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Djibouti

Country:

[Djibouti](#)

Year:

2016

Freedom Status:

Not Free

Political Rights:

6

Civil Liberties:

5

Aggregate Score:

28

Freedom Rating:

5.5

Overview:

The administration of President Ismail Omar Guelleh continued to repress and harass journalists, human rights activists, and opposition leaders in 2015. An agreement between the ruling Union for a Presidential Majority (UMP) and the opposition Union for National Salvation (USN), reached in December 2014 after months of disagreement and noncooperation following the 2013 parliamentary elections, was not fully implemented in 2015, and the opposition claimed that the government was neglecting key democratic reforms promised in the deal. Although they continued protesting government inaction, USN representatives took their seats in the parliament in January; this marked the first time that the opposition held a presence in the legislature since the introduction of the multiparty system in 1992.

Political Rights and Civil Liberties:**Political Rights: 9 / 40 [Key]****A. Electoral Process: 3 / 12**

Djibouti's ruling UMP coalition has effectively usurped the state. A constitutional amendment passed by the National Assembly in 2010 removed the two-term limit for the president, reduced presidential terms from six years to five, and specified that candidates

must be between the ages of 40 and 75. The changes allowed Guelleh to stand for a third term in 2011. His candidacy sparked a series of antigovernment protests in which at least two were killed and hundreds arrested, including the leaders of three opposition parties. The 2011 presidential campaign was marred by the harassment of opposition leaders and a clampdown on public gatherings. Guelleh ultimately faced only one challenger and won 81 percent of the vote. After the 2011 polls, Guelleh initially announced that he would not seek a fourth term in the next presidential election, scheduled for 2016, but opposition figures voiced skepticism. In December 2015, Guelleh declared that he would run again in 2016.

The 65 members of the unicameral legislature, the National Assembly, are directly elected for five-year terms. The 2010 constitutional changes provided for the formation of a bicameral legislature comprising the existing National Assembly and a newly created Senate, though steps to establish one have yet to be taken.

In February 2013, Djibouti held the first legislative polls contested by the opposition in a decade. In the weeks prior to the elections, the USN accused the government of censorship after its websites could not be accessed domestically. Although international observers declared the elections to be free and fair, the opposition alleged foul play and refuted the official results, which showed the UMP winning 55 seats and the USN taking 10. Representatives of the USN refused to take their seats in protest, but reached an agreement with the UMP on December 31, 2014, following 18 months of dialogue. Throughout the year 2015, the opposition alleged that the government had not respected key commitments enshrined in the agreement, including amnesty for opposition members and reform of the electoral commission. Opposition leaders also threatened to boycott the 2016 presidential election if the UMP does not fully implement the deal.

B. Political Pluralism and Participation: 3 / 16

Although the Djiboutian constitution provides full political rights, these rights are often ignored in practice. While Djibouti technically has a multiparty political system, the ruling UMP party has seized all state power. Political parties are required to register with the government.

Six political parties joined to form the USN coalition in the run-up to the 2013 legislative elections. Top USN officials have been repeatedly arrested since then. In May 2014, USN spokesman Daher Ahmed Farah was arrested for the 16th time since returning to the country from exile in January 2013. He was imprisoned in five of these instances.

Opposition parties have traditionally been disadvantaged by Djibouti's first-past-the-post electoral system, as well as the government's abuse of the administrative apparatus. Amendments to the electoral law in 2012 awarded 20 percent of seats proportionally; before, the party that received the majority in a district won the entirety of that district's seats. In 2013, the 10 seats won by the opposition represented the first time that the ruling party had conceded any seats in the National Assembly.

Minority groups, including the Afar, Yemeni Arabs, and non-Issa Somalis, are represented at all levels of Djiboutian government. However, the majority Issa hold more prominent positions in both government and the private sector.

C. Functioning of Government: 3 / 12

The UMP has assumed full control of the state and dominates policymaking.

Corruption is a serious problem, and efforts to curb malfeasance in public agencies have met with little success. Djibouti ranked 99 out of 168 countries and territories surveyed in Transparency International's 2015 Corruption Perceptions Index, and 36 out of 54 countries ranked in the 2015 Ibrahim Index of African Governance.

Though no laws establish the right to access public information, the government has made legislation publically available and created some mechanisms for citizens to request information. Policymaking and public administration nevertheless remain largely nontransparent.

Civil Liberties: 19 / 40

D. Freedom of Expression and Belief: 6 / 16

Despite constitutional protections, freedom of speech is not upheld in practice. No privately owned or independent media operate domestically, though political parties are technically allowed to publish a journal or newspaper. The government owns the principal newspaper, *La Nation*, as well as Radio-Television Djibouti, which operates the national broadcast stations. Strict libel laws lead journalists to practice self-censorship.

Approximately 10 percent of the population has access to the internet. While the government typically places few restrictions on internet access, some opposition outlets have faced interference and harassment. The opposition internet radio station *La Voix de Djibouti*, run by exiles in Europe, was regularly blocked during the 2013 legislative elections, and its journalists are routinely targeted for arrest. The *La Voix* website editor and USN communications officer, Maydaneh Abdallah Okieh, has been repeatedly arrested for his coverage of human rights and Djibouti's political opposition. In May 2015, Okieh was detained and ordered to pay damages of approximately 2 million Djiboutian francs (\$12,000) to a military leader who won a defamation case against him in 2013; the suit concerned Okieh's coverage of police brutality at a peaceful protest. In case of nonpayment, Okieh may face imprisonment.

Islam is the state religion, and 94 percent of the population is Sunni Muslim. Religious matters are overseen by the Ministry of Islamic Affairs. Legislation enacted in 2013 provides the ministry oversight authority over mosques. The government claimed that the new law would be used to counter foreign influence in the country, but has also used it to monitor the opposition. Security services have questioned imams who gave sermons on

political or social justice themes; at least three imams have been imprisoned for giving sermons on political topics.

Academic freedom is not always respected. In 2014, local and international human rights monitors reported that authorities had suspended the salaries of at least 83 teachers and educational staff since October 2013, allegedly for affiliation with opposition groups and trade unions. Of these, 63 educators were reportedly dismissed.

E. Associational and Organizational Rights: 3 / 12

Freedoms of assembly and association are nominally protected under the constitution, but are often not respected in practice. More than 500 opposition figures were arrested for participating in protests after the 2013 legislative elections. In June 2015, five youth opposition members were detained for protesting against Guelleh's fourth presidential bid. In September, dozens of USN and youth group members were arrested at a protest in Dikhil; six of them remained in detention at year's end despite an order for their release by the Djibouti Court of Appeal in October. Separately, in December, police violently dispersed a religious demonstration in the capital. The government alleged that the crowd included armed individuals who attacked the police, injuring as many as 50 officers, and officials reported that 7 civilians died in the confrontations. Opposition groups claimed that the government opened fire on the crowd and killed up to 19 people; international estimates of the death toll ranged up to 30. Independent sources had not been able to resolve conflicting estimates at year's end. An unknown number of opposition members were detained in the aftermath of the incident.

Local human rights groups who cover politically sensitive matters do not operate freely and are often the target of government harassment and intimidation. In 2014, president of the Djiboutian Observatory for the Promotion of Democracy and Human Rights, Farah Abdillahi Miguil, was prevented from boarding a plane to the United States and had his passport confiscated. The incident occurred shortly after his release from prison, where he was detained without access to a lawyer, medical care, or contact with his family for more than a year. Women's rights groups hold an exceptional position in this restrictive environment; the government generally supports their educational efforts and trainings.

Though workers may legally join unions and strike, the government has been known to intimidate labor leaders and obstruct union activities. Officials have been accused of meddling in internal union elections and harassing members. The government has also frozen some unions' bank accounts, and kept them from receiving external funds from the diaspora and international labor rights organizations.

F. Rule of Law: 4 / 16

The judicial system is based on the French civil code, though Sharia (Islamic law) prevails in family matters. The courts are not independent of the government. A lack of resources often delays legal proceedings. Security forces frequently make arrests without a proper decree from the judiciary, in violation of constitutional requirements. Constitutional

amendments made in 2010 abolished the death penalty. Prison conditions are harsh but have improved in recent years.

Allegations of politically motivated prosecutions are common, and opposition groups consistently accuse the government of sanctioning arbitrary arrests and lengthy detentions. In 2010, Djiboutian businessman Abdourahman Boreh was convicted in absentia on charges of terrorism. Boreh, an opposition leader who planned to run in the 2011 presidential election and vocally criticized the constitutional amendments that allowed Guelleh to run for a third term, received a 15-year prison sentence. The Djiboutian government later froze Boreh's assets on the grounds that he abused his position as chairman of the Djibouti Port and Free Zone Authority for private gain, and then brought a terrorism case before the London High Court. It was thrown out after the court discovered the majority of evidence to be false. The Djiboutian government subsequently followed up with a corruption case, and in October 2015, Guelleh was summoned to give testimony to the London court; he had not appeared as of December.

Same-sex sexual activity is illegal in Djibouti, and there are no laws in place to prevent discrimination against LGBT (lesbian, gay, bisexual, and transgender) people. Generally, matters of sexual preference or orientation are not discussed publicly.

G. Personal Autonomy and Individual Rights: 6 / 16

There are few employment prospects in the formal sector, as Guelleh and the ruling party tightly control all economic activity, including a number of lucrative military bases leased by the United States and China. Minority ethnic groups and clans suffer discrimination that contributes to their social and economic marginalization. Higher educational opportunities are also generally limited.

Though the law provides equal treatment for all Djiboutian citizens, women have fewer employment opportunities and are paid less than men for the same work. Women face discrimination under customary practices related to inheritance and other property matters, divorce, and freedom of movement. The law prohibits female genital mutilation, but some reports suggest that as many as 93 percent of women have undergone the procedure. An estimated 50 percent of girls now receive primary education following efforts to increase female enrollment in schools. While the law requires at least 20 percent of upper-level public service positions to be held by women, this requirement has not been enforced; women hold less than 13 percent of legislative seats and only one of 18 cabinet posts.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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