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2023 Country Report on Human Rights Practices: Eritrea

EXECUTIVE SUMMARY

There were no significant changes in the human rights situation in Eritrea during the year. In March the U.S. Secretary of State determined that the Eritrean Defense Forces committed war crimes during the conflict in northern Ethiopia, as well as crimes against humanity including murder, rape, and other forms of sexual violence.

Significant human rights issues included credible reports of enforced disappearance; torture or cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious problems with the independence of the judiciary; political prisoners or detainees; transnational repression against individuals in another country; arbitrary or unlawful interference with privacy; punishment of family members for alleged offenses by a relative; serious abuses in a conflict, including reportedly unlawful civilian deaths, abductions, physical abuses, and conflict-related sexual violence; unlawful recruitment or use of children in armed conflict by the government; serious restrictions on freedom of expression and media freedom, including unjustified arrests or prosecution of journalists and censorship; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; restrictions on religious freedom; restrictions on freedom of movement and residence within the territory of the state and on the right to leave the country; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government restrictions on domestic and international human rights organizations; extensive gender-based violence, including domestic or intimate partner violence, sexual violence, workplace violence, and other forms of such violence; trafficking in persons, including forced labor; laws criminalizing consensual same-sex sexual conduct between adults, which were enforced; prohibiting independent trade unions and systematic restrictions on workers' freedom of association; and existence of the worst forms of child labor.

The government did not take credible steps to identify and punish officials who may have committed human rights abuses.

Section 1.

Respect for the Integrity of the Person

A. ARBITRARY DEPRIVATION OF LIFE AND OTHER UNLAWFUL OR POLITICALLY MOTIVATED KILLINGS

There were no credible reports that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, within the country during the year.

In past years, there were reports of deaths of detainees at the hands of prison staff, although there were no specific reports of such deaths during the year. There was no available information to determine whether the government acted against persons responsible for detainee deaths.

B. DISAPPEARANCE

An unknown number of persons disappeared during the year and were believed to be in government detention or to have died while in detention. There were reports from local sources and international advocacy organizations of enforced disappearances by or on behalf of government authorities. The disappeared included persons presumably detained for political and religious beliefs, journalists, locally employed staff of foreign embassies, foreign or dual nationals, and individuals suspected of evading national service and militia duties. Others were disappeared for unknown offenses. The government did not make efforts to prevent disappearances or to investigate or punish those responsible.

C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT, AND OTHER RELATED ABUSES

The law prohibited such practices, but there were credible reports that government officials employed them. Reports of torture continued, especially against political and religious prisoners. According to UN experts, torture was common at the Eiraeiro prison.

Lack of transparency and access to information made it impossible to determine the numbers or circumstances of deaths due to torture or cruel, inhuman, or degrading treatment or punishment.

Impunity remained a serious problem among security forces. The government did not release any information to indicate it conducted investigations of alleged abuses, making it difficult to assess the extent of the problem among the different branches of the security services.

Prison and Detention Center Conditions

Prison and detention conditions reportedly remained harsh and life threatening, leading to serious damage to health and, in some instances, death, but the lack of independent access made accurate reporting impossible.

Abusive Physical Conditions: Detainees reportedly died from harsh conditions, including lack of adequate basic or emergency medical care and use of excessive force by prison officials. Observers believed authorities continued the practice of holding some detainees incommunicado in metal shipping containers and underground cells without toilets or beds. Food, sanitation, heating, ventilation, and lighting were inadequate, and potable water was sometimes available only for purchase. Former prisoners described prolonged food shortages, which sometimes led to anemia or the need for hospitalization. In some military prisons, the families of detainees had to provide food. Some military prisons were reported to be grossly overcrowded to the point that detainees had to sleep in turns due to lack of space.

Former detainees and other sources reported harsh detention conditions in police stations and in prisons for persons held for evading national service and militia duties.

Administration: Prisoners and detainees could not submit complaints to judicial authorities, and authorities did not adequately investigate or monitor prison or detention center conditions.

Independent Monitoring: The government did not permit monitoring of prisoner conditions by independent government, nongovernmental organization (NGO) observers, or international bodies, including the International Committee of the Red Cross. The government did not grant consular access to detained dual nationals, whom they considered Eritrean citizens only.

D. ARBITRARY ARREST OR DETENTION

The unimplemented constitution prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government did not observe these provisions.

Arrest Procedures and Treatment of Detainees

The law stipulated that, unless a crime was in progress, police were required to investigate and obtain a warrant prior to making an arrest, but this seldom occurred. In cases involving national security, police could waive the process. The law required detainees be brought before a judge within 48 hours of arrest and not be held for more than 28 days without being charged with a crime. Authorities generally detained suspects for longer periods without bringing them before a judge, charging them with a crime, or informing them of the reason for their detention. Authorities sometimes arbitrarily changed charges during detention. The law provided for a bail system, but authorities often denied bail for no apparent reason, and bail amounts were excessive.

Detainees held on national security grounds did not have access to counsel. Other detainees, including indigent persons, also often did not have such access. Incommunicado detention was widespread. Detainees did not have routine access to visitors.

Arbitrary Arrest: Arbitrary arrests occurred frequently. Security force personnel detained individuals for reasons that included suspicion of intent to evade national and militia service, criticizing the government, attempting to leave the country without an exit visa or passport, and for unspecified national security threats. Authorities also continued to arrest members of unregistered Christian groups. Authorities sometimes arrested persons whose papers were not in order and detained them until they were able to provide evidence of their militia status or demobilization from national service. The government contacted places of employment to identify those unwilling to participate in the militia.

The country's partial withdrawal from the northern Ethiopia conflict in January allowed militia members to return home. The government's mobilization campaign then decreased in scope to entail security sweeps in which persons suspected of evading militia and national service were rounded up and detained.

Pretrial Detention: Authorities brought few, if any, persons detained on alleged national security grounds to trial. Some persons arrested in previous years for refusing to bear arms on grounds of conscience and for participating in unregistered religious groups remained in detention. Several political prisoners were reportedly held for more than 20 years without a trial.

E. DENIAL OF FAIR PUBLIC TRIAL

The law provided for an independent judiciary, but the government generally did not respect judicial independence and impartiality. The Office of the President served as a clearinghouse for citizens' petitions to some courts and acted as an arbitrator or a facilitator in civil matters for some courts.

Trial Procedures

The unimplemented constitution provided for the right to a fair and public trial, although it allowed for limits on the public nature for cases involving national security. These rights were not respected.

The law provided for a presumption of innocence, but this was often ignored. There was no right for defendants to be informed promptly and in detail of charges in a language they understood. The right to a fair, timely, and public trial was often not respected, especially with political cases. The law did not specifically address the provision of adequate time or facilities to prepare a defense, the right of defendants to confront witnesses, or the provision of free interpretation from the moment

charged through all appeals, although courts generally accorded the rights to defendants in cases deemed unrelated to national security. There was no right of defendants to refuse to testify. In normal cases, defendants could choose their attorney or have one provided to them (but only in cases involving offenses that carried a 10 or more years' prison sentence), but this right was not afforded to defendants in national security cases. Each party to a case had the right to one appeal.

Special courts had jurisdiction over both corruption and national security cases. Judges served as prosecutors and could request that individuals involved in cases testify. Special court judges were predominantly military officials, although an increasing number were trained lawyers from the Ministry of Justice. The special courts reported to the Ministry of Defense and the Office of the President. Trials in special courts were not open to the public, and the court's decisions were final with no possibility of appeal.

Political Prisoners and Detainees

The government continued to hold an unknown number of detainees without charge or trial, including politicians, journalists, members of registered and unregistered religious groups, and persons suspected of not completing national service or evading militia duty. In 2022, Amnesty International and Human Rights Watch estimated there were hundreds of prisoners of conscience including journalists, former politicians, and practitioners of unauthorized religions. The local partner of international NGO Release International estimated more than 500 Christian prisoners remained in indefinite detention without trial.

The government did not permit access to political detainees, most of whom were held in unofficial facilities. Authorities placed political prisoners in solitary confinement more often than other detainees. Observers believed political prisoners were more likely to be held in underground cells.

There were numerous abuses similar to the following examples. In March, police arrested 30 Christians who had gathered to worship in a home in Keren. In April, Release International's local partner reported 103 Christians, mainly students, were arrested in Asmara and taken to Mai Serwa prison.

The government released some political prisoners during the year. In March, nine Christian prisoners were released from detention; most had served sentences of more than nine years. In July, 300 Muslim prisoners arrested after the 2018 Diya'e Islamic School protests were released, and in November the government released 16 additional persons, mainly members of the school's board of directors.

F. TRANSNATIONAL REPRESSION

Amnesty International and other credible groups continued to accuse the government of engaging in transnational repression, including harassment of activists.

Extraterritorial Killing, Kidnapping, Forced Returns, or Other Violence or Threats of Violence: According to credible reports, the government killed or kidnapped persons or used violence or threats of violence against individuals in other countries, including to force their return to the country, for politically motivated reprisal. While in Ethiopia, Eritrean soldiers reportedly forced hundreds of Eritrean refugees to return to Eritrea and, in some cases, detained them once they arrived.

Threats, Harassment, Surveillance, and Coercion: Government officials used social media to direct harassment and threats against antigovernment members of the diaspora.

G. PROPERTY SEIZURE AND RESTITUTION

The government seized properties, businesses, and livestock from the families of draft evaders without due process or, in some cases, adequate restitution. The homes and businesses were returned to the families after evaders turned themselves in to authorities, but livestock generally were not returned.

H. ARBITRARY OR UNLAWFUL INTERFERENCE WITH PRIVACY, FAMILY, HOME, OR CORRESPONDENCE

The law prohibited such actions, but the government did not respect these rights. Many citizens believed the government monitored cell phones. Authorities required permits to use SIM cards. The government used an extensive informant system to gather information, particularly on suspected national service evaders.

Without notice, authorities reportedly entered homes and threatened individuals without explanation. Security forces reportedly detained and interrogated the parents, spouses, or siblings of individuals who evaded national service, militia service, or had fled the country.

Ruling party administration offices and their associated local militia units, composed of persons who had finished their national service but were still required to assist with security matters, reportedly checked homes or whole neighborhoods to confirm residents' attendance at national service projects.

I. CONFLICT-RELATED ABUSES

Numerous reports of serious abuses by government forces along the border in Ethiopia persisted throughout the year despite a November 2022 agreement that ended active hostilities. For a detailed accounting of these abuses, please refer to the *Country Reports on Human Rights Practices* for Ethiopia.

Child Soldiers: The Secretary of State determined Eritrean armed forces recruited or used child soldiers during the reporting period of April 2022 to March 2023. See the Department of State's annual *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/.

Section 2.

Respect for Civil Liberties

A. FREEDOM OF EXPRESSION, INCLUDING FOR MEMBERS OF THE PRESS AND OTHER MEDIA

Although the law provided for freedom of speech, including for members of the press and other media, the government severely restricted this right.

The law banned private broadcast media and foreign ownership of media. The government controlled all domestic media, including one newspaper published in four languages, three radio stations, and two television stations.

The law required journalists to be licensed. The law restricted printing and publication of materials by anyone lacking a permit and the printing or dissemination of prohibited foreign publications were punishable under the law.

Freedom of Expression: The government severely restricted the ability of individuals to criticize the government in public or in private through intimidation by national security forces.

Violence and Harassment: The Committee to Protect Journalists reported 16 journalists remained in detention and incommunicado with no information on their location or health. In July, the UN Human Rights Council Working Group on Arbitrary Detention published an opinion on the detention of these journalists and referred the case to the Working Group on Enforced and Involuntary Disappearances, the special rapporteur on torture and other cruel, inhuman, or degrading treatment or punishment, the special rapporteur on the promotion and protection of the right to freedom of opinion and expression, and the special rapporteur on the rights to freedom of peaceful assembly and of association for appropriate action.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: State influence over traditional media was absolute. The law required submission of documents, including books, to the government for approval prior to publication. No printing house would print materials without proof of that approval. Most independent journalists were in detention or lived abroad, which limited domestic media criticism of the government. Authorities required journalists to obtain government permission to take photographs. Journalists practiced self-censorship due to fear of government reprisal. Internet penetration was so low and unreliable that independent online media did not exist in the country.

Libel/Slander Laws: The law criminalized libel as a misdemeanor and prescribed a punishment of between one to six months' imprisonment and a fine. The law also criminalized "malicious injury to honor or reputation," which covered true statements communicated solely to damage a person's reputation and prescribed a punishment of less than one month in prison and a fine. According to the international NGO End Blasphemy Laws, the law provided for a prison term of up to one year for "disparaging" or "profaning" religious feelings. During the year there were no reports of blasphemy, libel, and defamation laws being enforced.

National Security: The government repeatedly asserted national security concerns were the basis of limitations on free speech and expression.

Internet Freedom

The government restricted and disrupted access to the internet. The government reportedly monitored some internet communications, including email, without appropriate legal authority. Government informants were reported to frequent internet cafes. Some citizens expressed fear of arrest if caught viewing opposition sites. Nonetheless, the sites were generally available.

B. FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION

The government restricted freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The law provided for freedom of assembly, but the government restricted this right. Authorities investigated and interfered with large gatherings lacking prior approval, except for government-affiliated organizations or of religious observances of the four officially registered religious groups.

Freedom of Association

The law provided citizens the right to form organizations for political, social, economic, and cultural ends. It specified their conduct had to be open, transparent, and guided by principles of national unity and democracy. The government did not respect freedom of association. It prohibited

the formation of NGOs except those with official sponsorship. The government generally did not allow local organizations to receive funding and other resources from, or to associate with, foreign and international organizations (see sections 5 and 7.a.).

C. FREEDOM OF RELIGION

See the Department of State's *International Religious Freedom Report* at https://www.state.gov/religiousfreedomreport/.

D. FREEDOM OF MOVEMENT AND THE RIGHT TO LEAVE THE COUNTRY

The law did not provide for freedom of internal movement, foreign travel, emigration and repatriation, and the government restricted these rights.

In-country Movement: The government required citizens to notify local authorities when they changed residence, although many did not. When traveling within the country, particularly in remote regions or near borders, citizens were required to provide justification for travel at checkpoints.

Travel restrictions on noncitizens lawfully in the country remained in effect. The government required all diplomats, international humanitarian workers, UN staff, and other foreigners to request permission from the government at least 10 days in advance for travel outside of Asmara.

Foreign Travel: The government restricted foreign travel. The government required citizens, including dual nationals, to obtain exit visas. Requirements for obtaining passports and exit visas were inconsistent and nontransparent. The government often denied citizens passports and exit visas because they had not completed their military, national service, or militia duties; had unpaid income taxes; or for arbitrary or unstated reasons. Authorities generally did not give exit visas to children older than age seven and only permitted one child to travel abroad with a parent. Categories of persons commonly denied exit visas included men younger than 40, regardless of whether they had completed the military portion of national service, and women younger than 30. Authorities were more likely to approve exit visas for married women, women with children, and persons who had been discharged from national service. All land borders were closed, preventing legal overland travel for most citizens. Members of some cross-border ethnic groups (such as the Afar in the east and the Beja in the west) were allowed to cross the borders.

Exile: In general, citizens had the right to return, but citizens residing abroad had to show proof they paid a 2 percent tax on foreign earned income to the Ministry of Foreign Affairs to be eligible for some government services and documents, including birth or marriage certificates, passport renewals, and real estate and vehicle transactions. Those who had left the country illegally were required to sign a document called the "regret form," in addition to agreeing to pay the 2 percent tax, to obtain a passport or any other services while abroad.

E. PROTECTION OF REFUGEES

The government did not cooperate with the Office of the UN High Commissioner for Refugees (UNHCR) regarding treatment of refugees. The government defined refugee status differently than the 1951 Convention and its 1967 protocol.

Access to Asylum: The law did not provide for granting asylum or refugee status, and the government had no established system for providing protection to refugees. The government did not recognize Ethiopians, Sudanese, or South Sudanese as refugees, instead considering them

economic migrants, including newly displaced Sudanese. The government, however, allowed these refugees to enter and remain in the country or transit to a third country.

Access to Basic Services: UNHCR was not able to provide basic support to refugees or asylum seekers.

Durable Solutions: Although the government did not grant persons of Ethiopian or Sudanese origin asylum or refugee status, authorities permitted them to remain in the country and to live among the local population instead of in a refugee camp. Those living among the population were required to provide a guarantor and pay a fee to extend their residency or face possible detention.

Section 3.

Freedom to Participate in the Political Process

The law provided citizens the ability to choose their government in free and fair periodic elections, held by secret ballot and based on universal and equal suffrage, but they were not able to exercise this ability.

ELECTIONS AND POLITICAL PARTICIPATION

Abuses or Irregularities in Recent Elections: The government came to power in a 1993 popular referendum in which voters chose to have an independent country managed by a transitional government. The transitional government did not permit the formation of a democratic system. The government twice scheduled elections but canceled them without explanation. An official declaration in 2003 asserted, “In accordance with the prevailing wish of the people, it is not the time to establish political parties, and discussion of the establishment has been postponed.” In 2022, local communities across the country elected administrators, managing directors, and village coordinators.

Political Parties and Political Participation: The country was a one-party state. Political power rested with the People’s Front for Democracy and Justice and its institutions; the government did not allow the formation of other political parties. Membership in the People’s Front was not mandatory, but authorities pressured some categories of individuals, particularly those occupying government positions, to join the party. Authorities reportedly visited citizens in their homes after they completed national service and compelled them to join the party and pay the required fees. Authorities occasionally convoked nonmembers of the party to attend political indoctrination meetings as part of mandatory participation in the militia, and denied benefits such as ration coupons to those who did not attend. Some citizens in the diaspora claimed such meetings also occurred at embassies abroad, with the names of those who did not attend reported to government officials, sometimes resulting in denial of benefits such as passport services.

Participation of Women and Members of Marginalized or Vulnerable Groups: Openly lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons risked imprisonment and thus did not participate in the political process.

Section 4.

Corruption in Government

The law provided criminal penalties for corruption by officials, but the government did not implement the law effectively. Officials sometimes engaged in corrupt practices with impunity.

There were numerous reports of government corruption.

Corruption: Persons seeking executive or judicial services sometimes reported they obtained services more easily after paying a "gift" or bribe. Patronage, cronyism, and petty corruption within the executive branch were based largely on family connections and used to facilitate access to social benefits. Judicial corruption was a problem, and authorities generally did not prosecute acts such as property seizure by military or security officials or those seen as being in favor with the government. Local party officials, who drew no direct salary, were reported to engage in petty corruption to provide the paperwork proving compliance with "national obligations" such as national service, militia duty, and "voluntary" contributions to national development projects. There were reports of police corruption. Police occasionally used their influence to facilitate the release from prison of friends and family members. Private citizens used influence with police to harass, assault, and even jail those with whom they had personal disputes.

For additional information about corruption in the country, please see the Department of State's *Investment Climate Statement* for the country, and the Department of State's *International Narcotics Control Strategy Report,* which includes information on financial crimes.

Section 5.

Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

International civil society organizations focused on human rights were generally not able to operate in the country. The government did not cooperate with such groups or with investigations into human rights abuses. No local human rights NGOs operated in the country.

The United Nations or Other International Bodies: The government did not permit visits by the UN special rapporteur on human rights in Eritrea and remained opposed to cooperating with his mandate.

Section 6.

Discrimination and Societal Abuses

WOMEN

Rape and Domestic Violence: Rape was a crime punishable by up to 10 years in prison, or up to 16 years in aggravated cases (such as those that inflicted serious bodily injury, involved a child or someone under the perpetrator's care, or involved a group of perpetrators). The law made no distinction based on the gender of the assailant or the survivor. Rape between spouses was punishable only when the spouses had permanently separated. The government reportedly enforced the law through arrest of alleged perpetrators in some reported rape cases, but information regarding any subsequent prosecutions was not available.

While the law did not specifically criminalize domestic violence, assault carried a punishment that varied based on the seriousness of the crime, ranging from nine months to 19 years in prison. Authorities rarely intervened in domestic violence cases.

It was difficult to determine the extent of such abuses, as social stigma prevented survivors from coming forward, and the government did not publicize statistics.

Female Genital Mutilation/Cutting (FGM/C): The law prohibited FGM/C for both women and girls. Government efforts to reduce FGM/C included public awareness campaigns at the local level targeting religious and community leaders. Government reports stated certain regions and subzones were considered entirely free of FGM/C. Local UN representatives confirmed the government took FGM/C seriously as a problem and acted credibly to combat the practice. The UN Population Fund worked with the government and other organizations, including the National Union of Eritrean Women and the National Union of Eritrean Youth and Students, on a variety of education programs to discourage the practice.

Other Forms of Gender-based Violence or Harassment: Bride kidnapping and "virginity testing" were practiced in remote rural areas, but the practices were reportedly decreasing. The government disseminated messages against these practices in urban areas but was unable to reach rural and nomadic communities.

Discrimination: Family, property, nationality, and inheritance laws provided men and women the same status and rights. The law required equal pay for equal work, but the government did not enforce the law effectively. Discrimination against women regarding pay was common in the workplace and occurred in an environment of impunity. Women, particularly in rural areas, continued to face economic and social discrimination.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Vulnerable populations could provide informed consent to medical treatment affecting reproductive health, including sterilization. In more rural areas, however, women lacked access to or information concerning reproductive health care.

Women in major population centers had access to prenatal and childbirth health-care services. Rural areas lacked the same level of health care for pregnancy, and there was a lack of skilled health-care attendance at birth. According to the World Health Organization, between 34 and 40 percent of births from 2010 to 2019 were attended. Barriers included education and transportation.

Women had access to emergency health care, including services for the management of complications arising from abortion; however, in doing so they risked arrest and prosecution for the illegal abortion.

The government provided sexual and reproductive health services for survivors of sexual violence, including emergency contraception and postexposure prophylaxis as part of the clinical management of rape.

According to the World Bank, the maternal death rate ranged from an estimated 322 to 486 deaths per 100,000 live births. The high maternal death rate was likely due to such factors as limited health-care services, particularly in rural areas. No information was available on the adolescent birth rate. While adolescent births were traditionally a problem in the country and likely contributed to high maternal death rates, the government made a multiyear concerted effort through a National Steering Committee organized in 2017 and a national campaign launched in 2016 to convince individuals to delay marriage and childbirth.

In rural areas, women and girls reportedly faced cultural and social barriers related to menstruation and pregnancy that limited their ability to participate equally in society.

SYSTEMIC RACIAL OR ETHNIC VIOLENCE AND DISCRIMINATION

The law prohibited discrimination based on race or ethnicity. There were reports that governmental discrimination continued against ethnic minorities, particularly against the Afar and the Rashaida, two of nine ethnic groups in the country.

CHILDREN

Birth Registration: Registration of a birth within the first three months required only a hospital certificate. If not registered, a child would not be allowed to attend school but could receive medical treatment at hospitals.

Education: In rural areas parents enrolled fewer daughters than sons in school due to cultural and religious values, but the percentage of girls in school continued to increase.

Child Abuse: The law stated that assault of a person incapable of self-defense or against a person to whom the assailant had an obligation to give special care was an aggravated offense. The law also criminalized child neglect, with a punishment between one to six months' imprisonment. The government did not release information on its enforcement of the law.

Child, Early, and Forced Marriage: The legal minimum age for marriage was 18, unless the woman was pregnant or had already had a child, in which case the minimum was 16. The minister of justice or someone appointed by the minister could also waive the age requirement. Officials spoke on the dangers of early marriage and collaborated with UN agencies to educate the public regarding these dangers, and many neighborhood committees actively discouraged the practice.

Sexual Exploitation of Children: The law criminalized most commercial sexual exploitation and practices related to child pornography, but the use of a child for commercial sex was not specifically prohibited by law. The government did not release crime-related statistics, so it was difficult to determine the extent of any such abuses and whether the government effectively enforced the law against child pornography. The minimum age for consensual sex was 18.

ANTISEMITISM

One Jewish person remained in the country, and he maintained the only synagogue without reported government interference. There were no known reports of antisemitic incidents.

TRAFFICKING IN PERSONS

See the Department of State's annual *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/.

ACTS OF VIOLENCE, CRIMINALIZATION, AND OTHER ABUSES BASED ON SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, OR SEX CHARACTERISTICS

Criminalization: The law criminalized consensual same-sex sexual activity "or any other indecent act," which was punishable by five to seven years' incarceration. The government actively enforced the law. There were no credible efforts to rescind laws that criminalized same-sex sexual activity.

Violence and Harassment: There were no reported cases of violence against LGBTQI+ persons; however, this was likely due to repression that prevented LGBTQI+ persons from speaking out against violence or discrimination, or even publicly acknowledging their identity for fear of the severe social repercussions and discrimination they would suffer if their LGBTQI+ identity was disclosed.

Discrimination: The law did not prohibit discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics. There was a strong societal pattern of discrimination against LGBTQI+ persons, but no official cases were available for citation.

Availability of Legal Gender Recognition: Legal gender recognition was not available.

Involuntary or Coercive Medical or Psychological Practices: There were reports of individuals coerced into accepting attempted so-called conversion therapy practices in lieu of prison, but the scope of the practice was not clear. The international LGBTQI+ human rights organization Outright International reported that widespread social, cultural, and religious intolerance in the region led to recurrent attempts to forcibly "change" LGBTQI+ individuals' sexual orientation, gender identity, or gender expression through family, religious, medical, or other community pressures. There were no reports of medically unnecessary surgery on children or nonconsenting intersex persons; the stigma on this topic, however, made it unlikely that any such cases would be discussed publicly.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There were no known LGBTQI+ organizations in the country. The government tightly restricted freedom of expression, including on subjects related to sexual orientation, gender identity or expression, or sex characteristics. LGBTQI+ individuals were not able to freely assemble, associate, or express themselves publicly due to fear of identification, arrest, and discrimination or violence.

PERSONS WITH DISABILITIES

Persons with disabilities were able to access education, health services, and transportation on an equal basis with others. No laws mandated access for persons with disabilities to public or private buildings, information, and communications. There were separate schools for children with hearing, vision, mental, and intellectual disabilities. Most of these schools were private; the government provided some support to them. The government provided government information and communication on disability concerns in accessible formats.

The law prohibited discrimination against persons with disabilities, but the government did not share enforcement information. The government implemented programs to assist persons with disabilities, especially combat veterans, and dedicated substantial resources to support and train thousands of persons with physical disabilities. Persons with disabilities in the private sector reportedly experienced discrimination in hiring and in access to the workplace.

No information was available on the rate of school attendance for children with disabilities compared to those without disabilities. There were no known impediments to the ability of persons with disabilities to participate in the restricted civic space.

OTHER SOCIETAL VIOLENCE OR DISCRIMINATION

Jehovah's Witnesses were largely unable to obtain official identification documents, which barred them from most forms of employment.

Section 7.

Worker Rights

A. FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

The law provided for the right of certain workers to form and join unions, bargain collectively, and conduct strikes. Labor laws did not fully cover or directly excluded large populations such as civil servants, domestic workers, police, national service conscripts, and those in the informal sector. The

law prohibited antiunion discrimination but provided no remedies in case of antiunion discrimination at recruitment or during employment. The law did not require reinstatement of union workers other than leaders who had been dismissed for union membership or activities. The law allowed for the establishment of unions in private-sector workplaces with at least 20 employees and required a minimum of 15 members to form a union but prohibited all nongovernmental gatherings of more than seven persons. The law permitted workers from multiple smaller worksites to band together to create a "general association," if there were at least 20 members. The law required prior authorization from the Ministry of Labor and Human Welfare to establish a union, but it deemed registration granted if the ministry did not respond within one month. Workers reported the government prevented new independent unions from being formed.

The government did not respect or effectively enforce the law. The Labor Relations Board decided penalties and legal protections against antiunion interference on a case-by-case basis. Penalties were not necessarily commensurate with those for denials of civil rights. Penalties were rarely applied against violators.

The government did not respect freedom of association and the right to collective bargaining. No independent unions existed. For the few formal workers in the private sector, the only option for collective representation was the one umbrella trade union, the National Confederation of Eritrean Workers (NCEW). The confederation was directly linked to the ruling party and took no action against party-owned enterprises. The government kept all unions under close scrutiny, including the government-linked NCEW. In general, no NGOs were permitted to play a role in promoting the rights of workers in the country.

B. PROHIBITION OF FORCED OR COMPULSORY LABOR

See the Department of State's annual *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/.

C. PROHIBITION OF CHILD LABOR AND MINIMUM AGE FOR EMPLOYMENT

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/.

D. DISCRIMINATION (SEE SECTION 6)

E. ACCEPTABLE CONDITIONS OF WORK

Wage and Hour Laws: The national minimum wage for employees of party-owned enterprises and government employees was below the poverty line. There was no national minimum wage for private-sector workers. The law provided for a standard workweek of 48 hours and no more than two hours per day of overtime, but it included exceptions for when an employee was absent or when there was "urgent work." The law entitled workers, except for those employed in national service, to overtime pay. The legal rest period was one day per week, although most employees received one and one-half days.

Occupational Safety and Health: No published occupational safety and health (OSH) standards existed. Workers had the right to remove themselves from situations that endangered health or safety without jeopardy to their employment, although workers in the national service generally could not remove themselves from situations that endangered health or safety without a medical exemption. Each government enterprise had a separate agreement with the local union defining the

work standards, including OSH regulations, for that enterprise. There were 168 government enterprises in the country, accounting for most large-scale employers.

Wage, Hour, and OSH Enforcement: The Ministry of Labor and Human Welfare was responsible for enforcement of minimum wage, hour, and OSH laws. The government did not effectively enforce the law or the negotiated standards. The UN Human Rights Council reported the government perpetrated abusive working conditions in national service positions. Penalties were not commensurate with those for similar crimes and there was no information available that penalties were applied against violators. The ministry employed 28 inspectors, which was insufficient to enforce compliance. The NCEW reported every enterprise had an inspection at least once per year, which was then reviewed by the enterprise, the union, and the ministry. Inspectors had the authority to make unannounced inspections and demand changes, but they were not able to initiate sanctions. The government did not report on violations of minimum wage, hour, or OSH laws.

Approximately 80 percent of the population worked in the informal sector, and the government did not enforce labor laws in this sector.