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Country Report on Human Rights Practices 2014 - Eritrea

EXECUTIVE SUMMARY

The government of Eritrea is a highly centralized, authoritarian regime under the control of President Isaias Afwerki. The People's Front for Democracy and Justice (PFDJ), headed by President Isaias, is the sole political party. There have been no elections since the country's independence from Ethiopia in 1993. Authorities generally maintained effective control over most security forces.

Citizens did not have the ability to change the government through free and fair elections. Incommunicado detention continued under life-threatening conditions, which sometimes resulted in death. The government forced persons to participate in its national service program, routinely for periods of indefinite duration beyond the 18-month obligation.

Other abuses included killings; disappearances, torture and other cruel treatment; arbitrary arrest; executive interference in the judiciary; lack of due process and excessively long pretrial detention; politically motivated detentions; infringement of privacy rights; restrictions on freedom of speech and press; restrictions on academic freedom and cultural events; restrictions on internet freedom; restrictions on freedom of assembly, association, and religion; limits on freedom of movement and travel; corruption and lack of transparency; domestic violence against women; and alleged discrimination against ethnic minorities. The law criminalizes consensual same-sex activity. Female genital mutilation/cutting, human trafficking, and forced child labor occurred. Government policies limited worker rights.

The government did not generally prosecute or punish officials who committed abuses, whether in the security services or elsewhere in the government. Impunity was the norm.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

The government committed arbitrary killings with impunity and subjected detainees to harsh and life-threatening prison conditions. Prisoners who disappeared were often presumed dead.

In July the Red Sea Afar Democratic Organization reported authorities arrested Abdul Karim Qadr, an ethnic Afar, in Massawa, and that special security guards later executed him in a secret prison in Asfabet.

A shoot-to-kill policy remained in effect that targeted those who tried to cross the border illegally to leave the country.

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. The government did not regularly notify family members or respond to requests for information regarding the status of detainees, including locally employed staff of foreign embassies or foreign nationals. Disappeared persons included those detained for political and religious beliefs, journalists, individuals suspected of evading national service and militia duties, and persons with no discernible charge levied against them.

On February 27, fighter pilot Dejen Ande escaped from a maximum-security prison in Asmara where the government had held him without charge for 15 years.

On April 29, security officers arrested Mohammed Ali Omaro, the country's ambassador to Nigeria, in Asmara. His whereabouts were unknown.

In November it was reported that the head of security in the President's Office, Colonel Tesfalidet Tesfasilassie, disappeared. No additional information was available.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law and the unimplemented constitution prohibit torture. The UN special rapporteur on human rights in Eritrea reported in regards to detention conditions that "torture and ill-treatment are prevalent, with prisoners being more vulnerable during the early days in custody, for example during interrogation and investigation, if any." Lack of transparency and access to information made it impossible to determine the numbers or circumstances of deaths due to torture or poor detention conditions.

Security forces tortured and beat army deserters, national service and militia evaders, persons attempting to flee the country without travel documents, and members of certain religious groups.

Prison and Detention Center Conditions

Prison conditions remained harsh and life threatening.

Physical Conditions: No information was available on the number of prisoners, detainees, and detention centers. There were reportedly numerous unofficial detention centers, some located in military camps. The law requires juveniles be held separately from adults. There is a juvenile detention center in Asmara, but authorities held some juveniles, particularly teenagers, with adults, due to overcrowding in juvenile facilities. When police arrested mothers, their young children were sometimes held with them. Severe overcrowding was reportedly common.

Data on the prevalence of death in prison and detention facilities were not available, although persons died from harsh conditions or were reportedly killed in detention. Authorities reportedly held detainees in metal shipping containers and underground cells, without toilets or beds, incommunicado. Use of psychological torture was common, according to former inmates. Some former prisoners reported authorities appeared to conduct interrogations and beatings within hearing distance of other prisoners to intimidate them. The government did not provide adequate basic or emergency medical care in prisons or detention centers. Food was inadequate, and potable water was sometimes available only for purchase.

Refusal to perform military or militia service, failure to enlist, fraudulent evasion of military service, and desertion were punished by lengthy imprisonment or other arbitrary forms of punishment. Former detainees and other sources reported harsh detention center conditions, in police stations, and prisons for persons held for evading national service and militia duties. For example, the UN special rapporteur on the situation of human rights in Eritrea noted Wi'a prison camp as notoriously harsh.

Authorities placed political prisoners in solitary confinement more often than other detainees.

Administration: Verifying whether authorities released prisoners after they served their sentences was impossible. Recordkeeping procedures were not transparent, and the government did not routinely announce release of prisoners. There were no prison ombudsmen to respond to complaints.

Prisoners and detainees did not have consistent access to visitors. The government did not grant consular access to detained dual citizens. Authorities generally did not permit family visits with persons detained, arrested, or convicted for reasons purportedly involving national security, but they permitted visits with those held for other reasons. Authorities did not permit religious observance for some prisoners and detainees, although at least one detention center had a facility where prison officials permitted prisoners to conduct religious observances. International religious organizations claimed authorities interrogated detainees about their religious affiliation and asked them to identify members of unauthorized religious groups. 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 by independent nongovernmental observers. The government did not permit international bodies, including the International Committee of the Red Cross (ICRC), to monitor prison conditions, nor was the ICRC given access to Ethiopian or Djiboutian prisoners of war allegedly detained in the country.

d. Arbitrary Arrest or Detention

The law and unimplemented constitution prohibit arbitrary arrest and detention, but arbitrary arrest and detention remained widespread.

Round-ups of persons suspected of evading national service or militia duty occurred.

Role of the Police and Security Apparatus

Police are responsible for maintaining internal security, and the armed forces for external security, but the government sometimes used the armed forces, the reserves, demobilized soldiers, or the civilian militia to meet domestic and external security requirements. Agents of the National Security Office, which reports to the Office of the President, are responsible for detaining persons suspected of threatening national security. The armed forces have authority to arrest and detain civilians. Police generally do not have a role in cases involving national security.

Impunity for abuse was the norm. There were no known internal or external mechanisms to investigate security force abuse or government actions to reform the security forces.

Arrest Procedures and Treatment of Detainees

The law stipulates that unless there is a "crime in progress," police must conduct an investigation and obtain a warrant prior to making an arrest, but this seldom occurred. In cases involving national security, the process may be waived. Detainees must be brought before a judge within 48 hours of arrest and may not be held more than 28 days without being charged with a crime. Suspects generally were detained for longer periods without being brought before a judge or charged with a crime and, in some cases, being told the reason for detention. Authorities sometimes arbitrarily changed charges during detention. The government promoted the assumption that detainees detained without charge were held due to national security concerns.

The law provides for a bail system, but it was arbitrary; bail not always set and sometimes reportedly involved paying bribes.

Detainees held on national security grounds did not have access to counsel. Other detainees, including indigent persons, often did not have such access. Incommunicado detention was widespread. Detainees did not have consistent access to visitors. Authorities generally did not permit family visits for persons detained or arrested for reasons purportedly involving national security, whereas they usually permitted visits one day a week with those held for crimes not considered related to national security.

Arbitrary Arrest: Arbitrary arrest 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, and unspecified national security threats. Authorities also arrested members of unregistered Christian groups.

Round-ups of persons suspected of evading national service or militia duty occurred. Security personnel entered markets or towns and picked up men who could not prove they had completed or were excused from national service. There was a report that on August 30 that the army's 22 Kefle-Serawit conducted a round-up in Enda-Kehti. Authorities reportedly took such persons to remote camps for training.

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 and used informers to attempt to identify those unwilling to participate in the militia.

There were occasional reports, particularly from rural areas, that security forces detained and interrogated the parents, spouses, or siblings of individuals who evaded national service or fled the country.

Persons arrested in previous years for refusing to bear arms on grounds of conscience and for participating in unregistered religious groups remained in detention.

There were no reported developments regarding at least 180 individuals detained in relation to the brief takeover of the Ministry of Information building in January 2013, with the exception of the case of Major General Omer Hassen ("Tewil"). There was a news report that he died in prison on May 13; additional information was unavailable.

On July 20, an opposition radio station reported that special units under the command of General Philipos Woldeyohanes released 450 detainees from Hashferay jail. Those released had been held for evasion of military service. Among those reportedly released were Colonel Amn Idriss Abu Taweela and Colonel Saleh Jreid, who were abducted from Sudan in 2013.

Pretrial Detention: The government held numerous detainees without charge or due process. The percentage of the prison and detention center population in pretrial detention was not available.

e. Denial of Fair Public Trial

The law and unimplemented constitution provide for an independent judiciary, but executive control of the judiciary continued, and the judiciary was not independent or impartial. Judicial corruption remained a problem. The Office of the President served as a clearinghouse for citizens' petitions to some courts. It also acted as an arbitrator or a facilitator in civil matters for some courts. The judiciary suffered from lack of trained personnel, inadequate funding, and poor infrastructure.

Trial Procedures

The law and unimplemented constitution provide for the presumption of innocence and for defendants to be informed promptly and in detail of charges "in a language he understands." The constitution provides for a fair, speedy, and public hearing by a court of law, but it allows the court to exclude the press and public for reasons relating to morals or national security. Defendants do not have the right to trial by jury. The law does not specifically address the provision of adequate time to prepare one's defense, access to government-held evidence, and the right of defendants to confront witnesses, although courts generally afforded these rights to defendants in cases they did not deem related to national security. There is no right for defendants to refuse to testify.

In civil and criminal courts, defendants have the right to be present and to consult with attorneys. Prosecution and defense lawyers are court appointed and have the right to present witnesses. Courts of first instance are at the regional level. Each party to a case has the right to one appeal. Decisions rendered by any regional court may be appealed to the next appellate court. Should it reverse a decision, the party whose petition was not sustained may appeal to the five-judge upper appellate court. If the lower appellate court upholds the decision of a regional court, there is no second appeal.

Special courts had jurisdiction over corruption and national security cases. During the year authorities did not bring persons detained on national security grounds or for political reasons to trial. Authorities did not inform persons detained on national security grounds of charges against them. Special Courts did not protect the rights of defendants, including by providing access to a lawyer. Judges serve as prosecutors and may request that individuals involved in given cases present their positions. Special Court judges are military officials. The court reports to the Ministry of Defense and the Office of the President. Trials in Special Court are not open to the public, and the court's decisions are final, without appeal.

Community courts headed by elected officials were widely used in rural areas and generally followed traditional and customary law rather than formal law. For example, on April 21, the inhabitants of the Mogolo administrative area of Gash-Barka elected magisterial judges. Local administrators in rural areas encouraged citizens to reconcile outside the court system for less serious cases. Trials in community courts were open to the public and heard by a panel of judges.

Political Prisoners and Detainees

An international nongovernmental organization (NGO) reported the government held at least ten thousand suspected political prisoners and prisoners of conscious, including opposition politicians, journalists, members of registered and unregistered religious groups, and persons suspected of not completing national service or evading militia practice. Such persons were subjected to harsher treatment in detention than were other detainees. The government did not permit access to detainees by international human rights or humanitarian organizations.

On May 6, the UN special rapporteur on human rights reported that authorities released eight detainees held without charge. Authorities did not publicly acknowledge the release. The majority of the detainees were arrested in 2005 and 2006 in the city of Keren. They included government officials and two medical doctors. The reasons for both their arrest and their release remained unclear.

Civil Judicial Procedures and Remedies

There are no civil judicial procedures for individuals claiming human rights violations by the government.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law and the unimplemented constitution prohibit arbitrary interference with privacy, family, home, or correspondence, but the government did not respect these rights.

There were reports security force members targeted gatherings of unregistered religious groups, searched the homes of their members, and detained those suspected of belonging to religious groups not among the four permitted by law (Orthodoxy, Roman Catholicism, Sunni Islam, and Evangelical Lutheranism).

The government monitored mail, e-mail, text messages, and telephone calls without obtaining warrants required by law. Government informers were widely believed to be present throughout the country. Many citizens believed the government monitored cell phones in particular, since permits are required to use SIM cards.

Membership in the PFDJ, the only legal political party, was not mandatory, but authorities pressured some categories of individuals, particularly those occupying government positions, to join the party. Authorities occasionally convoked citizens to attend political indoctrination meetings as part of mandatory participation in the militia irrespective of PFDJ membership. Authorities denied benefits such as ration coupons to those who did not attend. Some Eritreans in the diaspora claimed convocations occurred at Eritrean embassies, with the names of those who did not attend reported to government officials, sometimes resulting in denial of benefits such as passport services.

In the past there were reports authorities occasionally visited refugee camps in Sudan and interrogated and seized persons who had fled the country and in some cases brought them back to Eritrea. No new information was available.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Although the law and unimplemented constitution provide for freedom of speech and press, the government severely restricted these rights.

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

Press Freedoms: The law bans private broadcast media and foreign ownership of the media and requires that documents, including books, be submitted to the government for approval prior to publication. The government controlled all domestic media, including a newspaper published in three languages, three radio stations, and a television station. The media focused primarily on local issues, celebrations, descriptions of good moral practices, and profiles of national heroes.

The law requires journalists to be licensed. The law restricts printing and publication of materials. The printing of a publication by anyone lacking a permit and the printing or dissemination of prohibited foreign publications are both punishable by law. Government approval is required for distribution of publications from religious or international organizations. On May 25, four Catholic bishops issued a pastoral letter that included discussion of human trafficking, emigration, corruption, and rule of law. It called for the imprisoned to be treated humanely,

charged, and taken to court, and for persons to demand constitutional rule. There was no official government response.

The government permitted satellite dishes, and their use was common in Asmara, Massawa, and other cities and increasingly in the countryside. As a result some individuals had access to international cable television networks. A number of satellite radio stations operated by diaspora Eritreans, including Radio Erena, based in Paris, attempted to reach listeners in the country. Citizens could also receive radio broadcasts originating in Ethiopia.

Violence and Harassment: The government continued to detain journalists and others associated with the media. It did not provide information about their locations or health. According to the Committee to Protect Journalists, the government held 23 journalists in detention during the year.

Censorship or Content Restrictions: Most independent journalists remained 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.

Libel Laws/National Security: Although the government did not prosecute individuals under libel or national security laws, the government repeatedly asserted national security concerns were the basis of limitations on free speech.

Internet Freedom

The government monitored some internet communications, including e-mail, without obtaining warrants. Internet users could choose from among five service providers, some of which were government owned. The use of internet cafes with limited bandwidth in Asmara was widespread, and persons also used them in other major cities, but the vast majority of persons in the country did not have access to the internet. Internet users who needed larger bandwidth paid prices beyond the reach of many individuals.

Reportedly, government informants frequented internet cafes. The government discouraged citizens from viewing some opposition websites by labeling the sites and their developers as saboteurs. Some citizens expressed fear of arrest if caught viewing such sites. Nonetheless, the sites were generally available.

Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events.

Authorities monitored activities at private secondary schools and in some cases arbitrarily denied visas to foreign teachers or presented impediments to school administration. Some parents of students in private schools charged that educational quality suffered because of disputes between government officials and school administrators.

With few exceptions, secondary school students must spend their last year of high school at the government's Sawa National Training and Education Center. Students had to complete military training at Sawa before being allowed to take entrance exams for institutions of higher education. Authorities assigned those who took entrance exams to courses of study based on exam results instead of allowing them to choose their own educational paths.

The government sometimes denied passports or exit visas to students and faculty who wanted to study or do research abroad. Some persons claimed authorities scrutinized academic travel for consistency of intent with government policies.

The government censored, canceled, or closed film showings and other cultural activities. It monitored libraries and cultural centers maintained by foreign embassies and in some instances questioned employees and users. The government directly sponsored most major cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law and unimplemented constitution provide for freedom of assembly, but the government restricted this right. For some public gatherings, the government sporadically required those assembling to obtain permits. Gatherings of large groups of persons without prior approval were subject to investigation and interference, with the exception of events that occurred in the context of meetings of government-affiliated organizations, were social in nature, or were events such as weddings, funerals, and religious observances of the four officially registered religious groups.

Freedom of Association

Although the law and unimplemented constitution provide for freedom of association, the government did not respect this right. The government did not allow any political parties other than the PFDJ. It also prohibited the formation of civil society organizations except those with official sponsorship. The government generally did not allow local organizations to receive funding and resources from or to associate with foreign and international organizations. It closed all international NGO offices in previous years.

c. Freedom of Religion

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

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law and unimplemented constitution provide for freedom of internal movement, foreign travel, emigration, and repatriation, but the government restricted all these rights. It often denied national service recruits passports and exit visas on the grounds they had not completed their military duties.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) to provide protection and assistance in some areas, and it restricted UNHCR activities in others. The government expelled the UNHCR country representative in December without explanation. The government defined refugee status differently than the 1951 Convention and 1967 Protocol relating to the Status of Refugees. It did not recognize Ethiopians or Sudanese as refugees. It provided protection to Somali refugees on a prima facie basis. The government continued to permit the UNHCR to screen and resettle Somali refugees. UNHCR staff had unhindered access to the Umkulu refugee camp, where the UNHCR funded programs. They did not have access to border areas to monitor new arrivals.

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

Travel restrictions on noncitizens remained in effect. The government required all diplomats, humanitarian workers, UN staff, and foreign tourists to request permission from the government at least 10 days in advance to travel 15.5 miles or more outside of Asmara. This waiting period was shortened considerably for diplomats residing in country for a long period. Authorities gave the UNHCR a monthly permit for all staff to visit Umkulu refugee camp.

Foreign Travel: The government restricted foreign travel. The government required citizens, including dual nationals, to obtain exit visas to depart the country. Requirements for obtaining passports and exit visas were inconsistent and nontransparent. During the year the government imposed new exit visa restrictions. Authorities generally did not give exit visas to children ages five and older. In September members of the civilian militia were told that any man or unmarried woman in the civilian militia would be unable to get an exit visa until further notice. Categories of persons most commonly denied exit visas included men under age 54, regardless of whether they had completed the military portion of national service, and women younger than age 47. The government did not generally grant exit permits to members of the citizen militia, although some whom authorities demobilized from national service or who had permission from their zone commanders were able to obtain them. Authorities arrested persons who tried to cross the border and leave without exit visas. A shoot-to-kill policy was in effect for those attempting to cross the border to exit the country without authorization.

To prevent emigration the government generally did not grant exit visas to entire families or both parents of children simultaneously. Some parents avoided seeking exit permits for children approaching the age of eligibility for national service due to concern they would be denied permission to travel, although other adolescents were granted exit permits. In the past diaspora members who visited the country reported being required to pay a 2-percent tax on foreign earned income before being given exit visas. This was not consistently enforced.

Exile: Many persons who fled the country remained in self-imposed exile due to their religious and political views and fears that they would be conscripted into national service if they returned.

Emigration and Repatriation: In general citizens had the right to return, but citizens residing abroad had to show proof they paid the 2 percent tax on foreign earned income to be eligible for some government services, including passport renewals and real estate transactions. Persons known to have broken laws abroad,

contracted serious contagious diseases, or been declared ineligible for political asylum by other governments had their visas and visa requests to enter the country considered with greater scrutiny than others.

Citizenship: The government considered persons of Eritrean descent to be citizens and did not recognize their possible citizenship in other nations, even if they were born outside the country.

In 1994 the government revoked the citizenship of members of Jehovah's Witnesses due to their refusal to take part in the referendum on independence or participate in the military portion of national service. Members of Jehovah's Witnesses who did not perform military service were not able to obtain identification cards and thus were not eligible for public sector jobs or for ration coupons to buy basic essentials at government-subsidized prices.

Protection of Refugees

Access to Asylum: The law does not specifically provide for the granting of asylum or refugee status, although the government offered protection to some individuals from neighboring countries, predominantly Somali refugees. The government did not grant Ethiopians or Sudanese asylum, although it allowed them to remain in the country and granted them residency permits that enabled them to access government services. The government required Ethiopians to pay an annual fee of 600 nakfa (\$40) for a residency card. The card demonstrated the holder was not indigent.

Employment: There did not appear to be discrimination based on nationality in terms of employment or entitlements with the exception of resident Ethiopians, some of whom the government viewed as potential security risks.

Access to Basic Services: Persons of Ethiopian and Sudanese origin living in the country sometimes claimed they received social entitlements commensurate with the perceived degree of their loyalty to the Eritrean government, including eligibility for ration coupons to buy basic essentials at government-subsidized prices. Most Somalis were restricted to Umkulu camp.

Durable Solutions: According to the UNHCR, the government made local integration available to some Ethiopian and Sudanese refugees.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The law and unimplemented constitution provide citizens the ability to change their government through free and fair elections, but they were not able to exercise this right.

Elections and Political Participation

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. This government did not permit the formation of a democratic system. The government twice scheduled elections in accordance with the constitution but canceled them without explanation. An official declaration in 2003 asserted that "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." Government officials also stated implementation of the constitution was not possible until the border demarcation with Ethiopia was final.

Political Parties and Political Participation: The country is a one-party state. Political power rested with the PFDJ and its institutions. At times the government coerced persons to join the PFDJ.

Participation of Women and Minorities: Women held three of 17 ministerial positions: justice, tourism, and health. A woman was the minister of labor and human welfare at the start of the year, but she was later replaced by a man. Women also served in other government positions, including as ambassador to France and as regional administrators.

Members of ethnic minorities served on the PFDJ's Executive Council and the Central Council. Some senior government and party officials were members of minority groups. The head of the navy was an ethnic Afar.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity.

The UN Monitoring Group on Somalia and Eritrea's October report stated that "officials continue to collect millions of dollars per year through unofficial revenues by means of private business arrangements involving PFDJ-run companies domestically and abroad." According to the monitoring group, the government used "tax havens, secret trusts, and companies incorporated under the names of officials, and, in most cases, the names of private individuals."

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. Some persons who benefited from preferential treatment due to perceived loyalty to the government subsequently were denied services such as housing when their political loyalties appeared to change. 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.

The UN Monitoring Group on Somalia and Eritrea's reports from previous years and reports from others cited allegations that military leaders were involved in trafficking in persons. Members of the armed forces also reportedly engaged in illicit trade in arms and black market sales of goods such as fuel and cement.

There were reports of police corruption. Police occasionally used their influence to facilitate the release from prison of friends and family. Police reportedly demanded bribes to release detainees.

Reports indicated corruption also existed in the issuance of identification and travel documents, including in the passport office. Individuals requesting exit visas or passports sometimes had to pay bribes.

There were no government agencies or effective mechanisms to address allegations of official abuse, and impunity was a problem.

Financial Disclosure: Public officials were not subject to financial disclosure laws.

Public Access to Information: Although the law and unimplemented constitution provide for public access to government information, the government did not as a rule release statistics or provide other information to either citizens or noncitizens.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The government closed all international NGO offices in previous years. Civil society organizations were few and, other than those with official affiliations, lacked capacity.

The United Nations and Other International Bodies: The government did not permit visits by the UN special rapporteur on human rights in Eritrea or the UN Monitoring Group on Somalia and Eritrea. From January 21 to 24, two Office of the High Commissioner for Human Rights staff visited the country. They received briefings from government officials, visited UN projects related to health, education, and sanitation, and observed community courts in session. On February 14, authorities met with monitoring group representatives in Cairo, Egypt, and on July 28, government officials participated in a video conference. On July 14, the UN Human Rights Council established a mandate for a commission of inquiry to investigate alleged violations of human rights in the country, and in August a UN political team visited the country to discuss political, economic, and social conditions.

The government permitted the ICRC to operate, although it limited ICRC operations to supporting Ethiopian repatriation, supporting vulnerable Ethiopian residents, implementing assistance projects (water, agriculture and livestock) for persons living in the regions affected by conflict, dissemination of international humanitarian law to students and government officials, and connecting separated family members living abroad to their family members in Eritrea through the Red Cross. Authorities did not permit the ICRC to visit prisons or detention.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law and unimplemented constitution prohibit discrimination based on race, language, and social status and against women and persons with disabilities, but the government did not enforce these prohibitions. The constitution does not specifically address discrimination based on sexual orientation or gender identity.

Women

Rape and Domestic Violence: Rape is a crime punishable by up to 10 years in prison. Gang rape or rape of a minor or an invalid is punishable by up to 15 years in prison. Sexual assault is punishable by six months to eight years in prison. The law does not specifically criminalize spousal rape. No information was available on the prevalence of rape, which citizens seldom reported to officials. There were frequent reports of rape in military training camps, during national service, and during interrogations. Communities or families sometimes responded to reports of rape by encouraging the perpetrator to marry the victim, since victims of rape were often perceived as not marriageable.

Domestic violence is punishable as assault and battery. Domestic violence was reportedly commonplace, but domestic violence cases were rarely tried. Women usually refrained from openly discussing domestic violence because of societal pressures. Authorities rarely intervened due to societal attitudes, a lack of trained personnel, and inadequate funding. Traditional authorities, families, or clergy more commonly addressed incidents of domestic violence.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C. The UN Children's Fund (UNICEF) stated the prevalence of FGM/C had declined over time. The 2010 Population and Health Survey reported that 83 percent of girls and women ages 15 to 49 had undergone FGM/C. The study found older cohorts had a higher prevalence of FGM/C than younger cohorts. The 2002 Demographic and Health Survey found 89 percent of girls and women had undergone FGM/C.

Sexual Harassment: There is no specific law against sexual harassment. Cultural norms often prevented women from reporting such incidents. There was no record of any person ever being charged or prosecuted for sexual harassment.

Reproductive Rights: Couples and individuals are generally able to decide freely and responsibly the number, spacing, and timing of their children; to have the information and means to do so; and to attain the highest standard of reproductive health free from discrimination, coercion, and violence. Some girls and women reportedly married and had children to avoid national service or being mobilized.

According to the UN Population Fund (UNFPA), the maternal death rate was an estimated at 380 maternal deaths per 100,000 live births in 2013. According to 2010 data, skilled health personnel attended 28 percent of births, and 5 percent of girls and women between ages 15 and 49 used a modern method of contraception. Access to government-provided contraception, skilled health attendance during pregnancy and childbirth, prenatal care, essential obstetric care, and postpartum care was available, but women in remote regions sometimes did not seek or could not obtain the care they needed due to lack of transport, fuel, or awareness of opportunities.

Discrimination: Women have the same legal status and rights as men under family, labor, and inheritance law. The law requires equal pay for equal work. The percentage of men receiving access to education, economic resources, and employment exceeded that of women, particularly in rural areas. The Ministry of Labor and Human Welfare and the Ministry of Health are the primary government offices responsible for promoting legal rights of women, along with the quasi-governmental National Union of Eritrean Women (NUEW).

Children

Birth Registration: Citizenship is derived from having at least one Eritrean parent, whether the person is born in the country or abroad. Registration of a birth within the first three months requires only a hospital certificate. After three months parents must present themselves to judicial authorities with their child and three witnesses. If not registered a child may not attend school but may receive medical treatment at hospitals. There were reported cases of local officials refusing to register the births of children who had a parent living abroad who did not pay the 2 percent tax on foreign earned income.

Education: Education through grade seven is compulsory and free of tuition, although students' families were responsible for providing uniforms, supplies, and transportation. Education above grade seven required a

nominal fee and was not compulsory. There was a shortage of schools and teachers at all levels. In rural areas parents did not enroll young girls as commonly in school as they did young boys, but the percentage of girls in school continued to increase.

The government requires all students who reach the final year of secondary school to attend grade 12 at the Sawa National Education and Training Center. Students who did not do so could not graduate and therefore could not pursue higher education, although they could attend vocational schools. Some persons who attempted to leave the country did so to avoid going to Sawa. According to the UN special rapporteur on human rights in Eritrea, students at Sawa faced "various types of violations, some amounting to torture, inhuman or degrading treatment, and corporal punishment." The special rapporteur noted reports of students becoming sick and dying and of committing suicide.

On July 5, 700 of the 15,000 to 20,000 students expected to attend presented themselves to start their final year of high school at Sawa. Citizens and other observers considered this demonstrative of citizen resistance to having children attend the last year of schooling at Sawa.

Child Abuse: There are no laws against child abuse. Information on the extent of violence against or abuse of children was not available. Local social welfare teams investigated circumstances reported to be abusive and counseled families when child abuse was evident. The society generally accepted physical punishment of children, particularly in rural areas.

Early and Forced Marriage: The legal minimum age for marriage for both men and women is 18, although religious entities may condone marriages at younger ages. Information on the marriage rate for girls and boys under age 18 was not available. Girls in rural areas were particularly at risk for early marriage. The government encouraged various semiofficial associations such as the NUEW and the National Eritrean Youth and Student Association to discuss the impact of early marriage and raise awareness among youth about its negative consequences. Female ministers spoke publicly on the dangers of early marriage and collaborated with UN agencies to educate the public regarding these dangers. Many neighborhood committees also were active in discouraging the practice.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C. UNICEF stated the prevalence of FGM/C had declined over time. The 2010 Population and Health Survey reported that 83 percent of girls and women ages 15 to 49 had undergone FGM/C. The study found older cohorts had a higher prevalence of FGM/C than younger cohorts. The 2002 Demographic and Health Survey found 89 percent of girls and women had undergone FGM/C. The UNFPA worked with the government and other organizations, including the NUEW and the National Union of Eritrean Youth and Students, on a variety of education programs to discourage the practice.

Sexual Exploitation of Children: The law criminalizes child prostitution, pornography, and sexual exploitation. The minimum age for consensual sex is 18. Penalties for the commercial sexual exploitation of children included imprisonment. Crimes were seldom reported and punishment rarely applied. Data on the extent of child prostitution were not available. Authorities instructed the citizen militia to report evidence of the sexual exploitation of children to facilitate the arrest of patrons and pimps.

Child Soldiers: The law prohibits the recruitment of children under 18 into the armed forces. Children under 18, however, were detained during round-ups and sent to Sawa National Training and Education Center, which is both an educational and military training school. Those who refused to attend and participate in military training either hid, fled the country, or were arrested.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

There were no reports of anti-Semitic acts, and the sole synagogue was maintained by the small number of remaining Eritrean Jews.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law and unimplemented constitution prohibit discrimination against persons with disabilities in employment, education, or in the provision of other state services. There are no laws on discrimination in air travel and other

transportation and access to health care. The constitution does not specify the types of disabilities against which it prohibits discrimination. The government did not effectively enforce prohibitions, although it implemented programs to assist persons with disabilities, especially combat veterans. The government dedicated substantial resources to support and train thousands of persons with physical disabilities, especially for those missing limbs that resulted from the war for independence and the later conflict with Ethiopia. No laws mandate access for persons with disabilities to public or private buildings, information, and communications. An increasing number of hotels and government offices provided such access or employed guards who offered assistance as needed. There were special schools for children with hearing, sight, mental, and intellectual disabilities. Information on whether there were patterns of abuse in educational and mental health facilities was not available. The Ministry of Labor and Human Welfare is responsible for protecting the rights of persons with disabilities including mental disabilities.

National/Racial/Ethnic Minorities

Governmental and societal discrimination allegedly continued against ethnic minorities, particularly against the nomadic Kunama and the Afar, two of nine ethnic groups in the country.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The law criminalizes consensual same-sex sexual activity, which is punishable by 10 days to three years' incarceration. The government did not actively enforce this law. Antidiscrimination laws relating to lesbian, gay, bisexual, or transgender (LGBT) persons do not exist. There are no hate crime laws or other criminal justice mechanisms to investigate bias-motivated crimes against LGBT persons.

Foreign male tourists reported that hotel staff in different cities told them men could not share a room. There were no reports of Eritrean men encountering this restriction. There was no official action to investigate and punish those complicit in abuses, including state or nonstate actors. There were no known LGBT organizations in the country. In general society stigmatized discussion of LGBT issues.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. The law prohibits antiunion discrimination and requires reinstatement of union leaders dismissed for union activity, but it does not provide equivalent protection for other workers dismissed for engaging in union activity. The law allows unions to be established in workplaces with at least 20 employees and requires a minimum of 15 members to form a union. The law requires prior authorization from the Ministry of Labor and Human Welfare to establish a union, but it deems registration granted if no response is received from the ministry within one month.

The government did not effectively enforce the applicable laws. While there is a fine of 1,200 nakfa (\$80) for antiunion discrimination or acts of interference, this did not constitute an adequate deterrent, according to the International Labor Organization. No corresponding penal law provisions specifically address labor violations.

The government did not respect freedom of association and the right to collective bargaining. There were no reports of strikes, collective bargaining, or government opposition to, or approval of, the formation of labor associations during the year. Unions existed as governmental organizations for hotel workers, service personnel, agricultural professionals, and teachers, among other employment sectors. They were ineffective in promoting or protecting workers rights. The minimal civil society in the country did not play any significant role in labor issues.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced labor and slavery. The law's definition of forced labor excludes activities performed as part of national service or other civic obligations, and labor protections limiting hours of work and prohibiting harsh conditions did not apply to persons engaged in national service. The law provides penalties of five to 20 years' imprisonment for "enslavement." The law also provides penalties of imprisonment and fines for "violation of the right to freedom to work," which appears to covers situations of forced labor.

By law all citizens between ages 18 and 50 must perform national service, with limited exceptions. The national service obligation consists of six months of military training and 12 months of active military service and development tasks in the military forces for a total of 18 months, or for those unfit to undergo military training, 18 months of service in any public and government organ according to the person's capacity and profession. There is no provision for alternative service for conscientious objectors.

Despite the 18-month limit on national service under the law, the government did not demobilize many conscripts from the military as scheduled and forced some to serve indefinitely under threats of detention, torture, or punishment of their families. Persons performing national service could not resign or take other employment, generally received no promotions or salary increases, and could not leave the country legally because they were frequently denied passports or exit visas. Those conscripted into the national service performed standard patrols and border monitoring in addition to labor such as agricultural terracing, planting, road maintenance, hotel work, teaching, construction, and laying power lines. In 2012 the government instituted a compulsory citizen militia, requiring persons not already in the military, including many who were demobilized or exempted from military service in the past, to carry firearms and attend militia training. Failure to participate in the militia or national service could result in detention. There was evidence of forced child labor in government summer work programs for secondary students.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The legal minimum age for employment is 14, although this restriction does not apply to self-employed workers. The law prohibits those under age 18 from employment in categories including transport industries, work connected with toxic chemicals or dangerous machinery, or work underground or in sewers. This restriction does not apply to training. The government prohibits persons under age 18 from employment between 6:00 p.m. and 6:00 a.m. and for more than seven hours per day.

Labor inspectors from the Ministry of Labor and Human Welfare are responsible for enforcing child labor laws, but inspections were infrequent and penalties, if imposed, arbitrary. Although the government had a national action plan to protect children from exploitation in the workplace, it did not enforce the plan effectively.

Children in rural areas commonly worked on family farms, fetched firewood or water, and herded livestock. In urban areas children worked as street vendors of cigarettes, newspapers, and chewing gum. Children also worked in small-scale garages, bicycle repair shops, metal workshops, and tea and coffee shops. They also transported grain or other goods via donkey cart. Child domestic service occurred. Data on the extent of child prostitution were not available. Begging by children occurred in Asmara.

The government continued to require secondary school students in the ninth, 10th, and 11th grades to participate in summer work programs known as "maetot." News reports indicated students engaged in activities such as environmental conservation, agricultural activities (irrigation, maintenance of canals, and terracing), and production and maintenance of school furniture. The government required all secondary school students to complete 12th grade at the Sawa National Education and Training Center.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment or Occupation

With respect to employment or occupation, labor laws prohibit discrimination based on race, sex, gender, disability, color, social origin, nationality, political orientation, or religion. The government did not effectively enforce the laws.

e. Acceptable Conditions of Work

The national minimum wage for employees of PFDJ-owned enterprises and government employees was 360 nakfa per month. At the official exchange rate this equaled \$24 (15 nakfa to \$1, but at the unofficial market rate it was equivalent to \$7.20 (\$1 to 50 nakfa). There was no national minimum wage for private sector workers. The government paid national service recruits according to a fixed scale, and the most common salary was 500 nakfa (\$33/\$10) per month. For some professions wages had not increased for more than a decade despite high inflation. The standard workweek was 44.5 hours, but employers sometimes required overtime without fair compensation. There were no prohibitions against excessive overtime. The law entitles workers to overtime pay, except for those employed under national service, but this was not always enforced. The legal rest period is one day per week, although most received one and one-half days.

No published occupational health and safety standards existed. The Ministry of Labor and Human Welfare is responsible for worker safety and welfare. The ministry employed inspectors, but the number was unclear. No regular enforcement mechanisms were in place, and no inspections of factories occurred to determine whether safety equipment was in use. No major industrial accidents were known to have occurred, including in the mining sector.

Information regarding abuses pertaining to wage, overtime, safety, and health standards was neither reported nor available.

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