



Human Rights Council
Working Group on the Universal Periodic Review
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Eritrea

Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights*

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.¹ It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with human rights mechanisms

2. In 2020, the Committee on the Elimination of Discrimination against Women recommended that Eritrea ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. The Committee also recommended that Eritrea consider the ratification of the Convention on the Rights of Persons with Disabilities.²

3. In 2019, the Human Rights Committee stated that Eritrea should consider accession to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.³

4. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged Eritrea to ratify the Convention against Discrimination in Education.⁴

5. In 2023, the Special Rapporteur on the situation of human rights in Eritrea stated that the Government of Eritrea had continued to reject his mandate and had refused him access to the country. In addition, the cooperation and engagement of Eritrea with universal and regional human rights mechanisms had continued to be limited. He recommended that Eritrea constructively engage with his mandate as well as with other human rights mechanisms and organizations.⁵

6. The same Special Rapporteur noted that the vast majority of recommendations made by international human rights mechanisms to Eritrea remained unimplemented.⁶

* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



7. The Human Rights Committee noted the signing of a joint declaration of peace and friendship between Eritrea and Ethiopia on 9 July 2018 and of a cooperation agreement between Eritrea, Ethiopia, Djibouti and Somalia on 6 September 2018 on working together to restore peace and stability in the Horn of Africa. The Committee also noted the lifting of sanctions imposed against Eritrea by the Security Council on 14 November 2018. The Committee expressed the hope that Eritrea would seize those opportunities as the beginning of a new era to build a more peaceful, inclusive and resilient future for the people of Eritrea.⁷

III. National human rights framework

1. Constitutional and legislative framework

8. The Special Rapporteur on Eritrea noted that the Constitution of 1997 had not been implemented and that Eritrea was governed without the rule of law, a division of powers or any checks and balances or constraints on the power of the President of the country. The Committee on the Elimination of Discrimination against Women stated that the persistent failure of Eritrea to implement the Constitution of 1997 had undermined the rule of law and adversely affected women's rights. The Human Rights Committee stated that Eritrea should, as a matter of urgency, ensure that the Constitution was put into effect pending its replacement with a new constitution.⁸

9. The Committee on the Elimination of Discrimination against Women noted with concern the discontinuation of the review of the Constitution of 1997. It recommended that Eritrea resume the constitutional review process with transparent and participatory procedures, taking into account the views of all women and girls, including those holding divergent opinions, and in the interim ensure the effective implementation of the Constitution of 1997. The Human Rights Committee stated that Eritrea should expedite the constitutional review process within a clear time frame.⁹

10. UNESCO encouraged Eritrea to enshrine the right to education in the Constitution. The Human Rights Committee stated that Eritrea should ensure that the rights enshrined in the International Covenant on Civil and Political Rights were fully incorporated into the Constitution and other relevant domestic legislation and take all measures necessary to ensure that all laws, including common, customary and sharia law, were interpreted and applied in full compliance with the Covenant and were enforceable in national courts.¹⁰

11. UNESCO encouraged Eritrea to enact a freedom of information law in accordance with international standards.¹¹

2. Institutional infrastructure and policy measures

12. The Committee on the Elimination of Discrimination against Women noted with concern the lack of a national human rights institution and recommended that Eritrea prioritize the establishment of one that could discharge its mandate effectively, independently and in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).¹²

13. The Human Rights Committee was concerned that the length of national service, initially stipulated by the National Service Proclamation No. 82/1995 for a period of 18 months, had been extended by a mandatory national service programme (Warsay-Yikealo) for an indefinite period. It stated that Eritrea should limit the length of mandatory military and national service to a maximum period of 18 months, in accordance with international standards.¹³

14. The Committee on the Elimination of Discrimination against Women expressed concern about the serious impact of mandatory national service on women's rights and regret that national service continued to be of an indefinite period. It urged Eritrea to reduce the duration of national service to a maximum of 18 months and ensure the speedy demobilization and reintegration into society of women who had already completed 18 months of service.¹⁴

15. The Human Rights Committee was concerned about reports of underage recruitment and stated that Eritrea should ensure strict compliance with the minimum age of recruitment for military service of 18 years.¹⁵

16. The Special Rapporteur on Eritrea identified an upsurge in forced recruitment in 2022, as well as the use of increasingly coercive practices to mobilize the population and force individuals to participate in military action in Ethiopia.¹⁶

17. The same Special Rapporteur stated that national service had continued to have negative impacts on the economic, social and cultural rights of Eritreans, including their rights to access quality education, to decent work, to an adequate standard of living, including to adequate housing, and to private and family life. Forced conscription had destroyed the Eritrean social fabric and torn families apart. Eritrean conscripts had often gone for years without seeing their families, children grew up with absent fathers, and young boys were forced to flee the country and girls compelled to marry and to start a family too young. The Special Rapporteur recommended that Eritrea investigate allegations of human rights violations in the context of military/national service.¹⁷

IV. Promotion and protection of human rights

A. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

18. The Committee on the Elimination of Discrimination against Women remained concerned about the absence of a specific legal framework addressing the rights of women. It noted the parallel existence of customary and sharia law and expressed the concern that their interpretation and application discriminated against women.¹⁸

19. The same Committee expressed concern about the absence of a legal definition of discrimination against women, covering direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination. It recommended that Eritrea adopt a comprehensive definition of discrimination against women and repeal all discriminatory provisions of customary and religious laws.¹⁹

20. The same Committee expressed concern about the persistent patriarchal attitudes and discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and society that underpinned harmful practices, including child and/or forced marriage and polygamy. It urged Eritrea to adopt a comprehensive strategy to eliminate discriminatory stereotypes and all harmful practices and ensure that support services and rehabilitation programmes were established for victims; and to raise awareness among traditional and religious leaders, parents, teachers, women and the general public about the criminal nature and devastating impact of harmful practices on the lives of women and girls.²⁰

2. Right to life, liberty and security of person, and freedom from torture

21. The Human Rights Committee expressed concern about the maintenance of the death penalty in the Penal Code and about the lack of an official moratorium on the use of the death penalty. It stated that Eritrea should establish an official moratorium on the death penalty with a view to abolishing it.²¹

22. The same Committee expressed concern about the lack of legal standards and relevant procedures on the appropriate use of force and firearms by law enforcement and security forces and about allegations of disproportionate use of force against civilians. It stated that Eritrea should adopt appropriate legislation and policies controlling the use of lethal force by law enforcement officials; provide law enforcement personnel with training on the use of force; and ensure that all instances of excessive use of force were investigated and those responsible brought to justice.²²

23. The same Committee was concerned about reports of enforced disappearances and extrajudicial killings allegedly committed by governmental officials, particularly members

of the National Security Office. It stated that Eritrea should investigate all allegations and complaints concerning enforced disappearances and extrajudicial killings; prosecute alleged perpetrators and, if convicted, punish them with appropriate sanctions; provide victims of enforced disappearance with full reparation, including satisfaction and guarantees of non-repetition; and clarify the fate or whereabouts of disappeared persons and ensure that their relatives were informed about the progress and results of investigations.²³

24. The Special Rapporteur on Eritrea expressed grave concern about the situation of the many Eritreans who remained disappeared, the majority of whom had been disappeared for years, or even decades, leaving their families in a state of permanent uncertainty and unresolved grief. He recommended that Eritrea end the practice of enforced disappearance and reveal the whereabouts of victims of enforced disappearance. The Committee on the Elimination of Discrimination against Women noted reports of enforced disappearances of women and girls and recommended that Eritrea investigate all such cases.²⁴

25. Noting allegations of the use of torture, the Human Rights Committee stated that Eritrea should put an end to the practice of torture and ill-treatment. It should review its laws to ensure that all elements of the crime of torture were prohibited in accordance with article 7 of the International Covenant on Civil and Political Rights and stipulate sanctions for acts of torture that were commensurate with the gravity of the crime; investigate all allegations of torture and, where appropriate, prosecute and punish perpetrators; take all measures to prevent torture, including by strengthening the training of judges, prosecutors, the police and military and security forces; and establish an independent mechanism for investigating complaints of torture and ill-treatment by law enforcement officials.²⁵

26. The Special Rapporteur on Eritrea stated that Eritrea continued to target and imprison real or perceived government critics and opponents without any access to due process rights, such as access to a lawyer and judicial review of the legality of the detention, and without any legal process. Journalists, political opponents or politically active individuals, artists, people of faith, draft evaders and returned asylum-seekers continued to be arbitrarily detained, in many cases for prolonged periods of time. The Special Rapporteur recommended that Eritrea release all those who were unlawfully and arbitrarily detained.²⁶

27. The Human Rights Committee expressed concern about the reports of widespread arbitrary arrest and detention, including incommunicado detention, and failure to meet basic minimum legal safeguards. It stated that Eritrea should ensure that all persons deprived of their liberty were detained only in official places of detention and provided with all legal safeguards; that allegations of unlawful detention were promptly investigated and perpetrators brought to justice; that victims of arbitrary and unlawful detention were promptly released and provided with access to an effective remedy and full reparation; and that relatives of persons in detention were informed of their whereabouts.²⁷

28. The Special Rapporteur on Eritrea stated that detainees were held in extremely overcrowded and unsanitary conditions, without access to health care, water, sanitation or sufficient food. Torture and inhuman or degrading treatment were widespread practices in the context of detention. The Special Rapporteur recommended that Eritrea ensure that persons deprived of their liberty were treated with humanity and dignity, in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).²⁸

29. The Committee on the Elimination of Discrimination against Women noted with concern the harsh conditions for women in detention, who faced sexual and other forms of gender-based violence and the absence of an independent monitoring body to visit places of detention in which women were held. It recommended that Eritrea promote alternatives to detention for pregnant women and women with children, such as house arrest; release political prisoners and women imprisoned for practising their faith; and provide independent bodies, such as the United Nations special procedure mandate holders, with access to all detention facilities in which women were held.²⁹

3. International humanitarian law

30. The Special Rapporteur on Eritrea stated that, while the agreement for the cessation of hostilities reached between the Government of Ethiopia and the Tigray People's Liberation

Front was a welcome positive development, Eritrea was not mentioned in the agreement and had not yet fully withdrawn from the Tigray region of Ethiopia, placing the stability of the region and the consolidation of peace in jeopardy. The Special Rapporteur recommended that Eritrea withdraw any remaining forces from Ethiopia.³⁰

31. The same Special Rapporteur recommended that Eritrea investigate the allegations of human rights and humanitarian law violations by Eritrean armed forces in the context of the conflict in Ethiopia since November 2020 and take measures to bring perpetrators to justice.³¹

4. Human rights and counter-terrorism

32. While acknowledging that Eritrea needed to adopt measures to prevent acts of terrorism, the Human Rights Committee was concerned about allegations of arbitrary detention, torture and extrajudicial killings of members of the Muslim community as a group for their alleged links with terrorist groups. It stated that Eritrea should ensure that measures taken to combat terrorism were fully compatible with its obligations under the International Covenant on Civil and Political Rights and were directed at the suspected perpetrators only. Eritrea should also refrain from designating any specific community as linked to terrorism.³²

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

33. The Special Rapporteur on Eritrea stated that Eritrea lacked the minimum institutional infrastructure for the administration of justice. The justice system lacked independence and followed the directives of the presidency. Due process rights continued to be systematically violated. Impunity for human rights violations was entrenched. The Special Rapporteur noted that the lack of access to independent justice institutions that Eritreans could resort to and seek redress from contributed to generating a perpetual human rights crisis, with the continued commission of human rights violations, some of which amounted to crimes against humanity. The Special Rapporteur recommended that Eritrea develop effective rule of law institutions and ensure the administration of justice by independent, qualified and professional individuals.³³

34. The Human Rights Committee expressed concern about the lack of independence of the judiciary; the jurisdiction of military courts over cases involving civilians and the absence of the right to appeal its decisions; and the Special Court, which was not part of the judicial system but had jurisdiction over general criminal cases and derived its powers from the Ministry of Defence. The Committee regretted that the Supreme Court provided for in the Constitution had not been established. It stated that Eritrea should ensure the full independence and impartiality of the judiciary; ensure that military courts had jurisdiction only in cases involving military personnel; provide for the right to fair trial; abolish the Special Court; and establish the Supreme Court.³⁴

35. The same Committee expressed concern about reports of widespread impunity, particularly with respect to serious human rights violations. It stated that Eritrea should take all necessary measures to end such impunity by establishing a transitional justice process for the prosecution of past violations and systematically conducting prompt, impartial, effective and thorough investigations in order to identify, prosecute and punish those responsible, while ensuring that victims had access to effective remedies and full reparation.³⁵

36. The same Committee expressed concern about the lack of access to an effective remedy for victims of violations of human rights and the absence of a mechanism to implement decisions of the relevant international human rights bodies.³⁶

37. The same Committee stated that Eritrea should take all measures necessary to ensure that all laws, including common, customary and sharia law, were interpreted and applied in full compliance with the International Covenant on Civil and Political Rights and were enforceable in national courts. All legal professionals, including judges, prosecutors and lawyers, should be trained on the rights enshrined in the Covenant and on their application.³⁷

38. The Committee on the Elimination of Discrimination against Women noted that women and girls continued to face obstacles in gaining access to justice and the absence of independent and free-of-charge specialized legal services for women. It urged Eritrea to design a judicial policy to eliminate the institutional barriers faced by women and girls in

obtaining access to justice; and ensure effective access to justice for women who were victims of gender-based violence, including through special legal aid mechanisms and legal aid programmes.³⁸

39. The same Committee urged Eritrea to provide systematic training to judges, prosecutors, the police and other law enforcement officers on the strict application of criminal law provisions prohibiting harmful practices against women and girls, with a view to ensuring that perpetrators of such criminal acts were brought to justice.³⁹

6. Fundamental freedoms and the right to participate in public and political life

40. The Special Rapporteur on Eritrea stated that the situation of freedom of religion or belief continued to deteriorate, with renewed waves of arrests of people of faith and continued restrictions on the right to worship and to manifest one's religion or belief, including through teaching, practice and observance. Sunni Islam, Eritrean Orthodox, Roman Catholic and Lutheran remained the only four government-authorized religious denominations in the country. Hundreds of religious leaders and adherents of unrecognized denominations, primarily members of the Jehovah's Witnesses and the Pentecostal and Evangelical Christian faiths, remained in prolonged and sometimes incommunicado detention in inhuman and degrading conditions, without formal charges or access to legal recourse.⁴⁰

41. The Human Rights Committee was concerned about reports of harassment, arrest and detention of persons for merely expressing their opinion, including political figures, journalists and religious and community leaders. It stated that Eritrea should take measures to guarantee the enjoyment of the freedoms of opinion and expression.⁴¹

42. UNESCO encouraged Eritrea to enforce the constitutional principle of freedom of expression and the right of access to information; decriminalize defamation; and establish an independent broadcast licensing authority.⁴²

43. The Human Rights Committee stated that Eritrea should ensure the legal recognition of conscientious objection to military service and provide for alternative service of a civilian nature for conscientious objectors. The Committee on the Elimination of Discrimination against Women urged Eritrea to recognize the right to conscientious objection.⁴³

44. The same Committee expressed concern about severe restrictions on the freedoms of assembly and association applied to independent human rights defenders and civil society organizations.⁴⁴

45. The Special Rapporteur on Eritrea stated that civic space continued to be completely closed. The People's Front for Democracy and Justice was the only authorized party, and there was no space for the participation of civil society, the articulation of any form of political opposition, the expression of critical views or the free exchange of ideas and opinions. Freedom of the press and the media continued to be non-existent. Independent and international media could not operate in Eritrea, and the only media operating in the country were directly controlled by the Ministry of Information.⁴⁵

46. The Committee on the Elimination of Discrimination against Women remained concerned that the National Union of Eritrean Women remained the only women's organization allowed to operate in the country and lacked engagement with civil society organizations. It recommended that Eritrea ensure the independence of the National Union of Eritrean Women from the Government and provide it with a strong mandate and sufficient technical and financial means to coordinate and implement gender equality plans, policies and programmes, in cooperation with diverse civil society organizations.⁴⁶

47. The same Committee recommended that Eritrea adopt temporary special measures, targeting the participation of women in political and public life, as well as in the areas of education, employment and health, and apply those measures irrespective of political affiliation. It also urged Eritrea to conduct awareness-raising campaigns for politicians, community and religious leaders, the media and the general public to enhance the understanding that the full, equal, free and democratic participation of women on an equal basis with men in political and public life was a requirement for the full implementation of the human rights of women and for achieving political stability and economic development.⁴⁷

48. The Human Rights Committee expressed concern that the current political system did not allow for pluralism and the participation of citizens in public affairs.⁴⁸

49. The Committee on the Elimination of Discrimination against Women reiterated its previous concern about the absence of free, regular and fair elections to the National Assembly and to regional bodies. It noted with concern the obstructions to the free exercise by political bodies and associations of their rights.⁴⁹

7. Right to marriage and family life

50. The Committee on the Elimination of Discrimination against Women noted with concern that women's rights relating to marriage and family were constrained by the requirement that marriages could only be registered upon completion of national service and recommended that Eritrea abolish that requirement.⁵⁰

51. The same Committee was concerned by the practice of polygamous marriages and the discriminatory application of religious laws on divorce and inheritance within Muslim communities, to the detriment of women. It recommended prohibiting polygamy and ensuring the protection of the economic rights of women in existing polygamous marriages.⁵¹

8. Prohibition of all forms of slavery, including trafficking in persons

52. The Committee on the Elimination of Discrimination against Women expressed concern about the high number of cases of trafficking in and sexual exploitation of girls. It recommended that Eritrea enact and enforce national anti-trafficking and anti-smuggling legislation and implement national strategies and national plans to combat such crimes; and conduct investigations into cases of trafficking and ensure that victims had access to free legal aid, accessible shelters and psychological support.⁵²

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

53. The Committee on the Elimination of Discrimination against Women noted relevant concerns, including the lack of application of the principle of equal pay for work of equal value, and recommended that Eritrea improve the employability of women in the formal sector and ensure the establishment of a social security system for vulnerable women; ensure the enforcement of national legislation relating to women, in particular labour legislation to guarantee the principle of equal pay for work of equal value; adopt a legislative framework on sexual harassment and ensure that victims had access to effective complaints procedures and remedies; and ensure that women and men could benefit from paid maternity, paternity or parental leave.⁵³

10. Right to social security

54. The Committee on the Elimination of Discrimination against Women was concerned about the lack of a comprehensive social protection system and stated that Eritrea should ensure the establishment of a social security system for vulnerable women, particularly those employed in the agricultural and domestic sectors.⁵⁴

11. Right to an adequate standard of living

55. The Committee on the Elimination of Discrimination against Women noted with concern that widespread poverty had disproportionately affected women and recommended that Eritrea adopt poverty reduction programmes for women that allowed them access to basic services in the areas of health, education, water and electricity; and take measures to address hunger and ensure food security for rural women in the light of the effects of climate change.⁵⁵

56. The same Committee was concerned about military service being a precondition for access to the use of land and other economic benefits and recommended that Eritrea eliminate that requirement and ensure that land distribution schemes integrated a gender perspective.⁵⁶

57. The same Committee expressed concern about inadequate access to bank loans and other economic development opportunities for women and recommended that Eritrea invest in the independence and autonomy of women through programmes facilitating access to bank

loans, credit guarantees, microcredit, markets, business scale-up, common production facilities and other production systems.⁵⁷

12. Right to health

58. The Committee on the Elimination of Discrimination against Women expressed concern, including about the high rates of maternal mortality and early pregnancy and the prevalence of malnutrition and communicable diseases. It recommended that Eritrea address the problem of high maternal mortality through improvements in the proximity of health services; invest in combating malnutrition and communicable diseases and reduce their incidence by improving hygiene and sanitation for women and girls; fully and effectively implement article 534 of the Transitional Penal Code, as amended by proclamation No. 4/1991, which decriminalized the conditions for abortion; and ensure the availability and accessibility of reproductive health-care facilities for adolescent girls and young women and adequate access to information on sexual and reproductive health and rights.⁵⁸

13. Right to education

59. The Committee on the Elimination of Discrimination against Women noted the failure of Eritrea to adequately address the root causes of girls dropping out of school and recommended that Eritrea improve the rate of girls' enrolment, retention and completion of school education and ensure opportunities for educational continuity for girls and women at all levels; reduce the school dropout rate, provide ample support to girls in child marriages and facilitate the re-entry into education of young mothers; ensure adequate infrastructure and the availability of accessible separate sanitary facilities for girls and boys in all educational institutions, including in rural areas; give priority to the training and recruitment of female teachers, especially at the secondary and tertiary levels; incorporate into school curricula mandatory age-appropriate sexual and reproductive health and rights education, for girls and boys; and enhance temporary special measures to promote the enrolment of women and girls in the fields of science, technology, engineering and mathematics.⁵⁹

60. The Human Rights Committee was concerned that all high-school students, boys and girls, had to enrol for their twelfth grade at the Sawa military training centre, where they underwent stringent military training. The Committee was also concerned that many students had dropped out of school and that some of them had fled the country to avoid such enrolment. It stated that Eritrea should discontinue the forced enrolment of high-school students at the Sawa military training centre and ensure that students in the twelfth grade had the option of receiving education at civilian high schools.⁶⁰

61. The Special Rapporteur on Eritrea stated that the University of Asmara had been closed in 2006 and had been replaced by colleges for higher learning. However, their qualifications were not internationally recognized. As a result, young Eritreans who fled the country faced difficulties in having their qualifications recognized. The Eritrean authorities also retained graduates' certificates, in order to confine young, educated Eritreans within the country's borders by restricting their prospects for success abroad.⁶¹

14. Development, the environment, and business and human rights

62. The Committee on the Elimination of Discrimination against Women urged Eritrea to recognize women as the driving force of sustainable development and to adopt relevant policies and strategies to that effect. It called for the realization of de jure and de facto gender equality in the process of implementing the 2030 Agenda for Sustainable Development, recalling the importance of Goal 5 and of mainstreaming the principles of equality and non-discrimination throughout all 17 Goals.⁶²

63. The same Committee recommended that Eritrea ensure that women were meaningfully involved in the development of legislation, policies and programmes on climate change, disaster response and disaster risk reduction.⁶³

B. Rights of specific persons or groups

1. Women

64. The Committee on the Elimination of Discrimination against Women recommended that Eritrea expedite the finalization of the national action plan for the implementation of Security Council resolution 1325 (2000), in cooperation with representatives of politically diverse women's civil society organizations, and ensure that the plan took into consideration the full spectrum of the Security Council agenda on women and peace and security; incorporated a model of substantive equality; and ensured the participation of women, including those belonging to ethnic and religious minorities and diverse political groups, in peace, transitional justice and reconciliation processes, including in reparations and indemnity mechanisms.⁶⁴

65. The same Committee expressed concern about the persistence of female genital mutilation, particularly in rural areas, and the lack of rehabilitation programmes for victims.⁶⁵

66. The same Committee noted the creation of a national steering committee responsible for coordinating efforts to combat female genital mutilation and other forms of gender-based violence but remained concerned about the high prevalence of gender-based violence. It recommended that Eritrea adopt legislation criminalizing all forms of physical, psychological, economic and sexual violence against women, including marital rape, and define rape based on lack of consent rather than penetration or use of force; ensure that alleged perpetrators of such acts were prosecuted and, if convicted, adequately punished; and ensure the availability and accessibility of shelters for victims and strengthen support services for them.⁶⁶

2. Children

67. The Committee on the Elimination of Discrimination against Women reiterated its concern about the prevalence of child marriage and recommended that Eritrea combat the root causes of child marriage and ensure the implementation of articles 581 and 607 of the Transitional Civil Code, which set the minimum age for marriage for both sexes at 18 years.⁶⁷

68. Noting the negative impact of national service on economic, social and cultural rights, the Special Rapporteur on Eritrea stated that the increase in widespread and indiscriminate round-ups had resulted, among other things, in a significant number of school-age children being removed from school and conscripted into the military. Furthermore, in order to avoid conscription, children were abandoning their studies to go into hiding and/or flee the country at an ever-younger age.⁶⁸

3. Older persons

69. The Special Rapporteur on Eritrea noted that older persons were among the thousands of citizens conscripted by the Eritrean authorities through force and coercion to participate in the Tigray conflict in Ethiopia.⁶⁹

4. Persons with disabilities

70. The Committee on the Elimination of Discrimination against Women recommended that Eritrea address intersecting forms of discrimination against women and girls with disabilities and ensure their inclusion and enjoyment of all rights under the Convention on the Elimination of All Forms of Discrimination against Women, including by eliminating restrictions on their legal capacity, ensuring their access to justice, protection from gender-based violence, inclusive education, employment and health services, including sexual and reproductive rights, and accommodating their specific needs in line with the Committee's general recommendation No. 18 (1991) on disabled women.⁷⁰

5. Indigenous Peoples and minorities

71. The Special Rapporteur on Eritrea stated that, for several decades, the Afar Indigenous communities had been subjected to discrimination, harassment, arbitrary arrests, disappearances, violence and widespread persecution. They were also prevented from

carrying out their traditional occupation, namely, fishing. Those violations and abuses had interfered with their traditional means of livelihood, eroded their culture, caused displacement and threatened their way of life. The Afar Indigenous People's right to free, prior and informed consent in relation to the management and exploitation of their lands continued to be systematically violated, and they had little access to information to empower them to effectively participate in matters that affected them.⁷¹

6. Lesbian, gay, bisexual, transgender and intersex persons

72. The Human Rights Committee was concerned that consensual same-sex relationships were criminalized, which promoted homophobic attitudes and stigmatized lesbian, gay, bisexual, transgender and intersex persons. It stated that Eritrea should decriminalize same-sex relationships between consenting adults and take measures, including policy and public education initiatives, to change societal perceptions of lesbian, gay, bisexual, transgender and intersex persons.⁷²

7. Migrants, refugees and asylum-seekers

73. The Special Rapporteur on Eritrea noted that Eritrean asylum-seekers and refugees who had been interviewed had continued to point to national service as the main driver of forced migration from Eritrea.⁷³

8. Stateless persons

74. The Committee on the Elimination of Discrimination against Women noted the insufficient implementation of Proclamation No. 21/1992 on the acquisition of nationality and the difficulties in obtaining birth certificates in rural areas. It recommended that Eritrea effectively implement the law on nationality so that women could acquire, change, retain or transfer their nationality; and facilitate birth registration, particularly in rural areas, through the use of modern information and other technologies and by simplifying and ensuring affordable birth registration procedures.⁷⁴

Notes

- 1 [A/HRC/41/14](#), [A/HRC/41/14/Add.1](#) and [A/HRC/41/2](#).
- 2 [CEDAW/C/ERI/CO/6](#), paras. 32 (c) and 46 (b).
- 3 [CCPR/C/ERI/CO/1](#), para. 30 (d).
- 4 UNESCO submission for the universal periodic review of Eritrea, para. 21.
- 5 [A/HRC/53/20](#), paras. 14, 17 and 80 (b).
- 6 *Ibid.*, para. 79.
- 7 [CCPR/C/ERI/CO/1](#), para. 5.
- 8 [A/HRC/53/20](#), para. 42; [CEDAW/C/ERI/CO/6](#), para. 12; and [CCPR/C/ERI/CO/1](#), para. 8.
- 9 [CEDAW/C/ERI/CO/6](#), paras. 12 and 13 (a); and [CCPR/C/ERI/CO/1](#), para. 8.
- 10 UNESCO submission, para. 21; and [CCPR/C/ERI/CO/1](#), para. 8.
- 11 UNESCO submission, para. 24.
- 12 [CEDAW/C/ERI/CO/6](#), para. 18. See also [CCPR/C/ERI/CO/1](#), paras. 11 and 12.
- 13 [CCPR/C/ERI/CO/1](#), paras. 37 and 38.
- 14 [CEDAW/C/ERI/CO/6](#), paras. 10 and 11.
- 15 [CCPR/C/ERI/CO/1](#), paras. 43 and 44 (c).
- 16 [A/HRC/53/20](#), para. 30.
- 17 *Ibid.*, paras. 76 and 80 (h). See also *ibid.*, paras. 20–23.
- 18 [CEDAW/C/ERI/CO/6](#), para. 12.
- 19 *Ibid.*, paras. 12 and 13 (b).
- 20 *Ibid.*, paras. 21 and 22.
- 21 [CCPR/C/ERI/CO/1](#), paras. 23 and 24 (e).
- 22 *Ibid.*, paras. 23 and 24 (a), (c) and (d).
- 23 *Ibid.*, paras. 27 and 28 (a)–(d).
- 24 [A/HRC/53/20](#), paras. 46 and 80 (d); and [CEDAW/C/ERI/CO/6](#), paras. 47 and 48 (a).
- 25 [CCPR/C/ERI/CO/1](#), paras. 25 and 26.
- 26 [A/HRC/53/20](#), paras. 44 and 80 (c).
- 27 [CCPR/C/ERI/CO/1](#), paras. 27 and 28 (h)–(k).
- 28 [A/HRC/53/20](#), paras. 45 and 80 (g). See also [CCPR/C/ERI/CO/1](#), para. 30.

- 29 CEDAW/C/ERI/CO/6, paras. 47 and 48 (d), (e) and (g).
30 A/HRC/53/20, paras. 75 and 80 (m). See also *ibid.*, paras. 20–23.
31 *Ibid.*, para. 80 (k).
32 CCPR/C/ERI/CO/1, paras. 17 and 18.
33 A/HRC/53/20, paras. 43 and 80 (i).
34 CCPR/C/ERI/CO/1, paras. 31 and 32. See also CEDAW/C/ERI/CO/6, para. 25.
35 CCPR/C/ERI/CO/1, paras. 13 and 14.
36 *Ibid.*, para. 9.
37 *Ibid.*, para. 8.
38 CEDAW/C/ERI/CO/6, paras. 25 and 26 (b) and (c).
39 *Ibid.*, para. 22 (b).
40 A/HRC/53/20, paras. 52 and 53. See also CCPR/C/ERI/CO/1, paras. 35 and 36.
41 CCPR/C/ERI/CO/1, paras. 39 and 40.
42 UNESCO submission, paras. 23, 25 and 26.
43 CCPR/C/ERI/CO/1, para. 38; and CEDAW/C/ERI/CO/6, para. 11 (a).
44 CCPR/C/ERI/CO/1, para. 41.
45 A/HRC/53/20, paras. 49 and 50.
46 CEDAW/C/ERI/CO/6, paras. 16 and 17 (a).
47 *Ibid.*, paras. 20 and 30 (d). See also CCPR/C/ERI/CO/1, paras. 19 and 20.
48 CCPR/C/ERI/CO/1, para. 45.
49 CEDAW/C/ERI/CO/6, para. 29.
50 *Ibid.*, paras. 51 (a) and 52 (a).
51 *Ibid.*, paras. 51 (b) and 52 (c).
52 *Ibid.*, paras. 27 and 28 (a) and (b). See also CCPR/C/ERI/CO/1, paras. 33 and 34.
53 CEDAW/C/ERI/CO/6, paras. 37 and 38 (a)–(c) and (e).
54 *Ibid.*, paras. 38 (a) and 41 (d).
55 *Ibid.*, paras. 41, 42 (c) and 50.
56 *Ibid.*, paras. 41 (a) and 42 (a).
57 *Ibid.*, paras. 41 (c) and 42 (d).
58 *Ibid.*, paras. 39 and 40 (a), (b), (d) and (e).
59 *Ibid.*, paras. 33 (d) and 34.
60 CCPR/C/ERI/CO/1, paras. 43 and 44 (a). See also CEDAW/C/ERI/CO/6, para. 36.
61 A/HRC/53/20, para. 39.
62 CEDAW/C/ERI/CO/6, para. 7.
63 *Ibid.*, para. 50.
64 *Ibid.*, para. 15.
65 *Ibid.*, para. 21 (b).
66 *Ibid.*, paras. 23 and 24 (a)–(c). See also CCPR/C/ERI/CO/1, paras. 21 and 22.
67 CEDAW/C/ERI/CO/6, paras. 51 and 52 (b).
68 A/HRC/53/20, paras. 35 and 37.
69 *Ibid.*, para. 21.
70 CEDAW/C/ERI/CO/6, para. 46 (a).
71 A/HRC/53/20, paras. 58 and 62. See also *ibid.*, para. 78.
72 CCPR/C/ERI/CO/1, paras. 21 and 22.
73 A/HRC/53/20, para. 29.
74 CEDAW/C/ERI/CO/6, paras. 31 and 32 (a) and (b).
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