



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination

### Ninety-third session

31 July-25 August 2017

Item 4 of the provisional agenda

**Consideration of reports, comments and information  
submitted by States parties under article 9 of the Convention**

## List of themes in relation to the combined initial and second periodic reports of Djibouti

### Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (see A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

### The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 3, 4 and 6)

2. Status of the Convention in the domestic legal order.
3. Legal provision defining and prohibiting racial discrimination, in conformity with the provisions of articles 1 and 2 (CERD/C/DJI/1-2, paras. 46, 63 and 64).
4. Definition of racial discrimination as an offence punishable by law in the State party's legislation, in particular the law applicable to hate speech, in conformity with the provisions of article 4, and relevant court cases (CERD/C/DJI/1-2, para. 48).
5. Statistical data on the submission and receipt of complaints of acts and incidents linked to racial discrimination and of hate-motivated ordinary and serious offences, including the number of complaints, their nature and the action taken in response to such complaints by the courts, the National Human Rights Commission, the Office of the Ombudsman, the human rights office within the Ministry of Justice or the Constitutional Council. Measures taken to establish a mechanism for collecting such data (CERD/C/DJI/1-2, para. 128).
6. Information on measures taken to increase the independence and resources of the National Human Rights Commission and on the latter's work in combating racial discrimination (CERD/C/DJI/1-2, paras. 144 and 145).
7. Information on the implementation of article 6 of Constitution of Djibouti, which prohibits political parties from identifying with a particular race, ethnic group, gender, religion, sect, language or region (CERD/C/DJI/1-2, para. 57).



**Racial segregation (art. 3)**

8. Criminal law provisions on racial/ethnic segregation (CERD/C/DJI/1-2, paras. 25 and 53 to 54).

**Situation of ethnic groups (arts. 1 and 5)**

9. Ethnic composition of the State party's population and its geographical distribution, disaggregated by region and state (CERD/C/DJI/1-2, para. 3).

10. Definition of minorities in the State party and the rights that are guaranteed to them (CERD/C/DJI/1-2, para. 12).

11. Legislative, administrative and other measures taken to promote reconciliation, dialogue and understanding between various ethnic groups, and in particular between the Afars and the Somali-Issas (CERD/C/DJI/1-2, paras. 34 and 35).

12. Legal status of the Somali and Afar languages in the State party and their inclusion in the school curricula (CERD/C/DJI/1-2, para. 15).

13. Information on the activities of preserving and studying the Somali and Afar languages being carried out by the Languages Institute of the Djibouti Study and Research Centre.

14. Information on measures taken to protect the right of nomadic peoples to pursue their way of life in accordance with seasonal migration and the measures taken to recognize the rights of the indigenous peoples in their capacity as such.

**Situation of non-citizens, including migrants, refugees and asylum seekers (arts. 1, 2, 5 and 6)**

15. Information on the legislative framework applicable to refugees, including the asylum procedure (CERD/C/DJI/1-2, paras. 30 and 31).

16. Measures taken to improve living conditions in the Markazi refugee camp (CERD/C/DJI/1-2, para. 32).

17. Prevention of trafficking in human beings, support for victims and prosecution of perpetrators.

18. Effective measures taken to address discrimination against children whose parents are foreigners in obtaining Djiboutian nationality (CERD/C/DJI/1-2, paras. 18 and 19).

**Economic, social and cultural rights of minority ethnic groups and other vulnerable groups (art. 5)**

19. Limited access to water for nomadic peoples, as compared to the national average.

20. Information on the guarantee of the right to education for children belonging to nomadic communities and for children living in refugee camps, as well as disparities in illiteracy rates (CERD/C/DJI/1-2, para. 156).

21. Impact of mobile health teams on the right to health of minority groups and nomads (CERD/C/DJI/1-2, paras. 88 and 91).

**Participation of minorities in political and public life (art. 5)**

22. Information on the distribution of seats in the National Assembly between the communities and regions, and the measures taken to adopt legislative safeguards in order to ensure equitable representation of all communities and regions in the decision-making bodies of the State party (CERD/C/DJI/1-2, para. 17).

**Right of access to justice (art. 6)**

23. Impact on the right of access to justice of the establishment of mobile justice services (circuit courts) in rural areas, in particular in relation to ethnic minorities and vulnerable groups (CERD/C/DJI/1-2, paras. 119 and 120).

24. Status of implementation of the programme on the construction of a courthouse in each regional capital (CERD/C/DJI/1-2, paras. 119 and 120).

25. Impact of legal aid reform, especially in rural and remote areas (CERD/C/DJI/1-2, paras. 122 to 126).

**Education to combat prejudices and promote understanding (art. 7)**

26. Efforts to raise public awareness concerning racial discrimination and tolerance, with a view to combating prejudice; human rights and the promotion of understanding between different groups in school curricula and in vocational training programmes (CERD/C/DJI/1-2; paras. 149 and 150).

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