



## Convention on the Elimination of All Forms of Discrimination against Women

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### Committee on the Elimination of Discrimination against Women

#### List of issues and questions in relation to the fourth and fifth periodic reports of Eritrea\*

##### General

1. Please provide detailed information on the process of preparation of the fourth and fifth periodic reports ([CEDAW/C/ERI/4](#) and [CEDAW/C/ERI/5](#)), including on the involvement of stakeholders, including independent women's rights organizations and parliamentarians. Please provide information on specific measures taken to ensure that women in the State party are aware of their rights under the Convention.

##### Legislative and institutional framework

2. Please provide detailed information on measures taken, and their results, to ensure that the Convention and its provisions are incorporated into national law and become fully applicable in the national legal system. Please supply information on the obstacles faced by women in gaining access to justice and the measures taken to overcome them. Please give examples of instances, if any, in which the national courts have used the Convention in interpreting the law of the State party.

3. In its previous concluding observations, the Committee recommended that the State party should place high priority on completing its reform of the civil and penal codes ([CEDAW/C/ERI/CO/3](#), para. 7). Please provide information on steps taken to implement that recommendation, given that the State party indicates that its review remains under way ([CEDAW/C/ERI/5](#), para. 11).

##### National machinery for the advancement of women

4. It is indicated that the national machinery for the advancement of women (the National Union of Eritrean Women) has been spearheading the coordination of gender equality issues in general and has been mandated by the Government to oversee the implementation of the Convention on its behalf (*ibid.*, para. 4). Please provide detailed information on the legal status and human and financial resources of the National Union of Eritrean Women and on the mechanisms in place to ensure that the implementation of the Convention is monitored. Please also provide

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\* Adopted by the pre-sessional working group for the sixtieth session, meeting from 21 to 25 July 2014.



information on the extent to which gender has been mainstreamed in all government structures. Please provide detailed information about the National Gender Plan of Action (2003-2008) and the results of its implementation. Please indicate whether an impact assessment has been carried out and describe any follow-up activities that have been conducted.

### **Temporary special measures**

5. It is indicated that measures have been put in place to ensure that women are represented in elected bodies and in the Administration ([CEDAW/C/ERI/4](#), paras. 37 and 84). It is also indicated that, while the Government has adhered to the special measures of ensuring that women are represented in the various hierarchies of the government structures, progress has not been achieved with regard to ministerial, director general, regional government and foreign relations posts ([CEDAW/C/ERI/5](#), para. 12). Please provide detailed information on the legislative and policy measures taken since the adoption of the Committee's previous concluding observations to ensure that women are represented in decision-making positions across all government structures, including in the parliament and the foreign service.

### **Stereotypes and harmful practices**

6. The State party mentions various activities carried out by the National Union of Eritrean Women and other institutions to address gender stereotypes regarding the roles of women and men in society. Reference is made to path-breaking measures in the area of sports and recreational activities, previously restricted to men (*ibid.*, para. 15). Please explain the impact of those measures in tackling gender stereotypes and harmful practices. Please provide information on efforts made to address the deeply entrenched patriarchal social norms and stereotypical attitudes that discriminate against women on grounds of sex, ethnicity, age, disability or other characteristic.

### **Violence against women**

7. In its previous concluding observations, the Committee urged the State party to give priority consideration to the adoption of comprehensive measures to combat violence against women and girls, requesting it to provide information in its next periodic report on the laws and policies in place to deal with all forms of violence against women and the impact of such measures ([CEDAW/C/ERI/CO/3](#), para. 17). That request notwithstanding, the State party has acknowledged only that, while no specific evidentiary and procedural provisions exist to address cases of violence against women, general rules are very much applicable and relevant to the case at hand ([CEDAW/C/ERI/4](#), para. 67). Please provide detailed information on the legislation criminalizing violence against women and indicate whether it addresses physical, psychological, economic and sexual violence and marital rape. Please provide disaggregated statistical data on the number of investigations, prosecutions, convictions and sentences imposed on perpetrators. Please provide information on the measures taken to ensure that the evidentiary, medical and forensic procedures applied in cases of violence against women, including sexual and domestic violence, are free from gender stereotypes. Please also provide information on any explicit legal and policy measures aimed at eliminating corporal punishment of women and girls in all settings.

8. It is indicated that rape and sexual harassment of women are considered immoral acts that are seriously sanctioned by the community (ibid., para. 59). Please indicate whether informal or customary justice mechanisms exist within the jurisdiction of the State party and, if they do, explain their relationship with the formal justice system. How do such mechanisms, if any, address sexual violence, including rape and sexual harassment?

9. In its previous concluding observations (CEDAW/C/ERI/CO/3, para. 17), the Committee called upon the State party to ensure that women and girls who were victims of violence had access to immediate means of redress. Please provide information on the obstacles that women in the State party face in gaining access to mechanisms of redress, including disaggregated data on the number and financing of shelters, the availability of legal aid, the existence of protection orders and counselling services and compensation for victims, in addition to any assistance provided to those who witness violence against women. Please provide information on measures taken to ensure reparations for crimes against women, including rehabilitation, restitution and guarantees of non-repetition.

### **Trafficking in women and exploitation of prostitution**

10. Please clarify the legal definition of trafficking in persons, prostitution and exploitation of prostitution in the State party. Please indicate whether prostitution is criminalized, and if it is, please explain how. Please provide detailed information on measures taken to ensure that women who are victims of trafficking and women engaged in prostitution have equal access to justice, free or low-cost legal advice and means of redress, including economic, social and medical support. Please outline the content of programmes available to them, their impact, uptake and completion rates and post-training monitoring mechanisms (CEDAW/C/ERI/4, para. 68). In addition, please supply disaggregated data on the number of cases prosecuted and conviction rates. Please also provide detailed information on measures taken to ensure reparations for victims of trafficking, including rehabilitation, restitution and guarantees of non-repetition.

### **Participation in political and public life**

11. Please provide detailed information on measures taken to ensure that women can vote and stand in national and regional elections, participate in the formulation of policy measures by the Government and their implementation and take part in non-governmental organizations and associations concerned with public and political life in the State party. Please provide information on measures taken to ensure that women journalists and human rights defenders have access to information and are free to express dissenting views without fear of reprisals, violence, harassment or intimidation.

12. Please provide detailed information on measures taken to ensure that women's rights civil society organizations can gain access to funding and resources, including foreign funding, without undue restrictions, determine their statutes, structure and activities without State interference and be dissolved only by a court decision and when prescribed by law and when necessary. Please provide detailed information on measures taken to ensure that women are free to organize and participate in peaceful assemblies without previous authorization by the State party, are not coerced to follow the State party's instructions in terms of the location and timing of the

assembly and are protected from agents provocateurs and counter-demonstrators by the State party.

### **Education**

13. It is indicated that, in 2007-2008, 34,008 girls between 14 and 18 years of age out of the eligible female population of 186,368 were enrolled in secondary education, implying that 152,360 young women lacked access to secondary education. For this same population band, 49,323 boys out of the eligible male population of 186,640 were enrolled (*ibid.*, table 7). Please explain the shortfall in enrolment of the 152,360 girls in secondary education. Please also provide detailed information on the measures taken to improve access to all levels of education for women and girls, including those from rural and hard-to-reach areas, and disaggregated statistical data on dropout rates. Please explain how the implementation of the new programme to enhance access to education in remote and difficult-to-reach places ([CEDAW/C/ERI/5](#), para. 21) integrates a gender perspective, takes into account the specific needs of adolescent girls and makes secondary education affordable to low-income families and accessible to persons belonging to ethnic minorities. Please provide information on measures taken to increase the percentage of female teachers in primary and secondary education.

14. It is indicated that the Ministry of Education was preparing a communication strategy to improve access to education through the use of the mass media, awareness-raising activities carried out by community leaders and elders and cultural activities ([CEDAW/C/ERI/4](#), para. 100). Please provide detailed information on the content of the strategy and its results in terms of improving women's access to and retention within the education system. Please provide information on measures taken to address violence against women and gender stereotypes in school textbooks and to tackle gendered horizontal and vertical segregation in education. Please provide detailed information on the guidelines for inclusive education for persons with disabilities that were prepared for teachers (*ibid.*, para. 103) and indicate how they are in line with the Convention on the Rights of Persons with Disabilities.

### **Employment**

15. Please indicate whether labour inspections have been carried out, in particular in the domestic, mining and agricultural sectors, to ensure, among other things, that employed women receive remuneration equal to that of men for work of equal value, employed girls between 14 and 17 years of age are not exposed to hazardous and high-risk activities and employed girls perform age-appropriate tasks that do not interfere with their schooling and leisure time. Please provide detailed information on the number of women employed in the informal sector, as well as on any legal, social or other measures taken to ensure their full integration into the formal labour market.

16. Please provide detailed information on how national service and the implementation of the Warsai Yikaalo Development Campaign are consistent with the obligations of the State party under the Convention and the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105), of the International Labour Organization. Please provide detailed information, including disaggregated data, on the number of females conscripted

and on the conditions of national service, including call-up age, duration, salary/wages, employment function and productivity sector, level of employment, working hours, assigned tasks, family and social benefits and entitlements. Please also provide information on measures taken to ensure that girls attending military training at the Sawa Defence Training Center are protected from violence and any act of harassment, intimidation or punishment.

### **Health**

17. It is indicated that the National Strategic Plan of Action for Nutrition (2006-2010) contains maternal undernutrition as a key component ([CEDAW/C/ERI/4](#), para. 243). Please provide detailed information on the results of its implementation, any impact assessment and any follow-up measures. It is acknowledged that, while abortion is illegal under the Penal Code, except in cases of grave or permanent damage owing to severe physical and mental stress, or when the pregnancy has resulted from rape or incest, the State party lacks a specific policy and law on safe abortion procedures (*ibid.*, paras. 19 and 238). Please provide detailed information on measures taken concerning cases of underage pregnancy and life-threatening pregnancy. Please provide information, including disaggregated statistical data, on the number of complaints relating to lack of access to sexual and reproductive services for women, including pregnant women, and any legal or policy measures taken in this regard.

### **Rural women**

18. Please provide disaggregated statistical data on the presence of women and men in rural and hard-to-reach areas. Please also provide detailed information on measures taken to ensure that rural women have access to land and agricultural support, safe sanitation facilities, including separate and covered showers and public toilets, access to education, including through the establishment of local primary and secondary schools, and access to health care, through the establishment of local clinics or hospitals.

### **Women in detention**

19. Please provide detailed information on the number of women's prisons in the State party. Please provide updated information, disaggregated by age, ethnic origin, political affiliation and religious affiliation or belief, on the number of women in pretrial detention and serving sentences, the number of women held in incommunicado detention and the occupancy rate of women's detention facilities. Please provide information on measures taken to ensure that detained and incarcerated women, including women with children and pregnant women, have access to, among other things, adequate health services, including sexual and reproductive health services, safe drinking water and sanitation facilities, adequate food and basic hygiene items, safety and security measures and fair trials and judicial safeguards, in accordance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). Please also provide disaggregated statistical data on the number of complaints of violence against women in custodial settings, including measures in place to ensure prompt and impartial investigations and trials.

**Internally displaced women, asylum seekers and refugees**

20. Please clarify concerns relating to the safety and security of Eritrean women and girls wishing to cross the State party's international borders. Please address similar concerns in respect of internally displaced women and girls, including persons belonging to minority groups, and their access to livelihoods. Please indicate what measures have been taken to ensure full and unhindered humanitarian access to internally displaced women and girls and to ensure that refugees and asylum seekers who may wish to return to Eritrea can do so in a safe and dignified manner.

**Marriage and family relations**

21. In its previous concluding observations, the Committee expressed concern at the continued application of discriminatory customary and harmful practices with regard to marriage and family relations ([CEDAW/C/ERI/CO/3](#), para. 28). Please provide information on the impediments to enforcing article 16 (2) of the Convention, which prohibits child betrothal and marriage, given that underage marriage is permitted by the State party at the age of 16 years where there is a pregnancy or a birth of a child ([CEDAW/C/ERI/4](#), para. 322). Please provide detailed information on support available for mothers under 18 years of age to complete secondary education and to obtain access to decent employment. The State party also acknowledges the lack of awareness of the population of the rights of women to conclude contracts and administer property. Please explain what mechanisms are in place to ensure that women are aware of the laws relating to family and marital property and are able to exercise their claim-making power.

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