



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

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**Committee on the Elimination of Discrimination
against Women**
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Summary record of the 709th meeting

Held at Headquarters, New York, on Tuesday, 24 January 2006 at 10 a.m.

Chairperson: Ms. Manalo

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Combined initial, second and third periodic report of Eritrea

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The meeting was called to order at 10.10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined initial, second and third periodic report of Eritrea (CEDAW/C/ERI/1-3 and Corr.1, CEDAW/C/ERI/Q/1-3, CEDAW/C/ERI/Q/1-3/Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Eritrea took places at the Committee table.*

2. **Ms. Gebreab** (Eritrea) said that women's liberation had been an important part of the struggle for national liberation from colonial rule that had begun in the early 1960s in Eritrea. During the thirty-year struggle for national liberation, women had participated equally in the economy, education and health, as well as in policy formulation, governance and military operations, and had accounted for one third of the forces in active combat. The Government's efforts towards full equality of women was a reaffirmation of the policy which had been central to the long struggle for liberation.

3. After independence, the political will of the Government for the advancement of women had been re-emphasized in the national Macro Policy adopted in 1994 and further developed in the adoption of the National Gender Policy in 2005. Independent Eritrea's first Constitution, ratified in 1997, codified women's right to participate in leadership, to vote in elections and run for any political office in national, regional and village assemblies, and to pursue, on an equal basis, all economic, commercial and trade advantages. Its development efforts, therefore, were anchored in the recognition that gender equality was a prerequisite for sustainable development.

4. Since the submission of the report in 2004, further steps had been taken to promote the cause of women. Based on the National Gender Action Plan, the Cabinet of Ministers had passed resolutions to ensure gender mainstreaming in their respective ministries and sectors, approved a time-bound action plan for its implementation and committed themselves to working closely with the National Union of Eritrean Women (NUEW). A woman governor had been appointed in one of the country's six regions, as well as a woman mayor in Massawa, its second largest city.

5. The National Educational Gender Policy and Strategy, issued in April 2005, ensured equal rights and opportunities for both sexes and addressed the current inequalities between boys and girls in access to education and performance, in line with the Millennium Development Goal of universal primary education by 2015. It also aimed at closing the gender gap in secondary education by 2020. Recognizing that women's household chores and economic responsibilities hampered their ability to take advantage of educational opportunities, the Government, in collaboration with NUEW and the World Food Programme (WFP) had launched the "food for education" programme, which was designed to increase women's participation in education by providing free basic foodstuffs (flour, oil, sugar and salt) to free up time which could be devoted to education. Preliminary results indicated greater participation by young women in educational activities and more encouragement and support from male family members. A one-year remedial academic curriculum had also been introduced to provide better preparation for young people, especially women, in post-secondary vocational and professional programmes; it had led to an increase of enrolment by young women in such programmes.

6. Economic poverty was the root cause of malnutrition and poor health among the population, especially among children and women of childbearing age. In the past five years, persistent drought and the border conflict with neighbouring Ethiopia had worsened the situation of poverty. The Government distributed free essential vitamins, iodine and mosquito nets to women of childbearing age. In addition, it had adopted a five-year programme to train more health professionals that included midwifery training as a requirement in nursing programme and offered sex education in schools. Furthermore, the Cabinet of Ministers had resolved to draft legislation prohibiting female circumcision and to ensure that legal and safe abortion services were provided. Finally, to control the spread of HIV/AIDS, the Government had expanded its campaign against the disease by launching HAMSET II, the second phase of a programme jointly run by the Government, NUEW and local NGOs, aimed at preventing HIV/AIDS, malaria, sexually transmitted diseases and tuberculosis.

7. With regard to economic empowerment of women, the Cabinet of Ministers had taken steps in the

area of job creation and income generation for women, including promotion of small-scale agricultural and commercial activities owned by women, training women in non-traditional skills such as construction and transportation, providing low-interest loans, upgrading marketable skills, reducing their burden of domestic chores and ensuring women's equal rights to land ownership. The Ministers also agreed to hold regular meetings with NUEW to oversee implementation of its decisions.

8. One of the major constraints on efforts for the advancement of women was persistent drought and poverty, which took a greater toll on women than on men. Malnutrition victimized women of childbearing age and undermined efforts to bring about equal opportunity. To reduce the dependence on rain-fed agriculture, the Government was spearheading a national campaign to build dams, irrigation systems and feeder roads, but the resource and time requirements were immense.

9. Negative sociocultural, religious and customary practices would have to be changed if all forms of discrimination against women were to be eliminated. The Government might have a total commitment to the enforcement of laws that were in harmony with international standards, but long-held beliefs and practices could be an insidious constraint on the achievement of that goal.

10. As a small, newly independent developing country, Eritrea lacked the comprehensive and reliable data necessary to plan and implement programmes. Inadequate gender-disaggregated data limited its efforts to promote the cause of women. The Government had recently drafted a National Statistics Act that would require government institutions and the private sector to provide statistical information on a regular basis.

11. Last but not least, regional peace and stability were prerequisites to sustainable socio-economic and political development, not just for women but for all peoples. The displacement of a significant portion of the population and the hardships being inflicted by Ethiopia's refusal to abide by the final decision of the Eritrea-Ethiopia Boundary Commission and the regrettable failure of the United Nations Security Council to enforce the border demarcation decision were real impediments in efforts to promote the cause of women.

Articles 1 and 2

12. **Mr. Flinterman** said that it was unclear whether the Convention would indeed be part of the national legal system of Eritrea once the consolidation of domestic laws and international instruments was completed in 2007. If not, Eritrea would not be in compliance with its international obligations. He would like to know the level of awareness among the judiciary of the provisions of the Convention and if it and other human rights instruments were covered in judicial training programmes and the law school curriculum. There was no indication whether Eritrea intended to ratify the Optional Protocol to the Convention.

13. **Ms. Gaspard** said that, although the report did not completely follow the reporting guidelines, the Committee hoped to be helpful to the young nation through the constructive dialogue. She had been concerned at the statement in the written replies to the list of issues that Eritrea had no plans to adopt a law prohibiting female genital mutilation and would like to hear more about the content of the bill to outlaw female circumcision mentioned in the introductory statement and when it would be considered. She asked if the country had ratified the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa.

14. **Ms. Khan** asked if the law reform committee within the Ministry of Justice was also empowered to review customary laws. She suggested that the aim should not be to have laws that were "gender-impartial" but laws that were gender-sensitive. She would like to know the status of customary law vis-à-vis the Civil Code, and whether the Macro Policy would reform the laws governing marriage.

15. Finally, she inquired whether any government agency had collaborated with NUEW in the preparation of the report.

16. **Ms. Gabr** said that she would like to learn more about the status, mandate, financing and access to resources of the National Union of Eritrean Women. It would also be interesting to hear about any plans for cooperation with the National Committee on the Rights of the Child, since the interests of children and women were often closely intertwined.

17. **Ms. Shin** said that although article 7.2 of the Constitution contained a definition of discrimination

against women, it did not define discrimination as it was understood in terms of the Convention. She would like to hear more about the understanding of discrimination against women and gender equality, as well as any plans to embody a definition of discrimination and gender equality in special legislation.

18. **Ms. Saiga** said that she would like more information about the status of the Ministry of Justice law reform committee, whether it would complete its work in 2007 as planned, and any concrete proposals for amendments and time frames for harmonization.

19. **Ms. Gnacadja** asked the delegation to clarify whether a law was applicable as soon as it was adopted, or whether executing legislation was needed and whether the law reform committee had the authority to abrogate a law.

20. **Ms. Morvai** wondered whether women, including Ethiopian women, had played any role in peacebuilding and peacekeeping during the terrible years of war in Eritrea and whether the work of the United Nations in that area had been utilized. She also asked which Western countries had extended cooperation in the area of women's rights and development and what Eritrea's expectations for the future were, for example with respect to financial assistance.

21. **Ms. Gebreab** (Eritrea), responding to the question of how the Convention was being implemented, said that the Government and people of Eritrea were committed to gender equality, which was a prerequisite for national development and security. Any legislation contrary to that policy was considered unconstitutional. However, all the provisions of the Convention could not be implemented overnight. Although Eritrea had not ratified the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, her country had no difficulty with that instrument.

22. With regard to training on gender equality within the legal system, she pointed out that Eritrea was no different from any other country seeking to ensure the human rights of its people and, although there might not be specific legislation to that effect, the equality of the sexes in all areas was a basic principle of her country's policy.

23. While agreeing that female genital mutilation violated the human rights of the girl child, she said that criminalizing such a deep-rooted practice would only send it underground, with grave consequences for those girls who suffered medical complications. Efforts should focus on education and advocacy to increase awareness of the harm it inflicted so that agreement could be reached on the need for legislation; she estimated that it would take about two years before a law on the subject could be adopted.

24. As to the question of the relationship between traditional and civil law and gender impartiality, she drew attention to the example of marriage, which could be conducted in accordance with either type of law. The social context often created a situation where traditional law would prevail; for instance a Muslim woman would marry under sharia or traditional law, but could register her marriage under civil law.

25. With regard to underage marriage, she pointed out that, although constitutional law set the marriageable age at 18 years, in villages, where births were not registered and witnesses would testify on each other's behalf to prove a child's age, the situation was different. Once again, education was needed to change practices, and the rising literacy rate, achieved through Eritrea's literacy programme, would surely have a positive effect.

26. **Mr. Giorgio** (Eritrea) said that, following Eritrea's official independence in 1993, the colonial codes and all discriminatory legislation had been repealed, and civil and penal legislation had been drafted, with due consideration for traditional law. Work on the Eritrean legal system would surely continue until 2007.

27. **Ms. Gebreab** (Eritrea) said that NUEW had been established in 1979 as a non-governmental organization. Because of the many displaced Eritrean women and women in the diaspora, it had attended several conferences abroad where women's rights were discussed. It had also engaged in the fight for independence and social equality. After independence, it had chosen to remain a non-governmental organization, but the Government had subsequently asked it to become the national mechanism for the advancement of women.

28. It received 10 per cent of its funding from the State budget. The remaining 90 per cent came from bilateral and multilateral donors, other countries and

non-governmental organizations. However, NUEW was an autonomous entity with its own programme, which included lobbying on behalf of women's issues. For example, it sought to ensure that gender concerns were incorporated into international poverty reduction and food strategies and played an important advocacy role in the area of land tenure for, although men and women had equal access to land use, land was generally allocated on the basis of family rather than to particular individuals.

29. NUEW was involved in all sectors of policy regarding women, from the grass-roots level to the Government, and operated both within Eritrea and in the diaspora; if women in the diaspora were experiencing a problem, a report would be prepared and submitted to the Government.

30. She indicated that children's affairs had been incorporated into women's issues. NUEW participated in the work of the Ministry of Social Affairs and had instituted programmes to support working mothers, for example, by establishing kindergartens. It also focused on ensuring benefits for the most vulnerable women and was preparing a project for elderly women. Although NUEW established such projects, they were carried out by the community concerned.

31. While Eritrean legislation had been brought into line with the Convention only theoretically, each article represented a commitment for the Government. The Ministry of Justice had established a committee to draft the necessary legislation, for example on trade law, which would be sent to the Government for discussion and approval. The Committee could also provide guidance on how to promulgate legislation to resolve a conflict between Eritrean law and the Convention.

32. In response to the question concerning women and peacekeeping, she explained that during the years of war from 1960 to 1991, only non-governmental organizations and men and women in the diaspora had worked for peace. The people of Eritrea had paid dearly with thousands of martyrs and currently wanted to look towards the future and work in peace. Although Eritrean and Ethiopian women had held joint discussions in time of war, no solution had resulted from that effort.

Article 3

33. **Ms. Zou** asked which government body was responsible for the implementation of the Beijing Platform for Action in the country.

34. **Ms. Tavares da Silva**, noting that the delegation did not include representatives of any ministries, expressed the hope that all ministries were involved in women's issues. She inquired whether, in addition to its advocacy role, NUEW played a supervisory role in respect of gender mainstreaming. She also raised the question of men's involvement in the development and promotion of gender concerns. She noted in the responses to the list of issues and questions (CEDAW/C/ERI/1-3/Add.1, p. 4), that institutional mechanisms to address gender issues were being strengthened and asked for those mechanisms to be identified. She also requested clarification on the relation between the National Gender Action Plan 2004-2008 and the Government's gender policy document.

35. **Ms. Schöpp-Schilling** stressed the importance of government accountability. The report showed some conceptual confusion between gender mainstreaming and affirmative action. Gender mainstreaming was a procedure, involving analysis. For that, however, statistics were necessary. She asked what measures were being taken to collect statistics and whether Eritrea had requested international assistance in that regard. Lastly, she wished to know why no quota system had been applied in village council elections and what the results of those elections had been.

36. **Ms. Gaspard** asked whether any other NGOs were involved in gender issues in Eritrea, besides NUEW.

37. **Ms. Saiga** wished to know what was the main concern of NUEW, as both a national mechanism and an NGO, in terms of gender policy. She requested information on NUEW's structure, particularly its chapters, the number of people working for it locally and the different sectors in which it was involved.

38. **Ms. Shin** noted that the report contained no information about violence against women and asked what mechanisms would be used to collect the relevant data. She emphasized in that connection the relevance of the Committee's General Recommendation 19. She wished to know what would be done to ensure that future data collection would cover all forms of such

violence, including rape, violence by members of the army and domestic violence; NUEW should use its extensive network to collect such information. She requested clarification as to how NUEW intended to discharge its research function.

39. **The Chairperson**, speaking in her capacity as a member of the Committee, asked about NUEW's strong link with Parliament. She wondered what the arrangement was and how it enabled responsibility to be placed on Government. She inquired whether there was any possibility of a significant budget for gender concerns that would help NUEW to operate.

40. **Ms. Gebreab** (Eritrea) said that NUEW had played a catalytic role; it examined Government policies from a gender perspective, engaged in lobbying where necessary, reported to Government any shortcomings noted and gave advice. It subcontracted where appropriate to consultants. It was consulted on multiple aspects of Government policy, including poverty reduction, food strategy, the Millennium Development Goals and the gender implications of educational action. While the delegation should have included representatives of both the Ministry of Education and the Ministry of Health that had not been possible, for technical reasons; however, a meeting had been held with the ministries and had focused on women's issues in all areas of Government policy. NUEW's views were reflected in several areas, as for instance in the country's reproductive health policy. A national gender research and resource centre had been proposed and measures were being planned to offer training in gender analysis. NUEW had chapters in the ministries, as well as in a number of organizations, and was actively involved in the development of women's networks through various professions and professional bodies. The Gender Action Plan had initially stopped at 2003 but had been extended through to 2008. The draft gender policy document had been discussed within NUEW and then presented to the relevant ministers, who had adopted it. Statistics were indeed required; the National Statistics Office was working to that end, particularly through the collection of gender-disaggregated data. A baseline survey on domestic violence was planned for 2007.

41. The National Parliament, of which she was a member, met for a specific period in the year. There was no conflict of interests with her work as the President of NUEW, a position to which she had been

elected in 2003. The Government had recently agreed to increase its budget.

42. **Ms. Habtemariam** (Eritrea) said that Eritrea's struggle for independence had aimed to liberate not only the country but also the people, including from the evils of gender discrimination. Her generation was fully committed to that goal, which it was tackling from every possible direction.

Article 5

43. **Ms. Simms** said that there could be no compromise on women's issues. The question was whether the determination existed within Eritrean society to confront and challenge men. It was they who benefited from female genital mutilation and early marriage. It was necessary to sensitize not only women but also men and to deconstruct the patriarchy. Attention should also be given to the role of religious institutions. She wondered whether the greatest challenge before NUEW might not lie in the dynamic tension that always existed between Governments and NGOs.

44. **Ms. Dairiam**, noting that girls could be exempted — on grounds of marriage — from the national service required of all Eritrean citizens, but that they thereby ceased to be eligible for certain benefits, she asked whether a study had been carried out of the implications of that exemption for the economic and social status of women. She wished to know how many women were granted such an exemption and how it had affected them. She had heard that women suffered violence during national service and asked whether any action was planned to address the matter. Lastly, she inquired whether the recent passing of the National Statistics Act would facilitate data collection.

45. **Ms. Coker-Appiah** commended both the Government and NUEW for their commitment to improving the status of women, but expressed concern that discriminatory practices continued to exist. Associating herself with previous comments concerning the need to challenge stereotypes, she said that she was particularly worried by the delegation's earlier statement that some stereotypes were deeply entrenched, making it difficult for the Government to prohibit practices such as female genital mutilation and marriage regimes. While understanding the country's focus on changing attitudes rather than actually

prohibiting practices, she said that sometimes legislation was needed to eliminate discrimination. While it might be difficult to subject practitioners of female genital mutilation to imprisonment, sometimes it was the presence of the law that made people change their attitudes.

46. Second, she wished to know how effective the programmes had been in eliminating discrimination against women and whether any impact assessments were carried out.

47. **Ms. Šimonović** said that the Committee would be interested to know whether Eritrea's report had been submitted to the Government and to Parliament.

48. In connection with article 5, the report indicated that it was very hard to change stereotypes. She had been particularly struck by the proverb "As a donkey has no horns, women have no hearts" (report, p. 10). She wished to know what specific measures were being taken to change such negative stereotypes.

49. **Ms. Tavares da Silva** said that sexist views seemed to be quite strong in Eritrea, despite the commitment and courage shown by women during the country's liberation struggle. The report provided very little information on what measures were being taken to change those views. According to the report (p. 10), the liberation struggle had given women an opportunity to assert themselves and challenge the status quo. That was often the case; however, once stability returned, the status of women tended to worsen again. She was curious to know whether that had happened in Eritrea. She would also be interested to know whether any awareness campaigns or strategies were in place to counteract harmful views and practices.

50. According to Eritrea's responses to the list of issues and questions (CEDAW/C/ERI/Q/1-3/Add.1, p. 6), one of the strategic objectives of the national gender action plan was to establish a programme to address and eradicate the cultural and traditional constraints that affected women's well-being and gender equality. However, the main reference was to education; the responses said nothing about changing harmful practices. Moreover the emphasis on "patient campaigning" (ibid., p. 13) as a means of combating female genital mutilation was quite disturbing. There was no place for patience where gross violations of fundamental rights were concerned. Should not, therefore, the interpretation of article 5 be more

proactive with regard to sexist prejudices and harmful practices that violated fundamental human rights?

51. **Ms. Gebreab** (Eritrea) said that while numbers were still relatively low, women now held administrative posts and, even in remote villages, were starting to speak up; stereotypes were, therefore, gradually disappearing. On education, 90 per cent of the participants in the Government's national literacy campaign were women. Steps were also being taken to bring women together so they could own land, thereby making them more independent and confident. The Government now believed that criminalizing the practice of female genital mutilation would be helpful and the matter was on the verge of being legislated. The Government had also invited the elderly, religious leaders and women to discuss the issue.

52. She acknowledged that married women missed out on certain benefits, such as eligibility for land allocation, if they did not do their national service. Muslim women living in remote villages were not pushed to take part in national service either. Such service was compulsory for all citizens, for women must participate equally in development if the country was to move forward. Regarding action taken to address violence against women during national service, she said that the law was strict in that regard; any woman who was a victim of harassment could report it to her employer, NUEW or any other administrative body and the appropriate action would be taken.

53. Lastly, she said that the report had been submitted to Government; it had also been discussed with women MPs, but not submitted to Parliament. NUEW would consider including that in its agenda.

Article 6

54. **Ms. Morvai** said that Eritrea could teach developed countries a lot regarding the sexual exploitation of women. She commended Eritrea's approach whereby prostitution was considered not as a profession but rather as something that women were forced into because of massive pressures, and should therefore be helped to exit, and urged it to share its experience with other countries, particularly those that sought to teach it. She wondered whether the delegation could provide information about the results of its programmes and whether any of them were

directed at men. Lastly, she wished to know whether there was any trafficking in women in Eritrea.

55. **Ms. Michel** (Eritrea) said that no evidence of trafficking had been brought before a court of law. However, many Eritrean women travelled abroad in search of work and there they faced problems as migrant workers.

56. **Ms. Gebreab** (Eritrea) said that currently prostitution was not widespread and the Ministry of Tourism was seeking to ensure that that remained the case by focusing on tourism that was good for both the economy and society. The Government was making every effort to help women exit prostitution for good and, NUEW, believing that prevention was better than a cure, was pushing other sectors to help, for example by encouraging women to undertake small-scale commercial activities by offering them credit, training and marketing advice, so that the 40 per cent of Eritrea's heads of households who were women would be less likely to have to resort to prostitution to make ends meet. While trafficking was not a problem in Eritrea, many Eritrean women were engaged in domestic work abroad. Her organization endeavoured to prevent those women from entering prostitution by establishing chapters around the world, at which it organized meetings and provided counselling.

Articles 7 and 8

57. **Ms. Zou**, while commending the Government for taking active measures to promote the participation of women in public life, noted with concern that the percentage of women in government posts, administrative posts and international posts remained very low. She would be interested to know whether the Government had taken any specific measures to change that situation, for example in the area of temporary special measures, quotas, capacity-building, training or awareness-raising.

58. Lastly, regarding the statement in the report (p. 15) that for the first time village council elections were taking place without reserving seats for women or applying a quota system, she wished to know why the Government had decided not to use a quota system.

The meeting rose at 1 p.m.