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16 août 2016

Excellence,

En tant que Rapporteur Spécial chargé du suivi des observations finales du Comité des droits de l'homme, j'ai l'honneur de me référer à l'examen du première rapport périodique du Djibouti par le Comité.

A la fin de sa 109^{ème} session, le Comité a transmis ses observations finales à votre Mission permanente. A ce sujet, vous vous rappellerez qu'au paragraphe 24 des observations finales, le Comité avait sollicité dans un délai d'un an des informations sur certaines questions spécifiques ayant fait l'objet de préoccupations identifiées par le Comité (paragraphe 10, 11 et 12 des observations finales).

Le 8 janvier 2015, l'État partie a fourni des informations concernant ces paragraphes. Durant sa 114^{ème} session, le Comité a analysé ce rapport de suivi et a considéré que des informations complémentaires restaient nécessaires sur les paragraphes 10, 11 et 12. Une lettre a été envoyée en ce sens le 10 août 2015.

Le 8 novembre 2015, le Comité a reçu la réponse de l'Etat partie. Cette deuxième réponse de suivi a été analysée par le Comité au cours de sa 116^{ème} session, en mars 2016. Prenant note de la collaboration de l'État partie, le Comité a adopté les positions suivantes sur les paragraphes objet de suivi (recommandations disponibles en anglais seulement):

- **Paragraphe 10 :** “[C1]:(a) With respect to the legal framework for the protection of women against domestic violence, the Committee welcomes the information provided on the intention of the State party to submit a draft law criminalizing domestic violence. The Committee requires concrete information on this bill, including on the content of the bill, whether the bill defines marital rape; the progress of this initiative; the anticipated date of passage; and on any participation of civil society in the drafting of this bill.

Mr. Ahmed Mohamed Abro
First Counsellor
Fax: 022 749 10 91



[C1]:(b) The Committee notes the State party's intention to establish a programme to provide legal, social and psychological assistance to victims of violence, and requires concrete information on the content and progress of this initiative. The Committee requires additional information on the stated intention to strengthen policies to fight gender-based violence, with special focus on prevention and on measures taken to guarantee that cases of domestic violence and marital rape are thoroughly investigated and prosecuted.

- [C1]:(c) The Committee notes the stated intention of the State party to conduct trainings for relevant authorities and to strengthen its policies to fight against violence, with special focus on prevention. The Committee requires concrete information on the content and progress of these initiatives, including the number of trainings envisaged, dates and audience. The Committee also requires information on shelters available to victims, and measures taken to conduct awareness-raising campaigns for men and women on the adverse effects of violence against women on the enjoyment of their human rights.”
- **Paragraphe 11 :** “[C2]:(a) The Committee regrets that the State party continues to deny the reports of ill-treatment of detainees and that it has not taken measures to implement the Committee's recommendations with respect to investigations, prosecutions, and compensation for victims of torture. The Committee reiterates its recommendations.

[B2]:(b) The Committee welcomes the information provided by the State party that places of detention are open to all actors working with the State party in the promotion and protection of human rights. The Committee notes the information provided by the State party on the new Law (July 2014) regulating the functioning of the CNDH, and requires information on the:

- (i) Number of complaints of human rights violations received, including allegations of inhuman treatment and torture in places of detention;
- (ii) Number of visits conducted to places of detention by the CNDH since October 2013; and
- (iii) Any recommendations issued by the CNDH to improve conditions of detention since October 2013.

The State party should also clarify if the CNDH is in charge of carrying out investigations into alleged misconduct by law enforcement officials and/or if a mechanism has been established to accomplish this function.

[B2]:(c) The Committee notes the State party's intention to consider ratifying the Istanbul Protocol during the next National Assembly, in October 2015, and requires further information on the outcome of this consideration. That Committee also requires information on:

- (i) Trainings conducted for law enforcement officials, including the police, the gendarmerie, the coast guard, and prison guards;
- (i) The integration of the Istanbul Protocol into all training programmes; and
- (ii) The number of law enforcement officials trained and the impact of such trainings.”

- **Paragraphe 12 :** “[D1]:(a) The State party has not provided new information. The Committee reiterates its recommendations.



[C1]:(b) The State party takes note of the reform initiatives described by the State party, but requires clarification on whether such reforms will ensure compliance with the Committee's recommendations of paragraph 12, item b, of the concluding observations on Djibouti, adopted in 29 October 2013.

[C2]:(c) and (d) The State party has not provided new information. The Committee reiterates its recommendations."

Le 15 avril 2016, le Rapporteur Spécial chargé du suivi des observations finales du Comité des droits de l'homme vous a envoyé une lettre de rappel. Au cours de sa 117^e session, tenue à Genève, en juillet 2016, le Comité a noté qu'aucune réponse n'avait été reçue sur les questions en attente. Par conséquent, je me permets de vous écrire afin de demander que les informations requises soient envoyées au Comité, dès que possible.

Si l'État partie souhaite que sa réponse soit prise en compte dans le prochain rapport de suivi du Comité des droits de l'homme, la version électronique de l'information requise devra être transmise en **format « Word »** au Secrétariat du Comité des Droits de l'homme **avant 1 novembre 2016** (Mme. Kate Fox, kfox@ohchr.org).

Le Comité espère vivement poursuivre à cette occasion son dialogue constructif avec les autorités de Djibouti sur la mise en œuvre du Pacte.

Je vous prie d'agréer, Excellence, l'expression de ma très haute considération.

Sarah Cleveland

Rapporteur spécial chargé du suivi des observations finales
Comité des droits de l'homme