



Plenary sitting

B8-0597/2016

10.5.2016

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Djibouti
(2016/2694(RSP))

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on behalf of the S&D Group

B8-0597/2016

**European Parliament resolution on Djibouti
(2016/2694(RSP))**

The European Parliament,

- having regard to its previous resolutions on Djibouti, including the resolution of 4 July 2013 on the situation in Djibouti (2013/2690 (RSP))
- having regard to the National Indicative Programme for Djibouti under the 11th European Development Fund of 19 June 2014,
- having regard to a statement of 12 April 2016 by the European External Action Service's spokesperson
- having regard to the International Covenant on Civil and Political Rights
- having regard to the Convention against Torture and other Cruel, Inhuman or degrading Treatment or Punishment
- having regard to the Convention on the elimination of all forms of discrimination against women
- having regard to the African Charter on Human and Peoples' Rights, which Djibouti has ratified,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the Protocol to the African charter on Human and People's rights on the Right of Women in Africa,
- having regard to the Cotonou Agreement signed on 23 June 2000 and revised on 22 June 2010,
- having regard to the Constitution of Djibouti
- having regard to the Guidelines for African Union Electoral Observations and Monitoring Missions¹
- having regard to the Rule 135 of its Rules of Procedure

A. whereas Ismail Omar Guelleh has been the president of Djibouti since 1999, having enjoyed a landslide victory in the April 2016 election, which has been criticised by opposition parties and rights groups as politically repressive; whereas candidates from the

¹ 'safeguard the human and civil liberties of all citizens including the freedom of movement, assembly, association, expression, and campaigning as well as access to the media on the part of all stakeholders, during electoral processes' <http://www.achpr.org/instruments/guide-elections/>

opposition boycotted the elections of 2005, 2011, and 2016¹; whereas President Guelleh persuaded the National Assembly to amend the Constitution in 2010 thereby make it possible for him to stand for a third term in 2011², with the ensuing civil society protests being put down³;

- B. whereas Djibouti's prime location in the Gulf of Aden has made it strategically important for foreign military bases⁴, which allegedly makes it easier for Djibouti to avoid censure from the international community;
- C. whereas three opposition candidates, Omar Elmi Khaireh, Mohamed Moussa Ali and Djama Abdourahman, contested the April 2016 election results as not showing the will of the Djiboutian people;
- D. whereas opposition leaders were constantly subjected to imprisonment, harassment or torture during the April 2016 election campaign; whereas it is alleged that the army was ordered to remove opposition representatives from polling stations, so that the ballot box could be stuffed, while other districts like Ali-Sabieh were put under military control; whereas President Guelleh hosted a party allegedly to reward the army for their contributions in the election, before the official results were even released;
- E. whereas on 30 December 2014 the ruling coalition, Union for the Presidential Majority, signed a framework agreement with the opposition coalition, the Union for National Salvation, which stipulated that there would be a reform of the Commission Electorale Nationale Indépendante (Independent National Election Commission) and the creation of a shared parliamentary commission; whereas on 26 August 2015 the Djiboutian authorities announced that the commission would not be reformed;
- F. whereas ten Djiboutian women undertook a hunger strike in Paris in protest against rapes committed by soldiers, with four of the hunger strikers claiming to have been raped themselves, while another, Fatou Ambassa, 30, fasted in memory of her cousin, Halima, who was allegedly fatally gang-raped in 2003 at the age of 16; eight of these women carried on with these protests for nineteen days from 25 March to 12 April 2016, with ten more women carrying the torch in Brussels; whereas the Djiboutian authorities are disputing these claims of rape committed against civilians sympathetic to the ethnic Afar rebels;
- G. whereas there are no private television or radio stations in Djibouti, with the authorities closely monitoring opposition websites⁵ and regularly blocking human rights organisations' websites; whereas the government owns the main newspaper, La Nation, and the national broadcaster, Radiodiffusion-Television de Djibouti, which practise self-censorship;⁶ whereas in 2015, Freedom House declared that the press in Djibouti was not free;

¹ <http://www.bbc.com/news/world-africa-13231761>

² <http://www.bbc.com/news/world-africa-13231761>

³ <http://www.bbc.com/news/world-africa-13231763>

⁴ <http://www.bbc.com/news/world-africa-13231761>

⁵ <http://www.bbc.com/news/world-africa-13231761>

⁶ <http://www.bbc.com/news/world-africa-13231765>

- H. whereas Mr Abdallah Mohamed Youssef, 21, was arrested, detained and tortured by the National Djibouti Army as part of a sweeping operation, and was accused of having links to the Afar-affiliated political party, Front pour la Restauration de l'Unité et de la Démocratie (FRUD); whereas in 2012 especially, the region of Mablás saw a wave of arbitrary arrests of suspected FRUD rebels¹
- I. whereas it has been alleged that at least 27 people were killed by the authorities, and more than 150 wounded, at a religious celebration on 21 December 2015 in Buldugo, with the Djiboutian government insisting that the death toll as low as seven;² whereas a trade union leader and President of the Human Rights League of Djibouti (LDDH), Omar Ali Ewado, was detained incommunicado from 29 December 2015 to 14 February 2016, for publishing a list of the victims and the missing of the massacre, with his lawyer also being detained at the airport³
- J. whereas following the 13 November 2015 terrorist attacks in Paris, the Djibouti Council of Ministers adopted decree no.2015-3016 PR/PM on 24 November, banning assembly and gatherings in public areas, as a counterterrorism measure;
- K. whereas unlike men, women can only be granted a divorce under certain specific circumstances; if a woman requests divorce without the burden of evidence, she would have to give up any financial compensation, and may have to pay damages to her spouse;⁴ whereas Sharia law is applied in matters of inheritance, meaning that a woman will inherit less than half of a man's share; whereas the Djiboutian authorities told the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) that they could not amend the law as it was rooted in the country's 'higher sociocultural and religious values';
- L. whereas there is no legislation against domestic violence and spousal rape on Djibouti; whereas the authorities have informed the CEDAW that they are aware of shortcomings in their attempts to tackle gender-based violence; whereas despite being illegal, various forms of female genital mutilation have been carried out on 98% of females in Djibouti;⁵
- M. whereas in spite of homosexuality being legal in Djibouti, there is no current legislation protecting lesbian, gay, bisexual and transgender individuals from discrimination, and sexual preference and orientation are not spoken about in public;⁶

¹ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2012-002948+0+DOC+XML+V0//EN>

² <http://www.economist.com/news/middle-east-and-africa/21696512-everyone-wants-piece-djibouti-its-all-about-bases-superpowers>

³ http://www.ei-ie.org/en/news/news_details/3852

⁴ <https://www.google.be/url?sa=t&rct=j&q=&esrc=s&source=web&cd=11&cad=rja&uact=8&ved=0ahUKEwj8of fj3L7MAhVDFMAKHZGRAQc4ChAWCBowAA&url=http%3A%2F%2Fwww.unicef.org%2Fgender%2Ffiles%2FDjibouti-Gender-Eqaulity-Profile-2011.pdf&usq=AFOjCNG7Fg2hQRMTNiZnp03SnmUBbUUAqA&sig2=-tpd6OAYVDSbeFWcyDbSJg&bvm=bv.121099550,d.ZGg>

⁵ <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3598278/>

⁶ freedom house

- N. whereas 74% of Djiboutians live on less than USD 3 a day; whereas the food insecurity in Djibouti has been exacerbated by high food prices, water scarcity, climate change and reduced pasture; whereas Djibouti is a beneficiary of the EU's EUR 79 million aid package for Great Horn of Africa nations affected by El Niño;
- O. whereas Djibouti is currently receiving EUR 105 million in bilateral EU funds, primarily for water and sanitation and food and nutrition security, as part of the EU's National Indicative Programme, under the 11th European Development Fund; whereas from 2013 to 2017, Djibouti will have received EUR 14 million as part of the EU's Shaping Horn of Africa Resilience initiative, which aims to empower communities to withstand recurrent droughts
- P. whereas Djibouti is currently hosting more than 20,000 refugees from Somalia and Eritrea and about 30,000 more from Yemen; whereas females at refugee camps are at risk of gender-based violence; whereas the European Commission is providing assistance, such as life-saving services, and financial aid to the communities hosting refugee camps;
1. Express concern regarding the changes to the Djiboutian constitution and the claims that the members of the opposition were harassed; emphasises the importance of fair elections, free from intimidation;
 2. Calls for a thorough investigation into the transparency of the electoral process and the 2016 elections in Djibouti; repeats the European Union's call for the results from each polling station employed in both the 2013 and 2016 elections to be published;
 3. Denounces military interference in democratic processes and reiterates that a thorough and transparent investigation into the election process is fundamental; raises concerns about the apparent willingness of the President to prematurely celebrate his victory in the April 2016 elections; reminds Djibouti that it is party to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and that Article 16 of the Djiboutian constitution stipulates that 'no one shall be subjected to torture or ill-treatment or cruel, inhuman, degrading or humiliating acts';
 4. Regrets the decision of the Djiboutian authorities to contravene the 2014 stipulation to reform the election commission and urges them to work closely with the opposition to produce a fairer and more transparent electoral process;
 5. reminds the Djiboutian authorities of their commitments to protection of journalists under the Guidelines for African Union Electoral Observations and Monitoring Missions and condemns such treatment of journalists and reminds the Djiboutian authorities of the importance of freedom of press and fair trial; demands a reasoned explanation from the Djiboutian authorities about the treatment of the journalists;
 6. Condemns the lack of independent press in Djibouti and the monitoring and censorship of websites critical of the government; regrets the practice of self-censorship conducted by the state-owned media;
 7. Deplores the allegedly state-sanctioned killings carried out at the religious ceremony on 21 December 2015, and the ensuing detentions and harassment of human rights defenders

and members of opposition; reiterates its condemnation of arbitrary detention and calls for the rights of the defence to be respected;

8. Demands that women and men be treated equally before the law in Djibouti and reminds the authorities that they are party to the Convention on the Elimination of all forms of Discrimination against Women;
9. Welcomes the Djiboutian government's interventions in the widespread practice of female genital mutilation, but would like to see more improvements made;
10. Urges the Djiboutian authorities to implement legislation ensuring that lesbian, gay, bisexual and transgender individuals are treated equally before the law;
11. Strongly denounces the rapes committed by Djiboutian soldiers against civilians, as highlighted by the hunger strike cases, and calls on the Djiboutian authorities to conduct a thorough investigation into the actions of the military in particular and to bring an end to impunity;
12. States its willingness to monitor the situation in Djibouti closely and to propose restrictive measures in the event of a breach of the Cotonou Agreement (2000), and in particular Articles 8 and 9 thereof; calls on the Commission likewise to monitor the situation closely;
13. Urges the EEAS, the Commission and their partners to work with the Djiboutians on long-term political reform, which should be particularly facilitated by the strong relationship that already exists considering that Djibouti has been a key component of the fight against terrorism and the region as well as hosting a military bases;
14. Instructs its President to forward this resolution to the Government of Djibouti, the institutions of the African Union, the Intergovernmental Authority on Development, the Arab League, the Organisation of Islamic Cooperation, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and the Co-Presidents of the ACP-EU Joint Parliamentary Assembly.