



Convention on the Elimination of All Forms of Discrimination against Women

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Summary record of the 2046th meeting

Held at the Palais des Nations, Geneva, on Thursday, 8 February 2024, at 3 p.m.

Chair: Ms. Tisheva (Vice-Chair)

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In the absence of Ms. Peláez Narváez, Ms. Tisheva (Vice-Chair) took the Chair.

The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined fourth and fifth periodic reports of Djibouti (continued)
(CEDAW/C/DJI/4-5; CEDAW/C/DJI/Q/4-5)

1. *At the invitation of the Chair, the delegation of Djibouti joined the meeting.*

Articles 7–9

2. **Ms. Aden** (Djibouti) said that funding from the State budget was provided to all political parties, irrespective of whether they were in government or in opposition or whether they were led by men or women.

3. **A representative of Djibouti** said that legal sanctions were proving insufficient to discourage harmful practices, which continued to be applied, often under religious pretexts. The State was therefore focusing its efforts on education and was engaging with religious and cultural leaders to bring about a change. The marriageable age was 18, although persons under that age could marry in exceptional cases, with the authorization of a judge. The Government was considering whether forthcoming amendments to the Family Code should include an outright ban on marriage for persons under the age of 18. It was not true that women could not transmit their nationality to their children; children were Djiboutians if either of their parents – the mother or the father – was a Djiboutian. However, due to the high number of applications, requests for nationality documents could take up to six months to process.

Articles 10–14

4. **Ms. Gbedemah** said that she wished to commend the State party for its policies and actions in the field of early childhood education, which had advantages not only for children but also for women, notably in terms of their economic empowerment and involvement in civic life. She had been happy to learn that the national literacy programme had been extended and that it also covered human rights and women's rights. She would be interested to know whether the national vocational training and workforce integration policy also sought to make young women aware of the challenges they might face upon entering the world of work. How much of the increase in gross school enrolment ratios had been attributable to the increased matriculation of girls?

5. The Committee remained concerned about the low retention rate for girls in schools in rural areas, which was evidently owing to several factors, including poverty, violence, early marriage and a lack of infrastructure and sanitation. She had been happy to learn that the Government was pursuing a project to build schools. It would be useful for the Committee to find out whether the new structures would have sanitary facilities with a constant water supply and female sanitary products. The operation of school canteens had been shown to have a positive impact on retention rates. The delegation was invited to inform the Committee whether the Government had any plans to extend them. Boarding arrangements and safe transportation for schooling were also important in addressing the insecurity and heightened risk of trafficking and exploitation faced by girls.

6. The Government should bear in mind that the country would earn a developmental dividend by ensuring that girls remained in school for the full duration of compulsory education. Educating girls to the secondary level had been shown to reduce the incidence of early marriage, improve health, lower birth rates and reduce child mortality. Comprehensive sexuality education also helped to ensure that girls did not fall victim to child marriage. She wished to know if there were any policies in place to overcome the stigma faced by girls who re-entered school after a period of dropout or pregnancy. The Government had made use of certain educational strategies during the coronavirus disease (COVID-19) pandemic. Perhaps it could draw upon them to address the educational needs of those girls.

7. The delegation was invited to address the issue of vertical and horizontal segregation and to provide information about any policies to teach science, technology, engineering and mathematics (STEM subjects) to girls. In the context of climate change, for example, it might be important for girls to learn about climatology and meteorology. Robust vocational and entrepreneurship training could help girls to achieve self-sufficiency even if they had to leave the education system early. Lastly, the Committee hoped to hear about any mentorship programmes or action taken to provide gender training to teachers and to address violence within the school system.

8. **Ms. Aden** (Djibouti) said that the national literacy programme had proved effective in helping girls remain in school. The Government was aware of the need to focus on early childhood education and was in the process of developing a human capital development plan which aimed, among other things, to increase the number of kindergartens and thus facilitate women's entry into the world of work. An initiative was being rolled out to build structures known as "integrated schools" in remote rural areas that currently lacked educational infrastructure. The intention was that the school buildings would become the hub of community life, where other services such as health care and the provision of clean water would be made available, thus helping to reduce dropout rates, including for girls.

9. The Ministry for Women and the Family was coordinating efforts to build resilience among women in remote and rural areas. The efforts included the use of monetary transfers and microfinance programmes. More generally, the Government was developing parallel educational and vocational programmes that aimed to ensure that girls remained in school, notwithstanding factors such as poverty. Studies had shown that poor families tended to remove girls from the education system while leaving boys in school.

10. **Ms. Gbedemah** said that the Government needed to focus more efforts on gathering disaggregated data on transition rates between different levels of education.

11. **Ms. Reddock** said that she wished to know if the initiative aimed at building schools had a specific time frame.

12. **Ms. Aden** (Djibouti) said that, thanks to State investments in educational infrastructure, gross school enrolment ratios had increased considerably since 2009. For example, enrolment in primary education had increased from 75 per cent to 80 per cent between 2009 and 2017. Gender parity had been achieved at the primary level, and the ratio in secondary education had risen from 70 to 80 girls for every 100 boys. Thanks to literacy courses, the percentage of women able to read and write had risen from 39 per cent to 62 per cent. It was hoped that work on the first integrated schools would begin in 2024.

13. **A representative of Djibouti** said that school canteens had routinely existed in the past, when schools had tended to be located in administrative centres, as children had had to come in from outlying areas and had been unable to go home for lunch. Now that more structures were being built at the village level, children were able to attend school nearer home, and there was thus less need for canteens. All children, including refugees and irregular migrants, were legally required to remain in school until they were 16. Failure to complete compulsory education owing to early marriage was a rare phenomenon that occurred exclusively in rural areas and generally involved forced marriage.

14. **Ms. Haidar** said that she wished to commend the State party for the efforts it had made to promote women's employment, notably by adopting anti-discrimination legislation and recently increasing maternity leave from 14 to 26 weeks. Nonetheless, she had persistent concerns about the fact that a disproportionately large share of work in the informal sector was done by women. She wished to know if the authorities collected and published disaggregated statistics concerning working women. It would be interesting, in particular, to know how many women held positions of leadership in the workplace, what percentage of women of working age were unemployed and what the Government intended to do to facilitate women's access to work in the formal sector.

15. She would like to know if the Government intended to abrogate the article of the Labour Code under which the Minister of Health could prevent women from being employed in certain jobs which were deemed to be "beyond their strength". The Committee had received worrying information that migrants working in the informal sector did not enjoy the

same protection as citizens. She hoped the delegation could inform the Committee about measures taken to improve conditions for migrant workers, particularly undocumented migrants, who were vulnerable to forced labour.

16. The delegation was invited to cite any positive developments that had arisen from the 2018 legal amendments regarding workplace sexual harassment. In the light of the concerns about child labour expressed in the Committee's previous concluding observations ([CEDAW/C/DJI/CO/1-3](#)), she hoped to hear about action taken to combat that phenomenon, for example in the form of labour inspections and sanctions imposed against offending employers.

17. **Ms. Aden** (Djibouti) said that the Ministry for Women and the Family and the Gender Observatory published an annual statistical register which contained information inter alia on access to health care, education and employment. Plans were afoot to encourage workers in the informal sector, 60 per cent of whom were women, to formalize their employment. The first step in that process was to categorize their work under the Tax Code and to integrate them into the social security system. Labour inspectors operated within the framework of the Labour Code. If they discovered a situation where irregular migrants were being exploited, they were able to order an immediate cessation of the activities of the employer. Inspectors focused their activities on areas where the illegal employment of migrants was especially prevalent, such as the construction industry, and several prosecutions had been conducted.

18. **A representative of Djibouti** said that the Labour Code categorically prohibited discrimination on any grounds. The law envisaged minimum quotas for women in political parties and on electoral lists, and action could be taken if those quotas were not met. Currently, 17 of the 65 members of the National Assembly were women, and that proportion was set to increase. A study was under way to determine what effect the recent increase in maternity leave had had on women's employment, particularly in the light of reports that certain private sector employers had reacted unfavourably to the change. If it emerged that women were being subjected to discrimination as a consequence of their right to maternity leave, the Government intended to submit legislation to redress that situation.

19. The Criminal Code made it clear that sexual harassment was prohibited in all social settings and was a crime. Lawyers worked together the National Union of Djiboutian Women on a helpline to assist women reporting sexual harassment in the workplace. Legal aid was also available to allow women with insufficient means to pursue claims of sexual harassment, and the National Union of Djiboutian Women accompanied victims throughout such proceedings. A women's parliamentary committee had been established.

20. **A representative of Djibouti** said that the Government was considering the removal of an article of the Labour Code that suggested that women were prohibited from working in certain jobs, as it recognized that the provision was discriminatory.

21. Many migrant workers, particularly female domestic workers, had come to Djibouti from neighbouring Ethiopia. To improve their working conditions, the Government was seeking to formalize the domestic employment sector. The ongoing civil war in Yemen had also created a steady flow of migrants arriving in Djibouti. The Government had adapted its policy so as to allow Yemeni refugees to formally seek employment. Such measures were intended to help reduce the number of migrants suffering abuse and degrading conditions in the informal economy.

22. **Ms. Haider** said that she would like to know if, following major amendments to the Labour Code in 2018, employers were required to set up reporting structures to enable staff to deal with sexual harassment. She commended the State party for considering the repealing of the discriminatory article of the Labour Code.

23. **Ms. Stott Despoja** said that the mortality rate in Djibouti was twice as high as the regional average, at 300 deaths per 100,000 live births. Some 15 per cent of the mortality was reportedly due to mothers being infected with HIV/AIDS, which was twice as prevalent among women as it was among men. The adoption of a new national health development plan 2018–2022 included the objective of a 50 per cent reduction in the incidence of HIV/AIDS, and it would thus be of interest to the Committee to hear whether the target had

been achieved. Had the Government continued with the implementation of that initiative beyond 2022?

24. The results of a study carried out in 2018 had revealed that 91 per cent of mothers breastfed and that there had been significant advancements in maternal and child health care. She wondered if the delegation could provide information on plans to continue improving the health infrastructure available to women and girls and if it could report on any recent successes. Noting that abortion was only permitted in the State party for therapeutic purposes, she said that she would like to find out if the Government intended to take any measures to address unsafe abortions or to legalize abortion, at least in cases of rape.

25. She commended the State party for reducing malnutrition among the population. She would appreciate it if the delegation could provide gender-disaggregated data on malnutrition rates. Could the State party describe any efforts to reduce malnutrition to levels considered normal by the World Health Organization, particularly among women and girls?

26. A universal health insurance scheme had been established under a law adopted in 2014, and the specific protection afforded to vulnerable groups, including women, was commendable. She would like to know if the delegation could provide recent data on the outcomes of the scheme, particularly for female beneficiaries. Had the State party extended the services available under the Social Security Assistance Programme to refugees? The Committee would like to find out if that programme had achieved its target of covering 12,500 refugees by 2021 and would like to receive information on the gender breakdown of the programme's beneficiaries.

27. **A representative of Djibouti** said that the outcomes of the national health development plan 2018–2022 were currently being assessed. Once they were available, the lessons learned would be applied to the next plan, which was currently being drafted. Women and children were priority target groups in the Government's health-care policies. Unfortunately, the COVID-19 pandemic had impeded aspects of the plan's implementation and the Government had had to focus on the delivery of basic health care in the wake of the pandemic. Disaggregated data on women and health care would be provided to the Committee in writing.

28. The first strategy to reduce maternal mortality for 2022–2026 had focused on the most vulnerable members of society. Efforts had also been increased to tackle malnutrition and to provide for vaccination and care for basic diseases among children. The promotion of women's health also involved awareness-raising and efforts to prevent cancer, particularly cervical, uterine and breast cancers. The Ministry of Health had held a symposium in 2023 to identify gaps and measures required in order to provide universal health coverage, in line with the Sustainable Development Goals.

29. The Government was improving its methods of tackling HIV/AIDS and was providing better conditions for infected persons. The prevalence rate had declined over the last 10 years, mainly thanks to increased access to screening and antiretroviral therapy, but also thanks to an improvement and wider distribution of services nationwide. Some patients did not enjoy full access to the services they required, but that was not due to discrimination. As communicable diseases had largely been successfully addressed by the Government's health policy, focus was now turning to non-communicable diseases or disorders such as strokes, cancers, particularly in women, diabetes and kidney disease, all of which had increasing prevalence in the population.

30. Health insurance coverage extended to people who did not pay contributions, including unemployed persons. Some 100,000 people had benefited from free health insurance without having to make contributions.

31. **Ms. Stott Despoja** said that she would welcome information on the existence of any stigma or discrimination experienced by persons infected with HIV.

32. **A representative of Djibouti** said that the Government was not currently considering the legalization of abortion, which was a question influenced inter alia by societal morals. It was, however, willing to consult with civil society to see if society was ready for rescinding the ban on abortion. The issue was highly sensitive in Djibouti, as it was in other countries, such as the United States of America. Djibouti had been one of the first countries in the region

to adopt a law on the protection of the rights of persons living with HIV/AIDS. People living with HIV/AIDS were entitled to the same protection as anyone else and could take their employers to court if they were dismissed for being infected. In recent years, societal attitudes towards people living with HIV/AIDS had changed, and there was now much wider social acceptance and greatly reduced stigma and discrimination against them.

33. **Mr. Safarov** said that women reportedly faced obstacles in obtaining credit and that payment terms were sometimes excessively short. Some women had also noted a dearth of information about microfinance opportunities. Only 14 per cent of women in Djibouti held a bank account, and migrant women tended to work in the informal sector. In the sporting and cultural sphere, on the one hand, progress was being observed, with an increased participation rate of women in sport and women taking on notable roles in sport governance. He noted that the head of the National Olympic Committee was a woman. On the other hand, women's cultural activities were distinguished from those of men, and there was a third category, covering mixed cultural activities. He noted the lack of clear gender targets in economic development programmes. He would appreciate it if the delegation could specify how many sectors had legal and policy frameworks on gender equality and women's empowerment to help women contribute to economic development priorities. He would also be grateful if the delegation could provide current statistics on economic participation rates in Djibouti disaggregated by sex, age and location, and on entrepreneurship and access to loans and credit. Had any measures been taken to maintain the activities of Djibouti Partial Credit Guarantee Fund?

34. He would welcome information on any steps the State party was taking to ensure that women benefited equally from economic development, social protection and recreation schemes, and especially from participation in cultural programmes. What steps were being taken to improve infrastructure in rural areas so as to increase the participation of women in sport and other creative activities?

35. **Ms. Reddock** said that climate change was reportedly having a major impact on Djibouti, contributing to armed conflict, urban migration, water scarcity and agricultural decline. However, the National Gender Policy 2023–2030 made little or no mention of women and girls in relation to climate change and did not recognize the differential impact of climate change on women and men.

36. The State party's establishment of community nurseries, childcare centres and other interventions for rural women were all commendable. However, it was still important to address the root causes of rural women's marginalization and socioeconomic exclusion. She wondered what measures the State party envisaged to improve access to basic services for rural women and girls. The Committee would welcome an explanation from the delegation on the ways financial gains from military rents directly affected rural women, and on the percentage of those gains that had been used to improve services and rural infrastructure, including for climate remediation in rural communities. If the rents had not yet been used for such purposes, were there plans to make use of them in the future? The delegation was invited to provide information on how women would be integrated into the recently launched \$26 million joint project of the Government and United Nations Environmental Programme aimed at strengthening climate resilience in Djibouti. She wondered if women would be involved in the interventions identified for that project and whether they would benefit from training to do so. Had women in the affected communities been consulted? The Committee would appreciate it if the delegation could provide information on indicators and monitoring systems to assess the project's impact on women and girls. It would be of interest to hear how the State party involved women in the gender analysis of all major development and infrastructure projects.

37. Many migrants, including lesbian, gay, bisexual, transgender, queer and intersex persons and girls, had no legal status and experienced extreme poverty, endemic unemployment and low birth registration. The Committee would like to know what measures the State party had taken or planned to take to improve access to birth certification for refugees and asylum-seekers. Were there plans to strengthen the social security assistance programme to include women refugees, migrants and internally displaced women?

38. She would appreciate it if the delegation could provide information on measures to protect the human rights of disadvantaged groups of women who faced intersectional discrimination, including older women and women and girls with disabilities. How could those groups be better incorporated into broader national development policies and strategies and also gain improved access to services?

39. **A representative of Djibouti** said that a system of decentralized microfinance was available nationwide and that the main beneficiaries were women. As the institutions responsible for microfinance programmes were often cooperatives and not financial institutions, their obligation to apply certain procedures could often slow the awarding of credit. Microfinance initiatives under the Partial Credit Guarantee Fund were required to allocate at least 50 per cent of their resources to companies led by women. Data from 2017 indicated that women represented 32 per cent of the active population.

40. In the public sector, which was the largest employer in the country, 60 per cent of staff had been women between 2000 and 2018. There was no wage gap in either the formal private sector or the public sector. In the services part of the formal private sector, one employee in three was a woman. According to the Djibouti Chamber of Commerce, 15 per cent of the owners of the country's 1,141 companies were women. Four out of five workers in the informal sector were women. Tourism, e-commerce and artisanal work were sectors with heavy representation of women and with strong potential. Numerous structural measures were being taken to improve women's and girls' access to the labour market, including a law protecting them against discrimination in recruitment, and the revision of maternity leave provisions.

41. It was essential to develop strategic programmes to ensure access to services for people living in remote areas. Climate change was worsening the challenges faced. Djibouti Vision 2035 was tailored in such a way that its programmes could be adapted every five years to meet actual societal needs. The delegation recognized that there was a lack of gender-disaggregated data and would provide such data to the Committee in the future.

42. **A representative of Djibouti** said that in 2021 a law had been adopted to decentralize the justice system and establish judicial centres in the north and south of the country and in the outskirts of the capital. The courts were not yet operational, owing to insufficient funding, and more time was needed to construct the buildings and recruit staff. In the meantime, a system of mobile courts had been set up, and it provided services in remote and rural areas and refugee camps. The courts mostly heard family cases, but they also dealt with land-related matters. Nothing prevented women from owning land. A judicial school had been created to train judges, lawyers, notaries and other officials of the justice system in order to improve the quality of justice and access to the justice system.

43. **Ms. Reddock** said that she wished to hear more about cooperatives, which were more than financial institutions, as they played an important role in society and the community. She wondered whether the new judicial centres would be fully accessible to persons with different types of disabilities and whether they would have childcare centres to support women with children who used the court facilities. She would appreciate it if the delegation could provide more information about women's involvement in processes to combat and adapt to climate change.

44. **Ms. Akia** asked what practical steps the Government was taking to assist girl migrants from Ethiopia who crossed into Djibouti through the desert on foot.

45. **Mr. Safarov** said that he would appreciate statistics on the number of male and female entrepreneurs and recipients of microcredit loans.

46. **Ms. Aden** (Djibouti) said that actions were under way at the regional level to encourage the establishment of cooperatives in rural areas. The Government recognized the importance of involving women in tackling climate change, since they were among the groups most affected. The Ministry of the Interior and the Ministry of Health provided health-care services to migrants travelling along the main migrant corridors. The services were free of charge, notwithstanding the heavy cost to the State. Girls in school practised sports from a very young age, and various ministries ran sports programmes and competitions. Potential young athletes and sportspersons were identified in schools, and training centres for specific

sports were available. Women held senior positions in the sporting world. For example, the head of the National Olympic Committee of Djibouti was a woman. The Head of State had personally invested in a policy to promote high-level sport that offered bursaries to encourage girls to participate.

47. **A representative of Djibouti** said that, with assistance from the International Organization for Migration (IOM) and the United Nations Office on Drugs and Crime, two large health-care centres had been planned in two cities along a migrant corridor extending across the country to the port town of Obock. IOM had financed the construction of a shelter near Lake Assal, where travelling migrants could take refuge during the hottest hours of the day. In the previous two years, the mobile courts had held 635 hearings concerning family matters in the north and the south of the country.

Articles 15 and 16

48. **Ms. de Silva de Alwis** said that she wished to know whether the State party had incorporated the Rome Statute of the International Criminal Court into national law and how the Rome Statute, and specifically the provisions on gender-related crimes under article 7, was used within the country's justice system. She wondered what measures the Government would take to safeguard women's right to freedom of assembly and expression, especially for those involved in protest movements, and to address food insecurity among women and girls. The Committee would be interested to learn how the Government intended to strengthen the criminal justice system. Lengthy pretrial detention eroded access to justice and equality under the law and had a significant impact on the families of detained caregivers.

49. It would be helpful to know what percentage of community leaders responsible for enforcing customary law were women, whether women had access to lawyers who practised customary law and how the rights of victims were guaranteed under the customary justice system. She wondered when the amended Family Code would enter into force, whether the amendments would apply retroactively to women who had received penalties under the newly repealed provisions and whether the Government would seek to ensure that women were not required to comply with the duty of obedience to their husbands.

50. The Committee would be interested to hear whether cases related to child marriage could be brought to court, whether penalties could be imposed in such cases, whether any victims of child marriage had instituted court proceedings and whether they had the same rights as the rest of the population before the courts. It would like to find out whether the Government would prohibit, *de facto* and *de jure*, the practice of offering dowries to brides' families, which was a driver of child marriage, and how it would use technology such as mobile phones to allow nomadic families to access legal services. Would the Government consider digitalizing court procedures? She wondered whether the State party planned to use financial technology and telemedicine as a means of enabling women, especially nomadic women, to fully exercise their right to equal decision-making in the family.

51. **A representative of Djibouti** said that a justice support initiative, financed by the European Union through the eleventh European Development Fund and implemented with the assistance of the United Nations Development Programme, aimed to automate and digitalize court procedures to ensure access to justice for people in rural areas. Persons who performed child marriages were liable to punishment, and the penalties were more severe when the offender was considered to have acted in a professional capacity. Nevertheless, child marriage was classified as a minor offence rather than a crime. Judges and prosecutors handling cases involving children always gave the best interests of the child paramount consideration, in accordance with the Code of Personal Status.

52. Women had access to lawyers, and most requests for legal aid were submitted by women. No such requests had been made in customary law proceedings, which were informal and were often used to settle disputes within and between families. Crimes could not be tried and criminal penalties could not be imposed under customary law, and representatives of parties in customary law proceedings were not necessarily formally trained lawyers. The pretrial detention period for crimes that carried a 5-year prison sentence was limited to 4 years under the Code of Criminal Procedure, but there was no limit for more serious crimes. However, judges were aware of the need to conduct trials in a timely manner and they took

all necessary steps to ensure that trials were not unduly delayed. The Government had taken steps to limit pretrial detention periods.

53. **Ms. de Silva de Alwis** said that if the State party established six months' parental leave for both mothers and fathers, women would not be placed at a disadvantage in the workplace.

54. **Ms. Aden** (Djibouti), thanking the Committee members for their comments and suggestions, said that she looked forward to working with the Committee in the future to promote women's rights in her country.

The meeting rose at 5.05 p.m.