

**FRAMEWORK FOR ACTION:  
CEDAW REPORT PREPARATION PROCESS**

**Asmara, 14 September 2016**

## **I. Preamble**

NUEW has been empowered and commissioned to follow up the implementation of CEDAW Convention as well as preparing the draft CEDAW periodic reports in consultation with various stakeholders, line Ministries, Commissions, Associations, UN Agencies and the like.

Based on the mandate given to it, NUEW has come up with a framework of Action for **2016-2018**, for the preparation of the CEDAW 6<sup>th</sup> periodic report to be submitted by March 2019.

## **II. Background**

- The CEDAW Committee, considered the 4<sup>th</sup> & 5<sup>th</sup> periodic reports of Eritrea (CEDAW/C/ERI/4) and (CEDAW/C/ERI/5) at its 1291<sup>st</sup> and 1292<sup>nd</sup> meetings, on 26 February 2015 (see CEDAW/C/SR 1291 & 1292).
- The committee's list of issues and questions which are contained in CEDAW/C/ERI/Q/5 seek elaborations on the process of preparation of the report, the involvement of stakeholders, whether the women in the State Party are aware of their rights under the convention or not, as well as information on various issues based on the provisions of the Convention on July 25, 2014. Response from the State Party with detailed information on the issues raised including statistical data was submitted promptly on 2<sup>nd</sup> December 2014.
- Oral submission on the 4<sup>th</sup> & 5<sup>th</sup> Eritrea - CEDAW Reports was given by the Eritrean Delegation on Feb 26, 2015 in Geneva, UNHRC.
- This was followed by the concluding observations, adopted by the committee at its sixtieth session ( 16 Feb-6 March 2015), which welcomed the progress achieved since 2006 presented in the State party's combined initial, second and third reports (CEDAW/C/ERI/CO/3); in undertaking legislative reforms, in particular the adoption of Proclamation No. 158/2007 to Abolish Female Circumcision in 2007, ratification of the Convention against torture and other cruel inhuman or degrading treatment of Punishment in 2014, the Convention against transnational organized crime and its protocol to prevent, suppress and punish trafficking in persons, especially women and children in 2014.

### **III. NUEW Rational Position on the concluding observation**

The observations made by the committee have basically been addressed in the 4<sup>th</sup> & 5<sup>th</sup> periodic reports of Eritrea as well as, the detailed information presented in the response submitted.

In addition to this, an immediate response on March 6 2015 was given in writing by the delegation for consideration within forty-eight hours. It dealt on the factual errors stated in the observations made, and requested their serious consideration by the Committee (Response attached as appendix - .

NUEW believes that the provisions of the Convention, which focuses on empowering women's status as well as ensuring their legal positions is a process inherently related with the overall socio-economic development and cultural transformation in the society, by also giving extensive emphasis through affirmative action to women's equality. The most significant factor in this endeavor has been and still is the existing political will and readiness of the Government of the State of Eritrea and the people of Eritrea towards achieving women's rights and empowerment as a matter of social justice.

Hence, there is no point of engaging ourselves in rhythmic responses but rather outline a Framework for Action that will guide the sustenance of the efforts to make progress on women equality and empowerment, which will be reflected in the upcoming 6<sup>th</sup> report.

Meanwhile, NUEW & the CEDAW Working Group have prepared a draft response on the observations made generally and in reference to paragraph 50 of the concluding observations, specifically in paragraph 9(b) and 25(a), (c) and (e), in consultation with pertinent line ministries, commissions, associations, etc. We expect that the response will be delivered in March 2017, to the CEDAW Committee through the proper channels.

### **IV. THE CEDAW FRAMEWORK FOR ACTION 2016-2018**

In preparing the upcoming 6<sup>th</sup> periodic report that will cover the years 2013-2017, NUEW and the CEDAW Working Group (WG) has come up with the following Frame-work for Action.

## 1. Preparation of the 6<sup>th</sup> Periodic report:-

- a. **Coverage:** In accordance to Article 18 of the Convention, Eritrea as a State parties have the obligation to submit its consecutive periodic reports. Hence, the 6<sup>th</sup> Periodic report will cover 2013-2017, five consecutive years report.
- b. **Submission date:** The time frame mentioned by the committee **March 2019**, shall be adhered in line to paragraph 51 of the concluding observations.
- c. **Guideline to follow:** Harmonized guidelines on reporting under the international Human Rights Treaties, i.e. guidelines on a common core document and treaty-specific documents. Please see paragraph 52 of the concluding observations.

## 2. Set a data collecting team: Auxiliary to the already functioning CEDAW committee under the auspices of NUEW, a team shall be formed to follow up the collection and collating of pertinent data from government sectors and National Associations.

- a. **Time Frame:** The team shall be formed as of September 30, 2016.
- b. **Authorized Personnel:** President NUEW.
- c. **Initiate Activity:** The team will actively work beginning October 2016-December 2018.
- d. **Mandate:** Collect data as per the technical form developed by NUEW, with the assistance of the National Statistics Office (NSO).

## 3. Gender Focal points: Call a meeting of the already established **Gender focal points** of the Ministries, National Associations and support groups.

- a. **Time frame :** October 15, 2016 for initial meeting
- b. **Authorized Personnel:** President NUEW.
- c. **Mandate:** to work in tandem with the working group in collecting and submitting relevant and accurate data within their sectors (Secondary data) as well as primary data by assessing women development projects in the rural and semi-urban areas and conducting interviews of the success stories and challenges faced. Integrating MDGs & SDGs and Beijing Platform of Action.
- d. **Procedure:** Quarterly meeting, with the working group starting from October 2016- December 2018.

e. **Venue:** NUEW Headquarters and Regional office in the Zobas.

**4. Strengthen the CEDAW working group (CWG):** In addition to the NUEW/MOFA team of four experts, an expert from Ministry of Justice, Ministry of education, health and agriculture will be augmented to form an eight person working group.

- a. **Time frame :** November 4, 2016
- b. **Authorized Personnel:** President NUEW.
- c. **Mandate:** The working group shall be responsible for the preparation of the draft document, using consultative process including substantiation in the field.
- d. **Procedure:** Monthly regular meeting, frequent side meetings and field visits.
- e. **Venue:** NUEW Headquarters and Regional offices.

**5. Familiarization program and detailed Calendar setting:**

- a. Refresher and familiarization to CWG on the Harmonized guidelines of reporting under UN Treaty body, which will be conducted by UN country team in collaboration with MOFA & NUEW.
- b. CWG will set a working procedure and a calendar of plan of action after its initial meeting on October 2016. Harmonized reporting guide line will be strictly followed.

**6. UN country team consultation in the reporting process:**

- a. Contact UN Agencies through the proper government channels for ongoing consultation, technical assistance locally or regionally as well as securing funds.
- b. Fund will cover the expenses incurred by the working group throughout the drafting process i.e. covering Sep. 2016-Dec 2018.

**7. Consultation process & finalization of the Report**

**7.1 Sharing the findings of the draft 6<sup>th</sup> report**

- a. **Purpose:** Stakeholder meetings will be organized with the aim of sharing and enriching the findings of the draft CEDAW 6<sup>th</sup> periodic report before finalizing its contents.

- b. **Participants:** NUEW CC members, Zoba & Sub-Zoba NUEW leaders; Associations (Youth, Disabled, Teachers etc,..) sector gender focal points, Local governments, Ministries, Judges & Attorneys, law enforcement agencies, Trade Union and employers' Association, media, Other key Stakeholders, ( Religious leaders, Anti FGM & underage marriage committees, community elders), Colleges and higher education facilities, etc
- c. Consultation meetings will also be conducted with the UN agencies, EU Mission in Eritrea, diplomatic community and international organizations present in Eritrea
- d. **Organizer:** NUEW and the CEDAW Working Group.
- e. **Venue &Time:** NUEW HQ, time from May 2018-Sep 2018

**7.2 Final Submission date of the draft document by CEDAW working group to the:**

- a. **President of NUEW:** Oct 2018
- b. **Ministry of Foreign Affairs:** Through CWG by December, 2018.
- c. **To the UN CEDAW Committee:** Through MOFA, by March 2019.

**Awet N'Hafash !!!!**  
**Ms. Tekea Tesfamichael**  
**President, NUEW**

## **Appendix: March 6, 2015 immediate response**

The National Union of Eritrean Women presents its compliments has the honor to acknowledge the receipt of the advanced unedited version of the concluding observations and recommendations of the Committee on the review of the State of Eritrea forwarded brought for consideration **within forty-eight hours for any factual errors**. The National Union therefore, presents the following factual inaccuracies for serious considerations:-

1. We have observed that issues sufficiently addressed in the Reports, the written response to the list of issues and finally in the deliberations (introductory remarks of the President and the oral response by the delegation on 26<sup>th</sup> February 2015) are either not taken into consideration or inadequately recognized. Some significant examples are:-
  - Birth registration is not a prerequisite to acquire nationality in Eritrea. Hence, anybody can ascertain his/her nationality even in the absence of registration at birth upon presenting a proof from the village of origin. This was addressed in our report and as such, we fail to see the importance of such recommendations in that respect.
  - The delegation gave a detailed response on the reason for the elongation of the duration of national service. However, neither the continued occupation of sovereign Eritrean territories by Ethiopia nor the ongoing plan of the Government to progressively gear the National Service back to the 18 months was addressed. In actual fact is a national obligation proclaimed by National Law and should not be construed otherwise. In this connection, the use of expressions like forced labour and other offensive language is not appropriate with responsibility and integrity with a UN body and should thus be omitted.
2. The Committee relied on unreliable statistical data that led to erroneous recommendations. The data on health could be cited as a typical example in this respect. In paragraph 34 (c) the committee claims that the Government allocates a budget lower than the regional average. This was sufficiently addressed by concrete evidence in the oral response. The Government

subsidizes health services and by enlarge is also free to those who cannot afford.

3. In total misrepresentation of facts the committee expressed concern on alleged school sexual violence of girls in para.28 (e). As was addressed in the deliberations, this is simply false that does not exist in the Eritrean reality. There are indeed rare incidents and occurrences, but do not warrant such attention and generalization. The committee also raises its deep concern on the alleged obstacles of access to justice. Courts are, however, open and accessible equally to both men and women. We fail to see the importance of such a blatant accusation without any relevance to gender equality. Furthermore, the question of political affiliation raised as a requirement for participation in is unfounded and is not practiced in real life.
4. Disregarding the submitted official records and facts: the Committee in para. 34(a) claims that marital and maternal mortality rate stands high despite the government's declaration of achieving MDG goals 4 and 5. This observation wrongly negates the reality on the ground. The maternal mortality rate has in Eritrea decreased to only 4 in 1000.
5. The Eritrean Proclamation 118/2001 guarantees equal pay for equal work as described in the report and the given responses in the proceeding. The issue has been properly addressed in relation to the Conventions to which Eritrea is a party to.
6. No mention was given on the achievements accomplished to mainstream the gender issues in the policies and strategies of the Government and reflected in the National Gender Plan of Action of the NUEW.
7. As described in paragraph 42 of the recommendations, marriage and inheritance of Muslim Communities is a matter of faith and religion is the right of the individual. This question was sufficiently addressed in the oral responses and there is the separation of State and religion in this connection.
8. The National Union has executive power and in accordance to Article two of the Constitution of the National Union of Eritrean Women. NUEW is the official representative of the Government and women's issue.

In conclusion, the recommendations forwarded do not reflect the written reports and the deliberations. Indeed the exemplary achievements and experiences of the



Eritrean Women and the Eritrean Government's role merit proper recognition. In this regards, a side event in New York was held alongside the 69<sup>th</sup> Session of the General Assembly. A similar side event is also scheduled for 26 April 2015.

The Eritrean delegation has noted that some recommendations are well beyond the scope of the Convention and assumed political nature. Hence, the Committee is requested to reconsider them. It also believes that the recommendations should be a reflection of the written submissions and oral response and most importantly the prevailing reality of the society. Thus, they should not in any way undermine the efforts of the Government and the National Union of Eritrean Women and indeed the brilliant history and participation of women in the society.

Finally, the National Union of Eritrean Women would like to avail itself of this opportunity to renew to the Committee on CEDAW the assurances of its highest consideration.