

Universal Periodic Review
(16th session, spring 2013, from 22 April – 3 May 2013)
Contribution of UNESCO

(The countries to be reviewed are, in this order: Turkmenistan, Burkina Faso, Cape Verde, Colombia, Uzbekistan, Tuvalu, Germany, Djibouti, Canada, Bangladesh, Russian Federation, Azerbaijan, Cameroon, and Cuba. Each submission should refer to one country only)

Djibouti

I. BACROUND AND FRAMEWORK

1. Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

I.1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	Not state party to Convention	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. (1989)	Not state party to Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	Ratified 30/08/2007			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	Ratified 30/08/2007			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	Ratified 09/08/2006			Right to take part in cultural life

II. Promotion and protection of human rights on the ground

Right to education

Normative Framework:

2. Constitutional framework: The Constitution of Djibouti, as last amended in 2010, does not enshrine the “right to education” per say. Article 10 establishes that all human beings are equal before the law. Article 1 stipulates that Djibouti’s official languages are Arabic and French. Article 11 affirms that all persons have the right to freedom of thought, conscience, religion, cult, and opinion in respect of the order as established by law and regulation.
3. Legislative framework: According to the Law on the Education System of Djibouti of 10 July 2000¹, the objective of the education system is to allow citizens to become capable of contributing to the socio-economic and cultural development of their country (Article 7). According to Article 22, primary education and basic education is guaranteed to all, and it is compulsory. Compulsory schooling is provided for in primary education schools created by decree and opened to children between the ages of 6 and 12. Article 27 establishes that secondary education is compulsory subject to the exemptions set out in Article 15 of the 2000 Act. Secondary education hosts students of that have reached 13 years of age and have successfully passed the relevant admission test.
4. Organic Law No. 143/AN/01/2nd of 1 October 2001 on the organization of the Ministry of National Education and Higher Education (MENESUP)² establishes that the Ministry of National Education and Higher Education prepare and implement the government’s formal, informal, and non-formal education policies. The Law provides guidelines for the development and evaluation of knowledge in basic education, secondary and higher education.
5. Law No. 150/AN/91/2nd on the economic and social orientation of Djibouti for the 1990-2000 period affirms that the objective of the development of the education system is to reduce the dropout rate, especially between primary education and the second cycle of secondary education.
6. The Law on the organization of private education of 30 July 1981³ establishes that the State proclaims academic freedom with equal respect of all faiths, whose exercise is guaranteed in private establishments.
7. Law No. 149/AN/06/5th⁴ on the creation of a category of public establishments that are of scientific, pedagogical, and technological character was enacted in 2006.
8. Decree No. 82/080/PR/EN⁵ of 5 August 1982 created the National Advisory Board of Education.

¹ <http://www.presidence.dj/LES%20TEXTES/loi96an00.htm> (Accès 28/03/11)

² <http://www.presidence.dj/LES%20TEXTES/loi143an01.htm> (Accessible le 28/03/11)

³ <http://www.presidence.dj/jo/1983/loi188N81.htm> (Accessible le 28/03/11)

⁴ <http://www.presidence.dj/jo/2006/loi149an06.php> (Accessible le 28/03/11)

9. Decree No. 90/074/PR/EN⁶ of 4 July 1990 establishes the Training Centre for national education staff (*Le Centre de formation des personnels de l'éducation nationale* - CFPEN).

10. Decree No. 2001/0238/PR/MEN⁷ defines the attributions and modalities of the operation of the Higher Education Committee (CSE) and the Regional Committees of Education (CRE) created by the orientation law.

Policy measures:

11. The Master Plan of 2010-2019⁸ establishes that the right to education and quality training is a right recognized by the Law on the orientation of the education system. This right belongs to all citizens of Djibouti without distinction based on age, sex, social origin, ethnicity, or religion.

12. The educational policy of 2010-2019 places the quality of education at the centre of the 10-year strategy through the implementation of measures to accelerate the access to school for all, and of effective treatments of quality.

13. Two Plans of Actions were adopted after the enactment of the Law on the orientation of the education system. The first Plan (1999-2005) had as its objective to increase MENESUP's accommodation capacity, and the second Plan (2006-2008) continues the thread established by the first, but strengthens the quality aspect.

14. The Fast Track (FTI)⁹ has helped made fundamental schooling compulsory during 9 years with the suppression of the admission exam in 2006-2007.

15. Free Schooling: There are various initiatives that aim to promote free-of-charge schooling in the education system, inter alia¹⁰:

- a) Improvement of school cafeterias of primary education schools and the increase of their respective cafeteria budgets in order to improve the quality of the food. This action contributed to the increase of enrolment rates in rural zones;
- b) Annual distribution of school kits and supplies to primary education students;
- c) Provision of scholarships for young girls financed by USAID in order to encourage female enrolment in education;
- d) Distribution of uniforms for boys and girls within the interior regions as a way to reduce inequalities.

⁵ <http://www.ibe.unesco.org/fr/dans-le-monde/regions-de-lunesco/afrique/djibouti/profile-of-education.html> (Accès 28/03/11)

⁶ Ibid.

⁷ Ibid.

⁸ Le Schéma directeur 2010-2019, <http://www.education.gov.dj/Schema%20directeur%2020102019.pdf>

⁹ <http://www.educationfasttrack.org/qui-sommes-nous> (Accès 28/03/11)

¹⁰ Rapport National Beijing+15 du Ministère de la Promotion de la Femme, Avril 2009

Inclusive Education

16. Gender equality: In the National Report Beijing+15 drafted by the Ministry of Promotion of the Woman in April 2009, the strategic objectives concerning women's education are access to education for all, the promotion of gender equality, and the eradication of illiteracy among women.

17. In partnership with Barefoot College in India, the training of technicians in solar energy was carried out, whereby five illiterate women in rural areas were trained for 6 months as technicians on the installation and maintenance of solar panels.¹¹

18. In addition, numerous awareness campaigns were organized throughout the country and through the media (TV and Radio), aimed at parents, notably mothers, in order to liberate girls from socioeconomic burdens and combat prejudices¹².

19. Children with special needs: The Government of Djibouti opened a school for children with special needs in September 2004 at the Mother and Child Centre for deaf children. Out of the 80 students, 30 girls follow a specialized education programme. Moreover, the Ministry of Education aims to provide new classes for all children with special needs¹³.

Cooperation:

20. Djibouti is not party to 1960 UNESCO's Convention against Discrimination in Education, and did not report to UNESCO in 2007, for the Seventh Consultation on the measures taken for the implementation of the Recommendation against Discrimination in Education (covering the period 2000-2005).

21. Djibouti is not party to 1989 UNESCO's Convention on Technical and Vocational Education.

22. Djibouti did not report within the framework of the fourth consultation of Member States on the measures taken for the implementation of the 1974 UNESCO's Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms (covering the period 2005-2008).

Freedom of opinion and expression

Achievements, best practices, challenges and constraints

23. Legislative framework: The Constitution of Djibouti¹⁴ guarantees the freedom of expression under Article 15: *"Everyone shall have the right freely to express and disseminate his opinions by word, pen, or image. These rights shall be subject to the provisions of the law as well as to respect for the honour of other persons."*

¹¹ Rapport National Beijing+15 du Ministère de la Promotion de la Femme, Avril 2009

¹² Ibid.

¹³ Ibid.

¹⁴ <http://www.pogar.org/publications/other/constitutions/dj-constitution-92-e.pdf>

24. Defamation remains criminalized under Articles 425-427 of Djibouti's Penal Code; it is punishable by a fine and up to a year of imprisonment¹⁵.
25. There is yet to be a freedom of information law in the country.
26. Media self-regulation: Self-regulatory mechanisms are not developed in the country. All national media outlets are state-owned and there are very few private media in the country¹⁶.
27. Safety of journalists: UNESCO recorded no killing of journalists and media workers in Djibouti between 2008 and 2011. However, there continue to be reports of journalists being arrested without charges, such as the case of Houssein Ahmed Farah who worked for an opposition news website¹⁷ in August 2012.

III. RECOMMENDATIONS

Right to education

28. Djibouti should be encouraged to ratify the 1960 Convention against Discrimination in Education.
29. UNESCO launched the 8th Consultation on the measures taken for the implementation of the Convention and Recommendation against Discrimination in Education (covering the period 2006-2011), the results of this Consultation will be submitted to UNESCO's governing bodies at the end of 2013. Djibouti did not yet report to UNESCO on the Recommendation and is now strongly encouraged to submit a report.
30. Djibouti should be encouraged to enshrine the right to education, compulsory and free schooling on its Constitution.
31. Djibouti could be encouraged to adopt further measures (e.g. special laws) which aim to combat discrimination in education, protect minority groups, and promote gender equality.

Freedom of opinion and expression

32. The Government is encouraged to decriminalize the defamation law and subsequently incorporate it into the civil code in accordance with international standards.
33. The Government is encouraged to implement existing measures as well as adopt new ones for the free establishment of independent media outlets.
34. The Government is encouraged to begin the process to introduce a freedom of information law to enable public information to be accessed easily and freely by the public in accordance with international standards.

¹⁵ <http://www.djibouti.mid.ru/doc/UK.htm>

¹⁶ <http://en.rsf.org/report-djibouti,14.html>

¹⁷ <http://www.unhcr.org/refworld/topic,4565c2252c,4565c25f36b,5034ec85c,0,,DJI.html>

35. The Government is encouraged to allow for self-regulation of the media.

36. The Government is encouraged to allow journalists and media workers to practice profession independently in a free, pluralistic and safe environment as part of their fundamental human rights.

**The right to enjoy the benefits of scientific progress and
its applications (REBSP)**

37. The Government of Djibouti is encouraged to report to UNESCO within the framework of the on-going consultation with Member States on the monitoring of the implementation of the 1974 Recommendation on the Status of Scientific Researchers.