



AFRICAN RIGHTS MONITOR

**Submission from African Rights Monitor
to the Committee on the Elimination of All Forms of
Discrimination Against Women, 27 June 2011, Geneva**

*Related to the discussion of the country situation in Djibouti
and its performance in upholding the
Convention on the Elimination of All Forms of Discrimination against
Women*

African Rights Monitor Contact Details

(+1) 202.642.4493

contactus@africanrightsmonitor.org

200 Yoakum Parkway #915, Alexandria, VA, 22304, United States of America



Table of Contents

Executive Summary	3
Introduction	4
Article 2: Gender equality and the obligation to elimination discrimination	5
Article 6: Suppressing the exploitation of women	6
Article 7: Ensuring women's participation in political and public life	8
Article 10: Guaranteeing the right to education	10
Article 11: Guaranteeing the rights to employment and labour	12
Article 12: Equity in access to healthcare	13
Article 14: Equity in standards of living between rural and urban women	15
Article 16: Equality in marriage	16
Concluding Observations and Recommendations	17
Works Cited	19

Executive Summary:

The following submission to the Committee on the Elimination of All Forms of Discrimination against Women in review of the adherence of the Republic of Djibouti to the provisions of CEDAW has been completed by African Rights Monitor, a non-governmental advocacy organization created to monitor human rights violations in conflict and post-conflict African territories. The report is intended to act as a complement to Djibouti's official submission to the Committee, and to underscore various violations and issues that remain unreported by the Government.

While Djibouti has adopted the provisions of CEDAW into its national Constitution and multiple legal codes, there remain areas where these provisions have failed to be applied and implemented. Although discrepancies between policy and reality exist under most Articles of CEDAW, they are particularly severe under Article 6 (Exploitation of women), Article 10 (Equity in Education) and Article 12 (Equity in Healthcare).

The rise of the phenomenon of people trafficking is of particular concern to the authors of this article. Women and children are particularly vulnerable to this form of trafficking and the issue of child prostitution emanates in many cases from this problem. The inequality in education is another issue where the government needs to do more. The high level of illiteracy among women leaves them at a disadvantage when looking for employment. The issue of Female Genital Mutilation is also of serious concern to the authors of this article. Although there has been a slight fall in the phenomenon over recent years aided by the growing role of the government in combating this phenomenon the rates still remain very high and therefore there is an urgent need for the government to implement measures to significantly reduce this practice.

Introduction

The following submission to the CEDAW Committee has been completed by African Rights Monitor (ARM), a Washington, DC-based non-governmental advocacy organization created to monitor human rights violations in conflict and post-conflict African territories. Currently ARM is conducting monitoring projects in Ethiopia, Somalia, and Kenya, with plans to expand to Sudan and the Great Lake Countries next year (2011). With the understanding that democracy is underpinned by the participation of robust civil society, ARM strives to educate civil society groups on democracy, human rights and the rights of the press through workshops and seminars that address these issues as related to Africa. The organization aims to advocate for the protection of human rights in African countries by investigating and exposing human rights violations and holding abusers accountable for their inhumane actions. ARM can be contacted by telephone at (+1) 202.642.4493, or through mail at 125 S. Reynold St Apt #J501, Alexandria, VA, 22304, United States of America.

Article 2: Gender Equality and the obligation to eliminate discrimination

Article 2 of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) states that signatory countries should agree to condemn all forms of discrimination against women and pursue necessary policies to eliminate such discrimination. Djibouti became a signatory of the CEDAW in December 1998 with a reservation for conflicts with Islamic law.

In recent years the Djiboutian government has ratified the Maputo protocol by the African Union (AU) on the Solemn Declaration on Gender Equality in Africa. This Protocol legitimizes the struggle for gender equality and the promotion and protection of women's human rights as an African struggle. The government in collaboration with organisations such as the Union Nationale des Femmes de Djibouti (UNFD) has been undertaking actions on the promotion and protection of rights of women aiming to improve their living conditions in areas such as education and health. Several programs have been launched consisting of sensitizing and prevention as well as strategies to supporting both urban and rural dwellers with regard to HIV/AIDS. It has also undertaken several actions of sensitization on a continuous basis to fight against the continuation of the practice of FGM in the whole country.

Djibouti has been facing difficulties in attaining the Millennium Development Goals (MDGs), in particular with regards to women and poverty. Although the government has made important efforts in areas of education, health care, protection of women and children and poverty eradication, a lot still needs to be done. Ongoing work and constructive strategies have been undertaken with the aim to drastically reduce illiteracy and to promote the education of girls between the ages of 6 and 16 years, which would help positively empower girls and women in society. There is a pressing need for the government of Djibouti to continue combatting illiteracy of women which remains very high in the country. The literacy rates among women are 57%, compared to 77% among men¹.

¹ "Population, Health, and Human Well-Being in Djibouti," Earthtrends, <http://earthtrends.wri.org/pdf_library/country_profiles/pop_cou_262.pdf> .

Article 6: Suppressing the exploitation of women

Article 6 of CEDAW states that signatories “shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.”

The state of Djibouti ratified the United Nations Convention against Transnational Organized Crime to prevent and punish trafficking in persons, especially women and children, in April 2005, as well as the protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa in February 2005. Within the national constitution Law 210, enacted in December 2007, prohibits both labour and sex trafficking. It also provides for the protection of victims regardless of ethnicity, gender or nationality and prescribes penalties of up to 30 years’ imprisonment for convicted trafficking offenders.

Djibouti has become a transit, and to a lesser extent, a source and destination country for individuals, including women and children subjugated to trafficking in persons, including forced labour and forced prostitution. In 2010 it was reported that 30000 people had boarded smuggler’s boats in the region of Obock, a fifth of which were women². These people often suffer at the hands of the smugglers as beatings, rape and the throwing overboard of people are commonplace. After reaching Yemen and other destinations in the Middle East, many of these people will be exposed to conditions of forced labour and forced prostitution.

A two day meeting between the governments of Djibouti, Somalia, Ethiopia and Yemen took place in December 2010 to try to address this issue³. A migration Response Centre also opened at the beginning of this year on the outskirts of Obock which aims to provide direct humanitarian assistance and referral services to migrants, refugees and asylum seekers who are currently living in miserable conditions in and around Obock.

Although the Djibouti government still fails to comply with the minimum standards for the elimination of trafficking, this problem has been identified by senior officials as an important priority and a growing awareness of the relationship has developed between human trafficking and smuggling has developed⁴. There is an anti-trafficking law in place but the government remains unable to implement all of the protection, prevention, and prosecution components of this law due to a lack of resources. It has also prioritized in dealing with the flows of migrants and refugees that have become an important phenomenon within its borders, which has limited the amount of resources it is able to allocate to responding to forms of trafficking. The combatting of the smuggling of people to Yemen may help to reduce the number of men and women that become victims of human trafficking throughout different parts of the Middle East.

² "UNHCR - UNHCR chief visits Somalia, Djibouti to highlight plight of the displaced," UNHCR Welcome, 7 Dec. 2007, <<http://www.unhcr.org/4cfe69a49.html>>.

³ "Regional Meeting in Djibouti to Tackle Challenges of Mixed Migration Flows in the Horn of Africa," 30 Nov. 2011, International Organization for Migration, <<http://www.iom.int/jahia/Jahia/media/press-briefing-notes/pbnAF/cache/offonce/lang/en?entryId=28763>>.

⁴ "Djibouti," U.S. Department of State, March 11, 2008, <http://www.state.gov/g/drl/rls/hrrpt/2007/100478.htm>.

Nevertheless, more needs to be done in the investigation and prosecution of trafficking offenders responsible for facilitating child prostitution, the abuse of domestic workers, or the perpetuation of other forced labour offenses. The Government has made significant efforts to prosecute migrant smugglers but has failed to take law enforcement action against forced labour or sex trafficking offenders. There have been no investigations or prosecutions reported by the Ministry of Justice involving forced labor or commercial sexual exploitation.

Child prostitution has also become a growing problem. Despite efforts by government authorities to keep at-risk children of the street and to deliver warnings to bars and clubs that allow children to enter, there have been reports of child prostitution on streets and in brothels. Many children became involved in child prostitution after having reached Djibouti City or the Ethiopia-Djibouti trucking corridor. Out of 2,430 individuals apprehended for prostitution in 2009, 408 were between the ages of 10 and 17.⁵ After detaining children suspected of child prostitution, the police attempt to meet with parents or other family members to discuss appropriate child protection who are then released to the care of family members without being charged. The police also work with the ministry of health's clinic and hospitals, and NGOs to provide some medical care to victims of child prostitution.

Local authorities have also been working closely with the United Nations High Commissioner for Refugees (UNHCR) office in Djibouti to disseminate information on preventing and responding to sexual and gender-based violence suffered by refugees from the Ali Addeh camp. The office has helped train local authorities to deal effectively with the issue and is helping to provide support and protection to the victims of such acts. Sexual and gender based violence has become a major human rights issue among refugees. There have been cases of registered refugees, including women and children, being rounded up in the capital area during operations targeting illegal migrants⁶.

UNHCR has also been involved in projects such as the creation of a training center for displaced girls, many of whom are victims of rape, which offers training in reading, writing, and tailoring.

⁵ "Djibouti," U.S. Department of State, March 11, 2008, <http://www.state.gov/g/drl/rls/hrrpt/2007/100478.htm>.

⁶ "UNHCR - UNHCR Global Report 2009 - Djibouti," [UNHCR Welcome](http://www.unhcr.org/4c0902339.html), <<http://www.unhcr.org/4c0902339.html>>.

Article 7: Ensuring women's participation in political and public life

Under Article 7, signatories of CEDAW agree to take "all appropriate measures to eliminate discrimination against women in the political and public life of the country" giving them equal rights in the voting process, to participate in the formulation of government policy and to participate in non-governmental organisations and associations.

The government has taken important measures in recent years to reduce inequalities and discrimination against women in the political and public life of the country. One such step was the establishment of the Ministry for the Advancement of Women, Family Welfare and Social Affairs. In October 2002 the council of ministers approved a draft resolution that allocated 10% of the national assembly seats to women, which led to the entering of women in Parliament for the first time following the first multi-party elections in January 2003 in which 24 women ran. The parliament in 2003 counted 7 women deputies out of 65. This figure rose to 9 in 2008. In November 2008 a decree was adopted which established a 20% quota in public services. This helped enable women to increase their visibility in public life.

Other measures have also been put in place regarding the leadership of women in the administration, an example of which is a programme for a gender institutionalisation to strengthen the gender approach in nineteen ministries. Following the recent elections in April 2011, three women have been assigned ministries in the new government, a rise from two in the previous government. In the Justice system women have had more success in achieving equality. Djiboutian courts comprise equal numbers of men and women judges. Moreover, the president of the Supreme Court is a woman and several woman judges are also present in the Personal Status Courts which apply Islamic law in matters of personal status.

Although women are present in the government and parliament as well as the judiciary and other public services, parity is far from being reached. Despite many initiatives being taken to improve the status of women, customs and traditions remain an important obstacle. During the recent presidential elections in April 2011 the government has been accused of systematically cracking down on peaceful critics and political opposition. It has banned all demonstrations and arbitrarily arrested and prosecuted peaceful protesters and opposition leaders. It has also expelled Democracy International (DI), an international election monitoring organization, from the country which had been assisting the Djibouti government to prepare for the election⁷.

More should be done by the government to ensure that its citizens rights are respected. The blanket ban on demonstrations is in breach of the article 15 of the Djiboutian constitution which protects the rights to freedom of expression. It is also in violation of the articles 19 and 21 of the international Covenant on Civil and Political Rights, to which Djibouti is a party, setting out the free

⁷ "Djibouti: Allow Peaceful Protests | Human Rights Watch," [Home | Human Rights Watch](http://www.hrw.org/en/news/2011/04/04/djibouti-allow-peaceful-protests), 4 Apr. 2011, <<http://www.hrw.org/en/news/2011/04/04/djibouti-allow-peaceful-protests>>.

expression and peaceful assembly. The situation of Jean-Paul Noel Abdi, the leader of the League Djiboutienne des Droits Humains (LDDH), is also a cause for concern after having been arrested numerous times because of his Human Rights work⁸. There is also a need for the French and US governments, both of which have an important military presence in the country, to publicly condemn the government's role in the deteriorating human rights situation in the country.

⁸ "Djibouti: Allow Peaceful Protests | Human Rights Watch," Home | Human Rights Watch, 4 Apr. 2011, <<http://www.hrw.org/en/news/2011/04/04/djibouti-allow-peaceful-protests>>.

Article 10: Guaranteeing the right to Education

Under Article 10 of CEDAW participant countries agree to ensure that women are not discriminated against in the field of education, enabling both men and women equal access to the same curricula, scholarships, career and vocational guidance, in addition to help reduce female drop-out rates. The government of Djibouti agrees that education is a fundamental right for all children between the ages of 6 and 16. The government has developed strategies based not only on formal education but also on mobile education for nomads, special education for disabled children and the construction of new schools etc. in an effort to raise the gross enrolment rate which is currently around 72%⁹.

Illiteracy among girls is a major issue in Djibouti and the government has embarked on a ambitious programme which aims to reduce the disparities in access to school to ensure full participation¹⁰. Another crucial issue is the fact that many schools in the country lack sufficient funding, especially in secondary education. In 2001, only 38% of boys and 30% of girls were enrolled in primary education. These figures drop to 17% for girls and 21% for boys at the secondary school level. They rose in 2006 however, to 52% amongst girls in primary school and 26% in secondary school and 54% for boys in primary school and 37% in secondary school¹¹. It is therefore apparent that although the overall percentage of children attending school has risen there still remain gender based disparities especially at a secondary school level. The government seems committed to increasing the number of female students to 50% of the total number of students the lack of resources this make this a unrealistic goal.¹²

One method which has been developed to improve school attendance among girls is to provide extra food assistance to prevent them from leaving school. The project, developed in partnership with the World Food Programme (WFP), further provides take-home rations for all girls in grades 3 to 5 who attend at least 80% of school days¹³. Seeing that many girls withdraw from rural schools at a higher rate than boys as a result of insecurity, and economic and social factors, the value of a take home oil ration may be a good incentive for parents to send and keep their girls in school. Some of the underlying causes that hinder girls' access to schools include socio-cultural attitudes, their economic contribution as domestic labour, the absence of separate latrines, the low number of female teachers, health problems form female genital mutilation and parents negative perception of the value of education for girls.

⁹ "Report of the Working Group on the Universal Periodic Review," ODS HOME PAGE, 5 Oct. 2009, <<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/152/63/PDF/G0915263.pdf?OpenElement>>.

¹⁰ *ibid.*

¹¹ "Country cooperation strategy for WHO and Djibouti 2006-2011," <http://www.who.int/countryfocus/cooperation_strategy/ccs_dji_en.pdf>.

¹² "UNDP-POGAR: Country Themes," UNDP-POGAR: Home, <<http://www.undp-pogar.org/countries/theme.aspx?cid=4>>.

¹³ "Food for education in rural Djibouti," <http://one.wfp.org/operations/current_operations/project_docs/107270.pdf>

Although the government has started taking some steps such as investing in latrines for girls in some schools, much more needs to be done if they are to meet their goal of total equality in education between girls and boys.

The United Nations Children Fund (UNICEF), with the help of “Dubai Cares”, has moved to improve classroom conditions and the quality of teaching but also to increase access to schools and close the gender gap. This will help Djibouti towards achieving the Millennium Development Goal of providing universal primary education by 2015.

Article 11: Guaranteeing the rights to employment and labour

Article 11 of CEDAW asserts that “state parties shall take all appropriate measures to eliminate discrimination against women in the field of employment” through the guarantee of equal remuneration and benefits to female employees as well as regulating maternity leave and providing for child care when necessary.

The new labour code in Djibouti defines the non-negotiable principle of “equal pay for equal work”. Djibouti has also acceded to all eight International Labour Organization (ILO) conventions pertaining to Human Rights. Some of these, such as the Elimination of Discrimination in Respect of Employment and Occupation (100 and 111) and the two conventions (138 and 182) pertaining to Forbidding the employment of children and Minors, are important to the application of CEDAW.

Women in Djibouti make up around 30% of the labour force. Unemployment is an important issue which particularly affects women. The average unemployment rate is 59%, with women at 66%¹⁴.

In a response to the dire situation of women in refugee camps and the lack of employment opportunities, UNHCR has helped to set up income generation projects by providing training in management of small businesses and the make cash grants available to women, particularly targeting single and young mothers.

The constitution and law in Djibouti prohibits discrimination on the basis of race, gender or language, although the government’s enforcement of such laws was ineffective. The government has taken steps to increase the protection of women, especially concerning campaigns against FGM, but societal discrimination based on disability or social status has persisted. This societal discrimination, including in education, has resulted in a secondary role for women in public life and a limited amount of opportunities in the formal sector. Although many women may own and run small businesses, these are mostly in the informal sector where they do not receive the same benefits or access to the credit available in the formal sector. The government however has promoted female leadership in the small business sector, helping women to gain an expanded access to microcredit.

Although the creation of a ministry for the promotion of women, family welfare and social affairs was a positive step taken by the government there is very little information available regarding the initiatives taken by the ministry to ensure equal pay for men and women for work of equal value. The high levels of illiteracy among women also make it difficult for them to have access to many jobs.

¹⁴ "Food for education in rural Djibouti,"
<http://one.wfp.org/operations/current_operations/project_docs/107270.pdf>

Article 12: Equity and access to healthcare

Article 12 of CEDAW states that all appropriate measures should be taken by state parties to eliminate discrimination against women in the field of health care. Under this Article, access to health care services, including those related to family planning, should be provided on the basis of gender equality. It also stresses the need for appropriate services to be offered in relation to maternal health, providing free services when needed during the pregnancy, labour and post-natal periods.

One of the main issues relating to discrimination against women in the field of health care is the practice of Female Genital Mutilation (FGM). It is estimated that 93% of females in Djibouti have undergone FGM¹⁵. Its most extreme form, infibulation or Pharaonic circumcision, which entails the removal of the clitoris and labia minora, is thought to be widely practiced in Djibouti. This practice is considered cruel and very harmful to the health of girls. The practice of FGM transcends cultural, racial and socio-economic dimensions. A WHO study in 2006 has confirmed that deliveries by women who have undergone FGM are significantly more likely to have coesarian section, risks of extensive bleeding, prolonged labour and death, especially in the case of infibulation. It is proven to have negative effects on the reproductive and sexual health of women and girls and it violated their rights and dignity. However, FGM is a practice to which communities attach special values, which range from marriageability, to reduction of deviant behaviours among girls and women, and it is often associated with religion.

This practice has been penalised since 1995 and is severely punished under Article 333 of the Criminal Code. It is punishable by 5 years imprisonment and a fine of one million DJF (US\$ 5,570).¹⁶The government has undertaken awareness raising campaigns against it and more recently has come up with a strategy to counter all forms of FGM (2006). It has also established a unit within the ministry for advancement of women to coordinate all programmes to combat FGM (2007). A joint programme was also launched in 2007 by UNICEF and UNFPA to reduce the practice of FGM by 40% among girls aged 0-15 years¹⁷.

The government needs to do more to improve the implementation of its laws on FGM and ensure prosecutions through the appropriate judicial channels. Dialogue among communities needs to be encouraged and facts exposed regarding the harm this practice is causing to a large segment of the population in these communities. The minister of Islamic Affairs has agreed to talk with "Oulemas" and Imams in an attempt to abandon FGM.

Progress has been made by the state party in ensuring the survival of children and mothers and a reduction has been noted since 2002 in mortality rates of infants and children under 5, particularly

¹⁵ "Food for education in rural Djibouti,"

<http://one.wfp.org/operations/current_operations/project_docs/107270.pdf>

¹⁶ *ibid.*

¹⁷ "Report of the Office of the United Nations High Commissioner for Human Rights on preventable maternal mortality and morbidity and human rights," 16 Apr. 2010, <<http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.39.pdf>>

in the most remote areas of the country¹⁸. The Ministry for the Advancement of Women produced a parental education booklet to inform parents and institutions responsible for children about the main causes of infant mortality and malnutrition as well as the protection of women during pregnancy and childbirth.

Furthermore, the principles of the right to life, survival and development are enshrined in Djiboutian law, including the penal code which protects children from violations affecting their overall development¹⁹.

Another issue is that large amounts of the population have no access to safe drinking water. Recurrent drought and shortage of rain has had a devastating effect on the life and well-being of children and their families. This lack of access constitutes a serious risk in terms of the hygiene and health of women and children.

HIV/AIDS is another major problem which affects a large amount of women. An estimated 16,000 people, out of a total population of 85,000, live with the virus, of which 9,000 are women and over 1,000 are children²⁰. Only half of the males and a quarter of the females aged 15 to 24 admit to using a condom during their latest sexual relation. Due to the strong stigma attached to the virus some women are reluctant to know their HIV status. Health authorities, in partnership with UNICEF, have developed a more holistic approach to prevent mother-to-child transmission. Pregnant women are being encouraged to take an HIV test when visiting maternal health clinics and patients are being provided with HIV/AIDS education, counselling, medication and other forms of health care. One of the problems that has arisen, however, is that less than a quarter of the women that have been tested positive have sought treatment.

A growing problem which has had a negative impact on the health of women and children is the consumption of Khat, an amphetamine-like stimulant which can produce a mild to moderate psychological dependence. Although consumers are mainly male, consumption is starting at an increasingly young age and is growing among women²¹. It is believed that 13% of children aged 15 to 19 chew khat. The government has agreed to work with UNICEF to formulate a long term programmatic response.

Malnutrition is also an important problem in Djibouti. The 2007 Joint Nutrition Survey reported a Global Acute Malnutrition (GAM) rate of 17% across the country with the highest rate of 25% in the northwest pastoral livelihood zone. Severe Acute Malnutrition (SAM) is 2.4% nationally, with some variations depending on the region²². According to the government, malnutrition is one of the three main factors for medical consultations and the medication of children.

¹⁸ "Report of the Office of the United Nations High Commissioner for Human Rights on preventable maternal mortality and morbidity and human rights," 16 Apr. 2010, <<http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.39.pdf>>

¹⁹ *ibid.*

²⁰ "UNICEF helps to raise HIV awareness along the Ethiopia-Djibouti transport corridor," 6 July 2010, <http://www.unicef.org/infobycountry/djibouti_54193.html>.

²¹ "Country cooperation strategy for WHO and Djibouti 2006-2011," <http://www.who.int/countryfocus/cooperation_strategy/ccs_dji_en.pdf>.

²² "Protracted relief and recovery operation," <http://one.wfp.org/operations/current_operations/project_docs/105441.pdf>.

Additionally, infant mortality rates in Djibouti remain among the highest in the world and malnutrition rates have not only remained high but have also increased slightly in recent years. Furthermore, sanitation coverage has remained low in both rural and urban area²³. Few medical services are available to the population and most women do not receive maternity care.

²³ "Protracted relief and recovery operation,"
<http://one.wfp.org/operations/current_operations/project_docs/105441.pdf>.

Article 14: Equity in standards of living between rural and urban women

Under Article 14 of CEDAW states are required to “take into account the particular problems faced by urban women and the significant roles which rural women” ensuring “the application of the provisions of the present Convention to women in rural areas”. CEDAW also makes further provisions such as the access to healthcare, education, political activity, and the ability “to enjoy adequate living conditions in relation to housing, sanitation, electricity and water supply, transport and communications” must be available to all citizens, regardless of regional or territorial differences.

One of the main dangers to the rural population in Djibouti is food insecurity. It has deteriorated once more as a result of recurrent drought, livestock losses, livestock-to-cereal terms of trade unfavourable to pastoralists and high food prices. The Global Hunger Index labels the situation in Djibouti as alarming and the rural populations are disproportionately concerned.

The government has also strived to develop the rural areas by connecting them to the rest of the country. Efforts have been made in association with Djibouti Telecom to provide affordable means of telecommunication, thus ensuring people in rural communities of better access to information, especially for women in relation to health, education, etc.²⁴ A bill is also being discussed to bring the Government closer to the people by setting up regional assemblies as part of a drive towards decentralization.

The International Federation of Red Cross and Red Crescent Societies have been working with the government in delivering assistance to beneficiaries severely by droughts²⁵. They have been involved in providing rapid support for the most vulnerable people by addressing their water and sanitation emergency needs. Due to a lack of financial and human resources they have been experiencing difficulties however in addressing the immediate needs of all those concerned.

²⁴ "SITE OFFICIEL DE LA RADIO ET TELEVISION DE DJIBOUTI," RTD : Radio Télévision de Djibouti, 17 May 2011, <http://www.rtd.dj/index.php?option=com_content>

²⁵ "Djibouti: Food and Insecurity," 24 Mar. 2009, <<http://www.ifrc.org/docs/appeals/08/MDRDJ001fr.pdf>>.

Article 16: Equality in marriage

Article 16 states that CEDAW signatory states must “take all appropriate measures to eliminate discrimination against women in all matters related to marriage and family relations” including equality in the rights to enter and leave marriage, own property, and act as guardians to children. In addition, this Article prohibits child marriage, stating that “the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage.”

In January 2002 Djibouti adopted the Personal Status Code, which set the age of marriage at 18 for both spouses and established compulsory education up to the age of 16. Both of these measures have helped curb early marriage, a practice that discriminates against girls. The government allows civil marriage only for non-Muslim foreign residents. Muslims are required to marry in a religious ceremony. A non-Muslim man may marry a Muslim woman only after converting to Islam. According to the family code, "impediment to a marriage occurs when a Muslim woman marries a non-Muslim."

Although Djiboutian law includes sentences against of up to 20 years imprisonment for rape, there is no law against spousal rape. Rape cases, which often are not reported to the police, are usually settled informally between the family of the victim and the perpetrator. Domestic violence against women is thought to be a common occurrence but few cases are reported. While the law does not specifically prohibit domestic violence, it prohibits "torture and barbaric acts" against a spouse and specifies penalties up to 20 years' imprisonment. Families or clans, rather than courts, generally address cases of violence against women and police rarely intervene in domestic violence incidents. A counselling centre has been set up by the Union for Djiboutian Women in order to help women with a variety of problems, including domestic violence.

The Promulgation of a number of codes, such as the Labour and Family Codes, have also helped establish rights for women in this pastoral society where in the past they did not have the same rights as men.

The government recognizes the right of Djiboutian women to decide freely and responsibly the number, spacing and timing of their children. The Ministry of Health helps provide information on family planning through the medium of health clinics. No restrictions are placed on the right to access to contraceptives. The contraceptive coverage rate was estimated at 33.5% in 2009, up from 22.5% in 2008²⁶.

²⁶ US Department reports

Concluding observations and recommendations

1. The phenomenon of human trafficking and smuggling is an important in Djibouti. The Djibouti government still fails to comply with the minimum standards for the elimination of trafficking. The government therefore needs to do more to combat this issue. More resources need to be allocated to responding to forms of trafficking especially on those routes used to smuggle people to Yemen.
2. Child prostitution has also a growing problem in Djibouti. An increased amount of resources need to be provided to offer counselling services and support with the aim of keeping these children off the streets. Training programs for children and women affected by this issue teaching them skills that will enable them to find other forms of employment should be encouraged by the authorities.
3. The government has initiated various measures in recent years to increase the participation of women in politics. There remain strong disparities however. The government needs to do more to increase the participation of women by working to gradually change some of the customs and traditions that prevent them from attaining equality.
4. There are also growing concerns with regards to the rights to freedom of expression. The blanket ban on demonstrations during and previous to the presidential elections in April 2011 is in breach of the Article 15 of the Djiboutian constitution and therefore needs to be addressed by the government.
5. The high level of illiteracy among girls is another important problem which needs to be addressed. There is a high gender based disparity related to the number of children attending school. The government has taken several measures to reduce these disparities but more resources need to be allocated for example to provide a financial incentive for families who send their girls to school or towards changing some of the traditional view with regards to women and education.
6. The high levels of unemployment among women is another area of concern where the government needs to take further measures. The authorities need to encourage women to start small businesses by providing training in management and making small cash grants available.
7. The widespread practice of FGM, and especially infibulation, needs to be urgently addressed by the government. It needs to do more to alter the special values which communities attach to this practice through awareness raising campaigns and improving the implementation of its laws on FGM
8. The issue of recurrent droughts is also a major issue in Djibouti. The government needs to take increased measures to deal with this problem by setting an emergency response system for the communities which are the most affected by this problem.

Works Cited:

- "Country cooperation strategy for WHO and Djibouti 2006-2011."
 <http://www.who.int/countryfocus/cooperation_strategy/ccs_dji_en.pdf>.
- "Djibouti: Allow Peaceful Protests | Human Rights Watch." Home | Human Rights Watch. 4 Apr. 2011.
 <<http://www.hrw.org/en/news/2011/04/04/djibouti-allow-peaceful-protests>>.
- "Djibouti: Food and Insecurity." 24 Mar. 2009. <<http://www.ifrc.org/docs/appeals/08/MDRDJ001fr.pdf>>.
- "Djibouti." U.S. Department of State. 11 Mar. 2008.
 <<http://www.state.gov/g/drl/rls/hrrpt/2007/100478.htm>>.
- "Food for education in rural Djibouti."
 <http://one.wfp.org/operations/current_operations/project_docs/107270.pdf>.
- "Population, Health, and Human Well-Being in Djibouti." Earthtrends.
 <http://earthtrends.wri.org/pdf_library/country_profiles/pop_cou_262.pdf>.
- "Protracted relief and recovery operation."
 <http://one.wfp.org/operations/current_operations/project_docs/105441.pdf>.
- "Regional Meeting in Djibouti to Tackle Challenges of Mixed Migration Flows in the Horn of Africa." 30 Nov. 2011. International Organization for Migration. <<http://www.iom.int/jahia/Jahia/media/press-briefing-notes/pbnAF/cache/offonce/lang/en?entryId=28763>>.
- "Report of the Office of the United Nations High Commissioner for Human Rights on preventable maternal mortality and morbidity and human rights." 16 Apr. 2010.
 <<http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.39.pdf>>.
- "Report of the Working Group on the Universal Periodic Review." ODS HOME PAGE. 5 Oct. 2009.
 <<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/152/63/PDF/G0915263.pdf?OpenElement>>.
- "SITE OFFICIEL DE LA RADIO ET TELEVISION DE DJIBOUTI." RTD : Radio Télévision de Djibouti. 17 May 2011.
 <http://www.rtd.dj/index.php?option=com_content>.

"UNDP-POGAR: Country Themes." UNDP-POGAR: Home. <<http://www.undp-pogar.org/countries/theme.aspx?cid=4>>.

"UNHCR - UNHCR chief visits Somalia, Djibouti to highlight plight of the displaced." UNHCR Welcome. 7 Dec. 2007. <<http://www.unhcr.org/4cfe69a49.html>>.

"UNHCR - UNHCR Global Report 2009 - Djibouti." UNHCR Welcome. <<http://www.unhcr.org/4c0902339.html>>.

"UNICEF helps to raise HIV awareness along the Ethiopia-Djibouti transport corridor." 6 July 2010. <http://www.unicef.org/infobycountry/djibouti_54193.html>.