

Immigration and Refugee Board of Canada

[Home](#)

> [Research Program](#)

> Responses to Information Requests

Responses to Information Requests

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Djibouti: Treatment of political dissidents, journalists and defenders of freedom of the press by the authorities (2016-May 2017)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Overview

Ismail Omar Guelleh was re-elected president of the Republic of Djibouti for a fourth time (RFI 9 Apr. 2016; France 24 9 Apr. 2016) on April 8, 2016 (France 24 9 Apr. 2016). Sources indicate that, in 2010, an amendment to the country's constitution removed the limit on the number of presidential mandates (RFI 9 Apr. 2016; *Libération* 8 Apr. 2016). Sources report that opposition parties united as part of a coalition of seven (*Le Monde* 8 Apr. 2016) or eight (Afrikarabia 28 Feb. 2016) parties under the banner of the Union for National Salvation (Union pour le salut national, USN) (*Le Monde* 8 Apr. 2016; Afrikarabia 28 Feb. 2016). Some within the USN called for a boycott of the 2016 presidential elections (*Libération* 8 Apr. 2016; France 24 9 Apr. 2016). The BBC reports that three parties boycotted the election (BBC 7 Apr. 2016a). Afrikarabia, a news website focusing on Central Africa, which is managed by a French journalist (Afrikarabia n.d.), indicates that the Movement for Democratic Renewal and Development (Mouvement pour le renouveau démocratique et le développement, MRD), [[translation] "the first legal opposition party in Djibouti ... created and legalized in September 1992 as the Democratic Renewal Party" and "re-legalized" under its current name on November 17, 2002 (MRD n.d.)], advocated for boycotting the election because it was of the opinion that [[translation] "the conditions for an open and transparent election were not met" (Afrikarabia 28 Feb. 2016).

In its *Country Reports on Human Rights Practices for 2016* on Djibouti, the United States (US) Department of State states that, in 2016 "[s]ecurity forces arrested and abused journalists, demonstrators, and opposition members" (US 3 Mar. 2017, 3).

2. Political Dissidents

HCH24, a news website focusing on East Africa, reports that five USN activists and members of the Opposition Youth Movement (Mouvement des jeunes de l'opposition, MJO) were arrested and detained on February 26, 2016, in part for [[translation] "having peacefully expressed their political opinions against the president's fourth mandate" (HCH24 28 Feb. 2016). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this response.

Sources report that MRD members have been arrested since March 13, 2017 (FIDH 3 Apr. 2017; ODDH 29 Mar. 2017). In an April 2017 article published by *Africa Confidential*, a bimonthly magazine specializing in political, economic and security developments in Africa (*Africa Confidential* n.d.), reports that 19 MRD members or sympathizers have been arrested since mid-March 2017 (*Africa Confidential* 14 Apr. 2017). Similarly, Alkarama, a Geneva-based human rights NGO established in 2004 to [Alkarama English version]

"assist all those in the Arab world subjected to or at risk of extrajudicial execution, enforced disappearance, torture, and arbitrary detention" (Alkarama n.d.), indicates that, between March 13 and 22, 2017, [translation] "19 members of the MRD were arrested ... without warrants" and without "the victims being formally made aware of the reasons for their arrest" (Alkarama 31 Mar. 2017). Sources indicate that nine of these activists were brought before the public prosecutor (FIDH 3 Apr. 2017; Alkarama 31 Mar. 2017).

The International Federation for Human Rights (Fédération internationale des ligues des droits de l'homme, FIDH), [FIDH English version] "an international human rights NGO federating 184 organizations from 112 countries" (FIDH n.d.), states that the nine MRD activists arrested in March 2017 were arrested [translation] "based on accusations of 'unlawful banking activity,'" but that five activists were released (FIDH 3 Apr. 2017). Sources report that four activists were prosecuted for [translation] "unlawful political activities" and were placed "under a committal order" and transferred to Djibouti's central prison (FIDH 3 Apr. 2017; Alkarama 31 Mar. 2017). Similarly, *Africa Confidential* reports that "[w]hile most have been granted conditional release, four were sentenced to two-month gaol terms for 'illegal political activity'" (*Africa Confidential* 14 Apr. 2017). An article from Agence France-Presse (AFP) quoted the detainees' lawyer, who stated that [translation] "on March 28, [2017], his clients were sentenced to two months in prison for 'participating in the reconstruction of a dissolved party'" (AFP 7 Apr. 2017).

The president of the MRD, Daher Ahmed Farah, stated in an interview granted to Radio France internationale (RFI) that the members of his party who were arrested [translation] "do not have access to their lawyers or their physicians" and he expressed the point of view that their detention was "arbitrary" and "is part of the effort to try to silence the MRD" (RFI 15 Mar. 2017). According to the same source, the president of the MRD explained that [translation] "the police did not have any summons, they did not have any arrest warrants, we were not informed of any investigation by the public prosecutor's office... Therefore, these people were arrested unlawfully" (RFI 15 Mar. 2017). RFI reports in this same article that the public prosecutor of the Republic of Djibouti claimed [translation] "that he was unaware of these arrests" (RFI 15 Mar. 2017).

An article published in the *La Nation* newspaper, a government-owned daily in Djibouti (BBC 7 Apr. 2016b), states that the president of the MRD, [translation] "in a recent interview" given to TV5 Monde, "saw fit to take offence at the fact that the national authorities sought to identify the origin of the funds of his group" (*La Nation* 30 Mar. 2017). The same article also states:

[translation]

How to understand that, in these conditions, and at a time when, for security reasons, all the countries of the world are concerning themselves with knowing the origin of the flow of capital entering their territories, in his opinion, Djibouti should not pay it any mind and let it go? (*La Nation* 30 Mar. 2017)

Sources report that Omar Ali Ewado [president of the Djiboutian League of Human Rights (Ligue djiboutienne des droits humains, LDDH) (*L'Humanité* 21 Mar. 2017) or founder of the LDDH (AFP 7 Apr. 2017)] was arrested by the authorities on March 19, 2017 (*L'Humanité* 21 Mar. 2017; FIDH 29 Mar. 2017; APO 21 Mar. 2017). In an [translation] "urgent appeal" published in 2017 on its website, the FIDH reports that Omar Ali Ewado was finally released "without charges" on March 27, 2017, after nine days during which he "began a hunger strike to protest his arbitrary arrest" (FIDH 29 Mar. 2017).

An article published by the African Press Organization (APO), a media group that provides [APO English version] "press release distribution services dedicated to Africa and the Middle East" (APO n.d.), indicates that Omar Ali Ewado had previously been sentenced to three months in prison for [translation] "defamation" in January 2016 after the LDDH published a list of alleged victims of the incident in the Bouldhouqo area [1] (APO 21 Mar. 2017). *Country Reports 2016* reports that the number of alleged victims published by the LDDH exceeded that given by the government (US 3 Mar. 2017, 9). The same source indicates that Omar Ali Ewado spent 45 days in pretrial detention and that the Supreme Court of Djibouti dropped all charges against him on April 30, 2016 (US 3 Mar. 2017, 9).

Describing a [translation] "wave of arrests within the opposition, of human rights defenders and ... among executives and members of the MRD party," the Djiboutian Observatory for the Promotion of Democracy and Human Rights (Observatoire djiboutien pour la promotion de la démocratie et des droits humains, ODDH), a local association created by civil servants (US 3 Mar. 2017), reports that Djama Houssein Robleh [Secretary General of the MRD (FIDH 3 Apr. 2017)] was arrested on March 23, 2017, and Farah Abadid Hildid, the president of the 2nd federation of the MRD, was arrested on March 24, 2017 (ODDH 24 Mar. 2017). With regard to the arrest of Djama Houssein Robleh, the ODDH indicates [translation] "that, currently, no one knows why he was taken in for questioning or the conditions of his detention" (ODDH 24 Mar. 2017). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this response.

A communiqué issued on May 15, 2017, by the Republican Alliance for Development (Alliance républicaine pour le développement, ARD), an opposition party whose headquarters is located in Djibouti City (ARD Oct. 2002), reports that police forces showed up at a [translation] "meeting" organized by the ARD to commemorate the "16th anniversary of the May 12, 2001 peace accord that was violated by the government," which brought together a "crowd of activists" (ARD 15 May 2017). The same source reports that, one hour after the meeting was cancelled and the activists left, the police forces [translation] "entered... without a summons or a search warrant, ARD premises, which they ransacked, taking computers and audio materials" (ARD 15 May 2017). According to the same source, the ARD found it [translation] "pointless to file complaints with judicial institutions whose binding decisions have repeatedly been violated and ignored by the executive and, singularly, by the Ministry of the Interior" (ARD 15 May 2017). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this response.

3. Freedom of the Press

In the 2017 World Press Freedom Index, Reporters Without Borders (Reporters sans frontières, RSF) ranks Djibouti 172 out of 180 countries, a position that it also occupied in 2016 (RSF 2017). Sources indicate that there is no privately owned or independent media in Djibouti (RSF n.d.; US. 3 Mar. 2017, 8). RSF reports that the Freedom of Communication Law provides for jail terms for [RSF English version] "media offences" (RSF n.d.). Similarly, Freedom House indicates that the penal code and the Freedom of Communication Law allow criminal penalties for defamation and distributing false information (Freedom House 2016). RSF adds that La Voix de Djibouti, the country's only independent media outlet, broadcasts from outside the country (RSF n.d.). *Country Reports 2016* states that, in Djibouti "[p]rinting facilities for mass media were government owned, which created obstacles for those wishing to publish criticism of the government" (US 3 Mar. 2017).

An article by the BBC published on April 6, 2016, indicates that a BBC team travelled to Djibouti to cover the 2016 elections, among other things, and was detained for 19 hours and interrogated as a group and individually for 8 hours in total (BBC 6 Apr. 2016). According to the same source, they were asked questions such as why they had interviewed an opposition candidate and why they had chosen this specific time to be in Djibouti (BBC 6 Apr. 2016). The same source continues, indicating that, during the interrogations, the BBC journalism team was accused of "posing a threat to the president and of being sponsored by the opposition" (BBC 6 Apr. 2016). The team was finally brought to the airport the following day (BBC 6 Apr. 2016). RSF reports that a letter sent by the BBC to the government of Djibouti requesting explanations has [RSF English version] "so far gone unanswered" (RSF 8 Apr. 2016). *Country Reports 2016* indicates that, according to government officials, the BBC journalists did not have "proper media accreditation" to report on the presidential election, while the BBC asserted that they did have the required accreditation (US 3 Mar. 2017, 9).

Sources report that [Djiboutian] journalist Kadar Abdi Ibrahim was arrested on August 9, 2016, for attempting to cover [former Djiboutian minister] Hamoud Abdi Souldan's travel ban, and that he was released on August 11, 2016 (Alkarama 24 Aug. 2016; US 3 Mar. 2017, 6). Alkarama indicates that the journalist was [translation] "interrogated over a number of hours regarding his journalism activities" and "that his iPad was also confiscated and was returned to him on August 24, 2016, after all photographs had been erased" (Alkarama 24 Aug. 2016). Sources report that the journalist was deprived of food and water and that he was not allowed to meet with a lawyer or see his family during his detention (Alkarama 24 Aug. 2016; US. 3 Mar. 2017, 6).

Sources report that a Djiboutian citizen, Abdi Aden Cheik Ali, was arrested in July 2016 at his home after publishing a video denouncing a water shortage in the city of Ali-Sabieh (Alkarama 10 Aug. 2016; LDDH 22 July 2016). He was sentenced to three months of detention on July 31, 2016, without the presence of a lawyer (Alkarama 10 Aug. 2016). Alkarama states that he was released on October 24, 2016 (Alkarama 27 Oct 2016).

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.

Note

[1] On December 21, 2015, Djiboutian security forces shot [translation] "real bullets" into the crowd at a traditional ceremony in Balbala [a suburb of Boldhouqo (*L'Humanité* 30 Dec. 2015)] killing 25 (RFI 22 Dec. 2015) or 28 (*L'Humanité* 30 Dec. 2015) people (RFI 22 Dec. 2015; *L'Humanité* 30 Dec. 2015).

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[Top of Page](#)

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