



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
24 February 2020

Original: English

Committee on the Elimination of Discrimination against Women Seventy-fifth session

Summary record of the 1756th meeting

Held at the Palais des Nations, Geneva, on Friday, 14 February 2020, at 3 p.m.

Chair: Ms. Gbedemah

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The meeting was called to order at 3.10 p.m.

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

Sixth periodic report of Eritrea (continued) ([CEDAW/C/ERI/6](#); [CEDAW/C/ERI/Q/6](#) and [CEDAW/C/ERI/RQ/6](#))

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

Articles 1 to 6 (continued)

2. **Ms. Acosta Vargas** said that she would like to know how many cases of gender-based violence involving military personnel had been tried by regular criminal courts over the preceding four years, what controls on the small arms circulating in the country were in place and whether the Penal Code adopted in 2015 addressed the offence of violence against women in all its forms.
3. **Mr. Tekle** (Eritrea) said that sexual violence of any sort was not acceptable in Eritrean society. Rape was treated as a serious criminal offence and rape cases were handled in ordinary courts of law. While he did not have information on the number of cases of rape and sexual assault that had been tried, his delegation would provide the data requested to the Committee in writing.
4. **The Chair** said that the Committee would look forward to receiving that information within 48 hours.

Articles 10 to 14

5. **Ms. Ameline** said that she welcomed the Education Sector Plan for the period 2018–2022, which was geared towards inclusive education, and was curious to know whether a mid-term assessment of the plan was under way. With respect to challenges that still faced the sector, she wondered whether the State party had precise data quantifying the considerable disparity in access to education between rural and urban areas. She would welcome information on any support provided to families in vulnerable situations in the form of financial incentives and any second chances offered to dropouts, who were more often girls than boys, to return to school and catch up to their level. Many young women opted for marriage to obtain an exemption from national service. It would thus be helpful to have precise statistics on the number of girls who dropped out of school to get married. She would appreciate details of any efforts to improve the quality of education in certain schools and to train teachers, any plans to bolster university exchanges with other countries and any mechanisms to include other cultures or religions in the education system and extend the benefits of education to them.
6. **Ms. Acosta Vargas** said that, as the Committee had previously noted in its concluding observations ([CEDAW/C/ERI/CO/5](#)), women seemed to be concentrated in unskilled, low-paid jobs. It would therefore be useful to have gender-disaggregated data on agricultural and domestic work. She would appreciate information on the rules that governed the work of women prisoners, including who could authorize it and under what circumstances and how the level of remuneration was determined. The most significant labour-related issue was the demobilization that could ensue from the 2018 peace agreement with Ethiopia, as that would lead to the gradual elimination of compulsory national service and the creation of a professional military with specialized staff. It would also put an end to all discussions regarding the forced labour prevalent in national service. She wondered whether clear rules could be set out for conscientious objection and mechanisms set up to help conscripted individuals reintegrate into civilian life. She welcomed the State party's ratification of the International Labour Organization (ILO) Worst Forms of Child Labour Convention, 1999 (No. 182) and encouraged it to also consider ratifying the ILO Abolition of Forced Labour Convention, 1957 (No. 105) and the ILO Domestic Workers Convention, 2011 (No. 189).
7. **Ms. Senait Mehari** (Eritrea) said that education was a basic right of every Eritrean citizen and the Government was working to provide all children, in urban and rural areas,

with access to one. In 1991, there had been 132 schools, all in urban areas; now there were 1,987, and 80 per cent of them were located in remote areas. Enrolment of girls in schools was increasing thanks to a campaign by the National Union of Eritrean Women and other stakeholders that encouraged parents to send their children to schools. The increased enrolment of girls was reflected in the gender parity index for secondary school enrolment, which was 0.9.

8. The Government was working to improve the quality of education by implementing initiatives such as in-service teacher training programmes and through collaboration with organizations such as the Global Partnership for Education. Many students participated in the educational exchange programmes in place, such as those that allowed them to do their university studies in China and the United Arab Emirates.

9. There was a three-year complementary elementary education programme, which offered remedial classes to students who had dropped out of school with a view to their resuming the regular curriculum. The Government was also trying to reduce the dropout rate by addressing its root causes, including underage marriage, long distances to school and migration.

10. **Mr. Osman** (Eritrea) said that, while many members of Eritrean society knew how to handle guns, gun violence was not a significant issue in the country. Demobilization had to be carried out in a way that would be in line with developments in the region, that would not create security issues for the State party and that would, through mechanisms such as vocational training, be of future benefit to the demobilized soldiers. Despite the peace, the State party did not yet have control over its entire territory. Time was needed to see how the peace would progress within the dynamics of the region and to consider the post-war situation. Furthermore, the Government was of the view that participation in national service was positive for women, as it provided them opportunities. By fulfilling their obligations, they were able to claim their rights.

11. **Ms. Lijam** (Eritrea) said that detailed statistics on education had been provided in the annex to the State party's report. Several domestic institutes of higher education provided professional training in areas such as science and technology, business and economics, marine science, health, dentistry and agriculture. Women accounted for 42.4 per cent of the students in those programmes on average and over 50 per cent in some fields. They made up 46.5 per cent of the student body in technical vocational schools and worked in their chosen fields after graduation.

12. **Ms. Al-Rammah** said that she welcomed the State party's efforts in combating HIV/AIDS and other communicable diseases and in reducing malaria morbidity and mortality and under-5 mortality. She would appreciate information on further measures being taken to improve sanitation and access to clean water so as to eliminate communicable diseases such as malaria and diarrhoea and on efforts to ensure that children in rural areas had access to proper nutrition, as malnutrition was a primary cause of under-5 morbidity and mortality.

13. She would be grateful for information on any additional measures to reduce the high maternal mortality rate, including by increasing the number of trained doctors and midwives in rural areas, to address unsafe abortions, a leading cause of maternal morbidity and mortality, to increase the capacity of sexual reproductive health services so as to ensure that women's and girls' needs were met, to improve the availability and quality of sexual and reproductive health counselling services for women and girls and to reduce the number of teenage pregnancies.

14. Information on any plans to increase funding for the health sector in rural areas and the number of trained doctors and midwives and facilities in those areas would also be appreciated. She would also like to learn about any measures taken to make the health-care system more inclusive and accessible for women and girls with disabilities.

15. **Ms. Eghobamien-Mshelia** said that she welcomed the land allocation committees and the seats reserved for a woman. She would like to know what was being done to remove, with respect to women, the requirement for national service obligations to be fulfilled as a prerequisite for access to land and to extend the land distribution programme carried out in

2017 to all regions of the country. It would also be helpful to know: whether there was a land register with data on all landowners; how large a percentage women accounted for of all individuals with titles to land; what the procedure was for applying for land and what supporting documents, if any, were required; whether there were any factors that could disqualify Eritrean women from being allocated land; how big the community land committees were; and how large a percentage of the total number of seats the one seat that was reserved for women accounted for. She also wished to know how community property was divided and whether the division was carried out using legal, administrative or customary procedures. Information on any mechanisms allowing women to seek redress or raise concerns in matters regarding the allocation, use or distribution of proceeds from land sales and any mechanisms for interaction between the Department of Land and women's groups would be appreciated.

16. She would be grateful for information on the number of women to whom business licences had been issued and their geographic distribution, including the percentage residing in rural areas; any barriers faced by women operating medium and large enterprises in obtaining business licences and any government plans to help women to transition from the micro-, small and medium-sized enterprises in which they were currently concentrated to medium and large enterprises.

17. She was curious to know whether the State party had considered using gender-sensitive public procurement or corporate social responsibility policies to bring more women into core sectors of the economy and whether any incentives or tax rebates were in place to attract foreign direct investment consistent with the United Nations Global Compact. She would also like to know whether the impact of the credit savings programme on poverty reduction among women had been assessed and whether the Government provided any venture capital or stimulus packages to women.

18. She would welcome information on any social security benefits provided to assist women and girls in vulnerable situations, including single mothers, unemployed or older women, women with disabilities and women in rural areas, to keep them from falling below the social protection floor. She wondered whether the State party had reviewed or lifted requirements that national service obligations should be fulfilled in order to qualify for social benefits. If they had been lifted, how many more women had had access to such benefits as a result?

19. **Ms. Tsigereda Mehari** (Eritrea) said that Eritrea had made great progress in increasing antenatal care coverage. The focus of efforts to reduce maternal morbidity and mortality had been expanded to encompass preconception care: under recently revised maternal and newborn health guidelines, the health authorities were now turning their attention to care at an even earlier stage, including screening tests for women planning a pregnancy and counselling to prepare women for childbirth. In addition, emphasis was placed on the couple as a unit. Measures had been taken to ensure that men played a more active role in decision-making before a child was conceived and in maternal and perinatal care and were financially and psychologically prepared for fatherhood. Attention was also paid to paternal health, which was an important factor in fetal health.

20. Concerning antenatal care contacts, the current aim was to increase both the quantity and the quality of visits. The health authorities aimed to ensure that at least eight such visits were made by every pregnant woman and to ensure the uniformity of the care provided across the country. Maternal health was addressed in detail in the essential health package currently under development. The authorities were aiming to increase the proportion of births in health facilities, which was already much higher than it had been five years previously. General practitioners were being trained to perform caesarean sections in order to expand access to the procedure in semi-urban and rural areas. With regard to the postnatal period, the Government was placing additional emphasis on both maternal and neonatal health in order to achieve the targets set under the Sustainable Development Goals.

21. Family planning services were critical to the reduction of maternal morbidity and mortality. In 2019, the Government had updated the relevant guidelines in order to recommend that women should have access to modern forms of contraception at all levels.

In that connection, capacity-building for health workers was being strengthened, and counselling was a core component of the overall approach.

22. All undergraduate programmes in nursing included a midwifery component. In addition, emergency obstetric and newborn care training was provided in all areas, including as a refresher course, to ensure safe deliveries in lower-level health facilities.

23. In recent years, hundreds of health workers had taken courses in post-abortion care. Adolescent and youth-friendly clinics were being set up across the country to provide adolescents and young people with family planning and reproductive health services.

24. Various measures had been taken to prevent malnutrition and treat malnourished children. The practice of exclusive breastfeeding was widely accepted in Eritrea, but some problems remained with respect to complementary feeding practices. Infant and young child feeding programmes had been implemented across the country. Community-based health workers were active in promoting healthy diets for children. Moreover, all children, including those born to mothers in rural areas, were treated for malnutrition free of charge. As a preventive measure, a survey was being carried out to identify any deficiencies in children's diets.

25. The country had 17 schools that provided inclusive education for children with intellectual disabilities. There was a need to set up further such schools in rural areas, as most of the existing ones were in Asmara. Efforts were being made to develop culturally appropriate forms of support for such children.

26. **Ms. Lijam** (Eritrea) said that, while the sale of sexual services was not prohibited in Eritrea, article 604 of the Transitional Civil Code established the specific offence of habitual exploitation for pecuniary gains. As communities tended to disapprove of prostitution, some considering it to be immoral, they encouraged women involved in it to seek an alternative livelihood.

27. The State owned and administered all land in Eritrea. Persons could acquire usufructuary rights over a particular parcel of land. The legislation in place to regulate land usage was not discriminatory towards women, who were able to use land for various purposes. Women held at least one third of seats on land allocation committees at the village level. The Ministry of Land, Water and Environment and the Ministry of Local Government also played a role in the allocation of land, which ensured further protection against discrimination. In some regions, women accounted for the majority of beneficiaries under land allocation programmes. In general, although patriarchal attitudes remained ingrained, women's access to land was gradually improving.

28. Overall, women accounted for over half of beneficiaries under the Saving and Microcredit Programme. Those who had benefited included female heads of household and women and girls who wished to start small businesses. Women were not well represented among the beneficiaries of one of the four categories of loan awarded under the Programme, but measures were being taken to redress the balance for that category. Women were the recipients of over 58 per cent of the licences awarded by the business licensing authorities. The Committee could be provided with more detailed statistics on business licences, if necessary.

29. **Ms. Acosta Vargas** said that she wished to know whether the State party planned to extend social security coverage to women in the informal sector. In view of a bilateral agreement on labour migration signed with Saudi Arabia, she wondered whether the State party intended to sign any further such agreements with other States.

30. **Ms. Ameline** said that she wished to know whether provision was made in the State party for the training of women teachers. In addition, she wondered whether empowerment and equality training was provided in primary or secondary schools in order to make girls aware of the importance of education. Lastly, the State party might wish to consider measuring the impact of the system of national service on girls' participation in education and the labour force, as the applicable rules and sometimes indefinite duration of national service caused some girls to marry prematurely.

31. **Ms. Eghobamien-Mshelia** said that some of her earlier questions remained unanswered. In particular, she wished to know whether the State party had a land register; whether women participated in sectors of the economy other than agriculture and, if so, what schemes were in place to help them to become medium- and large-scale entrepreneurs in those sectors; whether policy guidelines had been developed to align the private sector with the Women's Empowerment Principles; and whether private sector companies were required to comply with those principles. It would also be useful to learn whether the State party awarded any social benefits for which eligibility was not tied to military service and whether the State party was making efforts to prevent citizens from falling below the social protection standards set by ILO.

32. **Mr. Tekle** (Eritrea) said that, pursuant to article 3 of Proclamation No. 58/1994, all land in Eritrea was owned by the State. Usufructuary rights were tied not only to a specific parcel of land, but also to a specific purpose, for example residential or agricultural use. The registration of usufructs was mandatory. Local authorities maintained registers of all parcels of land over which usufructuary rights had been granted in a particular locality. The Ministry of Land, Water and Environment oversaw the registration process.

33. **Ms. Lijam** (Eritrea) said that women participated in various sectors of the economy, including the supply of goods and services. The Ministry of Trade and Industry worked to promote women's participation in the labour market. With regard to social benefits, the Government had developed a programme to support the families of the martyrs who had died in the struggle for independence.

34. The gender parity index at the secondary level had improved significantly in recent years. The system of national service in Eritrea did not encroach on secondary education. National service was compulsory in Eritrea, as it was in many other countries. At the end of the eleventh year, children from different schools were brought together for a three-month period of training, which enabled children from different ethnic, cultural and religious backgrounds to forge a shared sense of civic identity. The period of national service proper began after the twelfth year. Children looked forward to and celebrated entering the national service.

35. **Ms. Verges** said that she would appreciate information on the impact on the lives of women in rural areas of the various programmes implemented under the Gender Action Plan for the period 2015–2019, particularly in relation to such issues as poverty reduction and access to water. With regard to access to credit for rural women, it was unclear whether the statistics provided in the report reflected the situation in the country as a whole or in rural areas only.

36. It would be interesting to learn the number of women who had benefited from land allocation decisions and whether Directive No. 2/29.09/2014 on land use had had any impact on women's representation on land allocation committees. She wondered whether women were still required to have completed their national service in order to be able to own land and whether any efforts had been made to counter traditional attitudes that hindered women's access to land.

37. The delegation might describe what was being done to involve women in local decision-making, particularly in relation to decisions concerning mining and extraction projects. It might also state whether women working in the agricultural sector, including those carrying out unpaid work, were covered by health insurance. She would also appreciate hearing about any sustainable social protection schemes for the most vulnerable members of society. The Committee would welcome information on any measures being taken to speed up the implementation of the Transitional Penal Code and on the steps taken to protect the rights of women prisoners, improve their detention conditions and ensure their access to justice.

Articles 15 and 16

38. **Ms. Narain** said that, although the principle of equality before the law was enshrined in the Constitution and in the Transitional Civil Code of Eritrea, the attainment of gender equality in family law was hampered by the limited extent to which the law was implemented and by the fact that multiple legal systems governed marriage and family matters. In view of

that situation, the Committee wished to know what practical measures had been taken to ensure the effective implementation of the Code and the Constitution in relation to marriage, divorce, inheritance and the custody of children. She understood that a new Code had been drafted in 2015 and would appreciate it if the delegation could clarify its status and whether it applied or would apply to family and marital relations. The Committee would welcome information on any measures being taken to harmonize the different systems of rights in force in the country. It would also be interested to know whether family law cases were heard in civil family courts, community courts or sharia courts and whether the judicial officers in those different courts were familiar with the State party's obligations under the Convention, the Convention on the Rights of the Child and all other relevant international and regional human rights treaties.

39. In view of the fact that child marriage and forced marriage were prohibited under the Transitional Civil Code, she wondered how many prosecutions there had been for those types of marriage in the previous two years, whether the prohibitions extended to marriages contracted under customary or religious laws and what redress and support services were available to girls who had entered into child or forced marriages. She would like to know whether the Government intended to abolish the exception to the prohibition against polygamy made under the law, citing the Penal Code, which stated that bigamy was a punishable offence "except where polygamy" was "recognized under civil law in conformity with tradition or religious usage".

40. In the light of the fact that women's access to property and land was hindered by harmful traditional stereotypes, customary and religious law and national service requirements, she wished to know what was being done to guarantee all women in Eritrea equal rights to inherit property and what measures were being taken to ensure equitable division of marital property upon divorce. She wondered whether any action had been taken to assess the impact of national service on women's rights to marry and inherit land and whether any measures had been put in place to provide redress to women who had lost their right to land, or other resources, because they had failed to complete their national service. The Committee would be grateful to learn what obstacles prevented the State party from ratifying the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol). If no such obstacles existed, the delegation might indicate when Eritrea would ratify the Maputo Protocol.

41. **Mr. Tekle** (Eritrea) said that all persons in Eritrea were equal before the law, including in the area of family law. When marital disputes occurred, marriages celebrated under Islamic law were subject to sharia law while all other marriages were subject to the Civil Code. Under the latter body of law, disputes between spouses were initially handled by an arbitration panel made up of family members who were tasked with reconciling the parties and persuading them to drop the petition for divorce for the good of the spouses themselves, their children and the wider community. Where reconciliation was not possible, family arbitrators were empowered to grant the parties concerned a divorce and decide on the division of marital property, the custody of children and the awarding of compensation to women who had suffered abuse during the marriage. Any man or woman who was not satisfied with the arbitrators' decision had the right to appeal to the ordinary courts.

42. The Transitional Civil Code provided that men and women had an equal right to inherit or bequeath property. All persons who wished to enter into marriage were required by law to have given their consent and to be of marriageable age. Forced marriages were therefore not legally recognized. Any person who solemnized a marriage involving a person who was underage or who had not consented to the marriage would be subject to criminal sanctions. Women and men had an equal right to acquire property.

43. **Ms. Lijam** (Eritrea) said that, whenever a mining company invested in Eritrea, it contacted all the villages in the vicinity to discuss the potential impact of the mining operation on the villagers' environment, water supplies, energy supplies, livelihoods and any compensation to which they might be entitled. As members of a village, women participated in those discussions and in any related decision-making.

44. Eritrea had signed the Maputo Protocol in 2012 but had not yet ratified it. The Government intended to close the economic gap between rural and urban areas in order to

reduce internal migration. Rural areas were prioritized in development programmes because they were the most socially and economically disadvantaged. The Government was committed to the equitable distribution of wealth in Eritrea and to ensuring that every citizen shared in the wealth of the country. In order to ensure that women benefitted from economic development, they had been granted equal rights under the law to own land, participate in the labour market, start businesses, open bank accounts and obtain access to credit, including mortgages.

45. **Mr. Osman** (Eritrea) said that Eritrea would ratify the Maputo Protocol when it was in a position to allocate the human and material resources required to meet the reporting obligations that ratification would entail. In the meantime, the Government was actively participating in all discussions related to the rights of women in Africa and at the international level. The parties to a marriage exercised joint ownership of marital property, which was divided equally between the parties in the event of divorce. Any bilateral agreements on domestic workers that the Government established with other countries, such as the one established with Saudi Arabia, were intended to provide Eritrean citizens with opportunities to find employment.

46. **Ms. Narain** said that she wished to know whether any study had been conducted to establish the proportion of women among persons filing a petition for divorce who were persuaded or forced by family arbitration panels to drop the petition. It was still not clear whether family arbitrators and sharia family judges underwent any training on the State party's obligations under international law, including the Convention.

47. **Ms. Verges** said that it was still not clear what steps would be taken to improve women's detention conditions and regularize the status of women inmates, the majority of whom had no access to the courts or to their families.

48. **Ms. Manalo** said that she wished to know what strategies were in place to increase the number of women studying science, technology, engineering and mathematics at university and the number of men studying the humanities and social sciences. The Committee would be interested to learn whether any programme had been established to increase the number of women in the civil service, the armed forces and the diplomatic service. The delegation might state the relative proportion of women and men on the staff of those services and whether action was taken to correct any gender imbalance in that regard.

49. **Mr. Tekle** (Eritrea) said that family arbitration panels were usually composed of five persons who were selected by the parties involved in the dispute. Each spouse was permitted to select two arbitrators, who then selected a further one in order to complete the panel. Standing family arbitration panels were not established. Whenever a family dispute arose, a family arbitration panel was composed in accordance with that procedure. Although arbitrators did not receive any training, the courts issued them with instructions on the procedure to be followed. All judges in sharia courts, ordinary courts and community courts received in-service training.

50. **Ms. Tesfamichael** (Eritrea) said that she wished to thank the members of the delegation and the Committee for the frank and constructive dialogue that had taken place.

The meeting rose at 5 p.m.