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Building the Evidence Base for Effective
Antislavery Governance

Eritrea Country Profile

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About this report

This report was prepared by Dr Ana Valverde-Cano (Rights Lab Research Fellow in Antislavery Law and Policy), Dr Katarina Schwarz (Rights Lab Associate Director), and Dr Daniel Ogunniyi (Rights Lab Research Fellow).

The report is based primarily on research conducted from 2020-2021 and may not therefore consider more recent emerging evidence.

About the project

The report was produced to support the research project 'Building the Evidence Base for Effective Antislavery Governance in the UK and the Top 20 UK Source Countries', funded by the Modern Slavery and Human Rights Policy and Evidence Centre. The research team consisted of Dr Katarina Schwarz (Rights Lab, University of Nottingham), Dr Ana Valverde-Cano (Rights Lab), Dr Daniel Ogunniyi (Rights Lab), Alexandra Williams-Woods (CSIS, University of Liverpool), and Prof Jean Allain (Wilberforce Institute, University of Hull).

The **Rights Lab** is a University of Nottingham "Beacon of Excellence" and home to the world's largest and leading group of modern slavery researchers. Through its five research programmes, impact team, and INSPIRE project, the Rights Lab is underpinning antislavery with an advanced research agenda, collaborating with civil society, business, and government, and elevating survivor-informed research as a key part of knowledge production to help end slavery.

The **Wilberforce Institute** at the University of Hull aims to advance fundamental knowledge of slavery and emancipation, informing policy, business practice and public debate at local, national and international levels. The Wilberforce Institute brings together experts in humanities, law and social sciences to help tackle this global problem head on

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1. Overview of antislavery and anti-trafficking governance

1.1. GSI rankings and government response ratings¹

	Vulnerability		Prevalence			Government response	
	Ranking ²	Score ³	Ranking ⁴	Absolute ⁵	/ 1000 ⁶	Ranking ⁷	Rating ⁸
2013	3 /162	80.58	15 /162	44,452	7.2	-	-
2014	2 /167	83.8	68 /167	27,500	4.3	164 /167	D
2016	23 /167	49.55	17 /167	35,300	6.7	159 /161	D
2018	20 /167	69.6	2 /167	451,000	93.0	161 /162	D

Although the nature of modern slavery makes measuring the phenomenon an inherently difficult task, the Walk Free Foundation's Global Slavery Index (GSI) aims to provide the 'best available data and information about the scale and regional distribution of modern slavery'.⁹ This includes **national prevalence estimates** of the number of people experiencing modern slavery in each country, calculated on the basis of a predictive model that accounts for individual and country-level risk factors.

National prevalence estimates are analysed in the context of results of Walk Free's **Vulnerability Model**. This model uses 'statistical testing and processes to identify the factors that explain or predict the prevalence of modern slavery'.¹⁰ The 2018 Vulnerability Model features five factors, made up of 23 distinct variables: governance issues, lack of basic needs, inequality, disenfranchised groups, and effects of conflict.

Walk Free also tracks **government responses** to modern slavery, tracking government efforts across five milestones: (1) survivors of slavery are identified and supported to exit and remain out of slavery; (2) criminal justice mechanisms function effectively to prevent modern slavery; (3) coordination occurs at the national and regional level, and governments are held to account for their response; (4) risk factors such as attitudes, social systems, and institutions that enable modern slavery are addressed; and (5) government and business stop sourcing goods and services produced by forced labour.¹¹

It should be noted that the scope, methodology, and sources underpinning GSI findings has changed over the years. This means that data between different reporting years is not directly comparable.

¹ Walk Free Foundation, 'The Global Slavery Index 2013' (2013), available [here](#); 'The Global Slavery Index 2014' (2014), available [here](#); 'The Global Slavery Index 2016' (2016), available [here](#); 'The Global Slavery Index 2018' (2018), available [here](#).

² Note: a higher ranking (closer to 1) indicates high vulnerability relative to other countries.

³ Note: a higher score indicates increased vulnerability to modern slavery, with a median country score of 47.28 in 2018.

⁴ Note: a higher ranking (closer to 1) indicates a high number of people experiencing modern slavery per 1000 in the overall population relative to other countries.

⁵ Note: absolute prevalence measures the estimated number of people experiencing modern slavery in the country.

⁶ Note: prevalence /1000 measures the number of people estimated to experience modern slavery per 1000 people in the overall population.

⁷ Note: a higher ranking (closer to 1) indicates better government responses to modern slavery relative to other countries.

⁸ Note: government response ratings are broken into scoring bands, with an A rating representing the strongest government response to modern slavery (with a score of 70-79.9), followed by BBB (60-69.9), BB (50-59.9), B (40-49.9), CCC (30-39.9), CC (20-29.9), C (10-19.9), and D (<0-9.9).

⁹ Walk Free Foundation, 'Global Findings' (2018), available [here](#).

¹⁰ Walk Free Foundation, 'Methodology: Vulnerability' (2018), available [here](#).

¹¹ Walk Free Foundation, 'Methodology: Government Response' (2018), available [here](#).

1.2. TIP Rankings 2009-2020¹²



The Trafficking in Persons report ranks countries into one of four tiers, as mandated by the Victims of Trafficking and Violence Protection Act 2000 (TVPA). A country's ranking is based on an assessment of the government's efforts to address trafficking in persons, rather than on the extent of trafficking within the country, and considers government action against the TVPA's minimum standards.¹³

Tier 1: Countries whose governments fully meet the TVPA's minimum standards for the elimination of trafficking. To maintain a Tier 1 ranking, the country must continue to make progress in its anti-trafficking efforts each year.

Tier 2: countries whose governments do not fully meet the TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards.

Tier 2 Watch List: Countries whose governments do not fully meet the TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards, and for which:

- (a) the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;
- (b) there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecution, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or
- (c) the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional steps over the next year.

Tier 3: Countries whose governments do not fully meet the TVPA's minimum standards and are not making significant efforts to do so. Countries ranked as Tier 3 may be subjected to restrictions on non-humanitarian, non-trade foreign assistance from the US. Impositions of such restrictions are determined by the President.¹⁴

1.3. Quantitative measures on anti-trafficking governance (TIP Reports)¹⁵

Measure	Year	Qty
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¹² US Department of State, '2020 Trafficking in Persons Report' (2020), available [here](#); (2019) available [here](#); (2018), available [here](#); (2017), available [here](#); (2016), available [here](#); (2015), available [here](#); (2014), available [here](#); (2013), available [here](#); (2012), available [here](#); (2011), available [here](#); (2010), available [here](#); (2009), available [here](#); (2008), available [here](#); (2007), available [here](#); (2006), available [here](#); (2005), available [here](#); (2004), available [here](#); (2003), available [here](#); (2002), available [here](#); (2001), available [here](#).

¹³ Minimum standards for the elimination of trafficking are found in section 108, Victims of Trafficking and Violence Protection Act 2000 (United States), available [here](#).

¹⁴ See further Department of State (2020), above n **Error! Bookmark not defined.**, 40-41.

¹⁵ Sources:

[1] Human Rights Council, 'National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21' (A/HRC/WG.6/32/ERI/1, 12 November 2018) 5, available [here](#).

[2] Committee on the Elimination of Discrimination against Women, 'Sixth periodic report submitted by Eritrea under article 18 of the Convention, due in 2019' (CEDAW/C/ERI/6, 12 April 2019) 17, available [here](#).

Labour Inspections	2015-2017	1,505 establishments	[1]
Police officers training	June 2018	31	[2]
Training of sub-regional officials and social workers	August 2018	72	[1]
Seminars and workshops organised	2018	8,265	[1]
Number of individuals trained	2018	452, 729	[1]

2. Treaty commitments¹⁶

Instrument	Ratification date
1926 Slavery Convention	N/A
1953 Protocol to the Slavery Convention	N/A
1930 Forced Labour Convention	22 Feb 2000
2014 Protocol to the Forced Labour Convention	N/A
1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery	N/A
1957 Abolition of Forced Labour Convention	22 Feb 2000
1966 International Covenant on Civil and Political Rights (ICCPR)	22 Jan 2002
1966 Optional Protocol to the ICCPR	N/A
1990 Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	N/A
1998 Rome Statute of the International Criminal Court	N/A
1999 Worst Forms of Child Labour Convention	3 June 2019
2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children	25 Sep 2014
2000 Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography	16 Feb 2005
2000 Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict	16 Feb 2005
2011 Domestic Workers Convention	N/A
Regional Instruments	
Intergovernmental Authority on Development (IGAD)¹⁷	
Khartoum Process¹⁸	
1981 African Charter on Human and Peoples' Rights	14 January 1999
Key International Commitments	
1948 Universal Declaration of Human Rights	
1985 Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power	
2005 UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law	
2015 UN Sustainable Development Goals (5.3, 8.7)	

¹⁶ UN Treaty ratification info sourced from UN Treaty Collection available [here](#); ILO Convention ratifications available [here](#); Rome Statute ratification status available [here](#).

¹⁷ IGAD, available [here](#).

¹⁸ Khartoum Process, available [here](#).

2017 Call to Action to End Forced Labour, Modern Slavery and Human Trafficking

N/A

3. General country context

3.1. Law and Governance Frameworks

Eritrea is a mixed legal system of civil, customary, and Islamic religious law.¹⁹ It has a unicameral National Assembly or Hagerawi Baito, where members are elected to serve 5-year terms. Of the 150 seats at the National Assembly, the ruling party indirectly elects 75 members, while the remaining 75 are directly elected by simple majority vote.²⁰ Further, the National Assembly indirectly elects the President of Eritrea for a 5-year term, with the possibility of re-election. However, the current president has been in office since 1993, with subsequent elections postponed indefinitely. The Chief Justice of the High Court heads the judicial arm, which is currently the apex court in Eritrea.²¹ Although the Eritrean Constitution envisages a Supreme Court under articles 48 and 49, the court is yet to be established.²² As such, final appeals currently lie with the final appeals panel of the High Court, which performs the functions of a Supreme Court.²³

3.2. Political context

Eritrea is an authoritarian one-party state led by President Isaias Afwerki of the People's Front for Democracy and Justice (PFDJ).²⁴ President Afwerki has been in office since 1993 when Eritrea gained independence from Ethiopia. Following years of isolation, Eritrea started rebuilding diplomatic relations with its neighbours in July 2018, entering a peace accord with Ethiopia.²⁵ This formally ended a border war between the two countries that lasted about two decades.²⁶ Eritrea subsequently resumed diplomatic relations with Somalia and Djibouti after years of severing ties. In November of 2018, the UN Security Council lifted its decade-long arms embargo on Eritrea.²⁷ Nevertheless, Eritrean authorities continued using indefinite military conscription, a form of forced labour, despite the peace agreement with Ethiopia. The authorities had previously cited the border dispute with Ethiopia as justification for the prolonged military service.²⁸

Perceived political opponents are also subjected to indefinite detention without trial.²⁹ The authorities prohibit independent media, and journalists critical of the government are frequently imprisoned.³⁰ Eritrea ranked 178 of 180 countries in the 2020 World Press Freedom Index, with all media totally subject to state control.³¹ Also, human rights abuses by state officials are almost never investigated or prosecuted by the government.³² Further, president Afwerki has failed to implement the 1997 constitution, which guarantees civil and political rights and places a limit of executive power.³³ The 2019 Democracy Index of the Economist Intelligence Unit ranks Eritrea as 152 among 167 countries, reflecting the democratic challenges in the country.³⁴

¹⁹ Central Intelligence Agency, 'The World FactBook: Eritrea' (2020), available [here](#).

²⁰ Ibid.

²¹ Library of Congress, 'Legal Research Guide: Eritrea' (2020), available [here](#).

²² Ibid.

²³ Ibid.

²⁴ US Department of State, '2019 Country Reports on Human Rights Practices: Eritrea' (2019), available [here](#).

²⁵ Human Rights Watch, 'Eritrea: Events of 2018' (2019), available [here](#).

²⁶ Ibid.

²⁷ Ibid.

²⁸ Amnesty International, 'Eritrea 2019' (2020), available [here](#).

²⁹ Human Rights Watch, above n 25.

³⁰ Ibid.

³¹ Reporters without Borders, 'A dictatorship in which the media have no rights' (2020), available [here](#).

³² US Department of State, above n 24.

³³ Human Rights Watch, 'Eritrea: Events of 2019' (2020), available [here](#).

³⁴ The Economist Intelligence Unit, 'Democracy Index 2019: A year of democratic setbacks and popular protest' (The Economist Intelligence Unit Limited, 2020).

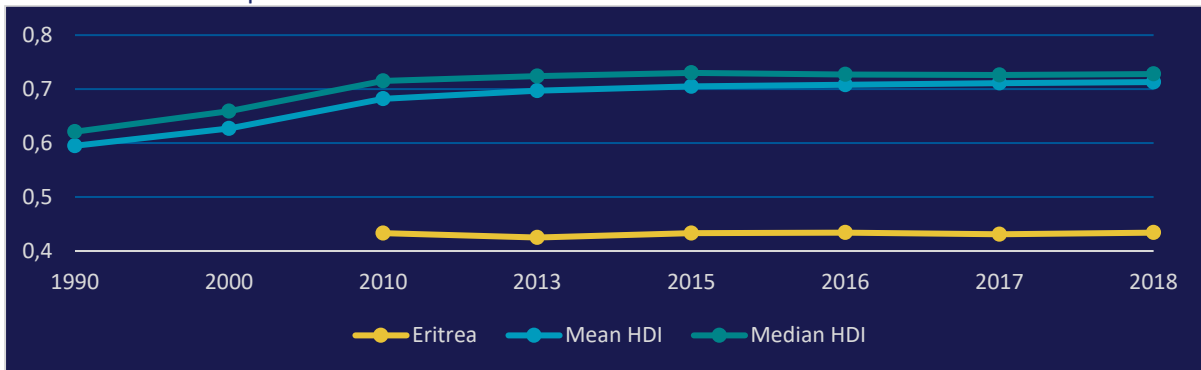
3.3. Migration profile

Eritrea is mainly a country of origin and to a lesser degree a country of destination for international migration. Eritreans migrate mainly for political, economic, social and educational reasons, with many seeking refuge in neighbouring countries like Ethiopia and Sudan, while others embark on a journey towards Europe.³⁵ According to research conducted by the Mixed Migration Centre, around 95% of Eritreans reported fleeing their country due lack of rights, while 84% specifically cited fear of conscription into national military service as a top driver.³⁶ The report further noted that the border between Eritrea and Ethiopia remain closed despite initial reopening and indications of improvement of the human rights situation in Eritrea.³⁷

In 2015, the largest group of migrant arrivals to Italy came from Eritrea, totalling 39,162 or 25% of all arrivals.³⁸ Overall, an estimated 5,000 people leave Eritrea each month, mainly to neighbouring countries.³⁹ Some 171,876 Eritrean refugees and asylum seekers reside in Ethiopia.⁴⁰ In October 2014, the Eritrean refugee population registered in Sudan was 109,594,⁴¹ while 18,615 migrants and asylum seekers were estimated to be living in Egypt as of February 2020.⁴²

3.4. Development profile

3.4.1 Human Development Index⁴³



The Human Development Index (HDI) measures average life expectancy, level of education and income for each country in the world. Each country is given a score between 0 and 1 - the closer a country gets to 1, the more developed it is.⁴⁴ Eritrea's scores place it in the 'Low Human Development' grouping

³⁵ Maastricht Graduate School of Governance, 'Eritrea Migration Profile: Study on Migration Routes in the East and Horn of Africa' (2017), available [here](#).

³⁶ Mixed Migration Centre, 'Quarterly Mixed Migration Update: East Africa & Yemen' (Q1 2020), available [here](#).

³⁷ Ibid.

³⁸ Maastricht Graduate School of Governance, above n 35.

³⁹ Human Rights Council, 'Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (A/HRC/29/CRP.1, 4 June 2015) 16, available [here](#).

⁴⁰ Mixed Migration Centre, above n 36.

⁴¹ Human Rights Council, 'Report of the detailed findings of the Commission of Inquiry on Human Rights in Eritrea' (A/HRC/29/CRP.1, 4 June 2015) 16, available [here](#).

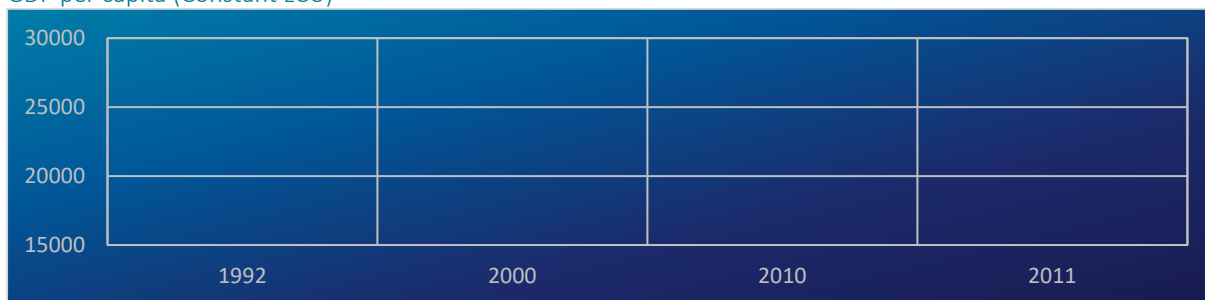
⁴² Mixed Migration Centre, above n 36.

⁴³ UNDP, 'Human Development Indicators - Eritrea' (2019), available [here](#).

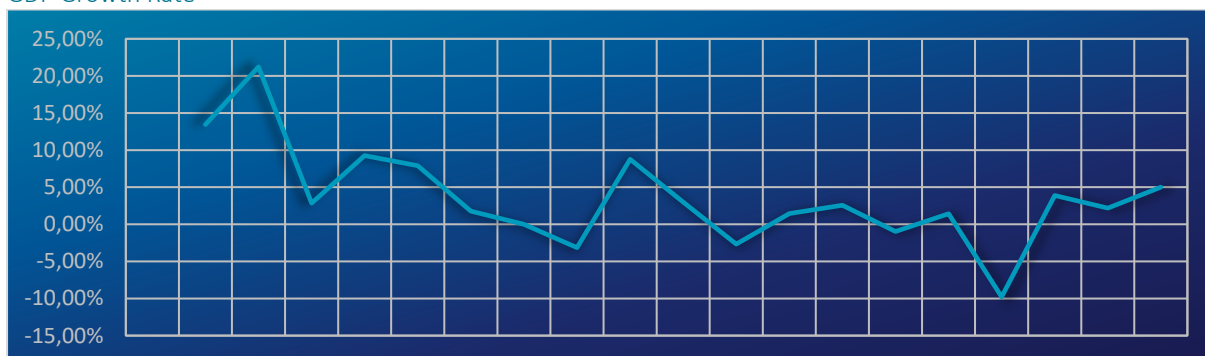
⁴⁴ UNDP, 'Human Development Reports', available [here](#).

3.4.2 Eritrea's GDP Rates

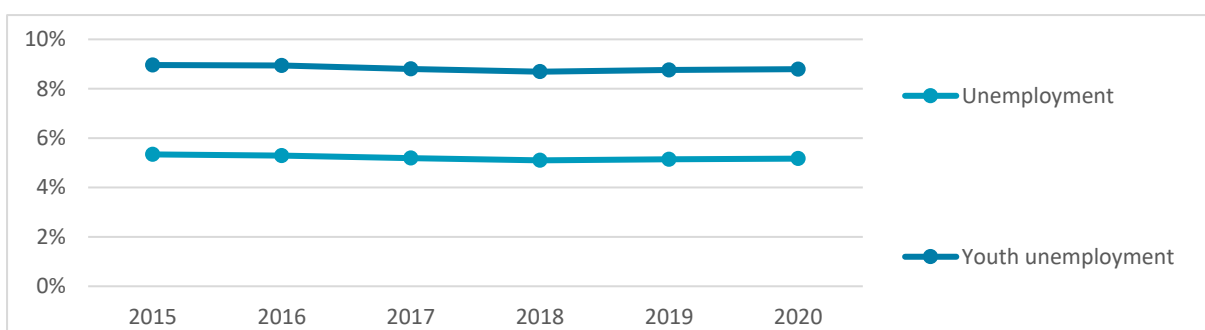
GDP per capita (Constant LCU)⁴⁵



GDP Growth Rate



3.4.5 Other relevant indicators⁴⁶



3.5. Eritrea's human rights record

Eritrea has been dealing with significant human rights issues for many years, especially in the context of forced national service. Despite a decree limiting national service to 18 months, indefinite conscription of all citizens 18 years and above,⁴⁷ continue to drive the outward migration of many Eritreans. As of 2018, 507,300 Eritreans had fled the country to avoid military conscription. Sexual violence against women and girls is also widespread across the country, especially in military training camps. A Human Rights Council Report has specifically noted that 'the enforced domestic service of women and girls who are also sexually abused in these camps amounts to sexual slavery.'⁴⁸ Eritreans fleeing the country

⁴⁵ Most recent value in 2011. See World Bank, 'GDP per capita (constant LCU) - Eritrea', available [here](#).

⁴⁶ Statista, 'Eritrea: unemployment rate from 1999 to 2020' (2020), available [here](#); FRED, 'Youth Unemployment Rate for Eritrea' (2020), available [here](#).

⁴⁷ Human Rights Watch, above n 25.

⁴⁸ Human Rights Council, above n 39.

often face serious human rights abuses, including abduction, detention, torture, and sexual abuse in transit countries, especially Libya, on their way to Europe.⁴⁹

The use of arbitrary detention to silence dissent is another common practice in Eritrea. The government arbitrarily detains political opponents and adherents of unapproved religions with limited access to justice.⁵⁰ The government only recognises four religions, Catholic, Orthodox, Lutheran Christianity, and Sunni Islam, while suppressing other religious activities. Adherents of authorised religions may also be subject to censorship.⁵¹ Limited access to information and lack of transparency generally makes it impossible to determine the exact numbers of detention or circumstances of deaths associated with torture or poor prison conditions.⁵² Further, the government typically fails to prevent or investigate disappearances, while requests for information on the status of detainees, including Eritrean staff of foreign embassies and foreign or dual nationals are usually ignored.⁵³

3.6. Social support systems

The Eritrean constitution provides in Article 21 that, 'Every citizen shall have the right of equal access to publicly funded social services. The State shall endeavour, within the limit of its resources, to make available to all citizens health, education, cultural and other social services.' Article 21 further provides that 'The State shall secure, within available means, the social welfare of all citizens and particularly those disadvantaged.' Although the Department of Social Security (SSD), established under the Ministry of Labour and Human Welfare (MHLW) oversees issues related to social security,⁵⁴ Eritrea does not seem to have a coherent and well-established social security system.⁵⁵

Nevertheless, SSD is, in principle, tasked with providing effective and sustainable social security to vulnerable members of society including the disabled, orphans, and the elderly.⁵⁶ Even though the provision of social protection in Eritrea reportedly dates back to the era of Italian colonial rule, where social security was provided to orphans and other vulnerable population, today, SSD employs communal and family-based systems to address social security issues.⁵⁷

In 2015, the SSD drafted a policy to improve the coordination and implementation of social security for the disabled;⁵⁸ however, the extent to which this has improved the conditions of the target population is unclear.

⁴⁹ Amnesty International, above n 28.

⁵⁰ Foreign and Commonwealth Office, 'Human Rights and Democracy' (2018) 46, available [here](#).

⁵¹ Ibid.

⁵² US Department of State, above n 24.

⁵³ Ibid.

⁵⁴ Eritrean Ministry of Labour and Human Welfare, 'Ensuring Social Security to all', available [here](#).

⁵⁵ Rebecca Holmes and Charles Lwanga-Ntale, 'Social protection in Africa: A review of social protection issues in research' (2012) 17, available [here](#).

⁵⁶ Eritrean Ministry of Labour and Human Welfare, above n 54.

⁵⁷ Ibid.

⁵⁸ Ibid.

4. National modern slavery context

4.1. Modern slavery profile

Modern slavery takes varied forms in Eritrea. Indefinite national service often presents elements of forced labour and conditions akin to slavery. The 2017 Human Rights and Democracy Report of the UK government has particularly noted that the prolonged national service in Eritrea is 'a form of modern slavery.'⁵⁹ Aside from the mandatory service applicable to all Eritreans ages 18 to 40, the government has further commenced a compulsory citizen militia program, requiring all medically fit adults up to age 70 to undertake military training where they bear firearms or participate in a series of unpaid national development programs.⁶⁰ National Service wages are usually extremely low and procedures for exiting are generally unclear and inconsistent across organisations.⁶¹ Further, although government policy prohibits the military conscription of individuals below the age of 18 years, there is evidence that younger children are conscripted.⁶² There is also evidence that young women conscripted into military training centres frequently experience rape and sexual abuse.⁶³ Women and girls are routinely forced to perform domestic service at the private residence of senior officers while others are ordered there for the sole purpose of sexual exploitation under a climate of control and intimidation.⁶⁴

Adults and unaccompanied children continue to be vulnerable to trafficking and labour exploitation. Many Eritreans are particularly subjected to forced labour and sex trafficking in Israel, after a tortuous transition through the Sinai Peninsula. Traffickers also subject Eritrean women and children to sex trafficking in Sudan.⁶⁵ On its part, the government relies on military conscripts and sometimes civilians well beyond the retirement age, as forced labourers to build state infrastructure. Forced labour is particularly widespread in Eritrea that nearly all economic sectors rely on it, and most Eritreans would experience it at some stage.⁶⁶ The authorities also regularly benefit from cheap labour exacted on conscripts and detainees after 'lending' them to foreign companies paying salaries to the government.⁶⁷ In many of its reports to the Security Council, the UN Monitoring Group on Somalia and Eritrea has noted the complicity of some Eritrean officials in trafficking and abduction. One such reports has specifically noted that, 'the kidnapping, ransom and extortion of Eritrean migrants by human trafficking rings is a complex business involving a number of parties' which often includes Eritrean government officials.⁶⁸

Indefinite national service seems to be among the primary causes of slavery and transnational trafficking in Eritrea. Many Eritreans, including unaccompanied children flee the country through illegal channels to avoid conscription.⁶⁹ It is estimated that around 15% of the total population has fled the country in the last two decades as a result of forced national service.⁷⁰ With the initial re-opening of the Eritrea-Ethiopia border, the number of Eritreans fleeing the country, including unaccompanied minors, increased significantly.

⁵⁹ Foreign and Commonwealth Office, 'Human Rights and Democracy: the 2017 Foreign and Commonwealth Office report' (2017), available [here](#).

⁶⁰ US Department of State (2019), above n 12, 188.

⁶¹ Ibid.

⁶² Ibid.

⁶³ Human Rights Council, above n 39, 380.

⁶⁴ Ibid, 382.

⁶⁵ US Department of State (2019), above n 12.

⁶⁶ Human Rights Council, above n 39, 380, 451.

⁶⁷ Ibid.

⁶⁸ UN Security Council, 'Letter dated 24 July 2013 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council' (S/2013/440, 25 July 2013) 35, available [here](#).

⁶⁹ Human Rights Watch, above n 25.

⁷⁰ Ibid.

Further, restrictions around travel make it extremely difficult for Eritreans to leave the country through legal channels.⁷¹ Among other things, an exit visa is required to leave the country, of which applicants must demonstrate compelling reasons for filing the application and must further prove that they have completed national service or are officially exempt from it.⁷² Given that national service is indefinite, few Eritreans receive discharge papers to make exit visa applications. The difficulty of exiting the country legally therefore pushes many Eritreans to take alternative routes, which increases their vulnerability to trafficking.⁷³

4.2. Particularly vulnerable groups

Eritrean men and women between ages 18 and 40 are legally required to perform 18-months national service, which in practice is indefinite and contains elements of forced labour.⁷⁴

Women and girls are particularly vulnerable to sexual exploitation while undertaking national service. It has specifically been noted that, 'young women conscripted into national service are discriminated against on the basis of their sex and are at a disproportionate risk of sexual violence from military camp leaders, trainers and other military personnel in the military training camps. The Commission finds that discrimination and violence against women is to such a degree it also constitutes sexual slavery and torture.'⁷⁵

Children are highly vulnerable to trafficking and other forms of exploitation. UNICEF has reported that irregular migration from Eritrea affects a large proportion of unaccompanied children and youth, who are at high risks of being trafficked and exploited.⁷⁶

⁷¹ EASO, 'EASO Country of Origin Information Report: Eritrea National service and illegal exit' (2016) 14, available [here](#).

⁷² Ibid.

⁷³ Committee on the Elimination of Discrimination against Women, 'Eritrea shadow report to the CEDAW Committee 75th CEDAW Session Review. Joint Submission by the Eritrean Movement for Democracy and Human Rights (EMDHR) and the Network of Eritrean Women' (2019) 10, available [here](#).

⁷⁴ Article 8 of the National Service Proclamation, available [here](#).

⁷⁵ Human Rights Council, above n 39, 379.

⁷⁶ UNICEF, 'UNICEF Annual Report 2017: Eritrea' (2017) 6, available [here](#).

5. Antislavery governance frameworks

5.1. Legislative measures

Although Eritrea has some anti-slavery legislation in place, enforcement of laws are fraught with many problems, under the authoritarian regime. As such, some of the laws highlighted below only have symbolic relevance.

5.1.1. The Constitution of 1997⁷⁷

The constitution contains an explicit prohibition of slavery, servitude and forced labour, although forced labour may be practised where it is authorised by law. It states in article 16(3) that 'No person shall be held in slavery or servitude nor shall any person be required to perform forced labour not authorized by law.'

5.1.2. The Penal Code of 2015⁷⁸

The 2015 Penal Code criminalises some aspects of human trafficking. Article 315 states that whoever 'traffics in women or infants and young persons, whether by seducing them, by enticing them, or by procuring them or otherwise inducing them to engage in prostitution or the production of pornography or for pornographic performances, even with their consent' is guilty of traffic in women, infants and young persons. The offence is punishable with imprisonment of 5 to 7 years. It is noteworthy that the scope of the legislation applies to women and children, excluding adult males who may also be victims of trafficking. The definition of trafficking in the Penal Code is generally inconsistent with international law, especially when assessed against the acts, means, and purpose elements contained in the Palermo Protocol.

Further, article 297 states that whoever 'sells, alienates, pledges, buys, trades, traffics or otherwise enslaves another person' is guilty of enslavement and abetting traffic, punishable with imprisonment of 7 to 10 years. The same punishment applies where the perpetrator keeps or maintains the victim in a condition of slavery or knowingly transports or facilitates their traffic. Article 299 of the Penal Code criminalises forced labour with a penalty of 6 to 12 months' imprisonment or a fine of 20,000 to 50,000 nakfa.

5.1.3. National Service Proclamation 1995⁷⁹

The legislation governs mandatory national service in Eritrea and excludes children younger than 18 from performing any such activity. In particular, article 8 makes national service mandatory for 'all Eritrean nationals between the age of 18 and 40'. In practice however, there is evidence that children are usually conscripted into national service, which could be laborious, and often lasts for an indefinite period.

5.1.4. The Labour Proclamation of 2001⁸⁰

Article 9(6) of the 2001 Labour Proclamation states that, 'An employer who engages in forced labour shall be punishable under the Penal Code.' Article 3(17) of the Labour Proclamation however excludes activities performed under national service from the definition of forced labour.

⁷⁷ Constitution 1997 available [here](#).

⁷⁸ Penal Code 2015 available [here](#).

⁷⁹ National Service Proclamation 1995 available [here](#).

⁸⁰ The Labour Proclamation 2001 available [here](#).

5.2. Prosecution

There is no evidence of criminal investigations for modern slavery in Eritrea. The government generally does not report on investigation or prosecution of suspected traffickers, although it established a department within the National Security Agency in 2013 to investigate economic-related crimes including human trafficking, but there is no data or evidence of the success of the initiative.⁸¹ However, the 2019 US TIP Report indicates that Eritrean government officials are usually complicit in human trafficking.⁸²

5.3. National policies and plans

Eritrea does not seem to have specific national policies or action plans dealing with modern slavery nor does it have formal procedures for identifying and protecting victims of human trafficking.⁸³ However, antislavery efforts may be addressed through the following policy measures.

5.3.1. Comprehensive National Child Policy

The policy aims to address the root causes of child labour, including its worst forms by conducting relevant studies and assessing the nature and conditions of child labour exploitation. Further, the policy aims to design awareness programmes to sensitise the public on the worst forms of child labour, as well as empower communities to effectively monitor and prevent child labour.⁸⁴

5.3.2. The Behaviour Change Communication (BCC) strategy

This initiative targets sex workers and female at risk such as waitresses. Although not a direct response to modern slavery, the strategy provides training and alternative livelihoods to sex workers who may also be victims of trafficking.⁸⁵ The strategy was revised in 2014, to further protect the rights of prostitutes and other vulnerable population.⁸⁶

5.3.3. Gender Action Plan (GAP) 2015-2019

In its report to the Committee on the Elimination of Discrimination against Women, Eritrea indicated adopting a 5-year Gender Action Plan,⁸⁷ which seeks to empower women and address gender inequality issues.⁸⁸ It is however not clear whether the action plan specifically addresses issues related to modern slavery, specially trafficking in women and girls.

5.4. National institutions and inter-departmental coordination

As indicated in the preceding section, Eritrea lacks a specific anti-slavery strategy, which in turn reflects in the lack of centralised institutions on modern slavery.⁸⁹ However, from a general perspective, Eritrea has established a number of institutions whose mandates might address some of the relevant issues, including forced labour, trafficking, and sexual exploitation.

The Ministry of Labour and Human Welfare for instance has a mandate to enforce labour legislation and investigate labour-related abuses, including child labour.⁹⁰ The government notes that labour inspectors operate across all administrative zones of the country.⁹¹ The Eritrean Police, on its part performs law enforcement functions and investigates cases of

⁸¹ US Department of State, '2014 Trafficking in Persons Report' (US Department of State, 2014) 169, available [here](#).

⁸² US Department of State (2019), above n 12, 187.

⁸³ Ibid.

⁸⁴ US Department of Labour, '2018 Findings on the Worst Forms of Child Labor' (2018), available [here](#).

⁸⁵ Committee on the Elimination of Discrimination against Women above n 15, 17.

⁸⁶ Ibid.

⁸⁷ Ibid 8.

⁸⁸ UNICEF, above n 76.

⁸⁹ ABA Rule of Law Initiative, 'Country Report: Eritrea' (2017) 9, available [here](#).

⁹⁰ US Department of Labour, above n 8484.

⁹¹ Ibid.

human trafficking and commercial sexual exploitation of adults and children.⁹² The National Security Administration as well as the Citizen Militia, both work with the Eritrean Police to combat issues of commercial sexual exploitation.⁹³ Other governmental departments whose mandate might address aspects of modern slavery include the Ministry of Justice, Ministry of Health, Ministry of Foreign Affairs, and the Ministry of National Development.

Further, the National Steering Committee (NSC), established by the government in 2017, coordinates with the Ministry of Labour and social welfare, Ministry of Health, and the National Union of Eritrean Women to create functional synergies⁹⁴ in addressing common issues, which includes trafficking. This initiative has ensured stronger cooperation, including with international organisations such as UNICEF and UNFPA.⁹⁵

5.5. Victim support and assistance frameworks

According to the 2019 US TIP Report, the Eritrean government lacks formal procedures for proactively identifying trafficking victims and generally does not report efforts to protect victims.⁹⁶ In addition, the authorities do not provide information on funding for victim protection.⁹⁷ However, regarding the labour exploitation of children, the government noted in a recent report to the Human Rights Council that 'vulnerable children received Government financial assistance to remain in school.' It further noted that several inspections were carried out during 2015–2017, and 'no elements of forced child labour were observed'.⁹⁸ This assessment however negates several reports indicating that child labour remains widespread in Eritrea, and that government officials are usually complicit.⁹⁹ During 2016/2017, the National Union of Eritrean Women reported assisting 1,167 women with legal counselling and 139 victims of violence were financially supported.¹⁰⁰

5.6. Training and capacity-building for responders

In June 2018, the government partnered with UNODC to organise a workshop for members of the police force to enhance their capacity to combat transnational organised crime, human trafficking and smuggling. Some 31 officers participated in this course;¹⁰¹ Another training programme was organised in August 2018 with the objective of training the trainers. Forty-seven individuals benefited from both training programmes.¹⁰² Further, in November 2018, the government organised a training programme in partnership with UNODC to build the technical capacity of criminal justice experts, including judges and prosecutors.¹⁰³

In 2016, the Ministry of Labour and Human Welfare trained 72 sub-regional officials and social workers on human trafficking risks, who later trained 16,000 community members. Seminars were also organised in four high-risk regions, including Central, Southern, Anseba, Gash Barka. The government reportedly strengthened awareness campaigns to combat women and child trafficking.¹⁰⁴ The 2019 US TIP Report further notes that for the first time, in January 2019 the government partnered with an international organisation to host a conference on organised crimes, including trafficking and compliance with

⁹² Ibid.

⁹³ Ibid.

⁹⁴ Committee on the Elimination of Discrimination against Women, above n 15, 8.

⁹⁵ Ibid.

⁹⁶ US Department of State (2019), above n 12, 187.

⁹⁷ Ibid.

⁹⁸ Human Rights Council, above n 15, 5.

⁹⁹ US Department of Labour, above n 8484.

¹⁰⁰ Committee on the Elimination of Discrimination against Women, above n 15, 9.

¹⁰¹ Ibid, 17.

¹⁰² Ibid.

¹⁰³ Ibid.

¹⁰⁴ Human Rights Council, above n 15, 6.

international treaties. The conference reportedly reached an unknown number of law enforcement agents and prosecutors.¹⁰⁵

5.7. Public awareness raising

The Ministry of Information in collaboration with the National Union of Eritrean Women broadcasts a bi-weekly radio and TV program in 5 local languages to raise public awareness on women's rights. Furthermore, the National Union of Eritrean Women publishes quarterly magazines and disseminates 15,000 copies of each issue to raise awareness women's rights.¹⁰⁶ Further, the 2019 US TIP Report notes that the Eritrean government is reportedly educating its citizens through awareness-raising events on the dangers of irregular migration and trafficking.¹⁰⁷ However, such efforts generally conflated human trafficking with transnational migration issues.¹⁰⁸

The government has further reported that the National Union of Eritrean Youth and Students (NUEYS) sensitised 295,000 youth (1,520 facilitators) on the risks of human trafficking and irregular migration. NUEYS also established media clubs in middle and senior secondary schools across the country to raise awareness.¹⁰⁹ Further, legal counselling and advisory units of the National Union of Eritrean Women in regional offices organise awareness campaigns and provide support and advisory services to women.¹¹⁰ Services offered by the National Union of Eritrean Women are however non-trafficking specific.

5.8. Efforts to address vulnerabilities and drivers

The government is taking a variety of steps to address unequal gender relations, which contributes to the exploitation of women. In a 2019 report to the Human Rights Council, the government highlighted its efforts to achieve gender equality by organising 8,265 seminars, workshops, as well as meetings across different levels of society, reaching out to 452,729 individuals.¹¹¹ In another report to the Committee on the Elimination of Discrimination against Women, the government reported adopting a 5-year Gender Action Plan (GAP) for the period of 2015–19.¹¹² The GAP seeks to empower women and to address systemic inequities often perpetuated by social norms.¹¹³ The authorities are also adopting affirmative action programs as a means of achieving women's equal participation.¹¹⁴ However, there is no evidence of specific national efforts to eradicate modern slavery in all its forms.

5.9. Frameworks for international coordination

Until recently, Eritrea was diplomatically isolated, with little engagement with the international community. The government has however started rebuilding its relations with other countries to address transnational crimes. To safeguard the rights of Eritrean domestic workers in Saudi Arabia, for instance, the authorities have entered an agreement with the Saudi Embassy in Eritrea to prevent fraudulent employment as well as provide a safe working environment for Eritrean workers in the country.¹¹⁵

Further, in January 2020, Eritrea, Somalia, and Ethiopia convened a meeting in Asmara, Eritrea to discuss ways to strengthen diplomatic ties, address human trafficking as well as insecurity issues. Leaders of the three countries adopted a Joint Action Plan setting out

¹⁰⁵ US Department of State (2019), above n 1260, 187.

¹⁰⁶ Committee on the Elimination of Discrimination against Women, above n 15, 11.

¹⁰⁷ US Department of State (2019), above n 1260, 187.

¹⁰⁸ Ibid.

¹⁰⁹ Human Rights Council, above n 15, 6.

¹¹⁰ Committee on the Elimination of Discrimination against Women, above n 15, 8, 9.

¹¹¹ Human Rights Council, above n 15, 7.

¹¹² Committee on the Elimination of Discrimination against Women, above n 15, 8.

¹¹³ UNICEF, above n 76.

¹¹⁴ Committee on the Elimination of Discrimination against Women, above n 15, 11.

¹¹⁵ Ibid, 8.

measures to consolidate peace, achieve socioeconomic development and tackle human trafficking.¹¹⁶ In addition, in January 2020, Labour and Social Protection Ministers and senior government officials from East Africa, including Eritrea met in Kenya to formulate a regional cooperation agreement for protecting migrant workers and address the problem of labour trafficking towards Gulf countries.¹¹⁷ The agreement would generally make it harder for human traffickers to exploit Eritreans and other East Africans seeking employment in the Gulf.¹¹⁸ The East African countries further agreed to provide diplomatic and consular assistance to migrant workers.¹¹⁹

Eritrea is a member of the Khartoum Process where countries along the migration route between the Horn of Africa and Europe cooperate to address migration, human trafficking, and migrant smuggling issues.¹²⁰ Further, Eritrea is a member of the Intergovernmental Authority on Development (IGAD), where countries from the horn of Africa collaborate to address development issues, including human smuggling and trafficking.¹²¹ A number of IGAD meetings have specifically addressed the issue of human trafficking.¹²² Eritrea is also cooperating with international organisations. For instance, it entered a cooperation agreement with UNICEF (2017–2021), where UNICEF provides technical support in critical areas, such as training the child well-being committees on organising awareness programmes regarding the dangers of trafficking and irregular migration.¹²³

¹¹⁶ Mixed Migration Centre, above n 36, 8.

¹¹⁷ Ibid, 9.

¹¹⁸ Ibid

¹¹⁹ Ibid.

¹²⁰ The Khartoum Process, available [here](#).

¹²¹ IGAD, available [here](#).

¹²² IGAD, 'Human Trafficking and Smuggling on the Horn of Africa-Central Mediterranean Route' (2016), available [here](#).

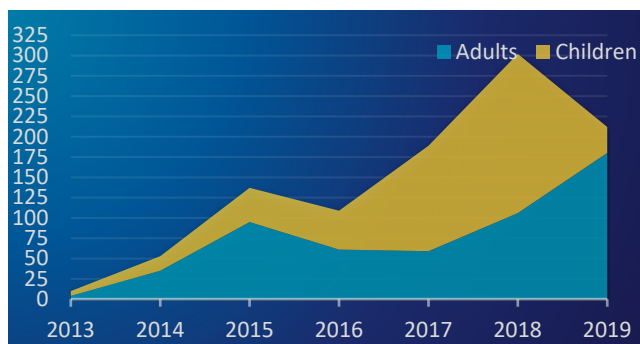
¹²³ UNICEF, above n 76, 29.

6. Experiences of modern slavery of Eritrean nationals in the UK

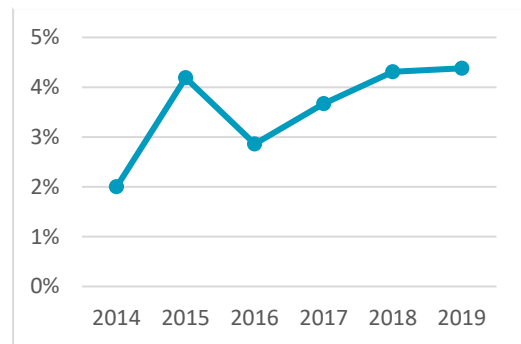
6.1. Eritrean nationals in the UK National Referral Mechanism

Eritrean nationals have consistently been in the top twenty nationalities represented in National Referral Mechanism referrals, although they have typically represented less than 5% of all referrals. The number of Eritrean nationals referred into the NRM has varied from 10 potential victims referred in 2013, up to 466 referrals in 2019. Although adults made up the majority of Eritrean nationals referred into the NRM in the period 2014-2016, minors victims are prevalent in the period 2017-2019, with between 6 (2013) and 274 (2019) Eritrean nationals referred who were minors at the time of their exploitation from 2013-2019.¹²⁴

Number of Eritrean nationals referred into the NRM by age at time of exploitation

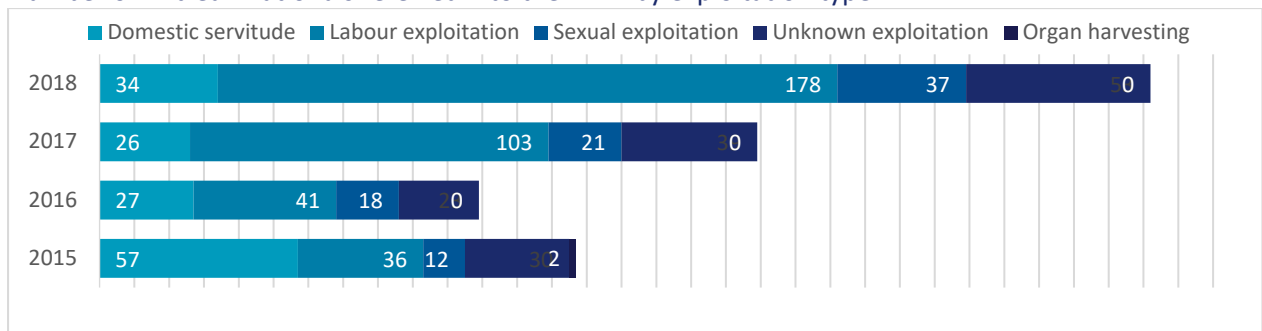


Proportion of potential victims referred into the NRM that are Eritrean nationals



Eritrean nationals referred into the NRM typically experience labour exploitation, with only a relatively small proportion of Eritrean potential victims recorded as having experienced sexual exploitation. While gender data was not disaggregated by nationality from 2015-2019, NRM reports included such data in the 2013 and 2014 reports. In these years, the majority of Eritrean nationals referred into the UK NRM were female (70% in 2013 and 61% in 2014).

Number of Eritrean nationals referred into the NRM by exploitation type¹²⁵



¹²⁴ Home Office, 'National Referral Mechanism Statistics UK: End of Year Summary 2019: Data tables' 2nd edn available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2018' (2019) available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2017' (2018) available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2016' (2017) available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2015' (2016) available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2014' (2015) available [here](#); National Crime Agency, 'United Kingdom Human Trafficking Centre: National Referral Mechanism Statistics 2013' (2014) available [here](#).

¹²⁵ Ibid. Note that exploitation type data is not disaggregated by nationality in the 2013, 2014, or 2019 data and these years are therefore excluded.

6.2. Typical journeys from Eritrea to the UK for trafficking victims

Typically, the journey involves travelling to Sudan and/or Ethiopia, then departing from Libya to Europe, in some cases this means using Italy as a transit country to the UK.¹²⁶ Due to the length of the journey and the multiple stops, the process is generally slow and relies on periods of time in which the migrants stay in a transit country to make money to be able to afford the fees for the rest of the journey.¹²⁷

6.3. Experiences of exploitation and working conditions

Though there are not studies that have focused solely on the experiences of Eritrean nationals in the UK, there are studies that have involved Eritrean nationals in the UK and as such, provide some insight into what they may experience, which included infrequent contact with social support networks, and verbal or physical attacks.¹²⁸

6.4. Consequent effects of trafficking on survivors

Given the limited data on the experiences of Eritrean nationals in the UK, it is difficult to ascertain the exact effect of their experiences. However, based on the experiences of some migrants with traffickers and gangs on their journey to the UK, it is safe to assume that some have both physical and psychological trauma.¹²⁹

¹²⁶ Tekalign Ayalew Mengiste, 'Refugee Protections from Below: Smuggling in the Eritrea-Ethiopia Context', (2018) 676(1) *The Annals of the American Academy of Political and Social Science* 59; Egon Isenring, Jan Fehr, Nejla Gültekin and Patricia Schlagenhauf, 'Infectious disease profiles of Syrian and Eritrean migrants presenting in Europe: A systematic review', (2018) 25 *Travel Medicine and Infectious Disease* 66.

¹²⁷ Tekalign Ayalew Mengiste, above note 126, 58.

¹²⁸ Mark Campbell, 'Social determinants of mental health in new refugees in the UK: cross-sectional and longitudinal analyses' (2012) 380 *The Lancet* 27; Ruth L. Healey, 'Asylum-Seekers and Refugees: A Structuration Theory Analysis of their Experiences in the UK' (2006) 12 *Population, Space and Place* 265.

¹²⁹ Laurie Lijnders and Sara Robinson, 'From the Horn of Africa to the Middle East: Human trafficking of Eritrean asylum seekers across borders', (2013) 2 *Anti-trafficking Review*, 137.

7. The impact of COVID-19

7.1. Government's Response to COVID-19

Eritrea is implementing a variety of measures to curb the spread of the coronavirus pandemic and is adopting a communal response to address its socioeconomic impacts. After recording its first case on 21 March, the authorities issued a guideline on 23 March advising all Eritreans to avoid all non-essential movements and prohibited public gatherings and events that assemble more than 10 people.¹³⁰ The guideline further prohibited hoarding of goods or speculative price hikes, which might exploit the crisis.¹³¹ The government banned all commercial flights on 26 March,¹³² and officially imposed a 21-day national lockdown on 2 April,¹³³ which included internet cuts and stricter restriction on movement.¹³⁴ To slow the spread of the virus and address its socioeconomic impacts, the government has launched aggressive fundraising campaigns, turning to its own citizens, churches, entrepreneurs and businesses for support.¹³⁵ Eritreans in diaspora are also responding to this call.¹³⁶

Further, the European Union has announced a €60 million aid to the Intergovernmental Authority on Development (IGAD), to support its mandate to coordinate national responses to the pandemic in eight East African Countries, including Eritrea.¹³⁷ The EU noted that the 'programme will focus on vulnerable groups, including migrants, refugees, internally displaced persons and cross-border communities and deliver medical equipment, including more than 8.5 million items of personal protective equipment. It will also help ensure borders and critical supply chains are safe for trade and promote digital solutions to monitor the crisis.'¹³⁸ Also, during late June, the African Development Bank, through its African Development Fund approved grants amounting to \$9.52 million to support COVID-19 responses in East Africa and the Horn, as well as in the Comoros.¹³⁹

Beyond the support from more affluent Eritreans and international institutions, there is no evidence of any direct fiscal measure or cash incentive by the state to address the economic impacts of the lockdown.¹⁴⁰

7.2. Impact of COVID-19 on Eritrean workers and vulnerable population

While the coronavirus pandemic poses significant health, economic and financial risks to many workers and modern slavery victims around the world, its real impact on the Eritrean population is unknown, as there is lack of reliable data to this effect. However, as government lockdown order of 21 April imposed a ban on all trading and marketing activities, a negative impact on small and medium scale enterprises is expected. Eritrea's fragile economy may also be expected to dip as a result of the pandemic.

Under government guidelines, individuals employed in food processing, manufacturing, construction, farming, banking, and health sectors continue to work while lockdown

¹³⁰ Ministry of Information, Eritrea, 'Ministry of Health: Public Guidelines (No 3)' (2020), available [here](#).

¹³¹ Ibid.

¹³² ILO, 'Country Policy Responses' (2020), available [here](#).

¹³³ Ministry of Information, Eritrea, 'Guidelines from the High Level Task Force on COVID-19' (2020), available [here](#).

¹³⁴ ILO, 'Country Policy Responses', above n 132.

¹³⁵ ITUC-Africa, 'ERITREA: Citizen participation in response to COVID-19 and time for renewal' (2020), available [here](#).

¹³⁶ Ibid.

¹³⁷ European Commission, 'Coronavirus: EU supports with €60 million a regional response to the pandemic in the Horn of Africa' (2020), available [here](#).

¹³⁸ Ibid.

¹³⁹ African Development Bank Group, 'Our COVID-19 response to date' (2020), available [here](#).

¹⁴⁰ International Monetary Fund, 'Policy Responses to COVID-19: Eritrea' (2020), available [here](#).

measures are in place.¹⁴¹ The guideline further notes that 'Government Institutions will stop routine services and functions to focus on indispensable developmental and security tasks. Majority of public sector employees will thus stay at home.'¹⁴² While it is difficult to estimate the actual impact of the restriction on the working population as well as modern slavery victims, there is evidence that many individuals wrongly detained in prisons are at high risks of contracting the virus. Many prisons are overcrowded and congested, with some holding four times their capacity.¹⁴³

¹⁴¹ Ministry of Information, Eritrea, 'Guidelines from the High Level Task Force on COVID-19', above n 133.

¹⁴² Ibid.

¹⁴³ Amnesty International, 'Eritrea: Detainees in overcrowded and unsanitary conditions defenceless against COVID-19' (2020), available [here](#); Savannah Tryens-Fernandes, 'With COVID-19 Threat, Eritrea Should Release Political Detainees' (2020), available [here](#).