



Convention on the Rights of the Child

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Committee on the Rights of the Child

Combined third to fifth periodic reports submitted by Djibouti under article 44 of the Convention, due in 2012*


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I. General measures of implementation

A. Background and introduction

1. In response to recommendation No. 80 of the Committee on the Rights of the Child, the State party has prepared and submitted, in a single document, its combined third, fourth and fifth periodic reports on the implementation of the Convention on the Rights of the Child. According to the same recommendation, the present report was due in October 2012. Unfortunately, the State party unable to meet that deadline, due mainly to important cooperative work with the Human Rights Council and the other treaty bodies.
2. The Republic of Djibouti has thus endeavoured to fulfil its obligations by preparing and submitting periodic reports to the following bodies:
 - Committee on the Elimination of Discrimination against Women in July 2011
 - Committee against Torture in October 2011
 - Human Rights Committee in October 2013
 - Committee on the International Covenant on Economic, Social and Cultural Rights in November 2013
 - Committee on the Elimination of Racial Discrimination in August 2017
3. The State party, which ratified the Convention on the Rights of Persons with Disabilities in 2010, has prepared the report on that Convention and hopes to engage in a dialogue with the Committee on the Rights of Persons with Disabilities in 2019.
4. Since September 2008, the date of submission of its second report, the State party has participated in three rounds of the Universal Periodic Review, in February 2009, in April 2013 and, more recently, in the third round in May 2018.
5. At the regional level, the State party submitted its initial report to the African Commission on Human and Peoples' Rights in November 2014.
6. Since the submission of its second report on the rights of the child (2008), the Government of Djibouti has further strengthened the important normative and institutional framework gradually established since the ratification of the Convention on the Rights of the Child in order to ensure that the country's children benefit fully from a set of rights enabling them to develop and flourish.
7. To construct this legal framework favourable to the implementation of the rights and principles of the Convention on the Rights of the Child, the State party has ratified key instruments such as the Optional Protocol to the Convention on the Rights of the Child concerning the involvement of children in armed conflict and the Optional Protocol to the Convention on the Rights of the Child concerning the sale of children, child prostitution and child pornography, thereby underwriting its commitment made in 2008 to the committee responsible for monitoring the implementation of the Convention.
8. It has also enhanced national legislation by adopting various laws on the rights of the child, with a view notably to transposing international provisions into domestic law.
9. In the preparation of this report, the main emphasis has been on the recommendations made by the Committee on the Rights of the Child during its consideration of the previous report. The document has been prepared in accordance with the guidelines specific to the Convention and the drafting of reports by States parties. It presents a balanced assessment of the situation of children in Djibouti and of the difficulties faced by the State and society in implementing the provisions of the Convention on the Rights of the Child.

B. Reporting methodology

10. As is customary, the State party entrusted the preparation of the report to the Interministerial Committee on the Drafting and Submission of Reports to the Treaty Bodies. Set up in 2008, this Committee includes the main public actors in the field of human rights. Since its creation, it has engaged in dialogues with almost all international and regional human rights mechanisms.

11. The Committee was strengthened in November 2017; its functions, initially limited to the drafting and submission of periodic reports, were expanded to include monitoring the implementation of the recommendations made by the various international and regional human rights mechanisms.

12. With the aim of drawing up a national document consistent with the Committee's guidelines, wide-ranging consultations were held with the participation of civil society stakeholders, regions, religious and traditional leaders, teachers and numerous other professionals involved in the lives of children.

II. General measures of implementation

A. Ratification of International Treaties

13. In accordance with the Committee's recommendations 76 and 77, the State party, which is strongly committed to the realization of the rights of the child, has ratified several core children's rights instruments, including:

- The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (27 April 2011)
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (27 April 2011)
- The African Charter on the Rights and Welfare of the Child (2009). The Convention on the Rights of Persons with Disabilities and its Optional Protocol (3 January 2010)
- The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, or Kampala Convention (3 January 2011)

14. The Committee also urged the State party to review its initial declaration at the signing of the Convention on the Rights of the Child with a view to withdrawing it (recommendation 9).

15. The State party, which has ratified almost all the core human rights instruments, has never entered any reservations except in the case of the present Convention. The State party has however withdrawn its reservation, considering after reviewing the matter that the reservation was of a general nature only and therefore of no consequence.

16. This withdrawal of its reservation by the Republic of Djibouti is part of the fruitful dialogue initiated by the delegation of Djibouti with the Committee on the Rights of the Child on the occasion of the submission of its previous report in September 2008 (CRC/C/DJ/Q/2/Add.1 of 14 August 2009). The State party's commitment to include in its written replies the list of issues for consideration on the occasion of its second report has thus been fulfilled.

17. It should therefore be noted that the ratification of the Convention on the Rights of the Child is no longer subject to any reservation. The Committee's recommendation has not been without effect.

B. Legal and policy measures

18. Efforts to strengthen the State party's legal framework in order to create an enabling environment for the development and self-fulfilment of the child have continued and have

resulted in the adoption of new laws, codes and decrees in several areas of importance to children.

19. The Government, despite its limited resources, is firmly convinced of the need to complete the reform process initiated in the interest of children, in particular by incorporating international provisions into domestic law.

20. The adoption of the Code on the Legal Protection of Minors by Act No. 95/AN/15/7 L of 18 May 2015 constitutes a major reform of the administration of juvenile justice and reaffirms the age of criminal responsibility set at 13 years. Through the alternatives to detention it proposes, it incorporates the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Beijing or Havana Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Principles), the Tokyo Rules on Non-Custodial Measures and many provisions of the Convention on the Rights of the Child (19.1, 20.1, 25, 28.1, 39, 40.3 and 40.4).

21. This Act protects both children who are victims or those in conflict with the law in accordance with the principle that the best interests of the child are a primary consideration in all decisions affecting them.

22. This Act supplements the Act on the establishment of a criminal chamber for minors in the Court of Appeal and the appointment of a children's judge in the court of first instance. This reform undertaken in 2010 establishes for the first time in the country a specialized juvenile justice system.

23. In the area of health, Act No. 24/AN/14/7 of 5 February 2014 instituting a Universal Health Insurance Scheme establishes a health insurance system based on the principles of national solidarity, legal entitlement and access to health care for all.

24. Through its social health assistance programme, this new and more inclusive system offers health-care provision to vulnerable low-income households and their children (arts. 20 and 21). The population as a whole thus enjoys basic medical coverage.

25. Measures to ensure better alignment of domestic law with the provisions of international instruments in the field of children's rights are also being taken through the revision of certain laws. This is the case with:

- The Family Code (Act No. 152/AN/02/4 L), whose provisions on parentage and guardianship have been amended and supplemented to provide a better framework for foster placement (adoption-protection) (Act No. 56/AN/14/7 L)
- The 2008 legislation on the National Human Rights Commission was repealed by an Act of 2014 to bring it into line with the Paris Principles

26. These different legislative provisions, adopted in response to the recommendations of the Committee on the Rights of the Child, will be analysed below.

27. With regard to the Committee's recommendation 11 on the provision of adequate human and financial resources for the full implementation of the provisions of the Convention, the Government of Djibouti has pursued its efforts and implemented policies and strategies to secure prompt and comprehensive realization of the rights granted to all children on its territory.

28. By way of illustration, the State party has embarked since 2009 on a far-reaching policy to reduce food insecurity and malnutrition and to promote sustainable rural and social development.

29. The overall objective of the food security strategy is "to ensure that all Djiboutians have access, at all times, to the food necessary to lead a healthy and active life between now and 2025".

30. This strategy, which meets the objectives of sustainable development, aims on the one hand to combat hunger and on the other to reduce poverty in the country.

31. The numerous projects under the National Food Security Programme for 2012–2017 have been carried out with the essential support of development partners while also relying on the State party's own funds.

32. In the Djiboutian context, the problem of access to water for all is of crucial importance for the realization of children's rights and the country's economic development.

33. Part of the National Food Security Programme, the subprogramme "Mobilization of water resources for hydro-agricultural development" shows how this scarce resource is central to food security for meeting the needs of the population, whether social (supply of drinking water) or productive (hydro-agricultural developments).

34. Conscious of the key issue of water, particularly its impact on the survival and development of children, the Government of Djibouti has just put into operation the Djibouti-Ethiopia cross-border water supply project. The collection system originating in Ethiopia consists of 28 boreholes linked to two reservoir generating stations and connected to three regions including the capital (Djibouti City).

35. This major initiative provides a comprehensive and sustainable solution to the water problem in the country and puts an end to the regular water shortages from which a large part of the territory and especially the capital city have suffered. This project has been carried out with financial assistance amounting to \$329 million.

36. Other similar initiatives have been launched by the State party to provide public departments in charge of the main social services (education, health, social protection) with increased resources. Thus, the Government of Djibouti has taken measures, using its own funds and/or with the assistance of development partners, to provide these departments with adequate personnel, quality training and appropriate resources to ensure full and effective implementation of the Convention. The necessary details are given in the respective parts of the report.

C. Coordination

37. In response to the Committee's recommendation (13), the State party, in the framework of the National Strategic Action Plan for Children in Djibouti, has established a set of mechanisms "responsible for measuring progress in this field, identifying the gaps and obstacles encountered in the implementation of the national action plan and proposing political and strategic guidelines with a view to realizing the Government's vision of making Djibouti a country fit for children".

38. At the apex of this new institutional framework is the National Children's Council, whose establishment, membership and functioning are governed by the Decree of 4 April 2012.

39. Article 3 of the Decree specifies the Council's membership:

- Chairperson: The Prime Minister
- Vice-Chairperson: The Minister for Women and the Family

40. The other members are:

- The Minister of Justice and Penal Affairs responsible for Human Rights or his/her representative
- The Minister for the Economy and Finance responsible for Industry and Planning
- The Minister of the Interior or his/her representative
- The Minister of Health or his/her representative
- The Minister of National Education and Vocational Training or his/her representative
- The Minister of Muslim Affairs and Wakf Properties or his/her representative
- The State Secretariat for Youth and Sport or its representative
- Two parliamentarians from the National Assembly
- Two representatives of the Youth Parliament

- Two representatives of the local and regional authorities
- Two representatives of the private sector
- Two representatives of women's associations and NGOs
- As observers, a representative of the United Nations Development Programme, UNICEF, the World Food Programme and the Office of the United Nations High Commissioner for Refugees

41. The National Children's Council, which brings together the country's top officials, has many important functions. Article 2 sets out its main tasks:

- To promote the rights of the child by implementing the National Strategic Action Plan for Children, in particular through educational activities and the preparation of preliminary draft legislation and regulations aimed at ensuring better respect for the rights of the child, for submission to the Government
- To coordinate the activities carried out by the different stakeholders in the area of the rights and protection of children
- To contribute to the development and validation of overall policies and strategies for child development
- To ensure the integration of children's concerns in national development programmes and the annual action plans of sectoral departments in close collaboration with the technical ministries concerned, with a view to the promotion, protection and realization of the rights of the child at the health, nutritional, educational, emotional, creative, social protection and child participation levels, with particular attention to the most vulnerable children
- To undertake sustained advocacy among national decision makers, particularly those concerned with policy issues and the national budget
- To advocate for the allocation of a share of the national state budget to children
- To document all situations of violence, abuse, neglect or exploitation affecting children
- To prepare a biannual report on the status of implementation of the National Strategic Action Plan for Children and sectoral policies, programmes and plans of action targeting children
- To monitor the preparation, validation, submission and presentation of national reports on the implementation of regional and international legal instruments on the rights of the child
- To monitor the implementation of international recommendations on the realization and protection of children's rights

42. Since its establishment in 2013, the Council has met a number of times and established the broad guidelines with regard to children's rights.

43. The National Children's Council is assisted by two other bodies, the National Steering Committee and the Technical Committee for the preparation, implementation, monitoring and evaluation of the National Strategic Action Plan for Children in Djibouti.

44. The National Strategic Action Plan for Children was evaluated in 2017 and subsequently a new National Policy for Children was adopted.

D. National plan of action

45. This crucial recommendation has been rapidly implemented. The State party commenced work in 2010 to develop a comprehensive national plan of action for children. As recommended by the Committee on the Rights of the Child, this plan was based on the Convention on the Rights of the Child and other relevant international and regional documents.

46. The work lasted for more than six months and, like all national policies and strategies, was participatory and inclusive in nature. The public sector, decentralized authorities, civil society, parents and children, the primary beneficiaries, all contributed.

47. In order to achieve a complete and comprehensive document, the State first carried out an inventory of the overall situation of children. This initial exercise highlighted the strengths and weaknesses of the child protection system.

48. Based on the results obtained together with consultations and recommendations from partners, the State Party finalized the National Strategic Action Plan for Children in 2011. It was validated by all stakeholders and adopted by the Council of Ministers.

49. Prior to implementation of the Plan, the State party launched an awareness-raising campaign to ensure that the public fully supported and subscribed to it.

50. The document is fairly rich in content, with a strong strategic goal of “creating a protective environment for all children that promotes the realization of their fundamental rights”. This strategic goal rests on five main pillars, four of which are taken directly from the Convention on the Rights of the Child. They are:

- Survival of the child
- Development of the child
- Protection of the child
- Participation of the child
- Institutional support and capacity-building

51. These pillars have been and remain the priorities of the Government which, since the adoption of the Millennium Development Goals in 2000, has allocated half the national budget to the sectors largely responsible for children, such as those concerned with health, education and water.

52. The National Strategic Action Plan for Children has a monitoring-evaluation system that is regularly activated in order to identify the dysfunctions that need correcting and the results that have been achieved. At the end of each year, the State party, with the support of UNICEF, conducts an analysis of the situation of children and women in Djibouti in order to assess trends and disparities in the realization of the fundamental rights of children and to gauge the impact of national policies in the areas of health, protection, education, water and sanitation.

E. Independent monitoring

53. In 2008, the State party established an independent body to promote and monitor implementation of the Convention. The discussions held on the basis of the Committee’s recommendations highlighted the need to improve the status and effectiveness of the National Human Rights Commission so as to ensure adequate promotion and protection of children’s rights as stipulated in the Convention on the Rights of the Child.

54. In consequence, the State party has strengthened the National Human Rights Commission by revising its legislative framework to bring it into line with the Paris Principles, thereby responding positively to recommendations 16 and 17 of the Committee.

55. Act No. 59/AN/14/7 L on the organization and functioning of the National Human Rights Commission defines its tasks, which include the following:

- Providing opinions, recommendations, proposals and reports to the public authorities, by publishing them on its own initiative or at the request of the authority concerned, on general matters relating to human rights violations or on more specific questions such as the follow-up and implementation of the Convention (arts. 5 and 6);
- Furthering the adoption by the public authorities of measures to promote and protect human rights, including the rights of the child, by:

- Ensuring the alignment of domestic legislation, regulations and practices with ratified international instruments and their effective implementation
- Encouraging the State party to ratify international human rights instruments and implement them effectively at the national level
- Disseminating legal provisions concerning human rights and combating all forms of discrimination, racism and xenophobia, in particular through public awareness-raising and information campaigns (art. 7)
- Contributing to the preparation of national reports submitted to the various treaty bodies at international and regional levels (art. 8)

56. Reflecting the concern for promoting and protecting human rights, the National Human Rights Commission has a broad mandate that includes the Committee on the Rights of the Child and other relevant international human rights instruments, thereby effectively encompassing all the fundamental rights of the child (civil, political, economic and social rights).

57. To this end, the implementing decree (No. 2015-210/PR/MJDH) of the new Act establishing the National Human Rights Commission creates four subcommissions, each responsible for ensuring respect for and implementation of one or more fundamental human rights instruments (art. 2). A commissioner has been appointed to monitor implementation of the Convention on the Rights of the Child and the Convention on the Elimination of all Forms of Discrimination against Women.

58. The National Human Rights Commission can only carry out its tasks effectively if it is able to hear any individual or receive any information necessary to assess situations falling within its field of competence. With the new legislation, the Commission has many powers enabling it to have a better understanding of situations of human rights violations.

59. Article 11 of the Act stipulates that “the Commission may receive complaints and investigate violations of human rights; conduct regular announced or unannounced visits to all places of detention and draw up recommendations for the competent authorities with a view to improving the treatment and situation of persons deprived of liberty; and provide or facilitate legal assistance to victims of human rights violations, in particular women, children and other vulnerable persons”.

60. The implementing decree of the Act, which defines the procedures for the lodging of complaints, explicitly sets out this principle essential to the monitoring, promotion and protection of human rights, and consequently of children’s rights. Article 5 provides that “the matter may be referred to the Commission either by oral or written statement. In the event of a human rights violation, the complaint may be made by the victim or his or her dependants or by human rights non-governmental organizations or by any other interested natural or legal person”.

61. The weighty body (21 members) instituted by the 2008 decree has yielded to a reduced and pluralistic membership of seven commissioners distributed as follows:

- A representative of non-governmental organizations
- A representative of the Bar Association
- A representative of university or research bodies
- A representative of the religious community
- Three senior public administration officials chosen for their knowledge and competence in the human rights field

62. To ensure independence, the latter are seconded to the Commission for the duration of their term of office. Similarly, the President of the Commission is elected by his or her peers. Furthermore, the appointment made by the President of the Republic must take gender equity into account and the current membership includes four women and three men.

63. The State party has also made efforts to ensure that the Commission has the necessary resources to function effectively and discharge its responsibilities. These resource

allocations have increased the Commission's human resources, the number of its more qualified staff having risen from 3 to 8 persons.

64. The increase in resources granted by the State party together with the support of development partners have enabled the institution to organize promotion and protection activities, undertake capacity building, particularly for the benefit of civil society, and participate in international and regional seminars.

65. A further reform of the National Human Rights Commission is in progress, the aim being to bring this institution finally into line with the Paris Principles. This will enable it to attain the prestigious A status.

F. Data collection

66. Since the second half of the 1990s, the State party has continuously reformed and restructured its data collection capacities in order to have the necessary decision-making tools adapted to the socioeconomic imperatives of the time.

67. This impetus towards the revitalization of the national statistical system reached a watershed in 2011 with the elaboration and adoption of the National Statistics Development Strategy, complete with an action plan covering the period 2011–2015.

68. The new synthetic framework provides for a national statistical system that is “decentralized (with a strong central body) but integrated and coordinated, effective and efficient, capable of responding in a durable manner to priority needs in the design, implementation, monitoring and evaluation of policies, plans, programmes and projects, and of informing democratic debate for the rapid progress of society”.

69. The National Statistics Development Strategy involves five strategic priorities:

- Reinforcing the institutional framework
- Strengthening human resources for a more effective statistical system
- Improving the quality, quantity and regularity of the statistics produced
- Improving the dissemination and promotion of the use of statistics
- Ensuring the sustainable financing of statistical activities

70. Djibouti's strong commitment and attachment to the central role of statistical activities in general and those devoted to the different areas of the Convention in particular are reflected in:

- The adoption of the Strategy by the National Assembly and its promulgation by the President of the Republic
- The adoption of the legislation on statistics (Act No 124/AN/11/6 L) of November 2011 establishing the coordinating bodies
- The creation of the Office of the Commissioner for Planning in charge of statistics, headed by a Commissioner with ministerial status
- The accession by Djibouti to AFRISTAT (Act No. 176/AN/12/6 L) with a view to benefiting from the institution's technical support for statistical capacity building

71. All these measures were initiated by the Government of Djibouti to enable the national statistical system to meet the information needs of:

- Monitoring-evaluation and implementation of economic and social policy instruments such as the Accelerated Growth and Employment Promotion Strategy 2015–2019
- Sectoral strategies (health, education, water, housing ...)
- Monitoring and implementation of the Millennium Development and Sustainable Development Goals

72. All these different measures and the resulting new framework put in place to organize the national statistical system constitute a response to recommendation 21 on the development of indicators for monitoring the various fields of the Convention.

73. The evaluation of the National Statistics Development Strategy 2011–2015 highlighted the relevance and appropriateness of such a framework for:

- Performing effectively the essential coordination and harmonization functions of a national statistical system
- Strengthening human resources by training statisticians and demographers at the University of Djibouti
- Producing the statistics needed to monitor the living conditions of households and therefore of children [Third Djibouti Household Survey for Social Indicators, 2012; Second Djiboutian Survey on Family Health, 2012; Immunization Coverage Survey, 2014; and Fourth Djibouti Household Survey for Social Indicators, 2017]

74. The General Population and Housing Census took place in 2009.

75. The strengthening of the national statistics system continues, and the State party in the process of establishing a National Institute of Statistics to replace the Department of Statistics and Demographic Studies.

76. It is a public institution with legal personality and financial autonomy.

77. In addition to data collection and management at national level, the Institute will have the following functions:

- Training statisticians and demographers
- Advising the government on all matters relating to statistical and demographic data
- Pursuing and developing cooperation with international and regional partners

78. With the intention once again of strengthening the national statistical system, the State party has adopted a new strategy.

G. Dissemination, training and awareness-raising

79. The first human rights convention ratified by Djibouti, the Convention on the Rights of the Child, is also the best known of all the fundamental human rights instruments.

80. The provisions of the Convention, unlike other instruments, have been largely incorporated into domestic law. They are reflected in the Family Code, in the form of notions such as the best interests of the child and respect for the child's opinion, and in the Criminal Code, the Code of Criminal Procedure, the Code on the Legal Protection of Minors and the Health or Education Framework Acts.

81. Likewise, with the goal of making the Convention better known, the State party regularly conducts awareness-raising campaigns on the rights of the child, which take place in urban and rural areas alike.

82. Training is also organized for professionals and other persons involved in the promotion and protection of the rights of the child, such as teachers, health personnel, magistrates and police and gendarmerie officers.

83. All these activities have contributed to a greater awareness of the importance of children's rights in the country.

H. Cooperation with civil society

84. Djibouti has a fairly vibrant society that plays a key role in the promotion and protection of human rights in general and the rights of the child in particular.

85. According to their core areas of activity, the different associations form networks such as that related to persons with disabilities.

86. The oldest association still in operation is the National Union of Djiboutian Women, which was created two months before independence in April 1977.

87. Chaired by the First Lady of the country, Mrs Kadra Mohamoud Haid, the National Union of Djiboutian Women has been working since its creation for the rights of women and girls. This association, which has been given the status of a public charity, receives substantial human and material resources from the State party. It is very involved in combating female genital mutilation, a campaign in which it has played a pioneering role, and other forms violence against women, and in the schooling of girls and promoting the health of mothers and children.

88. The State party has always regarded civil society as a reliable and essential partner for the economic and social development of the country. In this regard, it is involved in the development and evaluation of public policies.

89. Capacity-building is organized for the association's members, particularly in the areas of poverty alleviation, sustainable development, combating HIV/AIDS, human rights and the rights of traditionally excluded persons such as women, the elderly, refugees, persons with disabilities and children.

90. Members of civil society participate in international and regional seminars with the support of the State party.

91. As indicated repeatedly in this and other reports, civil society participates in the preparation of reports to treaty bodies and to the Human Rights Council.

92. Civil society plays an active and effective role in coordination: it is a member of the National Children's Council and the National Human Rights Commission (the composition of these two bodies has already been mentioned in detail earlier in the report).

93. It is important to note in this regard that the associations most involved receive special support and have been granted the status of public charities by the government. This distinction gives them rights: they can benefit from public subsidies or be entrusted with remunerated service missions.

94. Some examples of public charity associations are:

- The National Union of Djiboutian Women
- The Peace and Milk Association, active in the education, health and water sectors
- The Daryel Centre, a nursery caring for abandoned children
- The Bender Djedid Association, active in the education and poverty alleviation sectors, has the title of observer at the Economic and Social Council

III. Definition of the child

95. There have been no changes in the legislation on the definition of the child since the submission of the first periodic report on the implementation of the Convention on the Rights of the Child in 2008.

96. The Code on the Legal Protection of Minors adopted in 2015 adopts the definition of a minor given in article 32 of the Criminal Code, which states that a minor is any person under 18 years of age. Article 2 of the Code is the only place where it is specified that the term minor has the same meaning as that of a child.

97. However, it should be noted that minors are not subject to the same legal regime. In criminal matters, for example, a minor under the age of 13 is not criminally responsible, while over the age of 13 he/she is partially responsible and is therefore, in the event of an offence, sentenced to lighter penalties than an adult.

98. Social legislation allows for a departure from the principle concerning attainment of the age of majority. The Labour Code lowers the age limit for admission to the labour market to 16 years. In order to prevent the abuse and exploitation of children, the Code regulates the work of young people.

99. With regard to marriage, the Family Code sets the statutory age, stipulating in article 13 that “the future spouses must be at least 18 years of age to enter into marriage”. However, there is one exception, since the Code provides for the possibility of marriage between minors, subject to the consent or consents of the guardians.

100. In the event of disagreement between minors and their guardians, the matter will be referred to the judge, who alone has the power to authorize or oppose the marriage.

101. However, underage marriage has been strongly criticized by child rights defenders and by civil society in general on the grounds that the law does not specify a minimum age, a threshold below which it is not possible to go. Civil society has repeatedly recommended that the Government should formally prohibit underage marriage.

102. The recommendation has been welcomed by the Government, which is planning to review the Family Code.

103. It should be borne in mind that underage marriage is a fairly marginal phenomenon. Cases of child marriages are reported in rural areas. Measures have been taken to eradicate early marriage, and the State has made great efforts to enrol and keep girls in school. It may also be added that the State party is continuously conducting awareness-raising activities concerning harmful traditional practices (female genital mutilation, early marriage, forced marriage).

IV. Guiding principles

A. Non-discrimination

104. Equality and non-discrimination are fundamental principles enshrined in the Constitution and the main texts of the Republic. Violation of this principle is a criminal offence punishable under articles 390 and 391 of the Criminal Code:

- Article 390 of the Criminal Code, for instance, describes discrimination as “any distinction between individuals based on their origin, sex, family status, state of health, disability, customs, political opinions, trade union activities or membership or non-membership, whether actual or supposed, of a particular ethnic group, nation, race or religion. Likewise, any distinction between legal entities based on their origin, sex, family status, state of health, disability, customs, political opinions, trade union activities or membership or non-membership, actual or supposed, of a particular ethnic group, nation, race or religion of members or certain members of these legal entities shall also constitute discrimination”.
- “Discrimination as defined in Article 390 committed against a natural or legal person is punishable by two years’ imprisonment and a fine of 500,000 francs when it involves (1) a refusal to deliver goods or services; (2) interference in the normal exercise of an economic activity; (3) a refusal to hire, discipline or fire a person; (4) making the delivery of goods or services subject to a condition based on one of the factors referred to in article 390; (5) making an offer of employment subject to one of the factors referred to in article 390” (art. 391).

105. The penalty is more severe when committed by a public official, since article 392 provides that “the offences defined in article 391 shall be punishable by three years’ imprisonment and a fine of 1,000,000 francs when committed by a civil servant or public official”.

106. With regard to recommendation 27, it should be made clear from the outset that there is no political or other kind of intent to discriminate against one or more categories of

children. The difficult situation experienced by some children is linked to the difficulties arising from the lack of resources in many developing countries.

107. Despite this problem, the State party is doing its utmost to ensure that every child has access to basic social services. It has developed programmes and policies to reduce poverty, which is the primary cause of child suffering. Thus, it has in turn developed various medium-term policies/strategies, such as that on poverty reduction based on the paper entitled Poverty Reduction Strategy to 2007. The National Initiative for Social Development was set up from that date. Today, Vision 2035 is Djibouti's long-term development strategy. It is being implemented in the medium term in the form of five-year policies within the Accelerated Growth Strategy for Employment.

108. The State party has made education a priority. The aim is to establish an education system open to all without distinction of age, sex and social, ethnic or religious origin.

109. In order to achieve this objective set by the Djibouti Education Framework Act of 2000, the State party has mobilized substantial financial resources. It continuously and significantly increases the share of the National Budget allocated to the education sector, which varies between 25 and 30 per cent. Funding partners also make key contributions.

110. This financial mobilization and the political will to democratize education have led to significant progress, in particular:

- Increased educational opportunity thanks to the building and equipping of educational infrastructure and the adoption of measures to encourage enrolment
- Increased enrolment of girls, who are currently equal in number to boys at the primary level

111. All these measures have had an appreciable effect on the gross enrolment rate, which increased from 49.5 per cent in 2003/2004 to 79 per cent in 2014/2015. The proportion of new enrolments in the first year likewise increased from 50.7 per cent in 2003/04 to 72.2 per cent in 2014/15.

112. The State party, after concentrating on quantitative improvements in the period 2000–2010, is currently targeting quality improvements. It has set itself new objectives which are defined in the Master Plan 2010–2019.

113. These objectives are:

- To achieve 100 per cent enrolment at the primary level by 2015 and 90 per cent gross enrolment rate for children aged 11–14 by 2019
- To eliminate disparities between girls and boys at the primary and secondary levels by 2015 and achieve full equality by 2019
- To ensure that 100 per cent of children in basic education master at least 80 per cent of the knowledge and skills set out in the curriculum for languages, mathematics, science and life skills
- To reform secondary education and technical and vocational education and training with a view to achieving excellence and relevance in training programmes related to the labour market
- To improve the quality and relevance of higher education and university research from all standpoints
- To improve administrative practices at all levels in order to ensure efficient and effective management of the services provided and the use of resources

114. Non-discrimination and equality among children are an increasing concern of the State party. The National Strategic Action Plan for Children includes measures targeting vulnerable children and children with disabilities.

115. As part of its efforts to create an inclusive education system, the State promotes the integration of children with special educational needs into mainstream schools. This has involved the creation of a central service responsible for the education of children with special needs, overseen by a visually impaired official. The service is responsible for:

- Developing education strategies tailored to the specific needs of children with disabilities
- Monitoring and coordinating educational activities for children with special educational needs
- Mobilizing the engagement of the population and education partners in promoting the schooling of children with special educational needs

116. Children with mild physical or motor disabilities attend school with other children and follow normal classes.

117. To facilitate the learning outcomes of children with special needs, the State has focused on:

- Prevention and support for children with learning difficulties. In this connection, five assistant psychologists and 36 specialist teachers were trained to identify and support children who had dropped out of school. Two teacher handbooks were developed and published for this purpose. As a result, 1,423 students were identified in 2007–2008.
- The education of children with motor disabilities and/or sensory impairments.

118. The accessibility of existing schools to children with more serious motor disabilities has been improved, and accessibility has been included in design plans for new schools.

119. Teachers have been trained in Braille and sign language to support children with sensory disabilities, primarily those with visual and hearing impairments.

120. This has enabled the opening of a school for children who are deaf or hard of hearing and another for children who are blind or visually impaired. But specific teaching of this kind remains insufficient.

121. The school for visually impaired children has been operating since 2013 and has two classes – first and second grade – and aims to provide all five levels of primary education in Braille. Each class has 15 students between the ages of 6 and 20, one third of them girls. The main focus of study is French and Arabic.

122. Schooling for children who are deaf or hard of hearing has been in place longer, since 2004. This reflects the wish of some citizens and parents to translate into practice the education to which every child has the right under the conventions ratified by Djibouti, particularly the Convention on the Rights of the Child (ratified in 1990) and the Convention on the Rights of Persons with Disabilities (ratified in 2010).

123. The main educational establishment, which is located on the premises of the Child Protection Centre (a charitable association supported by the State), accommodates 119 children. It offers primary and lower secondary education. In total, there are nine school grades with classes of between 16 and 18 students per grade.

124. Students' ages range from 4 to over 25 years. (When the school opened in 2004, all students whose parents wished to enrol them were admitted, regardless of their age.)

125. The primary school was established with the support of the State, which supplied teachers and school equipment. In 2015, a total of 57 children were enrolled in primary classes while 62 attended lower secondary classes (from sixth to ninth grade).

126. In addition, the Child Protection Centre provides boarding students – primarily girls abandoned at birth, orphaned or from impoverished families – with training in sewing, pastry-making, baking and information technology. Such training may be dispensed to deaf or hard-of-hearing children who are interested in vocational training.

127. The structure is currently handicapped by a shortage of secondary-school teachers trained in sign language.

128. There is also a primary school for children who are deaf and hard-of-hearing, established by a private individual in Ali-Sabieh. The school was built in 2006 on land granted by the regional government. It comprises three classes with a total of 31 students.

The school operates with support from charitable organizations. According to the school principal, many children from disadvantaged backgrounds do not attend school.

129. In Ali-Sabieh, there is also a private school called “School for All”, located on the premises of the Saint Louis primary school (a private Catholic institution), catering for ten students with special needs. Three teachers provide them with training in social and interpersonal behaviour, fine motor skills, language and core learning. These teachers, who are partly trained in Italy, receive additional training every six months from a team coming from Italy. This initiative, which has been in place for three years, will be encouraged and supported by the State party so that similar initiatives may be undertaken in the other regions of the country.

130. To gain a better understanding of the situation of children living with disabilities, the State party commissioned a study of such children in 2014. The study revealed that numerous achievements have been made, particularly in the field of education; there are now schools for the blind and visually impaired and schools for the deaf and hard of hearing.

131. These achievements have been judged inadequate having regard to the rights of the child: in that respect, a committee has been set up under the authority of the Prime Minister to work on a plan of action for children.

B. Best interests of the child

132. As indicated in our previous reports to the treaty bodies, the concept of the best interests of the child has been transposed into the Family Code, notably in its provisions on custody in the event of parental divorce. The judge’s rulings must always take into account the best interest of the child.

133. This concept has been incorporated in the new Code on the Legal Protection of Minors, article 3 of which stipulates that “in any action concerning a child undertaken by any person or authority, the best interests of the child shall be the primary consideration. The best interests of the child must be understood as everything that is beneficial to his or her mental, moral, physical and material well-being. The moral, emotional and physical needs of the child, his or her capacity for discernment, age, state of health, family environment and the various aspects of his or her situation must be taken into account”.

134. The concept of the best interests of the child is most frequently applied by the family judge in child custody, kafala and adoption proceedings. There is an abundance of case law in this field.

135. In 2017, the Government amended Decree No. 2010-0103/PR/MPFBF on the establishment and organization of a National Steering Committee and a Technical Committee for the preparation, implementation and monitoring/evaluation of the National Strategic Plan for Children in Djibouti to bring it more into line with the realities and challenges facing children. Indeed, the powers and duties of this Committee have been modified, improved and expanded, taking into account the best interests of the child.

C. Right to life, survival and development

136. Despite the numerous difficulties (structural or otherwise) experienced by the country in reducing poverty, the challenges posed by the lack of sufficient primary resources (agriculture, livestock, fishing) and the penury of water resources, a consequence of the arid environment and recurrent droughts, together with the general increase in food prices at the international level since 2008, Djibouti has tried through various practical measures to adhere to the provisions of article 6 of the Convention.

137. In the area of food security and reduction in the impact of droughts on vulnerable populations, the State party has developed and launched several programmes and projects:

- The Country Programme Document for the period 2012–2017 seeks to build resilience to drought by going beyond emergency aid in the wake of shocks and

developing a sustainable development policy that includes risk prevention and management measures.

- The National Food Security Programme 2012–2017, which is also the Djiboutian version of the Detailed Plan for the Development of African Agriculture, is the reference document for all actions to promote food security in Djibouti. The main areas of intervention are sustainable food security at the regional level, assistance to vulnerable groups (rural development, gender issues, mobilization of water resources for hydro-agricultural development, taking account of climate change with projects such as ensuring animal health or construction of a cattle feed factory ...) and the creation of new sources of growth based on development of the main sectors (meat and derivatives, exports of fishery products).
- Through its various technical departments and decentralised services and thanks in particular to funding from donors (IFAD, World Bank, European Union, United Nations agencies, etc.), the Ministry of Agriculture, Water, Fisheries and Livestock has implemented several programmes on the mobilisation of surface water, sustainable land management, social and nutritional microfinance and agropastoral developments.
- Land acquisition in Ethiopia and the Sudan.

138. In contrast to the rest of the Horn of Africa, which was severely affected by a dramatic drought, Djibouti has seen the household food security situation continue to improve since September 2013. This improvement accelerated still further between October 2016 and May 2018, with a 26 per cent decline in the number of food-insecure households. Approximately 60 per cent of food-insecure households are situated in rural areas. For these poor households, food expenditure accounts for almost the entire monthly budget (about 85 per cent), some half of which is spent on basic products, mainly cereals (rice, pasta). In October 2017, food insecurity in rural areas (severe and moderate insecurity combined), assessed in terms of three key indicators (proportion of food expenditure, food consumption and coping strategies), was halved.

139. The issue of access to water is a major challenge for the development of the Republic of Djibouti. The government is therefore working to put in place a genuine water policy: in a context of population growth, the objective is to ensure sufficient production of drinking water and distribution to the entire population regardless of where they live.

140. The establishment of the Djibouti National Water and Sanitation Office is the first step taken by the Government towards this objective. Other initiatives aimed at increasing production include:

- The Ethiopian Cross-Frontier Water Supply Project
- The construction of seawater desalination plants
- Strengthening and improving the efficiency of the distribution network
- Improving the financial situation of the Djibouti National Water and Sanitation Office to meet the needs of urban and rural populations

141. Sanitation issues are of crucial importance because of their detrimental consequences for the hygiene and health of the population, particularly for its most vulnerable groups made up of children.

142. Djibouti City, where a large part of the population is concentrated, continues to face major difficulties (especially regarding wastewater treatment). The same applies to solid waste management.

143. In order to find solutions to these difficulties, the State Party, with the support of technical and financial partners, has undertaken a number of measures to improve the situation:

- The sanitation master plan for Djibouti City has been drawn up.

- The body responsible for water management and distribution has been reorganized to include sanitation services and thus becomes the Djibouti National Water and Sanitation Office.

144. Concerning wastewater, the creation of a wastewater treatment plant in operation since 2014 in Douda is the most important initiative and the first step towards the establishment of a genuine sewerage network in the capital. All the wastewater from the collective sewage system in the central neighbourhoods, which used to be discharged into the sea, receives proper treatment. This structure also increasingly treats wastewater from the independent network in these urban areas.

145. The project for the reorganization of liquid waste in the capital launched by Djibouti is a long-term one. The State party plans in this way to equip more urban areas (installation of a sewage collector in Balbala, a suburb of Djibouti City), to support the new collection network (ensuring its connection to the sewage treatment plant) and finally to extend it to the rest of the territory (regional capitals).

146. Solid waste management is also a major challenge for improving the living conditions of urban populations, especially children. The establishment of the Djibouti Highways Office in 2007 has improved understanding of the difficulties in the sector. Significant progress has since been made in waste collection and storage.

147. The construction of an engineered landfill site is providing the capital with its first waste storage facility. Such progress, though real, cannot however conceal the many challenges that remain:

- The reduced life span of the landfill site
- The absence of a structured solid waste management system and a controlled storage centre in the chief towns of the regions
- Institutional strengthening of the Djibouti Highways Office and increasing the capacity of the landfill site

148. The State party has deployed other means, with the support of development partners, to improve the food and nutritional security of children. In the Government's social protection policy, actions to support and assist the family, mothers and children are a priority.

149. Although the impact of certain initiatives is not sufficiently visible (food/nutrition), the different measures listed above have already led to a significant reduction in child mortality and morbidity.

Trends in child mortality (2002–2012)

<i>Child mortality</i>	<i>EDSF/PAPFAM 2002</i>	<i>EDSF/PAPFAM 2012</i>
Neonatal mortality	45	36
Post-neonatal mortality	54.9	22.1
Infant mortality	99.8	58
Infant and child mortality	127	67.8

D. Respect for the views of the child

150. Freedom of opinion is guaranteed by the Constitution to all persons living in Djibouti, regardless of whether they are adults or minors. Additional protection is afforded to children in this area; their views must be respected in accordance with article 172 of the Family Code, which stipulates that "Children have the right to express their views freely and for these to be taken into account in accordance with their age and degree of maturity".

151. The State also endeavours to involve children and parents in all decisions or measures affecting them. With this in mind, the drafters of the National Strategic Action

Plan for Children consulted with a number of groups of children, who voiced their concerns and expectations.

152. They called for example for:

- Equality between children
- Leisure facilities
- Better quality schools
- All children to be informed about their rights

153. The State party welcomed these demands. And to encourage participation and thereby strengthen children's abilities to defend their own interests, the State party has incorporated in the National Strategic Action Plan for Children a component entitled "Promotion and strengthening of children's participation in public life".

154. It aims to:

- Strengthen civic and citizenship education for children to further their effective participation in society
- Take into account the viewpoints of children so as to promote their effective involvement in policy making in general and programmes targeting them in particular

155. To achieve these objectives, the State party has reformed the school curriculum, and chapters on peace, democracy, participation and conflict resolution have been included in textbooks.

156. Radio broadcasts are also organized for the benefit of children, who take the opportunity to express their opinions on current events or topics of concern to them.

157. The establishment of child parliamentarians shows how the views of children are paramount in government action concerning them.

158. On 13 and 14 May 2018, the sixth ordinary session of child parliamentarians was held in the National Assembly of the Republic of Djibouti.

159. Twenty-seven children, including 14 boys and 13 girls selected from various public and private institutions in Djibouti City and the interior regions, are the new junior deputies serving for a two-year term.

160. During this session, they adopted two resolutions, one on child safety on roads in the approach to schools and the other on the design of schools that further the inclusion of children with special needs.

161. On 20 November 2018, during celebration of the International Day of the Child, child parliamentarians organized a discussion forum on children's rights and questioned representatives of certain State institutions on respect for their rights.

V. Civil rights and freedoms

A. Birth registration

162. Birth registration, far from being a mere administrative formality, is a fundamental right, a cornerstone for the exercise of many other rights (right to education, right to health, right to protection ...). It is thus an essential and indispensable right for establishing a child's identity.

163. The State of Djibouti, fully conscious of the importance of these principles, reaffirms them in the new legislation establishing the Code on the Legal Protection of Minors. Act No. 95/AN/15/7 L of 18 May 2015 on the protection and promotion of minors emphasizes that "every child shall be registered at birth and shall have from birth the right

to a name, the right to acquire a nationality and, as far as possible, to know and be cared for by his or her parents” (art. 7).

164. In response to paragraphs 33 and 34 of the Committee’s concluding observations, the results of the 2012 Djiboutian Family Health /Pan Arab Project for Family Health survey show that 92.6 per cent of births of children under five were registered at the civil registry office. Whereas gender disparities in this respect remain small (94 per cent for girls against 91.3 per cent for boys), geographical differences are more significant (urban areas: 97.2 per cent; rural areas: 79.1 per cent), while the mother’s level of education and the socioeconomic category of the household have an important influence on birth registration.

165. Nearly 7 per cent of Djiboutians under the age of five have not received a birth certificate despite the 40-day extension granted to parents to carry out this operation at the Population Directorate in Djibouti City and especially in its decentralized services in the interior regions.

166. The Population Directorate, an administrative service responsible for birth registration attached to the Ministry of the Interior, has nonetheless conducted a number of campaigns among urban and rural populations to stress the importance of civil status documents for the realization of citizens’ rights. These operations were particularly intensive in 2014, with the introduction of the new digital national identity card, and involved the most remote areas of the country.

167. The second phase in the decentralization and devolution process, initiated by the Djibouti State in 2002, seeks to transfer many of the State’s powers to local authorities, in such sectors as the registration of civil status, administrative management, highways and the public domain. In the long term, citizen participation in local affairs could provide a more appropriate response to the basic needs of the population, with particular regard to birth registration.

168. According to the 2012 Djiboutian Family Health /Pan Arab Project for Family Health survey, the main reasons given by parents for not registering their children’s births have to do with the accessibility of civil registration services (49.7 per cent), the high cost of registration (15.3 per cent) and ignorance of the need for birth registration (7.2 per cent).

169. As explained above, Djibouti has taken a number of measures to improve the situation with regard to birth registration, as recommended by the Committee. But the limited progress made in this area and the results of field studies in the field will enable the State party to better evaluate the measures required.

170. In this regard, the different measures proposed will serve to develop and/or improve the effectiveness of existing actions and/or strengthen them by:

- Involving civil society more closely in promoting awareness of the importance of birth registration by giving it the means to attain remote rural areas and nomadic populations
- Legislating to make birth registration free of charge or exempting vulnerable regions or populations from registering births
- Organizing the registration of births or issuance of substitute birth certificates on a regular basis through the existing system of mobile court hearings

171. To this end, the Government has launched several studies through the delegate ministry responsible for decentralization to obtain an overall view of the birth registration system, including the context, regulatory framework, structures, functions and procedures as well as the community context and the role of civil society. These studies will highlight the system’s strengths and, above all, its weakness, in particular obstacles and shortcomings. They will also serve as a basis for a process of national reflection on directions of travel for improving birth registration services.

B. Protection against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

172. The Republic of Djibouti has established the principle of a ban on corporal punishment and other cruel or degrading forms of punishment in its Constitution. The penal provisions reaffirm the importance of these forms of protections, particularly for children. Other national legal provisions incorporate to varying degrees the principles of the Convention prohibiting the various forms of violence against children.

173. With the adoption in 2015 of the Code on the Legal Protection of Minors, Djibouti has opted for a wide-ranging legal reform of its legislative arsenal with a view to clear and unconditional implementation of the prohibition of all forms of punishment whatever the context. In this respect, it represents an essential legal basis for effectively combating violence against children and an appropriate response to the Committee's concluding observations, particularly as regards the recommendations in paragraphs 36 and 38.

174. Legislation specific to the protection and promotion of minors prohibits all forms of violence or dangers to which children are exposed and which pose a risk to their health, development or physical, moral or mental integrity (ill-treatment, sexual exploitation, sexual abuse, begging and economic exploitation, use in armed conflicts, exposure to harmful practices, etc.).

175. The Code also defines those punishments or difficult situations explicitly, as does article 14, which states that ill-treatment includes different aspects such as "subjecting the child to torture, violations of his or her physical integrity, detention, depriving him or her of food, or committing any act of brutality likely to affect the child's emotional, moral or psychological balance".

176. Since promulgation of the law is not sufficient to ensure adequate and effective protection, the provisions in article 87 on prevention and accompanying measures recommend that the State should "develop and encourage appropriate social programmes to prevent ill-treatment within the family, school and any other place frequented by the child".

177. The Code on the Legal Protection of Minors is a commitment by the State of Djibouti to the realization of the rights of the child, a key contribution to prevention, to the cessation of these practices and to protection of the children concerned.

178. A training seminar on the Code on the Legal Protection of Minors was organized by the Ministry of Justice and UNICEF in February 2017 for stakeholders in the child protection system, in particular the police, prosecution authorities and courts. The training thus provided has led to a better appreciation of the content and the approach to enforcement of this specific legislation.

179. To date, no statistical data are available on corporal punishment in the different environments that children frequent.

180. In the field of education, the wish to install educational methods more respectful of children's dignity is reflected in the initial and in-service teacher training curriculum of the Basic Education Teacher Training Centre. Likewise, greater involvement by parents in school management should further the adoption of consensual attitudes towards combating those forms of violence contrary to the best interests of the child.

181. Community-based human rights programmes have incorporated these concepts, which are implemented by the family department.

182. With regard to female genital mutilation, the Ministry for Women and the Family is continuing to collaborate with the United Nations Fund for Development through awareness-raising campaigns for the total abandonment of female genital mutilation among the different population groups concerned. Thus, the following activities were organized over the past year:

- An awareness day for university students on the harmful effects of female genital mutilation (230 young people).

- Awareness training for 50 young women learners at the Centre for Social Action and Women's Empowerment.
- A joint UNICEF/UNFPA regional office mission to review progress in the implementation of the Joint FGM/C Programme. Following this, a presentation workshop on achievements and lessons learned was organized to demonstrate that the Government's strong political commitment has enabled the country to continue to make progress in accelerating the abandonment of female genital mutilation.
- Launch of an awareness-raising campaign on female genital mutilation for the benefit of students in seven high schools and colleges in Djibouti City and the five regions of the interior. 600 students have been made aware of the issue of female genital mutilation, both from the medical and religious standpoints.

VI. Family environment and alternative care

A. Shared responsibilities of parents

183. Domestic legislation on children (the Family Code, Child Protection Code, etc.) emphasizes the essential role of the family, which is the basic institution in society for the survival, protection and development of the child. Socialization and the acquisition of values within the family are fundamental to building a child's future as an adult.

184. To put these fundamental principles into effect and enable parents to fulfil their responsibilities, the country has initiated various family support measures in accordance with provisions 5 and 18, paragraph 2, of the Convention and taking into account paragraphs 39 and 40 of the concluding observations of the Committee on the Rights of the Child.

185. The measures necessary to support and strengthen families are focused on preventing the separation of children from their family environment, implementing policies and programmes to provide material assistance to the those in greatest need, as well as providing social and health services, education and decent housing.

186. In Djibouti as in many African countries, prevention of the separation of the child from the family environment has its roots in the organization of society in extended families, and its positive practices with regard to the mediation of marital difficulties between spouses. This traditional mediation, to which the judge must also have recourse where necessary, seeks to preserve the family environment essential to the child's development. This procedure, involving the relatives of both spouses, has been all the more necessary since until recently the country did not have an alternative institution able to care for children.

187. In the same way, the State party is trying to provide appropriate assistance to parents by increasing parenting education through the inclusion in the national media (radio, television) of discussion and information programmes furthering the adoption of good practices within the family. Civil society, in particular the influential branches of the National Union of Djiboutian Women at neighbourhood level, supports the State in this field through its numerous awareness-raising activities.

188. In order to protect children and parents, other assistance measures are undertaken by the State party. Thus, appropriate aid forms part of education and health policy aimed at improving or maintaining access to basic social services. In the field of education, practical measures such as free basic education and the increased provision of school canteens have a real impact on the schooling of children in rural areas.

189. Enactment of the Universal Health Insurance Act in 2014 makes possible more inclusive access to health care by offering a social welfare health programme to persons not covered by compulsory health insurance and without income (art. 20).

190. With regard to social protection of the child, the Government has adopted an inclusive social protection strategy in which the child and the family have a central place.

This strategy, which initially focused on social safety nets (2012–2017), has more recently been concerned with social protection floors (2018–2022). In 2015, the Republic of Djibouti launched a national family solidarity programme offering financial assistance to the most vulnerable households to meet their food security needs, as well as health and education support measures for children aged 0–16 years and pregnant and nursing women. More generally, these measures are part of the fight against poverty and responses to the challenge of limiting the effects of recurrent droughts on populations.

191. In 2018, the State drew up the National Social Protection Policy 2018–2022, whose main objective is to meet the needs of the most vulnerable categories of the Djiboutian population (women, elderly persons without income, persons with reduced mobility, etc.). This policy relies strongly on the concept of the “Social Protection Floor” as promoted by technical and financial partners. Its corollary, the Social Register, an instrument for identifying poor households (including 55,000 beneficiaries of social programmes), was compiled using biometric markers.

192. Polygamy, although regulated in the Family Code, has not been studied in terms of its effects on the upbringing and development of children. The EDAM3-IS survey shows that polygamy accounts for 3 per cent of persons at the national level, with disparities between Djibouti City (2.3 per cent) and the rest of the country (4.1 per cent).

B. Recovery of maintenance

193. As regards the recovery of maintenance, an automatic deduction at source is made from salary as soon as the judgment on the separation of the spouses is published. This system has been in existence for a long while and has proved its worth in terms of efficiency and the rapid availability of maintenance payments to beneficiaries.

194. Non-payment of alimony is regarded as family abandonment and is an offence punishable by imprisonment.

C. Children deprived of a family environment

195. The State party has significantly increased its efforts to provide children, whether residing with their families or deprived of parental custody, with adequate protection, having regard to their best interests as specified in the Convention.

196. All of the above-mentioned child protection activities in Djibouti are part of the National Strategic Action Plan for Children, which has been implemented under the supervision of the National Council for Children since 2012. This body, headed by the Prime Minister and consisting of public stakeholders and civil society partners involved in the field of childhood (associations, non-governmental organizations), has as its main objective the creation of an environment conducive to the protection and promotion of children at the national level. It is also responsible for assessing progress on children’s issues and proposing the necessary policy and strategic guidelines.

197. In addition to establishing this national policy and specific mechanisms for children, Djibouti has also undertaken to improve its legislative framework for the protection and promotion of children. The 2015 Code on the Legal Protection of Minors is a fundamental legal basis for the protection of the rights of children, whether they are victims or in conflict with the law, and a vital step towards the establishment of a more child-friendly justice system. Lastly, the adoption of the first Code on the Legal Protection of Minors strengthens domestic law and brings it closer into line with international standards of protection as advocated by the Convention on the Rights of the Child.

198. The Code on the Legal Protection of Minors thus lays down the conditions for the adoption of measures of protection, assistance, supervision and education, as well as the sentences that may be imposed on a minor.

199. The State party is therefore committed to implementing the Law on the Protection of Minors, while supplementing it with other laws and mobilizing the necessary resources.

200. In the Republic of Djibouti, several types of residential care institutions cater for vulnerable children or those in precarious situations. These establishments come mainly to the assistance of orphans to provide them with an environment conducive to their development and self-fulfilment (keeping them in school, access to technical training, rights to care and leisure activities, etc.).

201. The Child Protection Centre, the oldest institution in the country, caters for young girls attending school. The Centre has been strengthened with the creation of a nursery that cares for abandoned newborns.

202. The Al-Rahma Centre provides orphaned boys with accommodation, food and schooling in general, vocational and technical subjects. This charitable association has also set up operations in the regions to help the local populations.

203. The NGO “SOS Children’s Villages International”, in close collaboration with the Ministry for Women and the Family, moved to Djibouti in 2014 with the aim of offering orphaned brothers and sisters a family environment and the assurance of a lasting emotional and educational relationship with an SOS mother, until they become self-sufficient.

204. The association claims to be “the largest global association dedicated to the long-term care of orphans and abandoned children”, with its 571 SOS Children’s Villages in 134 countries and territories in 2015.

205. Under the leadership of the Ministry for Women and the Family, the NGO built and equipped the first village dedicated to orphaned and vulnerable children in Djibouti, situated in the town of Tadjourah.

206. The Children’s Village consists of 10 houses independent of one another, each accommodating between 7 and 8 orphaned children. They are supervised by a trained and experienced team, such as the SOS mother (surrogate mother) and SOS aunt.

D. Adoption

207. The reform of family legislation, begun in 2002, is still in progress with the aim of improving the child protection system. It is in this context that the opening provisions on adoption recently introduced into the Family Code by Act No. 56/AN/14/7 L should be seen. The revised text of titles 6 and 7 of the Family Code specify the exceptions to the prohibition on adoption (art. 80). The provisions on foster placement (adoption-protection), equivalent to simple adoption, have been drafted so as to give a central place to the rights and interests of the child, while also respecting the rights of the family of origin and the adoptive family.

208. The Act provides (art. 87) that the adoption process may only be carried out by a notary (child of known parentage) or through the courts (child of unknown parentage). These are therefore the competent authorities in matters of adoption.

209. So that this procedure is accompanied by all the necessary rules to ensure that foster placements take place in the best interests of the child and with respect for his or her fundamental rights, the Act (arts. 88 and 89) gives preference to adoptions by Djibouti families. These provisions also make it possible to carry out an assessment of the prospective adoptive parents, in particular their resources, which must be sufficient to meet the child’s needs, and also whether they have a good reputation and can produce the necessary supporting documents.

210. This child-centred approach is also apparent in article 91 of the Act, which states that “foster placement may be revoked by the judge having regard to the best interests of the child or on serious grounds. The revocation of foster placement is subject to the same conditions as deprivation of parental authority. When the child has reached the age of discernment, the judge must take his or her opinion into account”.

211. In 2018, the State party is carrying out reforms with respect to the principle of foster placement, which will eventually make it possible to remove all legal obstacles to such placement and create a national frame of reference.

VII. Basic health and welfare

212. The Ministry of Health has adopted an advanced strategy in recent years with the establishment of a medical caravan in each region and mobile teams working in the most remote and isolated areas of the country. Healthcare teams, especially doctors (including specialists), have also been strengthened in health facilities in regional areas.

A. Children with disabilities

213. To give effect to the provisions contained in article 23 of the Convention and the recommendations of the Committee on the Rights of the Child, the Republic of Djibouti has taken a series of measures to ensure that children with disabilities benefit from the rights accorded to all children.

214. By the Act of 3 January 2010, the State party ratified without reservation the Convention on the Rights of Persons with Disabilities and its Optional Protocol. As a result of this ratification, Djibouti not only became a signatory of this international instrument but also strengthened its legislative framework for the protection of persons with disabilities by incorporating all the provisions of the Convention into domestic law. The various issues relating to disability, in particular its definition, are thus appropriately reflected in domestic legislation.

215. The country prepared its initial report to the Committee on the Rights of Persons with Disabilities in 2012, two years after ratification of the Convention. This report was prepared on the basis of a participatory approach involving many actors (ministerial departments, civil society, etc.) under the aegis of the Interministerial Coordinating Committee for the Preparation and Submission of Reports to the Treaty Bodies.

216. The Republic of Djibouti has also strengthened its legal arsenal in support of persons with disabilities, including children, with the adoption of several key pieces of legislation in areas as varied as education and health, namely:

- Act No. 133/AN/16/7 L of 24 March 2016 on Combating Trafficking in Persons and Smuggling of Migrants
- The Act establishing a universal health insurance system (5 January 2014)

217. The State party, by a decree dated 12 May 2011, established a service responsible for the education of children with special needs. This service has the task of:

- Developing education strategies tailored to the specific needs of children with disabilities
- Monitoring and coordinating educational activities for children with special educational needs
- Mobilizing the engagement of the general population and education partners in promoting the schooling of children with special educational needs

218. With a view to ensuring the full implementation of legislation on the fundamental rights of children, and thus of children with disabilities, the Republic of Djibouti has established a number of policies, strategies and surveys of a comprehensive or sectoral nature.

219. The 2009 Population Census showed that 1 per cent of Djibouti's population has a disability (8,300 people). The child population affected (under 18 years of age) represents nearly a quarter of persons with disabilities (0.25 per cent).

220. This group includes the deaf and hard of hearing (0.008 per cent), persons with limb disabilities (0.006 per cent, of whom 0.004 per cent have upper limb disabilities and 0.002 per cent lower limb disabilities), the blind (0.005 per cent), persons with mental disabilities (0.004 per cent), those with trauma (0.001 per cent) and finally those with other disabilities (0.001 per cent).

221. The 2012 Pan Arab Project for Family Health survey is another source of information on disability. It also shows that men and women are equally affected by disability (1.4 per cent against 1.5 per cent) and that there are no differences between people living in rural and urban areas (1.4 per cent against 1.5 per cent).

222. The distribution of persons with disabilities by age group and gender shows that:

- Disability is more common among older persons, especially those aged 70 years and above
- Affected children aged 0–14 years account for 5 per cent of their age group (5.1 per cent boys and 4.9 per cent girls) and those aged 15–19 years for 7.4 per cent (8 per cent boys and 6.8 per cent girls)
- Less than 24 per cent of persons with disabilities developed their disability before the age of 20 and 41 per cent did so after the age of 60

223. At the beginning of 2015, a study on children with disabilities was carried out as part of the National Strategic Plan for Children in Djibouti covering the period 2011–2015. The main aim of the study was to analyse the situation of this vulnerable group by highlighting the nature and extent of their disability and to assess their access to basic social services.

224. It focused on three key areas of children's lives, namely health, social protection and education. It was also intended to serve as the basis for a multisectoral plan of action for the advancement of the rights of children affected by disability.

225. The study highlighted the way in which the special attention paid by the Government to efforts to promote the development of this group of children is reflected in the country's main policy and strategic guidance documents (National Strategic Plan for Children in Djibouti, Master Plan 2010–2019, Action Plan for Education and Vocational Training 2011–2016, etc.).

226. It is through inclusive education that the government is trying to integrate children with special needs. Two main approaches are prioritized in the policy documents:

- Prevention and care of children with learning difficulties: the initial training courses introduced in 2007 for specialist staff in basic education (psychology assistants and teachers) have been extended to a number of schools. Teachers in intermediate and secondary education, having been alerted to the problem, systematically seek to identify these children and refer them to the senior educational adviser responsible for social matters.
- Schooling for children with motor or sensory disabilities: a start has been made on re-designing schools to make them more accessible; teachers, very well informed on this subject, provide classroom support adapted to these pupils with special needs. A school for the visually impaired and blind was established in 2013 and initially consisted of two primary classes for 15 pupils aged 6 to 20 in each class and providing teaching in Braille.

227. Education for deaf or hard-of-hearing children has been in existence longer. Integrated within the Child Protection Centre, this school has seen an increase in enrolments and an expansion of the different levels of study. In 2015, enrolments totalled 119 pupils, divided between primary school (57 children) and middle school (62 adolescents).

228. However, these efforts are not applicable to the country as a whole. Moreover, as the study underlines, wider implementation of the educational proposals set out above cannot be envisaged unless the Ministry of Education is granted additional funding.

229. Finally, broader pedagogical support for teachers and the provision of appropriate teaching aids are essential for the comprehensive care of this vulnerable group.

230. The recommendations of this study, essential for the effective enjoyment by children living with disabilities of the rights recognized by the Convention and national legislation, are as follows:

- Carry out a census to have a clear knowledge of the number of children with special educational needs and to enable the public authorities to address the problem
- Conduct a vast awareness-raising campaign among the general public and parents to introduce them to the problem of disability (origins, possible improvements, etc.)
- Recognize the treatment of disability as a public health issue
- Develop a gender-sensitive social protection policy
- Support the Ministry of Education

231. Through various initiatives, civil society and state structures alike are attempting to make their contribution in response to these recommendations.

232. The State party has also developed cooperation with international partners in the field of care for persons with disabilities. For example, the NGO Johanniter initiated a project at the end of 2014 in the framework of German cooperation with regard to primary health care and community-based rehabilitation for people with disabilities.

233. The project concerns persons with physical disabilities and their families and aims to provide more appropriate care for such persons.

234. In terms of health care, the physiotherapy centre installed has been accompanied by a workshop for the manufacture of tools (prostheses, crutches, etc.). Health-care professionals and relatives of persons with disabilities have received training on disability and health care and on the rights and needs of persons with disabilities.

235. Community-based rehabilitation aims at better social integration of people with disabilities. The creation of support groups, consisting of parents of children with disabilities, has helped to identify their main problems and reflect on possible solutions.

236. It is in this context that five other care centres have been refurbished to provide access for people with disabilities and transport has been arranged to attend the centres.

237. Children with special needs are also a priority for the country. In response to the concerns expressed by the President of the Republic about the situation of children with special needs, particularly those living with severe disabilities such as autism and trisomy, the State party has conducted a study on the situation of such children in Djibouti and has consequently drawn up a plan of action for 2017 to support them. A survey and identification of children with all kinds of disabilities has been carried out among institutions and NGOs working in the field. As regards the support provided to children with special needs, 185 children have benefited from specialized consultations, 118 children attend massage sessions on alternate days lasting 2, 3 or 6 months depending on the seriousness of each child's case, and 46 children have received various kinds of equipment such as prostheses, audiograms, spectacles, wheelchairs, specialized beds and cribs.

238. In 2018, the State party developed a National Strategy for the Protection of Children with Special Needs.

239. In addition, within the framework of the National Day of the Child, the most vulnerable children with special needs have benefited from various materials and their families have been supported through the creation of income-generating activities. Thus 20 children with special needs received support equipment such as specialized beds, cribs, crutches, audiograms, and spectacles. One hundred and eight impoverished families with a child with special needs were supplied with kits (clothing, kitchen utensils, sewing machines, small shops, fruit and vegetables) to develop income-generating activities.

240. Since May 2017, the multiannual financial framework (MFF) has taken the initiative of providing special assistance to the families of children with special needs.

241. Various actions have been undertaken in this regard:

- Assistance and support for families of children with special needs during medical follow-up. Provision of logistical support to families with children with severe

disabilities and concomitant reduced mobility. Provision of transport by the Ministry to 11 children to attend massage sessions.

- Collection of prescriptions for children from economically vulnerable families and covering the cost of analyses at Abdan and Al-Rahmah laboratories.
- Purchase of medicines for 83 children
- Help to families to buy Feast of Eid garments for 178 children with special needs.
- Supply of specialized wheelchairs for 30 children. Provision of equipment for eight children by the Balbala paediatrics department.
- Identification of families of children with special needs lacking housing (whose parents are separated, unemployed or deceased).
- The Government plans to establish an integrated centre for the care of children with special needs in Djibouti City.

B. Health care and health services

242. Various measures have been taken by Djibouti to implement the Committee's recommendations on access to health services (para. 50). Thus, the State party has strengthened medical services by increasing health facilities: between 2005 and 2013, basic health structures rose from 35 to 43, while the number of community pharmacies increased from 5 to 12 over the same period. As a result, regions such as Arta and Ali-Sabieh now have a regional hospital centre.

243. Other investments have been made to supplement, upgrade or fit out the country's health facilities with essential medical equipment (laboratory and medical imaging equipment, etc.).

244. On the legislative front, the adoption in 2014 of a universal health insurance system is aimed at significantly improving the health of the population as a whole by ensuring better availability of health care and greater affordability of healthcare facilities for all.

245. As regards the development of human resources, the health department has chosen to recruit trained and skilled medical staff. The health workforce increased continuously from 2010 to 2013: the number of general practitioners rose from 77 to 173; specialist physicians from 27 to 41; and state nurses and midwives from 216 to 253 and 131 to 191 respectively.

246. To combat child mortality, numerous community-based awareness campaigns were carried out by social departments in the areas of nutrition and vaccination coverage. Regular breastfeeding campaigns organized by civil society seem to be bearing fruit, since between 2010 and 2013 SMART surveys indicated an improvement in the rate of exclusive breastfeeding (from 24.5 per cent to 49.30 per cent). The 2008 and 2014 surveys showed an improvement in vaccination coverage rates at national level.

247. Over the period 2002–2012, progress in child health care has reduced the infant mortality rate from 98.8 per cent to 58 per cent. The infant and child mortality rate also showed a positive trend, declining from 127 per cent to 67 per cent.

248. The efforts of the State party to change the mentality and practices of Djiboutian society with regard to the harmful traditional practices linked to female genital mutilation have been based primarily on the implementation of the National Strategy for the Abandonment of All Forms of Excision over the period 2007–2011.

249. Within this framework, the mobilization of resources at the national level together with the support of development partners (UNICEF, UNFPA, WHO, USAID) and the involvement of national NGOs (National Union of Djiboutian Women) and international NGOs (Johanniter International Assistance) has undoubtedly reinforced social mobilization and awareness-raising activities aimed at target population groups (families, practitioners, traditional or religious leaders...), as recommended by the Committee on the Rights of the Child (50d).

250. The data from the evaluation carried out in 2015 under the National Strategy for the Abandonment of All Forms of Excision give a more precise indication of the progress made towards the specific objective of component 1 (communication and social mobilization) in 2011: “increase to 90 per cent the proportion of the population aware of the consequences of all forms of excision on the health of women and girls”.

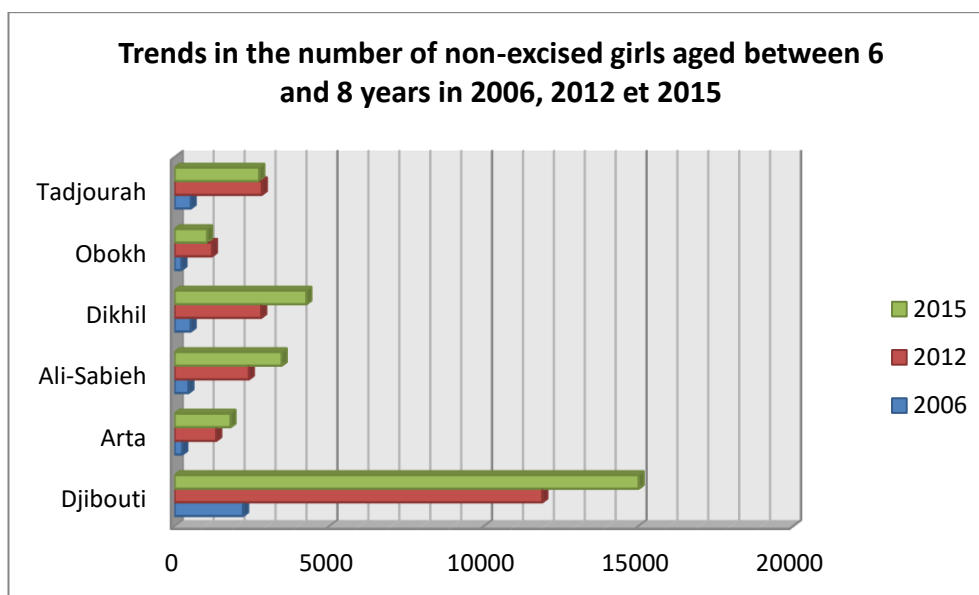
251. The results of this study show that this specific objective has been achieved only partly: Djibouti City (93 per cent) has exceeded the target, while the other regions fall very far short (Arta: 36 per cent; Ali-Sabieh: 30 per cent; Dikhil: 38 per cent; Obock: 33 per cent; Tadjourah: 34 per cent).

252. The urban populations of the capital and the chief towns of the interior regions of the country, which have benefited from awareness-raising and social mobilization activities (29 community management centres, 33 religious organizations and Djibouti Radio and Television), are therefore aware of the harmful impact of female genital mutilation on the health of women and girls and can act accordingly.

253. Other measures such as capacity development for religious leaders, carried out by UNICEF, aims to equip those concerned, through continuous training, for engaging in a peaceful dialogue/debate with the community on the total abandonment of female genital mutilation.

254. The prevalence of HIV declined from 6.3 per cent in 2009 to 5.9 per cent in 2012. This positive development is the result of intensive awareness-raising activities carried out jointly by the associations and the State.

255. Similarly, there has been a positive trend among girls aged 6 to 8 over the period 2006–2015:



256. The Department of Justice is currently considering the adaptation and amendment of the Act on the Family Code, with the cooperation of civil society, with a view to improving this legislation (recommendation 56 (b)).

257. An important decision relating to the application of provisions 333 of the Criminal Code was issued on 15 January 2015. A female circumciser was prosecuted for an offence under the law on female genital excision law, involving young girls. This is the first court decision in this area. The woman received a three-year conditional sentence (recommendation 56 (c)).

258. Within the framework of the National Strategy for the Abandonment of All Forms of Excision, several measures targeting excisers have been taken. The most significant in relation to recommendation 50(e) of the committee responsible for monitoring and

implementation of the Convention was the organisation of a course providing training for midwives or birth attendants.

259. The State party has scheduled a study on the prevalence of female genital mutilation for 2019. This will make it possible to ascertain the real extent of this practice in the country following the 2012 PAFEM survey.

C. Standard of living

260. Despite Djibouti's extensive efforts to improve the lives of its inhabitants, it has not proved possible to comply with recommendation 61 (a) on the standard of living and, more specifically, with the section urging the State party to reduce the rates of relative and extreme poverty.

261. To lessen the impact of these phenomena on the living conditions of poor people and vulnerable groups, the State party has introduced a number of social protection measures (social security system, the fight against poverty and food insecurity, promotion of microfinance and targeted transfer or hardship assistance operations). In this context, the national strategy of social safety nets was adopted and implemented over the period 2013–2017 (recommendation 61 (a)).

262. This strategy is in line with recommendation 61(b) of the Committee, stressing the need for measures to protect families and children in the areas of development, health and education.

263. Pregnant or breastfeeding women and their young children (2 years old) are the first population group targeted by the social safety net strategy. The main focus is on the development of a system of conditional food aid aimed primarily at pregnant and breastfeeding women and their children under 2 years of age. As part of the reinforcement of existing social protection policy, assistance to children will be extended to 5-year-olds and will therefore also concern preschool education.

264. In addition to community-based prevention of malnutrition, the social safety net strategy provides for other measures to boost the resilience of households in precarious situations (system of unconditional monetary assistance to population groups with no means of support, improvement of family incomes by increasing the supply of labour-intensive work in the construction sector, maintenance of small infrastructures and acquisition of professional skills in these areas, etc.).

265. Concerning access to water, adequate sanitation, food and shelter, it should be noted that water and sanitation issues are now managed by the Djibouti National Water and Sanitation Office. The State party has therefore reorganized these sectors at the institutional level to make them more efficient. It has also introduced policies and strategies in these areas.

266. The 2012 Djibouti Household Survey for Social Indicators shows that 67.2 per cent of the population has access to running water (26.3 per cent subscribers to the Djibouti National Water and Sanitation Office network and 40.9 per cent by indirect hose connection). The Djibouti National Water and Sanitation Office, whose production increased by 7 per cent in 2013, reported in 2015 that the access rate in urban areas was 98.4 per cent compared to 20.8 per cent in rural areas. The situation of access to water therefore appears critical in rural areas despite numerous efforts (multiple drillings and water reservoirs) resulting in a production increase of 12.7 per cent.

267. The data supplied by the international monitoring system set up by UNICEF and WHO in 2015 present a more favourable situation for rural populations regarding access to water: 90 per cent of Djiboutian have access to an improved water source, 97 per cent of whom live in towns and 65 per cent in rural areas.

268. In addition to the water deficit, the intrusion of seawater into groundwater resulting in a reduction of water quality, the sustained demographic pressure on resources and losses due to defective pipes are further obstacles to better access to safe water for all communities in Djibouti.

269. Nevertheless, the State party is stepping up its initiatives to ensure fulfilment of the fundamental right of access to water through, inter alia, the following measures:

- Projects for the mobilization of surface water, construction of underground cisterns and creation of water reservoirs for the benefit of rural and pastoral populations to improve their living conditions with the support of development partners.
- Project for the supply of drinking water from Ethiopia in the process of finalization, putting an end to issues of unequal access to water in urban entities.
- Finally, the desalination project concluded with the European Union but not yet implemented is an additional asset.

270. With regard to sanitation, the State party, very conscious of its impact on the health and living conditions of the population, has made access to a healthy environment through improved sanitation the main focus of its interventions, particularly with regard to combating poverty.

271. In order to improve the liquid sanitation situation in the country, the State party has started by implementing the master sanitation plan in the main urban area of Djibouti City. The restructuring of this sector necessarily involves the treatment of wastewater. Since 2014, the Douda treatment plant has been responsible for treating all the wastewater from the public network and increasingly from the independent network.

272. This important initiative is the first step towards the establishment of a genuine sewerage network. The State party is planning other measures to promote a healthy environment: acquiring essential equipment (installation of collectors, establishment of intermediate stations, etc.), assuming responsibility for the new network, improving the efficiency of the treatment plant and, finally, extending the system to the whole of the country (regional capitals). The construction of a treatment plant is planned as the first step towards the management of liquid waste in Djibouti City.

273. The management of solid waste is also a challenge for improving the living conditions in urban areas. The establishment of the Djibouti Highways Office and the strong support of development partners have improved solid waste collection and storage. With the construction of an engineered landfill centre, the city now has a controlled storage facility.

274. In this way, the Republic of Djibouti is attempting to ensure greater access to an adequate sanitation system for all its citizens. Despite the system's current low coverage, the various measures initiated and planned should help to reduce infectious and parasitic diseases, which remain one of the major causes of child morbidity and mortality.

275. Concerning access to decent housing, the State party's efforts have resulted in the development of real estate and social housing.

276. In this way, several townships have been constructed, emergency or residential plots allocated and a number of serviced sites developed in the capital and the rest of the country.

277. However, given the country's strong population growth, this increase in supply has not been sufficient to provide many Djiboutians, especially the most vulnerable, with access to affordable housing.

278. With the aim of assisting low-income families, the "Right to Housing" foundation was created to construct social housing for the owners of plots granted under the "Right to Decent Housing for All" programme of October 2015.

279. More generally, recent initiatives in the context of the reshaping of vocational training and implementation of the national employment policy could help to improve the situation of young people.

VIII. Education, leisure and cultural activities

Schooling: early childhood education

280. The Djibouti Education Framework Act of 2000 recognizes preschool education for the first time (art. 19), incorporating it in basic education (preschool and primary education).

281. The 2018 Act on the institutionalization of crèches and day-care centres supplements the Djibouti Education Framework Act. The purpose of this Act is to regulate the opening and operation of early childhood development structures such as crèches and day-care centres in the Republic of Djibouti.

282. It defines early childhood care structures and develops norms and standards for meeting the needs of young children.

283. Over the past 10 years or so, the State party has developed a preschool system intended primarily for children from disadvantaged families. This initiative has resulted in the establishment of more than 30 community-based child care centres in remote locations in the interior of the country.

284. In addition, the State party has launched a project to set up community crèches to enable women in precarious situations to receive training and engage in income-generating activities.

285. The crèche facilities will cater for children between the ages of 1 and 3 and will provide holistic care, based on a community approach and the development of gardens for toddlers.

286. The State party has always taken a particular interest in the development of preschool education as a potentially positive factor in increasing enrolments and the quality of learning.

287. The evaluation carried out following three experimental years of the preschool development programme highlights the positive and significant difference in the results obtained in first-year primary-school tests by pupils who have followed a preschool curriculum, and the effectiveness and quality of the documents and learning materials made available to preschool classes.

288. The Government of Djibouti, conscious of the need to establish a public system of preschool education but also of the difficulty of achieving the universal provision of primary education, is increasingly favouring the introduction of a single year of preschool care.

289. However, despite the clear political will of the Djiboutian authorities, enrolments in education remain limited.

Basic education

290. In its concluding observations (65 (a)), the Committee called upon the State party to ensure that schools covering the years of compulsory education are accessible to all children. In accordance with the Committee's wishes, Djibouti reaffirms the priority given to basic education in national education policy since the launch of reforms in 2000 in its second National Education Master Plan covering the period 2010–2019.

291. Universal enrolment in basic education thus remains a key issue in national education policy and strategies. The commitment to put in place inclusive education, in particular through the care of children with special needs, similarly takes account of the Committee's recommendation.

292. The Plan of Action on Education for the period 2014–2016 attests to the importance that the Government attaches to basic education, which receives the largest share of the resources allocated to the various educational levels.

Primary education

293. Primary education has received the highest share of the budget and, as a result, has shown some growth in enrolments. For example, the number of classrooms has increased from 734 to 1,261 (165 schools in 2014).

294. The gross school enrolment rate increased by 11.2 per cent over the period 2006–2015, from 57.8 per cent to 79 per cent. In 2014–2015, the percentage of girls enrolled in school was 46 per cent, with little difference between urban and rural areas. The gender parity index in school enrolment was around 0.87.

295. Indicators on achievement for 2014–2015 show a completion rate of 67.1 per cent while the repetition rate for primary education was 3.7 per cent).

Lower secondary education

296. Enrolments in lower secondary education increased between 2007 and 2015 from 24,654 to 37,930. Gross enrolment rates have evolved positively over the period covered by this report (from 38.6 per cent to 59.4 per cent). The proportion of girls enrolled in school represents 45 per cent of the average school enrolment.

297. The gross intake rate increased between 2010 and 2015 from 47.7 per cent to 57.1 per cent. The gender parity index in school enrolments was around 0.81.

Secondary education

298. The number of children enrolled in this type of education increased significantly over the period 2007–2015, with enrolments almost doubling (from 8,210 to 17,155). The gross enrolment rates reflected this positive trend, rising from 17.9 per cent to 36.6 per cent. The gender parity index in school enrolment was 0.78 in 2015.

Higher education

299. Access to higher education for young Djiboutians has been greatly improved. Indeed, since the establishment of the first university body in 2000, the number of students increased from 461 to 7,481 in 2015.

300. The increase in intake capacities, the multiplication of courses of study, including a medical school, and the strengthening of teacher provision have given the country's young people access to an adequate university education.

301. The University of Djibouti, which intends to introduce sustainable access for all to these courses, has set up transport links serving the outlying districts of the capital, thereby improving student mobility. The upcoming implementation of the e-campus project points in the same direction.

302. All the measures taken show that the State party has continued to work to expand schooling at all levels of education. This constitutes a favourable response by Djibouti to the Committee's recommendations 65 (a), 65 (b) and 65 (c).

Technical education and vocational training

303. The national policy on technical and vocational education and training occupies a very limited place at the different educational levels and still has negative connotations for the Djiboutian population.

304. From 2012 onwards, the State party therefore set about upgrading the subsector by making it a strategic priority of national education policy (Master Plan of the Ministry of Education 2010–2019, Action Plan for Technical and Vocational Education and Training).

305. The first steps towards the modernization of the subsector involve governance (creation of a Directorate of Vocational and Technical Education and Training responsible for system management and oversight within the Ministry of Education); creation of a consultation and monitoring body responsible for overseeing the implementation of policies in the field of technical and vocational education and training (including economic operators) as well as the quality and relevance of learning (definition of a training frame of

reference and development of curricula, with particular reference to the Certificate of Professional Competence (CAP)).

306. The provision of technical and vocational education and training is still very limited (around 3,500 people) despite the opening of a Training Centre for Agriculture, Livestock and Fisheries in Damerjog, with branches in the regions of Ali-Sabieh and Obock.

307. Despite a strong political commitment to promoting technical and vocational education and training, the Djiboutian authorities remain confronted by the high cost of, for example, the provision of technical education equipment. The support of donors and development partners in this field can enable old centres to be renovated/rehabilitated and new ones built to make the right to education and training a tangible reality.

Spatial, socioeconomic and gender disparities

308. Since the launch of the reform of its education system in 2000, the State party has continued to step up its efforts to stimulate demand for schooling in order to progressively remove the various constraints (geographical, financial position of households, gender) likely to restrict the right to education to which all children in the country are entitled.

309. Social and community mobilization measures to reduce exclusion from school have been initiated in target areas of the country that have benefited directly or otherwise from the expansion of school infrastructures. Depending on the specific characteristics of each area (predominance of socio-economic factors or cultural aspects), appropriate measures have been employed.

310. The State party has placed particular emphasis on the schooling of girls, for their own development, for that of the family and ultimately for that of the country. Traditional and religious leaders have played an active part in actions in rural areas with strong traditional constraints.

311. Other measures such as the provision of free primary schooling or the refusal to exclude children from secondary school for non-payment of fees are aimed at relieving families of the economic burden of sending a child to school.

312. Measures to promote more inclusive education, such as the establishment of school canteens and dormitories, particularly in rural areas, are ongoing.

313. Implementation of the health and hygiene strategy is aimed at the early detection of children with visual or hearing difficulties. Campaigns to establish this kind of medical check-up are currently being conducted in primary schools in Djibouti City. Eventually, it will be necessary to develop a strategy for covering the cost of equipment for school children that their families cannot afford.

314. To combat socioeconomic disparities, the Government has introduced a new initiative to provide support to parents living in difficult circumstances who are unable to help their child succeed at school. In this way, support courses are organized for children from disadvantaged families. The aim of this initiative is to enable a very large number of children in need to succeed at school, thereby helping to reduce the failure and drop-out rates.

315. So far, 150 children from vulnerable families in working-class neighbourhoods and 45 children from the Daryel nursery are following the support courses free of charge. To stimulate the appetite for learning in children, tutors employ an interactive approach different from that used in regular classes. Teachers do not use notebooks or blackboards. The children learn to read, count and speak in the language of instruction through games and play activities and work on projects proposed by the teachers in which they have received training. School kits have been produced and distributed to all classes catering for school drop-outs.

316. In addition, the State party has made educational materials available to children in difficulty:

- Spelling books for primary school and first-year elementary school
- Pupil scrapbooks: primary-school reading method

- Reading project for 8–12-year-olds:
- Grammar primers for first-year elementary school
- Thirty-five listening games for 6–8-year-olds

317. Given the persistent shortcomings noted in 2009 in the main subjects among pupils at the end of primary school, questions concerning the quality and relevance of learning are key topics in the reform of the education system.

318. Various measures are employed to ensure better pupil success:

- Introduction of tutoring courses in schools (primary, secondary)
- Strengthening of initial and in-service teacher training
- Reinforcement of educational backup by increasing the number of educational advisers in middle and secondary education
- Introduction of preschool education
- Strengthening of the preschool system
- Book policy

319. Finally, this political determination to address the challenge of quality while consolidating the gains in terms of access has been reflected in the organisation of a symposium on this topic. Since 8 December, there has been strong mobilization, reflection and discussion in schools, involving all the actors concerned by these issues (pupils, teachers, parents' association, head teachers, other school staff).

320. The consultations in question served as resource material for the “National Symposium on Improving the Quality of Teaching and Learning”, held from 19 to 21 December 2016, whose conclusions and recommendations will be used, *inter alia*, to prepare the 2017–2019 action plan.

321. Since 2014, the introduction of new technologies in education has seen the launch of the “Tablet Project” at primary level, aimed at ensuring better socio-professional insertion of children in tomorrow's world. In this way, 10,000 tablets have been pre-configured to accommodate teaching content (mathematics and French workbooks) as well as applications for free educational games.

322. The introduction of human rights education in school curricula, including the rights of the child, is underway. Several related topics had in fact already been introduced in the classrooms through peace education modules.

323. The recommendations that emerged from the symposium on the quality of teaching and learning also stressed the need to integrate these concepts in future civics and moral education textbooks.

IX. Special protection measures

A. Refugees

324. The Republic of Djibouti has been and continues to be a place of refuge for people fleeing war and recurring crises in the region.

325. In order to improve the living conditions of these persons, the State party has developed a normative and institutional framework to assist them, including:

- The OAU Convention Governing the Specific Aspects of Refugee Problems in Africa
- The Convention for the Protection and Assistance of Internally Displaced Persons

326. The State party recently adopted Act No. 159/AN/16/7 L on the status of refugees in the Republic of Djibouti, which is designed to transpose the provisions of the 1951 Geneva

Convention and the 1969 Organization of African Unity Convention concerning refugees into domestic law.

327. This Act is a sequel to the leaders' summit on refugees in September 2016, at which Djibouti committed itself to improving the overall situation of refugee children (child-friendly asylum procedures and processing of asylum applications) through the National Committee on Assistance for Refugees and Disaster Victims.

328. The State party also seeks to improve the provision of schooling for these children through the design of appropriate programmes and curricula. Similarly, access to health and hygiene for refugee children is provided by the State party and international NGOs.

329. Finally, Djibouti currently hosts nearly 27,000 refugees and asylum seekers.

B. Street children

330. No statistical data are so far available on this group of children, consisting mainly of children from neighbouring countries. However, their living conditions are very dire and their most basic rights such as clothing and food remain a daily challenge.

331. The Republic of Djibouti has been unable to respond favourably to recommendations 68 and 69 of the Committee on the Rights of the Child concerning protection of the rights of street children, mainly due to the crisis linked to the food emergency and the increase in poverty, which have monopolized the efforts and resources of the State party.

332. Consequently, protection of the basic social rights of street children often continues to rest with NGOs.

333. Having regard to the fairly complex problem of these children in precarious situations, the State party undertook a study on street children in 2018. The purpose of this study is to explore the sociodemographic and economic characteristics and the living conditions of street children in Djibouti. Its main aim will be to:

- Provide an idea of the significance of the number of street children by gender, age and origin
- Understand the lifestyle and living conditions, the activities, income and expenses and the family relations of street children
- Identify the causes of the presence of children on the street and their aspirations in relation to their situation

C. Administration of juvenile justice

334. The State party has embarked on a major reform of its domestic legislation with a view to establishing a system of justice that is more respectful of the dignity and rights of the child. The process, thus initiated, should significantly improve the functioning of the administration of juvenile justice and the special protection afforded to children in conflict with the law under the Convention and as also expressed in the Committee's recommendations.

335. In response to the Committee's recommendation 73(a) formulated in 2008 on the establishment of a specialized justice system for children, the Republic of Djibouti has adopted several items of legislation aimed at increasing the protection provided to children in conflict with the law in accordance with the main international standards for the administration of juvenile justice.

336. The promulgation of Act No. 79/AN/10/6 L of 22 April 2010 provides for the establishment of a juvenile correctional chamber of the Court of First Instance comprising, inter alia, a judge for minors or children. The latter 'is competent to hear contraventions and offences committed by minors under 18 years of age and to order any relevant measure when the minor under 18 years of age is in danger. He is an examining magistrate in

criminal matters. A Juvenile Division of the Court of Appeal has also been established ‘to hear appeals against decisions handed down by the children’s judge’. A children’s judge, trained in children’s rights, is subsequently appointed.

337. The adoption of the Code on the Legal Protection of Minors (Act No. 95/AN/15/7 L of 18 May 2015), pursuant to article 32 of the Criminal Code, is the second strengthening of the national legal framework to make it compatible with the Convention. The provisions it enacts are designed to provide protection, assistance, monitoring and education.

338. As soon as it was adopted, the Ministry of Justice, with the support of community associations, especially in Djibouti City, carried out awareness-raising and information campaigns on the new law for the benefit of families. This initiative by the State Party is intended to provide appropriate support to parents from vulnerable households so that they can fulfil their responsibilities to children more effectively. As yet, there are no juvenile delinquency prevention programmes as such to fine-tune the juvenile justice policy.

339. Nevertheless, the above measures, coupled with other information activities for young people taking place within the school and in community management centres (importance of the right to education, harmful effects of drug addiction on health and well-being, and dissemination of basic values like the rights and duties/responsibilities of children and parents), reflect the need to give priority to prevention and to facilitate the successful socialization and integration of all children.

340. A training seminar on the Code on the Legal Protection of Minors was organized by the Ministry of Justice and UNICEF in February 2017 for stakeholders in the child protection system, in particular the police, prosecution authorities and courts. Further training sessions are planned for, inter alia, prison officers. The training thus provided has led to better assimilation of the content and approach to the application of this specific legislation.

341. The new judicial system provides greater protection to children in conflict with the law. In addition to an irrebuttable presumption of innocence regarding children under 13 (art. 31), the establishment of specialized juvenile courts (art. 32) makes “imprisonment a measure of last resort and for the shortest appropriate period of time” ... and gives priority to “appropriate measures of protection, assistance, supervision or education” (art. 33).

342. These provisions more concerned with welfare and development in the treatment of juveniles under suspicion or in conflict with the law, together with the provision on mediation in criminal cases (art. 35), constitute significant advances in terms of protection and an appropriate response by the State party to recommendation 73(c) of the Committee. However, the socio-educational structures essential for the full implementation of this policy for minors and for training the necessary staff need to be put in place as soon as possible with the support of development partners.

343. The purpose of diversion services is to give the child offender a second chance by offering alternative judicial measures. The procedure is carried out with full respect for the fundamental rights and legal safeguards set out in article 40 of the Convention.

344. With regard to the Committee’s recommendations 73 (c) and 73 (d), which call on the State party to take all measures to create conditions of detention conducive to the child’s development, efforts have been made to ...:

- Provide better food for the prison population by increasing the budget allocated for that purpose;
- Ensure adequate professional reintegration of detainees, particularly children, which is an increasing concern in the administration of juvenile justice. Every year, inmates (2 to 3 young people) take the baccalaureate examination, often successfully. More generally, juvenile detainees also receive technical and vocational training in collaboration with public or private institutions (Al-Rahma Centre).

345. The importance of combating the ill-treatment of children is reaffirmed in the Code on the Protection of Minors, which provides that “the State shall develop and encourage social programmes to prevent child abuse within the family, at school and in any other place the child is induced to frequent” (art. 87).
