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**COMPILATION PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF THE ANNEX
TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

Eritrea

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations¹

<i>Core universal human rights treaties²</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	31 July 2001	None	Individual complaints (art. 14): No
ICESCR	17 April 2001	None	-
ICCPR	22 Jan. 2002	None	Inter-State complaints (art. 41): Yes
CEDAW	5 Sept. 1995	None	-
CRC	3 Aug. 1994	-	-
OP-CRC-AC	16 Feb. 2005	Binding declaration under art 3: 18 years	-
OP-CRC-SC	16 Feb. 2005	-	-

Core treaties to which Eritrea is not a party: OP-ICESCR³, OP-ICCPR 1, OP-ICCPR 2, OP-CEDAW, CAT, OP-CAT, ICRMW, CRPD, CRPD-OP and CED.

<i>Other main relevant international instruments</i>	<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide	No
Rome Statute of the International Criminal Court	No
Palermo Protocol ⁴	No
Refugees and stateless persons ⁵	No
Geneva Conventions of 12 August 1949 and Additional Protocols thereto ⁶	Yes, except Additional Protocols I, II and III
ILO fundamental conventions ⁷	Yes, except No. 182
UNESCO Convention against Discrimination in Education	No

1. In 2006, the Committee on the Elimination of Discrimination against Women (CEDAW) commended Eritrea for ratifying the Convention without reservations,⁸ and encouraged it to ratify the Optional Protocol to the Convention (OP-CEDAW)⁹ as well as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW).¹⁰

2. In 2008, the Committee on the Rights of the Child (CRC) encouraged Eritrea to ratify the ILO Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour,¹¹ the Rome Statute of the International Criminal Court¹² and the 1951 Convention relating to the Status of Refugees.¹³

B. Constitutional and legislative framework

3. In 2008, CRC welcomed the incorporation of the principle of non-discrimination into the Constitution,¹⁴ and the adoption of the law abolishing female genital mutilation (FGM).¹⁵ It called on Eritrea to consider the adoption of a comprehensive Children's Code in order to incorporate the provisions of the Convention and take into account the African Charter on the Rights and Welfare of the Child.¹⁶

C. Institutional and human rights infrastructure

4. In 2008, CRC recommended that Eritrea establish an independent national human rights institution in full compliance with the Paris Principles.¹⁷ As of 20 April 2009, Eritrea did not have a national human rights institution accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).¹⁸

D. Policy measures

5. While noting the adoption of several specific action plans and programmes, CRC recommended to Eritrea to adopt a National Plan of Action for Children covering all areas of the Convention and ensure its implementation with adequate human and financial resources, accompanied with assessment and evaluation mechanisms.¹⁹ It also requested Eritrea to pay attention to the protection of the rights of children belonging to vulnerable groups, including children belonging to minority groups, children with disabilities, children affected by and/or infected with HIV/AIDS and children living in poverty and in remote and rural areas.²⁰

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

<i>Treaty body²¹</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	-	-	-	Initial to third reports overdue since 2002, 2004 and 2006 respectively
CESCR	-	-	-	Initial report overdue since 2003
HR Committee	-	-	-	Initial report overdue since 2003
CEDAW	2005	Feb. 2006	-	Fourth report overdue since 2008
CRC	2007	June 2008	-	Fourth report due in 2011

6. In 2008, CRC noted with satisfaction that certain concerns and recommendations made upon the consideration of the initial report of Eritrea in 2003 had been addressed. However, it expressed concern that recommendations regarding, inter alia, legal reform, national plan of action, independent monitoring, resources allocation, data collection, harmful traditional practices, birth registration, child labour and juvenile justice had not been given sufficient follow-up.²²

2. Cooperation with special procedures

<i>Standing invitation issued</i>	No
<i>Latest visits or mission reports</i>	
<i>Visits agreed upon in principle</i>	
<i>Visits requested and not yet agreed upon</i>	Special Rapporteur on the right to freedom of opinion and expression, requested in 2003, renewed in 2005; Special Rapporteur on freedom of religion or belief, requested in 2004; Special Rapporteur on the right to food, requested in 2003; Special Rapporteur on the question of torture requested in 2005, renewed in 2007.

Facilitation/cooperation during missions

Follow-up to visits

<i>Responses to letters of allegations and urgent appeals</i>	During the period under review 15 communications were sent concerning, inter alia, particular groups and 40 individuals, including 2 women. The Government replied to 1 communication, representing replies to 6 per cent of the communications sent.
<i>Responses to questionnaires on thematic issues</i> ²³	Eritrea responded to none of the 15 questionnaires sent by special procedures mandate holders ²⁴ within the deadlines.

3. Cooperation with the Office of the High Commissioner for Human Rights

7. By its resolution 1312 (2000), the Security Council established the United Nations Mission in Ethiopia and Eritrea (UNMEE) and defined its mandate which included coordinating the Mission's activities with humanitarian and human rights activities of the United Nations and other organizations in those areas.²⁵ The Human Rights Office of UNMEE was mandated to monitor the Temporary Security Zone between Eritrea and a neighbouring country and areas adjacent to it, investigating and reporting on allegations of cross-border incidents and human rights violations.²⁶ In 2005, the Office provided assistance to the Government of Eritrea to promote respect for and protection of human rights of individuals and to build trust between authorities and citizens.²⁷ In 2007, the Office engaged in human rights awareness-raising activities in schools and women's centres, together with the National Union of Eritrean Women and the National Youth Organization in Eritrea.²⁸ Through its offices and sub-offices, UNMEE contributed to the safe return of refugees and internally displaced persons.²⁹ In 2008, the Security Council regretted that Eritrea's obstruction towards UNMEE had reached a level so as to undermine the basis of the Mission's mandate and had compelled UNMEE to temporarily relocate from Eritrea.³⁰ The Security Council decided to terminate UNMEE's mandate effective on 31 July 2008.³¹

8. OHCHR's Regional Office established in 2001 in Addis Ababa covers countries in the East and Horn of Africa, including Eritrea. The Office works to build regional and national capacity to protect and promote human rights, raises public awareness about human rights, and engages with United Nations Country Teams and offices in the region, including the Human Rights Office of UNMEE until UNMEE came to its end, to advise and support them in integrating a human rights-based approach into their programming.³²

B. Implementation of international human rights obligations

1. Equality and non-discrimination

9. While noting the advocacy work carried out by the National Union of Eritrean Women, CEDAW in 2006 expressed concerns about the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the role and responsibilities of women and men in society, which are discriminatory to women. For example, CEDAW was concerned that, while participation in National Services created eligibility for access to land and other economic resources, women were exempt from National Service on grounds of marriage, thus losing eligibility for access to land and other resources.³³ CEDAW requested Eritrea to study the extent to which women lose access to land and other resources because of non-participation in National Service owing to marriage; to educate communities on the discriminatory aspects of early marriage; and to find solutions for women who have already lost or are losing their eligibility for land and other

resources owing to early marriage.³⁴ CEDAW also requested, as highlighted as well in the 2007-2011 United Nations Development Assistance Framework (UNDAF) report,³⁵ to make the promotion of gender equality an explicit component of all its national development strategies, policies and programmes, in particular those aimed at poverty alleviation and sustainable development, including its Poverty Reduction Strategy and Food Security Strategy.³⁶

10. In 2008, CRC was concerned that de facto discrimination against certain groups of children persisted, particularly with regards to girls, children living in poverty, children affected by and/or infected with HIV/AIDS, orphans and children belonging to nomadic and pastoralist minorities.³⁷ It recommended that Eritrea make combating discrimination against vulnerable groups a national priority, in particular design programmes which enable the girl to access her rights without discrimination and to raise awareness among all stakeholders and society at large of the value of the girl child.³⁸ It also recommended that Eritrea develop a legal framework and strategy in order to protect children and prevent discrimination against children infected with and affected by HIV/AIDS.³⁹

11. In 2005, the United Nations Secretary-General mentioned that he had received with concern reports from Eritrea and a neighbouring country, of discrimination on grounds of nationality, and of difficulties in accessing public social services, against each other's nationals.⁴⁰ In 2006, he mentioned that reports from UNMEE also indicate that persons of this neighbouring country's origin continued to face discriminatory practices in Eritrea, including the demand for payment or high "repatriation clearance fees".⁴¹

2. Right to life, liberty and security of the person

12. The Working Group on Enforced and Involuntary Disappearances transmitted 54 cases to the Government and all of them remain outstanding.⁴² On June 2006, the Government sent a communication regarding all outstanding cases. The responses were not considered sufficient to clarify the 54 cases.⁴³ The Working Group reminded the Government of its responsibility to conduct thorough and impartial investigations "for as long as the fate of the victim of enforced disappearance remains unclarified".⁴⁴

13. The 2009 UNHCR Eligibility Guidelines indicated that Eritreans who are forcibly returned may, according to several reports, face arrest without charge, detention, ill-treatment, torture or sometimes death. They are reportedly held incommunicado, in over-crowded and unhygienic conditions, with little access to medical care, sometimes for extended periods of time.⁴⁵

14. In 2008, CRC was concerned over the information that children, including those in high schools, are victims of torture, cruel and degrading treatment by the police and military, in particular children seeking to avoid military service.⁴⁶ It requested Eritrea to take effective measures to protect all children from torture, cruel, inhuman and degrading treatment; to investigate and sanction those responsible for having committed abuses; ensure that all child victims of ill-treatment are provided access to physical and psychological recovery and social reintegration as well as compensation.⁴⁷

15. While welcoming that the minimum age for recruitment into the military was set to 18, CRC was concerned over reports of forced underage recruitment, detention and ill-treatment of boys under the age when they were required to serve their compulsory military service, as well as over the lack of physical and psychological recovery for children affected by armed conflict.⁴⁸ It, inter alia, urged Eritrea to take all possible measures to prevent the recruitment of children.⁴⁹

16. In 2008, CRC noted that the provision on corporal punishment in the Transitional Penal Code only applies to children under 15 when endangering gravely their physical and mental health and that “reasonable chastisement” remains permitted. CRC was concerned that corporal punishment was still widely practiced in the home, the schools and other settings.⁵⁰ It recommended that Eritrea prohibit corporal punishment by law and enforce the prohibition in all settings.⁵¹

17. In 2008, while noting with appreciation efforts by Eritrea to eradicate FGM through the adoption of the law abolishing it, the adoption a five-year strategic plan as well as awareness-raising campaigns, CRC reiterated its serious concern over the very high incidence of FGM.⁵² It recommended that Eritrea continue and strengthen its efforts including through effectively enforcing the criminalization of FGM; that the national plan of action against FGM be implemented in a comprehensive manner and that adequate resources be allocated for its implementation; that retraining be provided, where appropriate, for practitioners of FGM and that they were supported to find alternative sources of income.⁵³ On the same issue, the 2009 UNHCR Eligibility Guidelines indicated that although recently banned, FGM is still prevalent in the country, continuing to affect an estimated 90 per cent of the female population; and that the enforcement of the law abolishing FGM is still difficult to ascertain.⁵⁴

18. The 2009 UNHCR Eligibility Guidelines indicated that rape inside marriage is not considered a crime in Eritrea.⁵⁵ CEDAW in 2006 called on Eritrea to enact legislation on domestic violence, including marital rape and all forms of sexual abuse.⁵⁶

19. The 2009 UNHCR Eligibility Guidelines noted that a pattern of sexual violence against female conscripts exists within the military. In light of the pervasive gender-based violence within the military and its serious consequences, women draft evaders/deserters may be at risk of persecution.⁵⁷

20. The Special Representative of the Secretary-General on the situation of human rights defenders was concerned about reports that all prison visits by international human rights organizations are prohibited.⁵⁸

21. In 2008, CRC welcomed the initiatives by Eritrea to combat sexual exploitation of children, including the establishment of a national plan of action. Nevertheless, it was concerned over the rising numbers of victims, especially girls.⁵⁹ It recommended that Eritrea undertake a comprehensive study on children victims of sexual exploitation and abuse, carry out awareness-raising educational measures to prevent and eliminate sexual exploitation, train professionals working in the field of juvenile justice, ensure adequate resources and implement a comprehensive policy for the prevention, recovery and social reintegration of child victims.⁶⁰

22. In 2008, CRC was concerned over information about widespread child labour and over the lack of comprehensive measures to ensure the protection of children from economic exploitation and the worst forms of child labour.⁶¹ It urged Eritrea inter alia to ratify the ILO Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.⁶²

23. While noting information regarding measures taken to protect street children, CRC was concerned about the increasing number of street children, especially in major urban centres, and about the fact that these children are often victims of drug abuse, sexual exploitation, harassment and victimization by members of the police force.⁶³ It recommended that Eritrea

undertake a systematic assessment of the situation of street children and develop and implement a comprehensive policy addressing the root causes.⁶⁴

3. Administration of justice, including impunity, and the rule of law

24. The Special Representative of the Secretary-General on the situation of human rights defenders was concerned about reports that human rights violations by members of the security forces are reported to be committed with total impunity.⁶⁵

25. In 2008, CRC regretted the absence of a child friendly juvenile justice system in the country. It reiterated its concern that children between 15 and 17 are tried as adults; deprivation of liberty was not used as a measure of last resort; the lack of separation of children from adults in pretrial detention.⁶⁶ It recommended, inter alia, that Eritrea develop a juvenile justice system with specialized juvenile courts, and that detention of child offenders is used as a measure of last resort.⁶⁷

4. Right to privacy, marriage and family life

26. In 2008, CRC reiterated its concern as to the lack of consistency between the minimum marriage age set at 18 years old in the Constitution and the Civil Code and customary laws, which also applied differently to boys and girls. It also expressed concern about children, especially girls, being married between the ages of 13 and 15.⁶⁸ While noting the efforts undertaken in this regard, it recommended that Eritrea enforce legislation on the minimum age of marriage at 18 and develop further sensitization programmes involving community, traditional and religious leaders as well as society at large, including children themselves.⁶⁹

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

27. In June 2005, the Special Rapporteur on freedom of religion or belief, the Working Group on Arbitrary Detention and the Special Rapporteur on the question of torture sent communications to the Government concerning various cases of detention of Christians solely on the basis of religious beliefs.⁷⁰ Fear was expressed that the detainees were at risk of being tortured in an attempt to force them to renounce their faith, sometimes by extracting signed renunciations.⁷¹ The Government has not replied to these communications.⁷²

28. In October 2007, the Special Rapporteur on freedom of religion or belief stated that 25 Jehovah's Witnesses were detained solely on the basis of their religious beliefs, including eleven for conscientious objection to military service. The Government has not designed any service alternative to military service, which would permit Jehovah's Witnesses and others whose faith prevents them from serving in the army to satisfy the requirement of doing national service.⁷³ The Special Rapporteur stressed that the right of conscientious objection to military service is a right which is closely linked with freedom of religion or belief.⁷⁴ She also stressed that Eritrea as all States should pay increased attention to attacks on places of worship and ensure that all perpetrators of such attacks are properly prosecuted and tried.⁷⁵

29. In November 2006, the Special Rapporteur on the right to freedom of opinion and expression sent a communication concerning the alleged death of three journalists and detention of other journalists. The Special Rapporteur shared also his concern with regard to the detention without any court hearing of more than 60 political prisoners, including former ministers, high-

ranking civil and military officers, personalities of the opposition and several journalists at the Eiraeiro detention centre in the aftermath of the 2001 September protests.⁷⁶ A month later, jointly with the Working Group on Arbitrary detention, the Special Rapporteur sent another communication concerning the detention of nine media workers in an undisclosed location, where they might have been at risk of torture or other forms of ill-treatment. The Government did not reply to those communications.⁷⁷ Also on the issue of media, the 2009 UNHCR Eligibility Guidelines indicated that internet connections are reported to be censored. Journalists expressing dissenting views remain at particular risk of arbitrary arrest and detention, and, as such, can demonstrate a well-founded fear of persecution.⁷⁸ In 2008, CRC also expressed concern about the severe restriction on the freedom of expression and the lack of free media.⁷⁹

30. In May 2005, the Special Rapporteur on the right to freedom of expression, jointly with the Working Group on Arbitrary Detention, the Special Rapporteur on the question of torture and the Special Representative of the Secretary-General on the situation of human rights defenders sent a communication regarding the detention of three trade union leaders for urging protests against workers' worsening of standard of living. They were held incommunicado, with no access to lawyers and they were not brought before a magistrate within the 48 hours of arrest.⁸⁰

31. The Special Representative of the Secretary-General on the situation of human rights defenders noted, as highlighted also by CRC,⁸¹ that non-governmental political, civic, and social institutions and organizations are reportedly largely prohibited from functioning, as are minority religious institutions.⁸² Reportedly, it is forbidden for any group of people to assemble without approval by the Government.⁸³ Moreover, under the law, international non-governmental organizations are limited to relief and rehabilitation activities, and are not permitted to work with local communities independently of the Government.⁸⁴ In 2007, the United Nations Secretary-General indicated that the total number of international non-governmental organizations operating in Eritrea had dropped from 37 in early 2005 to 10 in 2007. He added that the remaining non-governmental organizations continued to face operational difficulties, including restrictions in obtaining travel permits, conducting assessments as well as delays in Government approval of programmes.⁸⁵

32. In 2006, CEDAW congratulated Eritrea on proclamation No. 86/1996 which reserves 30 per cent of seats in regional assemblies for women.⁸⁶ A 2008 United Nations Statistics Division source indicated that the proportion of seats held by women in the national Parliament in 2008 was 22 per cent.⁸⁷

6. Right to work and to just and favourable conditions of work

33. In 2008, the ILO Committee of Experts noted that the Civil Service Proclamation has not yet been enacted. Section 9(3) of the draft Proclamation provides that "salary scales shall ensure equal pay for equal work and maintain internal equity". The Committee urged the Government to amend the draft Civil Service Proclamation to provide for equal remuneration for work of equal value, as envisaged under the ILO Equal Remuneration Convention (No. 100), and to supply the text of the legislation, once it has been adopted, as well as the new salary scales.⁸⁸

7. Right to social security and to an adequate standard of living

34. In 2006, the Special Rapporteur on the right to food was concerned about the situation across the Horn of Africa where Eritrea among others was affected by a drought, food insecurity and livelihood crisis.⁸⁹ In 2007, the United Nations Secretary-General reported that as in the

past the humanitarian situation in Eritrea continued to be a source of serious concern, as high malnutrition rates persisted among the many vulnerable communities, exceeding emergency levels in some regions. He mentioned that access to basic social services remained inadequate, particularly in rural areas.⁹⁰ He also mentioned that the provision of humanitarian assistance in Eritrea continued to face significant challenges, especially in the light of limited presence of partners from non-governmental organizations and civil society and that despite encouraging reports by the World Food Programme (WFP) on high-yield cereal production in Eritrea, there were areas with limited or no harvest, thus threatening the food security of a significant section of Eritrean local residents. He added that in the meantime, the activities of WFP were still suspended, following the decision by the Government to integrate all incoming food aid into its national food security policy.⁹¹ Also in 2007, according to the United Nations Secretary-General, the Government of Eritrea informed the United Nations that it was in the process of preparing its food security road map.⁹²

35. In 2008, CRC was concerned at the widespread poverty in Eritrea and the large numbers of children who do not enjoy the right to an adequate standard of living, including access to food, clean drinking water, adequate housing and sanitation.⁹³ CRC recommended that Eritrea improve its coordination and reinforce its efforts to allocate adequate human and financial resources to provide support and material assistance, with a particular focus on the most marginalized and disadvantaged families.⁹⁴

36. While noting the efforts made by Eritrea to improve reproductive health care for women, including through the Safe Motherhood programme, CEDAW in 2006 remained concerned about the limited access to adequate health-care services for women, especially women in rural areas, about the maternal mortality rate which is among the highest in the world as well as early pregnancies and deaths due to clandestine abortions.⁹⁵ CEDAW recommended taking measures to improve women's access to health care, especially emergency obstetric care and health-related services and information; also improving the availability of sexual and reproductive health services, especially for rural women, including family planning, with the aim of preventing early pregnancies and clandestine abortions.⁹⁶

37. CRC welcomed in 2008 the information by Eritrea that anti-retroviral treatment is available free of charge. However, it noted the challenges involved in ensuring its accessibility to all those who need it. It was concerned about the increasing HIV/AIDS infection rates and notes that children, and in particular adolescent girls in urban areas, are highly vulnerable to contracting HIV/AIDS. It was also concerned that prevention of mother to child transmission (PMTCT) services are inadequate and that testing and counseling services are insufficient.⁹⁷

8. Right to education and to participate in the cultural life of the community

38. In 2008, CRC welcomed the improved enrolment rates in schools of all levels, the increased budget allocation for education, the provision of education in various languages, as well as the improved collection of statistics on school attendance of children. However, it was concerned that the literacy rate remains high as access to primary education is insufficient and net enrolment still low. It was also concerned at the large number of school dropouts; overcrowding in classrooms; the low rate of transition to secondary school; the limited provisions for vocational training; the insufficient number of trained teachers and available school facilities; and the poor quality of education. Furthermore, it was concerned that considerable challenges still hamper eliminating inequalities which disadvantage children's access to education, in particular in rural regions and among nomadic groups, and on the basis

of ethnicity and sex. It also expressed concern over information that secondary school students have to undergo obligatory military training.⁹⁸ The Committee recommended that Eritrea, inter alia, ensure that primary education is free and compulsory; increase public expenditure for education, in particular primary education; undertake additional efforts to ensure access to adaptable informal education of high quality to vulnerable groups, inter alia, by addressing indirect and hidden costs of school education.⁹⁹

9. Minorities and indigenous peoples

39. While noting the reported efforts by Eritrea to improve the rate of birth registration, CRC was in 2008 concerned at the large numbers of children, in particular those of minorities, neither registered at birth nor at a later stage.¹⁰⁰ The Committee requested Eritrea to strengthen and further develop measures to ensure registration of all children born within the national territory, including those of minorities and living in remote areas.¹⁰¹

10. Migrants, refugees and asylum-seekers

40. A 2007 UNHCR report indicated that Eritrea recognizes refugees from certain countries on a *prima facie* basis, while it has not put in place national refugee status determination (RSD) procedures. UNHCR continues discussions with the authorities on, inter alia, the development of national RSD procedures.¹⁰²

41. In 2008, CRC regretted that Eritrea did not adequately collaborate with humanitarian agencies in order to ensure protection of internally displaced children and requested Eritrea to extend further cooperation with such agencies in order to assist refugee and internally displaced children; to take all measures to guarantee protection of refugee children in line with international human rights and refugee law, while taking into account the Committee's general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin.¹⁰³

11. Internally displaced persons

42. In 2007, the United Nations Secretary General pointed out that following the return and resettlement of 20,000 internally displaced persons (IDPs) in the Gash Barka region, in western Eritrea, with the support of the United Nations and its partners, all IDPs' camps in the region had been closed. However, both the resettled internally displaced persons and the 12,000 others remaining in camps in the Debub region, in southern Eritrea, still required humanitarian assistance, particularly basic needs. He noted that since the resettlement programme was ongoing, the remaining camps would close when its residents had all been resettled.¹⁰⁴

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

43. The 2007- 2011 UNDAF report noted that Eritrea is a food-insecure country, having experienced both chronic food insecurity resulting from the prevalent high poverty levels and overall low development; and acute insecurity triggered by drought and conflict.¹⁰⁵

44. The 2007- 2011 UNDAF report also pointed out that although Eritrea missed the early target of achieving the MDGs dealing with gender equality at the primary school level by 2005, the current trends demonstrate that it is on track to achieve them by 2015. Eritrea is also on track on MDGs targets regarding child health, maternal mortality, HIV/AIDS, malaria and other major diseases, and access to safe water. However, it remains off-track with respect to the eradication

of extreme poverty and achievement of universal primary education, two critical goals towards human and economic development. Lack of adequate data on environmental sustainability has not permitted a clear assessment of progress in this area.¹⁰⁶

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

45. N/A.

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

46. In 2008, CRC recommended that Eritrea seek technical assistance from UNICEF in order to improve access to education for girls and increase the rate of birth registration by the creation of accessible and free institutional structures.¹⁰⁷ It also requested Eritrea to develop and implement, with the support of ILO, UNICEF and NGOs, a comprehensive assessment study and a plan of action to prevent and combat child labour, in full compliance with ILO Convention No. 138 (1973) concerning the Minimum Age for Admission to Employment, which Eritrea has ratified.¹⁰⁸

47. The 2007-2011 UNDAF focuses on outcome areas including equitable access of quality basic social services with special emphasis on vulnerable groups, improved capacities to address shortfalls towards MDG targets, access to adequate food, reintegration and security of livelihoods and access to basic social services for IDPs and returnees, and gender equality.¹⁰⁹

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>.

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance.

³ Adopted by the General Assembly in its resolution 63/117 of 10 December 2008, in which the General Assembly recommended that a signing ceremony be organized in 2009. Article 17, paragraph 1, of OP-ICESCR states that “The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant”.

⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁵ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

⁶ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Convention relative to the Treatment of Prisoners of War (Third Convention); Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.

⁷ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning the Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

⁸ Concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/ERI/CO/3), para. 2.

⁹ CEDAW/C/ERI/CO/3, para. 33.

¹⁰ *Ibid.*, para. 37.

¹¹ Concluding observations of the Committee on the Rights of the Child (CRC/C/ERI/CO/3), para. 75.

¹² *Ibid.*, para. 71 (c).

¹³ *Ibid.*, paras. 68 and 69.

¹⁴ *Ibid.*, para. 25.

¹⁵ *Ibid.*, para. 3 (a).

¹⁶ *Ibid.*, para. 9.

¹⁷ *Ibid.*, para. 15.

¹⁸ For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/10/55, annex I.

¹⁹ CRC/C/ERI/CO/3, paras. 12 and 13.

²⁰ *Ibid.*, para. 17.

²¹ The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination against Women
CRC	Committee on the Rights of the Child.

²² CRC/C/ERI/CO/3, para. 6.

²³ The questionnaires included in this section are those which have been reflected in an official report by a special procedure mandate-holder.

²⁴ See (a) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006; (b) report of the Special Rapporteur on the human rights of

migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006; (d) report of the Special Representative of the Secretary-General on the situation of human rights defenders (E/CN.4/2006/95 and Add.5), questionnaire on the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms sent in June 2005; (e) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007; (f) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the demand for commercial sexual exploitation sent in July 2005; (g) report of the Special Rapporteur on the right to education (E/CN.4/2006/45), questionnaire on the right to education for girls sent in 2005; (h) report of the Working Group on mercenaries (A/61/341), questionnaire concerning its mandate and activities sent in November 2005; (i) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs sent in July 2006; (j) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/7/8), questionnaire on assistance and rehabilitation programmes for child victims of sexual exploitation sent in July 2007; (k) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices; (l) report of the Special Rapporteur on the right to education (A/HRC/8/10), questionnaire on the right to education in emergency situations sent in 2007; (m) report of the Special Rapporteur on the right to education (June 2009) (A/HRC/11/8), questionnaire on the right to education for persons in detention; (n) report of the independent expert on the question of human rights and extreme poverty to the eleventh session of the HRC (June 2009) (A/HRC/11/9), questionnaire on Cash Transfer Programmes, sent in October 2008; (o) report of the Special Rapporteur on violence against women, (June 2009) (A/HRC/11/6), questionnaire on violence against women and political economy.

²⁵ S/2008/226, para. 8.

²⁶ OHCHR's 2007 report on activities and results, p. 78.

²⁷ OHCHR's Annual Report 2005, p. 117.

²⁸ OHCHR's 2007 report on activities and results, p. 78.

²⁹ OHCHR's Annual Report 2006, p. 48.

³⁰ Security Council resolution 1827 (2008), p. 1.

³¹ *Ibid.*, para. 1.

³² OHCHR's 2007 report on activities and results, p. 72.

³³ CEDAW/C/ERI/CO/3, para. 14.

³⁴ *Ibid.*, para. 15.

³⁵ Eritrea UNDAF 2007-2011, p. 17; at http://www.undg.org/archive_docs/830-Eritrea_UNDAF__2007-2011_-_Eritrea.pdf.

³⁶ CEDAW/C/ERI/CO/3, para. 25.

³⁷ CRC/C/ERI/CO/3, para. 25.

³⁸ *Ibid.*, para. 26.

³⁹ *Ibid.*, para. 57 (e).

⁴⁰ S/2005/553, para. 19.

⁴¹ S/2006/1, para. 38.

⁴² A/HRC/4/41, para. 179.

⁴³ *Ibid.*, para. 176.

⁴⁴ E/CN.4/2006/56, para. 227.

⁴⁵ UN High Commissioner for Refugees, UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, Geneva, April 2009. p. 33, available at <http://www.unhcr.org/refworld/docid/49de06122.html>.

⁴⁶ CRC/C/ERI/CO/3, paras. 40-41.

⁴⁷ Ibid., para. 41.

⁴⁸ Ibid., para. 70.

⁴⁹ Ibid., para. 71 (a) and (b).

⁵⁰ Ibid., para. 38.

⁵¹ Ibid., para. 39.

⁵² Ibid., para. 60.

⁵³ Ibid., para. 61.

⁵⁴ UN High Commissioner for Refugees, UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, Geneva, April 2009. p. 27, available at <http://www.unhcr.org/refworld/docid/49de06122.html>.

⁵⁵ Ibid.

⁵⁶ CEDAW/C/ERI/CO/3, para. 17.

⁵⁷ UN High Commissioner for Refugees, UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, Geneva, April 2009. pp. 18-19, available at <http://www.unhcr.org/refworld/docid/49de06122.html>.

⁵⁸ E/CN.4/2006/95/Add.5, para. 566.

⁵⁹ CRC/C/ERI/CO/3, para. 76.

⁶⁰ Ibid., para. 77.

⁶¹ Ibid., para. 74.

⁶² Ibid., para. 75.

⁶³ Ibid., para. 72.

⁶⁴ Ibid., para. 73.

⁶⁵ E/CN.4/2006/95/Add.5, para. 566.

⁶⁶ CRC/C/ERI/CO/3, para. 78.

⁶⁷ Ibid., para. 79.

⁶⁸ Ibid., para. 62.

⁶⁹ Ibid., para. 63.

⁷⁰ E/CN.4/2006/5/Add.1, paras. 125-130.

⁷¹ Ibid., paras. 128 and 130.

⁷² Ibid., para. 134.

⁷³ A/HRC/7/10/Add.1, paras. 93 and 94.

⁷⁴ Ibid., para. 95.

⁷⁵ A/HRC/4/21/Add.1, para. 135.

⁷⁶ A/HRC/4/27/Add.1, para. 224.

⁷⁷ Ibid., paras. 225 and 226.

⁷⁸ UN High Commissioner for Refugees, UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea, Geneva, April 2009. pp. 22-23, available at <http://www.unhcr.org/refworld/docid/49de06122.html>.

- ⁷⁹ CRC/C/ERI/CO/3, para. 34.
- ⁸⁰ E/CN.4/2006/55/Add.1, para. 334.
- ⁸¹ CRC/C/ERI/CO/3, para. 23.
- ⁸² E/CN.4/2006/95/Add.5, para. 555.
- ⁸³ Ibid., para. 558.
- ⁸⁴ Ibid., para. 559.
- ⁸⁵ S/2007/33, para. 24.
- ⁸⁶ CEDAW/C/ERI/CO/3, para. 5.
- ⁸⁷ United Nations Statistics Division coordinated data and analyses, available at: <http://mdgs.un.org/unsd/mdg> .
- ⁸⁸ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Equal Remuneration Convention, 1951 (No. 100), 2008, Geneva, doc. No(ILOLEX) 092008ERI100, para. 3.
- ⁸⁹ A/61/306, para. 17.
- ⁹⁰ S/2007/33, para. 23.
- ⁹¹ S/2007/250, para. 26.
- ⁹² S/2007/645, para. 25.
- ⁹³ CRC/C/ERI/CO/3, para. 64.
- ⁹⁴ Ibid., para. 65.
- ⁹⁵ CEDAW/C/ERI/CO/3, paras. 22.
- ⁹⁶ Ibid., para. 23.
- ⁹⁷ CRC/C/ERI/CO/3, para. 56.
- ⁹⁸ Ibid., para. 66.
- ⁹⁹ Ibid., para. 67.
- ¹⁰⁰ Ibid., para.32.
- ¹⁰¹ Ibid., para. 33.
- ¹⁰² UN High Commissioner for Refugees, UNHCR Global Report 2006, Eritrea, June 2007. p. 230, available at <http://www.unhcr.org/refworld/docid/466d3c732.html>.
- ¹⁰³ CRC/C/ERI/CO/3, paras. 68 and 69 (b) and (c).
- ¹⁰⁴ S/2007/645, para. 24.
- ¹⁰⁵ Eritrea UNDAF 2007-2011, p. 13; at: http://www.undg.org/archive_docs/830-Eritrea_UNDAF__2007-2011_-_Eritrea.pdf.
- ¹⁰⁶ Ibid., p. 9.
- ¹⁰⁷ CRC/C/ERI/CO/3, paras. 75 and 67 (i).
- ¹⁰⁸ Ibid., para. 75.
- ¹⁰⁹ Eritrea UNDAF 2007-2011, p. 17; at http://www.undg.org/archive_docs/830-Eritrea_UNDAF__2007-2011_-_Eritrea.pdf.