

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	422
Land:	Eritrea
Kilde:	US Department of State
Titel:	2024 Trafficking in Persons Report: Eritrea
Udgivet:	24. juni 2024
Optaget på baggrundsmaterialet:	22. juli 2024

2024 Trafficking in Persons Report: Eritrea

ERITREA (Tier 3)

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; therefore Eritrea remained on Tier 3. During the reporting period, there was a government policy or pattern of forced labor in its compulsory National Service, local citizen militia, and in public works projects. The government continued to exploit its nationals in forced labor, via its compulsory National Service and local citizen militia, by forcing them to serve for indefinite or otherwise arbitrary periods. Officials did not demobilize most individuals from government work units after their mandatory period of service but rather forced citizens to serve indefinitely under threats of detention, torture, or familial reprisal. Additionally, the government directed policies that perpetuated the mobilization of children for forced labor in public works projects, usually in the agricultural sector, during the student summer work program locally known as *Maetot*. The government did not demonstrate any efforts to address human trafficking.

PRIORITIZED RECOMMENDATIONS:

Enforce existing limits on the length of active National Service to 18 months (as set forth in the Proclamation of National Service 11/199) and demobilize individuals who have exceeded the service limit. * End government policies or actions that compel the mobilization of forced labor in the summer student work program. * Ensure all children associated with the military are demobilized and provide appropriate protection and reintegration services to all children separated from military service or training. * Enact and implement an anti-trafficking law that criminalizes all forms of trafficking and prescribes penalties that are sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes. * Develop and implement formal SOPs for victim identification, including among foreign workers from the People's Republic of China (PRC) and Cuba, and referral to care. * Extend existing labor protections to persons performing National Service and other mandatory citizen duties. * Allow Eritreans to choose their form of work and leave their employment at will. * Train government officials at all levels to identify, investigate, and prosecute trafficking crimes. * Partner with international organizations and NGOs to combat human trafficking.

PROSECUTION

The government did not report any anti-trafficking law enforcement efforts. The Eritrean Penal Code of 2015 criminalized some forms of trafficking in persons. Article 315 criminalized trafficking in women and young persons for sexual exploitation, which was punishable by up to seven years' imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as kidnapping. The law did not criminalize sex trafficking of adult men. Article 297 criminalized enslavement and prescribed penalties of seven to 16 years' imprisonment, which were sufficiently stringent. Article 299 criminalized forced labor and prescribed penalties from six to 12 months' imprisonment or a fine of 20,000 to 50,000 nakfa (\$1,330 to \$3,330). These penalties were not sufficiently stringent.

The government has not reported investigating, prosecuting, or convicting any traffickers for the last 16 years. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes; however, official complicity in trafficking crimes remained a significant concern, inhibiting law enforcement action during the

year. The government continued to enforce arbitrary limits to the compulsory National Service. Reports alleged some partially or wholly government-funded enterprises employed National Service workers. Reports alleged officials potentially detained or forced children who attempted to leave Eritrea or who failed or refused to attend school into military training, including unaccompanied children and children as young as 14 years old. For the fourth consecutive reporting period, the government did not report providing anti-trafficking training to law enforcement.

PROTECTION

The government did not report any victim protection efforts. The government has not reported any efforts to identify trafficking victims or provide services for the past nine years. The government did not report having formal procedures to proactively identify and refer trafficking victims to care. The government did not report information on services provided to or available for trafficking victims. Observers reported that due to a lack of formal identification procedures, authorities likely detained and arrested some unidentified trafficking victims. In some cases, the government purposefully arrested and prosecuted Eritreans fleeing the National Service. The government did not report providing foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship; however, Eritrea maintained a policy against forced deportations. Eritrean law required offenders of all crimes to pay restitution, although there were no reports courts imposed this penalty for trafficking crimes.

PREVENTION

The government did not report any efforts to prevent trafficking. The government reportedly maintained an interagency steering committee on human trafficking and migration issues; however, the government did not report any action taken by the steering committee for the fourth consecutive year. The government did not report efforts to raise awareness of trafficking. The Ministry of Labor and Social Welfare's Labor Inspection Division was responsible for inspecting work sites for indicators of forced labor, including forced child labor; however, the government did not report if labor inspectors received anti-trafficking training or identified any potential trafficking crimes. The government did not report efforts to reduce the demand for commercial sex acts or provide anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic victims and potentially exploit foreign victims in Eritrea, and traffickers exploit victims from Eritrea abroad. Proclamation 82 of 1995 requires all persons ages 18 to 40 years to perform compulsory active National Service ostensibly for a period of 18 months – six months of military training followed by 12 months of duty in a variety of military, security, or public service positions. However, since the 1998-2000 Eritrean-Ethiopian border conflict, the 18-month limit has been suspended; the government does not demobilize most individuals from government work units after their mandatory period of service but rather forces citizens to serve indefinitely under threats of detention, torture, or familial reprisal. National Service takes a wide variety of forms, including office work in government agencies and enterprises (functions ranging from lawyers, diplomats, and midlevel managers to skilled technicians and mechanics to clerical, maintenance, and janitorial work); medical professionals; elementary and secondary school teachers; construction or other types of jobs requiring physical labor; and active military duty. Reports also allege officials force National Service workers to work in mining enterprises partially owned by the government; allegations include white collar occupations in mine management, technical analysis, and/or government oversight responsibilities. Conditions are often harsh for those in military service or jobs requiring physical labor, although some National Service members experience normal civilian workplace conditions, albeit with low pay and, in many cases, lack of freedom to pursue alternative employment opportunities. International organizations report the government often subjects

conscripts in the National Service to inhumane and degrading punishment, including torture, without recourse and punishes individuals that conscientiously object to service; the government continues to force conscripts to serve for indefinite or otherwise arbitrary periods. Additionally, the government broadly restricts recruitment of Eritreans for work abroad, denying travel to most its citizens. The government may release some Eritreans from National Service after an indefinite number of years; however, the government requires individuals to submit a petition to the government based on criteria that shift periodically, are not transparent, and often involve corrupt practices. Policies and practices for obtaining release from National Service are inconsistent across organizations and job fields, but officials generally release expectant mothers, individuals who can prove they have become the sole or primary source of familial support, or individuals with medical conditions hindering their ability to work. National Service workers without educational or vocational qualifications continue to receive extremely low wages, and the government often substitutes food or non-food rations for wages.

In addition to National Service, the government instituted a compulsory citizen militia in 2012, requiring medically fit adults, up to age 70 and not currently in the military, to join their local militia. This requirement compels individuals to carry firearms and attend military training. Local militia leaders assign individuals to additional unpaid forced labor in agricultural work, guard duties, or national development programs, such as soil and water conservation projects, on a part-time basis. Eritrean Defense Forces (EDF) officials and local militias continue to forcibly mobilize Eritreans of military age (18 to 60 years old).

The government requires all 12th-grade students to complete their final year of high school education at the *Warsay-Yikealo* Secondary School, which is embedded in the *Sawa* military and training academy; those who refuse to attend cannot receive high school graduation certificates, attain higher education, or obtain certain types of jobs in Eritrea. The program comprises seven months of academic instruction, followed by four to five months of basic military training. It remains likely some students are age 17 at the time of their participation in the military training component of the *Warsay-Yikealo/Sawa* academy. Upon graduation from *Sawa*, the government assigns the vast majority of students to civilian or military roles in the National Service. Government policy bans persons younger than 18 from military conscription; however, there are no reports of an age verification procedure being applied before sending new *Sawa* graduates to active military service. Reports indicate officials potentially detain or force children who attempt to leave Eritrea or who fail or refuse to attend school into military training, including unaccompanied children and children as young as 14 years old. Authorities generally did not inform parents of their underage children's forced conscription into military training. An international NGO reports officials exploit some *Sawa* students in forced labor on either privately owned commercial farms or *Sawa*-owned farms. NGOs also report military commanders regularly exploit female students in military training or women in military service in domestic servitude and sex trafficking, often coercing female students into having sex in order to receive food or easier treatment during trainings.

The Ministry of Education and the Ministry of Agriculture implements a national mandatory summer work program, locally known as *Maetot*. In 2023, the government continued to mobilize children, primarily in grades nine and 10, for compulsory labor in public works projects, usually in the agricultural sector, during the summer. The government may have imposed fines on children who did not participate in the program and reportedly refused school enrollment in the next academic year to students who did not pay fines. Families, small businesses, and farmers may exploit children experiencing homelessness in forced labor in street vending or agricultural work. Some prison personnel, often with government permission, at times subject incarcerated populations to unlawful prison labor or conditions with indicators of forced labor, including on farms and orchards. Climate change events, such as flooding and drought, and other environmental factors have negatively impacted agricultural production, increasing the number of Eritreans seeking outward migration, which may increase their vulnerability to trafficking, as well as increase vulnerabilities to trafficking among National Service members deployed to work.

Eritrea's strict exit control procedures and limited issuance of passports compel those who cannot obtain exit visas or passports to travel clandestinely, increasing their vulnerability to trafficking

abroad. Perennially, thousands of Eritreans flee the country to reunite with family members already overseas; escape human rights abuses, including arbitrary arrest and detention, lack of due process, and religious persecution; search for better economic opportunities; or avoid indefinite periods of service in the government's National Service program. Most Eritreans consensually commence their outbound journeys by paying migrant smugglers, aiming to seek asylum in Europe or obtain refugee status in neighboring African countries; some also strive to reach the United States. An international organization assesses many Eritrean asylum-seekers, particularly those who flee the National Service, express well-founded fears of persecution in Eritrea. Eritreans fleeing the country and Eritrean refugees in neighboring countries, many of whom face forced deportation without assessment for protection needs, remain particularly vulnerable to the government indiscriminately arresting, detaining, harassing, or forcibly recalling them into the National Service. Reports indicate traffickers exploit Eritreans in forced labor and sex trafficking in Sudan, Ethiopia, and Libya; Eritrean asylum-seekers in Israel and European countries, particularly Switzerland and the United Kingdom, remain vulnerable to forced labor and sex trafficking. Previous reports allege international criminal groups kidnap vulnerable Eritreans living inside or in proximity to refugee camps, particularly in Sudan, and transport them to Libya where traffickers subject them to human trafficking, including forced labor in construction or domestic servitude, and other abuses. Since the conflict in Sudan began in April 2023, Eritrean refugees in Sudan may be vulnerable to human trafficking.

Reports indicate the EDF, alongside Ethiopian federal and regional forces, committed widespread human rights abuses and GBV against women and girls in Tigray, including potential trafficking crimes, between the beginning of the conflict in northern Ethiopia in November 2020 and the signing of the Cessation of Hostilities Agreement (COHA) between the Ethiopian government and the Tigrayan People's Liberation Front in November 2022. Prior to the COHA, observers reported unspecified military personnel, which may have included the EDF, and other officials forced women to have sex in exchange for basic commodities and humanitarian assistance. Some international reports allege the EDF continued to commit human rights abuses, including potential human trafficking crimes, in Tigray after the signing of the COHA. International organizations reported the EDF forcibly recruited and used children in military combat in Ethiopia in previous reporting periods.

Since the conflict in Sudan began in April 2023, Eritrea has permitted a large number of Sudanese asylum-seekers legal entry into the country; this population may be vulnerable to trafficking because of economic instability. PRC nationals employed in Eritrea at worksites affiliated with the PRC's Belt and Road Initiative are vulnerable to forced labor, including in construction and mining. Government-affiliated Cuban workers in Eritrea, including professors of medicine, may have been forced to work by the Cuban government.