

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2020, Eritrea is receiving an assessment of no advancement. Despite initiatives to address child labor, Eritrea is receiving an assessment of no advancement because it had a policy of being complicit in the use of forced child labor in more than isolated incidents. Government officials continued to force students in grade 12, some of whom are under the age of 18, to participate in military training elements of the government's compulsory national service program. Otherwise, the government made efforts by maintaining funding for its education programs, and expanding schooling in rural areas prior to the onset of the COVID-19 pandemic. Children in Eritrea are subjected to the worst forms of child labor, including in forced military training associated with national service and forced agricultural labor. Moreover, Eritrea's minimum age protections do not apply to children working outside formal employment relationships, and therefore do not conform to international standards. In addition, the government does not have a mechanism to coordinate its efforts to address the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Eritrea are subjected to the worst forms of child labor, including in forced military training associated with national service and forced agricultural labor. (1) Table 1 provides key indicators on children's work and education in Eritrea. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		60.3

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (2) Data were unavailable from International Labor Organization's analysis, 2021. (3)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1,4,5)
	Herding livestock (1,4-7)
Industry	Mining, including gold (8)
	Small-scale manufacturing (9)
Services	Domestic work, including fetching water and firewood (5,9)
	Working in auto mechanic shops, bicycle repair shops, tea and coffee shops, metal workshops, grocery stores, the Asmara bowling alley, and open markets (1,4,6,9-11)
	Street work, including vending, cleaning cars, and begging (1,5,9)
Categorical Worst Forms of Child Labor‡	Compulsory participation in national service or military training associated with national service prior to age 18, and in forced agricultural and domestic work (1,9,12-15)
	Commercial sexual exploitation, sometimes as a result of human trafficking (15)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

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The Proclamation on National Service No. 82/1995 establishes compulsory military training and service, known as National Service, for all citizens ages 18 to 40. (1,13,16) To graduate from high school and meet the compulsory training component of national service, students are required to complete their final year of schooling (grade 12) at the Warsai Yekalo Secondary School located at the Sawa military complex. Each year, 11,000 to 15,000 students enter grade 12 at Sawa, and while many of these students have typically reached age 18, some are reportedly as young as age 16. (1,13-15,17) The 4 months spent at Sawa are devoted to mandatory military training, which includes military discipline and procedures, weapons training, a survival exercise, and a two-to-four week war simulation. Some conscripts were forced to perform agricultural labor on government-owned farms. (14,16,18) In addition, conscientious objectors, including young Jehovah's Witnesses, are not given an alternative to military service and are prevented from receiving a high school diploma, a national ID card, a regional residence card, subsidized staples, or any kind of official employment unless they agree to military service. This leaves them vulnerable to becoming involved in illegal activity, including the worst forms of child labor. (19,20)

Eritrean children face a future of indefinite national service assignments, inability to earn higher wages in the private sector without completion of national service assignments, and notoriously harsh conditions at Sawa. These factors underlie an ongoing exodus of unaccompanied minors from the country. (4,14,21-23) Adolescent children, some as young as age 14, who attempted to leave Eritrea were sometimes detained or forced to undergo military training, despite being younger than the minimum age of 18 for compulsory military recruitment. (4,14,24,25) It is unclear if age verification procedures are consistently applied prior to new Sawa graduates being sent to active military service. (1,26) In addition, the military periodically conducts roundups, known as *giffas*, to perform identity checks. There have been reports that *giffas* have resulted in the imprisonment of children alleged to be attempting to evade compulsory national service and recruitment into the military. (12,14,27) The government did not collect or publish data on child work, child labor, or the worst forms of child labor during the reporting period. (1,9)


Children, particularly in rural areas, lack access to teachers, classrooms, transportation, uniforms, and school supplies. (1,14,18,28) To address the shortfall, the government has deployed teachers to less populated regions to educate rural and nomadic children. (1,9) The government's national development agenda prioritizes the expansion of schooling in rural areas. (1,29,30) However, teachers may flee the country to avoid open-ended conscription into Eritrea's national service system. The resulting staff shortages and high absenteeism rates compound these challenges. (14)

Restrictions imposed to contain the pandemic led to nationwide school closures, with the government suspending the free provision of education to most students in March 2020. (1) During the reporting period, as many as 300,000 children were out of school, a situation that continued to deteriorate throughout the year. (31) Prior to the pandemic, children attended public school in one of two daily shifts, allowing them to work and attend school simultaneously. Following pandemic-related school closures, however, children were observed working throughout the day. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR





Eritrea has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓

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Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Eritrea's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Article 3, 68 of the Labor Proclamation (32)
Minimum Age for Hazardous Work	No		Articles 3, 35, and 69 of the Labor Proclamation (32)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 69 of the Labor Proclamation (32)
Prohibition of Forced Labor	Yes		Articles 108(c), 297, and 316 of the Penal Code (33)
Prohibition of Child Trafficking	Yes		Articles 297, 315–318 of the Penal Code (33)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 305–306 and 313–318 of the Penal Code (33)
Prohibition of Using Children in Illicit Activities	No		Articles 390–392 of the Penal Code (33)
Minimum Age for Voluntary State Military Recruitment	No		
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 7–8 of the Proclamation on National Service (13)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 109(e) and 111(b) of the Penal Code (33)
Compulsory Education Age	No	14‡	
Free Public Education	No		Article 21 of the Constitution (34)

‡ Age calculated based on available information (35-37)

The Labor Proclamation's minimum age protections do not apply to children working outside formal employment relationships, such as those who are self-employed. This does not conform to international standards requiring all children to be protected by the minimum age to work. (32) In addition, Article 69 of the Labor Proclamation authorizes the Minister of Labor to issue a list of activities prohibited to children under age 18; however, the government has not determined by national law or regulation the types of hazardous work prohibited for children. Likewise, the Labor Proclamation's hazardous work protections do not apply to children working outside formal employment relationships. (32,38)

Laws governing the use of children in illicit activities are not sufficient because offering and procuring a child for the production of drugs is not criminally prohibited. (33) In addition, laws regarding the commercial sexual exploitation of children are insufficient because the use of a child for prostitution is not criminally prohibited, although there are criminal penalties associated with the procurement of children under age 14. (33) The government announced in 2015 that it was considering drafting a new criminal code prohibiting the commercial

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sexual exploitation of children, but it is unclear whether that was drafted or put into effect. (18,39,40) Furthermore, voluntary military service of children under age 18 is not authorized in Eritrea because the Proclamation on National Service No. 82/1995, which requires compulsory national service from all citizens ages 18 to 40, defines national service in such a way that it is limited to people in that age group. (13)

While Eritrea does not appear to have any laws guaranteeing free basic education or setting the compulsory education age, several government policies provide free and compulsory basic education to all children below the age of 14, including the Education Sector Development Plan, the National Education Policy, and the Comprehensive National Child Policy. (38,41,42)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Welfare (MoLSW)	Enforces labor laws and investigates labor abuses, including child labor. (17,39) According to the government, child labor inspectors operate in every administrative zone. (43)
Eritrean Police	Enforce laws and investigate referred cases of child trafficking and commercial sexual exploitation of children. (9)
Citizen Militia	Performs night patrols and refers cases of commercial sexual exploitation of children or other exploitative practices to the Eritrean police. (9)

Labor Law Enforcement

In 2020, labor law enforcement agencies in Eritrea took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Welfare (MoLSW) that may hinder adequate enforcement, including the lack of referral mechanisms.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (9)	Unknown (1)
Number of Labor Inspectors	28 (9)	28 (1)
Inspectorate Authorized to Assess Penalties	Yes (9)	Yes (1,32)
Initial Training for New Labor Inspectors	Yes (9)	Yes (1)
Training on New Laws Related to Child Labor	N/A (9)	N/A (1)
Refresher Courses Provided	Yes (9)	Yes (1)
Number of Labor Inspections Conducted	1,166 (9)	Unknown (1)
Number Conducted at Worksite	1,166 (9)	Unknown (1)
Number of Child Labor Violations Found	0 (9)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (9)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (9)	Unknown (1)
Routine Inspections Conducted	Yes (9)	Unknown (1)
Routine Inspections Targeted	Yes (9)	Unknown (1)
Unannounced Inspections Permitted	Yes (9)	Yes (1,32)
Unannounced Inspections Conducted	Yes (9)	Unknown (1)
Complaint Mechanism Exists	Unknown (9)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (9)	Unknown (1)

MoLSW closed amid widespread lockdowns to contain the pandemic. Inspectors therefore had limited access to workplaces in 2020. (1,9) Although the labor inspectorate did not share a detailed breakdown of sectors inspected during the reporting period, prior reporting indicates MoLSW targeted sectors in urban areas,

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including manufacturing, sales, and hospitality. (1,9,30) Due to a lack of resources, inspectors were unable to access sites in remote areas and the informal sector, in which child labor is likely to occur. (9) Because child labor laws do not extend to private farms and homes, MoLSW did not inspect private residences for child labor violations. (1) Moreover, research indicates that the number of labor inspectors is likely insufficient for the size of Eritrea's workforce, which includes approximately 2.7 million workers. (45) According to the ILO's technical advice ratio approaching 1 inspector for every 40,000 workers in less developed economies, Eritrea would employ about 68 labor inspectors. (45,46)

Labor inspectors, in collaboration with the local administrations and police, are empowered to identify and prosecute child labor violations. Penalties for labor violations are assessed in coordination with inspectors, administrators, and the police, and are adjudicated by judicial authorities. (1)

In 2020, MoLSW worked with the ILO to develop an enhanced labor officer training program. However, the pandemic delayed its implementation. (1) Research was unable to determine whether reciprocal referral mechanisms exist between labor authorities and social services. (9,10) The government did not provide information on its labor inspectorate funding for this report. (1)

Criminal Law Enforcement

In 2020, criminal law enforcement agencies in Eritrea took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal enforcement, including lack of criminal law enforcement data.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (9)	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (9)	N/A (1)
Refresher Courses Provided	Yes (9)	Unknown (1)
Number of Investigations	Unknown (9)	Unknown (1)
Number of Violations Found	Unknown (9)	Unknown (1)
Number of Prosecutions Initiated	Unknown (9)	Unknown (1)
Number of Convictions	Unknown (9)	Unknown (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (9)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (9)	Unknown (1)

Under the Proclamation on National Service No. 82/199, all Eritreans over the age of 18 must undergo 6 months of compulsory military training at the National Military Training Center. Despite evidence that children younger than age 18 are forced to participate in military training, research did not identify measures taken by the government in 2020 to ensure children were not subjected to compulsory military training. (9,14,32) The government does not publicly release information on its criminal law enforcement efforts. (9)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

Research found no evidence that the government has established mechanisms to coordinate its efforts to address child labor.

Eritrea's 43 Child Wellbeing Committees, which operate at the local level, coordinate representatives from the political, health, educational, legal, and civil society sectors. They are charged with ensuring that children in distress receive specialized care. (1) While the committees were active in 2020, research found that their mandates are focused on reducing female genital mutilation and child marriage and do not extend to efforts to address child labor. (1,9,10)

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V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 8). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 8. Key Policies Related to Child Labor

Policy	Description
Comprehensive National Child Policy	Addresses underlying causes of child labor through studies of and assessments on the nature and conditions of child labor; designs advocacy and public awareness campaigns to sensitize on the worst forms of child labor; and empowers communities and the public sector to monitor and prevent child labor from occurring. (30,41) The policy calls for the provision of free and compulsory basic education to all children irrespective of gender, sex, ethnicity, religion, or disability. (47) A ban on gatherings due to the pandemic led to suspension in education sensitization campaigns in 2020. However, the government continued to allocate resources in furtherance of these policy objectives in 2020. (1,48)
Education Sector Development Plan (2018–2021)	Establishes 8 years of free and compulsory education for all children. (29,49) Includes a strategy to ensure equitable access to education for all children, including in nomadic communities, through the provision of portable classrooms. (29,30) Virtual learning was generally not widely available due to low levels of Internet and radio availability. (1,50) However, in April, the Ministry of Education (MoE) began providing TV-transmitted instructions for secondary education. (50,51) Moreover, UNICEF supported MoE's plans to finalize media-transmitted instructions for basic education in July 2020. (48,50) MoE also trained 180 complementary elementary education facilitators, and enrolled 5,900 out-of-school children in the remote communities of Gash-Barka, Northern Red Sea and Anseba Zobas. (51)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (42)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, the government funded and participated in programs that may contribute to eliminating child labor (Table 9). However, gaps exist in these social programs, including capacity to address the problem in all sectors.

Table 9. Key Social Programs to Address Child Labor

Program	Description
Complementary Elementary Education (CEE)†	Government program created under the Education Sector Development Plan that addresses the educational needs of out-of-school children ages 9 to 14 in remote and rural areas. Condenses 5 years of elementary education into a 3-year program to allow students to either mainstream into formal education at the secondary level or access vocational education. (5,18,29) UNICEF pledged to support continuity of education for over 600,000 children in 2020–2021. (31,48,50) In 2020, the UN worked with MoE to develop continuity of education plans and expedite safe school reopening, including through the distribution of 50,000 bars of soap to promote handwashing. With MoE, UNICEF also trained 180 facilitators in basic education skills in CEE centers. (1,50,51)
UNICEF Country Program (2017–2021)	\$19.5 million (\$31 million requested) UNICEF-funded program nested under the UN-Eritrea Strategic Partnership Cooperation Framework (2017–2021); in collaboration with the government, expands access to quality basic education for all children, and protects children from violence, exploitation, and abuse. (52-54) UNICEF's Mine Risk Education program was suspended in 2020 due to school closures. (48,50) However, through the Community-Based Rehabilitation program, UNICEF and MoLSW provided mental health and psychosocial support to over 300 vulnerable children, including those with disabilities. (48,50) In addition, UNICEF worked with MoE to train facilitators and establish non-formal complementary education centers catering to older children. (50) Following countrywide school closures in March, UNICEF also provided technical support to MOE for TV-transmitted primary and secondary instruction. Moreover, MoLSW translated parenting and hygiene recommendations into Tigrinya and disseminated them through national newspapers and radio programs with UNICEF's support. (50)
Better Migration Management	EU-led program encompassing 11 countries in North, Central, and East Africa, and aims to address the international labor market, including trafficking of children. The Eritrean government joined the program on May 28, 2019. (9,55) Research was unable to determine whether the policy was implemented during the reporting period.

† Program is funded by the Government of Eritrea.

Research found no evidence of programs that target children working in agriculture, domestic work, and street work, or that address all worst forms of child labor in the country.

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Eritrea (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are protected by minimum age laws, including those who are self-employed.	2010 – 2020
	Determine the types of hazardous work prohibited for children and ensure that all children are protected by hazardous work prohibitions, including children in the informal sector.	2015 – 2020
	Criminally prohibit the use of a child for prostitution.	2014 – 2020
	Criminally prohibit procuring and offering a child for the production of drugs.	2013 – 2020
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Establish by law free basic public education.	2016 – 2020
Enforcement	Publish information on labor inspectorate funding, total number of inspections conducted at worksites, number of violations, number of targeted, routine, and unannounced inspections, number of violations for which penalties were imposed and collected, and whether complaint mechanisms and reciprocal referral mechanisms are in place.	2009 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018 – 2020
	Ensure labor inspectors are provided sufficient resources, including transportation, to access sites in which child labor is likely to occur.	2019 – 2020
	Publish information on criminal law enforcement efforts, including initial and refresher training for new investigators, and data on the number of criminal investigations, violations, prosecutions, and convictions related to the worst forms of child labor, and if reciprocal referral mechanisms exist.	2019 – 2020
Coordination	Establish coordinating mechanisms to directly address child labor.	2009 – 2020
Government Policies	Ensure that children under age 18 are not placed in military or agricultural labor assignments as part of national service.	2009 – 2020
Social Programs	Ensure that all children have access to education by building more schools and removing financial and religious barriers to attendance, as outlined in the 2018 Education Sector Development Plan.	2010 – 2020
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2009 – 2020
	Institute programs to address child labor, including in agriculture, domestic work, street work, and the worst forms of child labor, including in commercial sexual exploitation.	2009 – 2020

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