

Duration of Crime Investigation Quandary under Ethiopian Criminal Justice System

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Abstract

Justice is set in motion following the commission and report of an offence to the police targeting to initiation of crime investigation (CPC, 1961). Ethiopian laws do not locate when the investigation shall start. Though laws are silent, police officers may start inquiry at any time to set justice in motion in practice. After justice is set in motion through channels of crime reporting (CPC, 1961, Articles 11, 12 & 19), the question of frequency and duration of investigation is under quandary since it is treated by different legislations differently. The 1961 Ethiopian criminal procedure code was the first document which dealt with the frequency and duration of investigation for the first time in Ethiopian criminal justice history. The FDRE constitution is the other document which locates the concept of duration of investigation at higher level. The Ethiopian criminal policy document envisaged different frequency and duration of crime investigation to be provided by law depending on the complexity and nature of the offence (FDRE Criminal Justice Policy, 2011). After the coming forth of this policy document, different legislations are enacted. The vagrancy control proclamation, the anti-terrorism proclamation, the new draft criminal procedure and evidence law are among the laws. These laws have intricacy concerning constitutionality, consistency and merit. Thus, the writer investigated these issues and analyzed the legislations with regard to the objectives of criminal justice policy.

Keywords

Duration, Criminal Investigation, Remand, Terrorism, Suspect, Vagrancy

1. Introduction

Crime is as old as human society and criminals are part of every society whether modern or primitive (Salman 2009). The term crime is defined in the Ethiopian

Ethiopian Criminal Justice Policy Criminal Justice

**Robert Cryer, Håkan Friman, Darryl
Robinson, Elizabeth Wilmshurst**

Ethiopian Criminal Justice Policy Criminal Justice:

Research Handbook on Plea Bargaining and Criminal Justice Máximo Langer, Mike McConville, Luke Marsh, 2024-04-12
Bringing together established and emerging scholars from around the world the *Research Handbook on Plea Bargaining and Criminal Justice* examines the practice of plea bargaining through which guilty pleas are secured and trials are avoided

Women and the Criminal Justice System Katherine Stuart van Wormer, Clemens Bartollas, 2021-12-30 This book presents an up to date analysis of women as victims of crime as individuals under justice system supervision and as professionals in the field The text features an empowerment approach that is unified by underlying themes of the intersection of gender race and class and evidence based research Personal narratives supplement research and statistics to help students connect the text material with real life situations This new edition is informed by consideration of major ongoing social movements such as MeToo Black Lives Matter and the fight to reduce mass incarceration The text stresses contemporary topics such as recognition of lesbian bisexual and transgender issues in juvenile and adult facilities the introduction of trauma informed care in detention centers and prisons the criminalization of Black girls and women the effects of an increasingly militarized police culture and the contributions of Ruth Bader Ginsburg and other influential women With its emphasis on critical thinking this text is ideal for undergraduate courses concerning women in the justice system

International Criminal Law
M. Cherif Bassiouni, 2008 Volume 3 addresses the direct enforcement system namely international criminal tribunals how they came about and how they functioned tracing that history from the end of WWI to the ICC including the post WWII experiences They address the IMT IMTFE ICTY ICTR the mixed model tribunals and the ICC It also contains a chapter which addresses some of the problems of the direct enforcement system namely the general procedural evidentiary and sanctions parts of ICL which is largely made of what is contained in the statutes of the tribunals mentioned above as well as the jurisprudence of the established tribunals In addition this volume addresses national experiences with the enforcement of certain international crimes It is divided into 4 chapters which are titled as Chapter 1 History of International Investigations and Prosecutions International Criminal Accountability International Criminal Justice in Historical Perspective Chapter 2 International Criminal Tribunals and Mixed Model Tribunals The International Criminal Tribunal for the Former Yugoslavia The International Criminal Tribunal for Rwanda The Making of the International Criminal Court Mixed Models of International Criminal Justice Special Court for Sierra Leone Special Tribunal for Cambodia East Timor Chapter 3 National Prosecutions for International Crimes National Prosecutions for International Crimes National Prosecutions of International Crimes A Historical Overview The French Experience The Belgian Experience The Dutch Experience Indonesia The U S War Crimes Act of 1996 Enforcing ICL Violations with Civil Remedies The Case of the U S Alien Tort Claims Act Chapter 4 Contemporary Issues in International Criminal Law Doctrine and Practice Command Responsibility Joint Criminal Enterprise The Responsibility of Peacekeepers The General Part Judicial Developments Ne bis in idem Plea Bargains Issues Pertaining to

the Evidentiary Part of International Criminal Law Penalties and Sentencing Penalties From Leipzig to Arusha Victims TM Rights in International Law Legal Pluralism in Ethiopia Susanne Epple, Getachew Assefa, 2020-07-30 Being a home to more than 80 ethnic groups Ethiopia has to balance normative diversity with efforts to implement state law across its territory This volume explores the co existence of state customary and religious legal forums from the perspective of legal practitioners and local justice seekers It shows how the various stakeholders use of negotiation and their strategic application of law can lead to unwanted confusion but also to sustainable conflict resolution innovative new procedures and hybrid norms The book thus generates important knowledge on the conditions necessary for stimulating a cooperative co existence of different legal systems **Recht und Politik in Äthiopien** Heinrich Scholler, 2008 Prosecution of Core Crimes in Ethiopia Tadesse Simie Metekia, 2021-03-08 Tadesse Simie Metekia s Prosecution of Core Crimes in Ethiopia offers an in depth analysis of core crimes trials in Ethiopia within the broader frame of international criminal law This book is a result of an unprecedented data collection a meticulous exploration of relevant national and international norms and case laws as well as a full engagement with the existing literature on the domestic application of international criminal law A comparative examination of the actual trials and the manner in which Ethiopia set prosecutions of core crimes in motion Metekia s book is a significant achievement in terms of furthering academic knowledge and of contributing to the wider policy debates on international criminal justice and on the role of states in prosecuting atrocities **Global Perspectives on Reforming the Criminal Justice System** Pittaro, Michael, 2021-06-25 The often tenuous relationship between law enforcement and communities of color namely African Americans has grown increasingly strained and the call for justice has once again ignited the demand for criminal justice reform Rebuilding the trust between the police and the citizens that they have sworn to protect and serve requires that criminal justice practitioners and educators collaborate with elected officials and commit to an open ongoing dialogue on the most challenging issues that remain unresolved but demand collective attention and support Reform measures are not limited to policing policies and practices but rather extend throughout the criminal justice system There is no denying that the criminal justice system as we know it is flawed but not beyond repair Global Perspectives on Reforming the Criminal Justice System provides in depth and current research about the criminal justice system around the world its many inadequacies and why it urgently needs reformation Offering a fully fleshed outline of the current system this book details the newest research and is incredibly important to fully understand the flaws of the criminal justice system across the globe The goals of this book are to improve and advance the criminal justice system by addressing the glaring weaknesses within the system and discuss potential reforms including decreasing the prison population decarceration and improving police community relations Highlighting topics that include accountability community oriented policing ethics and mass incarceration this book is ideal for law enforcement officers trainers educators government officials policymakers correctional officers court officials professionals researchers academicians and students in

the fields of criminal justice criminology sociology psychology addictions mental health social work public policy and public administration

Prosecution of Politicide in Ethiopia Marshet Tadesse Tessema, 2018-09-26 This book investigates the road map or the transitional justice mechanisms that the Ethiopian government chose to confront the gross human rights violations perpetrated under the 17 years rule of the Derg the dictatorial regime that controlled state power from 1974 to 1991 Furthermore the author extensively examines the prosecution of politicide or genocide against political groups in Ethiopia Dealing with the violent conflict massacres repressions and other mass atrocities of the past is necessary not for its own sake but to clear the way for a new beginning In other words ignoring gross human rights violations and attempting to close the chapter on an oppressive dictatorial past by choosing to let bygones be bygones is no longer a viable option when starting on the road to a democratic future For unaddressed atrocities and a sense of injustice would not only continue to haunt a nation but could also ignite similar conflicts in the future So the question is what choices are available to the newly installed government when confronting the evils of the past There are a wide array of transitional mechanisms to choose from but there is no one size fits all mechanism Of all the transitional justice mechanisms namely truth commissions lustration amnesty prosecution and reparation the Ethiopian government chose prosecution as the main means for dealing with the horrendous crimes committed by the Derg regime One of the formidable challenges for transitioning states in dealing with the crimes of former regimes is an inadequate legal framework by which to criminalize and punish grave human rights violations With the aim of examining whether or not Ethiopia has confronted this challenge the book assesses Ethiopia's legal framework regarding both crimes under international law and individual criminal responsibility This book will be of great relevance to academics and practitioners in the areas of genocide studies international criminal law and transitional justice Students in the fields of international criminal law transitional justice and human rights will also find relevant information on the national prosecution of politicide in particular and the question of confronting the past in general Marshet Tadesse Tessema is Assistant Professor of the Law School College of Law and Governance at Jimma University in Ethiopia and Postdoctoral Fellow of the South African German Centre University of the Western Cape in South Africa

Digest of Ethiopia's National Policies, Strategies and Programs Taye Assefa, 2008 Having just emerged from a prolonged civil war and faced with the urgent tasks of establishing political stability and reinvigorating an economy in tatters the Transitional Government of Ethiopia 1991-1995 had to set a new direction for the economic reconstruction and social rehabilitation of the war-torn and poverty-ridden country During the Transitional Period a spate of new policies and strategies defining the development priorities goals and implementation instruments of the new regime led by the EPRDF was introduced This work is a synthesis of various sectoral policies and an attempt to trace the genesis of the policies highlight the continuities significant departures and other salient features Each of the reviews in this digest briefly analyses the critical elements of the policies identifies major gaps in the conceptualisation of the policy as well as the achievements registered and the challenges

encountered in its implementation The authors also try to identify the outstanding issues to be addressed by policymakers and suggest remedies The policy reviews have been grouped into three parts and presented under social economic and governance sectors

International Criminal Law, Volume 3: International Enforcement M. Cherif

Bassiouni,2008-12-31 Volume 3 addresses the direct enforcement system namely international criminal tribunals how they came about and how they functioned tracing that history from the end of WWI to the ICC including the post WWII experiences They address the IMT IMTFE ICTY ICTR the mixed model tribunals and the ICC It also contains a chapter which addresses some of the problems of the direct enforcement system namely the general procedural evidentiary and sanctions parts of ICL which is largely made of what is contained in the statutes of the tribunals mentioned above as well as the jurisprudence of the established tribunals In addition this volume addresses national experiences with the enforcement of certain international crimes It is divided into 4 chapters which are titled as Chapter 1 History of International Investigations and Prosecutions International Criminal Accountability International Criminal Justice in Historical Perspective Chapter 2 International Criminal Tribunals and Mixed Model Tribunals The International Criminal Tribunal for the Former Yugoslavia The International Criminal Tribunal for Rwanda The Making of the International Criminal Court Mixed Models of International Criminal Justice Special Court for Sierra Leone Special Tribunal for Cambodia East Timor Chapter 3 National Prosecutions for International Crimes National Prosecutions for International Crimes National Prosecutions of International Crimes A Historical Overview The French Experience The Belgian Experience The Dutch Experience Indonesia The U S War Crimes Act of 1996 Enforcing ICL Violations with Civil Remedies The Case of the U S Alien Tort Claims Act Chapter 4 Contemporary Issues in International Criminal Law Doctrine and Practice Command Responsibility Joint Criminal Enterprise The Responsibility of Peacekeepers The General Part Judicial Developments Ne bis in idem Plea Bargains Issues Pertaining to the Evidentiary Part of International Criminal Law Penalties and Sentencing Penalties From Leipzig to Arusha Victims Rights in International Law

Enforcement of Human Rights in Ethiopia Yohannes Eneyew Ayalew ,Wondemagegen Tadesse

Goshu,2023-05-25 Enforcement has not been the most practiced business in the field of human rights in Ethiopia The absence of effective enforcement can be attributed to various factors including the absence of a normative framework insufficient political commitment inadequate institutional capacity and resources and limited awareness Despite recent legal reform initiatives purportedly driven by human rights demands it remains uncertain whether enforcement has undergone any significant changes Effective enforcement of human rights necessitates the existence of robust multi layered institutions at the national sub regional regional and international levels However in Ethiopia concerns have been raised about the capability of numerous normative instruments and mechanisms of human rights This volume comprises a collection of papers presented at a hybrid conference held at the Hilton Hotel Addis in April 2022 The conference organized by the School of Law of Addis Ababa University in collaboration with Friedrich Ebert Stiftung Ethiopia centered around the theme Enforcement of

Human Rights in Ethiopia Old and New Challenges Its primary objective was to identify and analyze both old and new challenges in human rights enforcement in Ethiopia and propose strategies to overcome them The editors of this volume intend for it to address scholarly gaps in the implementation and enforcement of human rights in Ethiopia Among the notable findings from the chapters included in this volume is a significant disparity between recently reformed laws passed by the parliament and their execution by the executive body This disconnect demonstrates a failure to prioritize and enforce human rights in the country As such the volume suggests that the Ethiopian government must take the business of human rights enforcement seriously

An Introduction to International Criminal Law and Procedure Robert Cryer,Håkan Friman,Darryl Robinson,Elizabeth Wilmshurst,2014-06-12 By offering both a comprehensive update and new material reflecting the continuing development of the subject this continues to be the leading textbook on international criminal law Its experienced author team draws on its combined expertise as teachers scholars and practitioners to offer an authoritative survey of the field The third edition contains new material on the theory of international criminal law the practice of international criminal tribunals the developing case law on principles of liability and procedures and new practice on immunities It offers valuable supporting online materials such as case studies worked examples and study guides Retaining its comprehensive coverage clarity and critical analysis it remains essential reading for all in the field

Military Law Review ,1966 **The Development of Child Protection Systems and Practice in Low- to Middle-Income Countries** Louise Brown,Thomas El-Hoss,Alinka Gearon,2025-01-17 Child protection systems across the globe are developing at pace each reflecting their unique economic social and cultural contexts This book provides an overview of 11 child protection systems from low and middle income countries and discusses the formal and informal responses countries are making to the shared problem of child abuse and maltreatment Within each chapter vignettes give readers a window into how each country s child protection system operates in practice This is essential reading for academics social work professionals and anybody working within child and family welfare

The International Criminal Court and Africa Charles Chernor Jalloh,Ilias Bantekas,2017-10-06 Africa has been at the forefront of contemporary global efforts towards ensuring greater accountability for international crimes But the continent s early embrace of international criminal justice seems to be taking a new turn with the recent resistance from some African states claiming that the emerging system of international criminal law represents a new form of imperialism masquerading as international rule of law This book analyses the relationship and tensions between the International Criminal Court ICC and Africa It traces the origins of the confrontation between African governments both acting individually and within the framework of the African Union and the permanent Hague based ICC Leading commentators offer valuable insights on the core legal and political issues that have confused the relationship between the two sides and expose the uneasy interaction between international law and international politics They offer suggestions on how best to continue the fight against impunity using national ICC and regional justice mechanisms while taking into

principled account the views and interests of African States **Pluralism in International Criminal Law** Elies van Sliedrecht, Sergey Vasiliev, 2014-02 International crimes are mostly prosecuted at the national level and domestic judges have to contend with a plethora of divergent judgments from international tribunals and other domestic courts This book assesses the impact of this legal pluralism exploring whether divergence can be accepted as regular feature of international criminal justice *Ethiopian Yearbook of International Law 2016* Zeray Yihdego, Melaku Geboye Desta, Fikremarkos Merso, 2017-06-09 This first volume of EtYIL focuses on issues concerning the developing world in general and the Horn of Africa and Ethiopia specifically It argues that rebalancing the international law narrative to reflect Africa's legitimate interests is an urgent priority and can only succeed through the fair representation of African countries in the creation and interpretation of international law The book begins by reflecting on the ICJ's West African Cases and provides a unique perspective on decolonisation as a source of jus cogens and obligations erga omnes This is followed by a comprehensive analysis of the reception of international law in the Ethiopian legal system and of the potential implications of Ethiopia joining the WTO The book then delves into such topical issues as the relationship between competition for natural resources and international investment law the UN Global Goals and the fledgling international climate change regime with particular emphasis on the Paris Climate Agreement and their implications for developing countries Further issues include the Declaration of Principles on the Grand Ethiopian Renaissance Dam signed by Ethiopia Sudan and Egypt in light of Nile colonial treaties and contemporary international watercourses law as well as selected legal implications of the armed conflict in South Sudan Gathering high quality scholarship from diverse researchers and examining a constellation of critical international law issues affecting developing countries especially African countries the book offers a unique resource The impact of the African Charter and the Maputo Protocol in selected African states Kounkinè Augustin Somé, Polycarp Ngufor Forkum, Armand Tanoh, Meskerem Geset Techane, Satang Nabaneh, Michael Gyan Nyarko, Saoyo Tabitha Griffith, Paul Ogendi, Sizakele Hlatshwayo, Sarai Chisala-Tempelhoff, Seun Solomon Bakare, Roopanand Mahadew, Augustine Sorie Marrah, Ofentse Motlhasedi, Linette du Toit, Dumsani Dlamini, Grace Kamugisha Kazoba, Charles Mmbando, Agaba Daphine Kabagambe, Tarisai Mutangi, 2016-07-13 The year 2016 was declared by the African Union as the African Year of Human Rights with Particular Focus on the Rights of Women to commemorate and celebrate significant milestones in the realisation of human rights on the African continent The year marks the 35th anniversary of the adoption of the African Charter on Human and Peoples Rights African Charter 30th year since coming into force of the African Charter and 10 years since the inauguration of the African Court on Human and Peoples Rights Since its adoption the African Charter has been supplemented by the Protocol on the Rights of Women in Africa Maputo Protocol All AU member states with the exception of new comer South Sudan are state parties to the African Charter and 36 of them have accepted the Maputo Protocol This book assesses the impact and effectiveness of the African Charter and the Maputo Protocol in 17 African countries namely

Burkina Faso Cameroon Cote d'Ivoire Ethiopia Gambia Ghana Kenya Lesotho Malawi Mauritius Nigeria Sierra Leone South Africa Swaziland Tanzania Uganda and Zimbabwe The book is the result of research conducted by selected alumni of the Centre for Human Rights LLM in Human Rights and Democratisation in Africa programme Sentencing, Public Opinion, and Criminal Justice, 2025-01-16 This volume celebrates the achievements of Julian V Roberts KC Hon Emeritus Professor of Criminology at the University of Oxford over forty years of scholarship To mark his extraordinary influence on sentencing and criminal justice on the global stage the contributors a mix of international scholars and members of the judiciary present a collection of themed essays in his honour Roberts is a leading academic authority on sentencing theory policy and practice in common law jurisdictions and his work has made a landmark contribution to the analysis and development of sentencing worldwide His work is innovative and inspired known for identifying core challenges and defining research needs before they become central to criminal justice agendas A distinguished group of authors engage in an interdisciplinary appreciation of Roberts work in three distinct domains fundamentals of sentencing and penal theory sentencing policy and penal practice and public opinion and criminal justice Drawn from seven jurisdictions the authors offer fresh insight into Roberts past accomplishments as well as the future of the field that he continues to shape Together they demonstrate a collective commitment to advancing Roberts lifelong project of normative comparative and empirical engagement with questions of crime and justice *Criminal Procedure Law* Simeneh Kiros Assefa, 2010-02-11 The divergence of the law and the practice has never been as visible in other areas of law as it is in the area of Criminal Procedure Hence the title Criminal Procedure Principles Rules and Practices In the first part the book gives a succinct summary of the ideal procedure should the law be strictly complied with and the political and economic challenges in the administration of the criminal justice For the main part reproducing the relevant provisions of the law the book discusses the principles and the law on Criminal Procedure comprehensively Court decisions are reproduced and discussed in order to show the practice and trends in the interpretation and application of the law The only binding decisions in our legal system are decisions of the House of Federation on matters of constitutional interpretation and the Federal Supreme Court Cassation Division decisions by at least five judges of which there are very few to refer to The book approaches Criminal Procedure as a process thus it chronologically discusses the steps from crime reporting to the police to prosecution trial and post judgment remedies The comments on the law are intertwined with the discussion on the application of the law by the police the prosecution office and the courts

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