Selected provisions of the Criminal Procedure and Evidence Code of Ethiopia

(Proclamation No. 1410/2026), enacted in April 2026

The following is an unofficial, working translation by the ICJ, from the Amharic text, of selected provisions of the Code. It is provided only for the purpose of reference to the provisions of the Proclamation cited in the ICJ report: "Access to Justice for Persons with Disabilities in Ethiopia: Legal, Institutional and Practical Barriers"

Article 7 – Equality before the law

Persons who are arrested or accused are equal before the law; without any kind of distinction among them, they shall be given equal protection of the law. The Criminal Code and this Code shall apply without distinction on the ground of race, nation, nationality, colour, sex, language, religion, politics, social origin, wealth, birth, or any other ground not permitted by law.

Article 10 – Representation by a lawyer

(1) A person who is arrested, accused or convicted has the right, from the time of arrest or accusation, to receive the advice and support of, or to be represented by, a lawyer of his or her choosing. Where it is established that the person lacks the financial means to be represented by a lawyer of his or her choosing or to engage a lawyer, and, as a result, a situation arises in which justice may be impaired, a lawyer shall be assigned to him or her at State expense.

(2) In accordance with sub-article (1), the court may decide that justice may be impaired on the basis of weighing:

(a) the complexity of the case;

(b) the gravity of the offence;

(c) the situation of the suspect; and

(d) other similar circumstances.

(3) Without prejudice to sub-article (1), the case shall not be heard without a lawyer where:

(a) the person is a young person found to have been involved in a criminal act;

(b) in a plea bargaining;

(c) a person accused of a grave crime, unless he or she chooses to argue the case himself or herself; or

(d) it is expressly provided that representation by a lawyer is mandatory.

Article 14 – Use of language

(1) Criminal proceedings shall be conducted in the working language of the court.

(2) A person suspected or accused in a criminal matter shall be told, immediately and in detail, in a language he or she understands, the suspicion or charge and its grounds.

(3) When the court proceedings are conducted in a language he or she does not understand, an interpreter shall be assigned, at government expense, to interpret for him or her into a language he or she understands or into sign language.

(4) What is provided in sub-article (3) includes the translation/interpretation of the charge and of documentary evidence.

Article 18(1) – Common duties and responsibilities of justice institutions

(1) Without prejudice to the duties and responsibilities given to them by other laws, justice institutions shall, within their respective fields of work, have the following common duties and responsibilities:

> (k) They shall arrange all that is necessary so that the rights guaranteed by law to women, children, persons with disabilities and the elderly, or to other sections of society exposed to harm, become a reality.
>
> …

Article 19(9) – Duties and responsibilities of the police

(9) [The police] shall lay down and implement a special investigation procedure in respect of crimes committed against women, children, persons with disabilities and the elderly;

…

Article 21 – Functions and responsibilities of the court

The court:

(1) issues the necessary orders in respect of time-adjournments (remand), search, arrest and other pre-charge actions;

(2) where a suspect, an accused or a witness who is brought before it does not understand the working language of the court, or where it is necessary to communicate in sign language, an interpreter shall be assigned; …

Article 223 – Commencement of the hearing of the charge

(1) Before the bench reads out the charge, it:

> (a) in order to establish the identity of the accused, asks for, or records what it has understood of, his or her full name, age, sex, residential address, occupation, level of education, family circumstances and other information the bench considers necessary;
>
> (b) verifies that the matter of an interpreter and of a lawyer has been met, as necessary;
>
> (c) assigns an interpreter to an accused who does not understand the working language of the court;
>
> (d) where the accused is not represented by a lawyer because of lack of means and [the bench] believes that justice would be distorted if he or she argued without a lawyer, orders that a defence lawyer be assigned at State expense. …

Article 224 – Application of the regular hearing procedure

Unless otherwise provided in a special procedure in this Code, the provisions set out in [Article 223] apply to other hearing procedures. …

Article 228 – Inability to participate in the hearing of the charge because of illness

(1) Every accused person is presumed to be fit to participate in the hearing of the charge and the argument.

(2) Without prejudice to the general rule in sub-article (1), where, because of the accused's physical or mental illness, he or she:

(a) cannot give a plea;

(b) cannot understand the charge brought against him or her and its consequence, or cannot assist his or her lawyer in this regard;

(c) cannot defend against the charge brought against him or her; or

(d) for any other similar reason cannot participate in the hearing process,

he or she may apply, himself or herself or through his or her lawyer, for the hearing to be postponed to another time.

(3) When the court considers the accused's request appropriate, it orders that the accused's health be examined by an expert and that the result of the examination be submitted.

(4) If the court believes that the accused's health problem is temporary, it continues the hearing process after giving a short adjournment. If the accused's health has not improved by the date given, it orders that the accused be examined by an expert and that the result of the examination be submitted.

(5) If the expert opinion submitted indicates that the accused is not fit to follow the case, the court receives [accepts] the opinion of the public prosecutor. After examining the opinions of the public prosecutor and of the expert and, if it finds it necessary, after holding appropriate argument, it may adjourn the date on which the case is to be heard for a period not exceeding one (1) year.

(6) Where the court has adjourned the date of hearing in accordance with sub-article (5), it may order that the accused, if he or she poses a danger to himself or herself or to the community, remain under a relevant institution, or be released on bail.

(7) If the accused shows no improvement within the period set or after one year, the court may order that he or she receive an alternative remedy.

(8) Where, in accordance with sub-article (7), the accused is acquitted of the charge or is found guilty, the court orders the carrying out of precautionary measures it considers appropriate. Penalties depriving liberty, as well as fines, may be imposed only when the recovery of the accused's health is confirmed and he or she has not requested that the case be heard again for him or her as it stands in that condition.

Article 247 – Competence and obligation to testify

(1) Any witness on whom no restriction has been imposed by law is presumed to be competent to testify.

(2) Any witness called to testify must appear before the court and testify or explain the reason for not testifying.

(3) Where the witness is an expert, the court, after examining the witness's level of education and occupation, work experience and other proof of qualification, decides whether the witness is competent to testify on the issue framed or on the relevant fact.

(4) Notwithstanding what is provided in sub-article (1), where the court finds that a witness is unable to understand the fact on which he or she is to testify or the question put to him or her, by reason of tender [young] age or senility, physical or mental illness, or any other reason, it may cause the witness not to give testimony.