

## **Situation in Djibouti**

### **European Parliament resolution of 4 July 2013 on the situation in Djibouti (2013/2690(RSP))**

*The European Parliament,*

- having regard to its earlier resolutions of 15 January 2009<sup>1</sup> on the situation in the Horn of Africa and 18 December 1997 on the human rights situation in Djibouti<sup>2</sup>,
  - having regard to the joint declaration made in Djibouti on 24 February 2013 by the international observation missions (from the African Union (AU), the Arab League, the Organisation of Islamic Cooperation (OIC) and the Intergovernmental Authority on Development (IGAD)) which monitored the parliamentary elections held in the Republic of Djibouti on 22 February 2013,
  - having regard to the African Charter of Human and Peoples' Rights, which Djibouti has ratified,
  - having regard to Universal Declaration of Human Rights of 1948,
  - having regard to the Cotonou Agreement signed on 23 June 2000 and revised on 22 June 2010,
  - having regard to the statement of 12 March 2013 by the spokesperson of Catherine Ashton, High Representative of the EU, on the situation following the parliamentary elections in Djibouti,
  - having regard to Rules 122(5) and 110(4) of its Rules of Procedure,
- A. whereas, by virtue of its position at the tip of the Horn of Africa and the entrance to the Red Sea, Djibouti and its strategic infrastructure (ports and free zones) is important for the whole region;
- B. whereas Djibouti has played a key role in combating piracy and terrorism in the region;
- C. whereas Djibouti had a single-party system from the time of its independence in 1977 until 2003;
- D. whereas the country has been in the grip of a serious political crisis since the parliamentary elections of 22 February 2013;
- E. whereas Ismail Omar Guelleh, who came to power in 1999, was re-elected in 2005 with 100 % of the votes and announced that he would not stand again for election in 2016; whereas President Guelleh was re-elected in April 2011 with close to 80 % of the votes in elections that were boycotted by a large section of the opposition after the Djibouti

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<sup>1</sup> OJ C 46 E, 24.2.2010, p. 102.

<sup>2</sup> OJ C 14, 19.1.1998, p. 207.

Parliament had amended the constitution to allow President Guelleh to seek a new term;

- F. whereas, for the first time since President Guelleh came to power, the opposition parties, in the hope that democratic pluralism would prevail, decided to take part in the parliamentary elections of 22 February 2013, following the introduction of a new, partly proportional voting system enabling minority parties to win seats in parliament;
- G. whereas those elections were monitored by AU, Arab League, OIC and IGAD observers, who oversaw operations at 154 polling stations and 12 counting centres and reported that the elections had been transparent and that no instances of fraud or ballot box stuffing had been detected;
- H. whereas, according to the results announced by the Constitutional Council, the Union for the Presidential Majority (UMP) gained 68 % of the votes;
- I. whereas the opposition, which for the first time since the country's independence won seats in parliament, said that there had been massive fraud and claimed that it had won the elections; whereas the Constitutional Council rejected the appeal lodged by the opposition against the results of the elections;
- J. whereas the opposition is boycotting the parliament formed following the elections; whereas the authorities have condemned the setting up by a section of the opposition of a 'Legitimate National Assembly' (ANL) in parallel to the national parliament following the disputed elections of February 2013; whereas the ANL is presided over by the head of the Union for National Salvation (USN) list of candidates for the Djibouti City constituency, Ismail Guedi Hared;
- K. whereas the results of the parliamentary elections of 22 February 2013 have still not been published for each polling station, in spite of the calls made by the EU, giving rise to suspicions of fraud;
- L. whereas the number of voters registered in the Djibouti City constituency changed every time official figures were announced;
- M. whereas the suppression, by the disproportionate use of force, of demonstrations by opposition parties contesting the regularity of the parliamentary elections is reported to have resulted in at least 10 deaths caused by shooting by the forces of law and order;
- N. having regard to the mass arrests of opposition demonstrators; whereas NGOs are raising the alarm about suspect deaths, torture and disappearances;
- O. whereas, since the elections of 22 February 2013, more than a thousand members of the opposition are said to have been imprisoned for longer or shorter periods;
- P. whereas some 60 political prisoners are currently said to be in detention; having regard to the constant repression by the authorities of opposition political militants;
- Q. having regard to the prosecutions brought against most opposition leaders and many journalists;
- R. whereas the journalist Mydaneh Abdallah Okieh, who is also responsible for communication by the opposition coalition USN, is accused of 'slandering the police' for

having posted on the social network Facebook pictures of demonstrators who were victims of repression; whereas on 26 June 2013 the Court of Appeal increased his sentence from 45 days to five months;

- S. having regard to the sentencing, in April 2013, to two years' imprisonment and to deprivation of their civic and civil rights of the three leaders of the opposition coalition USN; whereas the hearing of their appeal has been held over until 25 November 2013;
- T. having regard in this context to the arrest of the spokesperson of the USN opposition, Daher Ahmed Farah, on 4 March 2013; whereas he was found guilty of having called for a rebellion after the parliamentary elections of February 2013; whereas two other people were charged in the same case, one of whom received a suspended sentence of imprisonment while the other was acquitted; whereas on 26 June 2013 the Court of Appeal again sentenced Daher Ahmed Farah to two months' unconditional imprisonment;
- U. having regard to the extremely worrying detention conditions in Djibouti's prisons;
- V. whereas the 1992 Constitution recognises fundamental liberties and basic principles of good governance;
- W. whereas Article 10 of the Constitution stipulates that 'the right of defence, including the right to enlist the assistance of the lawyer of one's choice, shall be guaranteed at all stages of the procedure';
- X. whereas Djibouti is a signatory to the International Covenant on Civil and Political Rights as well as the International Covenant on Economic, Social and Cultural Rights;
- Y. whereas Djiboutian women are confronted with diverse forms of violence – including rape, female genital mutilation, domestic violence, sexual harassment and early marriage – which have far-reaching negative consequences for the physical and psychological well-being of women;
- Z. whereas Djibouti is ranked 167th (out of 179 countries), in the worldwide index of press freedoms 2013 compiled by Reporters Without Borders; having regard to the ban on travel to Djibouti by foreign journalists and the difficulties which it is causing in obtaining reliable information about what is happening in the country;
- AA. whereas in March 2012, the United Nations Food and Agriculture Organisation (FAO) estimated that 180 000 people in Djibouti were in need of food aid;
- AB. whereas, in the past 20 years, the European Union and its Member States have been the main providers of financial support to Djibouti; whereas the payments made by the USA, Japan and France for the occupation of their military bases represent a source of revenue ensuring continuous growth for Djibouti;
- AC. whereas respect for human rights, democratic principles and the rule of law are the very foundation of the ACP-EU partnership and constitute essential elements of the Cotonou Agreement;
- 1. Expresses its strong concern about the situation in Djibouti since the parliamentary elections of 22 February 2013 and the tense political climate in the country; is particularly concerned

about reports of mass arrests of members of the opposition, suppression of demonstrations held to protest about irregularities in the elections, and assaults on the freedom of the media;

2. Calls on the Djibouti authorities to put an end to repression of political adversaries and to release everybody who is being detained on political grounds;
3. Calls on the Djiboutian authorities to guarantee respect for the human rights recognised in the national and international agreements which Djibouti has signed and to safeguard civil and political rights and freedoms, including the right to demonstrate peacefully and freedom of the press;
4. Strongly condemns the acts of sexual violence against women, and points out that the Government of Djibouti has a responsibility to put an end to impunity by bringing those responsible for sexual violence against women to justice;
5. Calls for the rights of the defence to be respected, in particular the right of accused persons to have access to a lawyer of their choice at all stages of the proceedings against them; calls on the authorities to allow the families of persons in detention to bring them material aid, in particular medical supplies;
6. Calls on the Government of Djibouti, with the aid of the institutions which validated the results of the election, in particular the African Union, to embark on a process of political dialogue with the opposition, in accordance with the announcement made by the Head of State on 27 June 2013 on the occasion of the anniversary of Djibouti's independence; calls on the European Union to support the work of regional organisations and contribute to the efforts to find a political solution to the current crisis;
7. Calls for a judicial investigation to be opened immediately with the aim of shedding light on the actions of the police and army during demonstrations and punishing the perpetrators of human rights violations;
8. Welcomes the fact that the 22 February 2013 election passed off peacefully, as emphasised by various representatives of the international community, including the Vice-President/High Representative and the heads of the four election observation missions sent to Djibouti; welcomes the commitment to the future of their country shown by the people of Djibouti and all the political parties through their participation in the election;
9. Welcomes the fact that the 22 February 2013 election saw opposition forces, i.e. the Union for National Salvation (USN), take part for the first time since Djibouti became independent in 1977;
10. Reiterates the European Union's call for the results from each polling station used in the 22 February 2013 election to be published;
11. Calls on all political forces in Djibouti to respect the rule of law, including the right to demonstrate peacefully, and not to engage in violence and repressive measures;
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.