



**Eritrea**

**Shadow report to the CEDAW Committee**

**75<sup>th</sup> CEDAW Session Review**

**Submitted 13 January 2020**

**Joint Submission by the Eritrean Movement for  
Democracy and Human Rights (EMDHR)**

**And**

**The Network of Eritrean Women (NEW)**

---

Eritrean Movement for Democracy and Human Rights (EMDHR)

Report compiled by: N. Kidan

Approved by Executive Committee: 10 January 2020

Email: [emdhr.sa@gmail.com](mailto:emdhr.sa@gmail.com)

Website: <http://www.emdhr.net.za>

## Contents

1. Executive Summary.....	3
2. Constitutional, legislative and institutional framework.....	4
3. National service & gender-based violence against women.....	6
4. Women’s Human Rights Defenders & Freedom of Association.....	9
5. Human Trafficking.....	10
6. Education.....	11
7. Conclusions & Questions for GoSE.....	12
References and Bibliography.....	14

## 1. Executive Summary

1.1 The Eritrean Movement for Democracy and Human Rights (EMDHR) is an independent civil society organization (CSO), dedicated to advocating for democracy, human rights and the rule of law in Eritrea and the protection of refugee rights. Founded in 2003 in the Republic of South Africa, the programmes of the EMDHR are primarily aimed at those within the country who are severely constrained by a lack of civil liberties, in addition to supporting Eritrean CSOs in the diaspora develop their organisational capacity.

1.2 The Network of Eritrean Women (NEW) is an independent, diaspora-based, non-profit organisation set up to support Eritrean women. NEW aims to help facilitate and provide the tools for Eritrean women to assert their human rights and pursue personal empowerment, development and social change. NEW provides cultural and linguistic specialist advice, information, advocacy, workshops and wellbeing drop-ins targeted to support Eritrean women.

1.3 In this shadow report, we provide a high-level critique of the Government of Eritrea's (GoSE) sixth periodic report, submitted under article 18 of the *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*. In the absence of an operational constitution, democratic institutions, transparency and accountability, the rule of law cannot be said to exist in Eritrea and any consideration of the protection of women's rights must be viewed within this wider context. This literature review focuses on: i. Absence of rule of law; ii. Indefinite National Service and its impact on girls/women; iii. Curtailment of women's right to freedom of association; iv. Human trafficking; v. Barriers to girls accessing education.

1.4 Eritrea formally gained its independence in 1993 following a protracted 30-year war with Ethiopia. In the years which immediately followed, there was a period of relative political openness. In 1994, the Eritrean People's Liberation Front (EPLF) transformed itself into the People's Front for Democracy and Justice (PFDJ), the current ruling party. A Transitional National Assembly (legislature) was formed and a number of independent media and Civil Society Organizations (CSOs) emerged. The Constitution was ratified in 1997, and to many, it appeared that Eritrea was on an upward trajectory towards constitutional governance.

1.5 These nascent democratic institutions were extinguished following the 1998-2000 war with Ethiopia, and the human rights situation in the country substantially deteriorated. The PFDJ refused to implement the ratified constitution, disbanded the transitional legislature in 2002, brutally cracked down on dissent, condemned Eritrean youth to indefinite military/national service, tantamount to slavery and consolidated the position of Isaias Afewerki as head of a totalitarian, one-party state.

1.6 In the 18 months since Isaias Afewerki and Prime Minister Abiy Ahmed signed the joint declaration during the Eritrea-Ethiopia peace summit in Addis in July 2018, no steps have been taken to institutionalize the agreement and the Eritrean people are yet to reap the dividends of 'peace'. The GoSE have made no announcements regarding implementing the constitution or phased demobilization of Eritreans trapped in indefinite military/national service. Thousands of Eritreans, including women and underage girls remain incarcerated in Eritrea's vast prison network having not received due process. The political space remains firmly shut for independent CSOs, media, associations and trade bodies.

## 2. Constitutional, legislative and institutional framework

2.1 In 1994, a Constitutional Commission was established to draft Eritrea's constitution (Selassie, 1998). The draft constitution laid out the organization of state apparatus, separation of powers, citizen's rights and provisions for a multi-party system and national elections. The Constitution was ratified in May 1997 (Dirar and Tesfagabir, 2011) but subsequently shelved in 1998 following the outbreak of war with Ethiopia.

2.2 Post-independence, a Transitional National Assembly was formed to serve as the country's legislative body until nationwide elections would be held to elect all 150 members of the Assembly. Assembly elections scheduled for December 2001 were postponed indefinitely, and to date, there is no sitting legislative body. Legislative powers have been completely subsumed by the GoSE who exercise legislative, judicial and executive functions, contrary to the constitutional principle of the separation of powers.

2.3 Laws are issued by Executive Order, implemented/enforced in a wholly arbitrary manner, and the judiciary lacks independence. Although low-level community courts exist, citizens are unable to file a complaint for human rights violations, and as such, there is no mechanism for Eritrean citizens to hold the GoSE to account. The Commission of Inquiry on Human Rights in Eritrea (COI) have stated: *"In the absence of a constitution, an independent judiciary, a national assembly, and other democratic institutions, the Commission has found no progress in establishing the rule of law"* (HRC, 2016).

2.4 Following the Eritrea-Ethiopia Summit in July 2018, the GoSE has taken no steps or provided any updates regarding implementing the constitution, despite assurances from Presidential Adviser Yemane Gebreab in 2016 that a Committee had been established to 'consider' drafting a new constitution (HRC, 2016). Eritrea remains in violation of Article 25 of the ICCPR and Article 13 of the ACHPR.

2.5 Whilst the GoSE has enacted proclamations in certain areas relating to the CEDAW Convention, in practice, these policies are often not implemented or fail to meet their objectives. Women's rights are not protected because Eritrea doesn't have an independent legislature or judiciary to provide checks and balances on the Executive. The COI have noted: *"Without any meaningful reform, the Commission remains concerned about the political will of the Government of Eritrea to ensure the rational and effective implementation of any law, old or new."* (HRC, 2015).

2.6 In June 2019, the GoSE seized and shut down all 22 Catholic-run health clinics in the country, denying healthcare to thousands of vulnerable people in rural areas, including mothers with small children (Catholic Herald, 2019). To justify its decision, the GoSE cited a previously unenforced 1995 proclamation which stipulates that all social institutions (including clinics) must be operated by the State. The move was politically motivated and illustrates how the GoSE enforces the law in an inconsistent and arbitrary manner, with no mechanisms for affected parties to challenge the decision via the courts.

2.7 In para 18 of the GoSE submission to CEDAW, it states that “*discrimination on the grounds of sex is prohibited in all national laws.*” In paragraph 23, the submission goes on to list examples of proclamations enacted post-independence which “*respect, protect and fulfil the rights of women and abolish gender-based discrimination.*” Nevertheless, the COI found that: “*discrimination against women exists in various areas of Eritrean society and that some of the legal reforms which appear gender neutral, such as the new land tenure system, indirectly discriminate against women in practice*” (HRC, 2015):

2.7.1 The land tenure system (Proclamation No. 58/1994) removed de jure discrimination against women owning land and property and at the surface appears to be gender-neutral; in practice, the system indirectly discriminates against women and girls who face disproportionate difficulties in accessing and owning land/property due to the barrier of citizenship, denial of their legal autonomy and traditional practices.

2.7.2 Article 4 of the land tenure proclamation states that “*every Eritrean citizen shall have a usufruct right over land*”. Those who fail to complete national service obligations or obtain a formal discharge are unable to obtain citizenship and, therefore have no rights to access land. Due to the fear of harassment and sexual violence in military/national service, many young women and girls enter early marriages or motherhood to avoid entering national service (HRW, 2019). Consequently, many fail to undertake or complete national service obligations and are unable to access land, social services or GoSE sanctioned employment, illustrating how discrimination against women intersects with other human rights violations (HRC, 2015).

2.7.3 At village level, the distribution of land is in most cases handled by land distribution committees, where traditional attitudes towards women’s land rights can prevent the equitable distribution of land. In Muslim communities, Sharia law takes precedence over domestic laws, limiting women’s inheritance to half of what a man is entitled.

### 3. National Service and gender-based violence against women

#### Military/National Service

3.1 At the end of 2018, UNHCR reported 507,300 Eritrean refugees receiving protection under its mandate worldwide (UNHCR, 2018). Indefinite military/national service is frequently cited by as being the principal push factor driving Eritreans to flee the country. National Service Proclamation No. 82/1995 requires citizens between the ages of 18 and 40 years to participate in an 18-month active national service programme. The active programme is stated to comprise of six months of military training followed by 12 months of active military service and/or development work. In 2002, the national service programme was illegally extended from 18 months to an indefinite period, with many conscripts having served for decades. (HRC, 2015; HRW, 2019a);

3.2 Proclamation No.11/1991 provided the statutory basis for national service prior to the promulgation of the current National Service Proclamation (No. 82/1995); its provisions exempted married women and single mothers from national service duties. The 1995 National Service Proclamation removed these exemptions for married women and mothers, contributing to the disintegration of families. Whilst the GoSE claims that married women and single mothers are exempt, there is no legal basis for this claim and where they are exempted, this is done in an arbitrary manner and at the discretion of the recruiting officer (HRC, 2015).

3.3 The GoSE uses the secondary school system as a means to channel students (including underage children) into a life of indefinite service; since 2003, all secondary school students are rounded up to complete their final year (12<sup>th</sup> grade) at Sawa military camp, a harsh, isolated location near the border with Sudan. Every year, tens of thousands of students are forcibly separated from their families and transported to Sawa, where they undertake 5 months of military training in addition to preparing for their National Secondary Education Certificate Examination (the 'matricula'). After one year at Sawa and depending on their performance in their exams, some are assigned to civil service positions, while most are placed in military units, where they work as forced laborers on private and public works projects for an indeterminate duration (HRW, 2019a).

3.4 The COI report documented a number of grave human rights abuses in the GoSE's military/national service programme, including:

- It's indefinite and arbitrary duration which routinely exceeds 18 months;
- The use of conscripts as forced labour in a wide range of activities, including private enterprises owned by the military and ruling elites';
- Rape and torture perpetrated in military camps and other inhumane and degrading conditions (HRC, 2015).

3.5 There is substantial evidence that rape and other forms of sexual violence is still prevalent in military/national service. Some young women are also forced to perform household chores for military officers in Sawa, Wi'a and other military training camps, with some reporting that they were forced into sexual acts and were subjected to physical and mental punishment if they didn't comply, in some cases, the women are imprisoned or forced to have abortions (HRC, 2015; HRC, 2016; HRW, 2019a).

3.6 The COI has observed that *“there [was] a complete denial by the State of the extent of violence against women within its borders,”* which contributed to silencing Eritrean women and hindering their ability to seek recourse to justice. It concluded that Eritrea failed to protect, prevent, punish, and remedy acts of sexual violence committed against women, thereby facilitating a culture of impunity (HRC, 2015).

3.7 Eritrea’s military/national service programmes violate Article 565 of Eritrea’s Transitional Penal Code which criminalises enslavement. They also violate Article 8 of the ICCPR, Article 5 of the ACPHR, and the Slavery Convention of 1926. Aspects of the programmes also violate Articles 9, 10, 12, 17 and 22 of the ICCPR, Articles 8, 12, 15 and 18 of the ACHPR, and the 1930 and 1957 conventions on forced labour. The COI concluded that the programme constitutes the crime against humanity of enslavement (HRC, 2015).

3.8 In paragraph 11 of the GoSE concluding observations on the 5<sup>th</sup> periodic report, GoSE states that: *“In times of peace, National Service members do not have any other obligations once they finish their military training and fulfil their duty of service.”* In the 18 months since the declaration of peace was signed with Ethiopia, not a single announcement has been made regarding plans for phased demobilization and limiting national service to 18 months.

#### Arbitrary detention

3.9 Eritreans continue to be subject to arbitrary imprisonment without recourse to the courts. The thousands of detainees held in Eritrea’s vast prison network include political dissidents, journalists, members of unregistered religious denominations and other prisoners of conscience. Imprisonment is indefinite, often incommunicado and detainees are subjected to harsh punishment including torture (HRC, 2015). In 2017, The OHCHR Special Rapporteur noted: *“The Commission found that there are reasonable grounds to believe that Eritrean officials have committed the crime of torture, against persons under their control. It concluded that the use of torture was, and remains, an integral part of the Government’s repression of the civilian population.”* (OHCHR, 2017).

3.10 Many prisons are located underground or in shipping containers, which can result in extreme temperature fluctuations due to Eritrea’s climate. Prison cells are overcrowded and hygiene conditions are poor, with inadequate sanitary hygiene provision for women. Women are generally kept in cells separate from men, though reports of sexual assault and rape are still rife e.g. prison guards (HRC, 2015).

3.11 Eleven former high-level officials have been detained incommunicado since 2001 for calling for the implementation of the Constitution. GoSE has ignored repeated calls by the African Commission on Human and Peoples’ Rights and the Human Rights Council (to which Eritrea was elected a member in 2018) to release them or at least bring them to trial.

3.12 Ciham Ali Abdu, a U.S. citizen and daughter of former Information Minister Ali Abdu Ahmed, has been detained incommunicado for over seven years. Now 22, Ciham was only 15 years old when she was arrested in December 2012 whilst attempting to cross the border into the Sudan. Her father had defected one month earlier and sought asylum in Australia following irreparable differences with the President. Ciham has never been charged with a crime, has not been brought before a court of law and has been denied access to lawyers and her family. Human Rights

Watch (2019b) observed: *“By holding Ciham Ali Abdu incommunicado from the age of 15, the government has effectively disappeared her.”*

3.13 Mother of three daughters, Senait Debessai was arrested in Asmara on the 15<sup>th</sup> of November 2003 and detained incommunicado in Karchele prison. It is alleged that her arrest was instigated by her husband, Beyene Russom, Eritrea’s Ambassador to Kenya, with whom she had been engaged in divorce proceedings. She was arrested just days before she was due to attend court to file for custody of their children. To this day, her whereabouts and the state of her well-being is unknown. In 2005, it was reported that Senait was in poor health following a kidney operation (Amnesty International, 2005). Ciham and Senait are just two high-profile examples of how GoSE tramples on the rights of women and the Eritrean citizenry in general.

3.14 Detention continues to have a discriminatory effect on women. The COI noted that: *“The special needs of pregnant and nursing mothers and women with children in detention continue not to be met; in some recent instances leading to miscarriage or an infant becoming seriously ill.”* (HRC, 2015).

3.15 The GoSE issued a new criminal code in 2015, but its procedural safeguards, requiring warrants for arrest, access to defence counsel, and the right to habeas corpus petitions, remain largely unimplemented (HRW, 2018).

## 4. Women Human Rights Defenders & Freedom of Association

4.1 The aversion of the GoSE to independent Civil Society Organisations (CSOs) goes back to 1996, when it dismantled the Eritrean Women War Veteran's Association (BANA). Founded in 1994, BANA was created to help recently demobilised women fighters transition into civilian life. By 1996, its almost 1000 members had set up successful cooperatives and the association had raised significant revenue from international donors. When BANA refused to fall under the control of the state sponsored National Union of Eritrean Women (NUEW) and later the government's Demobilisation Agency, it was shut down and its assets seized (Connell, 2010). As of January 2020, the GoSE's prohibition of independent CSOs persists.

4.2 Article 19 of the unimplemented Constitution of Eritrea guarantees the right to freedom of association. Furthermore, Article 22 of the International Covenant on Civil and Political Rights (ICCPR), to which Eritrea has acceded, also guarantees the freedom of association. Despite these commitments, the GoSE has failed to comply with its obligations.

4.3 In Paras 28-30 of the GoSE submission, it claims that women have the right to "*association and assembly in various capacities and diverse interest groups.*" The GoSE cites the Transitional Civil Code of Eritrea (Articles 404-482) as the relevant regulatory framework enabling the establishment of independent, non-profit associations, claiming these organisations have their own structure, leadership programme and source of income. In reality, the organisations which GoSE claim to be independent women's associations in fact fall under the umbrella of the state controlled National Union of Eritrean Women (NUEW).

4.4 Proclamation No. 145/2004 of 2005 (Non-governmental Organization Proclamation) places onerous restrictions on the scope and operation of NGOs, empowering the authorities to exert control over their activities. Article 2(1) limits the definition of NGO to those engaged in relief and/or rehabilitation work, thereby excluding human rights CSOs and women's associations. The proclamation states that any NGO wishing to operate inside Eritrea must apply to the Ministry of Labour and Human Welfare, who must inform applicants of the outcome of the application within 30 days. The Ministry has failed to process the application of any NGO not supportive of the actions of the GoSE, effectively banning the operation of any independent CSO inside Eritrea (Civicus, 2019). As a consequence, independent women's associations, such as the NEW can only operate outside Eritrean borders; this state of affairs poses major challenges for CSOs in holding the GoSE to account.

## 5. Human Trafficking

5.1 A large and increasing number of Eritrean women and girls, including unaccompanied children flee the country illegally to avoid national service, not least because they fear being sexually assaulted (HRW, 2018). As a consequence, women increasingly become victims of violence, human trafficking and smuggling (CEDAW, 2015; OHCHR, 2015). At the end of 2018, UNHCR recorded 507,300 Eritrean refugees receiving protection under its mandate - more than 10% of the country's population - thus maintaining Eritrea's position as the ninth largest country of origin for refugees (UNHCR, 2018). The true figure is in fact much higher, as these statistics don't take account of pending asylum cases and those who have not come to the attention of UNHCR.

5.2 De jure restrictions make it notoriously difficult for Eritreans to leave the country legally. A valid travel document, valid exit visa and a valid international health certificate are required in order to leave legally. In order to obtain an exit visa, Eritreans must prove that they have completed national service duties or that they have been granted an official exemption from it, in addition to providing authorities with compelling reasons for leaving the country (EASO, 2016). Since national service is indefinite, very few Eritreans receive the discharge papers required to leave the country legally. Women under the age of 30 and men under the age of 54 are reportedly the groups most commonly denied exit visas (USSD, 2017). These strict exit control procedures and limited issuance of passports, compel many Eritreans to leave the country illegally, increasing their vulnerability to trafficking abroad, primarily in Sudan, Ethiopia, Djibouti and Libya. When Eritrean girls and women become refugees, many are abused by traffickers, raped and tortured and go on to suffer further human rights abuses (HRW, 2014).

5.3 Despite the introduction of the Eritrean Penal Code of 2015 which criminalized some forms of trafficking in persons, the United States Department of State noted in its 'Trafficking in Persons Report' (2018): "*The Government of Eritrea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so.*" Eritrea is one of 21 countries ranked as Tier 3, meaning they do not meet minimum anti-trafficking standards. The report noted that the government did not share information on its overall anti-trafficking efforts, or report any trafficking investigations, prosecutions, or the identification and protection of any victims. Moreover, the GoSE did not report holding any complicit officials accountable for trafficking crimes despite credible reports of such complicity (Also see: COI, 2015). GoSE has not reported any efforts to address the lack of formal procedures for identifying victims or referring victims to care, nor did the GoSE provide any services to victims (USSD, 2018).

## 6. Education

6.1 Eritrea faces low enrolment and high dropout rates of girls throughout the education system. Enrolment rates are particularly low among school-aged girls, declining significantly in middle and secondary school. Between 2017 -2018, only 43.8% of children who graduated from middle school entered secondary education. In the same time period, over 50% of secondary school-aged students were not in school, with girls disproportionately affected (HRW, 2019a; MoE, 2018).

6.2 This state of affairs is aggravated by the policy of forcing high school students to complete their 12<sup>th</sup> grade at the notorious Sawa military camp. A significant number of Eritrean girls, often at the behest of their families, take the strategic decision to enter into early marriages and/or motherhood - dropping out of the school system before Sawa - as a means of avoiding indefinite national service. GoSE have made no efforts to address this direct consequence of the national service programme which presents a barrier to girls accessing education (HRC, 2016; HRW, 2019a).

6.3 Students at Sawa face harsh living conditions, military-style discipline, corporal punishment for minor infractions and forced labour, creating an environment un conducive with educational attainment. Students are: *“beaten with sticks; made to roll in soil while being beaten; left in the sun for prolonged periods of time with their hands tied; and made to carry heavy water containers and do repeated physical exercises for minor infractions”* (HRW, 2019a). Recent evidence suggests that military officials continue to sexually harass and exploit female students at Sawa, validating the findings of the COI (HRW, 2019a). All military officials and trainers at Sawa are men, which makes it difficult for girls to seek protection and have their specific welfare needs met.

6.4 In paragraph 77 of the GoSE submission, it states that: *“All the teachers and supervisors (at Sawa Secondary School) are civilian staff of the ministry.”* This is patently false; a 2019 report by Human Rights Watch found that national service conscripts make up the vast majority of teachers in secondary schools across the country and are given no choice on becoming a teacher, the subject(s) they teach or where they are located. Their service period is indefinite and they face stiff sanctions, including imprisonment if they attempt to leave their job. This lack of choice and meagre salaries have resulted in a demotivated teaching corps and poor quality instruction (HRW, 2019a). In its 2019 report, Human Rights Watch noted: *“Many students experience poor quality of instruction due to an unmotivated or often absent teaching corps—with teachers skipping lessons and many teachers fleeing abroad—resulting in an un conducive learning environment. As a result, students miss lectures and units as there is no one to teach them, or classes are merged. On occasion, students are without any teacher at all for weeks on end”* (HRW, 2019a).

## 7. Conclusions and Questions for GoSE

The protection of women's rights and their full participation in society can only be guaranteed by the full implementation of the Constitution, separation of powers, freedom of association (and other fundamental rights) and a shift from a climate of impunity, to one of justice. We propose the following high-level questions for GoSE:

- i. When will the GoSE set a clear roadmap for the full implementation of the ratified 1997 Constitution, reconvening the National Assembly and holding national and regional elections?
- ii. When will the GoSE either bring to trial or release all those detained in its prison network without due process? Furthermore, what steps are being taken to guarantee the independence of the judiciary?
- iii. Does the GoSE intend to remove de jure and de facto restrictions on the operation of independent CSOs in Eritrea, particularly women's associations?
- iv. In relation to point iii, will the GoSE permit international organizations (including the UN Special Rapporteur) and independent CSOs access to the country to verify the human rights situation on the ground? This would include access to Eritrean's held in detention incommunicado, in order to enable independent verification of their health and welfare? Pregnant women/girls and those with young children are a priority.
- v. When will the Government announce plans for the demobilization of military/national service conscripts, an end to the illegal extension of national service beyond 18 months and the conscription of those under 18 years old?
- vi. Will the GoSE commit to ensuring that Grade 12 education does not incorporate compulsory military training? Will GoSE also commit to ensuring Eritrean youth have the option of completing secondary education at other secondary schools, since Sawa military camp poses disproportionate health/safety/welfare risks, particularly to young girls?
- vii. Will the GoSE commit to enhancing educational opportunities for women, including formal vocational training and creating an environment conducive to self-employment/entrepreneurship?
- viii. How does the GoSE intend to provide effective channels for women to raise issues of gender-based violence and discriminatory practices, particularly in the context of military personnel?
- ix. How does the GoSE intend to strengthen its mechanisms for ensuring that the perpetrators of sexual violence against women, human trafficking and other serious crimes are reported and prosecuted? Furthermore, what steps will GoSE take to protect women and girls from human trafficking and what provision will be put in place for victims?

- x. Will the GoSE commit to reforming its restrictive policies governing the issuance of passports and also commit to ending the exit-visa system, to ensure that Eritrean's, out of desperation, do not have to resort to clandestine methods of leaving the country, putting them at risk of human trafficking and the torture and sexual violence associated with it.

## References & Bibliography

1. Amnesty.org. (2020). *Aster returned to Eritrea to be with her children, only to be arrested at the airport*. [online] Available at: <https://www.amnesty.org/en/latest/campaigns/2019/09/aster-yohannes-eritrea-hrds-arrested-never-seen-or-heard-from-again/> [Accessed: 27 Dec. 2019];
2. Amnesty.org. (2005) AI Index: AFR 64/013/2005 <https://www.amnesty.org/download/Documents/80000/afr640132005en.pdf> [Accessed: 07 Jan, 2019];
3. CEDAW 2015, Consideration of reports submitted by States parties under article 18 of the Convention Fifth periodic report of States parties due in 2012, [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/ERI/5&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/ERI/5&Lang=en) (Accessed 17 December 2019)
4. CEDAW 2015b, Committee on the Elimination of Discrimination against Women, 25 February 2015, [http://reliefweb.int/sites/reliefweb.int/files/resources/CEDAW\\_Eritrea\\_260215.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/CEDAW_Eritrea_260215.pdf) [Accessed: 23 December 2019];
5. Civicus.org. (2018). Eritrea- Joint Submission to the UN Universal Periodic Review: 32<sup>nd</sup> Session of the UPR Working Group 2018 [online] Available at: <https://www.civicus.org/documents/JointCIVICUSUPRSubmissionEritrea.pdf> [Accessed 27 Dec. 2019];
6. Connell, D. (2010) *Historical Dictionary of Eritrea*. 2<sup>nd</sup> ed. Maryland: Scarecrow Press
7. Dirar, L. and Tesfagabir, K. (2020). *Introduction to Eritrean legal system and research - GlobaLex*. [online] Nyulawglobal.org. Available at: <https://www.nyulawglobal.org/globalex/Eritrea.html> [Accessed: 2 Jan. 2020];
8. EASO, EASO report 2016 (Introduction), November 2016
9. Human Rights Watch. (2014). *"I Wanted to Lie Down and Die" - Trafficking and Torture of Eritreans in Sudan and Egypt*. [online] Available at: <https://www.hrw.org/report/2014/02/11/i-wanted-lie-down-and-die/trafficking-and-torture-eritreans-sudan-and-egypt> [Accessed: 3 Jan. 2020];
10. Human Rights Watch. (2018). *World Report 2018 - Status of Human Rights Around the World*. [online] Available at: <https://www.hrw.org/world-report/2018> [Accessed 4 Jan. 2020].
11. Human Rights Watch. (2019a). *"They are making us into slaves, not educating us": How indefinite conscription restricts young people's rights, access to education in Eritrea..* [online] Available at: <https://www.hrw.org/report/2019/08/08/they-are-making-us-slaves-not-educating-us/how-indefinite-conscription-restricts> [Accessed: 3 Jan, 2020]
12. Human Rights Watch. (2019b). *Eritrea: Another Birthday Behind Bars*. [online] Available at: <https://www.hrw.org/news/2019/04/03/eritrea-another-birthday-behind-bars> [Accessed 2 Jan. 2020].
13. Jeffrey, J. (2020). *Why on earth did Eritrea shut down Catholic health clinics?* *Catholic Herald*. [online] Available at: <https://catholicherald.co.uk/magazine/why-on-earth-did-eritrea-shut-down-catholic-health-clinics/> [Accessed 2 Jan, 2020];
14. Ministry of Education, Education Sector Plan (2018-2022), p.87 & p.90;
15. OHCHR, Special Rapporteur on the situation of human rights in Eritrea at the 34th session of the Human Rights Council Geneva, 13 March 2017.
16. Selassie, B.H.(1998) Creating a Constitution for Eritrea. *Journal of Democracy*. 9(2), pp. 164-74;

17. UN Committee on the Rights of the Child (CRC), *Concluding observations on the fourth periodic report of Eritrea*, 2 July 2015, CRC/C/ERI/CO/4, para 59 (d), <http://www.refworld.org/docid/566bf7a4.html> [accessed January 4, 2019];
18. UNGA, A/HRC/32/47, 6 June 2016. UNGA, A/HRC/32/CPR.1 8 June 2016;
19. Unhcr.org. (2018). Global Trends: Forced displacement in 2018. [online] Available at: <https://www.unhcr.org/5d08d7ee7.pdf> [Accessed 6 Jan. 2020].
20. UN Human Rights Council, *Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea*, 5 June 2015, A/HRC/29/CRP.1, available at: <https://www.refworld.org/docid/55758bab4.html> [accessed 3 January 2020];
21. UN Human Rights Council, *Report of the commission of inquiry on human rights in Eritrea*, 9 May 2016, A/HRC/32/47, available at: <https://www.refworld.org/docid/575920394.html> [accessed 7 January 2020]
22. USSD, USSD report 2017 (section 2.d), 20 April 2018
23. United States Department of State, *2018 Trafficking in Persons Report - Eritrea*, 28 June 2018, available at: <https://www.refworld.org/docid/5b3e0b4ba.html> [Accessed: 2 January 2020]

### **Eritrean laws**

Ratified Constitution (not implemented)

<http://confinder.richmond.edu/admin/docs/Eritrea1997English.pdf>

Criminal Code 2015

Transitional Civil Code of Eritrea

Transitional Penal Code of Eritrea

Proclamation No.. 58/1994 – Land tenure

[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=91368](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=91368)

Proclamation No. 82/1995 – National Service (Current)

<https://www.refworld.org/docid/3dd8d3af4.html>

Proclamation No.11/1991 – national Service (Old)

Proclamation No 145/2004 of 2005 (Non-governmental Organization Proclamation)

<https://www.refworld.org/docid/493507c92.html>

### **International law**

Article 25 International Covenant on Civil and Political Rights – Right to choose your representatives

Article 13 African Charter on Human and Peoples' Rights - Every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law.

Article 22 of the International Covenant on Civil and Political Rights (ICCPR), to which Eritrea has acceded, guarantees the freedom of association

Slavery Convention of 1926