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Immigration and
Refugee Board of Canada

Commission de l'immigration
et du statut de réfugié du Canada

Djibouti: Domestic violence, including prevalence and legislation; protection provided to victims by the state and civil society (2013-May 2017) [DJI105802.FE]

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1. Prevalence of Domestic Violence

Little information was found on the scope of domestic violence in Djibouti among the sources consulted by the Research Directorate within the time constraints of this response. The United States (US) Department of State's *Country Reports on Human Rights Practices for 2016* reports that, in Djibouti, domestic violence against women is common, but few cases are reported (US 3 Mar. 2017).

2. Legislation and Protection Provided by the State

Sources report that there is a lack of specific legislation prohibiting domestic violence and marital rape (UN 19 Nov. 2013, 4; US 3 Mar. 2017). In a response to the *Concluding observations on the initial report of Djibouti* of the United Nations (UN) Human Rights Committee, the Djiboutian government indicates that: "Marital rape remains taboo and is not covered by domestic legislation. However, the courts may consider such conduct as constituting acts of violence punishable under criminal law." (UN English version 4 Feb. 2015, 7).

According to Amal Said Salem, speaker at the [translation] "Accessible justice for women who are victims of violence" awareness seminar organized in 2010 by the Bender Djedid NGO, a Djiboutian NGO whose objective is [translation] "the sustainable human development of the Djiboutian population in all its facets" (Bender Djedid n.d.), police officers are required to take into account complaints brought to their attention by women who have been victims of violence (Bender Djedid and SIHA 2010, 7). If the police officer [translation] "refuses to take the complaint because of family, tribal or other considerations," it can be brought directly to the attention of the public prosecutor of the Republic (Bender Djedid and SIHA 2010, 7). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this response.

Country Reports 2016 indicates that cases of violence against women are handled by families and clans, rather than the courts, and that the police rarely intervene in domestic violence incidents (US 3 Mar. 2017). In a report published in 2014 entitled *Rapport national d'évaluation quinquennal sur la mise en œuvre du programme d'action de Beijing (1995) et des textes issus de la vingt[-]troisième session extraordinaire de l'Assemblée générale (2000)* [national five-year assessment report on the implementation of the Beijing Platform for Action (1995) and the outcome documents of the twenty-third special session of the General Assembly (2000)], the Ministry for the Promotion of Women and Family Planning, which has become the

Ministry of Women and Families, notes that [translation] “some women do not dare file a complaint against their spouse or other people close to them because of religion, resources or beliefs.” (Djibouti July 2014, 24).

The same source reports that, in 2011, the Djiboutian government developed a guide on sexual violence that describes what to do in cases of sexual violence, as well as the various steps of the legal procedure (Djibouti July 2014, 23). According to the same source, the design of this guide corresponds to [translation] “requirements of international conventions ratified by [Djibouti] on protecting and promoting women’s rights” (Djibouti July 2014, 23). The Djiboutian government’s guide on sexual violence and further information on the protection provided by the state to victims of domestic violence could not be found among the sources consulted by the Research Directorate within the time constraints of this response.

3. Protection and Services Provided by Civil Society

In 2007, the National Women’s Union of Djibouti (Union nationale des femmes de Djibouti, UNFD), an NGO founded in 1977 and described in a UNICEF report as “the main women’s organization in Djibouti” (UN Oct. 2011, 3), set up a counselling centre for women who are victims of violence called the centre for listening, information and orientation (Cellule d’écoute, d’information et d’orientation, CEIO) (UNFD n.d.). According to the UNFD, it is a [translation] “safe space where women who have been victims of violence of all kinds can talk to someone, and seek help or protection” (UNFD n.d.). This centre works with the police and legal authorities (UNFD n.d.). After the complaint is received, the centre directs the woman to [translation] “the appropriate services” (UNFD n.d.). Data on cases processed by CEIO, published in the abovementioned Djiboutian government report, indicates that, in 2013, out of 604 complaints, 246 involved physical violence and 83 involved psychological violence (Djibouti July 2014, 42). However, according to the Ministry for the Promotion of Women and Family Planning, the human and material resources provided to counter violence against women are insufficient and there is no reception centre or shelter for abused women (Djibouti July 2014, 25). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this response.

An article published in 2013 by the Djiboutian daily *La Nation* reports that the Djiboutian Association for Balance and the Promotion of the Family (Association djiboutienne pour l’équilibre et la promotion de la famille, ADEPF) [an NGO that works in the field of sexual and reproductive health, including in the fight against genital mutilation and genderbased violence (IPPF n.d.)] developed a [translation] “legal guide for women who are victims of domestic violence and sexual abuse” with funding from the European Union (*La Nation* 1 Dec. 2013a). According to the same daily, this guide was accompanied by an information tour for women in three communes of the Djiboutian capital (*La Nation* 1 Dec. 2013b) and in the city of Tadjoura (*La Nation* 8 Jan. 2014).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Internet sites, including: Africatime.com; Afrik.com; Amnesty International; Association djiboutienne pour l'équilibre et la promotion de la famille; Djibnet.com; Djibouti – Direction de la statistique et des études démographiques, Ministère de la Justice, Police nationale djiboutienne; ecoi.net; Factiva; Human Rights Watch; United Nations – Committee on the Elimination of Discrimination Against Women, Refworld, UN Women, UNDP, UNICEF.