

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2019, 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 acceding to ILO Convention 182 on the Worst Forms of Child Labor and, for the first time, providing data on sectors targeted for inspection and the number of labor inspectors on its payroll. Children in Eritrea engage in the worst forms of child labor, including in forced military training associated with national service and forced agricultural labor. The government also has not issued a list identifying hazardous occupations and activities prohibited for children. 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 engage in the worst forms of child labor, including in forced military training associated with national service and forced agricultural labor. 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, 2020. (1)
Data were unavailable from International Labor Organization's analysis, 2020. (2)

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 (3,4)
	Herding livestock (3-6)
Industry	Mining, including gold (7)
	Small-scale manufacturing (8)
Services	Domestic work, including fetching water and firewood (4,8)
	Working in auto mechanic shops, bicycle repair shops, tea and coffee shops, metal workshops, grocery stores, the Asmara bowling alley, and open markets (3,5,8-10)
	Street work, including vending, cleaning cars, working as crossing guards, and begging (4,8,11)
Categorical Worst Forms of Child Labor‡	Compulsory participation in national service or military training associated with national service prior to age 18, and in agricultural and domestic work (8,12-17)
	Commercial sexual exploitation, sometimes as a result of human trafficking (18)

‡ 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. (15,61) 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 reached age 18, some are reportedly as young as age 16. (12,15-17,19,20) Research suggests that at least half of the year spent at Sawa is devoted to mandatory military training, which includes military discipline and procedures, weapons training, a survival exercise, and a 2- to 4-week war simulation. Some conscripts were forced to perform agricultural labor on government-owned farms. (17,19,21, 61) 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. This leaves them vulnerable to becoming involved in illegal activity, including the worst forms child labor. (22)

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 have led to an exodus of unaccompanied minors from the country. Many resort to enlisting international smuggling or human trafficking networks to abscond. (3,14,17-19,23-25) 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. (3,12,17,19,26) It is unclear if age verification procedures are consistently applied prior to new Sawa graduates being sent to active military service. (27) 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. (13,17,28)

Children, particularly in some rural areas, face difficulty accessing education due to a shortage of schools and the inability to afford uniforms, supplies, and transportation. (8,17,21,29-31) To address the shortfall, the government deployed teachers to less populated regions to educate rural and nomadic children. (8,9) Teachers may also 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 to education. (17) The government did not collect or publish data on child work, child labor, or the worst forms of child labor during the reporting period. (8)

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	✓
	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	✓

On June 3, 2019, the Government of Eritrea ratified the Worst Forms of Child Labor Convention, 1999 (No. 182). Eritrea has now ratified all eight ILO fundamental Conventions. (32)

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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 (33)
Minimum Age for Hazardous Work	No		Articles 3, 35, and 69 of the Labor Proclamation (33)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 69 of the Labor Proclamation (33)
Prohibition of Forced Labor	Yes		Articles 108(c), 297, and 316 of the Penal Code (34)
Prohibition of Child Trafficking	Yes		Articles 297, 315–318 of the Penal Code (34)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 305–306 and 313–318 of the Penal Code (34)
Prohibition of Using Children in Illicit Activities	No		Articles 390–392 of the Penal Code (34)
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 (15)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 109(e) and 111(b) of the Penal Code (34)
Compulsory Education Age	No	14‡	
Free Public Education	No		Article 21 of the Constitution (35)

‡ Age calculated based on available information (36-38)

The law'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, which require minimum working age protections for all children. (33,39) 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. (33,40)

Laws related to 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. (34) In addition, laws regarding the commercial sexual exploitation of children are insufficient because the use of a child for prostitution is not criminally prohibited. (34) Although the government announced in 2015 that it was considering drafting a new criminal code that contains prohibitions on the commercial sexual exploitation of children, it is unclear whether it was drafted or put into effect. (21,42,43) Furthermore, voluntary military service of children under 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. (15)

While Eritrea does not appear to have any laws guaranteeing free basic education or setting the compulsory education age, several of the government's policies call for the provision of 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. (44-46) In rural areas, fewer students attend school due to the distance between villages and schools and inadequate transportation. The government has articulated that expanding schooling in rural areas, aimed at ensuring universal access and participation, is one of its top two national development priorities. (8,45,47)

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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 labor law enforcement.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Welfare	Enforces labor laws and investigates labor abuses, including child labor. (20,42) According to the government, child labor inspectors operate in every administrative zone. (48)
Citizen Militia	Performs night patrols and refers cases of commercial sexual exploitation of children or other exploitative practices to the Eritrean police. (8)
Eritrean Police	Enforces laws and investigates referred cases of child trafficking and commercial sexual exploitation of children. (8)
National Security Administration	Works with the Eritrean police to combat the commercial sexual exploitation of children. (49)

Labor Law Enforcement

In 2019, 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 Human Welfare that may hinder adequate enforcement, including the lack of financial resources, complaint mechanisms, and referral mechanisms.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (9)	Unknown (8)
Number of Labor Inspectors	Unknown (9)	28 (8)
Inspectorate Authorized to Assess Penalties	Unknown (50)	Yes (8)
Initial Training for New Labor Inspectors	Yes (9)	Yes (8)
Training on New Laws Related to Child Labor	Yes (9)	N/A (8)
Refresher Courses Provided	Yes (9)	Yes (8)
Number of Labor Inspections Conducted	985 (9)	1,166 (8)
Number Conducted at Worksite	985 (9)	1,166 (8)
Number of Child Labor Violations Found	0 (9)	0 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (9)	N/A (8)
Number of Child Labor Penalties Imposed that Were Collected	N/A (9)	N/A (8)
Routine Inspections Conducted	Yes (9)	Yes (8)
Routine Inspections Targeted	Unknown (9)	Yes (8)
Unannounced Inspections Permitted	Unknown (9)	Yes (8)
Unannounced Inspections Conducted	Unknown (21)	Yes (8)
Complaint Mechanism Exists	Unknown (9)	Unknown (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (9)	Unknown (8)

In 2019, for the first time, the government released information on the size of its labor inspectorate and data on sectors targeted for inspections. (8) However, 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. (51) 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. (51-53)

The Ministry of Labor and Social Welfare’s labor inspection division conducted 1,166 unannounced inspections in 2019. Industries targeted for inspection included the hospitality, retail, and wholesale sectors (820 visits); manufacturing (233); social and personal services (54); communications and transportation (31); agriculture (9); electricity, gas and water (9); mining (4); construction (3); and financial services (3). (8,47) Inspectors cited 40 percent of inspected establishments for labor violations, while 31 percent were given official warnings to improve.

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Only 4 percent were reported to legal authorities for failing to comply with the minimum occupational safety and health standards, while the remaining 25 percent passed inspection. (54,47) Labor inspectors, in collaboration with the local administrations and police, are empowered to identify and bring offenders of child labor to justice. (8) However, the government did not report any child labor violations during the reporting period. (47)

In 2019, all labor inspectors went through two rounds of refresher trainings on labor laws and the principles of labor inspection. In addition, two inspectors attended specialized training at an ILO training center in Turin, which included training on child labor and its worst forms. (8,47) Although research was unable to determine whether reciprocal referral mechanisms exist between labor authorities and social services, the government maintains that penalties for labor violations are assessed in coordination with labor inspectors, administrators, and the police. (9) The government did not provide information on its labor inspectorate funding for inclusion in this report. Nevertheless, research suggests that inadequate resources, including transportation to remote areas, hinder inspectors' access to sites in which child labor is likely to occur. (8)

Criminal Law Enforcement

In 2019, 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	2018	2019
Initial Training for New Criminal Investigators	Unknown (9)	Unknown (8)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (9)	N/A (8)
Refresher Courses Provided	Yes (9)	Yes (8)
Number of Investigations	Unknown (21)	Unknown (8)
Number of Violations Found	0 (9)	Unknown (8)
Number of Prosecutions Initiated	0 (9)	Unknown (8)
Number of Convictions	0 (9)	Unknown (8)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (21)	Unknown (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (9)	Unknown (8)

Under the Proclamation on National Service (No. 82/199), all Eritreans over the age of 18 must undergo six 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 2019 to ensure children were not subjected to compulsory military training. (8,17,33) The government does not publicly release information on its criminal law enforcement efforts. (8)

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, include representatives from the political, health, educational, legal, and civil society sectors. (8) While the committees were active in 2019, 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. (8,9)

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 a lack of implementation.

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Table 8. Key Policies Related to Child Labor

Policy	Description
Comprehensive National Child Policy	Addresses underlying causes of child labor through studies 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. (44,47) The policy calls for the provision of free and compulsory basic education to all children irrespective of gender, sex, ethnicity, religion, or disability. (50) Research was unable to determine if the policy was implemented during the reporting period.
Education Sector Development Plan (2018–2021)	Establishes 8 years of free and compulsory education for all children. (45,55) Includes a strategy to ensure equitable access to education for all children, including in nomadic communities, through the provision of mobile classrooms. (45,47) In 2019, the government assigned teachers to travel with nomadic groups. (8)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (46)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 9). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 9. Key Social Programs to Address Child Labor

Program	Description
Complementary Elementary Education†	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. (4,21,45) In 2019, established 54 temporary classroom structures and provided 2,200 out-of-school children with access to education. (56)
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. (57-59) In 2019, UNICEF developed a mine safety education program, and supported the Ministry of Education’s efforts to train 27 school health teachers using the Emergency and Safety Manual. UNICEF also provided 330 vulnerable households with cash stipends during the reporting period. (56)
Better Migration Management*	EU-led program which encompasses 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. (8,60)

* Policy was launched 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.

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 – 2019
	Establish a minimum age for hazardous work and determine the types of hazardous work prohibited for children, in consultation with employers’ and workers’ organizations.	2015 – 2019
	Criminally prohibit the use of a child for prostitution.	2014 – 2019
	Criminally prohibit procuring and offering a child for the production of drugs.	2013 – 2019
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Establish by law free basic public education.	2016 – 2019

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Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on labor inspectorate funding, number of violations in which penalties were imposed and collected, and whether complaint mechanisms and reciprocal referral mechanisms are in place.	2009 – 2019
	Publish information on criminal law enforcement efforts, including initial training for new investigators, as well as data on criminal investigations, violations, prosecutions, and convictions related to the worst forms of child labor.	2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018 – 2019
	Ensure labor inspectors are provided sufficient resources, including transportation, to access sites in which child labor is likely to occur.	2019
Coordination	Establish coordinating mechanisms to directly address child labor.	2009 – 2019
Government Policies	Ensure that activities are undertaken to implement the Comprehensive National Child Policy.	2009 – 2019
	Ensure that children under age 18 are not placed in military or hazardous labor assignments as part of national service.	2009 – 2019
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 – 2019
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2009 – 2019
	Institute programs to address child labor, including in agriculture, domestic work, and street work, and the worst forms of child labor, including in commercial sexual exploitation.	2009 – 2019

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