A Manual on Human Rights for Judges, Prosecutors and Lawyers, OHCHR (2003)  
*This UNOHCHR manual—which offers “basic information on international human rights law and the jurisprudence of universal and regional bodies and national courts”—has multiple applications: as training material, a resource tool, and a “reference source for the interpretation and application of the law”. This manual is complemented by a “facilitator's guide”, which seeks to assist in the training of managers and “resource persons engaged in organising workshops or courses” throughout the entire process.*



## UNDP

UNDP Country Programme (2020-2025)

Ethiopia UNSDCF (2020–2025)

*The UN Sustainable Development Cooperation Framework (UNSDCF) represents the UN cooperation framework with the FDRE (2020-2025). Key shared objectives are presented, as are the areas in which it means to support the government of Ethiopia and its people, and the expected outcomes of its cooperation.*

## UNHCR

UNHCR—Ethiopia Country Refugee Response Plan (2020-2021)

*UNHCR refugee country response plan for Ethiopia.*

## UNICEF

National Situation Analysis of Children and Women in Ethiopia, UNICEF & FDRE Ministry of Finance (2019)

*This report examines the current national context and Ethiopia’s progress in safeguarding the rights and improving the welfare of children, adolescents and women in different realms. It also identifies causes of key shortfalls and inequities to directly focus on issues that need to be addressed through risk-informed, equity-focused efforts.*

UNICEF Ethiopia Annual Report (2020)

*A UNICEF annual report which comments on improvements made by Ethiopia over the last decade, whilst simultaneously addressing two central elements which threaten regression: insecurity and violence as well as the COVID-19 pandemic.*

Country Kit, UNICEF Ethiopia (2021)

*A country kit which addresses the situation of children in Ethiopia and UNICEF-supported programmes, with an emphasis on the need to strengthen the legal and policy environment to ensure the rights of the child are protected.*

Child-Friendly Legal Aid in Africa, UNICEF & UNODC (2011)

*This paper explores the legal, policy, and practical issues involved in creating and maintaining “child friendly” legal aid programs in Africa.*

Annual Results 2019 Infographics, UNICEF Ethiopia (2019)

UN Global Study on Children Deprived of Liberty, UNICEF (2019)

*This global study aims to “end the invisibility and overcome the vulnerability, stigmatisation and social exclusion of children deprived of liberty”, and includes examples from different States of “policy options related to restorative justice, diversion, alternatives to migration detention and de-institutionalisation of children.”*

Pathfinding, UNICEF (2021)

*A document which details the goals of the Pathfinding project, which ultimately aims to terminate violence against children. Pathfinding’s primary objectives are: “to raise awareness, stimulate leadership commitment to action, and to establish a standard of national violence prevention in a large number of countries”.*

Access to Justice for Children in the era of COVID-19: Notes from the Field, UNICEF (2021)

*A report which presents “the findings of a rapid analysis of interventions conducted between March and June 2020, showing how UNICEF’s access to justice for children programming has been adapting rapidly to meet the challenges of the COVID-19 pandemic and its unique impacts on children in the justice system”.*

Child Protection Strategy, UNICEF (2021-2030)

CPD Ethiopia (2020-2025)

CP Programme Strategy Note (Revised) (2018-2021)

## UNODC

Survey Report on Access to Legal Aid in Africa, UNODC (2011)

*A survey which aims to provide a snapshot of access to legal aid in Africa, with the purpose of providing practitioners and policymakers with accurate and contemporary data to inform the development of legal aid strategies.*

UNODC Ethiopia Annual Progress Report (Jan-Dec 2020)

*“This Annual Progress Report covers the period January to December 2020 and highlights the progress made against planned activities implemented by the United Nations Office on Drugs and Crime (UNODC) Programme Office in Ethiopia.”*

UNODC Ethiopia Prison Factsheet (2021)

Ethiopia Prison Staff Training, UNODC (2015)

*“This report reviews the current training of prison staff in Ethiopia and makes a number of recommendations to improve the training provision that will enable the Federal Prisons Administration to meet international standards and adopt good practice.”*

Ethiopia Federal Prison Assessment Annex A (2018)

*An assessment of the Federal Prisons in Ethiopia (carried out in 2014).*

Ethiopia Federal Prison Assessment Annex B (2018); Ethiopia Federal Prison Assessment Annex C(2018)

*Follow-up work (2015-2017) of the initial federal prisons assessment (2014), in particular to help the Federal Prison Administration (FPA) develop opportunities for vocational training in prisons, “and to increase employment both inside and outside prisons”.*

Ethiopia Federal Prison Assessment (Final Draft) (2018)

## B. BY INSTITUTION, ACTOR

### General

Brief History of Ethiopian the Ethiopian Legal Systems, Beru, T. (2013)

Diagnostic Study of the Ethiopian Criminal Justice System, Criminal Justice System Working Group (2021)

### 1. Police

Federal Police Commission Citizen Charter (Amh)

Pre-Trial Proceedings of Post-Hachalu Detentions, Bekele, M. (2020)

*An analysis of pre-trial proceedings of post-Hachalu detentions.*

### 2. Prosecution

Towards a Comprehensive Prosecution Service in Ethiopia: Noting the New Developments, Tesfay, LM. (2017)

*“This article briefly reviews the historical development of the prosecution department, the ups and downs between centralized and specialized prosecution institutions and the new developments related to the establishment of the Federal Attorney General as a comprehensive prosecution institution.”*

The Innocence Problem in the Context of the Proposed Plea Bargaining in Ethiopia, Meheretu, A., Birhanu, A. (2018)

*“This article examines the ‘innocence problem’ in light of the newly proposed plea bargaining in Ethiopia, arguing that it would be exacerbated by certain features of the criminal justice system (e.g. huge power asymmetry between adversaries), and contends that the safeguards instituted against the innocence problem are likely to fall short.”*

AG Final 9 Months (2013) (Amh.)

### 3. Legal Services

Reform of Regulation of Legal Practice in Ethiopia: Does It Improve Access to Justice?, Meheret, T. (2021)

*Mehret describes the existing legal framework and recent reforms; also discusses the role of the AG in regulating access to legal services.*

Assessment of Legal Aid in Ethiopia: A Research Report & Proceeding of the National Workshop of Legal Aid Providers, Center for Human Rights, Addis Ababa University (2013)

*An assessment of the practice, gaps and challenges in the provision of legal aid service in Ethiopia (including the level of networking and coordination among the various legal aid providers).*

Advancing Access to Justice for the Poor and Vulnerable through Legal Clinics in Ethiopia: Constraints and Opportunities, Abate, M., Birhanu, A., & Alemayehu, M. (2017)

*This article concerns access to justice in Ethiopia, arguing that law school legal clinics should be considered a viable option to address the gap. Simultaneously, however, it notes the factors that hinder the potential success of these clinics.*

Needs Assessment Report, Ethiopian Lawyers' Association (2014)

*A needs assessment report set out to assess the status of legal aid service in seven towns: Addis Ababa, Adama, Assosa, Bahir Dar, Hawasa, Jigjiga and Mekele. The findings revealed that the provision of legal aid service is crucial in delivering access to justice for the poor, disempowered and vulnerable.*

Public Defenders' Services in Ethiopia: Assessment of Current Gaps and the Way Forward, Ethiopian Lawyers' Association & Ethiopian Young Lawyers' Association (2015)

The Role of University-Based Legal Aid Centers in Ensuring Access to Justice in Ethiopia, Gurmessa, AF. (2018)

*Acknowledging both the large portion of the population outside of the formal legal system as well as the government's lack of action on the matter, this paper focuses on university legal aid centres as a viable alternative to alleviate the problem.*

Revised Assessment Report of CLE and Legal Aid Services in Ethiopia, Addis Ababa University & USAID (2021)

*"A report with the objective of reviewing the "design and actual implementation of existing clinical legal education and legal aid services in Ethiopian law schools to improve the standards of legal education and access to justice". Furthermore, this assessment aims to chart out the future of legal clinic and legal aid in Ethiopian universities."*

Final Research Report National Impact Assessment of Free Legal Aid Service in Ethiopia, M. Ababte (PhD), E. Awash, Y. Birlie, B. Hagos (2018)

*A national impact assessment of free legal aid in Ethiopia.*

### 4. Courts

Federal Supreme Court 2020 (EC: 2012) Plan Final (Amh)

Federal Supreme Court 2020 (EC: 2012) Annual Report (Amh)

Federal Supreme Court Annual Report 2013 (Amh)

People, Practice, Attitudes and Problems in the Lower Courts of Ethiopia, Geraghty, T. (1969)

*"This article describes the lower court system, ""discussing the backgrounds and attitudes of the people who compose it towards the system and each other".*

Uses and Users of Justice in Africa: The Case of Ethiopia's Federal Courts, World Bank & Norwegian Ministry of Foreign Affairs (2010)

*"This report presents the findings of one of a series of studies sponsored by the World Bank on the 'uses and users' of courts in the regions where it participates in justice reform projects."*

Effective Decision Making and its impact on social justice: The Federal and Amhara National Regional Courts of Ethiopia, Shiferaw, W. (2017)

*A thesis examining the challenges faced by the Federal and Amhara National Regional State Courts of Ethiopia in the realisation of legal and social services.*

State of the Judiciary Update (EC: 2012) (Amh.)

Federal Court First Half-Year Outcome Plan & Performance Report (2013) (Amh.)

## 5. Prisons

World Prison Brief, Ethiopia (Overview) (2020)

Federal Prisoner Counselling Practice Guide (2009) (Amh.)

Federal Prisoner Discipline Enforcement Guide (2009) (Amh.)

Revised Prisoner Transfer Guide (2009) (Amh.)

Prison Conditions in Ethiopia, Asylum Research Centre (2021)

*A report addressing prison conditions in Ethiopia.*

Ethiopian Pardon Law and its Implementation in Bahir Dar Prison Center (Amharic), Admasu, B.; Dagnaw, A. (2016) (Amh.)

Prison Reform in Ethiopia: Normative Gaps, Challenges in Practice, and Recommendations (2020)

*“A national impact assessment of the federal prisons’ normative framework and practices as well as comparative and international prison reform experience, this report will outline the state of prison reform in Ethiopia, highlighting challenges and opportunities.”*

Federal Prisons Administration Institutional Improvement Survey (2011) (Amh.)

Federal Prisons Annual report 2013 (Amh.)

Federal Prisons Administration Institutional Improvement Survey Survey (2011) (Amh.)

Federal Prisoners and Defendants Administration and Justice Service Delivery Performance Guide (2011) (Amh.)

Federal Prisons Administration: Growth & Transformation Plan (2008-2012) (Amh.)

Federal Prison 5 Year Report (2008-2012) (Amh.)

Regional Police Commissions, Federal Prison Statistics (2012) (Amh. / Eng.)

Federal Prison Commission Annual Performance Report (2012) (Amh.)

Federal Prisons Management Annual Plan (2012) (Amh.)

Federal Prisons Management Annual Plan (2012) (Amh.)

Human Rights Protection Monitoring in Ethiopian Prisons Primary Report (2012) (English version)

*A report which presents findings on the monitoring of human rights in Ethiopian prisons.*

Federal Prison Commission Annual Performance Report (2013) (Amh.)

Federal Prison Annual Plan (2013) (Amh.)

Federal Prison Commission 2013 Fiscal Year Plan Draft (Amh.)

Federal Prisons Commission for Leadership Forum Performance Report (2013) (Amh.)

Manual of the Federal Prisons Commission's Mission Performance Evaluation System (2013) (Amh.)

Study on Prison Police Ethics (2013) (Amh.)

Federal Prisons Commission Strategic Draft Plan (2013-2022) (Amh.)

Federal Prisons Growth & Transformation Plan (2013-2017) (Amh.)

Ethiopia Prison Staff Training, UNODC (2015)

*“This report reviews the current training of prison staff in Ethiopia and makes a number of recommendations to improve the training provision that will enable the Federal Prisons Administration to meet international standards and adopt good practice.”*

Ethiopia Federal Prison Assessment Annex A (2018)

*An assessment of the Federal Prisons in Ethiopia (carried out in 2014).*

Ethiopia Federal Prison Assessment Annex B (2018)

*Follow-up work (2015-2017) of the initial federal prisons assessment (2014), in particular to help the Federal Prison Administration (FPA) develop opportunities for vocational training in prisons, “and to increase employment both inside and outside prisons”.*

Ethiopia Federal Prison Assessment Annex C(2018)

Ethiopia Federal Prison Assessment (Final Draft) (2018)

The Impact of Prison Reform Program on the Treatment & Rights of Convicted Persons in Federal Maximum Security Prison, Tibesob Bezabih (2016)

*A paper which addresses the impact of prison reform on the treatment and rights of convicted persons in maximum security federal prisons.*

### C. BY THEME

#### 1. Child Justice

System of Child Justice in Ethiopia, Pt.1, Addis Ababa University (undated);  
System of Child Justice in Ethiopia, Pt.II, Regional Reports (undated)

*An assessment of the system of justice for children in Ethiopia, covering all regions and two federal cities.*

Judicial Application of the Best Interest of the Child Principle in Ethiopia: a Comparative Study, Woldetsadik, T.K. (2015)

*This study analyses the normative developments in Ethiopia as relating to the human rights of children in the specific context of the 'judicial application of the best interest of the child' principle.*

Behind Bars Without a Crime, ACPF (2020) (Amh.)

*The main objective of this study is to document the status of children living with imprisoned mothers or primary caregivers in Ethiopia, by analysing the legal and policy framework as well as assessing the availability of child-friendly services and amenities within prisons, for children living with their imprisoned mothers or primary caregivers.*

Behind Bars Without a Crime, ACPF (2020) (Eng.)

Convention on the Rights of the Child, Concluding Observations (2015)

#### 2. Human Rights

Ethiopia's Human Rights Report to Universal Periodic Review (UPR): A critical overview of its preparation, Bashahider, ZM. (2020)

*An article explaining the relevant stages in preparation of the Universal Periodic Review (UPR) report, whilst observing the setbacks faced in the process of the creation of the second UPR report how this was prepared without meaningful participation of relevant stakeholders.*

Ethiopia Report to UPR (2019)

Ethiopia Human Rights Report, United States Department of State (2020)  
*US Department of State's annual human rights report on Ethiopia (2019).*

List of UN Instruments Ratified by FDRE (2021)

Conditions of Human Rights in Ethiopia in the Aftermath of Political Reform, Tesfaye, A.A. (2020)

*This paper focuses on the analysis of conditions of human rights in Ethiopia in the aftermath of the political reform from the perspective of perpetrators of human rights violations.*

Remedies for Human Rights Violations: A Reform Proposal for Addressing Victims of Criminal Proceedings in Ethiopia, Ali A.J. (2020)

*Through the identification of which human rights are most affected during criminal proceedings and examining how international human rights laws are recognised in the Ethiopian legal system, this paper acknowledges the challenges in the implementation of the law the primary hindrance being a “culture of impunity”.*

Righting Human Rights through Legal Reform—Ethiopia’s Contemporary Experience, Sisay A. Yeshanew & Abadir M. Ibrahim (2020)

*A series of articles which cover much of the post-2018 legislative reform, wherein the authors “engage in a stocktaking exercise to highlight the main issues for reform, options considered and choices made in the process...”. The extent to which the reforms promote human rights are highlighted.*

Concluding Observations and Recommendations—Ethiopia: Fifth and Sixth Periodic Report, African Commission on Human and Peoples' Rights (2015)

CRPD Ethiopia, Consideration of Reports (2015)

CRPD Ethiopia, Concluding Observations (2016)

Report of the Working Group on the Universal Periodic Review, Human Rights Council (2019)

The Impact of the African Charter and the Maputo Protocol in Ethiopia, Meskerem Geset Techane (2016)

### 3. Gender Equality

Pregnancy Crimes Amid, MK. (Undated)

*This article addresses the law that criminalises abortion, examining the legal and practical issues which impede upon an effective application of the law—commenting on the complexities of issues of consent, the nature of the crime, ensuring criminal responsibility as well as primary limitations within the justice sector itself.*

Multiple Legal Orders in Ethiopia: An Impediment on the Enforcement of Women's Rights, Alemayehu, D.E. (2020)

*An analysis of the ways in which customary and religious legal processes prevent enforcement of constitutional rights for women in Ethiopia.*

Building Universality from Below, Strategic Initiative for Women in the Horn of Africa (SIHA) (2011)

*This paper moves away from a state-oriented human rights approach (i.e. public-sphere) to that of acknowledging how women’s rights are often violated in the public sphere. Through “exploring how customary legal institutions contribute... and how formal legal systems react to it”, the paper aims to uncover cultural structures which perpetuate violations of women’s rights and gender inequality in general.*

Girls and the Law in Ethiopia: A Country Case Study, ACPF (2020)

*“A country case study which provides an overview of how the legal and policy framework in Ethiopia addresses gender-specific constraints for girls.”*

National Action Plan for Gender Equality (2006-10)

The Ethiopian Statutory Rape Law in Light of Human Rights Approach, Enguday Meskele Ashine (2020)

### 4. Budget

Budget Review, Cepheus (FY: 2020-21)

Federal Budget Proclamation pt. II (E.C: 2013)



## 5. Access to Justice

Access to Justice in Ethiopia: Towards an Inventory of Issues, Toggia, PS., (Prof.), Geraghty, TF. (Prof.), Jemaneh, KW. (2014)

*This book addresses a range of important and contemporaneous topics on access to justice in Ethiopia, covering a “wide range of important and contemporaneous topics on access to justice in Ethiopia: the definition of access to justice, access to justice as human right, institutionalism, administration of justice issues, legal aid and pro bono services, the integration of the formal justice system and customary dispute resolution systems, the role and function of national human rights institutions in promoting access to justice, legal literacy, rule of law, and the right of children and disabled citizens to access justice”.*

Advancing Access to Justice for the Poor and Vulnerable through Legal Clinics in Ethiopia: Constraints and Opportunities, Abate, M., Birhanu, A., & Alemayehu, M. (2017)

*This article concerns access to justice in Ethiopia, arguing that law school legal clinics should be considered a viable option to address the gap. Simultaneously, however, it notes the factors that hinder the potential success of these clinics.*

Justice Needs and Satisfaction in Ethiopia: Legal problems in daily life, Hague Institute for Innovation of Law (2020)

*A nation-wide survey of people's justice needs in Ethiopia.*

Diagnostic Study of the Ethiopian Criminal Justice System, Criminal Justice System Working Group (2021)

*Comprehensive report on the status of the criminal justice system undertaken by the Attorney General in coordination with leading Ethiopian legal scholars.*

Ethiopia's Ongoing Criminal Justice Reform: Modus Operandi, Methodology and Observations, Abdo, M. (2020)

*This paper addresses activities undertaken by the Criminal Justice Working Group, under the auspices of the Legal and Justice Affairs Advisory Council. It highlights factors calling for the reform of and institutional arrangements for ongoing legal and justice reform.*

Reform of Regulation of Legal Practice in Ethiopia: Does It Improve Access to Justice?, Meheret, T. (2021)

*A paper which examines regulation of the “compromised” legal profession in Ethiopia, in light of a new draft bill something which “broadens its scope by introducing new elements such as the establishment and regulation of statutory bar and law firms”, reforming the existing system through “legal education and pro bono services”.*

## 6. Refugees and Displaced Persons

Justice Needs and Satisfaction of Refugees and Host Communities, Hague Institute for Innovation of Law (2020)

*A report about the justice needs of refugees and host communities in Ethiopia.*

DTM Ethiopia National Displacement Report 8 (2021)

**D. BY REGION****1. Addis Ababa**

## 1. LAWS, DIRECTIVES &amp; REGULATIONS

Addis Ababa Revised Charter Proc.No.361 (2003) (Amh. / Eng.)

Addis Ababa Closing of Criminal Investigation Records—Directive No.3 (2012) (Amh.)

## 2. POLICY

Addis Ababa Growth and Transformation Plan (2013-2022) (Amh.)

Addis Ababa City Courts 10 Year Strategic Plan (2013-2022) (Amh.)

## 3. INSTITUTIONAL ANNUAL REPORTS &amp; STRATEGIC PLANS

Addis Ababa Social Courts Office of the Judicial Council 10 Year Strategic Plan (2013 to 2022) (Amh.)

Addis Ababa Social Courts Annual Report (2013) (Amh.)

**2. Dire Dawa**

## 1. LAWS, DIRECTIVES &amp; REGULATIONS

Dire Dawa Administration Charter Proclamation 2004 (Amh / Eng.)

Dire Dawa Administration Charter (Amended) Proclamation 2006 (Amh / Eng.)

Civil Procedure Code (Undated) (Amh.)

Civil Procedure Code (Undated) (Eng.)

Commercial Code (Undated)

Revised Family Code Proc. 213 (2000)

Dire Dawa Administration Business Process Re-engineering Program Proc. No.7 (2008) (Amh. / Eng.)

Dire Dawa Administrative Council Proc. No.1 (2008) (Amh. / Eng.)

Kebele Social Courts Proc. No.2 (2008) (Amh. / Eng.)

Urban Kebele Administrative Bodies and Re-determine their Organisational Structure, as well as their Power and Function Proc. No.3 (2008) (Amh. / Eng.)

Directive 6 (2005) (Amh.)

Issuance of Legal Title Deeds Directive No.16 (2008) (Amh.)

## 2. POLICY

Environmental Impact Assessment No.11 (2002) (Amh. / Eng.)

Dire Dawa Attorney-General Annual Plan (2013) (Amh.)

## 3. INSTITUTIONAL ANNUAL REPORTS &amp; STRATEGIC PLANS

Dire Dawa Court Annual Report (2012/13) (Amh.)

Dire Dawa Annual Prison Report (2013) (Amh.)

**3. Afar**

## 1. LAWS, DIRECTIVES &amp; REGULATIONS

Afar National Regional State Police Commission Establishment Proclamation (2003) (Amh. / Eng.)

Afar Revised Regional Courts Est. proc.no.89 (2007) (Amh.)

Afar Revised Constitution no.14 (1994) (Amh.)

Afar AG Proclamation no.115 (2011) (Amh.)

Afar Police Commission Establishment proc.118 (2011) (Amh.)

Afar Prison Ward Regulation (2012) (Amh.)

Afar Revised Judicial Admin proc. no.82 (2006) (Amh.)

Afar Judicial Admin. proc. no.88 (2007) (Amh.)



Afar Militia Establishment proc. no.80 (2013) (Amh.)  
Afar Prison Regulations (2012) (Amh.)  
Afar Prison Commission Proclamation (2013) (Amh.)  
Afar Amnesty Procedure Proc.No. 73 (2004) (Amh.)  
Afar Courts Establishment proc. no.3 (1998) (Amh.)  
Afar Regional Courts estab. proc. no.83 (2006) (Amh.)  
Afar Revised Courts Establishment proc. no.83 (2006) (Amh.)  
Afar Judges Admin. Counsel Amendment proc. no.9 (1991) (Amh.)  
Afar Anti-FGM Proclamation no.47 (2009) (Amh.)  
Afar Regional Peace Bureau Powers and Functions (Undated) (Amh.)

## 2. POLICY

Afar Supreme Court Strategic Plan (Amh.)  
Afar Regional Court Plan (2013) (Amh.)  
Afar Prison Strategic Plan (2013) (Amh.)  
Afar Prison Administration 10 Year Strategic Plan  
Afar OAG 10 Year Strategic Plan (2013-2022) (Amh.)  
Afar Police Commission 10 Year Strategic Plan (2013-2022) (Amh.)  
Afar Regional & Federal Prisons Co-Action Plan (2013) (Amh.)  
Afar Regional Council 10 Year Strategic Plan (Amh.)

## 3. INSTITUTIONAL ANNUAL REPORTS & STRATEGIC PLANS

Afar Supreme Court Annual Report (2013) (Amh.)  
Afar Prison Commission Annual Report (2013) (Amh.)

## 4. Amhara

### 1. LAWS, DIRECTIVES & REGULATIONS

Amhara Revised Regional Prisons' Police Officers' Administration Reg.No.176. (2018) (Amh. / Eng.)  
Amhara Prisoners Handling & Care Determination Regulation no.26 (2005) (Amh. / Eng.)  
Amhara Revised Sentencing Directive 2 (2006) (Amh.)  
Amhara Consolidated Laws (2009) (Amh. / Eng.) (very large file, 7MB)  
Amhara Constitution (2001) (Amh. / Eng.)  
Amhara Family Code (2003) (Eng.)  
Amhara Kebele Directives (2005) (Amh.)  
Amhara Police Commission Re-establishment Proc (2006) (Amh. / Eng.)  
Amhara Prison Police Officers Adm. Regulation.no.22 (2004) (Amh. / Eng.)  
Amhara Revised Prisons Commission Establishment and powers and Duties Determination Proclamation (2006) (Amh. / Eng.)  
Amhara National Regional State Executive Organs' Re-establishment and Determination of their Powers and Duties Proc.No.176 (2010) (Amh. / Eng.)  
Amhara OAG Establishment and Determination of its Powers and Duties Proclamation (2011) (Amh. / Eng.)

### 2. POLICY

Amhara Supreme Court Strategic Plan (2013-2022) (Amh.)  
Amhara Attorney General 10 Year Strategic Plan (2013-2023) (Amh.)  
Amhara Prison Administration 10 Year Strategic Plan (2012) (Amh.)

## 3. INSTITUTIONAL ANNUAL REPORTS & STRATEGIC PLANS

Amhara Police Annual Report (2013) (Amh.)

Amhara Attorney General 9 month report 2013 (Amh.)

Amhara Prison Annual report 2013 (Amh.)

## 5. Benishangul Gumuz

### 1. LAWS, DIRECTIVES & REGULATIONS

Benishangul-Gumuz Constitution (1995) (Amh.)

Benishangul-Gumuz Constitution (1995) (Eng.)

Revised Regional State Pardon Reg.No.143 (2012) (Amh.)

Advocates Proclamation, No.151 (2010) (Amh.)

Attorney General Proclamation No.161 (2011) (Amh.)

Licensing and Administration of Attorneys Proc. No.151 (2010) (Amh. / Eng.)

Amended Procedure of Granting Pardon Proc. No.134 (2008) (Amh./ Eng.)

State Prisons Commission Re-Establishment & Determination of Powers and Functions Proc.No.106 (2012) (Amh. / Eng)

Revised Family Code Proc.No.63 (1998) (Amh. / Eng.)

Re-Establishment of Prison Administration Office Proc.No.106 (2004) (Amh. / Eng.)

Licensing and Administration of Advocates and Private Paralegals Proc.144. (2012) (Amh. / Eng.)

### 2. POLICY

Benishangul-Gumuz AG 10 Year Strategic Plan (2013-2022)

Benishangul-Gumuz Courts 10 Year Plan (2013-2022) (Amh.)

Benishangul-Gumuz Prison 10 Year Strategic Plan (2012) (Amh.)

Benishangul-Gumuz Police 5 Year Strategic Plan (2013-2017)

## 3. INSTITUTIONAL ANNUAL REPORTS & STRATEGIC PLANS

Benishangul-Gumuz AG Yearly Report (Undated) (Amh.)

Benishangul-Gumuz Court Report\_A (2013) (Amh.)

Benishangul-Gumuz Court Report\_B (2013) (Amh.)

Benishangul-Gumuz Regional Courts Performance Report (2013) (Amh.)

Benishangul-Gumuz Prison Annual Report (2013) (Amh.)

Benishangul-Gumuz Police Annual Report (2013) (Amh.)

## 6. Gambela

### 1. LAWS, DIRECTIVES & REGULATIONS

Establishment of the Gambela Prisons Commission Proclamation Enforcement Rule (2013) (Amh.)

Draft Proclamation on Establishment of the State Attorney General (2010) (Amh.)

Regional Prisons Commission Establishment Amendment Proc. (2013) (Amh.)

Ethics and Anti-Corruption Commission Proc. to amend the Establishment Proc. (2013) (Amh.)

Proclamation to Establish Kebele Courts (2001) (Amh.)

Decree on the Decision of Powers and Duties (2011) (Amh.)

Amended Regional Police Commission Establishment Proc. No.187 (2011) (Amh.)

Amended Proc. to Regulate Amnesty & Execution Procedures (2008) (Amh.)

Gambela Constitution 1995 (Amh.)

## 2. POLICY

Gambela Supreme Court Development Plan (2013-2022) (Amh.)  
Gambela Supreme Court Yearly Budget Plan (2014) (Amh.)  
Gambela Supreme Court Yearly Plan (2012/13) (Amh.)  
Gambela Prison Administration Budget Plan (2014) (Amh.)  
Gambela Prison Administration 10 Year Strategic Plan 2013-2022 (Amh.)  
Gambela Police Commission 10 Year Strategic Plan 2013-2022 (Amh.)

## 3. INSTITUTIONAL ANNUAL REPORTS & STRATEGIC PLANS

Gambela OAG Annual Report (2013) (Amh.)  
Godere Wereda Annual Report (2013) (Amh.)  
Gambela Prison Administration Annual Report 2013 (Amh.)  
Gambela Police Commission Annual Report 2013 (Amh.)

## 7. Harari

### 1. LAWS, DIRECTIVES & REGULATIONS

Harari Constitution (1997) (Amh.)  
Continuation of City - Reg. No.20 (1999) (Amh.)  
Regulation No.88 (2004) (Amh.)  
Harari Police Proc. No.388 (1996) (Amh.)  
Proclamation No. 107 (2004) (Amh.)  
Proclamation No.81 (1991) (Amh.)  
Proclamation No.171 (1991) (Amh.)  
Proclamation No.143 (2012) (Amh.)

Harari Courts Jud. No.8 (1991) (Amh.)  
Harari Courts Jud. Admin.3 (1988) (Amh.)  
Judges and Administration Proc. No.3 (1988) (Amh.)

## 2. POLICY

Harari Correctional Commission Organisational Structure and Details (2010) (Amh.)  
Harari People's Regional State Correctional Commission Basic Demand Supply Standard (2013) (Amh.)  
Prisoner and Defendants Administration and Justice Service Delivery Performance Guide (2013) (Amh.)  
Harari Prison Commission Legal Prisoners Cooperative Organising Guide (Undated) (Amh.)  
Standard of Correction & Edification (2003) (Amh.)  
Harari Police Budget—9 Month Plan (2013) (Amh.)  
Harari Police Commission Strategic Plan 2013-2017  
Harari Courts Annual Plan (2012) (Amh.)  
Harari OAG 10 Year Strategic Plan (2013-2023) (Amh.)  
Maremya Co Institutional Plan (2013) (Amh.)

## 3. INSTITUTIONAL ANNUAL REPORTS & STRATEGIC PLANS

Harari Supreme Court Yearly Planning Performance Report (2012) (Amh.)  
Harari OAG Annual report 2013  
Harari Prisons Annual Report 2013  
The Treatment of Harari Inmates & Defendants (2013) (Amh.)

## 8. Oromia

### 1. LAWS, DIRECTIVES & REGULATIONS

Oromia Constitutional Amendment (1997) (Amh. / Eng.)

Oromia Constitutional Amendment (2000) (Amh. / Eng.)

Oromia Constitution (1994) (Amh.)

Oromia Judicial Administration Commission Proclamation, No.217 (2018) (Amh. / Eng.)

Oromia OAG Proc. No.214 (2018) (Amh. / Eng.)

Oromia Regional State Courts Proclamation No. 216 (2018) (Amh. / Eng.)

Re-establishment & Determination the Powers of Social Courts Proc.No.128 (2007) (Amh./Eng.)

Revision of State Prison Administration Commission Police Members Code of Conduct Regulation No.168 (2014)

### 2. POLICY

Oromia State Courts 5 Year Strategy Plan (En.)

### 3. INSTITUTIONAL ANNUAL REPORTS & STRATEGIC PLANS

Oromia Police Commission Annual Report (2013) (Amh.) and Strategy Plan

Oromia Prisons Administration Commission (2013) (Amh.)

Oromia Prisons Annual report 2013 (Amh.)

Oromia Supreme Court Annual report 2013 (Amh.)

Oromia OAG Annual report 2013 (Amh.)

Fair Trial Manual for International Human Rights, Oromia Justice Sector Professionals Training & Legal Research Institute (2009)

## 9. Sidama

### 2. POLICY

Sidama Supreme Court 10 Year Plan (2013-2022) (Amh.)

Sidama AG Annual Report (2013) (Amh.)

Sidama AG 10 Year Strategic Plan (2013-2022) (Amh.)

Sidama Prison Commission 10 Year Plan (2013-2022) (Amh.)

### 3. INSTITUTIONAL ANNUAL REPORTS & STRATEGIC PLANS

Sidama Supreme Court Annual Report (2013) (Amh.)

Sidama Police Commission Annual report 2013 (Amh.)

ULC Annual report 2013

## 10. SNNP

### 1. LAWS, DIRECTIVES & REGULATIONS

SNNPR Constitution 2001 (Eng.)

SNNPR Constitution 2001 (Amh.)

### 2. POLICY

SNNP Police Commission Plan (2013) (Amh.)

### 3. INSTITUTIONAL ANNUAL REPORTS & STRATEGIC PLANS

SNNP OAG Annual report 2013

SNNP Prisons Annual report 2013

SNNP Police Commission Annual Report (2013) (Amh.)

### 11. Somali

#### 1. LAWS, DIRECTIVES & REGULATIONS

Somali Constitution 1994 (Amh.)

#### 3. INSTITUTIONAL ANNUAL REPORTS & STRATEGIC PLANS

Report of Juveniles in Detention, ICRC (2021)

Somali Supreme Court Annual report 2013 (Eng.)