



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

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## Committee on the Elimination of Discrimination against Women

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### Responses to the list of issues and questions for consideration of the combined initial, second and third periodic reports

#### Eritrea

#### Articles 1 and 2

#### Paragraph 2. Status of new codes

The draft civil and penal codes are at an editing review stage by experts. After this process is finalized, they will be submitted to and deliberated on by the National Assembly. In view of the introduction of gender-impartial provisions, they will directly contribute to the Government's implementation of its obligations under the Convention on the Elimination of All Forms of Discrimination against Women. They are, of course, subject to approval and enactment of the relevant proposed provisions by the National Assembly.

Transitional codes are still in effect. The legal revision process (preparation of six new codes, including civil and penal) is in progress. The Ministry of Justice estimates that the finalization of this process, including translation of the codes into Tigrigna and Arabic, will take another one to two years.

#### Paragraph 3. Status of the Convention in the national legal system

Eritrea ratified the Convention in 1995. The Convention was subsequently translated into the local language and widely disseminated, in particular among women.

However, like many other international conventions that Eritrea has signed, the Convention on the Elimination of All Forms of Discrimination against Women is not strictly part of the national legal system as yet. That will only be attained upon completion of a current Ministry of Justice project to harmonize and consolidate

Eritrean laws and to consolidate international instruments, treaties and agreements signed or acceded to by Eritrea. The Ministry of Justice is working with concerned Government ministries and other bodies to catalogue such instruments and lay down procedures and systems for systematic follow-up and implementation of the obligations therein. The process of consolidation is expected to be finalized in 2007.

Eritrea follows the dualist approach, as opposed to the monist one, with respect to international instruments ratified by the National Assembly. As a corollary, in the event of a conflict between the provisions of international instruments to which Eritrea is a party and the provisions of national laws, the latter prevail over the former.

#### **Paragraph 4. Mechanisms/remedies to address complaints**

With respect to mechanisms and remedies available to women with complaints of gender-based discrimination, it suffices to mention that under Eritrean law women can resort to the courts for judicial reviews to set aside and remedy any discriminating practice, including gender-based discrimination. Independent mechanisms, such as an ombudsperson, are not yet in place, however.

Currently, the National Union of Eritrean Women plays a role in that respect. The legal unit of the Union's head office hears complaints (especially with regard to matters relating to land distribution/ownership and family) and works with concerned authorities to address them. Such issues are usually referred by the Union's local offices all over the country. Officers with paralegal training are stationed in the main branches of the Union in all six regions of the country. To strengthen that function, the Union continues to provide legal literacy training to its members. A legal literacy manual is currently being prepared.

In addition, as a practice, different ministries look into gender-based discrimination complaints that come to their attention and use administrative remedies to address them.

Seventy-two young women, drawn from all ethnic groups, completed three-year legal training in a Ministry of Justice project specially designed for women. The graduates were subsequently, in 2003, assigned to their communities to work as staff of regional courts, interpreters, advisers and gender-issues advocates. Their presence is a valuable addition to strengthening the gender-sensitivity of the court system. Also see response to paragraph 28 below.

### **Article 3**

#### **Paragraph 5. Gender disaggregated data**

According to the *Millennium Development Goals Report 2005*, availability of gender-disaggregated data is fairly adequate in areas such as poverty (Living Standards Measurement Study and Participatory Poverty Assessment, 2003), education and nutrition, among others. In other areas it is less adequate or unavailable.

The Report recommends that in monitoring and evaluating their programmes, sector ministries will pay particular attention to disaggregating and analysing data by income or expenditure category, gender, region and urban versus rural location.

A gender analytical review of Eritrea's Interim Poverty Reduction Strategy and draft Food Security Strategy, conducted in March 2004, identified "lack of engendered data" and "minimal gender disaggregated indicators" among the key limitations to mainstreaming gender in the two documents. That is in spite of the fact that both documents integrate/address gender issues in important, albeit isolated sections.

A legal act for the establishment of a national statistics office is currently under preparation. The National Union of Eritrean Women has made a specific recommendation for the inclusion of clauses requiring the generation of sex disaggregating statistics.

The recently completed 2005 Common Country Assessment states that the United Nations System intends to assist Eritrea in the collection, analysis, dissemination and utilization of gender disaggregated data including the conduct of population and housing censuses and other sectoral surveys.

### **Paragraph 6. National machinery: National Union of Eritrean Women, its mandate and capacity**

The National Union of Eritrean Women has long been acting as the national machinery for the advancement of women in Eritrea.

A draft gender policy paper for Eritrea was prepared in 2005 and is expected to be published as a provisional document soon. According to the policy paper, "the NUEW is mandated to coordinate gender mainstreaming and advocate for the cause of Eritrean women". The paper further elaborates that "the NUEW is well placed to assume this responsibility on account of its: (a) historical role as champion of Eritrean women's liberty and advancement; (b) considerable experience in fighting for the rights of Eritrean women and in coordinating and implementing programmes to improve their conditions; (c) extensive grass-roots presence throughout Eritrea and substantial outreach capacity, and by virtue of all the above, (d) being the only organization in the country with a reasonable level of capability for overseeing gender matters".

According to the policy paper, the Union shall have adequate capacity, in terms of resources and technical capability in gender analysis, advocacy and coordination, necessary for carrying out its mandate. Therefore, notwithstanding its ability as an independent organization to generate its own revenues, it shall be supported from public funds.

The draft policy also proposes that the Ministry of National Development would play a role in supporting the Union to ensure gender mainstreaming across all ministries and sectors.

In an interview conducted in November 2004 on the occasion of the twenty-fifth anniversary of the National Union of Eritrean Women, the President of Eritrea reaffirmed the Government's appreciation of the Union's central role in advancing women's interests in Eritrea, and its function as coordinator of gender-related matters. He said:

Although, generally, the responsibility of ensuring the rights and equality of women is the task of the people and the Government, the NUEW takes a leading role in implementing the proper place of women in society. In order to

enhance and speed up the programmes I mentioned earlier, the Union must work creatively and proactively in drawing up concrete plans. But when I say this, it must not be understood that the task is the sole responsibility of the Union and it does not concern other Government organs and the public. The other Government organs and society must also bear the responsibility and work for its success. The NUEW has a great responsibility in promotion and awareness, advancing and coordinating the plans.

He further added:

In order for those lifelong ideals (values and achievements for women's issues) for which it paid heavily in martyrdom, to continue and keep their validity, the NUEW must conduct continuous awareness and educational programmes. It should not limit its activities to this, but also initiate concrete projects. It must evaluate and check each sector, and evaluate how the place and contribution of women has changed in the sectors. Then it can take responsibility for continuously pushing and speeding up the progress. On this occasion I would like to say that the whole of society and especially women in every corner of the nation, should struggle for women's issues.

The Union's capacity for promoting and monitoring gender mainstreaming has significantly improved in recent years. Capacity development efforts, including a new project supported by the United Nations Development Programme, have resulted in marked improvement in capacity. The Programme is currently providing capacity development support to the National Union of Eritrean Women focusing on (a) implementation of the National Gender Action Plan; (b) strengthening institutional mechanisms at the national, regional and local levels to address gender issues in public policy, resource allocation and to monitor gender initiatives in policy, programmes and legislation; (c) strengthening the capacity of organizations that represent women's interests and promote advocacy, networking and partnership for the advancement of women; (d) strengthening women's entrepreneurial skills, knowledge and capacities; and (e) supporting institutions to collect, analyse and disseminate gender-disaggregated data in their respective sectors and areas.

The organization Gender Action also provided capacity-building and mentoring support to the National Union of Eritrean Women to strengthen its gender mainstreaming skills. Gender Action also assisted the Union to conduct a comprehensive gender analysis of Eritrea's Interim Poverty Reduction Strategy and draft Food Security Strategy. A series of workshops of key stakeholder interviews were conducted that were to increase understanding of the importance of gender mainstreaming and its critical role in the two strategies. Among them was a stakeholder workshop that trained participants in gender mainstreaming. Stakeholders developed important recommendations for engendering Eritrea's forthcoming full poverty reduction strategy paper and final food security strategy.

## **Paragraph 7. National Plan of Action**

The five-year National Gender Action Plan for Eritrea, 2004-2008 was prepared on the basis of the critical areas of concern and outlines strategic objectives and planned actions. Critical areas for Eritrea identified in the Plan are:

- Women in power and decision-making

- Education and training of women and girls
- Women and health
- Economy, poverty and the environment
- Human rights, violence and women in situations of armed conflict.

The Plan of Action was prepared in harmony with the norms and provisions of the Convention on the Elimination of All Forms of Discrimination against Women. All strategic objectives and planned actions are in step with those provisions. The following examples explain that:

Strategic objective 5.1.1: Improve the deficiencies in human rights laws for women.

Actions to be undertaken:

(a) Identify, research and advocate for legislation for improving women's rights in Eritrea, especially harmonization of domestic laws with the Convention on the Elimination of All Forms of Discrimination against Women;

(b) Undertake activities that enable reform of gender-neutral laws and create awareness about them.

Strategic objective 5.2.2: Strengthen the implementation and monitoring of international and regional human rights instruments and enable females and males to know how to use them.

Actions to be undertaken:

(a) Design awareness-creation activities and disseminate information about the Convention and the Convention on the Rights of the Child, to all actors;

(b) Simplify and translate the above-mentioned human rights instruments in clear and understandable language formats;

(c) Train legal and paralegal personnel to strengthen the use of human rights instruments.

The Plan will be updated by the end of 2005 to further sharpen the actions proposed and make them more realistic and implementable.

## **Article 4**

### **Paragraph 8. Affirmative action in the national action plan, including gender policy**

Section 2, Guiding principles, of the draft Gender Policy states that, "special measures (affirmative action) shall be taken to correct long-standing imbalances and inequalities between men and women. These are temporary measures aimed at creating a fairer environment for women to reach a stage where they would be able to compete on an equal footing".

Under section 4.2, Political empowerment, the draft policy document further states that:

- To remedy the disadvantaged socio-political base from which Eritrean women have started, it will be necessary to take affirmative action aimed at encouraging their political participation.
- Affirmative action includes reserving seats for women in elected legislative bodies, at all levels, ensured by the relevant laws.

Under section 5, Strategies — the following is provided:

As indicated under the section “Guiding principles”, a policy of affirmative action shall be applied, as appropriate, to promote women’s access to education, skills training, employment, credit and other resources with a view to remedying women’s disadvantaged position. As a temporary measure, however, such policy would be discontinued, in any particular sector or area, when it would have achieved its aim — that is, at a stage where women would be able to compete on an equal footing in that sector or area.

The same section specifies entry points for integrating gender concerns in legislation, policies and programmes, including affirmative action measures.

As indicated in our report on the implementation of the Beijing Platform for Action (2004), Eritrea’s strategy is to pursue gender mainstreaming side by side with women-specific programmes. In addition to a wide range of programmes and projects aimed at enhancing women’s access to, inter alia, productive resources and skills training, the limited affirmative action initiatives, pertaining to quotas in legislative bodies and admission rates to certain education institutions, are part of the strategy.

Another official document where the need for affirmative action for women is stipulated is the interim poverty reduction strategy paper mentioned above. It states:

Through direct affirmative action and other measures the poverty reduction strategy paper resolves to enhance women’s participation in the political, economic and social spheres and pledges to make women both active participants in and target beneficiaries of the poverty reduction activities outlined in the strategy.

The interim poverty reduction strategy paper further specifies measures to improve women’s access to employment openings in both the public and private sectors, as well as to enhance their opportunities to access land, financial credit and skills-training services.

## **Article 5**

### **Paragraph 9. Culturally entrenched stereotypes**

Under strategic objective 4.1.3, the national gender action plan states the following:

Strategic objective 4.1.3: Establish a programme to address and eradicate the cultural and traditional constraints that affect women’s well-being and gender equality.

Actions to be undertaken:

(a) Carry out research to identify the persistent negative and cultural practices that affect women's economic capability;

(b) Develop an advocacy tool to popularize information on negative cultural and traditional practices;

(c) Establish a public education programme to change negative traditional stereotypes.

One of the active fronts in that regard is education. The Ministry of Education attempts to sensitize all teacher trainees in gender issues. Its new sector policy also resolves to review the curriculum and teaching materials with a view to making them more gender-sensitive (also refer to our response to para. 16 below).

### **Paragraph 10. Violence against women**

Due to the lack of a well-developed mechanism for collecting data, detailed information on the form and extent of violence against women is not available. As far as the statement in our report is concerned, it is mainly focused on female genital mutilation, which is practised throughout the country and which we were trying to underline.

### **Paragraph 11. Rape**

No legislation has yet been issued with respect to combating the issue of avoidance of prosecution of rapists through subsequent marriage with the victim.

### **Article 6**

#### **Paragraph 12. Trafficking**

Women's trafficking is not an issue in Eritrea and, therefore, no cases could be traced in the records of courts or other law enforcement bodies. A slight concern exists, however, with regard to Eritrean women travelling for work to other countries, especially in the Middle East. Personnel of Eritrean diplomatic missions in the concerned countries are briefed on pertinent legal and protection issues.

### **Article 7**

#### **Paragraph 13. Women in political and public life**

A recent major initiative is the unprecedented representation of women in the local judicial structures. In the elections for community courts conducted in 2003, 20 per cent of the elected community court judges were women. That is a major step in a country where traditional/village judges were, hitherto, 100 per cent male. Also, significantly, women make up 15 per cent of all central judges elected.

In 2003, the National Union of Eritrean Women organized a workshop on women and the law in which experts from the subregion of East Africa participated. The focus was on the Eritrean context with lessons shared across the subregion. The

workshop's recommendations were passed, among others, to the legal reform committee for its consideration. The Ministry of Justice was among the participants and has already proceeded to implement some of the key recommendations. They include: (a) stipulation of the requirement to reserve one seat (out of three) in the community courts countrywide; (b) expansion of the legal literacy programme; and (c) introduction of mobile courts with a view to improving access to the most remote areas.

In the latest regional legislative elections conducted in 2004, 28 per cent of all elected lawmakers were female. In the Central Region, the proportion is 34.3 per cent. Of the six regional assembly chairs/speakers one is a woman, while the secretary of another regional assembly is also a woman.

Advancement of women and ensuring gender equity in governance are among several areas identified (by Government and United Nations partners) in the 2005 common country assessment, which will receive support from the United Nations system in the new United Nations Development Assistance Framework process. The envisaged assistance will include, inter alia, prioritizing pro-poor and gender responsive budgeting approaches (refer to annex II for additional data).<sup>1</sup>

## **Article 8**

### **Paragraph 14. Representation in international affairs of the country**

Apart from the overall drive to improve the conditions that help women to be more competitive, as well as the general policy to open up higher positions to women, there are no particular initiatives, at present, to address women's representation in international affairs.

## **Article 10**

### **Paragraph 15. Education**

With respect to gender equality in education, Eritrea had made remarkable progress until the 1998 border war. As the Millennium Development Goals Report, 2005 found, the ratio of girls to boys at the elementary, middle and secondary levels had reached 80, 84 and 65 per cent, respectively, by 1993-1995. The comparable figures for 2001-2003 were 81, 80 and 57 per cent, respectively. Refer to annex I for details.<sup>1</sup>

The Government, with the support of the development partners, has prepared an Education Sector Development Programme to guide, scale up and accelerate developments in the sector. In the context of that programme, the Government is redoubling its efforts to achieve universal primary education and gender equality at all levels of education as called for under the Millennium Development Goals.

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<sup>1</sup> Annexes referred to herein are to be submitted to the Committee on the Elimination of Discrimination against Women.



The Education Sector Development Programme document of April 2005 outlines the main strategic elements to advance girls' and women's education as follows:

- Raising gender awareness of communities is the key to successful mainstreaming of gender education;
- Undertake training and mobilization campaigns for communities;
- Prepare gender-awareness materials to sensitize communities and teachers about gender issues in general and sociocultural practices that hamper the participation of girls and women in education;
- Strengthen relations between schools and communities through devolution of responsibilities of school management to the school and community level.
- Reviewing the national curriculum and teaching materials, in both general education and teacher training, to make them more gender sensitive; and accelerating integration of reproductive health education in the curriculum;
- Increasing the number of female teachers in schools by expanding female enrolment in teacher-training institutions;
- Opening boarding schools and hostels for girls in remote areas, as well as for nomadic and semi-nomadic communities;
- In particular, ensuring that girls enter first grade at the proper time (age 7) and progress normally through the system;
- Expanding opportunities for women in non-formal education including adult education and skills training;
- Improving the collection and production of sex disaggregated data on education and enhancing gender-based research and monitoring of progress towards Education For All Millennium Development Goals.

In addition, to the extent that resources permit, the Government will:

- Provide guidance and counselling services to help girls overcome problems that affect their education;
- Provide girls from low-income families with financial support as an incentive to compensate for the opportunity cost of their attendance;
- Conduct extra tutorial classes in core subjects for girls in need of support.

The Government is taking active measures to address the inequity, including scholarships for girls, bringing classrooms nearer to communities and building hostels for girls.

The Education Sector Investment project, a major programme funded by the World Bank, is expected to make significant impact. The project will contribute to equitable educational opportunities for girls and other disadvantaged groups by expanding access to basic and elementary schools, especially in rural and disadvantaged areas, reduction in travel distance to schools, the recruitment of qualified female teachers, introduction of pedagogical approaches sensitive to gender and culture, piloting incentives for girls and other disadvantaged children and strengthening the Mai-Nefhi Institute of Technology. A teacher-training

programme in the Institute exclusively serves teacher trainees from marginalized, ethnic minority and nomadic groups.

One key area where the National Union of Eritrean Women and the Ministry of Education (as well as local government authorities) are closely collaborating is the national literacy campaign. Between 1997 and 2003, of the 249,000 adults who participated in the campaign, over 143,000 completed the programme. In the period mentioned, 132,000 adult women became literate (Ministry of Education, 2003). The completion rate for females was markedly higher (71.3 per cent) than for males (about 48.4 per cent). Another positive aspect of the programme was its steadily incremental enrolment, from 11,500 in 1997-1998 to 56,780 in 2002-2003. In 2002, the programme, in which more than 90 per cent of the participants are women, received the International Reading Association Prize from the United Nations Educational, Scientific and Cultural Organization (UNESCO) (see annex III for further information on this topic).<sup>1</sup>

### **Paragraph 16. Stereotypes in education**

The Ministry of Education, through its Supervision, Examination and National Assessment Division and in collaboration with other partners, is currently implementing community sensitization and mobilization activities to promote the education of girls and other disadvantaged children. Funds allocated for that sub-component will support the continued implementation of the Ministry of Education's programme which includes: carrying out sensitization and community mobilization campaigns in all 57 subregions, with particular attention to the lowland areas where the participation of girls and children from ethnic minority and nomadic groups is low; development of gender-sensitive and equitable (pro-poor) communication activities; community mobilization, including harnessing support of prominent figures and local and religious leaders; and capacity-building at the local level.

The Asmara Teacher Training Institute also attempts to highlight gender issues in all its curricular work with students.

### **Article 11**

#### **Paragraph 17. Economic participation, employment opportunities**

Because so many men were mobilized for national defence in recent years, more and more women are now occupying jobs previously held by men, particularly in the construction sector. That also means that a large number of women are presently the heads of their households.

Actively encouraging more women to join vocational training programmes is one of the priorities of several ministries, including the Ministries of Agriculture, Tourism, Education, Health, Trade and Industry and Defence.

The concerned Ministries, in collaboration with the National Union of Eritrean Women, have been actively promoting their participation, including by assigning large quotas. In some programmes the majority of participants were women (for example: tourism industry trainees — out of the 780 trainees in the last five years,

87 per cent were women). Out of all 2,600 graduates in health-related professions between 1991 and 2003, 44 per cent were women. In other sectors their participation was less but still significant.

The Ministry of Trade and Industry has also been a key provider of training to women, focusing on traditional industries. Over 500 women were trained in 2005 in traditional textile weaving techniques. Another project for training women in clay-based crafts is under way.

### **Paragraph 18. Participation in the informal sector**

The issue of the informal sector in Eritrea is somewhat different from most developing countries. Most businesses, however small and peripheral, are registered and licensed. They are, therefore, not “informal” in the strict sense. It therefore makes more sense to speak in terms of the size/value of the business.

About 30 to 40 per cent of all micro, small and medium enterprises in Eritrea are owned by women. They account for about 66 per cent of businesses in the manufacturing sector (in particular, brewing of local drinks; basket, mat and broom making; and the production of juices). Forty per cent of businesses in the trade sector (small hotels and guest houses, petty trade, tea houses and retail) are women owned, as well as 25 per cent of service-oriented businesses (hair salons, hair braiding and rental services). In addition, 40 per cent of all employment in micro, small and medium enterprises is in female-owned enterprises, which tend to be smaller than those owned by men.<sup>2</sup>

### **Paragraph 19. Labour, women in the workplace**

The Proclamation is now in full effect. The National Confederation of Eritrean Workers has conducted a series of workshops and publicity programmes to familiarize workers with the provisions of the new Proclamation. One of the Confederation’s organs is the Committee for Working Women, which took an active part in those campaigns. The presence of women in the councils and executive bodies of all five federations making up the Confederation was also of help in that respect.

The Confederation’s Committee for Working Women also organizes training courses in leadership and labour rights and skills training.

More coordinated work by the Union and the Confederation is, however, needed to address working women’s special issues.

## **Article 12**

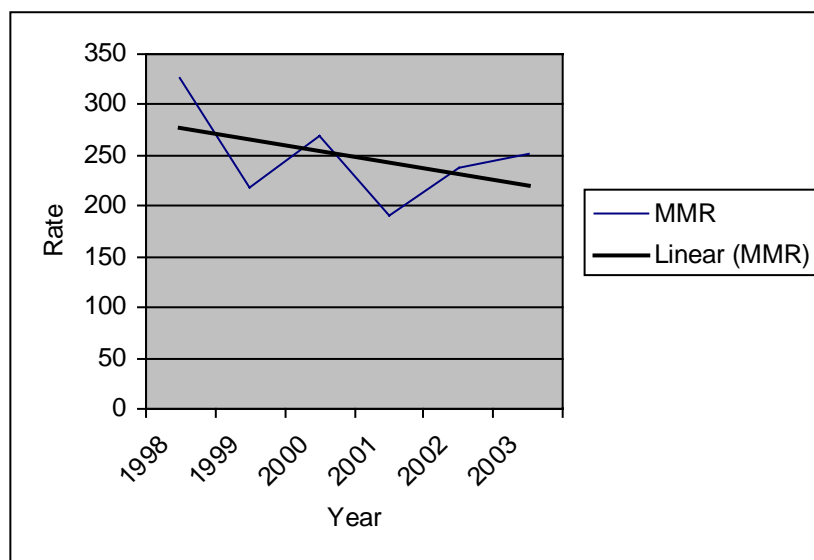
### **Paragraph 20. Maternal mortality**

The overall facility-based maternal mortality rate has decreasing trends (see figure below) although it fluctuates from year to year. Out of the total women admitted (2,402) in health facilities for pregnancy and labour-related problems, 2.4 per cent

<sup>2</sup> Gerde Heyde, *Women’s Employment and Microenterprise in Eritrea* (2001).

died which is within the acceptable range (5 per cent). If we could record all women with pregnancy complications, the death rate would be higher than this. It is therefore essential to make more effort to further increase the delivery service coverage.

#### Facility-based maternal mortality rate (MMR) per 100,000 live births



The Ministry of Health has been working to increase the accessibility of delivery services to the community by increasing the number of health facilities, training and assigning midwives and other health workers. Traditional birth attendants have also been trained to assist women in labour at home and refer any abnormal situations beyond their capacity.

Despite all the combined efforts to improve maternal health, the proportion of assisted deliveries by health workers in Eritrea is still one of the lowest. However, it is encouraging to see the consistent increase in the proportion.

According to the 2002 Demographic and Health Survey findings, the proportion of assisted deliveries was 28 per cent, showing a 33 per cent increase from that of the 1995 Survey (21 per cent). The Health Management Information System report also shows a 21 per cent increase in 2002 (23 per cent) from 1998 (19 per cent). In 2003, the proportion of assisted deliveries was 25 per cent higher by 19 per cent from that of 2002. (Refer to annex I, section on maternal mortality rate).<sup>1</sup>

The following information is taken from the 2004 Ministry of Health report:

Maternal and child health care has been one of the priorities of the Ministry of Health.

As a result of the combined efforts of the Ministry and other partners to improve maternal and child health, significant improvements are being achieved in increasing the number of antenatal attendants, deliveries attended by health workers, immunization coverage for both women and children and reducing infant and child mortality rates (Demographic and Health Survey, 2002). The routine information system also indicates similar improvements.

Antenatal care, delivery services, immunization services, family planning and nutrition services are some of the activities directed to maternal and child health care. Moreover, the Ministry is taking different initiatives such as safe motherhood and the integrated management of childhood illnesses, as strategies to further improve the health status of women and children.

Antenatal, delivery, and immunization services coverage has increasing trends. Parallel to that, facility-based maternal and child deaths have decreasing trends that may indicate the improvement in quality of case management.

## **Paragraph 21. Female genital mutilation**

Female genital mutilation is not outlawed for fear that the practice would simply go underground, with potentially more damaging consequences. The national strategy is, therefore, to focus on education and awareness-raising.

Through patient campaigning based on a long-term strategic view, the National Union of Eritrean Women, together with partners, is resolved to fight female genital mutilation. Indeed, in line with its advocacy approach of focusing on one particular area each year, or each period, female genital mutilation was the primary area of focus for the Union in 2004. An important ally in the campaign is the National Union of Eritrean Youth and Students, which also has combating female genital mutilation as one of its main programme areas.

A strategic plan is currently in force. A task force was set up in 2005 to revise/update the strategic plan to fight female genital mutilation in Eritrea. Chaired by the Ministry of Health, and with the National Union of Eritrean Women serving as the secretariat, the task force also includes representatives from the Ministry of Education, the Ministry of Labour and Human Welfare, and a number of non-governmental organizations, including the National Union of Eritrean Youth and Students.

In its campaign against female genital mutilation, the Government has enlisted religious and community leaders. Because most of those who practice female genital mutilation/female genital cutting believe it is a religious requirement, Muslim and Christian leaders explain that it is not a part of either religion.

The National Union of Eritrean Women teaches midwives about the harmful health effects of the practice.

The Ministry of Health is the primary organization responsible for eliminating these practices. It provides in-service training to all primary health care coordinators from each zone on female genital mutilation/female genital cutting and provides each zone with training materials such as visual aids and documents about the practice.

There is evidence that the population's awareness of the harmful effects of female genital mutilation is increasing. In the 2002 Demographic and Health Survey for example 48.7 per cent of women supported discontinuing female genital mutilation as opposed to only 38.4 per cent in the 1995 Survey. Opposition is particularly high among women with secondary or higher education (81 per cent). The percentage of women who had experienced circumcision (all types) also fell from 94.5 per cent to 88.7 per cent between the two surveys.

According to the 2002 Survey, 63 per cent of women in Eritrea report having at least one of their daughters circumcised. That is consistent throughout the country, with little difference between urban and rural areas. Mothers' educational level appears to be a major influence on the likelihood of a daughter being circumcised, 68 per cent of the daughters of uneducated mothers are circumcised compared to 40 per cent of daughters of women with at least some secondary education. While it is encouraging to note that overall, for every age group, the level of circumcision among daughters is lower than that among mothers, 17 per cent of mothers who have not undergone circumcision report having at least one daughter circumcised.

## **Paragraph 22. Family planning**

Exposure to family planning information increased from 36 per cent in 1995 to 50 per cent in 2002, accompanied by a corresponding slight increase in use of contraceptive methods.

To further boost its activities in that area, the Ministry of Health has now prepared a draft sexual and reproductive health policy.

Expanding projects that aim at safe motherhood (increasing antenatal/family planning service provision and coverage, clean and safe delivery, emergency obstetric care assessment and increasing access to a choice of safe and appropriate family planning knowledge and services for adolescents) are among the proposals in the national gender action plan.

## **Paragraph 23. Programmes to combat HIV/AIDS**

The National Union of Eritrean Women actively participated in the preparation of the national strategic plan to combat HIV/AIDS and the HIV/AIDS, malaria, sexually transmitted diseases and tuberculosis programme, supported by the World Bank and The Global Fund to Fight AIDS, Tuberculosis and Malaria. The Union is also a key partner in the implementation of a large number of activities in the National Strategic Plan.

One of the above-mentioned programme's objectives in the area of reproductive health is to "support a set of evidence-based interventions which aim at reducing maternal and neonatal mortality as well as reducing gender-based harmful traditional practices".

The programme is designed in a way that "pays close attention to social issues with a renewed focus on (a) gender (with emphasis on female genital mutilation and the vulnerabilities of sexually transmitted diseases); (b) the risks associated with active and demobilized soldiers; and (c) mobile populations (both seasonal and cultural)".

Furthermore, the programme will contribute to analyses of the risks, vulnerability and impact of HIV/AIDS to identify gender disparities that perpetuate the risks of HIV infection and vulnerability to the negative socio-economic impact of AIDS. It would promote the just and fair distribution of resources, efforts and interventions to protect women, men, youths and children and ensure the socio-economic rights of every individual.

Community subprojects would be planned and managed according to general principles that include: “Working towards greater social and gender inclusion with explicit socially-inclusive and gender-sensitive approaches built into social mobilization modalities.”

Furthermore, the programme would build a database of community subprojects that would be disaggregated by gender, among other variables.

## **Article 13**

### **Paragraph 24. Microcredit, entrepreneurship**

The major microfinance programmes in Eritrea are those run by the Eritrean Savings and Credit Programme, formerly a component of the Eritrean Community Development Fund, and the schemes run by the non-governmental organization The Agency for Cooperation and Research in Development. There are also smaller schemes run by other non-governmental organizations and some ministries.

The National Union of Eritrean Women has been running a number of microcredit and savings programmes of which two are currently active in the central Ma’akel central and southern Debub (Debub) regions. The Union scheme attempts to reach extremely remote areas and to support vulnerable women.

It has also implemented projects for the improvement of the quality and marketability of traditional women’s handicrafts. In one such project, women from various regions were trained as trainers of quality handicrafts.

One component of the Integrated Industrial Development Programme for Eritrea, prepared with United Nations Industrial Development Organization support, is the development of micro, small and medium enterprises with focus on women and rural industrialization. While limited activities of the component have been initiated, its full implementation is awaiting funding.

With the emphasis on the integration of women and rural industrialization, this component provides for the introduction of mechanisms such as a village industrialization programme, development and upgrading of women’s technical skills and entrepreneurship, microcredit schemes for women entrepreneurs in remote areas and industrial business development services to strengthen the structure of the private sector.

## **Article 14**

### **Paragraph 25. Eritrean Community Development Fund impact on rural women — evaluation done? Results?**

A beneficiary impact assessment was conducted and a project completion report prepared in 2001. The following are some of the findings:

Women’s access to projects has been found to be equal to that of men irrespective of their economic and sociocultural background, despite traditional cultural impediments. In fact, Fund projects have created favourable conditions to improve their social and economic status through employment and income creation,

time saved, reduced burden, positive attitude and perception towards basic services such as education and health.

Although the participation of women in the credit and saving scheme is still low, those who have properly utilized loans have managed to improve their livelihood. Some women interviewees have indicated that because of their success with previous loans, they have now greater self-confidence and a sense of independence. The key role played by some women members of village bank committees in the management of credit and savings operations has contributed to increased respect by colleagues and clients, which in the long-term is expected to improve the status of women in the communities.

Overall some 1,150,000 individuals benefited from the programme's interventions over a period of five years (1996-2000) at an average investment per capita of about US\$ 23 (World Bank, 2002). Among the programme's results were the following:

**Education.** Access to school facilities for about 375,000 children at the primary, middle and secondary levels, of whom 48 per cent were girls;

**Health.** Improved access to health facilities and health-care services for at least 180,000 individuals, of whom over 50 per cent were women;

**Rural water supply.** Increased access to safe drinking water for at least 210,000 individuals, significantly reducing the burden on women;

**Savings and microcredit.** 11,800 individuals benefited from the scheme, of whom 37 per cent were women. Average household income increased by 20 per cent.

Women also benefited from new rural market infrastructures, representing 80 per cent of the more than 1,000 beneficiaries involved in small-scale trading activities.

Thirty-seven per cent of the beneficiaries of the savings and microcredit programme are women, comprising female-headed households, former (demobilized) combatants, women returnees and internally displaced people. Evaluation of the programme revealed that improvements in their lives were noticeable, as they were able to sustain themselves economically and introduce a change of life in their respective families. The programme has also enabled women to join the informal sector by involving themselves in various economic activities such as poultry, dairy milk supply and small trades. Refer to annex VI for further information.<sup>1</sup>

## **Paragraph 26. Access to land**

Eritrea's 1994 Land Proclamation was a major piece of legislation as far as women's right to land ownership is concerned. Entrenched traditional attitudes, however, have been slowing women's access to land. To counter them, the National Union of Eritrean Women has been focusing on the issue as part of its advocacy programmes. In 2002, for example, 50 legal officers from various parts of the country were trained to advocate for women's right to land ownership.



Detailed regulations for implementing the land proclamation are currently being prepared. In 2005, the National Union of Eritrean Women was given the opportunity to review the draft regulations with a view to ensuring that women's rights are upheld and that any practical/procedural obstacles to women's access to land are alleviated.

### **Paragraph 27. Women farmers**

Even though about 50 per cent of the rural workforce is currently made up of women farmers (Ministry of Agriculture, 1997), the latter represent only 15 per cent of the beneficiaries of extension services. However, the Ministry of Agriculture has been making deliberate efforts to encourage women to participate in its training programmes (see table below).

#### **Farmers receiving Ministry of Agriculture training**

<i>Year</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Percentage female</i>
1994	1 973	1 812	3 785	47.9
1995	2 006	913	2 919	31.2
1996	3 608	1 946	5 554	35.0
1997	962	1 741	2 703	64.4
1998	2 264	1 515	3 779	40.1
1999	2 923	1 342	4 265	31.5
2000	5 393	1 807	7 200	25.1
2001	4 562	1 365	5 927	23.0
2002	4 630	1 504	6 134	24.5
2003	4 428	1 670	6 098	27.4
<b>Total</b>	<b>32 749</b>	<b>15 615</b>	<b>48 364</b>	<b>32.3</b>

The National Union of Eritrean Women closely coordinates with the Ministry of Agriculture and local administrations to promote participation of women in village/district agricultural committees. The Ministry of Agriculture guidelines insist that at least one member of the three-to-five-member committees should be a woman. The practice is to nominate members of the National Union of Eritrean Women on the committees to make representation more effective. There are indications that where there is effective representation of women on those committees, there is a better chance for women farmers to be aware of and benefit from the services available (extension, tractor hire, farming inputs and microcredit).

One successful venture worth mentioning here is the introduction of the improved cooking stove by the Eritrean Energy Research Centre in collaboration with the National Union of Eritrean Women and the Ministry of Agriculture. The improved stove, which saves up to 50 per cent of fuel (mainly wood) and has better ventilation, is a major contribution to reducing Eritrea's alarming rate of deforestation, reduces the amount of time women have to spend collecting fuelwood and improves rural women's working conditions. The improved stove received the

2003 Ashden Overseas Food Security Award (Ashden Awards for Sustainable Energy). The National Union of Eritrean Women is a key partner in promoting the improved stove in rural Eritrea.

## **Article 15**

### **Paragraph 28. Legal counselling unit, awareness and Government funding?**

As is the case with the National Union of Eritrean Women overall, the Legal Counselling Unit has a share of the regular financial resources made available by the Government, in addition to support extended through technical assistance programmes.

Efforts are continuous to make the services of the Unit reach rural women. This is done primarily through the basic legal literacy programme among National Union of Eritrean Women members in the local offices. Those members thus trained then serve as local tentacles for the Legal Counselling Unit. The legal literacy programme is not, however, limited to Union members. In subsequent phases, local administrators, community leaders and the newly elected community court magistrates have also been covered. That was found to be a more effective approach.

The programme is ongoing. As mentioned above, a legal literacy manual is currently being prepared as part of the efforts to expand and improve the performance of the programme. See also response to paragraph 4 above.

## **Article 16**

### **Paragraph 29. Legal age of marriage and practices**

Data is not available regarding underage marriage, forced marriage and betrothal.

### **Paragraph 30. Customary marriage, divorce and legal protection**

Marriages contracted according to the religion of the parties or in accordance with the rites of the local custom are valid pursuant to article 577 (2) of the Transitional Civil Code. However, article 652 (1) provides that marriage produces the same legal effects, whatever the form according to which it has been celebrated. Subarticle 2 of the same reinforces the foregoing provision by providing that “no distinction shall be made as to whether the marriage has been celebrated before an officer of civil status or according to the forms prescribed by religion or custom”. Therefore, the validity of all forms of marriage being untouched, effects of marriage remain the same, irrespective of whether the marriage is celebrated in accordance with the rites of religion or local custom. Marriage or betrothal celebrated in accordance with the rites of the Muslim religion is the only exception; sharia governs the latter.