

Djibouti 2024 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Djibouti during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings; torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; serious restrictions on freedom of expression and media freedom, including censorship; and trafficking in persons, including forced labor.

The government seldom took credible steps to identify, investigate, prosecute, or punish officials who committed human rights abuses.

Section 1. Life

a. Extrajudicial Killings

There was one report the government or its agents committed an arbitrary or unlawful killing during the year.

On May 12, Naguib Mohamed Ahmed (also known as Adan Mohamed Ahmed Adib) died after being released from police custody in Djibouti City. According to independent media, on April 28, Ahmed was arrested and

beaten by a police officer. On April 29, following release, he was hospitalized and subsequently died from injuries reportedly sustained while in police custody.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2. Liberty

a. Freedom of the Press

The constitution and law allowed for freedom of expression, including for members of the press and other media; however, the law provided that the exercise of these freedoms respect “the honor of others,” and included prison sentences for media offenses.

Individuals who criticized the government publicly or privately faced reprisals. For example, on June 25, authorities arrested Farhya Houssein for online criticism of the government. On July 17, a court convicted and sentenced her to one month of imprisonment and two years of probation.

Censorship by Governments, Military, Intelligence, or Police

Forces, Criminal Groups, or Armed Extremist or Rebel Groups

Media law and the government's harassment and occasional detention of journalists resulted in widespread self-censorship. Some opposition members used pseudonyms to publish articles.

Printing facilities for mass media were owned by the government, which created obstacles for those wishing to criticize the government. The principal newspaper, *La Nation*, maintained a monopoly on authorized print media.

The government owned the only radio and television stations. The official media generally did not criticize government leaders or policy.

The National Communication Commission, a branch of the Ministry of Communication, issued identification cards to journalists and licenses to political parties and private citizens, allowing them to operate social media accounts. Political parties, journalists, and private citizens critical of the government were denied licenses or identification cards, limiting their ability to express themselves freely online. Foreign media outlets and journalists, including the BBC and the al-Jazeera Media Network, were not required to obtain a domestic license; they registered directly with the Ministry of Communication.

b. Worker Rights

Freedom of Association and Collective Bargaining

The constitution and law provided for the right of workers to form and join independent unions, with limitations that fell significantly short of international standards for trade unions, including the requirement for obtaining prior authorization from the Ministry of Labor. The law provided the right to strike after giving advance notification, allowed collective bargaining, and fixed the basic conditions for adherence to collective agreements. The law prohibited antiunion discrimination and required employers to reinstate workers fired for union activities. The economic free zones (EFZs) operated under different rules, and labor law provided workers fewer rights in the EFZs.

The law provided for the suspension of the employment contract when a worker held office in a trade union. The law also prohibited membership in a trade union if an individual had prior convictions, regardless of whether the conviction was prejudicial to the integrity required to exercise union office. The law provided the president with broad discretionary power to prohibit or restrict severely the right of civil servants to strike, based on an extensive list of “essential services” that could exceed the limits of international standards.

The procedure for trade union registration was lengthy and complicated,

allowing the Ministry of Labor virtually unchecked discretionary authority over registration. Registration applications often took over a year to be processed and were frequently denied without explanation. The government also required unions to repeat this approval process following any changes to union leadership or union statutes, meaning each time there was a union election, the union was required to reregister with the government.

The government neither enforced nor complied with applicable law, including the law on antiunion discrimination. The government did not levy penalties commensurate with those for other laws involving denials of civil rights, such as discrimination.

The government harassed and intimidated labor unions, and limited their ability to register members, thus compromising the ability of labor groups to operate. The government did not allow the country's two independent labor unions to register as official labor unions. Two government-backed labor unions with the same names as the independent labor unions, sometimes known as "clones," served as the primary collective bargaining mechanisms for many workers. Members of the government had close ties to the government-backed labor unions. Only members of government-backed labor unions attended international and regional labor meetings with the endorsement of the government. Independent union leaders stated the government suppressed independent representative unions by

tacitly discouraging labor meetings.

Collective bargaining sometimes occurred and usually resulted in quick agreements. The tripartite National Council on Work, Employment, and Professional Training, which included representatives from labor, employers, and government, examined all collective bargaining agreements and played an advisory role in their negotiation and application.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

The national minimum wage for the public sector was above the World Bank poverty income level. The law did not mandate a minimum wage for the private sector, but it provided that minimum wages be established by common agreement between employers and employees. The legal workweek was 40 hours over five days, a limit that applied to workers regardless of gender or nationality. The law mandated a weekly rest period of 48 consecutive hours and the provision of overtime pay at an increased rate fixed by agreement or collective bargaining. The law stated combined regular and overtime hours could not exceed 60 hours per week and 12

hours per day. Penalties for abuses were commensurate with those for similar crimes, such as fraud. The law provided for paid holidays.

Occupational Safety and Health

The government set appropriate occupational safety and health (OSH) standards that covered the country's main industries. Responsibility for identifying unsafe situations remained with OSH experts and not the worker. The law did not provide workers the right to remove themselves from a hazardous workplace without jeopardizing their employment. Migrants were especially vulnerable to hazardous working conditions, particularly in the construction sector and at ports. Hazards included improper safety equipment and inadequate safety training.

Wage, Hour, and OSH Enforcement

The Ministry of Labor was responsible for enforcing OSH standards, wages, and work hours; however, enforcement was ineffective. Penalties for violations of the law were commensurate with those for crimes such as negligence but were rarely applied against violators.

According to the Labor Inspectorate, workers typically reported improper termination, not abuses of safety standards. The most common remedy for violations was for the labor inspector to visit the offending business and explain how to correct the violation. If the business corrected the violation, there was no penalty. Inspectors had authority to make unannounced

inspections and initiate sanctions. By law, migrant workers who obtained residency and work permits enjoyed the same legal protections and working conditions as citizens, but the law was unevenly enforced. International organizations estimated the size of the informal sector was approximately 45 percent of the economically active population. The government did not enforce labor laws in the informal sector.

c. Disappearance and Abduction

Disappearance

There were no reports of disappearances by or on behalf of government authorities.

Prolonged Detention without Charges

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court, but the government seldom respected these provisions.

The law required arrest warrants and stipulated the government could not detain a person beyond 48 hours without an examining magistrate's formal charge; however, the government reportedly did not respect the law, especially in rural areas. By law, authorities could hold detainees for another 48 hours with the prior approval of the public prosecutor. The law stated officers should promptly notify detainees of the charges against

them, but reportedly there were delays.

The law contained a provision for bail, but authorities rarely made use of it. Detainees had the right to prompt access to an attorney of their choice, but that right was not widely known and detention facility officials rarely informed detainees of this right. In criminal cases, the state provided attorneys for indigent detainees. In instances of unlawful detention, detainees could be granted court-ordered release without compensation.

There were reports of security officials arbitrarily arresting journalists, bloggers, and opposition members.

For example, on June 14, police arrested broadcast journalist Charmake Said Darar of the online and radio broadcast news outlet *La Voix de Djibouti*. According to *La Voix de Djibouti*, during interrogation police officers hung Darar from an iron bar blindfolded and beat him. On June 15, authorities released Darar without charge.

Lengthy pretrial detention was a problem and frequently equaled or exceeded the maximum sentence for the alleged crime. Prisoners often waited two or more years for their trials to begin. Judicial inefficiency and a lack of experienced legal staff contributed to the problem.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom*

Report at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibited such practices, but there were credible reports government officials employed them. Security forces reportedly arrested and abused journalists and opposition members.

Impunity for these acts was a problem, especially in the security sector. The government seldom took steps to identify, investigate, or prosecute officials in the security forces for abuses. Additionally, the limited space for media and civil society offered few tools to identify, report, and fight impunity.

The law prohibited female genital mutilation/cutting (FGM/C), but it was prevalent. The government enforced the law when cases were reported to authorities. A 2019 study from the Ministry of Women showed a significant decrease of the FGM/C prevalence rate for girls from birth through age 10, from 94 percent in 1994 to 21.2 percent in 2019.

b. Protection of Children

Child Labor

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

Child Marriage

Although the law set the minimum legal age of marriage at 18, it provided that “marriage of minors who have not reached the legal age of majority is subject to the consent of their guardians.” Child, early, and forced marriage occasionally occurred in rural areas. The government, as well as the National Union of Djiboutian Women, worked with women’s groups throughout the country to protect the rights of girls, including the right to decide when and whom to marry.

c. Protection to Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees and asylum seekers, as well as other persons of concern.

Provision of First Asylum

The law provided for granting asylum or refugee status. Asylum seekers

from southern Somalia and Yemen were prima facie considered eligible for asylum or refugee status. An interagency commission reviewed all other asylum claims, and UNHCR participated as an observer. Ethiopian and Eritrean asylum seekers claimed discrimination in the refugee status determination process and cited lengthy delays in processing. During most of the year, asylum and refugee status determinations were not considered due to government and UNHCR contractual and other administrative impediments.

d. Acts of Antisemitism and Antisemitic Incitement

Observers estimated the Jewish community at fewer than 30 persons, the majority of whom were foreign military members stationed in the country. There were no known reports of antisemitic incidents.