



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Republic of Djibouti and welcome the constructive engagement of your Government during the 30th session of the UPR Working Group in May 2018.

As the final outcome report on the review of the Republic of Djibouti has been recently adopted by the Human Rights Council at its 39th session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of the Republic of Djibouti – the Compilation of UN information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years until the next cycle of the UPR. In identifying those areas, I have also considered the statements and/or recommendations made by 91 delegations, the presentation and responses made by the delegation of the Republic of Djibouti and the actions taken by the Government to implement the 124 recommendations it had accepted during the second cycle of the UPR. The aforementioned areas cover a range of issues and appear in the Annex to this letter.

I welcome the adoption of the Republic of Djibouti's national anti-poverty strategy, Vision Djibouti 2035, efforts to eliminate all forms of female genital mutilation, and the establishment of a Universal Health Insurance Scheme. I am encouraged by the establishment of the National Anti-Corruption Commission. Finally, I welcome the Republic of Djibouti's commitment to consider the depenalization of defamation, as mentioned by the head of the delegation during the review of the Republic of Djibouti by the UPR Working Group in May 2018.

I encourage the Republic of Djibouti to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas contained in the annex and to facilitate the preparations of the Republic of Djibouti for the fourth cycle of the UPR. The development of the plan should include consultations with all stakeholders, in particular the National Human Rights Commission and civil society organizations, and, where necessary, the support of international organizations, including the Office of the United Nations High Commissioner for Human Rights (OHCHR) and other United Nations entities, under the leadership of the UN Resident Coordinator.

H.E. Mr. Mahamoud Ali Youssouf
Minister of Foreign Affairs and International Cooperation
Republic of Djibouti



I encourage the Republic of Djibouti to make further efforts to establish a national mechanism for comprehensive reporting and follow up in relation to recommendations from international and regional human rights mechanisms and treaty obligations. I strongly recommend the use of the practical guide that my Office released in 2016 on this topic and which is available at: http://www.ohchr.org/Documents/Publications/HIR_PUB_16_1_NMRF_PracticalGuide.pdf.

Please kindly note that I will be sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of UPR recommendations early on, following the review. An important measure that can contribute positively to follow up action is voluntary mid-term reporting. I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Republic of Djibouti to submit a mid-term report on the follow-up of the third cycle of the review, by 2020.

As the Secretary-General stated in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with you ways in which my Office may assist the Republic of Djibouti to take action in the areas I have identified in this letter and its Annex.

Please, accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read "Michelle Bachelet".

Michelle Bachelet
High Commissioner for Human Rights

cc: H.E. Mr. Moumin Ahmed Cheick
Minister of Justice and Penitentiary Affairs, in charge of Human Rights
Republic of Djibouti

Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the ILO Indigenous and Tribal Peoples Convention (No.169), the ILO Domestic Workers Convention (No.189), the Convention against Discrimination in Education, the Convention relating to the Status of Stateless Persons of 1954, the Convention on the Reduction of Statelessness of 1961, Additional Protocol III to the 1949 Geneva Conventions, as well as the Convention on the Prevention and Punishment of the Crime of Genocide.
- Timely submission of reports to the treaty bodies and urgent submission of overdue reports.
- Issuing a standing invitation to Special Procedures of the Human Rights Council.

National human rights framework

- Ensuring that the National Human Rights Commission is in full compliance with the Paris Principles, with A-status accreditation by the Global Alliance of National Human Rights Institutions.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Adoption of a comprehensive anti-discrimination law covering all grounds of discrimination, including racial discrimination.

B. Civil and political rights

Right to life, liberty and security of person

- Effectively investigating allegations of human rights violations by member of the security forces, including excessive use of force against, arbitrary arrest of and torture and ill-treatment of demonstrators.
- Effectively investigating allegations of torture and other cruel, inhuman or degrading treatment of detainees by law enforcement personnel.
- Improving conditions of detention, addressing overcrowding and ensuring detainees' access to a confidential complaints mechanism.

Administration of justice, including impunity, and the rule of law

- Combating corruption in the public service.

- Addressing lengthy pre-trial detention and the high number of persons held in pre-trial detention.

Fundamental freedoms

- Ensuring press freedom and decriminalizing defamation.
- Respecting the rights to freedom of expression, peaceful association and assembly, in law and practice.
- Ensuring that human rights defenders, members of the political opposition and journalists are not threatened, harassed or intimidated, nor arbitrarily detained.

Prohibition of all forms of slavery

- Combating trafficking in persons and the smuggling of migrants, bringing perpetrators to justice and adequately compensating victims.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Addressing unemployment, in particular among young persons, women, persons with disabilities and older persons.
- Ensuring that workers can freely form and join independent trade unions, without harassment, dismissal and other retaliatory action.

Right to social security

- Ensuring access to adequate social protection services and coverage, including for the informal sector.

Right to an adequate standard of living

- Urgently addressing poverty and extreme poverty.
- Ensuring access to adequate housing, in particular in rural areas and for those living in slums and shanty towns.
- Ensuring the right to food and combating food insecurity and malnutrition.
- Ensuring the accessibility and availability of water, in particular in rural areas.

Right to health

- Improvement of the health-care infrastructure.
- Ensuring access to maternal and reproductive health-care services.

Right to education

- Improving the quality of teacher training, ensuring equal access to quality education for girls and boys, and addressing high drop-out rates.



D. Rights of specific persons or groups

Women

- Repealing provisions in the Family Code that discriminate against women.
- Preventing and combating harmful traditional practices, including child marriage and female genital mutilation, and punishing perpetrators.

Children

- Combating violence against and sexual abuse of children, including corporal punishment, and punishing perpetrators.
- Ensuring the juvenile justice system is fully in accordance with international standards, separating juvenile offenders from adults, and developing alternatives to detention.

Persons with disabilities

- Ensuring the economic and social inclusion of persons with disabilities.

Minorities

- Ensuring that the Somali and Afar languages are accorded legal status.

Migrants, refugees and asylum seekers

- Ensuring that unaccompanied migrant children have access to protection and social services, including formal education.
- Ensuring that refugees and asylum-seeking children have access to education at all levels.
- Ensuring that refugees and asylum-seekers have access to the national health system.