

## Responses to Recommendations

### DJIBOUTI

Review in the Working Group: 2 February 2009

Adoption in the Plenary: 9 June 2009

#### Djibouti's responses to recommendations:

In the Report of the Working Group:	In the Addendum:	During the plenary:	Recommendations pending responses:	Summary:
37 REC accepted; 7 rejected; 8 pending	No addendum	The delegation commented the issues contained in 7 of the 8 pending REC. Switzerland asked Djibouti to respond to the 8 <sup>th</sup> REC (REC n°1 § 68). Djibouti said it was taking note of the REC and would provide a response later.	1 REC	Accepted: 37 Rejected: 7 No clear position: 7 Pending: 1

#### List of recommendations contained in Section II of the Report of the Working Group A/HRC/11/16:

“67. The recommendations formulated during the interactive dialogue have been examined by Djibouti and the recommendations listed below enjoy the support of Djibouti:

- 1. Continue its efforts for the promotion and protection of human rights, particularly in the area of building a more robust national human rights architecture and overcoming the capacity constraints emanating from the lack of resources and technical expertise (Egypt);
- 2. Continue its positive engagements and close cooperation with the various mechanisms of the Human Rights Council, with a view to improving further the steps currently being undertaken in the promotion and protection of human rights of its people (Malaysia);

- 3. Stick to its present course, which is directed towards the improvement of all as well as to the effective promotion and protection of human rights (Indonesia);
- 4. Accomplish progressively human rights goals as set up by Human Rights Council Resolution 9/12 (Brazil); continue its efforts to enhance its legal and institutional arsenal considered as fundamental for the promotion and protection of human rights (Morocco); continue the practice of acceding to the main international human rights instruments (Belarus);
- 5. Consider ratifying (Brazil) / ratify the International Convention on the Elimination of All Forms of Racial Discrimination (Brazil, France, Canada);
- 6. Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (France);
- 7. Put in place the necessary funding to allow the implementation of all the activities of the National Human Rights Commission (United Kingdom);
- 8. Make an effort to prepare and submit reports to the treaty bodies without delays (Benin); and increase its efforts to submit as soon as possible its periodic reports to the Committee Against Torture, the Human Rights Committee and the Committee for the Elimination of Discrimination against Woman (Mexico);
- 9. Make every possible effort to comply with the recommendations made by the Committee on the Rights of the Child (Mexico) and establish an independent body to monitor the implementation of the CRC and adopt a National Plan of Action on Children (Slovenia);
- 10. Consider the establishment of a section within the Ministry of Justice specifically dedicated to human rights (United Kingdom) and continue its efforts to strengthen the judiciary in the field of human rights and improve access to justice (Bahrain, Iran, Morocco) as a priority of its national policy (Morocco) and to (a) enhance efforts to improve the functioning of Djibouti's judicial system (Italy);
- 11. Consider instituting measures to strengthen its institutional and operational capacity in the administration of justice, including the establishment of a juvenile justice system, training of judicial and law enforcement officers who deal with juvenile cases, as well as the development and strengthening of legislative measures to ensure prompt investigation and prosecution of sexual offences against children (South Africa);
- 12. Continue strengthening the judiciary and further improve access to justice. (Iran);
- 13. Allocate increased human and financial resources in order to strengthen the independence of its judicial system (Angola);
- 14. Continue its efforts in order to counter illiteracy (Turkey) amongst girls (Yemen) and women (Egypt, Kuwait, Syria);
- 15. Continue to make efforts to guarantee fully the principle of non-discrimination; these efforts will be further boosted by the work of the new Ministry for the Advancement of Woman (Mexico);
- 16. Reinforce efforts aimed at the setting up of regional assemblies to take services closer to the rural communities (South Africa);
- 17. Continue its efforts to reach the Millennium Development Goals by 2015 (Cuba, Qatar, Saudi Arabia, Jordan, Iran); in particular, it underlined the importance of strengthening the education sector by increasing the number of primary and secondary schools, attaining parity in all levels of schooling and strengthening higher education (Cuba); and increase the number of its primary and secondary schools (Qatar, Jordan, Iran) while expanding higher education (Saudi Arabia) and ensure parity at all levels of education, to strengthen higher education, to curb the high rate of illiteracy among women and to reduce child mortality and mortality among the general population of Djibouti (Iran);
- 18. Take other pro-active measures to combat FGM (Netherlands);

- 19. Continue consolidating its efforts to extend basic education to all children (Venezuela); to further improve access to education for children by increasing the number of primary and secondary schools and by strengthening its higher education system (Malaysia); continue to pay attention to the question of access to education at all levels and enhance its quality. (Belarus); continue efforts to increase the number of neighbourhood primary and secondary schools, and to strengthen higher education (Syria) continue its efforts, already very significant, to provide free schooling for all school-aged children, which will mean that there would be a gradual reduction of illiteracy (Burundi);
- 20. Increase its efforts to reduce poverty within society and fight against unemployment. (Azerbaijan) and redouble its efforts in addressing the issue of extreme poverty and develop more sustainable poverty reduction strategies which include access to clean water, adequate sanitation, food and shelter (Malaysia);
- 21. Persist in its efforts to improve the system of medical care and health care coverage in the country (Cuba) and continue its efforts to upgrade and develop human resources in the health sector and improve health coverage in the country (Syria);
- 22. Develop human resources in the health sector in accordance with the needs (UAE) and continue its efforts aimed at upgrading and developing human resources according to the needs of the health system (Iran);
- 23. Also continue the implementation of factual programmes in order to ensure the right to food and health (Belarus);
- 24. Enhance the efforts being carried out by Djibouti in the areas of child labour, sexual exploitation and begging among children, as well as the low level of births registered in rural areas (Turkey);
- 25. Continue efforts, slowly but surely, to counter the weight of traditions by way of eradicating on a gradual basis the practice of female genital mutilation (Burundi);
- 26. Consolidate and enhances its progress achieved for the promotion of civil and political rights, notably in the areas of freedom of expression, freedom of the media and the dissemination of a human rights culture (Morocco);
- 27. Further refine its requirements for international assistance (Pakistan);
- 28. Request an OHCHR assessment mission to Djibouti in order to evaluate the abilities and the capacities available and the national efforts that need support (Kuwait);
- 29. Ask OHCHR to reply to the appeal made by the Government to send a needs assessment mission in areas enumerated in para. 118 of the national report and, pursuant to the results of this mission, seek the necessary assistance to ensure that Djibouti reached its goals and to meet its human rights commitments (Algeria);
- 30. Seek support from the Council and work together with the Council so that Djibouti progressively fulfils its identified objectives for improving the promotion and protection of human rights in the country (Indonesia),
- 31. Seek assistance from the international community and request OHCHR to positively respond to its expressed needs in the area of capacity-building and provision of the needed human, financial and technical resources and to provide the necessary training to officials in the various concerned departments and ministries and to the National Human Rights Institution and to provide assistance in the area of human rights education so as to spread a culture of human rights in Djibouti within the framework of the national strategy of the Government for the promotion and protection of human rights (Egypt);
- 32. Continue its efforts to cut its lag in presenting its reports to the treaty bodies as part of its priority programme and ask OHCHR to provide the necessary technical assistance, in particular through the training of officials to ensure that the Government is autonomous in this area in the future (Algeria);

- 33. Reinforce its efforts even further and call upon the international community and specially OHCHR to assist Djibouti by providing technical assistance for the implementation of recommendations from treaty bodies (South Africa);
- 34. Call on the international community to provide efficient support to Djibouti in its efforts to face material and technical challenges, which remain the major handicap to consented efforts towards promoting and protecting human rights (Burundi);
- 35. Call on the international community to be more fully involved next to the young State of Djibouti and to accompany it in its efforts aimed at consolidating the rule of law, notably through the integration of international norms into its national legislation, the training on the preparation of national reports on human rights and the inclusion of human rights in school curricula and training (Morocco);
- 36. Seek the assistance of the international community in promoting conditions of development favorable to the enhancement of human rights and work on the reinforcement of capacity-building for civil-society actors as well as the media in their neighbourhood actions related to awareness-raising and information on human rights (Morocco);
- 37. Involve civil society in the follow up to the UPR review (UK).

**68. The following recommendations will be examined by Djibouti, which will provide responses in due time. The response of Djibouti to these recommendations will be included in the outcome report adopted by the Human Rights Council at its eleventh session:**

- 1. Extend standing invitation to United Nations Special Procedures mandate holders to visit the country (France);
- 2. Take further measures to guarantee that detained juvenile offenders are separated from adults (Brazil);
- 3. Enforce the law prohibiting female genital mutilation (Slovenia); take further steps to improve implementation of its laws on female genital mutilation (FGM) and ensure prosecution through the appropriate judicial channels (United Kingdom); to render more effective the implementation of article 333 of the Criminal Code, which imposes severe sanctions for the practice of FGM (Italy) and to conduct national awareness campaigns concerning the prohibition of FGM (Italy);
- 4. Implement consistently the legislation to combat discrimination of girls and women as well as policies (Slovenia);
- 5. Adopt and implement the legislation and policies concerning children, especially concerning birth registration, violence against children, juvenile justice, street children to name just a few (Slovenia) and to consider legislation which prohibits all forms of violence against children, including corporal punishment, and which promotes alternative forms of discipline (Brazil);
- 6. Take all necessary actions to protect and improve the situation of children (Netherlands);
- 7. Eliminate imprisonment for the punishment of press offences (Canada);
- 8. More actively enforce its law prohibiting female genital mutilation (Netherlands).

**69. The recommendations noted in the present report at paragraphs 25 (a), 47 (d), 54 (b), 59 (b), (c), (d) and (f) above did not enjoy the support of Djibouti.”**

- Paragraph 25(a) (France): “To take steps to effectively guarantee trade union freedom”
- Paragraph 47(d) (Netherlands): “Recommended taking the steps needed freedom of association in all its forms”

- Paragraph 54(b) (Italy): “To conduct national awareness campaigns concerning the prohibition of FGM”

- Paragraph 59(b) (Canada): “To respect the rights of unions, especially by refraining from arrest and arbitrary detention of, physical violence against and harassment of union representatives and from preventing union action”

- Paragraph 59(c) (Canada): “To amend the 1992 law on freedom of communication of (Organization Act No. 2/AN/92) and update it on the basis of article 19 of the International Covenant on Civil and Political Rights (ICCPR)”

- Paragraph 59(d) (Canada): “To amend: article 14, which stipulates that participants in the financial management of a press body must be citizens of Djibouti; article 17, which requires the director and vice-director of a media outlet to be residents of Djibouti; and article 47, which requires the director of an audiovisual outlet to be at least 40 years of age”

- Paragraph 59(f) (Canada): “Recommended that the use of intimidation against journalists should cease and should lead to a climate of tolerance so that opinions from opposition politicians can be freely expressed”

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