



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

Distr.: General  
19 February 2013

Original: English

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**Committee on the Elimination of Discrimination  
against Women**

**Consideration of reports submitted by States  
parties under article 18 of the Convention on the  
Elimination of All Forms of Discrimination  
against Women**

**Fourth periodic reports of States parties due in 2008**

**Eritrea\***

[5 October 2012]

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\* In accordance with the information transmitted to the States parties regarding the processing of their reports, the present document was not edited.

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## I. Introduction

1. Eritrea ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1995 without reservations. Henceforth, the Convention has been translated into the local languages and widely disseminated among the Eritrean community, and particularly among women.

2. The Government of the State of Eritrea refers to the submission of its combined initial and second and third periodic reports (CEDAW/C/ERI/1-3) on the progress toward the implementation of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), in 2004. This report is the fourth periodic report, covering the period 2005-2008. It is therefore advised that this report should be read with the previous reports in view. The Constitutional, legislative and administrative framework for the implementation of the Convention in the current period under consideration remained largely operational as previously reported by the Combined initial and second reports. For the sake of brevity new provisions and developments that occurred since the last reporting are mainly examined under this report.

3. The implementation of the provisions of CEDAW is going in tandem with the overall national development policies, giving priorities to human capital development, food security and poverty reduction strategies, social security and social justice. The government is also seized fully with the implementation of other international human rights and development initiatives, including the Millennium Development Goals and the Beijing Platform of Action.

4. Established in November 1979, the National Union of Eritrean Women (NUEW) continues to actively work to empower the Eritrean women and foster their participation in the national reconstruction, development and social justice. The NUEW has been authorized by the government as the machinery for the advancement of gender equality. NUEW works in coordination with concerned government institutions, the civil society and international community.

5. This fourth periodic report comes after the commemoration of the 30th anniversary of the founding of the NUEW where progress of the achievements towards the objectives of gender equality and justice were evaluated in detail at several zonal and national conferences. Several study papers that were presented in the symposia indicated that despite the tremendous achievement so far made there are noteworthy gender disparities across the various spheres of life.

6. Notwithstanding the immensity of the practical challenges, remarkable progress has been achieved in the education and health sectors. The enrolment ratio of women in all levels of education, especially in the secondary and tertiary levels, has shown considerable increase. The access of women to health, especially reproductive and child health has reached record levels. Maternal and child mortality and morbidity rates have dropped drastically below the level of most other countries in similar socio-economic conditions.

7. The economic livelihood of over 80 per cent of the Eritrean population is largely dependent on agriculture and the majority of Eritrean women are employed in agriculture. The industrial and business base of the Eritrean economy is still narrow and weak. Nonetheless several major infrastructures in water, housing, transportation, power and social services have been laid down and these are expected to enhance development investment in the country. While the number of women's participation in the various sectors outside agriculture is steadily increasing, their share in relation to men has not changed much since the last report.

8. The no-war and no-peace conditions, as well as other external adverse influences, coupled with unfavourable climatic conditions and the global economic crises, have

exacerbated the living conditions. Nonetheless, the country has moved forward in cutting out any pervasive humanitarian situation in the form of food insecurity and malnutrition by adhering to an aggressive strategy of self-reliance. Humanitarian situations and the need for external food aid have ceased to exist during the past five years.

9. The data collection system remains weak, and it is not easy to provide gender disaggregated statistics in most of the private sector and government institutions. However, efforts are underway to build gender-sensitive documentation and reporting systems across all institutions at all levels.

10. In the preparation of this periodic report, all government sectors and non-governmental organizations were consulted and involved, allowing them to contribute substantial inputs.

## **II. Implementation of the articles of the Convention**

### **Article 1-3: Definition of discrimination and policy measures**

11. The Constitution of Eritrea ratified by the Constituent Assembly on May 23, 1997 ascertains a strong commitment to the fundamental rights and freedoms of all persons. Article 14 prohibits all forms of discrimination based on race, ethnic origins, language, colour, gender, religion, disability, age, political view, or social or economic status or any other improper factors.

12. In the preamble the Constitution explicitly commits to the equality of women to men stating that it is the unshakable foundation to the creation of a society in which women and men shall interact on the bases of mutual respect, solidarity and equality.

13. Further on, Article 7 (2) on Democratic Principles upholds the prohibition of any act that violates the human rights of women or limits or otherwise thwarts their role and participation. The Article elaborates that all Eritreans, without distinction, are guaranteed equal opportunity to participate in any position of leadership in the country.

14. Consistent with the principles and provisions of the Constitution, several legislation and policy documents have embodied the principles of the equality of men and women. The Macro Policy guidelines embolden the imperative of the need to continuously undertake sensitization to enhance the awareness of the society on the decisive role of women for socio-economic, political and cultural transformation of the country. The Macro Policy pledged to take appropriate legislative measures to modify or abolish existing laws and regulations which constitute discrimination against women, stating that “The equal rights of women will be upheld and all laws that subtract this right will be changed”.

15. Ever since the formation of the Government State of Eritrea (GSE) in 1991, efforts have been exerted to abolish all forms of discrimination against women by enforcing changes in the laws. The Law Reform Proclamation No 1/1991 repealed all discriminatory clauses and connotations in the Penal and Civil Codes inherited from previous colonial regimes. Legal measures were taken to include in the Transitional Code of Eritrea (1991) the protection of women against discrimination. Some of the pertinent legal measures have been:

16. The Marriage Law enacted that marriage is based on the free consent of both partners, abrogating the existing customary parent-arranged practices. The legal age for marriage was raised from 15 years to 18. Bride price and dowry became prohibited by law.

17. Articles 708-721 of the colonial Civil Code, on irregular unions, have been abolished because they do not provide any legal protection for women’s rights upon marriage, divorce and succession.

18. The death penalty on convicted women who may be pregnant or have children under three years of age was abolished.
19. Abortion, although illegal under the Penal Code, is permitted in situations where a physician can certify that the woman will suffer grave or permanent damage due to severe physical and mental stress, or when the pregnancy has resulted from rape or incest. Rape is punishable by law with a maximum sentence of imprisonment of up to 15 years. Pornography and other indecent and obscene exposures are also punishable under the penal code.
20. Art. 565/637. of the civil code recognizes the equal rights and status of both the sexes and keeps the interest of the children and mother of the family.
21. A new proclamation on land tenure No.58/1994 aiming to abolish the traditional land tenure system was legislated.
22. The new Labour Proclamation No. 118/2001 has been legislated providing for the legal protection of women in employment. This will also be discussed under article 12 of the convention.
23. Labour Proclamation of Eritrea, Proclamation No. 118/2001, specifically article 23, deals with non-legitimate grounds for the termination of the contract of employment, based on an employee's race, colour, nationality, sex, religion, lineage, pregnancy, family responsibility marital status, political orientation or social status.
24. In addition, the Proclamation dedicates a whole chapter that is chapter 4 on working conditions for women and young employees, for this purpose. Article 65 under Section 1: Equal Opportunity or Treatment of Women and Maternity Protection and Benefits reads:
  1. Women may not be discriminated against as regards opportunity or treatment in employment and remuneration, on the basis of their sex.
  2. The Minister may, where a woman complains against discrimination pursuant to sub-Article (1) hereof, decide whether there is discrimination on the basis of her sex. The Minister may, where he/she decides there is discrimination, order the employer concerned to rectify the situation.
  3. The woman or employer may appeal against the decision of the Minister to the High Court within fifteen days from the day they receive a copy of the decision.
25. The National Service Act no. 82/1995 was proclaimed requiring all Eritrean citizens above 18 years of age, unless medically disqualified, regardless of sex have to fulfill the duty of national service.
26. The same procedural rules the court utilize in resolving any dispute of law are also applicable and relevant in enforcing rights of equality and non-discrimination guaranteed by the Constitution and the Courts. These procedural rules are general rules dealing with legal capacity to bring legal suit before a court of law and other rules that deal with representation. These rules define the legal qualification requirement to be able in law to enforce a right guaranteed by basic laws of the land.
27. Under Chapter iii: Fundamental rights, freedoms and duties of the Constitution - Article 28 (2) - Enforcement of Fundamental Rights and Freedoms, states that any aggrieved person who claims that a fundamental right or freedom guaranteed by this Constitution has been denied or violated shall be entitled to petition a competent court for redress. Where it ascertains that such fundamental right or freedom has been denied or violated, the court shall have the power to make all such orders as shall be necessary to secure for such petitioner the enjoyment of such fundamental right or freedom, and where such applicant suffers damage, to include an award of monetary compensation

28. Also article 29 raises the issue of residual rights by providing that the rights enumerated in this chapter shall not preclude other rights which ensue from the spirit of this Constitution and the principles of a society based on social justice, democracy and the rule of law. Hence, the enforcement of the rights of equality and non-discrimination enjoys a wide acceptance and respect from legal point of view.

29. Regarding the professional codes of practice that make it mandatory to report abuse or adopt non-discriminatory policies, it is needless to say that the Eritrean justice system abhors any act of abuse or discriminatory policies or practices. All professional codes of practice in the public or private sector do subscribe to this generally accepted principle and these codes translate this principle into reality and thereby these codes do bind their management to abide by this principle.

30. Concerning codes of practice and internal disciplinary procedures that hold public and private authorities accountable for violence against women and preventing it, any violence against women and its prevention are very serious matters to warrant serious legal procedures for investigation and prosecution as well as prevention. Hence, these are matters dealt with the basic law, that is, the constitution and in a subsidiary level, substantive and procedural laws and rules. Codes of practice and internal disciplinary procedures, in practice, deal with very minor incidents.

31. In addition to, Chapter iii: fundamental rights, freedoms and duties of the Constitution, in Article 14 (2): Equity under the Law, states, “No person may be discriminated against on account of race, ethnic origin, language, color, gender, religion, disability, age, political view, or social or economic status or any other improper factor”.

32. Sub-article 3 states that “The National Assembly shall enact laws that can assist in eliminating inequalities existing in the Eritrean society”. There is no specific constitutional provision that deals with access to legal services. However, the code on civil procedure, article 34 requires legal representation for all cases of disability (physical or otherwise). In fact, the code is very clear in respect to this principle. It goes saying that ‘where a person under disability is not represented by his legal representative, the proceedings shall be stayed until a legal representative is appointed in accordance with the relevant provisions of the civil code.

#### **Article 4: on special measures**

33. Article 4 (1) of the Convention provides for “Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved”.

34. Article 4 (2) further requires “adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

35. This is further to the provisions of the Constitution of Eritrea under Article 7 (1) where it states that “it is a fundamental principle of the State of Eritrea to guarantee its citizens broad and active participation in all political, economic, social and cultural life of the country”.

36. Special temporary measures have been taken in many respects to redress the discrimination against women and negative impacts on them. These include:

37. Proclamation No. 86/1996 Proclamation to Provide for the Establishment of Local Governments where Article 10 (2) states that Affirmative action is to be considered as a

policy in order to ensure fair gender representation. Sub-article (3) (a) further specifies that 30 per cent of seats of the Assembly is reserved for women; women have equal opportunity to compete in the remaining 70 per cent .

#### **Additional affirmative measures that have been put in place**

38. There has been provision of economic incentives for parents in remote areas who send daughters to schools.

39. Various committees are established at community levels for purposes of specific projects or development initiatives are required to include women.

40. Women-specific technical and vocational trainings are organized to ensure their participation in non-traditional jobs.

41. In order to enhance female participation in higher education and offset the gender gap, girls are accorded greater opportunities by lowering the entrance exam score requirements than boys.

42. All sports federations, except motor racing, have seats reserved for women.

#### **Article 5: Measures on gender-stereotyped roles**

43. The Government refers to pages 9-12 of its combined first and second reports (CEDAW/C/ERI/1-3)

44. The main mission of the NUEW is primarily to combat the prejudices and customary and all other practices that are based on the idea of the inferiority of women. Since it was founded, the NUEW has been conducting non-remitting extensive campaigns of awareness raising education to eliminate all forms of stereotypes based on sexuality and to empower women to gain self-confidence and equal status in all spheres of life.

45. Gender education has expanded drastically in all rural and urban communities, in secondary and higher education, governmental and civic society institutions. It can be safely claimed that today the commonly recited proverbs that openly down grade the role and image of women have been rendered shameful to openly speak out.

46. The Ministry of information has mass-media (TV and radio) programmes that broadcast diverse gender equality issues and foster the cultivation of rational attitudes that respect human rights. The NUEW also airs various panel discussions and dramas that nullify the stereotypes against females. Stories that portray the heroic roles played by women in the liberation struggle and the defence and reconstruction of the nation are frequently featured through the radio and TV. A regular column in the national newspapers is also dedicated to women's issues.

47. Practices such as the differential ululation distinguishing the birth of a boy or a girl child that signify stereotyped attitudes are now largely abandoned, as a result of the increasing educational and developmental changes taking place. Although not at the desired levels, women are asserting more confident roles in family and public arenas, and taking encouraging roles in economic and social matters.

48. Although there has not been a specific new legislation on the concept of parental leave, the Constitution under its Article 22 (2) on the family recognizes that men and women of legal age shall have the right to marry and to found a family freely, without any discrimination and they shall have equal rights and duties as to all family affairs. Increasing responsibilities are being shared by both parents in the upbringing of children.

49. The Transitional Civil Code of Eritrea (TCCE) further confers the parental responsibility of shared guardianship upon married or divorced couples. Article 204 provides that the father and mother are jointly required to perform the functions of guardian

and tutor of the child. In default by one or both parents, the TCCE provides a degree of appointment of guardianship or tutorship. In case of divorce, Article 681 (2) states that a child up to the age of five years is to be placed in the custody of his or her mother, unless there is serious reason not to, such as insanity or abuse by the mother.

50. The TCCE Article 2 recognizes the best interest of the child, stating that the interest of a merely conceived child demands the safeguarding the rights to succeed intestate of testate, presumption and proof of paternity of a child conceived during wedlock and out of wedlock and the right to life, provided born alive and viable.

51. Proclamation No.137/2003 on the Martyrs' Survivors Scheme, Proclamation No. 135/2003 on the National pension Scheme and Proclamation No. 136/2003 on Public Sector Pension Scheme clearly provide for the rights and shares of benefits of spouses, single parents, elderly parents and children till the age of 20 years from the social security support

52. In the framework of implementing the Convention on the Rights of the Child (CRC) a lot of awareness-raising campaigns to change the perception of inferiority of the girl child in education and other spheres of economic life have been undertaken. It is important to report that encouraging results are being achieved.

53. Programmes and projects to assist disadvantages families, especially the women headed households have been undertaken by the Ministry of Labour and Human Welfare, the Ministry of Agriculture, Local governments and the NUEW. For instance, the MOLHW assisted 2,000 disadvantaged families with long-term economic support during 2005-2008. The NUEW project on distribution of donkeys to disadvantaged female headed families is another manifestation of the special social security initiatives being taken to assist women to overcome their economic difficulties and to alleviate the strenuous work of carrying water and firewood.

54. Although the constitutional and legislative rights for the common responsibility of parents in the upbringing and development of their children is clearly guaranteed, there are no specific legislations or provisions that recognize the concept of parental as distinct from maternal leave. The Labour Proclamation provides only for maternity leave.

55. Historically, the educational system of Eritrea has been non-segregating between boys and girls. At all levels from pre-primary to tertiary levels, co-education is the norm. Boys and girls are brought up playing together, especially in urban areas, and socialization between boys and girls starts early at child hood. It is noteworthy that sports activities have become compulsory subject of the educational system at all levels and boys and girls are encouraged to participate in all types of sports. Already, Eritrean women have started to enter the arena of international athletics competition.

56. The Cultural and Sports division of the Ministry of Education and other public institutions are actively engaged in ensuring participation of both sexes in sports, recreational activities and creative arts, including painting, modelling, drama, music, songs and others aimed at modifying the social and cultural patterns of conduct of men and women, with the view of eliminating the prejudices and customary practices that segregate on the basis of sex diversities.

57. It is important to understand that the primary preoccupation and mandate of NUEW is to eliminate the patriarchal attitudes and prejudices against women and to bring about changes in outlook that ensure the equal status and role of women and men in all social, economic, political and cultural life. Different educational programs and seminars are held to eradicate the prejudices and stereotypes against women and girls by the ministry of education, health, labour and human welfare, agriculture, etc with the realm of ensuring the equal participation and roles in respective sectors.



## Article 6: Traffic in women and exploitation of prostitution

58. The Government refers to pages 13-14 of the combined first and second periodic reports (CEDAW/C/ERI/1-3)

59. Traditionally, rape and sexual harassment against women are considered immoral acts that are seriously sanctioned by the community. Traffic in women is a concept that is alien to the Eritrean society at large, and there are no such reported cases of acts of trafficking in women. Nonetheless, women are legally protected against such offenses.

60. The Constitution provides a broad basis for the protection of human dignity that also embraces the prohibition of sexual exploitation and trafficking of women. Article 16 (1) states that the dignity of all persons shall be inviolable. Further Article 16 (3) states that no person shall be held in slavery or servitude nor shall any person be required to perform forced labour not authorized by law.

61. The Penal Code, Under Title IV: Offenses against Morals and the Family (Art. 558) criminalizes any trafficking and sale of women and children for gain or to gratify the passion of another.

62. Section I of the Injury to Sexual Liberty and Chastity, Art. 589 on Rape states that:

- Whosoever compels a woman, to submit to sexual intercourse outside wedlock, whether by the use of violence or grave intimidation, or after having rendered her unconscious or, incapable of resistance, is punishable with rigorous imprisonment not exceeding ten years. Rigorous imprisonment shall not exceed 15 years where the rape is committed:

- a) On a child under 15 years of age: or
- b) On an inmate of a hospital, alms-house or asylum, or any establishment of education, correction, internment or detention, who is under, the supervision or control of or dependent upon the accused person; or
- c) By a number of persons acting in concert.

- Whosoever carries off a woman by violence, or after having obtained her consent to abduction by intimidation or violence, trickery or deceit, is punishable with rigorous imprisonment not exceeding three years.

- Art 559: Abduction of an unconscious or defenseless woman: "Whosoever knowing her condition, carries off an insane, idiot or feeble-minded woman, one not fully conscious, or one who is incapable or has been rendered incapable of defending herself or of offering resistance, is punishable with rigorous imprisonment not exceeding five years".

- Art. 560: Abduction of a Minor:

1. Whosoever carries off, abducts or improperly detains an infant or a young person in order to deprive his parents or lawful guardians of his custody, is punishable with rigorous imprisonment not exceeding five years.
2. Where the offender returns the infant or young person to his parents or lawful guardians, within thirty days, and where none of the aggravating circumstances specified in the following Article has obtained, the punishment shall be imprisonment not exceeding one year.

63. The GSE has banned all brothels harbouring prostitutes that were inherited from the previous colonial regimes. Any organized form of prostitution and trafficking of women is unknown, however few isolated informal cases of young women prostitutes for economic reasons may be observed.

64. Programs at rehabilitating prostitutes and providing them with skills training as well as creating them alternative jobs have been underway by the Ministry of Labour and

Human Welfare. The rehabilitation of prostitutes includes safe life education that aims at preventing the transmission of HIV and AIDS and other STDS.

65. Bartending and other catering services that were until recently treated with contempt and stigmatized with prostitution are now viewed as a respectable job like any ordinary work that provides all the legal protection, including rights to bodily security and protection from all forms of violence. The attitudes and practices of harassment against women working in catering services is rapidly becoming a history of the past.

66. Underage prostitution and trafficking in women and girls is not a common occurrence in Eritrea. The immigration law and procedures strictly control illegal cross-border movement of persons without valid exit and entry visas and verifiable reasons for all nationals and foreigners alike, by any means of conveyance. Besides, the municipal and village administrative regulatory mechanisms put in place monitor the habitation and illegal activities or movements of the inhabitants in each community organizations. Hotels and bars are required to forbid underage customers and others indulging in elusive conducts from procuring services. Most importantly, the highly cherished societal values against such abhorrent practices are the most reliable safeguard against women trafficking and underage prostitution in Eritrea.

67. Violence against women is a criminal offense punishable by law. However, there are no specific evidentiary and procedural provisions of the criminal procedure code and other codes which deal with the investigation and prosecution of cases of violence against women. However, the general rules are very much applicable and relevant to the case at hand.

68. The number of cases of violence involving women, and gender discrimination investigated and number of cases pending and successfully prosecuted or which gave relief requested during the past four years is given by the table below.

Table 1

**Court cases regarding the listed assaults in the past for years**

<i>Year</i>	<i>Rape</i>	<i>Sexual Outrage &amp; Seduction</i>	<i>Adultery</i>	<i>Bigamy</i>
2006	132	171	100	24
2007	257	183	116	43
2008	257	214	111	29
Total	646	568	327	96

*Source: Ministry of Justice, 2010.*

69. Although the national annual incidence of violence against women is small, there appears to be a trend of increasing court cases, as shown by the table above.

70. Generally speaking, Eritrea has preserved the judicious culture against sexual violence and harassment against women. It can be proudly claimed that the dignity of the women and girls in Eritrea in terms of sexual conduct presents a discernible high moral ground. This positive culture needs to be safeguarded against erosion by many forms of seductive influences that are spread through the expanding media outlets and the internet.

## **Article 7: Women in politics and public life**

71. The Constitution of Eritrea under the Preamble notes the fact that the Eritrean women's heroic participation in the struggle for independence, human rights and solidarity, based on equality and mutual respect, generated by such struggle will serve as an

unshakable foundation for our commitment to create a society in which women and men shall interact on the bases of mutual respect, solidarity and equality;

72. Specific articles in the Constitution that provide for equality, and prevent discrimination on the basis of sex or gender, covering in scope both discrimination in objective or purpose, and discrimination in effect or result:

73. Under Chapter III: Fundamental rights, freedoms and duties, Article 14: Equity under the law, the constitution provides that all persons are equal under the law and that no person may be discriminated against on account of race, ethnic origin, language, color, gender, religion, disability, age, political view, or social or economic status or any other improper factor. The National Assembly is authorized to enact laws that can assist in eliminating inequalities existing in the Eritrean society.

74. Constitutional provisions that provide for gender equality in the private non-state sector and prevents discrimination of objective or purpose and discrimination of effect or result, by non-state sector, under Chapter I: General Provisions, Article 2 (2): Supremacy of the Constitution it enunciates the principles on which the state is based and by which it shall be guided and determines the organization and operation of government. It is the source of government legitimacy and the basis for the protection of the rights, freedoms and dignity of citizens and of just administration.

75. Sub-articles 4 and 5 spell out that all organs of the State, all public and private associations and institutions and all citizens shall be bound by and remain loyal to the constitution and shall ensure its observance and that the Constitution shall serve as a basis for instilling constitutional culture and for enlightening citizens to respect fundamental human rights and duties.

76. The Constitution ensures the right of equal participation of women and men in political and public life of the country. Under Article 7: Democratic Principles, it clearly guarantees equal opportunity for all citizens, without discrimination, to participate in any position of leadership in the country. It further underlines that the organization and operation of political, public associations and movements shall be guided by the principles of national unity and democracy.

77. Article 20 on the Right to Vote and to be Candidate to an Elective Office guarantees every Eritrean citizen who fulfils the requirements of the electoral law the right to vote and to seek elective offices. This right is extended to all Eritreans (women and men) of 18 years and above (Article 30).

78. The Equal Opportunity covering the public and private sector is also reflected in many legislative forms, such as the Labour Proclamation of Eritrea No. 118/2001. Specifically article 23, deals with non-legitimate grounds for the termination of the contract of employment, based on an employee's race, colour, nationality, sex, religion, lineage, pregnancy, family responsibility marital status, political orientation or social status.

79. The Proclamation dedicates a whole chapter that is chapter 4: Working conditions for women and young employees, for this purpose. Section 1 on Equal Opportunity or Treatment of Women and Maternity Protection and Benefits, Article 65 (1) deliberates that women may not be discriminated against as regards opportunity or treatment in employment and remuneration, on the basis of their sex. The Minister of Labour and Human Welfare is authorized, where a woman complains against discrimination pursuant to sub-Article (1) hereof, decide whether there is discrimination on the basis of her sex and order the employer concerned to rectify the situation. The employee woman's right to appeal to the High Court is also preserved.

Table 2  
**Gender breakdown of higher government posts**

Government post	Year 2002			Year 2008		
	Females	Males	per cent Females	Females	Males	per cent Females
National assembly	33	117	22	33	117	22
Ministers	2	15	11.7	4	17	23.53
Regional Governors	0	6	0	1	5	16.67
Director Generals	-	-	-	6	82	5.67
Directors	-	-	-	58	222	20.7
Unit heads				447	950	31.9
Ambassadors	1	29	3.3	0	30	0
Consul General	1	4	20	0	14	0
First Secretary	2	24	7.6	3	30	10
High Court Judges	3	22	12	4	31	11.4
Regional Court Judges	5	36	12	12	102	10.5

*Sources: CEDAW/C/ERI/1-2 and NUEW 30<sup>th</sup> Anniversary Conference Papers (2009).*

80. As at 2008, there were 28,604 civil servants of which 42 per cent were females. Women occupied 6.8 per cent of the high posts from unit head to ministerial level. The representation of women at ministerial level rose from 11.7 per cent to 23.5 per cent since the last reporting. One (16.6 per cent) of the six regional governors is a woman.

81. Women and men with 18 years of age and above have universal rights to vote and to be elected in any national, regional and municipal elections. Women constitute 28.03 per cent of the Regional Assembly seats. This is still slightly lower than the 30 per cent quota reserved for women, and they are lagging far behind men in their capacity to compete for the contested seats.

### **Article 8: Representation at the international level**

82. There are no legal or constitutional limitations that discriminate against the participation of and access by women to diplomatic and international posts, as well as the pursuit of other careers and professions. The constitution (Article 21 (3)) clearly provides that every citizen has the right to participate freely in any economic activity and to engage in any lawful business. Article 11 (2) on a Competent Civil Service further ensures that all administrative institution shall be free from corruption, discrimination and delay. However, there is a practical disparity between women and men in their representation in the work of international affairs, due to the unequal historical educational opportunities.

83. The data on the representation of Eritrean women and men in international organizations is scanty. The limited data available is on their representation in the Eritrean foreign missions and the Ministry of Foreign Affairs in country. As the following table shows, there have not been significant changes in the number of women enrolled in the international affairs posts in the course of the past four years (2005-2008). However, the proportionate representation of women in the ranks of director general and directors has improved during the same period.

Table 3  
**Women in international affairs**

<i>Post</i>	<i>Year 2006</i>			<i>Year 2008</i>		
	<i>Females</i>	<i>Males</i>	<i>per cent Females</i>	<i>Females</i>	<i>Males</i>	<i>per cent Females</i>
Minister	0	1	0	0	1	0
Director General	0	7	0	2	5	28.6
Director	1	13	7	3	9	25
Head of unit	0	0	0	4	21	16
Ambassador	1	29	3	0	30	0
Consul General	1	5	16	0	14	0
1st Secretary	2	24	7.6	3	27	10
2nd Secretary	2	35	5	0	24	0
3rd secretary	5	4	55	2	2	50
Attaches	1	4	20	0	2	0
Total	13	122	9 per cent	14	135	9.6 per cent

*Sources: CEDAW/C/ERI/1-2 and NUEW 30th Anniversary Conference Papers (2009)*

### **Article 9: Nationality/citizenship**

84. Eritrean women enjoy equal rights with men to acquire, change or retain their nationality. The Constitution under Article 3: Citizenship, lays the foundation for the right of citizenship stating that:

85. Any person born to an Eritrean father or mother is an Eritrean by birth.

86. The details concerning citizenship shall be regulated by law.

87. This right is further elaborated by the Citizenship Act issued under Proclamation No. 21/1992. It is very gender sensitive and implemented without serious obstacles. Under the Citizenship Act, Eritrean citizenship can be acquired by birth, by naturalization, by adoption and by marriage. It is equally applicable to men and women, without discrimination.

88. All traditional and customary laws were revoked and practices that reviled the citizenship right to children born out of wedlock or from non-Eritrean father were duly annulled. Unless an Eritrean woman married to a foreigner wants to change her nationality on her free choice, she does not automatically lose her Eritrean citizenship. Similarly, a foreign citizen does not automatically acquire an Eritrean nationality by marrying an Eritrean woman, but can get citizenship by naturalization in due process after applying through proper channels.

89. Further, any person born in Eritrea is an Eritrean citizen. Moreover, any individual born in Eritrea from unidentified parents is also an Eritrean citizen. This applies to all descendents of a woman or a man, indiscriminately.

90. A woman can obtain a national passport and personal identity card independently without the consent of her spouse. However, in case their children will be traveling and require passport, the consent of both parents is required. The consent of his/her single parent is required for a child born out of wedlock.

91. Women have equal rights to men to adopt an alien child and grant him/her an Eritrean nationality. Generally, there is no discrimination between men and women in terms of their rights to nationality. This applies also to the nationality of their children.

## **Article 10: Education**

### **Legislation and regulatory framework**

92. The State of Eritrea and the Ministry of Education view international legal instruments with understanding and due responsibility. The Constitution, the macro-policy document of 1994, the national education policy, guidelines and regulations concerning pre school, basic, and secondary education, vocational and technical education, adult and continuing education, special needs education, educational reform (2003), and other establishments provide for the child's right to education in general, and are aimed at fulfilling the obligations arising from different conventions made in relation to the field of education.

93. The specific legislative and other standard-setting activities are thus intended to provide the conditions for implementation of the provisions of the citizens' right. Here below are some examples from the Constitution of Eritrea, 1996, that prevent discrimination.

94. Article 5 which concerns gender reference says, without consideration to the gender wording of any provision in the constitution, all of its articles shall apply equally to both genders.

- Article 7 (2) clearly stipulates that any act that violates human rights of women, or limits or otherwise thwarts their participation is forbidden.
- Article 7 (4) outlines that pursuant to the provision of the constitution and the laws enacted pursuant thereto, all Eritreans, without distinction, are guaranteed equal opportunity to participate in any positions of leadership in the country.
- Article 14 (1) indicates that all of the persons are equal before the law.
- Article 14 (2) states that no person may be discriminated against on account of race, ethnic origin, language, colour, sex, religion, disability, political view or opinion, or social or economic status, , or any other factors.
- Article 21 (1) highlights that every citizen shall have the right of equal access to publicly funded social services. The state shall endeavor, within the limit of its resources, to make available to all citizens health, education, culture and other social services.

95. The above articles explicitly show that women have equal right and opportunity as men before the law. The basic principles of the State policy of Eritrea in the field of education are consistent with the above. They include accessibility of education, protection of the individual against any form of discrimination in education (education is a human right), free development of the individual, etc.

### **Policies**

96. The Macro-Policy document outlines the objectives of the education sector as the development of a population equipped with necessary skills, knowledge and culture for self-reliant and modern economy, development of self-consciousness and self-motivation in the population to fight disease, attendant causes of backwardness and ignorance, and make basic education available to all, irrespective of their ethnic origin, sex and religion.

97. Eritrea ratified the UN Convention on the Rights of the Child (CRC) on 20 August 1994, and has been making significant progress, albeit with limitation of resources, in its implementation.

98. As part of its on-going efforts to ensure every child has the right to education, the government of Eritrea increased access to schools during the nine years (1999/00-2007/08). Improving access in general and with particular emphasis in the remote rural and hard-to-reach groups has been used as strategy to accelerate access to educational opportunity. As a result, universal elementary and middle school education for all school-age population, integrated secondary education, technical and vocational, adult and continuing education was enhanced.

99. In line to this girls' education in Eritrea has been recognized as a fundamental human right and developmental necessity. Further it is believed that, educating women and girls have an impact in family, community and the nation. Thus, the participation, retention, and achievement of girls in education have been one priority areas of concern.

100. Efforts have been put in place to bridge gender disparity in education and enhance quality of girls' education. This is based on the rights approach, which is in line with the Convention for the Elimination of All of Discrimination against Women (CEDAW). Whilst the central focus is clearly to enhance Girls' Education in terms of access, quality and achievement, it is emphasized that this would also contribute to the achievement of the MDGs and EFA goals on girls' education and empowering women in the long run. Some of the strategies and interventions made on Girls' Education are outlined below.

- *Eritrea's National Gender Policy in Education and a Strategic Framework of Action*, 2004 were prepared. This national gender policy aims to provide broad gender perspective as well as guidelines and directives for the planning, resources allocation and implementation of proper interventions for addressing gender issues within the wider scope of the education development programme.
- A nationwide assessment on Eritrea's experience on girls' and other disadvantaged groups' was conducted in 2004/05. The review has by and large focused on girls' education and assessed how community people view educating female. This study revealed that a variety of factors from home, community, and school affect girls' education. Action plan of five years was prepared to enhance girls' participation in school.
- Enhancing community feeder schooling was on progress. The objectives of the community feeder schooling were to raise the participation of girls in primary schools, resolve the problem of distance schools, thereby enabling young children to enroll.
- Raising awareness and sensitization activities in communities on girls' education was strengthened in collaboration with the National Union of Eritrean Women and the National Union of Eritrean Youth and Students.
- Based on the studies made and other factors that affect girls' education, the MoE is underway to prepare Communication Strategy to increase girls' and other disadvantaged groups access to education through mass media, face to face sensitization through community leaders and elders, and sensitization cultural activities.

101. The education policy indicates that the Government shall work towards the elimination of gender disparity at all levels of the education system, emphasizing that sustainable development cannot be realised without the full participation of women, which comprise half of the part of the population. It further states that the Government will promote educational investment among all demographic and geographic diversities of the

country, thereby reducing gender, regional and urban/rural disparities in educational participation.

102. The education policy of the government ensures free and compulsory basic education for all without distinction between sexes. The Policy further ensures that men and women have same conditions and access to all fields and levels of education, and co-education is the method at all levels. In order to remedy the historical unequal opportunities that women had in education and foster equal participation, especially in higher education, special temporary measures of lower score entrance requirements for women have been effected.

103. Concerning special needs education, the Eritrean Constitution Article 14 (3) states that, “no person may be discriminated against on account of race, ethnic origin ... gender, disability ... or any other improper factor”. The MOE has prepared a document (2005) on inclusive and special needs education. The guidelines are prepared to help teachers adapt their teaching methods to the diversity of disabilities, and other diverse needs. At present there are three special schools for the deaf and the blind. According to the 2007/08 basic education statistics of the MOE, there were 200 disabled students enrolled in the special schools attending grades 1 – 5. Out of this total 78 (36 per cent ) were girls up to the age of 17 years.

104. The National Gender Plan of Action (2003-2008), produced by the NUEW, identifies critical constraints of girls’ education and training, and outlines key strategic objectives and plans of action to address the problems.

105. The Education Gender Policy underlines that education is a fundamental human right that has to be exercised by all citizens of men, women, boys and girls without discrimination. The policy further commits that the education sector will strive to eliminate the gender imbalances and inadequacies in the provision of education and training by taking several measures to achieve the equal development of girls, boys, men and women in realizing their full potentials of acquiring knowledge, skills and consciousness to ensure sustainable development and equality and equity between the sexes.

106. In order to redress the gender imbalances in the access and success rates in education between boys and girls, this education gender policy embraces the objectives of Education for All (EFA) and Millennium Development Goals (MDGs) and contains the following major components:

(i) Mainstreaming of gender issues in the national educational processes in order to eliminate the imbalances and inequalities of access and success between boys and girls.

(ii) Advance an educational and social environment in which girls and boys can realize their full potential in contributing to the national development goals.

(iii) Promote equality of access to both sexes and ensure their success at all levels to formal and non-formal education and training.

(iv) Promote equality, equity, efficiency, partnership, pluralism, unity, and harmony in the educational system and other affairs.

(v) Alleviate the social, cultural and economic barriers that hinder girls from access to, full participation in and achievement of their potentials in gaining knowledge and skills in all fields of education and trainings.

(vi) Develop a society where women and men can influence, participate in, and benefit equally from development processes.

(vii) Engender the educational curricula, teaching force and learning materials, as well as extra curricular activities and facilities



(viii) Apply affirmative action in compensating for the drawbacks that girls encounter arising from their historically disadvantaged position concerning their enrolment and performance in education and training.

(ix) Make the necessary facilities available suitable for women and others in special situations such as disability.

(x) Ensure that the education system is responsive to the specific circumstances of minority groups, people in remote places, nomadic and semi-nomadic communities, returnees, displaced persons and others in similar disadvantage.

107. As the forthcoming educational statistics will attest, education has rapidly expanded in the last few years since independence. Great emphasis has been placed to expand education to the rural and remote places so as to ensure equitable access and opportunities to the men and women across the country. The newly revised curriculum focuses on science and technology, starting at the end of the primary level. The education reform has also introduced new interactive pedagogical approach that assists students to develop cognitive and analytical skills. Besides, age-appropriate life-skills, health and HIV education and behavioural change education programmes have been introduced into the curriculum covering grades 4-12.

### Educational participation by sex

#### A. Pre-school

108. The Government of Eritrea believes that investment in early childhood development is directly related to the promotion of child rights, poverty alleviation, sustainable human resource development, Basic Education for All, and Health for All. In view of this, much attention was devoted to the subject of early education for young children, with special emphasis on the disadvantaged areas. As a result there was an increasing trend of enrolment of pre-school age children. As indicated in Table 1, enrolment in pre-schools general has increased by 14.7 per cent in 2007/08 as compared to 2004/05. The trend for girls' participation has been also increasing; it has shown an increase of 10.9 per cent during the same period. There is not a significant disparity between the enrolment rate of females and males. It is, however, recognized that the overall enrolment is still very low, and a lot more needs to be done to expand the pre-school education, especially in the rural areas.

Table 4

#### Pre-school level: Gross Enrolment Ratios by age-group, year, and gender

Academic Year	Population age 5-6			Enrolment			GER		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
2004/05	100,152	91,216	191,368	15,679	15,565	31,244	15.7	17.1	16.3
2005/06	85,091	93,457	178,548	17,897	17,672	35,569	21.0	18.9	19.9
2006/07	80,787	88,291	169,078	18,116	19,147	37,263	22.4	21.7	22.0
2007/08	80,887	87,437	168,324	17,391	18,442	35,833	21.5	21.7	21.3

*MoE, Eritrea: Essential Education Indicators, 2004/05-2008/09*

*Where: GER is Gross Enrolment Ratio and NER is Net Enrolment Ratio*

#### B. Elementary level

109. The general objective on elementary education is to have all children complete elementary school with at least minimum learning achievements as defined by the curriculum. As can be seen from Table 2, in the indicated period, the education system witnessed a gradual decrease in student enrolment rate in elementary education. Note that the population size of the specific age group has also been on the decline. Although this

demographic change has to be further evaluated through appropriate research, changes taking place in family planning practices and fertility rates may be the plausible explanation for the trend. Enrolment rate in this level in 2007/08 academic year decreased by 4.6 per cent, compared to 2004/05. Female enrolment rate has indicated a decrease 2.9 per cent in the same period.

Table 5

**Elementary level: gross enrolment ratio by age-group, year and gender**

Academic Year	Population age 7-11			Enrolment			GER		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
2004/05	254,719	271,547	526,266	167,451	210,061	377,512	65.7	77.4	71.7
2005/06	249,688	268,669	518,357	161,875	202,388	364,263	64.8	75.3	70.3
2006/07	238,904	258,858	497,762	149,755	182,100	331,855	62.7	70.3	66.7
2007/08	224,228	243,937	468,165	140,792	173,242	314,034	62.8	71.0	67.1

*MoE, Eritrea: Essential Education Indicators, 2008/09*

**C. Middle Level**

110. Gross enrolment at the middle level showed an increase of 17.1 per cent in 2007/08 as compared to 2004/05 (See Table 3). Similarly, the participation of female, as indicated in Tables 3, also showed a consistent positive trend. In the given period of time female enrolment witnessed an increase of 22.4 per cent. Whereas the enrolment in middle schools has been on the rise, the age specific rate of gross enrolment has not proportionately increased suggesting the need for improving the flow rates from elementary to middle schools.

Table 6

**Middle level: gross enrolment ratio by age-group, year, and gender**

Academic Year	Population age 12-14			Enrolment			GER		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
2004/05	143,154	143,975	287,129	53,996	85,033	139,029	37.8	59.1	48.4
2005/06	148,026	151,298	299,324	57,448	90,634	148,082	38.8	59.9	49.5
2006/07	152,731	178,807	331,538	59,342	81,739	141,081	38.9	45.7	42.3
2007/08	156,739	165,323	322,062	60,265	83,766	144,031	38.4	50.7	44.3

*MoE, Eritrea: Essential Education Indicators, 2008/09*

**D. Secondary level**

111. Expanding Secondary Education and bringing secondary schools closer to rural areas and hard-to-reach groups was pursued with great emphasis. This aimed to enhance secondary school students' enrolment in general, and creating educational opportunities for girls in particular by avoiding the distance factor that was repulsive to girls' pursuit of learning above the primary level.

112. As indicated in Table 4, enrolment at the secondary level has been gradually increasing. It showed an increment of 20.2 per cent in 2007/08 as compared to 2004/05. Increase in female enrolment was 48.2 per cent during the indicated time. The gap of gross enrolment rate between females and males has narrowed from 15.0 per cent in 2004/05 to 8.1 per cent in 2007/08 in the secondary level.

Table 7  
**Secondary level: enrolment and gross ratios age-group, year, and gender**

Academic Year	Population age 14-18			Enrolment			GER		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
2003/04	144,903	151,315	296,218	22,952	46,449	69,401	15.8	30.7	23.4
2004/05	156,295	160,167	316,462	26,041	50,010	76,051	16.7	31.2	24.0
2005/06	167,449	168,631	336,080	27,293	50,351	77,644	16.3	29.9	23.1
2006/07	177,597	177,431	355,028	30,329	45,471	75,800	17.1	25.6	21.4
2007/08	186,368	186,640	373,008	34,008	49,323	83,411	18.3	26.4	22.4

*MoE, Eritrea: Essential Education Indicators, 2008/09*

## 2. Flow Rates (promotion, repetition and drop-out rates)

113. In addition to improving enrolment rates, MoE has been taking certain efforts to enhance progression rates at all levels. As indicated in Tables 5 and 6, the repetition rate decreased at the elementary and middle levels by 0.5 per cent and 3.3 per cent respectively in 2007/08 as compared to 2004/05. Similarly, during the same period, the drop-out rate in middle level decreased by 2.0 per cent. At the elementary level, however, dropout rate slightly increased, probably suggesting the particular need to improve quality of education at that level. However, the issues of repetition and drop out still remain to be among the main challenges in the education sector. The performance of females in both levels is above that of males. The trend of improvement in the promotion rate, as Tables 5 and 6 show, is significant at both levels.

Table 8  
**Elementary level education flow rates, 2004/05 - 2007/08**

Academic Year	Promotion per cent			Repetition per cent			Dropout per cent		
	F	M	T	F	M	T	F	M	T
2004/2005	80.3	79.2	79.7	15.4	15.3	15.3	4.3	5.5	5.0
2005/2006	78.6	75.3	71.8	16.0	15.7	15.8	5.5	8.9	7.4
2006/2007	79.1	76.5	78.5	15.1	16.1	15.8	4.8	6.2	5.6
2007/2008	81.1	78.6	79.7	14.1	15.4	14.8	4.8	6.0	5.5

*MoE, Eritrea: Essential Education Indicators, 2004/05-2008/09*

Table 9  
**Middle level education flow rates, 2004/05 - 2007/08**

Academic Year	Promotion per cent			Repetition per cent			Dropout per cent		
	F	M	T	F	M	T	F	M	T
2004/2005	79.2	71.4	74.5	13.8	19.6	17.3	7.0	9.0	8.1
2005/2006	79.7	66.6	71.8	11.2	12.7	12.1	9.1	20.7	16.1
2006/2007	80.0	76.4	77.9	14.0	15.9	15.1	6.1	7.8	7.0
2007/2008	81.4	77.3	79.0	13.3	16.0	14.9	5.3	6.7	6.1

*MoE, Eritrea: Essential Education Indicators, 2004/05-2008/09*

114. At the secondary level, the trend of promotion rates is generally encouraging. Overall drop-out rates decreased by 6.4 per cent and for females it dropped by 3.0 per cent during the past three years (2005/06-2007/08). The repetition rate remains a concern both

among males and females and that calls for more efforts to improve the quality of education, including improving the quality of teachers.

Table 10  
**Secondary level education flow rates, 2004/05 - 2007/08**

Academic Year	Promotion per cent			Repetition per cent			Dropout per cent		
	F	M	T	F	M	T	F	M	T
2004/2005	87.1	73.1	78.2	2.7	9.1	6.8	10.2	17.8	15.0
2005/2006	75.9	59.5	65.7	11.8	20.1	17.0	12.3	20.4	17.4
2006/2007	83.7	81.1	82.2	7.2	10.5	9.1	9.1	8.4	8.7
2007/2008	79.5	75.2	76.9	11.2	16.7	14.5	9.3	8.1	8.6

*MoE, Eritrea: Essential Education Indicators, 2004/05-2008/09*

Table 11  
**Public secondary school examinations – distinction, merit pass/equivalent, pass**

Exam year	Percentages					
	Degree		Diploma		Total participants	
	F	M	F	M	F	M
2005	22.3	77.7	18.0	82.0	17.4	82.6
2006	24.2	75.8	24.9	75.1	26.0	74.0
2007	29.2	70.7	26.8	73.2	34.6	65.4
2008	32.3	67.7	33.2	66.8	43.6	56.4

115. The percentage of females who are succeeding to enter the colleges for degree and diploma studies has come increasing during the past five years (2005-2008). At present, females constitute almost 39 per cent of the total students that enrolled in the various colleges offering diploma and degree courses. The representation of females passing the secondary school leaving exams with distinction and pass marks to diploma and degree courses rose from 17.4 per cent to 39 per cent .

#### **Participation rate in technical and vocational education**

116. The Ministry of Education has been exerting efforts to produce semi-skilled and skilled workers with the aim of creating opportunities for gainful employment. Various levels of training (intermediate and advanced) focusing on technology, agriculture, fine arts and music are provided. In addition to formal technical and vocational training, non-formal skills development and training is also taken as a strategy to meet economic requirements. This is expected to help create self-employment and income generation. Girls and other disadvantaged groups are encouraged to participate. The percentage of girls who enrolled in the advanced and intermediate levels in the academic year of 2007/08, for example, was 35.7 per cent and 43.3 per cent respectively.

Table 12  
**Technical and Vocational Education: Enrolment by gender and year**

Academic Year	Advanced level			Intermediate level		
	Tot	F	F ( per cent )	Tot	F	F ( per cent )
2004/05	NA	NA	NA	1864	675	36.2
2005/06	90	32	35.6	1779	675	37.9
2006/07	208	103	49.5	1280	582	45.4
	Certificate level			Intermediate level		
2007/08	2440	872	35.7	697	302	43.3

*Eritrea: Basic Education Statistics 2004/05- 2008/09*

117. The proportion of females participating in the TVET has constantly grown both in the intermediate and advanced levels. However, it should be noted that with a very low start of participation of females in the area that was exclusively males' domain, the attained level of 35.7 per cent and 43.3 per cent , respectively in the advanced and intermediate levels (year 2007/08 is a great progress. The ministry of education had planned to increase the enrolment of females in TVET to 30 per cent . This target was achieved in 2007/08 and surpassed by 5.6 per cent and 13.3 per cent , respectively in the advanced and intermediate levels.

118. Since 2007 a new certificate level vocational training centre has been opened and continues to provide skills training opportunities to students who did not earn results that qualify them to enroll in the various colleges. Preparations are underway to upgrade the level of training from certificate to diploma level. As the table above shows, the overall enrolment of females in the national centre for vocational training during 2007/08 was 50.5 per cent of the total trainees.

Table 13  
**Enrolment in Intermediate level: Technical, Agriculture and other vocational schools by year and gender**

Year	Agriculture				Music And Art				Technical			
	F	M	T	F per cent	F	M	T	F per cent	F	M	T	F per cent
2004/2005	203	338	541	37.5	14	32	46	30.4	458	819	1,277	35.9
2005/2006	210	272	482	42.1	14	32	46	30.4	778	886	1,664	46.7
2006/2007	-	-	-	-	-	-	-	-	-	-	-	-
2007/2008	35	32	67	52.2	-	-	-	-	267	363	630	42.4

119. The enrolment of females in the agricultural training has come close to parity with that of males, with instances of intermittent higher participation. This is a manifestation of the changing attitudes on the roles and participation of women in fields that were previously dominated by males.

Table 14  
**Participation in nursing School by sex and year**

<i>Year</i>	<i>Total</i>	<i>Female</i>		<i>Male</i>	
		<i>Number</i>	<i>per cent</i>	<i>Number</i>	<i>per cent</i>
2004/05	179	84	46.9	95	53.1
2005/06	529	184	34.8	345	65.2
2006/07	167	74	44.3	93	55.7
2007/08	280	140	50.0	140	50.0

120. The pattern of enrolment of females and males in the nursing profession is mixed. At times females are dominant and at other times it is reversed. But generally speaking there is an equitable participation, signifying that there is no gender bias towards the professions.

#### 4. Special-needs education

121. The Government of Eritrea believes that every citizen shall have the right of equal access to publicly funded social services and may not be discriminated against in terms of race, ethnicity, language, gender, disability, religion, age, political view, and social or economic status. This is made evident in the National Education Policy, 2003, where it is stated that ‘...all citizens, irrespective of differences will have equal access to educational opportunities....’

122. In this regard the promotion of education for children with special needs is highly considered. Currently, there are three special elementary schools, one school for the blind and two schools for the deaf.

Table 15  
**Special needs education: Enrolment by year and gender**

<i>Academic Year</i>	<i>Schools</i>			
	<i>School for the blind</i>		<i>School for the deaf</i>	
	<i>Total</i>	<i>Female</i>	<i>Total</i>	<i>Female</i>
2004/05	74	25	139	56
2005/06				
2006/07	69	22	135	56
2007/08	69	20	131	58
Total				

*MoE, Eritrea: Basic Education Statistics 2004/05- 2008/09.*

123. Considering the total number of persons with disabilities enrolled in the special needs schools, there is a need to enhance the access and opportunity for many more children and adults in similar difficult circumstances, especially those living in rural areas. The Eritrean National Association for the Blind (ERNAB) has been conducting various campaigns for parents to send their children to school.

#### 5. Adult education

124. Creating literacy and continuing education and training opportunities is one of the focus areas of the ministry. The Literacy Program targets adults and out of school youths,

with an aim to increase literacy levels. In the efforts made to increase access to literacy and post-literacy program the majority of the participants have been females.

Table 16

**Adult Literacy: Enrolment and completion by year and gender.**

Academic Year	Participants enrolled			Participants completed			Females as per cent of total completed
	Female	Male	Total	Female	Male	Total	
2004/05	72,530	9,671	82,201	64,750	7,769	72,519	89.3
2005/06	91,548	10,189	101,737	81,715	8,027	89,742	91.0
2006/07	62,554	7,978	70,532	48,110	5,240	53,340	90.2
2007/08	48,911	6,277	55,188	37,806	4,260	42,066	89.9

*Adult Education: Statistical information, 2004/05-2008/09*

125. Women constituted 88.2 per cent , 89.9 per cent , 88.6 per cent and 88.6 per cent , of the participants of adult literacy program respectively from 2004/05 through 2007/08 academic years. The completion rate of women has been correspondingly high, at 89.3 per cent , 91.0 per cent , 90.2 per cent and 89.9 per cent during the same four consecutive years.

126. The literacy programme during 2007/08 were provided in 1498 centers and overwhelming majority of the participants are the rural women of whom 83 per cent earn their livelihoods by farming, livestock rearing, trading and wage labour.

Table 17

**Adult education programme (continuing education and rehabilitation centres)**

Academic Year	Enrolled			Completed		
	Female	Total	Females per cent of total	Female	Total	Female per cent of total completed
2004/05	1,691	4,924	34.3	1,367	3,824	35.7
2005/06	1,401	4,669	30.0	1,047	2,026	51.7
2006/07	990	1,854	53.4	799	1,511	52.8
2007/08	878	1,587	55.3	697	1,152	60.5

127. The participants of the continuing education were enrolled in elementary, middle and secondary schools. Female enrolment constituted higher rate than males, registering 53.4 per cent and 55.3 per cent of the total participants, respectively in 2006/07 and 2007/08. The completion rate of females is also higher than their enrolment rate, showing more women are succeeding to complete compared to males. The literacy and continuing adult education programmes are benefiting the female to make up for the education opportunities that were lost due to various cultural and economic barriers.

Table 18  
**Number and percentage of female Teachers by level**

<i>Academic Year</i>	<i>Elementary</i>			<i>Middle</i>			<i>Secondary</i>		
	<i>Total</i>	<i>Female</i>	<i>per cent female</i>	<i>Total</i>	<i>Female</i>	<i>per cent female</i>	<i>Total</i>	<i>Female</i>	<i>per cent female</i>
2004/05	9742	3166	39.9	2449	245	10.0	1607	215	13.4
2005/06	7711	3350	43.4	2491	314	12.6	1552	204	13.1
2006/07	6933	3305	47.7	2478	245	10.0	1778	208	11.7
2007/08	7311	3241	44.3	2704	258	10.5	1811	210	11.6

128. The number of female teachers at elementary level has indicated an increase of 2.37 per cent in 2007/08 as compared to 2004/05. Females represent 44.3 per cent of the teachers in elementary schools. Comparatively male teachers, however, outnumber females slightly. As table number 13 illustrates the gender differences in number widens largely as the levels increase. Despite the increase in the absolute number of female teachers in the period from 2004/05 to 2007/08, female teachers make up only 10.5 per cent and 11.6 per cent, respectively in the middle and secondary schools, showing that female teachers recruitment in these levels is not increasing at the same pace as that of male teachers.

129. The proportion of female teachers to male teachers in the three tiers of education shows that the disparity is steadily narrowing in the primary level. In middle schools the proportion of female teachers remained almost constant in the course of the last four years. With intermittent fluctuation, the proportion of female teachers to male teachers in the secondary schools also remained more or less the same at 11.6 per cent. In absolute terms, the number of both female and male teachers in all levels of schools has been on the rise in the junior and secondary schools.

130. During 2007/08, in the secondary schools, female teachers constituted 210 (11.6 per cent) out of 1811 teachers. The participation of female teachers in technical and vocational education in 2007/08 shows that 39 (18 per cent) out of 216 are females. Since most of the female teachers are diploma holders with only 3 holding BA/BSc and MA/MSc degrees, compared to 21 males with qualifications ranging from first university degrees up to PhD, an effort is needed to upgrade the female academic capacities.

#### **Female students participation in higher education**

131. Until 2003, the only Institution for Higher Education (IHE) in the country was the University of Asmara which was established in 1958 by Italian Missionaries. This IHE alone could not only absorb enough students who complete secondary education but was also not able to fulfill the demand of producing the required qualified human resource for the whole country. The Government State of Eritrea, therefore cognizant of the extraordinary potential higher education has in promoting socio-economic growth, initiated a strategy of expanding tertiary education in the country to broaden access to reach a wider distribution. In 2003 and 2004, seven IHE were established in different parts of the country.



Table 19  
**Participation Number and Percentage of Female students in Collage of Business and Economics, Halahale**

Year	Total	Female		Male	
		Number	per cent	Number	per cent
2004/05	612	161	26.3	451	73.7
2005/06	352	82	23.3	270	76.7
2006/07	630	136	21.6	494	78.4
2007/08	540	105	19.4	435	80.6

132. Like the enrolment in the other colleges, the enrolment of females in the college of business and economics is lower than that of the male students. This is probably due to the corresponding lower promotion rates of females from high schools to the colleges, rather than a result of differential inclination of attitudes to the profession.

Table 20  
**Participation Number and Percentage of Female students in College of Marine Sciences & Technology, Massawa**

Year	Total	Female		Male	
		Number	per cent	Number	per cent
2004/05	157	21	13.4	136	86.6
2005/06	392	61	15.6	331	84.4
2006/07	213	21	9.9	192	90.1
2007/08	198	36	18.2	162	81.8

133. As a new area of profession in Eritrea, the enrolment of women is not high in marine science. Therefore, despite the low enrolment rate of females in the college, it is encouraging to observe that an increasing number are entering into the college that was previously unknown.

Table 21  
**Enrolment at Eritrea Institute of Technology (EIT)**

Year	Arts and Social Science				Education				Engineering				Science			
	per cent F		per cent M		per cent F		per cent M		per cent F		per cent M		per cent F		per cent M	
	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
2005	24.1	60	74.7	186	18.4	77	81.6	342	12.6	78	87.4	543	13.7	53	86.3	335
2006	21.1	42	78.9	157	18.5	108	81.5	476	17.6	142	82.4	667	30.0	149	70.0	347
2007	26.7	27	73.3	74	38.7	135	61.3	214	12.6	69	87.4	480	32.6	97	67.4	201
2008	36.2	42	63.8	74	39.9	215	60.1	324	22.1	186	77.9	654	44.0	198	56.0	252

- Across the faculties of arts and social science, education, engineering and science the enrolment rate of males in the Eritrea Institute of Technology (EIT) is still much higher than females. This shows that there is a lot to be done to bridge the gender disparity in various faculties of higher learning. However, it is encouraging to note that female participation is on the rise.

## Article 11: Employment

### A. Legal framework

#### A. Specific articles in the Constitution to guarantee the right of women to work, as a human right.

134. The Constitution of Eritrea makes a strong commitment to human dignity and Article 16 (3) gives explicitly and specific attention to protection against servitude stating that no person shall be held in slavery or servitude nor shall any person be required to perform forced labour not authorized by law. Moreover, the Constitution, in the Preamble at the outset recognizes the heroic role of Eritrean women that ensured the foundation of equality between sexes and forbids any discrimination on the bases of sex.

135. Article 14(2) of the Constitution reads as follows:

*No person shall be discriminated against on account of race, ethnic, origin, language, color, Gender, relation, disability, age, political view, or social or economic status or nay other improper factor.<sup>1</sup>*

136. The article is supplemented by Article 7(2) on Democratic Principles and that prohibits any form of discrimination against women and reads:

*Any act that violates the human rights of women or limits or otherwise thwarts their role and participation is prohibited.*

137. Constitutionally women and men in Eritrea enjoy the same employment opportunities in the public and private sector. Article 9(7) of the constitution reads as follows:

*Every citizen shall have to practice any lawful profession, or engage in any occupation or trade.*

138. The Constitution (Article 21 (3)) further ensures the equal rights of women and men in freely participating in any economic activity and to engage in any lawful business.

139. Every citizen is given constitutional right to belong or to form any association such as trade unions. Article 19(6) reads:

*Every citizen shall have the right to form organization for political, social, economic and cultural ends.*

140. The Labour Proclamation No. 118/2001 protects the rights of women from any form of discrimination in employment.

#### **Minimum age of employment for women and men**

141. Minimum age of employment according to the labour legislation 118/2001 is the same for women and men. Article 3(40), “A word importing the masculine gender shall include the feminine as well. Given the above definition, Article 9(1) clearly noted the age limit for employment as follows:

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<sup>1</sup> The Constitution of Eritrea

142. “Notwithstanding any provisions in the Civil Code, any person fourteen years of age or older has the capacity to enter into a contract of employment”. Moreover, according to Article 68(1) “It is illegal to employ any person less than fourteen years of age”. If it happened that an employer engaged in force labour , the employer shall be punishable under the Penal Code.

**Equal remuneration for women and men workers Salaries/wages, benefits; overtime; bonuses**

143. Article 41 (1) of the Labour Proclamation provides that:-

“An employer shall pay equal starting wages for the same type of work.”

144. In addition, Article 65 (1) of the Labour Proclamation stresses that, “Women may not be discriminated against as regards opportunity or treatment in employment and remuneration, on the basis of their sex”.

145. Pursuant to the same text, Articles 156 and 157 provide that who so ever violates the above mentioned provisions of the Labour law shall be penalized under the provisions of the Labour Proclamation and the Penal Code of Eritrea (being finalized”

**Sick leave**

**The right of women employees to protection of health and to safety in working conditions:**

146. Article 62 (1-5) Where an employee, after having completed his probation, is rendered incapable to work owing to sickness resulting other than form an employment injury he shall be entitled to sick leave. The leave may not exceed six months. The period of the sick leave provided for in this Article shall be granted in the following manner:

- (a) the first one month with 100 per cent of his wages;
- (b) the next two months with 50 per cent of his wages ; and
- (c) the next three months without pay .

**Pregnancy and maternity leave**

147. Article 66(1) “A pregnant employee shall be granted leave with pay for medical examination connected with her pregnancy provided, however, that she is obliged to present a medical certificate of her examination to her employer”.

- (2) “A pregnant employee shall be entitled to sixty consecutive days of paid maternity leave beginning from the next day of her delivery.”

**Conditions of payment for idle time**

148. Article 43(2) “An employee shall be entitled to his wages if he was ready but unable to work due to lack of supply of tools or raw materials or other reasons not attributable to him”. (Any wording in the masculine gender is equally applicable to feminine gender, as it is only used to avoid redundancy of using he/she).

*Job security*

149. Termination of contract of employment, according to Article 22 of the labour legislation can take place upon initiation by the employer or employee and in accordance with the provisions of the law; a collective agreement or an agreement of the parties.

150. In the legislation it is clarified as to when termination of employment is justified or unjustified. In Articles 23 and 24 are the legitimate and the Non- legitimate grounds for the termination of the contract of employment. In Articles 20 and 21 the obligations of the employer and employee are specified. Besides, Articles 30 and 31 make clear that the notice for termination of contract employment and termination which requires no notice.

151. According to Article 26, it is justified termination if:

- The employee violates his/her obligations or under the legitimate ground for the termination of a contract of employment or by the agreement of the parties or by collective agreement.(Sub-Article 1)
- The provisions of this proclamation on notice for termination of a contract of employment (Articles 30 and 31) shall apply to termination effected under sub article (1) hereof.

152. It is unjustified termination of contract, if an employer terminates the contract in violation of Article 23 that is “Non- legitimate ground for the termination of a contract of employment” of this proclamation (Article 28/1). The employer who terminates the contract of the employment of an employee on grounds of unjustified termination shall be bound by the provisions of Article 29 of this Proclamation. That is to say, an employee whose contract of employment is unjustly terminated shall be entitled to compensation.

153. By doing so, therefore, the government of Eritrea through the labour legislation is striving to ensure job security for both female and male workers.

*Protection against occupational hazards, and compensation*

154. It is the obligation of the employers to keep for female and male employees safe from occupational hazards. Article of 20(4: 9: 10) of labour legislation, 2001 reads:

- To take all the necessary occupational safety and health measures and to comply with the standards and directives to be given by this Proclamation or by the appropriate authorities in respect of these measures ;
- To take appropriate measures early on to ensure that all work place premises and the processes of work do not become a source or cause of hazards to the health and safety of the employees.
- To provide employees with personal protective equipment and other necessary material and instruct them on their use;

155. Labour legislation also orders employee to strictly comply with instruction noted in the legislation regarding occupational hazards. Article 21(5:6) reads:

- To implement all health and safety instruction issued by an employer or by a concerned authority;
- To utilize appropriately and with care appliances and devices provided for the protection of the safety and health of him and other employees

156. Compensation for employment injuries is considered under the Article 78(1-2). An employee who has sustained employment injuries shall be entitled to:

- Periodic payments while he/she is temporarily disabled
- Disability compensation where permanent disability is sustained.
- The heirs of an employee who dies as a result of employment injury shall be entitled to compensation as provided under Article 81(3 /c).

157. Besides, based on Article 140(g), draft regulation on details of conditions of work for young employees, pregnant women and disabled persons is under consideration.

*Restriction on employment of women in Night work; underground work; mine work*

158. There is no article in the labour legislation which prohibits employment of women in night work, underground work or mine work. Article 67 (1-3) of the legislation, however, puts some limitations in the working condition of a pregnant employee. This article protects a pregnant employee from working at night and over time works. A pregnant employee is entitled to transfer to safer jobs receiving the same wages and to become reinstated to her former job at the end of her maternity leave. The article also protects the safety of a pregnant employee from termination of contract while in maternity leave or sick leave arising from her pregnancy or confinement.

*Conditions pertaining to termination of employment*

159. According to articles 22 and 25, a contract of employment shall be terminated upon initiation by the employer or employee and in accordance with the provisions of the law or a collective agreement or an agreement of the parties.

160. Conversely, it may not constitute legitimate ground for the termination of a contract of employment, if an employer terminates the contract considering the employee's race, color, nationality, sex, religion, lineage, pregnancy, family responsibility, marital status, political orientation or social status (Article 23(4)).

**Provision in labour legislation for maternity leave and benefits**

161. Maternity leave and maternity benefits are protected by the legislation 2001 under Article 66(1-3), it reads:

(1) A pregnant employee shall be granted leave with pay for medical examinations connected with her pregnancy.

(2) A pregnant employee shall be entitled to sixty consecutive days of paid maternity leave beginning from the next day of her delivery. She may, however choose to take her maternity leave in two parts, one proceeding her presumed confinement and the other after her delivery.

(3) An employee, who falls sick following the end of her maternity leave, shall be granted sick leave under Article 62 of this proclamation (that allows six month leave with the first one month 100 per cent and the next two month 50 per cent of her wages and for the next three months without pay).

162. Article 67 (3) Sex is a non-legitimate ground for termination of a contract. It is more reinforced under article 67 of the labour legislation stating that an employer may neither terminate the contract of employment nor serve notice of termination to an employee on maternity leave or on sick leave that has arisen out of her pregnancy".

#### **Provision for parental leave**

163. In the Labour Legislation 118, 2001 there is no as such any provision of Parental or paternity leave indicated. Paternity leave of three days is, however, under consideration in the Draft Civil Service Code.

#### **Legal provision for childcare and nursing breaks**

164. Based on Article 140 (g), arising from its mandate to issue regulations, the ministry, has been in drafting process regarding the childcare services for working women and provision for nursing breaks for breast feeding mothers.

#### **Legislation pertaining to piece rate work/outwork**

165. As it is noted in Article (42/c) of labour legislation, 2001, piece rate work is possible, where the quantity and quality of the work done are taken into account for the payment of wages.

#### **Legislation to ensure women's land rights on the basis of equality with men**

166. The land law treats women's right to land equal to men. This has been sufficiently discussed in the relevant sections.

#### **Equal right of women with men to social security**

167. Pension Fund legislation No. 146/2005 Article 2(2) reads:

“An Employee means any person who performs services for the employer and who receives remuneration for such services”.

168. According to Article 10(1/a), after attaining the retirement age and after contributing for at least 120 months both women and men employees equally benefit from the social security in Eritrea.

169. Besides, article 10(b and d) of legislation 146/2005 indicates that in the case of illness, permanent and total disability both women and men enjoy equal right of social security.

170. In addition, except for using the power to issue regulations, the minister may issue regulations or directives necessary for the implementation the unemployment benefit which can serve both women and men workers. , there is no unemployment benefit so far .applied.

#### **Legislation to address sexual harassment and violence against women in the workplace**

171. Article 20 (3) of the Labour Proclamation No. 118/2001 stipulates that it is the obligation of the employer to respect the employee's, both women and men workers, dignity.

172. Besides, according to Articles 23/4 and 118/7 and of the Labour Proclamation of Eritrea, 2001, an employer or undertaking shall not discriminate on grounds of race, color, social origin, nationality, sex, political orientation or religion. It further provides that an employer has no right to justify the termination of employment merely depending on an employee's race, color, nationality, sex, religion, lineage, pregnancy, family responsibility, marital status, political orientation or social status.

173. As to the disabled persons and female workers, Articles 63 to 65 of the Eritrean Labour Proclamation, 118/2001, provide that any kind of discrimination against these groups is also prohibited.

174. Pursuant to the same text, Articles 156 and 157 provide that who so ever violates the above mentioned provisions of the Labour law shall be penalized under the provisions of the Labour Proclamation and the Penal Code of Eritrea.

#### **Ratification of employment related UN Conventions e.g. on Migrant Workers**

175. Eritrea ratified the following UN conventions related to employment:

- International Convention on Elimination of All Forms of Racial Discrimination (24 July, 2001)
- International Covenant on Civil and Political Rights (22 January 1999)
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (5 September 1995)
- Convention on the Rights of the Child (CRC) (3 August 1994) .

#### **Ratification of ILO Conventions pertaining to employment – e.g. industry, migrant workers, trade unions**

176. Eritrea is a signatory of seven core conventions; namely,

- Freedom of Association (Convention 87)
- The right to organize and collective bargaining (Con. 98)
- Forced Labour (Con. 29)
- Abolition of forced labour (Con 105)
- The minimum age (Con 138 )
- Equal remuneration for men and women (Con 100 )
- Avoiding discrimination on occupation and employment ( Con 111)

177. In general, the above-mentioned conventions are known as the fundamental human right conventions, and each one of them has an impact in ensuring equal opportunity rights for women. The two last Conventions regarding the equal remuneration and avoiding discrimination on occupation and employment are the one that are directly related to the employment.

#### **Bilateral agreements between receiving and sending countries for the protection of migrant workers**

178. An agreement was made between the Government of the state of Eritrea and the Government of the State of Qatar concerning the regulation of human power employment in the state of Qatar to protect the migrant workers in 27/March/2008. Article (2) of the agreement states that “Recruitment of manpower from Eritrea and its entry and employment in the State of Qatar shall be regulated in accordance with the relevant laws and procedures applied in the two countries”. (Done in Doha on 19 Rabia ‘1’ 1429 27 March 2008)

## **B. Policies**

### **Discrimination in employment**

#### **Policies that discriminate against women with respect to recruitment e.g. quotas, martial status; promotion for upward occupational mobility and job security**

179. There is no policy adhering to positive discrimination of women on employment and occupation. However, it doesn't mean that , by de facto, no application account have been given for augmentation of women in all form of development that is an affirmative action is being carried through out the country regarding training and education.

#### **Article 65(2)**

180. Section 13.4 (a) of the Macro-Policy of Eritrea, 1994, provides that sufficient and necessary empowerment should be accorded to victims of war, disadvantaged persons such as demobilized combatants, refugees and displaced persons, and other vulnerable groups, in order to enable them become productive members of society.

181. In addition, Section 13.5(c) of the same text states that participation of the women in education and economic activities and employment should be expanded.

182. Last but not least, Art.21 (5) of the Constitution of Eritrea, 1997, states that the National Assembly should enact laws guaranteeing and securing the social welfare of citizens, the rights and conditions of labour and other rights and responsibilities.

#### ***Access to employment***

183. Under Article 5 of the Labour Proclamation, 2001, a job seeker can apply for a job through the employment services unit of the Ministry or a private employment agency, or directly to the employer. This can assist in eliminating discrimination and giving equal access to employment and to particular occupations in addition to the Macro-Policy provisions.

#### ***Terms and Conditions of Employment***

184. Pursuant to the Labour Proclamation, 2001, the conditions of work are laid down clearly and other conditions which are stipulated in collective agreements that are advantageous to the employee shall be deemed to be an integral part of the contract of employment. In addition, the terms in a contract of employment, which do not conform to the provisions of the said Proclamation or provide less favorable conditions than those provided by law, shall be deemed null and void.

#### **Policies to eliminate discrimination in employment**

185. Labour legislation has clearly stipulated that discrimination based on sex is unlawful. Articles 65 (1-3) of the labour legislation, 2001 reads:

*Women may not be discriminated against as regards opportunity or treatment in employment and remuneration, on the basis of their sex.*

#### **State policies regarding negotiations with Trade Unions regarding equal remuneration for work of equal value and working conditions of women**

186. According to Article 65(1) and Article 102 of labour Proclamation 118/2001, opportunities are in place for collective agreement which is supposed to be contemplated



between employers and employees concerning different labour issues such wages, condition of work, social security , promotion and training and education.

**Policies to eliminate gender segregation in the labour market e.g. quotas or other measures such as:**

187. The Macro-Policy of Eritrea and the curriculum issued by the ministry of education aspire towards equality of opportunity and treatment in respect of employment and occupation.

188. In view of promoting and encouraging female trainees in technical education and vocational training (TEVT), the Ministry of Education permits female trainees to join the vocational and technical schools by less mark, i.e. 30 per cent.

189. In providing the participation in boarding schools by less mark, the Ministry of Education also provides for positive discrimination in opportunities to participate in vocational and technical training for some ethnic groups, which were discriminated and neglected during Ethiopian colonization.

190. Under Article (5) and (6) of the Labour Proclamation, 2001, a job seeker can apply for a job through the employment services unit of the Ministry or a private employment agency, or directly to the employer. Moreover, the employer has a right to employ any job seeker by any one of the ways specified above. This can assist in eliminating discrimination and giving equal access to employment. In addition, according to Article 3(2) and Article (33), both female and male enjoy equal right for apprenticeship program.

**Increasing access to employment**

**Policies to provide access to self-employed women and women entrepreneurs**

191. Various government institutions and the NUEW have been busy in promoting credit facilities in general and concessionary credit (Seed loan facilities) facilities in particular to increase women's' access to self-employment and establishment of businesses. Besides, the banks provide non-discriminatory loans to men and women entrepreneurs.

**Policies to ensure equal access of women to state land allocated in settlement schemes.**

192. The land law warrants equal access rights of women and men to land for all purposes on usufructory basis. Women are entitled to residential and farm land allocations on equal status as men. However, in practice, "Tessa land" allocations have been on the basis of the household. Thus, depending on the choice of the household, it can be allocated land in the village origin of the husband or the wife.

193. Women heads of families, single women, divorcee, widows, women whose age is above 30 years (who passed the marriageable age), the disabled, etc are entitled to land on their title.

**Policies to assist migrant women workers in: Recruitment, training, job contracts, Conditions of work and welfare of family left behind**

194. Based on article (7) supplemented by article (8) of labour proclamation 2001 , the right of Eritrean workers abroad and the expatriates coming to Eritrea to work are protected. Ministry of labour and human welfare assist migrant women workers by providing with adequate information concerning working condition and other labour related issues.

**Policies to review and introduce changes in protective labour legislation**

195. The ministry, as it thinks fit, pursue a policy to review and introduce change in labour legislation.

**Social Security**

**Policies enforcing a mandatory age of retirement for women and men**

196. Article Pension Fund legislation No. 146/2005 2(3) defines “member” as any person who performs services for the Employer and who receives remuneration for such services. In addition, as stated in Article 2(2) employee means any person who performs services for the Employer and who receives remuneration for such services. The above two definitions elucidate that social security is enjoyed both by women and men workers.

197. Given, the definition, the mandatory age of retirement for women and men, according to Article 2(14) and Article 3, is the attainment of 65 years of Age. But the upper age limit of 65 years shall not apply to political appointees and members of judiciaries and public prosecutors and they shall also join the scheme.

**Policies permitting a voluntary age of retirement for women**

198. There is no voluntary age of retirement for both women and men in Eritrea. But pension shall be awarded under proclamation 146/2005 Article 1(a-d) and Article (15) to a member only under the following circumstances:

(1) Upon or after attaining the retirement age and after contributing for at least 120 months.

(2) Upon certification by the Medical Board that a member does not satisfy the medical conditions of service provided that such non-satisfaction of medical conditions of service is not caused by occupational injury or disease and further provided that such member has contributed for at least 120 months,

(3) Upon resignation or termination after contributing for at least 120 months provided that the member has attained the retirement age

(4) Upon certification of the medical board of permanent and total disability pursuant to Article 24 of this proclamation caused by occupational injury or disease.

(5) After the death of a member who has contributed for at least 120 months before retirement or upon the death of pensioner, pension benefits shall be paid to his/her beneficiaries.

**Policies pertaining to the contribution of women and men to pension funds or Provident funds**

199. Both women and men employees, who are employed by the Government or autonomous institution or corporation owned by the government, according to Article 5(1) of the legislation 146/2005, shall contribute 5 per cent of his/her monthly salary.

200. On the other hand, both women and men employees who have been employed by the private sector contribute to the provident fund equally.

**Policies pertaining to entitlement to pensions and provident fund payment widows or widowers**

201. Both the widows and the widowers have the right to pensions and provident fund payment. Article 15 table 1 stipulates that widows or widowers are entitled to pension. Both women and men workers are also entitled to provident fund.

**Availability of State insurance policies for women and men in the informal sector e.g., farmers, self-employment, fisher folk**

202. The state insurance policies for women and men in the informal sector are on voluntary bases. There are no as such compulsory state insurance policies to be applied in the sector mentioned above.

**Social security for single parents and widows**

203. As it is clarified in Article 15 table 1, the single parents are entitled to 25 per cent each and widows 50 per cent for the retirement benefit entitlement respectively.

**Policies pertaining to compensation packages or ‘golden hand-shakes’ to women workers and men workers retrenched or retired prematurely**

204. In the case of retrenchment or premature retirement of women and men, compensation is secured based on the labour proclamation 118/2001, if the workers belong to the private sector. Moreover, if the employees belong to civil servant, 6 months salary is offered.

**Gender-based violence**

205. The state of Eritrea based on Article 23(4) and Article 65 of the labour legislation ensures protection of women workers from sexual abuse or harassment in the workplace

**C. Programmes**

**Gender-specific interventions**

**Entrepreneurship programs to facilitate women’s participation in:**

206. Several government institutions, including the Ministry of labour and Human Welfare, Agriculture, Trade and Industry, Fisheries, Local Governments and private NGOs have been engaged in a program to promote micro and small enterprises to facilitate women’s participation.

**Programmes to increase the participation of women to technology/technical/IT based training in order to increase access to remunerative employment opportunities.**

207. The NUEW and the Ministry of Agriculture have been running training programs for women in various crafts, including embroidery, textile, pottery, livestock rearing, horticulture, smokeless ovens and business management. The Ministry of Tourism provides training for women in tourism related services, including cooking and catering.

### **Support programs for retrenched/involuntarily retired women workers, including retraining programs**

208. Every time workers are retrenched both male and female they will be entitled to six month salary compensation. As far as the involuntarily retirement of women workers, it is not applicable.

### **Gender sensitization programs for policy makers and senior administrators, employers and managers; and trade union officials**

209. Gender sensitization programs are periodically provided by the NUEW to all public sectors and Local Administrations in all the six zoba's.

### **Programmes to create awareness of economic rights among women**

210. Art. 21(3) of the constitution stipulate "Every citizen shall have the right to participate freely in any economic activity and to engage lawful business". Creating awareness of economic rights among women, as part and parcel of the general gender sensitization programs, is conducted by the Ministry of Labour and Human Welfare and NUEW periodically.

## **D. Quantitative indicators – urban/rural, public /private sector**

### **Labour-force participation**

#### **Female and male age-specific labour force participation rates**

211. Establishment listing has been conducted in 2006 targeting at collected information of the establishment and the employed labour force. The outcome of the Establishment Listing 2006 portrays a total of 108,908 employees engaged in the 26,563 establishments covered in the formal sector of Eritrea. Besides, there is information regarding registered and placed job-seekers collected by the public employment services.

212. Hence, the measurement on the female and male age specific labour force participation rates will depend on the information of the employed labour force collected from the establishment listing.

Table 22

#### **Employment by Year and Sex**

<i>Year</i>	<i>Percentile ( per cent )</i>		<i>Count</i>		<i>Total</i>
	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	
1996	31.5	68.6	18128	39398	57,526
1999	33.9	66.1	15493	30202	45,695
2006	44.7	55.3	48702	60206	108,908

*Source: Ministry of Labour and Human Welfare*

213. As it is indicated in the table1, the female labour force participation was increasing periodically. In 1996 it was 31.5 percent of the 57,526 employed labour force. In 1999 the participation slightly increased. In 2006, the participation increased 44.7 percent of the total employed labour force.

### Percentage of women in the labour force by age

Table 23

#### Percentage of women in the labour force by age

<i>Age</i>	<i>Female per cent</i>	<i>Male per cent</i>	<i>Total per cent</i>
15-24	56.3	45.8	100
25-44	54.2	45.8	100
45-60	34.2	65.8	100
Over 60 years	17	83	100

*Source: Ministry of Labour and Human Welfare*

214. As it is presented in Table 2, out of the total employed labour force that falls under the age range 15-24, 25-44, 45-60 and over 60 years female are 56.3 per cent, 54.2 per cent, 34.2 per cent and 17.0 per cent respectively.

### Percentage of women in wage employment

215. Out of the total employed labour force in wage employment 45.7 percent are females.

Table 24

#### *Registered job – seekers*

<i>Sex</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>Total Count</i>	<i>per cent</i>
Male	326	230	800	1360		
Female	402	979	1725	2562		
Total	728	1209	2525	3922		
<i>Placed job -seekers</i>						
Male	1203	687	596	690		
Female	603	531	534	631		
Total	1,806	1,218	1,130	1,321		

*Source: Ministry of Labour and Human Welfare*

### Employers in the female labour force and male labour force, and women employers of total number of employers<sup>2</sup>

216. As it is indicated in table 4 below, 20.1 per cent of the total labour forces classified by status of employment are employers. Out of the 20.1 per cent of the employers 45.8 per cent are female. Moreover, out of the total female and male labour force 20.5 per cent are female and 19.7 per cent are male employers respectively.

<sup>2</sup> In the self employed workers category indicated in table 4 employers are included.

Table 25  
Status in employment by Sex

<i>Status in employment</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>	<i>Col per cent</i>
	<i>Row per cent</i>	<i>Row per cent</i>	<i>Count</i>	
Waged & Salaried Workers	45.7	54.3	73,434	67.4
Self - employed Workers	45.8	54.2	21,848	20.1
Contributing Family Workers	48.9	51.1	7,942	7.3
Not classified	22.1	77.9	5,683	5.2
TOTAL	44.7	55.3	108,908	100

217. Table 4 presents, 8.0 per cent of the female labour force are unpaid/ contributing family workers. Beside, 48.9 per cent of the total unpaid/contributing family workers are women unpaid/contributing family workers.

**Percentage of women in wage employment :**

(a) **Full time**

(b) **Part time**

218. In this regard, out of the 73,432 waged and salaried workers, 45.7 percent (33,659) are female workers. Out of the total female wage and salaried employees, 97.1 percent (32678) are full time workers. And the remaining 2.9 percent (981) are part time workers.

Table 26  
Eritreans permitted to work abroad by occupation, year & sex (2005- 2008)

<i>Code</i>	<i>Occupation</i>	<i>Sex</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>Total</i>
1	Legislators Senior Officials And Managers	M	0	0	0	0	0
		F	0	0	0	0	0
		T	0	0	0	0	0
2	Professionals	M	0	1	0	0	1
		F	0	0	0	0	1
		T	0	1	0	0	2
3	Technicians and Associate Professionals	M	0	43	40	5	88
		F	0	0	1	0	1
		T	0	43	41	5	89
4	Clerks	M	0	0	2	1	3
		F	0	0	0	0	0
		T	0	0	2	1	3
5	Service Workers and Shop and Market Sales Workers	M	1	0	10	13	24
		F	0	1	1	7	9
		T	1	1	11	20	33
6	Skilled Agricultural and Fishery Workers	M	0	0	0	3	3
		F	0	0	0	0	0
		T	0	0	0	3	3
7	Craft and Related Trade Workers	M	1	6	55	100	162
		F	1	4	2	0	7

		T	2	10	57	100	169
8	Plant and Machine	M	0	0	0	29	29
	Operators and	F	0	0	0	0	0
	Assemblers	T	0	0	0	29	29
	Elementary Occupations	M	2	107	189	152	450

*Source: Ministry of Labour and Human Welfare*

(Table 5 above present the women of overseas migrant workers by sex and occupation. )

219. Occupational wise, as it is shown in the table above, majority of the female workers are clustered in the elementary and service works. In these two occupational classifications, in the case of the female workers, greater part is domestic labour , i.e., housemaids, cleaners, house nurse, and the like. Therefore one can conclude that in most cases the females participate as domestic workers.

220. Article 7 of the labour proclamation stipulates the protection of the right of Eritrean workers aboard and states that the Eritrean government shall exert efforts through its embassies and consulates to ensure that the rights and dignity of Eritrean working abroad are protected.

#### **Percentages of women in the labour force by sectors**

221. Table 7 presents the percentage distribution of employees by sex and main economic activity that is often termed as primary or agriculture, secondary or industry and tertiary or service. These broad economic sectors are defined in accordance to the International Standard Industrial Classification (ISIC) System Revision 3(1989). The agricultural sector comprises agricultural, hunting, forestry and fishing activities (categories A and B). The industrial sector comprises mining and quarrying, manufacturing, construction, electricity, gas and water supply (categories C to F). The service sector comprises the whole sale and retail trade, restaurants and hotels, transport, storage and communications, finance, insurance, real estate and business services, and community, social and personal services (categories G to Q).

222. As it is indicated in table 7, in attracting employment, the service sector plays a vital role, getting a lion's share of 74.6 per cent, followed by the industrial sector (22.9 per cent ) and the agricultural (2.6 per cent ) sectors. The share of women employees, out of the total employed labour force in agriculture, industry and service sectors account for 21.1 per cent , 36.0 per cent and 48.2 per cent respectively. Moreover the distribution of female workers in the manufacturing sector, out of the employed labour force is 41.9 per cent.

Table 27  
**Percentage distribution of employees by sex and economic sector**

	<i>Background characteristics</i>			<i>Column per cent</i>
	<i>F</i>	<i>M</i>		
	<i>Row</i>	<i>Row</i>		
A. Agriculture, hunting and forestry	25.2	74.8	2,210	2.0
B. Fishing	5.3	94.7	568	0.5
C. Mining and quarrying	17.7	82.3	378	0.3
D. Manufacturing	41.9	58.1	15,942	14.6
E. Electricity, gas and water supply	24.8	75.2	1,665	1.5
F. Construction	26.1	73.9	6,906	6.3
G. Wholesale and retail trade; repair of motor vehicles, motor bicycles and personal household goods	48.7	51.3	23,751	21.8
H. Hotels and restaurants	73.3	26.7	10,450	9.6
I. Transport, storage and Communications	33.1	66.9	6,254	5.7
J. Financial intermediation	44.4	55.6	1,411	1.3
K. Real estate, renting and business Activities	42.9	57.1	1,231	1.1
L. Public administration and defense; compulsory social security	39.8	60.2	16,217	14.9
M. Education	38.9	61.1	12,691	11.7
N. Health and social work	61.2	38.8	5,610	5.2
O. Other community, social and personal service activities	52.2	47.8	3,453	3.2
P. Activities of private households as employers and undifferentiated production activities of private households	50.0	50.0	2	0.0
Q. Extraterritorial organizations and bodies	36.1	63.9	169	0.2
<b>Main Economic Sector</b>				
Agriculture (A-B)	21.1	78.9	2,778	2.6
Industry (C-F)	36.0	64.0	24,891	22.9
Service (G-Q)	48.2	51.8	81,239	74.6
<b>TOTAL</b>		<b>55.3</b>	<b>108,908</b>	<b>100.0</b>

*Source: Ministry of Labour and Human Welfare*

### **Percentage of women in the professions**

223. As shown by Table 8 below, the participation of female employees in the major occupational groups such as legislators, senior officials and managers (15.9 per cent ); professional (32.6 per cent ); skilled agriculture and fishery (17.7 per cent ); Craft and related trades workers (24.2 per cent ); and Machine operators and assemblers (24.5 per cent ), is small as compared to the males. On the other hand, in the major occupational groups such as Service, shop and sales workers (59.8 per cent ); clerks (59.5 per cent ); and elementary occupations (53.2 per cent ) the participation of women workers are relatively higher than that of male.



Table 28  
**Employment by major occupation, sex and mean monthly wage**

Major Occupation	Sex		Mean Monthly Wage			Per cent Gap
	F ( per cent )	M ( per cent )	F	M	Total	
1.Legislators, senior officials and managers	15.9	84.1	1891	2281	2219.0	82.9
2. professionals	32.6	67.4	1403	1638	1561.0	85.7
3. Technicians & Ass. Professionals	42.1	57.9	1150	1540	1376.0	74.7
4. Clerks	59.5	40.5	1233	1595	1379.0	77.3
5. Service, shop and sales workers	59.8	40.2	1903	2144	2000.0	88.8
6. Skilled agric. And fisher workers	17.7	82.3	1012	1670	1553.0	60.6
7. Craft and related trades workers	24.2	75.8	871	1293	1191.0	67.4
8. Machine Operators & Assemblers	24.5	75.5	871	1253	1159.0	69.5
9. Elementary Occupations	53.2	46.8	547	772	652.0	70.9

*Source: Ministry of Labour and human welfare*

### Access to support services

#### Percentage of employers providing childcare services

224. Despite the immense challenges women workers face in combining family responsibility with work, only few employers took the initiative to provide child care services and nursing breaks for lactating mothers. The National Insurance Corporation of Eritrea (NICE), Ministry of Health and The Department of Transport in the Ministry of Transport and Communication stand out as rare examples in this respect.

225. The issue of the provision of day-care as a condition of work is not covered under the labour proclamation. However, under Art.99 and 102(4) of the labour proclamation 118/2001, on collective bargaining, an employees association shall have the right to bargain a collective agreement when conditions of work and the procedure for making work rules and resolving grievance Hence, the employees are expected to raise this point as an issue of collective bargaining that have a major impact on creating a conducive work environment for the female employee and the child.

#### Percentage of women and men workers in Trade Unions

226. In general 17,056 workers are member of the National Confederation of Eritrean Workers. Out of this 57 per cent are men workers and 43 per cent are women workers<sup>3</sup>.

<sup>3</sup> National Confederation of Eritrean Workers, 2005

### Number of fundamental rights cases regarding discrimination against women in employment

227. There is no legal appeal regarding cases of discrimination against women in employment submitted to the Ministry of Labour and Human Welfare or labour tribunals.

## E. Qualitative and quantitative indicators

### Number of NGOs

228. There are UN agencies and EU international organizations and few local Non-Governmental Organizations that hold formal registration permit to work in Eritrea.

### Number of CBOs

229. There are a number of community-based organizations (CBOs) in Eritrea. Traditional community based mutual assistance associations and cooperatives are common in all societies of Eritrea. Most of them exist at neighborhood and village levels and are not formally registered.

### Number of special credit schemes for self-employed women

230. There are several credit and saving schemes run by the Ministry of Labour and Human Welfare, regional governments, Ministry of Agriculture and a specialized financial institutions called the Saving and Micro Credit Program (SMCP) aiming at promoting small and medium businesses that are principally geared to enhancing self-employment. More than 30 per cent of the beneficiaries are women and women headed households. Besides the NUEW runs credit schemes specifically aiming at women's economic empowerment and improving women's livelihoods. The following table illustrates the magnitude of the efforts underway to assist women and men in difficult socio-economic situations in building sustainable livelihoods by granting them access to the critically needed funds.

Table 29  
SMCP clients by sex and year

<i>Year</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>	<i>Female per cent</i>
2005	9,976	14,595	24,571	40.6
2006	10,887	16,012	26,899	40.5
2007	12,704	20,763	33,467	37.9
2008	15,973	24,982	40,982	39.0

*Source: SMCP, 2010*

231. As shown by table 29, roughly 40 per cent of the clients of the SMCP are women. Most of the program clients are in rural and semi-urban areas. It can be observed that the absolute number of women and men clients is consistently increasing every year.

## Article 12: Health

232. The Eritrean Constitution, Article 21 (1) and (2), provides all citizens with equal rights to access publicly funded social services, further adding that the State shall endeavor, within the limit of its resources, to make available to all citizens health, education, cultural and other social services. It additionally ascertains the social welfare of all its citizens, especially those disadvantaged.

233. The Ministry of Health is the principal health service provider. Its prime objective is to ensure the physical, mental and social health of the population by integrating preventive and curative approaches. The Health policy is based on the concept and principles of primary health care (PHC) and is designed in a way that ensures social justice and equity.

234. The principles of Sexual and Reproductive Health Policy (SRHP) establishes that “Men, women and children have the right to access sexual and reproductive health information and services at all levels of the health care delivery system in the country. This implies respect for the rights of individuals and families in relation to their sexual and reproductive health information and service needs - regardless of their age, sex, ethnicity, religion or other social and cultural beliefs and practices, persons with disabilities (PWD) have the same rights to sexual and reproductive health information and services”

235. It further recognizes the important role of individuals, families, communities, religious and community leaders, and civic society in the provision of appropriate sexual and reproductive health information and services. It further guarantees that gender sensitivity is the core basis in programme design, implementation, monitoring and evaluation.

- Development of a Reproductive Health Policy with special emphasis on, including equitable access of men and women to family planning services and knowledge with particular attention on the reproductive health needs of adolescent girls, boys and youth.

236. A Sexual and Reproductive Health Policy was developed by the Ministry of Health in September 2007. This sexual and reproductive health policy document has set clear policy objectives, specific strategic guidelines for policy implementation, monitoring and evaluation as well as partner roles and responsibilities. This policy is adds up to the Adolescent Health Policy developed earlier in December 2004.

237. Based on the essential elements of comprehensive Reproductive Health Care (RHC), an integrated reproductive health care package adopted for Eritrea includes:

- (a) Maternal and Newborn Health: prenatal care, skilled attendance during delivery, management of obstetric emergencies, care of the newborn and management of neonatal complications, including mental health problems;
- (b) Family planning (birth spacing) information and services; contraceptive commodities security; and counselling;
- (c) Adolescent sexual and reproductive health
- (d) Prevention and management of reproductive tract infections, especially sexually transmitted infections (STIs), including HIV/AIDS;
- (e) Prevention and management of complication of abortion;
- (f) Active discouragement of harmful traditional practices, such as female genital cutting (FGC); early marriage; domestic and sexual violence against women
- (g) Promotion of male involvement and participation in sexual and reproductive health
- (h) Management of other reproductive health disorders such as genital fistula, infertility, cervical cancer, complication of female genital mutilation, reproductive health problems associated with menopause.
- (i) Advocacy on and development of a policy and laws on safe abortion procedures/post-abortion counselling and services.

238. There is no specific policy and law on safe abortion procedures. However, one of the main components of the Reproductive Health Policy is “Prevention and management of complication of abortion”. The Reproductive Health Policy asserts that one of its objectives is, “to prevent unwanted pregnancies and improve access to quality post abortion Care (PAC) services. This will be attained through the following strategies:

239. Advocacy for access to information, education and life saving skills to enable adolescents maintain their sexual and reproductive health

240. Partnerships between parents, teachers, religious leaders, national organizations and the public sector for protection of the girl child from physical and sexual abuse.

241. Provision of easily accessible counselling services and contraceptive methods for the sexually active adolescents and adults, especially condoms for dual protection against unwanted pregnancies and sexually transmitted infections, including HIV/AIDS.

242. Capacity-building through Training RH service providers in PAC (including MVA) and counselling

- Formulation of a Nutrition Policy which includes special emphasis on maternal under-nutrition, including micronutrient deficiencies such as anemia and iodine deficiency disorders, nutritional deficiencies among adolescent girls and the elimination of gender discrimination in the distribution of food and feeding practices among girls and boys at household level.

243. A National Strategic Plan of Action for Nutrition (Eri-PLAN): 2006-2010 was formulated in July 2005. This nutritional plan of action was formulated under the umbrella of the Interim Poverty Reduction Strategy Paper (I-PRSP) and the Food Security Strategy (FSS) that were developed in 2004. Both strategic papers recognize nutrition as an input to and output of the development processes and provide pivotal indicator in the measurement of development goal. Besides, PHC Policy (1998) and the Policy on Impact of Young Feeding in the Context of HIV (2004) provide additional policy basis for the plan of action. The nation strategic plan of action for nutrition clearly identifies the maternal under-nutrition problems and embraces it as key component of the action plan for the 5 years.

#### **Enactment of laws and the establishment of a policy on maternity leave and its effective implementation covering both the public and private sector**

244. As provided in the Employment section of the Convention (Article 11), maternity leave is a matter treated by the Labour Proclamation No. 118/2001. An employee woman is entitled to two months maternity leave from the day of delivery. Further, she is also guaranteed with the sick leave and provisions to attend antenatal visits, as necessary.

245. Policy and Policy Guidelines on HIV/AIDS has already been developed in 2004. Nationwide programs and campaigns against the transmission of HIV/AIDS and associated opportunistic diseases such as STIs, TB and malaria have been underway for quite some time. The approaches have been gender sensitive and address the differentiated needs of women and men.

246. Various measures have been put in place to safeguard women and girls from the infection, including the dissemination of male and female condoms. Anti Retroviral drugs for people whose conditions permit have been widely available in all hospitals. Services for the administration of drugs to prevent the transmission of HIV from mother to the child have become functional in all maternity hospitals. Voluntary Counseling and Testing

(VCT) centers have been established in all six administrative zones and are freely accessible by men and women. The privacy of the individuals is strictly observed.

247. An organization of people living with HIV/AIDS, with the name 'Bidho' meaning challenge, has been established to undertake various programs in support of the people affected by the infection. In addition to advocating against discrimination and stigmatizations, the organization has been actively engaged in awareness raising campaigns and programs of social and economic support to families of the members of the association.

- The Penal Code of Eritrea criminalizes violence against women in the form of rape or other sexual harassment by service providers, including health care providers and teachers against people under their custody.
- The safety of pregnant women employees in work places is ensured by the Labour proclamation 118/2001. (Refer to Employment section).
- In March 2007, the Female Circumcision Abolition Proclamation No 158/2007' was enacted banning all forms of female circumcision. The proclamation holds accountable the practitioners, including those who assisted or witnessed but who failed to report to law enforcement authorities.

248. Besides the family law recognizes that early marriages are harmful to the health of women and girls and the practices are thus prohibited by law. It is acknowledged that early marriages and pregnancies cause detrimental health problems and complication, including fistulae and death of the mother and the child.

249. Although comprehensive survey has not been conducted, preliminary localized studies reveal that the traditional harmful practices including FGM and uvulectomy has drastically declined, resulting from the enactment and enforcement of the Proclamation against female circumcision in all its forms. Close scrutinizing mechanisms based on committees formed from community members, NUEW, health personnel and law-enforcement bodies have been established in almost all administrative niches of the country. Perpetrators of the practice are punished and awareness raising campaigns conducted intensively against the harmful practices through the village, sub-regional and regional anti-FGM committees. Educational materials have been prepared and disseminated in six local languages. It is not worthy that the conduct of Traditional Birth Attendants (TBAs) who used to be an accomplice in the practice FGM is now strictly scrutinized by the MOH.

250. Efforts by the MOH that raise awareness and education programs on nutrition which promote gender equity in food distribution at household level particularly during pregnancy, adolescence and in early child hood have been underway. These include:

- Nutrition education on appropriate maternal and child feeding has been an integral part of MCH services. It was further strengthened by the initiation of the Baby Friendly Hospital Initiative (BFHI), and the policy on the Code of Marketing of Breast Milk Substitutes (CMBMS) (MOH, 1996).
- The National Policy and Guidelines on Young Child Feeding within the context of MTCT was extensively reviewed and amended accordingly in 2004. A national workshop was also held to discuss the issues and the way forward (MOH/UNICEF, 2004). The recommendations made have been incorporated in this Eri-NPAN.

Table 30  
**Women in Health Professions**

<i>Profession</i>	<i>Female</i>	<i>Male</i>	<i>Per cent Female</i>
Medical doctors and specialists	17	90	15.9
Nurses registered and degrees	489	475	50.7
Associate nurses	1419	786	64.4
Medical Labour atory	80	201	28.5
Radiology technicians	7	70	9.1
Dental technicians	24	28	46.1
Entomologists	0	6	0
Epidemologist	1	0	100
Pharmacists & technicians	49	119	29.2
Physiotherapists	11	19	36.7
Psychologists	8	10	44.4
Public health workers	12	106	10.2
Therapeutic feeding/nutritionist	26	1	96.3
<b>Total</b>	<b>2,143</b>	<b>1,911</b>	<b>52.9</b>

*Source: HRD of MOH*

251. The table shows that women are represented in all fields of the health profession. Overall, the representation of females in the health profession constitutes almost 52.9 per cent of the total professional staff. However, it can be observed that the majority of females are in the nursing fields. The proportion of females in the higher professional qualifications is still very low.

252. As can be seen from the table, women constitute 16 per cent of the medical doctors including internists, surgeons, gynecologists/obstetricians, dermatologists, ophthalmologists, dentists, pediatricians, radiologists, stomatologists and general practitioners. Albeit in smaller proportions when compared to men, women are represented in all the specialized senior health professions. Efforts are underway to enroll women in the various health sciences colleges and the school of medicine. It is to be noted that the Orotta School of Medicine has inaugurated the first commencement of medical doctors. The College of Health Sciences continues to provide degree programs in nursing, clinical labour atory, pharmacy technicians, etc. Further, the long established School of Nursing is nurturing significant numbers of nurses. Besides, the Schools of Associate Nurses have been opened in three regions, namely in Mendefera, Barentu and Ghindae to complement the already existing school in the capital city, Asmara.

Table 31  
**Maternal Mortality and Morbidity rate in health facilities**

Years	ANC	Deliveries	Deliveries TTBA	Total OBS Emergencies	
				Cases	Death
2005	83,578	25,691	18,896	9,344	33
2006	82,059	25,712	17,773	8,905	30
2007	93,195	28,062	16,786	8,532	31
2008	85,471	30,005	13,897	7,980	34
Total	344,303	109,470	67,352	34,761	128

Source: MOH HMIS

253. Since 2000 the annual attendance for ANC and skilled assisted deliveries has grown many folds. As a result the maternal mortality in health facilities has significantly dropped to a very small percentage. The current national MMR is 450 out 100,000.

Table 32  
**Leading causes of Morbidity and Mortality**  
 Top five of leading causes of Death in 2008 for Age <1 year at national level

No.	Name of causes	No. of cases	per cent
1	Pneumonia	131	23.31
2	Total Prenatal and neonatal problem	111	19.75
3	Diarrhea all forms	96	17.08
4	Anemia and Malnutrition	92	16.37
5	Septicemia	65	11.57
	Total	495	88.08

Source: MOH HMIS

254. The top most leading causes of infant mortality in Eritrea during 2008 were pneumonia, prenatal and neonatal problems, diarrhea, anemia and malnutrition and septicemia. The total number of fatal infant cases in the health facilities was 495, accounting for 88.1 per cent of all infant deaths in the health facilities during that year. This attests to the fact that the previous predominant causes of infant mortality such as upper respiratory tract infections, TV, malaria, etc are no more significant. This is due to the efforts exerted at controlling communicable diseases.

Table 33  
**Top five of leading causes of death in 2008 for age 1-4 year**

No.	Name of causes	No. of cases	Per cent
1	Anemia and Malnutrition	202	42.8
2	Diarrhea all forms	94	19.92
3	Pneumonia	70	14.83
4	Septicemia	45	9.53
5	HIV and AIDS	8	1.69
	Total	419	88.77

Source MOH HMIS

255. The leading causes of child mortality among the 1-4 years of age are also similar to those of infant mortality. Anemia and malnutrition stands out as the single cause of death among this age group accounting for almost 43 per cent of the total mortality cases in health facilities during 2008.

#### **Maternity services**

256. In Eritrea, the MMR has been reduced from 998/100,000 Live Births (LB) in 1995 (EDHS); to 752 in 2002/03 (Dr. G. Mismay); and an estimated 450 in 2005 (The Lancet, October 2007). Although the achievement of reducing the MMR by half in the course of the ten years period from 1995 to 2005 can not be underestimated, the MMR level was still unacceptably high.

#### **Postpartum Care Services and Coverage**

257. The postpartum home visit is a new activity introduced at the end of 2006, where health workers would go and visit postpartum mothers and newborns in their homes. If the mother delivered in health facility, the first visit (6 hours) is done in the facility. If the mother delivers at home, Health Workers would be informed by the family members or TBA and they go and visit her and her newborn at home in 6 hours time. The second, third and fourth visits are done on the 6th day, 6th week and 6th month interval. Most of the zobas have introduced this activity except one zoba.

258. As a result service providers have been able to identify life threatening postpartum complications to the mother and the newborn, which are either managed at home or referred for management at health facility. The lesson learnt is that it is not only attending births that matters, but also providing care during the postpartum period where most maternal and newborn deaths occur.

259. More than 18,000 postpartum visits to mothers and neonates have been conducted in 5 zobas in the first 6 months of 2008. The number is expected to increase significantly with the expansion of postpartum visits in all zobas.

### **B. Contraceptive prevalence rates**

260. In addition to the contraceptives distributed or administered by the health facilities, male condoms are widely distributed through shops, bars, hotels and pharmacies. They are easily accessible for very nominal prices of one Eritrean Nakfa per a set of four pieces. In order to encourage access by people who shy out to be identified, condoms are sold through automatic vendor machines situated in secluded corners of big recreational centers and hotels.

261. There has not been a recent survey conducted and hence the contraceptive prevalence rate cannot be accurately estimated. However, it can be confidently stated that the fear and prejudices that prevailed before have faded away greatly. In order to help understand the general contraceptive usage, the following table provides the variety of contraceptives available and distributed or applied by the health facilities, as part of the reproductive health and family planning services rendered by the obstetrics/gynaecology hospitals and clinics during 2005-2008.



Table 34  
**Number of new clients provided annually with each method contraceptive by health facilities**

<i>Methods of contraceptive</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
Total Number of Information and Counseling-Only Visits	10,560	3,940	5,132	4,725
Spermicide	224	53	1,348	1,486
PILLS Progestin Only	2,632	1,231	4,983	4,592
PILLS Low Dose	4,215	3,873	1,662	1,471
PILLS High Dose	1,502	1,625	3	9
NORPLANT	31	7	36	38
LAM	29	47	52	79
VSC	0	13	0	0
IUD	479	112	138	423
INJECT. Noristerat	42	57	68	19
INJECT. Depo-Provera	5,738	9,491	8,042	10,334
Condom Male	13,590	3,077	2,573	9,309
Condom Female	338	41	160	245
Total clients served	39,380	23,567	24,197	32,730

*Source: MOH, HIMS, 2010*

262. Note that the figures do not include repeater clients served in the respective years. The trend of contraceptive users has been on the increase annually. The high number of clients in 2005 is due to higher attendance for counselling services only. Since 2006, the users of female condom has been relatively on the rise, probably revealing that more women are taking the liberty to seek contraceptives.

Table 35  
**B. Prevalence of cancer**  
**Number of different types of cancer reported from hospitals and health centers**

<i>Years</i>	<i>Prevalence of different types of cancer</i>		
	<i>Breast cancer</i>	<i>Uterus cancer</i>	<i>Cervix and ovary cancer</i>
2005	34	47	4
2006	57	23	4
2007	61	54	3
2008	60	35	8
Total	212	159	19

*Source: MOH, HMIS 2010*

263. The incidence of breast and uterine cancer has been increasing annually since 2005. This is probably due to the improved diagnostic capacity of the health services and improved access to health services due to the rapid expansion of health facilities.

Table 36  
**C. Sex differential among HIV/AIDS positive**

Years	Number HIV/AIDS positive people		Total	Percentage	
	Female	Male		Female	Male
2005	37,089	32,032	69,121	53.7	46.3
2006	41,416	34,379	75,795	54.6	45.4
2007	45,522	39,371	84,893	53.6	46.4
2008	50,808	40,224	91,032	55.8	44.2

*Source: VCT*

264. The number of people doing voluntary testing has been increasing due to the extensive awareness-raising and health education campaigns conducted by the various institutions established under the HAMSET program, as well as the establishment of VCT centers in all the administrative regions.

265. As the above table shows, there HIV prevalence rate is higher among females than males. Although there are no scientific studies that explain why the incidence of HIV is higher among females than males, it is suggestive that women's lower social and economic status may be a contributing factor.

Table 37

**D. Prevalence of HIV/AIDS during pregnancy**

Years	Number HIV/AIDS positive during pregnancy
2005	1.95 per cent
2006	1.19 per cent
2007	0.88 per cent
2008	0.81 per cent

*Source: PMTCT*

266. The incidence of HIV among pregnant mothers has shown significant reduction during the recent years.

## Article 13: Economic and social life

### Family benefits

267. Over 80 per cent of the Eritrean society resides in rural areas making out its living from traditional subsistence farming. The social and family life is largely characterized by traditional values and relationships.

268. The customary laws and values pronounce that the family is a sacrosanct entity whose members, irrespective of their sexual characteristics, are bound by strong mutual respect, love and support for the common good. But still there are the gender prejudices in the ownership, control and benefit of resources, inherent in patriarchal societies.

269. As elaborated under articles 1-3, the government has been taking constitutional and legislative measures to ensure the equal and full advancement of women for the benefit of exercising and enjoyment of their rights in all fields, including the right to family benefits.

The Constitution under Chapter III: Fundamental rights, freedoms and duties Article 22 on Family provides that:

1. The family is the natural and fundamental unit of society and is entitled to the protection and special care of the State and society.
2. Men and women of full legal age shall have the right, upon their consent; to marry and to found a family freely without any discrimination and they shall have equal rights and duties as to all family affairs.
3. Parents have the right and duty to bring up their children with due care and affection; and, in turn, children have the right and the duty to respect their parents and to sustain them in their old age.

270. Under Article 652 of the Civil Code further ascertains the right of women to family assets and benefits asserting that:

“The salaries and the income of spouses shall be common property”

“All property acquired by the spouses during marriage by an onerous title and which has not been declared by the family Arbitrators to be personal property shall be common”

“Property donated or bequeathed conjointly to the spouses shall be common, unless otherwise stipulated in the act of donation or will”.

#### **Access to banks and credit facilities**

271. There are no legal restrictions or discrimination against the rights of women to bank loans, mortgages and other forms of financial credit. The banks and other financial institutions apply the same financial or collateral criteria for all persons in providing loans.

272. As a precautionary safety-net against default or fraud, in the case of married couples, either of them is required to obtain a written consent of the wife or husband in order to enter into mortgage contract for real estate or other investment. This is aligned with Article 652 of the civil code that ascertains the assets and property of married spouses as a common property and liabilities arising from mortgages or loans against family assets becomes as well a common responsibility.

#### **Recreational activities**

273. Concerning the equal rights of women to participate in recreational activities, sports and all aspects of cultural life, the government has been striving to encourage women’s participation. However, it has to be recognized that the traditional recreational occasions are associated with wedding ceremonies, religious festival and other cultural events. Such recreational events have social characteristics and are enjoyed jointly by men and women, the young and adults alike without discrimination.

274. Sports activities are mainly limited to the urban settings. The most popular sports are football, basketball, volleyball and athletics. These are organized on the levels of federations. Other types of sports such as cycling, ground tennis and billiards are developing at club levels. The National Sports Commission has been established under the Proclamation No. 131/2003 with clear mandates to draw policies and strategies on sports, to ensure the equitable distribution of sports opportunities across the country and to supervise the implementation of policies and strategies. The commission headquarters is based in Asmara, and it has structures that stretch to the regional and sub-regional administrative units.

275. At present there are several sports federations that include women members in the governing bodies. The National Olympic Committee is formed of four members and one is a woman. The National football federation has one woman member out of eight. The national athletics federation has one board member out of eight. The cycling, basketball, volleyball and swimming federations have each a woman represented in the boards. Within each of the sports federation, there is a three-women committee that is charged with the task of following women's participation in their respective field of sport and creating awareness among women. The ground tennis federation has two women members.

276. In all these types of sports women actively participate as individuals and in women's' teams. In schools sport is included as compulsory subjects at all levels. Therefore, the participation of women in sports activities is expanding, albeit its limitation to schools and mainly the urban areas outside schools.

### **Fine arts**

277. There are several diverse traditionally based creative and decorative arts in all ethnic groups of Eritrea. Most of the creative and beautification arts are traditionally associated with the roles of women.

278. These traditional works of producing artifacts include embroidery, weaving with straw, beadwork, pottery, weaving, leatherworks and sewing, mainly to meet the households' domestic needs.

279. Recognizing the importance of developing fine arts, the government has been encouraging training of men and women in modern fine arts including music, dramas, painting, photography, poetry, etc. The sports and cultural affairs of the Ministry of Education in collaboration with the PFDJ have been striving to open up schools, both private and public in various fields of fine arts. Music and arts clubs are being established in all secondary schools as part of the comprehensive extra-curricular activities, with instructors, financial and material support given by the MOE and PTAs. The participation of women in all fine art training and production activities is encouragingly expanding. It has to be recognized such modern fine arts are mainly limited to urban settings and it will require, time, human and financial resources to expand it meaningfully to the rural areas.

## **Article 14: Women in rural areas**

### **Rural women and agriculture**

280. The contribution of women to the agricultural sector in rural Africa is about 73 per cent (IFAD, 1993: 6). In Eritrea, women's contribution to the agricultural sector is estimated at about 60-80 per cent. This contribution is largely observed in rural areas where most of the traditional agriculture is carried out.

### **Main focuses of the agricultural sector policy**

The Agricultural Sector Policy of the State of Eritrea focuses on:

1. Ensuring food needs are secured both at household and National level,
2. Creation of employment and increasing agricultural returns,
3. Ensuring the production of exportable agricultural commodities,
4. Ensuring the production and availability of raw materials to the national factories and industries, and

5. Ensuring the proper management and utilization of environment and natural resources.

281. In order to enable rural women improve their standards of living and secure their food needs, the Ministry of Agriculture (MoA), designed various development programs. Some of the programmes are to:

- Ensure that women have access to land (farm land for horticultural & forage crops production);
- Introduce modern agricultural technology (drip & sprinkler irrigation systems);
- Develop agricultural infrastructure (farm layout and leveling);
- Distribute agricultural inputs that increase agricultural productivity (improved seeds, fertilizer, pesticides);
- Organize training programs on agriculture;
- Provide material support (water pumps, dairy cows, chickens and chicken feeds, farm implements), and
- Provide micro-credit.

The MoA plays a key role in the improvement of standards of living of women through the distribution of agricultural inputs

#### **Credit distributed among rural women**

282. There have been several credit and saving schemes operated nationally and at region administrative levels. Among the prominent schemes is the Saving and Micro-Credit Program (SMCP), with its headquarters in Asmara, has extensive coverage, especially in the rural areas. The program aims to avail the critically lacking resources, including technical and financial, need for individuals and groups to invest in economic activities that would enable them to improve their livelihoods. Other micro and meso credit schemes are run by specific sectoral ministries, Eritrean Development and Investment Bank, the NUEW and NGOs.

283. As an illustration of the participation of women and gaining benefits from the schemes, the following table provides aspects of the relative representation of women and men clients of the SMCP during the period 2005 – 2008.

Table 38  
**SMCP clients by sex and year**

<i>Year</i>	<i>Number of Female clients</i>	<i>Number of Male clients</i>	<i>Total Clients</i>	<i>per cent of Female Clients</i>
2005	9,976	14,595	24,571	40.6
2006	10,887	16,012	26,899	40.4
2007	12,704	20,763	33,467	37.9
2008	15,973	24,982	40,955	39.0

*Source: SMCP, Asmara office, 2010*

Table 39  
Southern Zone (Dehub) Credit Scheme Clients

Year	Urban			Peri-urban			Rural			Total	
	F	M	F per cent	F	M	F per cent	F	M	F per cent	Total	F per cent
2005	2,176	2,203	49.7	2,611	2,644	49.7	6,093	6,169	49.7	21,896	49.7
2006	2,717	2,723	49.9	3,261	3,267	49.9	7,608	7,622	49.9	27,198	49.9
2007	2,883	2,879	50.0	3,459	3,456	50.0	8,073	8,063	50.0	28,813	50.0
2008	3,224	3,120	50.8	3,868	3,743	50.8	9,025	8,734	58.0	31,714	50.8

*Source: Southern Zone Saving and Credit Scheme Office, May 2010*

284. The participation rate of women in the southern zone saving and credit scheme has been steadily increasing, gradually attaining equal percentage with men during 2007 and 2008, constituting respectively 50.0 per cent and 50.8 per cent of the total clients. This demonstrates the efforts being exerted and the accomplishments being made in enabling women, especially women heads of households to become economically self-relying and to improve their economic and social status. As the statistics attest, attention is given more to the rural and peri-urban women.

285. The MoA, in collaboration with the Eritrean Development & Investment Bank (EDIB), actively participate in the facilitation of credit services. This is shown below:

#### **Agricultural inputs disseminated to women headed households**

286. Besides the provision of agricultural inputs that increase production and productivity, the MoA also provides technologies and livestock to women so as to enable them generate income and improve their nutritional status. Some of the inputs provided to women during last 10 years are presented below:

Table 40

#### **Other agricultural inputs distributed to women-headed households**

No.	Distributed Input	Unit	Year of distribution	Amount distributed
1	Water pumps	No.	2005-2008	56
2	Chickens	No.	2005-2008	82,668
3	Dairy goats	No.	2005-2008	5,467

*Source: MoA annual report*

287. In order to boost farm productivity and improve the standards of living, the Ministry of Agriculture has been encouraging women headed households by distributing various inputs free of charge and on credit.

#### **Trainings given to rural women by the MoA**

288. Due to the recognition that women are the nucleus of a family engaged in almost all agricultural production the MoA has been providing them with training on various agricultural fields in order to increase yields of agricultural products and improve the standards of living of women. The participation rate of women in the various trainings is almost equal to that of men, with some variation in certain field of training. Some of the trainings given by the MoA include:

Table 41  
**Training conducted**

<i>No.</i>	<i>Training type</i>	<i>Female</i>	<i>Total</i>	<i>per cent of women</i>
1	Fruit tree nursery station management	11	31	35.5
2	Fruit tree grafting	17	37	45.9
3	Marketing and Information	6	15	40
4	Post harvest management	10	30	33.3
5	General Agriculture	115	200	57.5
Grand total		159	313	50.8

Table 42  
**Multi disciplinary training provided to improve standards of living of rural women (not disaggregated by gender)<sup>4</sup>**

<i>No.</i>	<i>Type of training</i>	<i>Year</i>	<i>Number of Female trainees</i>	<i>Remarks</i>
1	Making of energy-saving smokeless stove	2005- 2008	1264	Only 13 males.
2	Horticulture production and water pump management	2005	221	
3	Credit and savings	2005	70	
4	Refresher course in general agriculture	2006	17	
5	Mother and child care	2007	50	
6	Back yard horticultural crops production	2007 & 2008	145	
7	Food preparation and feeding	2007	95	
8	Sanitation and health care	2007	60	
9	Yield increment technique	2008	110	
10	Traditional hand crafts making	2008 & 2008	135	
11	Soil and water conservation	2008	156	
Grand total			2,323	

#### **Academic qualification of MOA staff**

289. A total of 31.2 per cent of the MOA staff is made up of females. The percentage of female representation among higher professional qualifications (diploma and above) is 25.7 per cent. These figures are low compared to the participation of males. However, considering the traditional gender roles and occupational segregation that prevailed in the past, there has been significant progress in the enrolment of women in the agricultural professions.

<sup>4</sup> Source: MoA annual report.

Table 43  
**MoA employees by Academic qualification<sup>5</sup>**

<i>No.</i>	<i>Employees</i>	<i>Above certificate</i>	<i>Certificate and below</i>	<i>Total employees</i>
1	Female	550	519	1,069
2	Male	1,589	768	2,357
	Total	2,139	1,287	3,426
	Female per cent	25.7	40.3	31.2

#### **Rural women and access to energy**

290. In rural Eritrea the main sources of energy are woody biomasses and sun-dried cow dung. Women and their children bear the responsibilities of fetching fire wood and dung in order to prepare food for their family and warm their bodies during cool season. But, the use of fuel wood in turn has an unbearable consequence on the environment and health of rural population.

291. The Government of Eritrea, therefore, having realized the impact of lack of appropriate source of energy on the environment and economic growth of the nation, is working hard to install/disseminate solar, wind and geothermal energy.

#### **Programmes or plans of the Ministry of Energy and Mines (MoEM) in favour rural women**

292. The MoEM, in all its programmes and on going activities has clearly indicated that, its goal is to work to improve the standards of living of the women and their children in particular through the introduction of eco-friendly and healthy sources of energy. This is because, the government believes clean, safe and efficient source of energy is crucial to the improvement of rural livelihoods, and especially to the health and safety of women and children.

#### **Sources of energy introduced by the MoEM in rural Eritrea**

293. The Ministry has, so far disseminated the following energy sources in order to improve the standards of living of Eritreans.

Table 44  
**Solar energy introduced in all Zobas of Eritrea**

<i>No.</i>	<i>Zoba</i>	<i>Solar water pumps</i>	<i>Solar home system</i>	<i>School light</i>
1	Maekel	12	150	12
2	Debub	48	10	23
3	Anseba	80	0	12
4	Gash-Barka	125	475	8
5	N. Red Sea	52	0	4
6	S. Red Sea	18	0	13
	Grand total	335	635	72

<sup>5</sup> Source: MoA Administration and Finance Division



294. Extensive rural electrification program has been underway in Eritrea during the past decade and half. Hundreds of villages that have never seen electric power supply are now connected to the urban electrification grids and the livelihood of the rural population is being rapidly transformed.

295. In addition to the electrification network, the Ministry has been engaged in the introduction of renewable sources of energy, with emphasis on the remote and isolated places. These include solar panels and wind turbines. Already the ministry has installed about one mega watt of solar energy through out the country. This solar energy is mainly in use in the generation of electricity to rural households, health centres, telecommunication stations and rural water supply systems.

296. With regards to the installation of solar generated water pumps, the Ministry has been able to improve the health status of rural households as it has reduced the exposure of rural women to water borne diseases.

Table 45

**Wind energy introduced in rural Eritrea**

<i>No.</i>	<i>Zoba</i>	<i>Wind water pump</i>	<i>Wind electric supply</i>
1	Debub	3 kw in Dekemhare	20 MW planned
2	Southern Red Sea	5 kw at Gahro	30, 10 & 5 kw at Berasole, Eddi, Rahaita, Beilul and Gahro installed.
Grand total		8	45kw so far installed.

297. As shown in the above table, the MoEM is also introducing wind energy in Debub and Southern Red Sea regions. So far about 8 kilowatt wind run water pumps have been installed and in use in Dekemhare and Gahro. Besides, there is a plan to implement 20 megawatt wind generated electricity in Debub region.

Table 46

**Dissemination of energy efficient smokeless clay stoves, “Adhanet”**

<i>No.</i>	<i>Zoba</i>	<i>Number of erected stoves</i>
1	Maekel	21,000
2	Debub	27,000
3	Anseba	8,000
4	Gash-Barka	22,600
5	Northern Red Sea	4,500
6	Southern Red Sea	2,500
Total		85,600

298. The MoEM is also striving to improve the livelihoods of rural women and families through the expansion of provision of improved stove ‘adhanet’. The introduction of an energy saving (fuel wood) and less hazardous to health coking stove named “Adhanet” is also another indispensable program which the MoEM in collaboration with the MoA is implementing. The dissemination of the stoves in rural Eritrea has enabled:

- women improve the sanitation and health of rural families,
- to reduce the indiscriminate felling of trees for fuel wood, and
- to reduce time women and their children used to spent in the collection of fuel wood.

### Rural women and access to land

299. Land Proclamation 58/1994 aims to ensure all Eritreans residing in the rural areas have equal access to land; both for agricultural activities and for housing. According to the proclamation all land in Eritrea belongs to the State (Article 3). It repeals traditional land tenure systems (Article 39) that have until recently been in use in some parts of the country.

300. The proclamation guarantees all Eritreans above 18 years of age, without discrimination, the right to access land based on the usufruct principle (Article 4). This article states, the government will allocate land equitably and without discrimination on the basis of race, religion or gender. This system is expected to reinforce security of tenure, and thereby improve the status of deteriorating land.

### Land distributed since the enforcement of Proclamation 58/1994?

301. Since the implementation of the proclamation, that is 1994 to 2005, the Department of Land has distributed land for significant number of Eritreans for the under mentioned purposes.

Table 47

#### Land distributed to male and female heads of households

<i>No.</i>	<i>Land category</i>	<i>Females</i>	<i>Males</i>	<i>Total</i>	<i>Female per cent</i>
1	Housing (Tessa) land	25,618	41,326	66,944	38.3
2	Commercial agriculture (concessions)	326	2,095	2,421	13.5
3	Commercial enterprises	1,189	2,677	3,866	30.8
	Total	27,133	46,098	73,231	37.1

### Rural women and environment

302. The Department of Environment of the MoLWE believes sustainable development can be attained by securing a healthy viable environment. Hence, it conducts environmental awareness raising and sensitization programs through out the country. Besides, it has included environment in the educational curriculum to be thought in levels of schools and institutions of higher learning.

303. The department carries out orientation programs on the proper use and application of pesticides to women involved in agricultural activities, as well as provided support to rural communities to construct their own latrine pits and apply proper waste management practices;

304. Besides, the department is engaged in raising the awareness of women working in factories and industries to protect themselves from dangerous chemicals.

305. It sensitizes and trains rural women to construct and utilize clean energy efficient energy appliances such as the smokeless cooking oven known as “Adhanet”. Moreover, the department is exerting efforts to enforce the relocation of some dangerous factories away from residential quarters and water sources.

### Access of rural women to clean water

306. In order to ensure rural women lead a healthy life, the Ministry of Land, Water and Environment (MLWE) in its policy aims at ensuring that all Eritreans have access to adequate and clean water supply. The approach is fair to women and children, in that it

strives to alleviate their burden of toiling to fetch water from long distances. Up-grading the quality of sanitation and health of the female and male population through the provision of adequate safe water is the ultimate aim. The Department of Water Resources of the Ministry has mainstreamed gender in its National Action Plan.

307. Training is a persistent component of the water supply projects given to community members in order to enable them to properly manage their resources of water. Besides the department establishes village committees which are mandated with the administration and management of water resources. After developing water points, the department establishes Water Sanitation and Hygiene committees in every village (WASH). It is mandatory to have one third of the members of WASH committees and in training of the WASH committee members.

### Coverage of clean water supply in rural Eritrea

308. In Eritrea, before May 1991, the availability of clean water sources was only limited to the major cities and towns. Hence, the coverage was insignificant as it was not benefiting the majority of the population which resides in rural areas. In the past few year, the coverage has drastically improved due to the concerted efforts made by the government to improve the water security of the country, with focus in the rural areas.

Table 48

#### Coverage of clean water supply by zobas

No.	Zoba	Coverage ( per cent )	
		2005	2008
1	Maekel	16.6	95
2	Dehub	26.2	67
3	Anseba	16.7	76
4	Gash-Barka	21.9	85
5	Northern Red Sea	9.7	55
6	Southern Red Sea	21.5	74
National average		20.3	75.3

*Source: CEDAW/C/ERI/1-2 and Water Resources Department, 2009.*

309. The coverage of clean water supply has risen from as low as 20.3 per cent to 75 per cent in 2008. The changes during the past 4 years have been drastic, demonstrating the commitment of the Government to the improvement of livelihoods of the female and male population. This explains why diarrhea and waterborne diseases that used to be among the leading causes of mortality and morbidity are no more significant health problems.

310. The development of sources of potable water is based on certain criteria. The major criteria are the size of the population and the productivity of water sources. Hence, the department has been involved in the installation of manual, solar, motorized and electrical water pumps. The standard applied are:

1. Villages with less than 200 households are provided with hand pumped wells;
2. Villages inhabited by 500 households are provided with solar water pumps; and
3. Villages inhabited by more than 500 households are provided with motorized water distribution.

### **Article 15: Legal capacity in civil matters**

311. The Constitution of Eritrea consigns all persons with equality before the law, and prohibits any form of discrimination based on diversity of sex, religion or any other creed. Women are accorded equal opportunities, in all legal matters including civil matters, to that of men in exercising their rights.

312. There are no legal distinctions that treat women differently than men in all stages of procedures in courts and tribunals. Women's rights to conclude contracts and to administer property are given equal respect and validity to those of men. Women have equal rights as men to inherit family property. Women can freely choose to appear in courts in person or use the services of attorneys. The judicial system is equally open for men and women to work in any capacity. In deed, the Ministry of Justice is a woman and women's representation at the various court functions and ranks, including performing as magistrates in the High Court, as lawyers, registrars, legal advisors and attorneys-at-law is slowly increasing. For example 10 per cent of the high court judges and 12 per cent of the zonal court judges are women. At least one of the three magistrates at village level is a woman.

313. In practical terms however, it is acknowledged that most of the Eritrean population is not well versed in legal matters. A lot remains to be done in enlightening the population at large and women in particular, on their constitutional and legal rights and to get rid of the implicit traditional attitudes. To this effect the NUEW provides periodic legal literacy training to women.

314. Equal legal rights of women to men with regards to movement of persons and the freedom to choose their residence and domicile is constitutionally guaranteed under Article 19 of the Eritrean Constitution. The article articulates that every citizen has the right to move freely throughout Eritrea or reside and settle in any part thereof. This repeals the customary laws that required a wife to be domiciled in the village of the husband.

315. The drafted civil code and the Transitional Civil Code (TCC) under Article 12-Freedom of residence further provides that every person is free to establish his residence wherever it is suitable for him and to change the place of such residence and the undertaking of a person to reside in a particular place shall be of no effect under civil law. Article 13 on the inviolability of domicile also states that the domicile of a physical person is inviolable and that no one may enter the domicile of another against the will of such person; neither may a search be affected therein, except in the cases provided by law.

316. In the case of married couples, the TCC provides the right to choose residence for both spouses stating that the common residence shall be chosen by common agreement of the spouses. If a dispute arises between them regarding the choice of common residence, each of them may apply to family arbitrators for resolution. The Family Law (proclamation 1/1991) enshrined equal status of both spouses and keeps the best interest of children, the mother and family annulled the previous colonial civil code (article 635) that entrusted sole decision-making powers to husbands as the family heads.

### **Article 16: Marriage and family relations**

317. Under Chapter III – Fundamental Rights, Freedoms and Duties the constitution, in Article 22: Family ensures that men and women of full legal age shall have the right, upon their consent; to marry and to found a family freely without any discrimination and they shall have equal rights and duties as to all family affairs.

318. Under the drafted civil code and the TCC (Transitional Civil Code) of Article 837 it is stated that ‘The sex, age, nationality of heir shall not affect in anyway the ascertainment of his right to succession’. It is clear also that all family members get inheritance with out distinction to sex.

319. The law entrusts equal responsibilities with regard to guardianship, trusteeship and adoption of children, or similar institutions and the interests of the child are paramount. Under Chapter II- Offences against the family, section III: Offences against Compulsory Registration and Family Duties Of the criminal law, Art. 625 on Failure to maintain children, the criminal code of Eritrea states that whosoever, without good cause:

(a) refuses or omits to provide the allowances, necessities of life or maintenance which he owes, by virtue of family rights or of a judicial decision, to his ascendants or descendants, or to his spouse, even where divorced; or

(b) Fails to meet the financial obligations he has incurred, by virtue of law, of a judicial decision or of a formal undertaking, towards a woman whom he has made pregnant out of wedlock or towards his natural child, is punishable, upon complaint, with fine, or with simple imprisonment not exceeding six months.

320. Art. 626 (1): Failure to bring up further pronounces the common responsibility of parents to care and maintain the interests of the child, stating that a parent or the person exercising paternal authority, who, for gain or in dereliction of his duty:

(a) Grossly neglects the children under his charge and abandons them without due care and attention or to moral or physical danger; or

(b) entrusts a child for a long time to a person, an organization or an institution with whom or where he knows, or could have foreseen, that it will be reduced to physical or moral destitution, or will be physically or morally endangered, is punishable with simple imprisonment or fine. In grave cases, the Court may in addition deprive the offender of his family rights.

321. In the event of divorce, Article 206 of the TCC states that the father and mother, the tutor and the guardian of the child shall be appointed by the family arbitrators. Under the Eritrean customary laws divorces are mediated by the Family Arbitrators which in different means act as counselling and negotiators in divorces. The courts encourage the family arbitration as a principal mechanism for counselling and mending family disputes. Where a charge has been filed in courts, the arbitrators are required to submit written reports on the outcome of their efforts to the courts.

Table 49

**Number of matrimonial disputes filed by women in courts and pending or completed and granting redress claimed in the civil courts**

Year	Spousal Maintenance		Child Maintenance/ Support	
	Total Cases	Decided Cases	Total cases	Decided cases
2006	2395	1986	223	175
2007	3844	2684	279	216
2008	3469	2606	279	211

*Source: Ministry of Justice*

322. As regards to betrothal and the marriage of a child, the revised marriage law (1/1991) Article 46 prohibits underage marriage. The Age marriage for women is set at 18 years. The TCC under article 521 states that a man and a woman who have not attained the

full age of 18 years may not contract marriage. It further elaborates that in case the woman is pregnant or already has given birth to a child at the age of sixteen, dispensation may be granted from the rule concerning the marriage.

323. Women are given constitutional equal rights of inheritance and property distribution in the family. Article 23 of the constitution asserts that any citizen shall have the right, anywhere in Eritrea, to acquire and dispose property, individually, or in association with others, and to bequeath the same to his heirs or legatees.

324. Concerning a woman's equal personal rights as the husband, including the right to choose a family name, in Eritrea there is no such concept as changing family name after marriage. Each person, a woman or man maintains the family name of his or her line of ancestry, irrespective of his or her marital status. Regardless of the traditional practices, the personal rights of a woman to retain her family name are guaranteed by the drafted civil code and the TCC, under Article 40 (1): Name of a married woman.

325. Traditionally civil birth and marriage registrations were uncommon. However, civil registrations were voluntarily conducted in some municipal administrations such as Asmara. Besides, churches and mosques performed registrations of birth as part of their religious duties during baptism ceremonies. Now under Chapter II: Offences against the family, Section III: Offences against Compulsory Registration and Family Duties of the criminal law, article 623 has made birth mandatory. It states that:

(1) Relatives, doctors, midwives or the directors or administrative officers of medical institutions or clinics who fail to register the birth of a new-born infant with the appropriate civil authority, are punishable with a fine not exceeding five hundred dollars, or with simple imprisonment not exceeding one month.

(2) Whosoever, finding a new-born infant abandoned, fails to report it to the civil authority, is liable to the same punishment.

326. Although it will require the establishment of easily accessible registry offices through out the country, already measures have been taken to make it part of the municipal functions in the urban and semi-urban areas. Village administrations in rural areas have also recently started to keep birth registers.

327. Incest is criminalized in Eritrea by law. Under Chapter II: Offences against the family, Section I: Offences against the Institution of Marriage of the criminal law, Art. 621: Incest, pronounces:

(1) Performance of the sexual act, knowingly and intentionally, between ascendant and descendant, between brother and sister, or between any persons whose marriage is forbidden by the civil law on grounds of blood relationship, is punishable with simple imprisonment for not less than three months, or, according to the circumstances, with rigorous imprisonment not exceeding three years. The court may in addition deprive the offender of his family rights.

(2) Where the offender has committed incest with an infant or young person, the punishment is rigorous imprisonment not exceeding ten years. The infant or young person shall not be subject to punishment where he had been seduced by a person of full age. The necessary measures of protection, supervised education or correction shall be ordered in his regard.