SUBMISSION OF THE INTERNATIONAL COMMISSION OF JURISTS TO THE UNITED NATIONS COMMITTEE ON THE RIGHTS OF PERSONS WITH DISABILITIES IN VIEW OF THE ADOPTION OF THE LIST OF ISSUES REGARDING THE COMBINED 2ND AND 3RD PERIODIC REPORTS OF ETHIOPIA

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EXECUTIVE SUMMARY

1. This submission outlines key issues of concern regarding Ethiopia's implementation of and compliance with the Convention on the Rights of Persons with Disabilities (CRPD). The submission seeks to assist the Committee on the Rights of Persons with Disabilities (the Committee) in its formulation and adoption of the List of Issues regarding the combined 2nd and 3rd periodic reports of Ethiopia under the CRPD at its upcoming 35th session.

2. The submission draws primarily on the findings of the International Commission of Jurists' (ICJ) forthcoming report assessing the legal and practical barriers to access to justice for persons with disabilities in Ethiopia. The report examines the extent to which Ethiopia's constitutional, legislative and institutional frameworks comply with its obligations under the CRPD, with particular attention to barriers affecting access to justice by persons with disabilities.

3. As a result, the present submission focuses mainly on those provisions of the CRPD relating to access to justice. It identifies selected concerns that, in the ICJ's assessment, warrant further examination by the Committee in its preparation of the List of Issues. The submission highlights legislative and practical barriers affecting the human rights of persons with disabilities to equality and non-discrimination, the right to legal capacity, the right to access to justice, and the right to liberty and security of the person. The submission is also based on the ICJ's analysis of Ethiopia's combined 2nd and 3rd periodic reports (Combined reports)[1] and the Committee's 2016 Concluding Observations on the country's initial report.[2]

4. The submission is structured around the following themes: (i) general principles and obligations (Articles 1-4); (ii) equality and non-discrimination (Article 5); (iii) equal recognition before the law (Article 12); (iv) access to justice (Article 13); and (v) liberty and security of the person (Article 14). Each section identifies issues of concern arising under the relevant provisions of the CRPD and concludes with suggested questions for inclusion in the Committee's List of Issues.

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[1] Concluding observations on the initial report of Ethiopia, 2016, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2FC%2FETH%2F2-3&Lang=en.

[2] Combined second and third reports submitted by Ethiopia under article 35 of the Convention, due in 2020 (Combined reports), 9 January 2023, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2FC%2FETH%2FCO%2F1&Lang=en.

GENERAL PRINCIPLES AND OBLIGATIONS (ARTICLES 1-4)

A. Constitutional and legislative framework

5. In its 2016 Concluding Observations, the Committee expressed concern that Ethiopia's legal framework had not been fully harmonized with the CRPD and recommended that the State party undertake a comprehensive review of its legislation to ensure conformity with the CRPD.[3] While the State party indicates in its Combined reports that it has adopted legal and policy measures to promote the rights of persons with disabilities,[4] significant gaps remain in the constitutional and legislative framework. Those gaps are outlined in the following paragraphs.

6. The Constitution of Ethiopia[5] reflects only limited recognition of the human rights of persons with disabilities. Disability is expressly mentioned only in Article 41(5), which requires the State to "allocate resources to provide rehabilitation and assistance to the physically and mentally disabled". This provision adopts a welfare-oriented approach and does not reflect the human rights approach to disability underpinning the CRPD.

7. In its 2016 Concluding Observations, the Committee also recommended that Ethiopia repeal or amend several key laws because of their discriminatory provisions affecting persons with disabilities, including the Civil Code,[6] Family Code,[7] Criminal Code[8] and other legislation.[9] To date, however, Ethiopia has failed to comply with this recommendation and the impugned provisions remain unchanged and in force. By the State's own admission,[10] Ethiopia has made little effort to repeal discriminatory legal provisions or to harmonize domestic legislation with the CRPD. This is so even though Ethiopia ratified the CRPD more than 15 years ago, and despite the fact that 10 years have elapsed since the Committee made specific recommendations to Ethiopia in this regard.

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[3] Concluding observations on the initial report of Ethiopia, § 6.
[4] Combined reports, §§ 6 and 7.
[5] Constitution of the Federal Democratic Republic of Ethiopia (the Constitution), Proclamation No.1 of 1995, https://ecnl.org/sites/default/files/files/2021/EthiopiaConstitution.pdf.
[6] The Civil Code of the Empire of Ethiopia, Proclamation No.165 of 1960 (Civil Code), https://www.wipo.int/wipolex/en/legislation/details/16003.
[7] The Revised Family Code, Proclamation No.213 of 2000, https://policyvault.africa/policy/revised-family-code-proclamation-no-213-2000/.
[8] The Criminal Code of the Federal Democratic Republic of Ethiopia, Proclamation No. 414 of 2004 (Criminal Code), https://www.unodc.org/cld/document/eth/2005/the_criminal_code_of_the_federal_democratic_republic_of_ethiopia_2004.html.
[9] Concluding observations on the initial report of Ethiopia, §§ 26, 49-50.
[10] Combined reports, §§ 6 and 22.

8. As a result, to date, the Proclamation to Provide for the Right to Employment of Persons with Disability No. 568 of 2008[11] remains the only disability-specific legislation in force in Ethiopia. Among others, it prohibits disability discrimination in employment, recognizes the duty to provide reasonable accommodation, and treats the denial of reasonable accommodation as a form of discrimination. Nevertheless, these protections remain confined to the field of employment and have not been extended across other human rights guaranteed under the CRPD.

9. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

- What concrete steps have been taken, and what concrete and timebound steps will be taken to guarantee a constitutional recognition of the human rights of persons with disabilities in line with the CRPD?
- What concrete, timebound measures will Ethiopia take to comprehensively review and harmonize domestic legislation with the CRPD, including the Civil Code, Criminal Code, Family Code and other legislation containing provisions inconsistent with the CRPD?
- What steps has the State party taken, if any, to extend the legal protections provided in the Right to Employment of Persons with Disabilities Proclamation No.568 of 2008, including in particular the prohibition of disability-based discrimination and the provision of reasonable accommodations, beyond the field of employment with a view to guaranteeing the protection of all human rights under the CRPD?

B. Absence of comprehensive disability legislation

10. Ethiopia refers in its Combined reports to an apparently ongoing legislative process to adopt a comprehensive disability law, the draft of which was expected to be finalized by 2021.[12] However, at the time of this submission, and five years after that deadline, such legislation has not been enacted. The continued absence of a comprehensive legal framework substantially impedes the harmonization of domestic legislation with the CRPD and contributes to the persistence of legislative gaps in the protection of the human rights of persons with disabilities in Ethiopia.

11. The ICJ's research conducted through interviews and consultations with local stakeholders in 2025 and 2026 shows that progress towards adopting a

[11] A Proclamation to Provide for the Right to Employment of Persons with Disability Proclamation No.568 of 2008, https://www.un.org/development/desa/disabilities/wp-content/uploads/sites/15/2019/11/Ethiopia_Right-to-Employment-of-Persons-with-Disability-Proclamation-2008.pdf.
[12] Combined reports, § 11.

comprehensive disability law has been slow, inadequately consultative and generally not transparent. Following years of advocacy by organizations of persons with disabilities (OPDs), both a draft disability law and, more recently, a draft national disability policy[13] have reportedly been prepared. However, official versions of neither the draft legislation nor the draft policy have been made publicly available. There is, therefore, little publicly available information regarding the content, status or anticipated timelines for either instrument. The absence of publicly available information gives rise to concern regarding the transparency of the legislative process and the extent to which persons with disabilities and OPDs have been consulted and actively involved throughout the development of these instruments, as required under Article 4(3) of the CRPD.

12. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

- What updated information can Ethiopia provide on the status of the proposed comprehensive disability law and draft national disability policy, including with respect to an anticipated timetable for their finalization, adoption and implementation?
- What steps has Ethiopia taken, if any, to ensure that persons with disabilities and OPDs are consulted and meaningfully involved throughout the drafting of the proposed comprehensive disability law and national disability policy, in accordance with Article 4(3) of the CRPD?
- Why have official drafts of the proposed comprehensive disability law and national disability policy not been made publicly available, and how does the State party ensure transparency during legislative and policy making processes?
- Does the proposed legislation ensure the review and amendment of existing laws that are inconsistent with the CRPD and, if not, what process will be undertaken to ensure such a review and amendment?

C. Becoming a party to the Optional Protocol to the CPRD and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa

13. Ethiopia has not yet signed, let alone ratified, the Optional Protocol to the CRPD or the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa.[14] Becoming a party to these instruments

[13] See Federation of Ethiopian Associations of Persons with Disabilities, Facebook post on 21 December 2025, https://web.facebook.com/share/p/1AqvE7E3wb/, last accessed on 6 July 2026.
[14] https://au.int/en/treaty/protocol-african-charter-human-and-peoples-rights-rights-persons-disabilities-africa.

would further reinforce Ethiopia's commitment to advancing the human rights of persons with disabilities, strengthen accountability for violations of their rights through global and regional human rights mechanisms, and enhance opportunities for OPDs to engage these mechanisms in advancing implementation of the CRPD and the African Disability Protocol.

14. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

- What measures has Ethiopia taken towards becoming a party to the Optional Protocol to the CRPD? What concrete and timebound measures will it take towards such objective?
- What measures has Ethiopia taken towards becoming a party to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa? What concrete and timebound measures will it take towards such objective?

EQUALITY AND NON-DISCRIMINATION (ARTICLE 5)

A. Legislative protection against disability-based discrimination

15. In its 2016 Concluding Observations, the Committee recommended that Ethiopia "provide legal protection against disability-based discrimination" and "establish effective legal remedies" against it.[15] Despite this recommendation, Ethiopia continues to lack an express and comprehensive legal framework prohibiting disability-based discrimination with respect to the enjoyment of all the rights guaranteed under the CRPD.

16. Article 25 of the Constitution of Ethiopia guarantees equality before the law and prohibits discrimination on several grounds:

> "All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall guarantee to all persons equal and effective protection without discrimination on grounds of race, nation, nationality, or other social origin, colour, sex, language, religion, political or other opinion, property, birth or other status."

17. It is therefore evident that the Constitution does not expressly include disability among the prohibited grounds of discrimination. However, in 2016, the House of Federation in Ethiopia, which is the upper chamber of the federal legislature and

[15] Concluding observations on the initial report of Ethiopia, § 12.

is vested with the power to interpret the Constitution, interpreted the terms "other status" in Article 25 of the Constitution as encompassing disability.[16] While this decision was a positive development, there continues to be a need for Ethiopia to adopt a generalized prohibition of discrimination based on disability in its Constitution and other legislation.

18. While the Right to Employment of Persons with Disabilities Proclamation No. 568 of 2008 prohibits disability-based discrimination in employment, its protection is confined to the employment context and does not extend to guaranteeing protection against disability-based discrimination with respect to the exercise of other rights guaranteed under the CRPD.

19. This concern is further compounded by the absence of a comprehensive anti-discrimination law in Ethiopia. Such legislation is essential to provide protection against all forms of discrimination and to ensuring effective remedies for victims of discrimination. In this regard, the UN Human Rights Committee, in its 2022 concluding observations on Ethiopia,[17] expressed concern about the absence of a comprehensive anti-discrimination framework capable of providing effective protection and remedies against all forms of discrimination.

20. The ICJ therefore suggests that the Committee address the following question to Ethiopia in its List of Issues:

- What measures has Ethiopia taken to expressly recognize disability as a prohibited ground of discrimination in the Constitution and other legislation, and to adopt a comprehensive anti-discrimination legislation prohibiting disability-based discrimination with respect to the enjoyment of all the rights guaranteed under the CRPD?

B. Legal recognition of the duty to provide reasonable accommodation

21. In its 2016 Concluding Observations, the Committee recommended that Ethiopia "adopt a comprehensive definition of reasonable accommodation in the law which applies to all rights" and recognize that "the denial of reasonable accommodation in all areas amounts to discrimination as prescribed by Article 5".[18] While Ethiopia indicates in its Combined reports that this recommendations will be addressed in

[16] *Wesen Alemu and Dawit Oticho vs ANRS Justice Professionals Training and Legal Research Institute and ANRS Judicial Administration,* the House of Federation, Case File No.019/08, 12 October 2016.
[17] UN Human Rights Committee, Concluding observations on the second periodic report of Ethiopia, CCPR/C/ETH/CO/2, 7 December 2022, § 11.
[18] Concluding observations on the initial report of Ethiopia, § 10.

the proposed comprehensive disability legislation,[19] at the time of this submission no such legislation has been enacted, and no draft of such legislation has been made publicly available. Consequently, Ethiopia has yet to establish a general legal duty to provide reasonable accommodation or to recognize the denial of reasonable accommodation as a form of disability-based discrimination.

22. The Right to Employment of Persons with Disabilities Proclamation No. 568 of 2008 remains the only legislation in force in Ethiopia that recognizes the duty to provide reasonable accommodation to workers with disabilities and expressly treats the denial of reasonable accommodation as a form of disability discrimination. However, these protections are only applicable in the employment context.

23. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

- What measures has Ethiopia taken to establish a general legal duty to provide reasonable accommodation with respect to the exercise and enjoyment of all the rights guaranteed under the CRPD?
- What steps has the State party taken to recognize the denial of reasonable accommodation as a form of disability-based discrimination beyond the field of employment?
- Pending the adoption of the proposed comprehensive disability law, how does and will the State party ensure the provision of reasonable accommodation and effective remedies where reasonable accommodation is at stake in areas other than employment?

EQUAL RECOGNITION BEFORE THE LAW (ARTICLE 12)

A. Denial of legal capacity and substitute decision-making

24. In its 2016 Concluding Observations, the Committee expressed concern that Ethiopian legislation permits the denial of legal capacity on the basis of actual or perceived impairment and, in particular, identified Chapters 3 and 4 (Articles 339-388) and Article 1728 of the Civil Code as incompatible with the CRPD.[20] It recommended that Ethiopia repeal all laws allowing for substituted decision-making, replacing them with supported decision-making regimes. In its Combined reports, Ethiopia does not report any legislative reforms addressing these concerns. At the time of this submission, the legal frameworks governing legal

[19] Combined reports, § 11.
[20] Ibid, §§ 25-26.

capacity remain unchanged despite the Committee's abovementioned expression of concern.

25. The Civil Code establishes a general presumption of legal capacity for all persons, but permits its displacement where a person is declared "incapable" by law.[21] It explicitly identifies "disability" as a basis for legal incapacity, encompassing both persons characterized as "insane" due to mental health conditions and persons described as "infirm" on account of sensory or other physical impairments.[22] These provisions are based on medicalized and status-based assessments of disability and are incompatible with the recognition of legal capacity on an equal basis with others, as required by Article 12 of the CRPD.

26. The Civil Code further restricts legal capacity in relation to contractual relations and consent. Persons determined to be "insane" or "infirm" are presumed incapable of giving valid consent, and contracts entered into by them may be contested or annulled.[23] In addition, persons with visual impairments are subjected to a distinct formal requirement whereby their signature or thumbprint on a contract is only valid if approved by a notary, registrar or judge.[24] Albeit this requirement is framed as a protective measure, it is based on assumptions of incapacity and is discriminatory and contrary to various provisions of the CRPD, including Articles 5 and 12. Despite this, this requirement has been upheld in domestic jurisprudence as a form of "special protection".[25]

27. The Revised Family Code[26] similarly restricts the legal capacity of persons with intellectual and/or psychosocial disabilities in matters of marriage, family life and parental rights. The Code allows for the invalidation of a marriage on the basis of alleged incapacity to provide valid consent, including where consent is affected by disability-related assumptions regarding the individuals' mental condition.[27] In addition, persons subject to "interdiction", purportedly due to a mental health condition, are deprived of the ability to administer family affairs or property, with such authority transferred to a spouse or court-appointed guardian.[28] These

[21] The Civil Code, Article 192.
[22] Ibid, Articles 192 and 193.
[23] Ibid, Article 1678.
[24] Ibid, Article 1728 (3).
[25] *Etenesh Kasa vs. Haji Jemal Yimam*, Federal Supreme Court, Cassation File No. 83674, Volume 15, May 2013, Pp.65–68.
[26] The Revised Family Code, Proclamation No.213 of 2000, https://policyvault.africa/wp-content/themes/PolicyVault/pdfviewer/web/viewer.html?file=https://policyvault.africa/wp-content/uploads/policy/ETH510.pdf.
[27] Ibid, Article 13(3)(b)
[28] Ibid, Article 66; and the Civil Code, Article 358 - which partly reads "a person who has been judicially interdicted shall be subject in respect of his person and of his property to the same rules of protection as a minor." And, under Article 269 (1) of the Revised Family Code, a "minor shall be represented by his tutor concerning his property and his pecuniary interests."

provisions amount to a substituted decision-making framework in the sphere of family relations.

28. The Criminal Code of 2004 similarly incorporates a mental capacity-based model that links disability to criminal responsibility.[29] Under Article 48(2), a person is deemed not criminally responsible where, owing to illness, abnormal delay in development, deterioration of mental faculties, or another similar biological cause, they were incapable at the time of the act of understanding its nature or consequences or of regulating their conduct accordingly. By contrast, Article 49 provides that, where the same conditions only partially impair understanding or self-regulation, the person remains criminally liable but, if convicted, benefits from a mitigated sentence under Article 180. The deprivation of legal capacity under these provisions extends beyond intellectual and/or psychosocial disabilities to encompass a broader range of disabilities, including "deafness", "dumbness", and epilepsy.[30]

29. Therefore, the legal codes in Ethiopia do not treat persons with disabilities as full and equal rights holders requiring support to exercise their legal capacity, nor do they feature provisions compatible with the CRPD, which requires the upholding of legal capacity and respect for the will and preferences of persons with disabilities.

30. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

- What measures have been taken, or will be taken, to repeal legal provisions in the Civil Code, Criminal Code, Revised Family Code, and other legislation that allow for denial or restriction of legal capacity on the basis of disability?
- What steps have been taken, or will be taken, to replace substitute decision-making regimes with supported decision-making arrangements that respect the will and preferences of all persons with disabilities in all areas of law?
- Pending legislative reform, what interim measures are in place, under the existing legal frameworks, to ensure that persons with disabilities are not denied legal capacity and, instead, are provided with the support required to exercise legal capacity on an equal basis with others?

[29] The Criminal Code, Articles 48 and 129-131.
[30] Ibid, Article 131.

B. Legal capacity in judicial proceedings

31. Ethiopian legislation continues to restrict the equal recognition of persons with disabilities before the law in judicial proceedings. The Criminal Code, Criminal Procedure Code and Civil Procedure Code authorize courts to make mental capacity-based determinations that affect a person's ability to participate in judicial proceedings, rather than recognizing their legal capacity and their right to the support they require to give it effect under Article 12 of the CRPD.

32. In criminal proceedings, the Criminal Code of 2004 links psychosocial and/or intellectual disability to both criminal responsibility and legal standing. Under Article 48, a person is deemed to be incapable of being held criminally responsible if:

> "owing to … abnormal delays in his development [or] deterioration of his mental faculties … he was incapable at the time of his act, of understanding the nature or consequences of his act, or of regulating his conduct according to such understanding."[31]

33. Article 49 of the Criminal Code addresses situations of partial responsibility on substantially similar grounds. It provides that, where, because of the conditions listed under Article 48, or owing to a "derangement, abnormal or deficient condition, or similar biological cause", an accused was only partially capable of understanding the nature or consequences of the act, or of regulating their conduct accordingly, if convicted, they would be held partially liable and benefit from a reduced punishment in mitigation.[32]

34. Although these provisions primarily address criminal responsibility, once a person with an intellectual and/or psychosocial disability is found "incapable of understanding the nature or consequences of their act", the law neither contemplates their continued participation in criminal proceedings with appropriate support nor provides for procedural accommodation as required by the CRPD. In practice, therefore, a finding of incapacity under Articles 48 and 49 of the Criminal Code also determines a person's capacity to stand trial and deprives them of the right to be tried on a basis of equality with others and discriminates against them on the basis of their disability, in violation of their right to a fair trial and of the right to equality before the law and equal protection of the law without discrimination.

[31] Article 48 of the Criminal Code.
[32] Ibid, Article 49 (1).

35. The Civil Procedure Code similarly restricts the legal standing of persons with disabilities in civil proceedings. Only persons deemed legally capable under the law may be parties to a suit,[33] while persons "under disability" may sue or be sued only through a legal representative.[34] Article 34 of the Code reads:

> "Representation
>
> (1) A person under disability may sue or be sued through his legal representative.
> (2) Where a person under disability is not represented by his legal representative, the proceedings shall be stayed until a legal representative is appointed in accordance with the relevant provisions of the Civil Code."

36. Under the Civil Procedure Code, "a person under disability" includes any persons determined to be incapable under the Civil Code.[35] Consequently, persons determined to be "insane" or "infirm" under the Civil Code[36] are denied the right to conduct civil litigation on their own behalf. Instead, a legal representative is empowered to sue, defend, or otherwise participate in civil proceedings in their place. Where no representative has been appointed, proceedings are stayed until one is designated in accordance with the Civil Code.

37. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

- What measures have been taken, or will be taken, by Ethiopia to amend the Criminal Code and Civil Procedure Code to ensure that determinations of mental capacity do not result in the denial or restriction of legal capacity on the basis of disability?
- How does Ethiopia ensure that persons with disabilities are not subject to substitute decision-making in criminal or civil proceedings, and are instead provided with appropriate support to exercise their legal capacity and exercise their right to a fair trial?
- What measures have been taken, or will be taken, to ensure that capacity assessments are used solely to identify the accommodations and support required by persons with disabilities?

[33] The Civil Procedure Code, Article 33 (1).
[34] Ibid, Article 34 (1).
[35] Ibid, Article 3.
[36] The Civil Code, Articles 351-359.

ACCESS TO JUSTICE (ARTICLE 13)

A. Accessibility of justice institutions

i. Infrastructural accessibility

38. In its 2016 Concluding Observations, the Committee expressed concern about the lack of effective enforcement of laws, regulations and directives on infrastructure accessibility; limited compliance with existing Building Code; and the failure to operationalize universal design as required under Article 9 of the CRPD.[37] In its Combined reports Ethiopia highlights legislative measures it has adopted to strengthen accessibility, including revisions to the building regulatory framework, but significant implementation gaps remain.[38]

39. Ethiopia's legal framework contains accessibility requirements applicable to public buildings, including justice institutions. The Building Proclamation No. 1356 of 2024[39] requires newly constructed public utility buildings to incorporate universal and inclusive design features and mandates the retrofitting of existing public buildings to ensure accessibility. These obligations are reinforced by regulations and directives,[40] which establish detailed accessibility standards for public utility buildings, including barrier-free entrances, accessible circulation routes and other accessibility features. However, the legal framework does not establish clear timeframes for retrofitting existing public utility buildings or effective enforcement mechanisms to ensure compliance.

40. In practice, as identified in ICJ's research conducted in 2025 and 2026, many courts and other justice institutions remain physically inaccessible to persons with disabilities. The continued absence of accessible entrances, ramps, lifts, toilets, courtrooms and other essential accessibility features significantly impedes independent access to justice, particularly outside major urban centres. Therefore, notwithstanding recent legislative developments, the principal challenge remains the effective implementation and enforcement of existing accessibility standards.

41. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

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[37] Concluding observations on the initial report of Ethiopia, § 20.
[38] Combined reports, § 17.
[39] Ethiopian Building Proclamation No. 1356 of 2024, https://ethiodata.et/wp-content/uploads/2026/05/Ethiopia-Building-Proclamation-No.1356_2024.pdf.
[40] Building Directive No.5 of 2011.

- What measures have been taken, or will be taken, to ensure the effective implementation and enforcement of accessibility requirements with respect to courts, police stations, prosecution offices and other justice institutions?
- What steps have been taken, or will be taken, to retrofit existing justice institutions to comply with accessibility standards, including through the establishment of clear implementation timelines and enforcement mechanisms?
- How does Ethiopia monitor and ensure compliance with accessibility standards within justice institutions throughout the country?

ii. Accessibility of services, information and communication systems

42. Persons with disabilities in Ethiopia continue to face significant barriers in accessing information and communication throughout the justice system. Court documents, legal information and procedural notices are rarely available in accessible formats, such as Braille, easy-read texts, large print or other accessible electronic formats.

43. ICJ's research, conduced in 2025 and 2026, found that digital justice platforms, including court websites and electronic services, were generally not designed in accordance with accessibility standards, creating barriers for persons with visual and other disabilities.

44. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

- What measures have been taken, or will be taken, to ensure that information, court documents and digital justice services are accessible to persons with disabilities in appropriate formats and technologies?

- What steps have been taken, or will be taken, to ensure that digital justice initiatives comply with accessibility standards for persons with disabilities?

B. Procedural accommodations and support

i. Absence of a comprehensive legal framework

45. In its 2016 Concluding Observations, the Committee recommended that Ethiopia ensure the availability of procedural accommodations for persons with disabilities

throughout all stages of judicial proceedings.[41] This recommendation has not been implemented, and Ethiopia continues to lack a comprehensive legal framework guaranteeing the right to procedural accommodations and support across the justice system.

46. Existing procedural laws, including the Civil Procedure Code and the Criminal Procedure Code, do not generally recognize procedural accommodations as a legal entitlement. Apart from limited recognition of the duty to provide sign language interpretation, Ethiopia lacks legislation or procedural rules requiring courts, prosecutors or law enforcement authorities to provide individualized accommodations or support necessary to enable persons with disabilities to effectively participate in judicial proceedings.

47. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

- What measures have been taken, or will be taken, to establish a comprehensive legal framework guaranteeing the right to procedural accommodations and support for persons with disabilities throughout all stages of judicial proceedings?
- Pending the adoption of the proposed comprehensive disability law, how does Ethiopia ensure that persons with disabilities benefit from procedural accommodations in practice?

ii. Sign language interpretation

48. In Ethiopia, there is limited legal recognition of the duty to provide sign language interpretation. The Constitution contains a general guarantee that accused persons have the right to request the assistance of such an interpreter.[42] The Federal Courts Proclamation No. 1234 of 2021[43] also obliges federal courts to "provide a sign language expert" to persons with disabilities, where necessary, in all proceedings.[44] However, significant limitations persist both in law and in practice.

[41] Concluding observations on the initial report of Ethiopia, § 30.
[42] The Constitution, Article 20 (7); and Federal Courts Proclamation No.1234/2021, Article 31 (3).
[43] The Federal Courts Proclamation No. 1234 of 2021, https://www.fsc.gov.et/Digital-Law-Library/Federal-Laws/federal-courts-proclamation-no-12342021-%E1%8B%A8%E1%8D%8C%E1%8B%B4%E1%88%AB%E1%88%8D-%E1%8D%8D%E1%88%AD%E1%8B%B5-%E1%89%A4%E1%89%B6%E1%89%BD-%E1%8A%A0%E1%8B%8B%E1%8C%85-%E1%89%81%E1%8C%A5%E1%88%AD-1234-2013.
[44] Ibid, Article 31 (3).

49. At the normative level, existing laws do not establish a clear and enforceable duty on the judiciary to develop, regulate, and maintain a system for the training, accreditation, and appointment of qualified sign language interpreters.

50. In practice, ICJ's research conducted in 2025 and 2026 found that courts frequently require the parties themselves to arrange for sign language interpretation or alternatively approach OPDs – most notably the Ethiopian National Association of the Deaf – to facilitate the provision of sign language interpreters. Moreover, while judicial directives formally require courts to bear the costs associated with interpretation services,[45] this obligation is not consistently respected in practice.

51. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

- What measures has Ethiopia taken to ensure the systematic availability of qualified sign language interpreters in all judicial proceedings in all courts?
- How does Ethiopia ensure sustainable funding for and institutional provision of sign language interpretation?

iii. Intermediary support and other communication support

52. Ethiopian law does not recognize intermediary support or other forms of communication assistance for persons with intellectual, psychosocial or communication disabilities participating in judicial proceedings. The Criminal Procedure Code, the Civil Procedure Code, and other procedural laws do not contain provisions allowing the participation of intermediaries or other structured communication supports for persons with disabilities. While the Federal Courts Proclamation No. 1234 of 2021 requires federal courts to facilitate the provision of "professional support" in cases involving persons with disabilities,[46] it does not specify the forms of support or assistance that should be made available. Consequently, courts lack clear legal authority and practical guidance on when and how such support should be provided.

53. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

[45] See the Federal Supreme Court, 'Federal Courts Language Interpreters' Service Fee Determination and Payment Directive,' Directive No.6 of 2020.
[46] The Federal Courts Proclamation No.1234 of 2021, Article 19 (1)(g).

- What measures have been taken to recognize intermediary support and other appropriate communication assistance as procedural accommodations in judicial proceedings?
- What guidance and training have been provided to judicial officers on the use of intermediary support?

iv. Absence of judicial procedural rules and guidance

54. Ethiopian courts operate without comprehensive procedural rules governing the identification, provision and review of procedural accommodations for persons with disabilities. In the absence of clear judicial standards or practice directions, the provision of accommodations largely depends on the discretion of individual judges or court officials, resulting in inconsistent practices and unequal access to justice.

55. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

- What measures have been taken, or will be taken, to ensure the adoption and implementation of procedural rules or judicial guidelines governing the provision of procedural accommodations in courts?
- How does Ethiopia ensure consistency in the provision of procedural accommodations across all courts and justice institutions?

C. Legal aid

56. In Ethiopia, Article 20(5) of the Constitution provides a limited guarantee of legal aid in criminal matters. While other legislative frameworks, including the Federal Courts Proclamation No. 1234 of 2021 and the Federal Attorney General Establishment Proclamation No. 943 of 2016,[47] envisage the provision of legal aid services, they do not adequately address the specific circumstances in which persons with disabilities may require legal assistance and support to effectively access justice. In particular, they do not establish requirements to ensure that legal aid be provided in accessible formats or accompanied by reasonable accommodation and support where required.

57. Ethiopia has yet to enact dedicated legal aid legislation. Although a draft legal aid law is reportedly under preparation,[48] it remains unclear – as the draft has not yet

[47] The Federal Attorney General Establishment Proclamation No. 943 of 2016, https://www.lawethiopia.com/images/federal_proclamation/proclamations_by_number/943.pdf.
[48] See https://justice.gov.et/am/news/stakeholders-consultation-forum-held-on-draft-free-legal-aid-proclamation/; and https://justice.gov.et/am/news/draft-proclamation-on-free-legal-aid-service-expected-to-eliminate-fragmented-service-delivery-and-enable-integrated-service-provision/.

been made publicly available for comment – whether it guarantees accessible legal aid services for persons with disabilities and addresses other disability-related concerns.

58. In its Combined reports, Ethiopia indicates that, in 2018-2019, the Federal Attorney General provided free legal aid services to 74 persons with disabilities and provided technical support to prison administrations in a regional state.[49] However, this falls considerably short of addressing the legal aid needs of the much larger population of persons with disabilities across the country.

59. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

- What measures has Ethiopia taken, or will it take, to ensure the availability of accessible and adequately resourced legal aid services for persons with disabilities throughout the country?
- What steps has Ethiopia taken, or will it take, to ensure that the legal aid legislation under development guarantees accessible legal aid services for persons with disabilities?

D. Participation of persons with disabilities in the administration of justice

60. Article 13(2) of the CRPD requires States parties to promote the effective participation of persons with disabilities in the administration of justice, including as judges, lawyers, prosecutors and other justice sector professionals.

61. Despite the fact that in 2016 the House of Federation held that excluding lawyers with visual impairments from participating in the judicial appointment process was unconstitutional,[50] the ICJ's research in 2025 and 2026 reveals the continued *de facto* exclusion of lawyers with visual impairments from judicial appointments in Ethiopia. In practice, even where lawyers with visual impairments satisfy all legal requirements for judicial appointments, they are routinely assigned to public defender offices within the judiciary and are never appointed as judges. This continuing practice reflects persistent discrimination rooted in attitudinal and institutional barriers, including prejudice, stereotypes and misconceptions about the ability of persons with visual impairments to perform judicial functions effectively and independently. Such assumptions continue to undermine the recognition of persons with disabilities as capable professionals and perpetuate

[49] Combined reports, § 24.
[50] *Wesen Alemu and Dawit Oticho vs ANRS Justice Professionals Training and Legal Research Institute and ANRS Judicial Administration,* the House of Federation, Case File No.019/08, 12 October 2016.

their exclusion from participating on an equal basis with others in the administration of justice.

62. The ICJ's research conducted in 2025 and 2026 further found that justice institutions in Ethiopia generally lack legal frameworks and institutional measures to provide reasonable accommodation and workplace support for judges, prosecutors, lawyers and other justice sector personnel with disabilities. The absence of accessible working environments, assistive technologies and other individualized accommodations, to which persons with disabilities are entitled, continues to hinder the recruitment, retention and career progression of persons with disabilities within the justice sector.

63. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

- What measures has Ethiopia taken, or will it take, to ensure that lawyers with disabilities, including lawyers who are blind or who are otherwise visually impaired, can be appointed to judicial positions on an equal basis with others?
- What measures has Ethiopia taken, or will it take, to ensure the provision of reasonable accommodation and appropriate workplace support for justice sector personnel with disabilities?
- What steps has Ethiopia taken, or will it take, to address institutional and attitudinal barriers that result in discrimination limiting, in turn, the appointment, retention and career progression of persons with disabilities within the administration of justice?

LIBERTY AND SECURITY OF THE PERSON (ARTICLE 14)

64. In its 2016 Concluding Observations, the Committee expressed concern that Ethiopian law permits deprivation of liberty on the basis of impairment, including as a result of allowing persons with intellectual and/or psychosocial disabilities to be declared unfit to stand trial and, in turn, to be subjected to indefinite detention measures without due process safeguards.[51] In light of this, the Committee recommended that Ethiopia repeal those laws and enact legislation consistent with Article 14 of the Convention. As discussed above under Article 12 (see the section on Equal Recognition before the Law**,** under sub-headings A and B) the relevant provisions of the Criminal Code remain in force.

[51] Concluding observations on the initial report of Ethiopia, §§ 31-32.

65. Rather than indicating any legislative progress, Ethiopia acknowledges in its Combined reports that "no significant measure" has been taken to repeal these provisions.[52] The report also states that an additional study is required to determine "how to balance the striking interest of the society for security and the rights of these peoples [i.e., persons with disabilities] to the due process of law before repealing the criminal law".[53] Such a stance is particularly concerning and is inconsistent with the CRPD, as it continues to associate disability with dangerousness and justifies impairment-based deprivation of liberty on the basis of generalized assumptions rather than on an individualized assessment of whether detention is necessary, consistent with the right to liberty of the person concerned and due process guarantees.

66. In practice, as ICJ's research conducted in 2025 and 2026 found, persons who are determined to be unfit to stand trial, purportedly based on disability, continue to face institutionalization and detention without adequate procedural safeguards.

67. Ethiopia lacks comprehensive mental health legislation regulating admission to, treatment in, and discharge from mental health facilities in accordance with international human rights law and standards. In the absence of such laws, review of admission decisions is also not provided for. This absence of legal safeguards, coupled with prolonged psychiatric assessments and involuntary admissions, also raises serious concern regarding arbitrary detention, informed consent, judicial oversight and respect for the will and preferences of persons with disabilities.

68. The ICJ therefore suggests that the Committee address the following questions to Ethiopia in its List of Issues:

- Why has Ethiopia not implemented the Committee's previous recommendation and repealed legislative provisions permitting deprivation of liberty purportedly based on disability, and when does it intend to do so?
- Pending legislative reform, what practical steps has Ethiopia taken, or will it take, to ensure that persons with intellectual and/or psychosocial disabilities are not declared unfit to stand trial, solely based on disability, and subjected to indefinite detention without due process safeguards?
- What measures has Ethiopia taken, or will it take, to adopt legislation regulating admission to, treatment in, and discharge from mental health facilities in accordance with the CRPD, including guarantees of free and

[52] Ibid.
[53] Combined reports, § 26.

informed consent, due process of law and effective remedies against arbitrary detention?

CROSS-CUTTING ISSUE: THE IMPACT OF ARMED CONFLICT ON THE HUMAN RIGHTS OF PERSONS WITH DISABILITIES

69. Since the Committee's previous review, Ethiopia has experienced a series of armed conflicts in several regions of the country, including the conflict in Tigray (2020–2022) and continuing hostilities in Amhara, Oromia, Benishangul-Gumuz and Afar regions.

70. Investigations by United Nations mechanisms,[54] the Ethiopian Human Rights Commission[55] and international human rights organizations[56] have documented widespread violations of international human rights law, international humanitarian law and international refugee law, including violations that may amount to war crimes and crimes against humanity. UN and other independent findings have noted persistent gaps in effective investigations and prosecutions, as well as limited access to remedies for victims, which contributes to ongoing concerns regarding impunity for alleged war crimes and crimes against humanity by all parties to the conflicts.[57]

71. Persons with disabilities have been disproportionately affected by such armed conflicts and their aftermath, both as victims of conflict-related violence and

[54] International Commission of Human Rights Experts on Ethiopia, 'Comprehensive Investigative Findings and Legal Determinations,' A/HRC/54/CRP.3, 13 October 2023, https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/chreetiopia/a-hrc-54-crp-3.pdf.

[55] Report of the Ethiopian Human Rights Commission (EHRC)/Office of the United Nations High Commissioner for Human Rights (OHCHR) Joint Investigation into Alleged Violations of International Human Rights, Humanitarian and Refugee Law Committed by all Parties to the Conflict in the Tigray Region of the Federal Democratic Republic of Ethiopia, 12 October 2022, https://ehrc.org/download/ehrc-ohchr-joint-investigation-report-on-tigray-conflict/.

[56] Human Rights Watch and Amnesty International, 'We Will Erase You from this Land': Crimes Against Humanity and Ethnic Cleansing in Ethiopia's Western Tigray Zone,' April 2022, https://www.amnesty.org/en/documents/afr25/5444/2022/en/.

[57] International Commission of Human Rights Experts on Ethiopia, 'The Acute Risk of Further Atrocity Crimes in Ethiopia: An Analysis,' A/HRC/54/CRP.2/ 3 October 2023, available at https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/chreetiopia/A-HRC-54-CRP-2.pdf; Human Rights Watch, 'World Report 2024: Ethiopia – Events of 2023,' 2023, available at: https://www.hrw.org/world-report/2024/country-chapters/ethiopia#7ef358; Amnesty International, 'The State of the World's Human Rights – Ethiopia,' April 2016, available at: https://www.amnesty.org/en/documents/pol10/0320/2026/en/.

through heightened barriers in accessing humanitarian assistance, healthcare, rehabilitation, education, livelihoods and justice.[58]

72. The ICJ therefore recommends the Committee to consider the impact of the recent armed conflicts as a cross-cutting issue when examining the implementation of the Convention and formulating its List of Issues, and request that Ethiopia provide detailed information about the impact of situations of armed conflict in Ethiopia on all CRPD rights.

[58] International Commission of Human Rights Experts on Ethiopia, 'Comprehensive Investigative Findings and Legal Determinations,' para.128; Report of the Ethiopian Human Rights Commission (EHRC)/Office of the United Nations High Commissioner for Human Rights (OHCHR), paras. 342-352; Kiros Demoz and others, 'War Related Civilian Disabilities in Tigray Region Ethiopia'(2026) *Discover Social Science and Health*; 'Layers of Exclusion: How War Intensifies Discrimination in Tigray; Women with Disabilities hit hardest,'23 August 2025, https://addisstandard.com/layers-of-exclusion-how-war-intensifies-discrimination-in-tigray-women-with-disabilities-hit-hardest/; 'War in Ethiopia's Tigray region left many disabled veterans without care,' *AP News*, 14 April 2025, https://apnews.com/article/ethiopia-tigray-war-disabled-fighters-ea4c4dc9b5f7748321f046650f41ec6a?ref=disabilitydebrief.org.