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# “They Are Making Us into Slaves, Not Educating Us”

How Indefinite Conscription Restricts Young People’s Rights,  
Access to Education in Eritrea



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## Summary

As a student, it's difficult to live here [in Eritrea]. You don't see a future.... A lot of people think of fleeing the country, but then you see people being arrested and you think about waiting for a better moment.

—Former student, now aged 23, who eventually fled Eritrea after completing high school in late 2015

Since the border war with Ethiopia in the late 1990s, Eritrea's President Isaias Afewerki and the ruling People's Front for Democracy and Justice (PFDJ) have used indefinite national service to control the Eritrean population. Human Rights Watch research finds that many Eritreans have spent their entire working lives at the service of the government in either a military or civilian capacity. This indefinite national service has had a visible and lasting impact on the rights, freedom, and lives of Eritreans.

Beginning in 2003, the Eritrean government has forced thousands of young people—male and female—each year to undergo military training before they completed secondary school, with many being conscripted directly from secondary school into national service. At the same time, instead of developing a pool of well-trained, committed, career secondary school teachers who voluntarily choose to teach, the government has relied on national service conscripts who have little to no say in their assignment and no end in sight to their conscription.

The system of conscription has driven thousands of young Eritreans each year into exile: an estimated 507,300 Eritreans live in exile out of an estimated population of around five million. Many of those fleeing are aged 18 to 24. Thousands, including unaccompanied children, take the perilous journey toward Europe.

President Isaias has repeatedly defended this repressive system, which the United Nations Commission of Inquiry on Eritrea has labeled “slavery-like,” by arguing that the country and population should remain on a “war-footing” because of the conflict with Ethiopia. The government has also justified linking education and mandatory military service in the last year of secondary school as a way to cultivate an ethic of hard work and nationalism, and, more recently, justified indefinite national service as a means of providing jobs for the country's youth in the absence of a functional economy.

But the signing of a peace agreement with Ethiopia in July 2018 and the lifting of United Nations sanctions in October removed the government's excuse for maintaining the national service system indefinitely. It should have encouraged the government to offer its youth real employment opportunities of their choosing afforded by peace and the possible economic development that an opening up of Eritrea can bring. However, at time of writing, the government had not made any meaningful changes to national service or to its system of repression generally.

Based on 73 interviews with former secondary school students and national service teachers who attended or taught in secondary school in Eritrea between 2014 and late 2018, and who have since fled Eritrea, as well as 18 interviews with Eritrean and international experts, this report examines how national service violates young people's rights and restricts their access to quality secondary education.

## **“Sawa” as a Recruitment Channel**

After the two years of deadly fighting between Ethiopia and Eritrea ended in 2000, Ethiopia rejected an international border demarcation decision, which gave the disputed territory of Badme to Eritrea. The Eritrean government then used this as an excuse to effectively turn secondary school into a channel of conscription by forcing all secondary school students, girls and boys, to complete their final year at the Warsai Yekalo Secondary School, located in the Sawa military camp, an isolated location in the west of the country near the border with Sudan, and to undertake mandatory military training for approximately five months of their final secondary school year.

Each year, thousands of youth are forcefully bused from their homes all over the country to Sawa. Students spend one year in Sawa and follow a schedule that combines secondary school exam preparation classes with mandatory military training. While most students are over 18 when they enroll in Grade 12, some are still children and are being forcibly conscripted in violation of international standards. At Sawa, students are under military command throughout their final year, including during their study time, and military officials subject students to ill-treatment and harsh punishments for minor infractions, military-style discipline, and forced labor, which at times violates their basic rights and cuts into students' study and rest time. “They are making us into slaves, not educating us,” one former student said.

After one year at Sawa, youth are, largely based on how well they do in their exams, either forced to join the army, or channeled into vocational training programs or into further education and later conscripted to work for the government in a civilian capacity.

Military training and national service are compulsory for all Eritreans, male and female, and it is often indefinite, despite provisions in Eritrean law limiting national service to 18 months. It is almost impossible for young Eritreans, particularly boys and men, to avoid conscription. Some secondary school students take drastic measures to evade Sawa and conscription—purposefully failing classes to stay in the lower grades or dropping out of school altogether—only to live in fear of the government’s notorious roundups in which youth not enrolled in secondary school are routinely caught and sent directly into the military. Many girls and young women opt for early marriage and motherhood as a means of evading Sawa and conscription.

## Conscription of Teachers

The government relies on national service conscripts assigned as teachers to teach in secondary schools across the country. National service teachers have no choice in their assignment as a teacher, location of their deployment or the subject they teach, and they are often forced to be in the government’s service for years. “It’s unlimited service,” said a 25-year-old assigned to teach before fleeing in 2018. “If you are sent with the national service to teach physics, you will be a physics teacher for life.” Some teachers who have tried to leave their national service jobs have faced reprisals, including having their already meagre wages cut and, especially if caught fleeing, imprisonment. While teachers’ salaries have increased since 2015, national service teachers told Human Rights Watch that they still struggle to meet basic financial needs.

Many students experience poor quality of instruction due to an unmotivated or often absent teaching corps—with teachers skipping lessons and many teachers fleeing abroad—resulting in an uncondusive learning environment. As a result, students miss lectures and units as there is no one to teach them, or classes are merged. On occasion, students are without any teacher at all for weeks on end.

Rare protests over government education policies, or even questioning them publicly, have resulted in heavy-handed responses, including security forces using live ammunition to



disperse protests and conducting mass arrests. There is simply no recourse for teachers, students, or others to express grievances over the education system or find an alternative path other than to flee. Flight also comes with significant risks of violence both inside Eritrea—with students, including children, and teachers risking imprisonment in dire conditions and mistreatment, including torture, if caught—and along the migration routes.

The Eritrean government has acknowledged many of the problems hampering access to education in its Education Sector Development Plans introduced in 2013. Yet nowhere do these plans, or donor support to the education system, mention or acknowledge the impact that national service, and the use of Grade 12 as a recruitment channel, have on the rights of students and teachers and on the chronic education challenges limiting access to quality secondary education.

## **Necessary Steps**

Eritrea should take urgent steps to end the system of indefinite national service and ensure that young Eritreans' right to education is respected, especially now that the primary excuse for prolonged service—the “no peace, no war” situation with Ethiopia—has disappeared.

The government should ensure that Grade 12 education does not incorporate compulsory military training and that Grade 12 students have the option of completing secondary education at other public secondary schools.

The Eritrean government should immediately announce a timetable for the rapid demobilization of national service conscripts. This could start by immediately demobilizing individuals who have spent more than five years in service, given the length of their service, and taking speedy and concrete measures to ensure that the 18-month statutory service limit is respected for all recruits, including those who have served less than five years and all new recruits. The government should also take steps to ensure all national service conscripts, including teachers, receive an adequate wage and that teachers have a say regarding where they are assigned and what they teach.

Teachers who have served their statutory 18-months term but who have not yet been released should be allowed to decide if they want to continue teaching, and if they do, should receive adequate training.

Eritrea's few partners and donors, including the African Development Bank, Finland, the Global Partnership for Education, a funding platform supported by multiple donors, and the European Union should make clear that ongoing support to education and vocational training will require concrete efforts by the government to limit the duration of national service, disassociate secondary education from conscription into the military, and create a cohort of well-trained, committed, career secondary school teachers who voluntarily choose to teach. They should also call on the government to establish independent, credible complaints mechanisms to investigate allegations of abuse of trainees and conscripts.

## Methodology

This report is based on research conducted between March 2018 and April 2019 by two Human Rights Watch researchers.

Due to severe restrictions on freedom of movement and expression, and the serious security risks individuals could face if they communicated with Human Rights Watch staff on the ground in Eritrea, Human Rights Watch did not conduct the research inside Eritrea. Instead, researchers interviewed 73 Eritrean refugees and asylum seekers in Sudan and Ethiopia (the two border countries which Eritreans initially flee to) and in Italy and Switzerland, where many Eritreans arriving in Europe spend time in or move to. An additional 29 interviews were conducted prior to the research phase in June 2016 in Italy. Most interviewees had been secondary school students or secondary school teachers between 2014 and late 2018. Most interviewees were boys and men aged 16 to 25, who represent a majority of those fleeing the country and who were chosen as they had more recently attended secondary school. Women and girls were often reluctant to share their experience, but we interviewed four women and one girl.

Interviewees were identified with the help of several different community interlocutors and translators whom Human Rights Watch identified independently. Many interviewees were selected randomly, based largely on an assessment of their age, while most of the teachers were chosen because of the profession to which the government assigned them during national service. Most interviewees were Tigrinya-speaking—the most widely spoken language in Eritrea—and Orthodox Christians, who are the majority among refugees arriving in Europe. Further research would be needed into the national service-related challenges facing other communities in Eritrea, notably the Muslim community.

We also interviewed 18 Eritrean academics and activists living in exile, as well as non-Eritrean academics and educational experts, and development partners.

Human Rights Watch informed interviewees of the nature and purpose of our research, including our intent to publish a report with the information gathered. We informed each potential interviewee that they were under no obligation to speak with us, that Human Rights Watch does not provide direct humanitarian services and could not offer assistance

toward individuals' asylum claims, and that they could stop the interview at any time or decline to answer any question with no adverse consequences. We obtained oral consent before each interview. Human Rights Watch did not offer interviewees material compensation; we however reimbursed the costs of transportation for all interviewees who traveled to central locations to meet with us and also provided modest meal stipends to those who spent several hours waiting to participate in interviews.

To ensure the confidentiality of the interviews and our ability to cross-check information, the interviews were generally conducted in private in a separate room, with only the interviewee, a Human Rights Watch researcher, and a translator present to translate from Tigrinya into English—where translation was necessary. Some interviewees spoke sufficient English for Human Rights Watch to conduct the interview without translation.

We have removed identifying information of interviewees to protect their identity and to minimize the risk of retaliation against their families. Human Rights Watch also withheld identification of the organizations that interviewees work for in order not to jeopardize their activities.

This report is not intended to be a comprehensive assessment of education in Eritrea nor an assessment of the impact of national service throughout the education system, but focuses primarily on the secondary school system, the education sector which has been the most visibly affected by national service. There is need for further research into the impact of national service on girls' access to education, particularly in more remote communities or communities that are less likely to migrate. Also, the report focuses on abuses in secondary schools only; it does not examine abuses in elementary or middle schools, or in colleges or in vocational training institutions. However, a number of interviewees described conditions and treatment at vocational training centers, including a new one at Adi Halo, near the capital Asmara, which require further investigation.

In October 2018, Human Rights Watch sent a letter with a summary of our findings and questions to Eritrean embassies in the United States and Kenya and to the Ministry of Education in Eritrea. In June 2019, Human Rights Watch shared a copy of the letter with the Eritrean Ambassador to Geneva, Tesfamichael Gerahtu, and discussed the key report findings. No response had been received at time of writing.

Reliable data and government policy documents are hard to find in Eritrea. The Ministry of Education has been releasing some data as part of its Education Sector Development Plans: four-year plans that were first developed to cover the period from 2013 to 2017 and identify challenges facing the education sector. While these figures are referred to in different parts of this report, Human Rights Watch was not able to cross-check the data. All documents cited in the report are either publicly available or on file with Human Rights Watch.

The official exchange rate for Nakfa, the Eritrean currency, is approximately 15 to the US Dollar, but it is worth significantly less at the black-market rate.

# Recommendations

## To the Government of Eritrea

### *On National Service, Forced Labor*

- End the practice of indefinite conscription into national service, enforcing the 18-month time limitation in Article 8 of the National Service Proclamation for all current and future conscripts;
- Allow substitute service for conscientious objectors to military service;
- Begin the rapid demobilization of national service conscripts who have served more than the statutory 18 months. This could start by immediately demobilizing those who have served more than five years and by taking speedy and concrete measures to ensure that the 18-month statutory service limit is respected for all recruits;
- Prohibit the use of national service conscripts, students, and others as a source of forced labor, including on development projects such as mining and in government and military officials' farms and businesses;
- Investigate and prosecute all government officials, including military officers at Sawa, suspected of committing, ordering or assisting torture or cruel and degrading treatment of students, detainees, and national service conscripts;
- Prohibit the assignment of women and girls to conduct forced domestic labor in military officials' quarters during schooling and mandatory military service at Sawa;
- Establish an independent, robust complaints mechanism that allows national service conscripts to report allegations of ill-treatment, including but not limited to physical force, incarceration, sexual harassment, and other abuses safely and anonymously. Perpetrators of abuse should be held to account;
- Allow independent journalists, human rights defenders, and other individuals and organizations to document and report concerns about the use of forced labor without fear of reprisals;
- Cooperate with and admit the UN Special Rapporteur on the situation of human rights in Eritrea and all other United Nations and African Commission on Human and Peoples' Rights special mechanisms investigating human rights violations, including by granting them access to detention facilities.

### *On Grade 12 at the “Sawa” Military Camp*

- Immediately cease forced recruitment of children under the age of 18 into military service;
- Immediately release anyone under the age of 18 currently undergoing compulsory military training and service;
- Establish mechanisms to ensure that no one under 18 undergoes compulsory military training;
- Ensure that secondary school students do not have to undertake mandatory military training;
- Disassociate secondary school education from mandatory military training by immediately ending the requirement that students undertake their last year of schooling at Sawa military camp and ensuring Grade 12 students have the option of finishing secondary education at other public secondary schools and be taught by trained, regular teachers who voluntarily choose to teach.

### *On Forced Conscription of Teachers*

- End the use of national service conscripts as teachers beyond 18 months;
- Ensure conscripts assigned as teachers are adequately compensated, commensurate with their roles and sufficiently to provide adequately for a family, and provide financial incentives and additional support to teachers placed in remote or under-served areas of the country;
- Guarantee teachers, including those still in national service, annual leave and freedom of movement and allow them to take on additional occupations, including in the private sector;
- Allow teachers who to date have been serving as national service teachers the choice to stay on in the sector as career secondary school teachers with access to appropriate training and adequate remuneration;
- Increase intake capacity of higher education institutions and continue to improve the quality of instruction to develop a well-trained, committed, career secondary school teaching corps who voluntarily choose to teach.

## To Eritrea's Partners, including the African Development Bank, EU, UN, and Finnish Government

- Urge the government to prohibit military training of children under 18 years of age;
- Encourage the government to disassociate military service from secondary education, notably by ensuring that secondary school students do not have to undertake mandatory military training, allowing Grade 12 students the option of finishing secondary education at other public secondary schools and be taught by trained, regular teachers who voluntarily choose to teach;
- Call on the government to begin the rapid demobilization of national service conscripts who have served more than the statutory 18 months. This could start by immediately demobilizing those who have served more than five years and by taking speedy and concrete measures to ensure that the 18-month statutory service limit is respected for all recruits;
- Call on the criminal justice authorities to investigate and prosecute all government officials, including military officers, suspected of committing torture or cruel and degrading treatment of students, national service conscripts, and detainees at Sawa;
- Stipulate that donor-funded projects in the education sector, including vocational training, should not contribute to the forced conscription of children, be implemented by or target forced conscripts who have been held beyond the 18-month limit;
- Ensure that human rights safeguards are in place to ensure that funding and activities do not contribute to forced and indefinite conscription of national service teachers. These safeguards should include monitoring provisions, including regular unannounced visits by independent monitors to secondary schools where funding has directly or indirectly been delivered, with clear assurances that reprisals against monitors and interviewees will not be tolerated; projects that fail to meet these conditions should be suspended;
- Insist publicly and privately that a condition of financing of government projects is that independent human rights defenders, journalists, and other monitors be able to work without impediments or fear of reprisals;
- Urge Eritrea to cooperate with and admit the UN Special Rapporteur on the situation of human rights in Eritrea and all other United Nations and African Commission on Human and Peoples' Rights special mechanisms investigating human rights violations, including by granting them access to detention facilities.



## To Countries Hosting Eritrean Refugees and Asylum Seekers, including Neighboring Countries and European Union Countries

- Permit unhindered United Nations High Commissioner for Refugees (UNHCR) access to Eritrean asylum seekers to screen them for refugee status;
- Fairly adjudicate Eritrean asylum claims in line with UNHCR guidance, which reflects an ongoing real risk of persecution and other abuses against Eritreans fleeing indefinite national service;
- Ensure that Eritrean asylum seekers have access to safe and legal asylum channels;
- Increase significantly evacuation of Eritrean asylum seekers from Libya, including directly to EU countries, and increase significantly resettlement pledges for Eritreans in Libya and in countries of first arrival.

## Background

Eritrea remains one of the most closed and repressive countries in the world. Following a 30-year fight for liberation from Ethiopian rule, Eritreans voted overwhelmingly for independence from Ethiopia in a 1993 referendum.<sup>1</sup>

The post-independence government and interim National Assembly were dominated by the former liberation movement, the Eritrean People's Liberation Front (EPLF), which transformed itself into a political party—the People's Front for Democracy and Justice (PFDJ)—and elected the former EPLF leader, Isaias Afewerki, as its president. Isaias has now been in power for 26 years.<sup>2</sup> During this period, elections have not been held in the country.<sup>3</sup>

In the immediate aftermath of independence, between 1991 and 1998, independent media developed, the army began demobilizing some of those who had fought during the long war of liberation from Ethiopia, and in 1997, the provisional National Assembly ratified a new constitution that enshrined democratic principles and fundamental human rights.

Yet signs of what lay ahead were already visible. From its beginning, the government carried out summary executions and enforced disappearances. Suspicious killings of suspected opponents were commonplace.<sup>4</sup> The authorities arbitrarily arrested and detained political prisoners, including arresting three Jehovah's Witnesses in September 1994 for refusing military service who remain in incommunicado detention without charge or trial to date.<sup>5</sup>

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<sup>1</sup> For background on the liberation struggle, see Africa Watch (now Human Rights Watch/Africa), *Evil Days: 30 Years of War and Famine in Ethiopia*, (New York: Human Rights Watch, 1991), p. 39-40.

<sup>2</sup> For background on the post-independence period, see Human Rights Watch, *Service for Life: State Repression and Indefinite Conscription in Eritrea*, (New York: Human Rights Watch, 2009), p. 14-16; for an in-depth look into the human rights situation since independence, see United Nations Human Rights Council, "Report of the Commission of Inquiry on Human Rights in Eritrea," A/HRC/29/42 June 4, 2015, p.102-111, <https://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx> (hereafter *COI report 2015*) (accessed August 5, 2019).

<sup>3</sup> In 1994 the PFDJ established a transitional 150-member National Assembly to govern pending adoption of a constitution and elections. The Assembly's membership was very narrowly based: half consisted of the PFDJ central committee and the other half of PFDJ members selected by party leaders. See Human Rights Watch, *Service for Life*, p. 14.

<sup>4</sup> *Ibid.*

<sup>5</sup> For more information on the situation of Jehovah Witnesses, see JW.ORG, "Imprisoned for their Faith," <https://www.jw.org/en/news/legal/by-region/eritrea/jehovahs-witnesses-in-prison/> (accessed August 5, 2019).

When a border dispute with Ethiopia flared in 1998, President Isaias postponed the already delayed elections scheduled for 1997 and re-instated mass conscription. A bloody and costly two-year war followed, resulting in tens of thousands of casualties, mostly troops on both sides, and leaving countless civilians displaced, detained, or summarily deported.<sup>6</sup>

The so-called Algiers Agreement of 2000 brought hostilities to an end, but Ethiopia refused to accept a border demarcation made by an international commission—that was established following the agreement—and which gave the disputed territory of Badme to Eritrea.<sup>7</sup>

Shortly after, in September 2001, Eritrean authorities detained 11 leading lawmakers and 10 journalists who called for major reforms including “free and fair elections.”<sup>8</sup> The September 2001 arrests triggered a wave of arrests that continues.<sup>9</sup> All independent media organizations have been closed since then.

The human rights situation remains dire. To date, the president has refused to hold elections or implement the country’s draft constitution. The interim legislature has not sat since early 2002.<sup>10</sup> There is no independent judiciary or other mechanism to rein in the president.<sup>11</sup>

Arbitrary and indefinite detention in the country’s extensive network of official and secret jails and prisons is common. Thousands of prisoners detained arbitrarily languish indefinitely in overcrowded places of detention, including underground cells and shipping containers, exposed to the sun during the day and freezing temperatures at night, with

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<sup>6</sup> Human Rights Watch, *The Horn of Africa - War, Mass Expulsions and the Nationality Issue*, vol. 15, no. 3 (A) January 2003.

<sup>7</sup> Human Rights Watch, *Service for Life*, p. 16-17; Permanent Court of Arbitration, *Eritrea-Ethiopia Boundary Commission*, <https://pca-cpa.org/en/cases/99/> (accessed August 5, 2019).

<sup>8</sup> For more information on the 2001 crackdown, see Human Rights Watch, *Eritrea-Ten Long Years: A Briefing on Eritrea’s Missing Political Prisoners*, (New York: Human Rights Watch, 2011).

<sup>9</sup> *Ibid.*, 25; for more recent incidents of mass arrests see for example: “Eritrea: UN expert says more arrests, detentions after elderly school chief dies in custody,” OHCHR News and Events, March 14, 2018, <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22823&LangID=E> (accessed July 11, 2019).

<sup>10</sup> Human Rights Watch, *Ten Long Years*, p. 23.

<sup>11</sup> For more information on the lack of judicial independence, including the Special Courts system under military jurisdiction, see *COI report 2015*, para. 110; Human Rights Watch, *Service for Life*, p.15.

inadequate food, water, and medical care.<sup>12</sup> Many prisoners are denied contact with family, lawyers, humanitarian organizations, or other outsiders.<sup>13</sup> Torture and ill-treatment are common.<sup>14</sup> The government has neither released nor improved the conditions of its most prominent prisoners. Government officials and reporters arrested in 2001 have been detained incommunicado ever since.

Religious freedom, particularly for those practicing religions the government does not officially recognize, is severely restricted.<sup>15</sup> Several hundred people are believed to be imprisoned solely for their religious beliefs.<sup>16</sup>

Peaceful public protest, which is rare, is met with mass arrests and, occasionally, lethal force by security forces.<sup>17</sup>

Independent media and nongovernmental organizations are still outlawed. According to Reporters Without Borders (Reporters Sans Frontières, RSF), an international media watchdog, Eritrea is one of the worst countries in the world for press freedom, with at least 11 journalists still being held in incommunicado detention.<sup>18</sup> Eritrea remains closed to

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<sup>12</sup> “Eritrea: Diplomacy Changes, but Political Prisoners Remain,” Human Rights Watch news release, October 3, 2018; Amnesty International, *Just Deserters. Why Indefinite National Service in Eritrea Has Created a Generation of Refugees* (AFR 64/2930/2015), p. 37-42, <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>, (accessed July 15, 2019); *COI report 2015*, paras. 1234-1244.

<sup>13</sup> Human Rights Watch, “*Submission to the Universal Periodic Review of Eritrea*,” September 12, 2018.

<sup>14</sup> UNHRC, “Report of the Detailed Findings of the Commission of Inquiry on Human Rights in Eritrea,” A/ HRC/32/CRP.1, June 7, 2016, (hereafter *COI report 2016*), para. 102, [https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoEritrea/A\\_HRC\\_32\\_CRP.1\\_read-only.pdf](https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoEritrea/A_HRC_32_CRP.1_read-only.pdf), (accessed July 15, 2019); Human Rights Committee, “Concluding observations on Eritrea in the absence of its’ initial report,” CCPR/ C/ERI/CO/1, May 3, 2019, para. 23, [https://www.ecoi.net/en/file/local/2005728/INT\\_CCPR\\_COC\\_ERI\\_34490\\_E.pdf](https://www.ecoi.net/en/file/local/2005728/INT_CCPR_COC_ERI_34490_E.pdf) (accessed June 18, 2019).

<sup>15</sup> For recent incidents of restrictions on religious institutions and freedom of religion see “UN expert allow religious institutions to operate freely and respect the right of freedom of religion,” OHCHR News and Events, June 21, 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24721&LangID=E> (accessed July 12, 2019).

<sup>16</sup> Christian Solidarity Worldwide, “Eritrea Submission to the 32nd UPR,” July 2018, <https://www.csw.org.uk/2018/07/17/report/4047/article.htm>, (accessed August 5, 2019); see also JW.ORG, “Imprisoned for their Faith.”

<sup>17</sup> For background on the protests that led to the closure of Asmara University, see Human Rights Watch, *Service for Life*, p.18; “Eritrea: Arbitrary Detention of government critics and journalists,” Amnesty International press release, AFR 64/008/2002, September 18, 2002, p.7-8, <https://www.amnesty.org/download/Documents/112000/afr640082002en.pdf> (accessed August 5, 2019).

<sup>18</sup> RSF, “Eritrea’s UPR – RSF requests proof of life of detained journalists,” July 12, 2018, <https://rsf.org/en/reports/eritreas-upr-rsf-requests-proof-life-detained-journalists> (accessed June 18, 2019).

human rights organizations, including every United Nations Special Rapporteur who has applied for a visa.<sup>19</sup>

Perceiving the international community as unfairly favorable toward Ethiopia, the government has pursued a belligerent foreign policy that, until recently, left it with few regional or global allies.<sup>20</sup> Ordinary Eritreans have faced the consequences of this political and diplomatic isolation, which has greatly impacted the country's already impoverished economy.<sup>21</sup>

In 2009, the United Nations Security Council imposed arms sanctions on Eritrea due to its alleged support for the Islamist armed group Al-Shabab in neighboring Somalia, and its refusal to account for Djiboutian prisoners of war captured in a three-day border war in 2008.<sup>22</sup>

In mid-2018, relations with Ethiopia greatly improved following the ascent of Abiy Ahmed as Ethiopia's prime minister. A peace deal was quickly concluded with Ethiopia, the border was opened, and transportation between the two countries restarted.<sup>23</sup> Since December 2018, Eritrea has however re-imposed border controls and closed its border crossings. Human Rights Watch was not able to confirm the exact reasons for the closures.<sup>24</sup>

In October 2018, following improved relations with Ethiopia, UN sanctions were lifted. The UN monitoring group linked to the sanctions regime had found no evidence that the

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<sup>19</sup> Human Rights Watch, "Human Rights Situation in Eritrea: Submission to the African Commission on Human and Peoples' Rights," April, 2018; see Human Rights Council, "Report of the Special Rapporteur on the situation of human rights in Eritrea," A/HRC/41/53, May 2019, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/140/37/PDF/G1914037.pdf?OpenElement> (accessed July 16, 2019).

<sup>20</sup> Human Rights Watch, *Hear No Evil. Forced Labor and Corporate Responsibility in Eritrea's Mining Sector*, (New York: Human Rights Watch, 2013).

<sup>21</sup> Ibid.

<sup>22</sup> United Nations Security Council, Resolution 1907 (2009), S/RES/1907 (2009), [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/RES/1907%282009%29](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1907%282009%29) (accessed August 5, 2019).

<sup>23</sup> Laetitia Bader (Human Rights Watch), "Along with Peace, Eritreans need Repression to End," commentary, *Inter Press Service*, August 8, 2018.

<sup>24</sup> "Chill on the Border," *Africa Confidential*, May 3, 2019, [https://www.africa-confidential.com/article/id/12636/Chill\\_on\\_the\\_border](https://www.africa-confidential.com/article/id/12636/Chill_on_the_border) (accessed May 20, 2019); Selam Kidane and Martin Plaut, "Eritrea/Ethiopia, A year of peace, a year of dashed hopes," *African Arguments*, July 8, 2019, <https://africanarguments.org/2019/07/08/eritrea-and-ethiopia-a-year-of-peace-a-year-of-dashed-hopes/> (accessed July 15, 2019); "Eritrea's Gulag State is Crumbling," *The Economist*, July 11, 2019, <https://www.economist.com/middle-east-and-africa/2019/07/11/eritreas-gulag-state-is-crumbling> (accessed July 15, 2019); Human Rights Watch Skype interview with international expert, May 8, 2019.

Eritrean government was supporting Al-Shabab for the fifth consecutive year and that Eritrea had released four Djiboutian prisoners of war in 2017.<sup>25</sup>

## Forced, Indefinite National Service

President Isaias and Eritrea's ruling elite have used the "no war, no peace" situation with Ethiopia as justification to hold much of the country's population largely hostage via national service.<sup>26</sup>

In the 1995 proclamation establishing national service, the post-independence government defined the objectives of national service as, among others:

Create a new generation characterized by love of work, discipline, ready to participate and serve in the reconstruction of the nation;  
To develop and enforce the economy of the nation by investing in development work our people as a potential wealth.<sup>27</sup>

Under the National Service Proclamation, all Eritreans between 18 and 40 must spend 18 months in active national service: six months in military training and 12 months performing national service;<sup>28</sup> after this, reserve military duties follow up to the age of 50.<sup>29</sup>

Exemptions are extremely limited. The proclamation makes no provision for conscientious objection to military service or allow for substitute service. The only exemptions are for

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<sup>25</sup> Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, S/2018/1002 (2018), [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2018\\_1002.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2018_1002.pdf) (accessed August 5, 2019); see also Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, S/2014/727 (2014) [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2014/727](http://www.un.org/ga/search/view_doc.asp?symbol=S/2014/727) (accessed August 5, 2019).

<sup>26</sup> Human Rights Watch, *Service for Life; COI report 2015*.

<sup>27</sup> Government of Eritrea: Proclamation of National Service, No.82/1995 of 1995, Eritrean Gazette, No.11 October 23, 1995, <https://www.refworld.org/docid/3dd8d3af4.html>. Article 5; Eritrea's success in its 30-year armed struggle for independence from Ethiopia was due in some measure to extraordinary discipline on the part of the EPLF and the effective mobilization of the adult population in the service of the liberation war effort. The national service program was, according to commentators, born partly out of a desire to cultivate a cohesive national identity based on an ethic of nationalism and public service very much in line with the values and characteristics of the EPLF, while limiting identity politics and diverse allegiances. See Gaim Kibreab, "Forced Labour in Eritrea", *The Journal of Modern African Studies*, vol. 47 no. 1, March 2009, p. 42, <http://www.ehrea.org/force.pdf> (accessed August 5, 2019): "The Eritrean government and ruling party introduced the NS as a means of transmitting the social capital produced during the war, and maintaining the high level of vigilance and sense of insecurity—the siege mentality—that characterized the war period."

<sup>28</sup> National Service Proclamation, art. 8.

<sup>29</sup> *Ibid.*, art.13 (2).

disability and, temporarily, on health grounds, although these exemptions are not systematically applied.<sup>30</sup> Students are also in theory temporarily exempted, although as will be described below, in practice, these exemptions are redundant as secondary school students are forced to undergo the mandatory military training phase, which takes up a large proportion of their last year of secondary school, and are subjected to military discipline and command even during the academic phase.<sup>31</sup> Women who are married, pregnant or mothers are de facto exempted, although these exemptions are not systematic nor do women benefit from them indefinitely.<sup>32</sup>

Beginning in 1994, each year, a new intake of conscripts started military training at the Sawa military camp, which is an isolated location in the west of Eritrea, near the border with Sudan. Each annual new intake of recruits for military training is referred to as a round. During the first four rounds of national service, those called up were demobilized after 18 months.<sup>33</sup> But after the border war broke out with Ethiopia in 1998, former fighters and reservists who had been demobilized were forcibly conscripted, and all national service recruits were retained under emergency directives.

In May 2002, although fighting with Ethiopia had ended, the government introduced the Warsai Yekalo Development Campaign (WYDC), described as a national social and economic development effort.<sup>34</sup> Its most lasting impact was to end promised demobilization plans.<sup>35</sup> It made national service an indefinite way of life for many

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<sup>30</sup> National Service Proclamation, art. 12 and 14 (1); see Amnesty International, *Just Deserters*.

<sup>31</sup> National Service Proclamation, art. 14 (2).

<sup>32</sup> Women whose children have grown up or whose husbands are no longer in service risk being called up. Multiple Human Rights Watch interviews; United Kingdom: Home Office, "Report of a Home Office Fact-Finding Mission - Eritrea: illegal exit and national service", (hereafter Report of UK FFM to Eritrea), February 2016, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565637/Report-of-UK-FFM-to-Eritrea-7-20-February-2016.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/565637/Report-of-UK-FFM-to-Eritrea-7-20-February-2016.pdf) (accessed August 5, 2019).

<sup>33</sup> Gaim Kibreab, "Forced Labour in Eritrea," *The Journal of Modern African Studies*, p.44.

<sup>34</sup> As part of the Warsai Yekalo Development Campaign, the population was engaged in reforestation, soil and water conservation programs as well as reconstruction activities, as part and parcel of food security programs.

<sup>35</sup> The government had promised to demobilize thousands of conscripts after the war, and did demobilize some, but by 2007 it reportedly suspended the demobilization program. See Human Rights Watch, *Service for Life*, p. 43; see also *COI report 2015*, para. 123 and para. 1248-1249 which explains: "The WYDC revisited the two former proclamations on national service and extended national service indefinitely. The Eritrean government also halted the demobilization process initiated in 2000 after signing the Algiers Peace Agreement, despite the fact that a demobilization program funded by the World Bank had been set up to progressively demobilize, reinsert and reintegrate 200,000 former combatants." During Eritrea's 2019 Universal Periodic Review, Eritrea's ambassador, H.E. Mr. Tesfamichael Gerahtu, told the UN Human Rights Council, in response to criticism of the indefinite nature of national service, that a lot of demobilization has been happening, with 105,000 demobilized between 2003 and 2007. See United Nations Human Rights Council, "Eritrea Review - 32nd Session of Universal Periodic Review," video report, 2019, <http://webtv.un.org/search/eritrea-review-32nd-session-of-universal-periodic-review/5995747319001/?term=chile&lan=English&sort=date&page=2> (accessed August 2, 2019).

Eritreans, forcing them to serve as conscripts for years at a time and without limit.<sup>36</sup> The government justified the indefinite nature of national service by asserting that Eritrea needed to rely on national service conscripts to protect itself from significant military threats.<sup>37</sup>

For almost two decades, the government has largely relied on national service conscripts for the military's rank and file, and staffed the public service sector with conscripts working in government ministries or national development projects at the direction of the Ministry of Defense.<sup>38</sup> Some conscripts are also drafted to companies owned and operated by the military or ruling party elites, including on mining projects.<sup>39</sup>

Conscription into national service is generally managed by local councils, whose officials maintain detailed records of the individual families in their area, often using local spies, and ensure that those of age are conscripted.<sup>40</sup>

As will be described below, the main channel through which individuals are forced into national service is through the secondary school system.<sup>41</sup>

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<sup>36</sup> Article 13 (2) of the National Service Proclamation states that even after completing the compulsory 18 months, national service can be extended until 50 years of age “under mobilization or emergency situation directives given by the government.”

<sup>37</sup> Edmund Blair, “Eritrea won’t shorten national service despite migration fears,” *Reuters*, February 25, 2016, <https://www.reuters.com/article/us-eritrea-politics-insight/eritrea-wont-shorten-national-service-despite-migration-fears-idUSKCN0VYoM5> (accessed August 5, 2019); see also “Yemane Ghebreab Speaks on Limiting Eritrea’s National Service to 18 months,” video clip, YouTube, <http://www.madote.com/2015/04/yemeane-ghebreab-speaks-on-limiting.html> (accessed August 2, 2019).

<sup>38</sup> National Service Proclamation, art. 8.

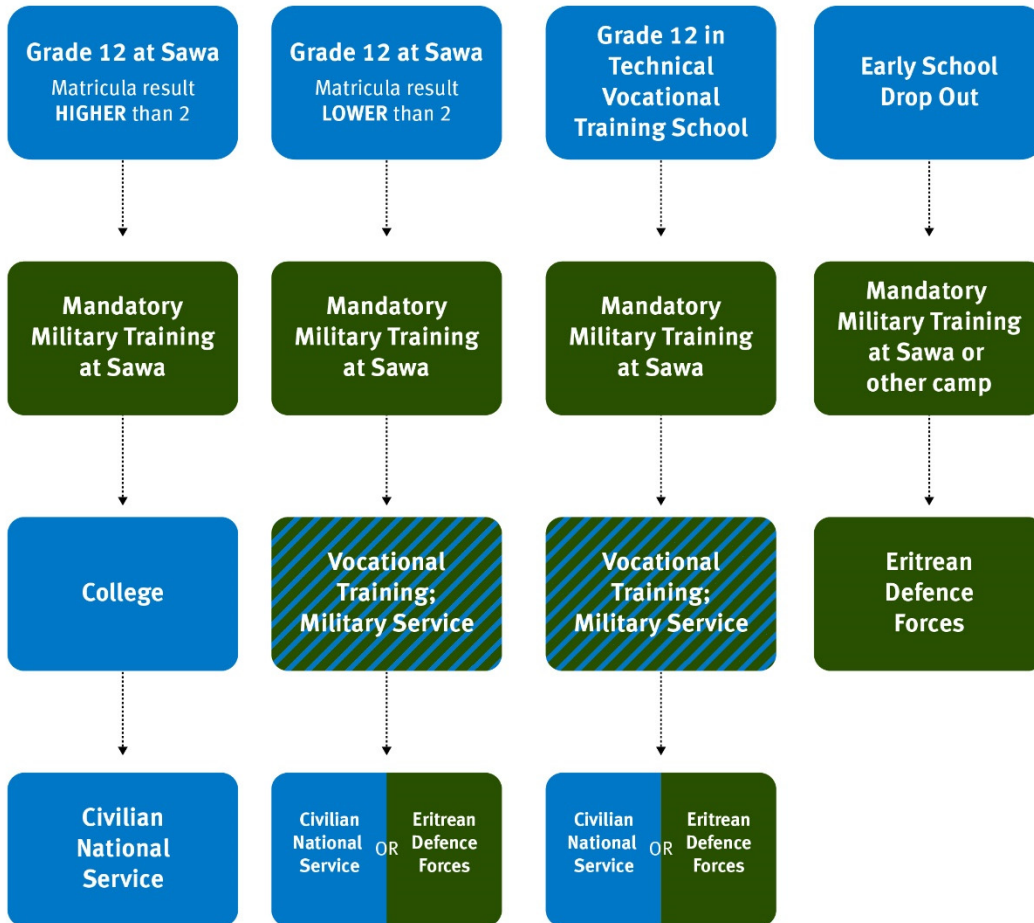
<sup>39</sup> Human Rights Watch, *Hear No Evil*, p. 17-19.

<sup>40</sup> Eritrea is divided into six administrative regions (known as Zobas) which each have their own regional, sub-regional and village administrations.

<sup>41</sup> As described below, some Grade 11 and 12 students are now enrolled in a handful of vocational training schools and attend Sawa only for the final military training phase.



## Main Pathways into National Service: **Military** and **Civilian**



Police or military authorities have also relied on ad hoc roundups—*giffas* in Tigrinya—particularly in towns, to identify Eritreans perceived as, or trying to, evade or escape national service.<sup>42</sup> Those picked up in *giffas*, including children, are often imprisoned in horrific conditions, sent directly into military training, and fast-tracked into military service.<sup>43</sup>

<sup>42</sup> There are nine different languages spoken in Eritrea with Tigrinya and Arabic being the most commonly spoken.

<sup>43</sup> *COI report 2015*, para. 1271. There are some exceptions to the pathways laid out. Additionally, students often told Human Rights Watch that they were concerned about being forced into the military regardless of their results in the secondary school leaving examinations.

The government also severely restricts people’s freedom of movement to prevent evasion of national service. Eritreans are expected to have ID cards that identify their status—for example, as a student—and they need to get a “movement pass” to travel and navigate the country’s checkpoint system between major towns.<sup>44</sup> Military commanders or civilian officials may grant or deny movement passes to conscripts, who run the risk of arrest if found absent from their service posting without permission.<sup>45</sup> Conscripts are routinely and arbitrarily denied the roughly one month’s leave each year that they are technically allowed.<sup>46</sup>

National service conscripts, especially those conducting service in the military, have often been subjected to torture and other abusive forms of discipline.<sup>47</sup> Conscripts have no channel through which to express complaints. Many conscripts endure unhealthy living conditions, and paltry remuneration that equates to just a few US dollars per month, which does not allow them to meet basic family needs.<sup>48</sup>

### **UN Commission of Inquiry into Human Rights in Eritrea, Findings on National Service**

The United Nations Commission of Inquiry, mandated by the UN Human Rights Council to investigate human rights abuses in Eritrea since its independence in 1991, released its first report in June 2015. It found that the government continued to engage in “systemic, widespread and gross human rights violations” that may amount to crimes against humanity.<sup>49</sup>

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<sup>44</sup> Human Rights Watch, *Service for Life*, p. 62-63; Multiple Human Rights Watch interviews; recent Human Rights Watch interviews suggest that the checkpoint system is not as extensive as in the past and mainly functions between major towns.

<sup>45</sup> Multiple Human Rights Watch interviews; Amnesty International, *Just Deserters*, p. 25.

<sup>46</sup> Human Rights Watch, *World Report: 2017* (New York: Human Rights Watch, 2017), p. 246-250.

<sup>47</sup> Multiple Human Rights Watch interviews. See also US Department of State, “European Commission Making Nice with Eritrea: At What Cost, To What End?” *WikiLeaks cable ID:07ASMARA346*, April 25, 2007, <http://wikileaks.org/cable/2007/04/07ASMARA396.html> (accessed August 2, 2019).

<sup>48</sup> Human Rights Watch, *Service for Life*, p 51-54; Amnesty International, *Just Deserters*, p. 30-32.

<sup>49</sup> “Eritrea: Scathing UN Report. Commission Cites Possible Crimes against Humanity,” Human Rights Watch news release, June 10, 2015.

The report characterized national service as “enslavement,” finding that “slavery-like” practices are routine within the national service system.<sup>50</sup> It concluded:

Conscripts are at the mercy of their superiors, who exercise control and command over their subordinates without restriction in a way that violates human rights and without ever being held accountable. Conscripts are regularly subjected to punishment amounting to torture and ill-treatment, during both military training and life in the army. Women and girls are at a high risk of rape and other forms of sexual violence in all areas of national service, and particularly in military training camps, where they are often forced into concubinage by superiors in the camp. Eritreans who attempt to avoid conscription or escape from the military are severely punished and arbitrarily deprived of their liberty.<sup>51</sup>

The commission found that “systematic and gross human rights violations have been and are being committed” in the national service system.<sup>52</sup> It emphasized the impact that Eritrea’s abusive military and national service has in prompting thousands of Eritreans to flee, especially youth and even children.<sup>53</sup>

The Ministry of Defense oversees the national service program. Other ministries, including the Ministry of Education, control assignments of all conscripts deployed under them.

The Ministry of Defense has the final say on the discharge and demobilization of national service conscripts, notably on the granting of a certificate of completion of national service. But the policies around demobilization are incoherent and opaque, and often left to the whim of individual ministries, and often individual staff, in which national service conscripts are deployed.<sup>54</sup>

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<sup>50</sup> *COI report 2015*, para. 1518.

<sup>51</sup> *Ibid.*

<sup>52</sup> *Ibid.*, para. 1383.

<sup>53</sup> Human Rights Watch, “*Eritrea: Scathing UN Report.*”

<sup>54</sup> United Kingdom: Home Office, “Report of a Home Office Fact-Finding Mission - Eritrea: illegal exit and national service”, (hereafter Report of UK FFM to Eritrea) February 2016, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565637/Report-of-UK-FFM-to-Eritrea-7-20-February-2016.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/565637/Report-of-UK-FFM-to-Eritrea-7-20-February-2016.pdf), (accessed July 15, 2019); Multiple Human Rights Watch interviews with former national service teachers; *COI report 2015*, para. 1253-1255.

Draft evaders or deserters join the ranks of the country's massive prison population. The government subjects those evading or deserting to arbitrary arrests and detention. Torture and ill-treatment are common.<sup>55</sup> Family members face harassment and reprisals.<sup>56</sup>

In 2014, the Eritrean government committed to reforming the national service and told visiting EU officials the 18-month limit would be applied to new conscripts, but not to those already serving far longer.<sup>57</sup> Yet the government soon reneged on this commitment.<sup>58</sup> In early 2016, President Isaias instead announced that conscript pay would rise.<sup>59</sup> As discussed below, some conscripts, including teachers, told Human Rights Watch that pay has increased slightly.

## Education in Eritrea

### *Education System*

Prior to Eritrea's independence, teachers and students had been at the forefront of the nationalist movement and often bore the brunt of Ethiopia's repression.<sup>60</sup> In response, in the 1970s and 80s, the EPLF, a liberation movement at the time, developed a parallel education system in areas under its control. The EPLF leadership actively promoted education, particularly basic literacy.<sup>61</sup>

The EPLF-dominated post-independence government pursued an education agenda that emphasized free education for all, including at the secondary and tertiary level, and

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<sup>55</sup> *COI report 2016*, para. 97-98; Human Rights Committee, "Concluding observations on Eritrea in the absence of its initial report," CCPR/C/ERI/CO/1, May 3, 2019, para. 2 <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhsrUklgbwU4Cl4MtYBpTwABks7ABR5S%2Bq2v%2Bv4O6N6NmPZDobPQoYvpXT43OJEjoDmPrJhzRifzmc9Ur%2F9Ha6SsZI%2F21u9fX4X%2Fdd4eeWIF1c> (accessed August 2, 2019); see also Human Rights Watch, *Service for Life*.

<sup>56</sup> "Submission to the Universal Periodic Review of Eritrea," Human Rights Watch news release, September 12, 2018.

<sup>57</sup> See reference in UK Visas and Immigration, *Report of UK FFM to Eritrea*, p. 33; also "Yemane Ghebreab Speaks on Limiting Eritrea's National Service to 18 months," video clip, YouTube, <http://www.madote.com/2015/04/yemeane-ghebreab-speaks-on-limiting.html> (accessed August 2, 2019).

<sup>58</sup> Human Rights Watch, *World Report: 2017*, (New York: Human Rights Watch, 2017), p.246-250.

<sup>59</sup> *Ibid*; see also "The mirage of salary increase feared to cause unrest," *Awate*, March 15, 2016, <http://awate.com/the-mirage-of-salary-increase-feared-to-cause-unrest/> (accessed August 5, 2019).

<sup>60</sup> Human Rights Watch, *Eritrea: Freedom of Expression and Ethnic Discrimination in the Educational System: Past and Future*, January 1993.

<sup>61</sup> *Ibid*.

promoted mother-tongue elementary education. The government's educational policies stressed secular education that promoted social justice and self-reliance.<sup>62</sup>

As in most sectors, the outbreak of the bloody two-year border conflict with Ethiopia in 1998 had a devastating impact on secondary education, leaving several generations of young Eritreans with little hope for their future.

Eritrea's education system is made up of elementary (Grades 1-5) – children aged from around 7 to 11, middle (Grades 6-8) – children aged 12 to 14, and secondary (Grades 9-12) levels - children aged 15 and above.<sup>63</sup> Education is compulsory through Grade 8.<sup>64</sup> English is the official language of instruction from Grade 6 onwards, a language most schoolchildren and even teachers are not proficient in.<sup>65</sup> Almost all secondary schools in Eritrea are government-run.<sup>66</sup> Secondary education is largely free.<sup>67</sup>

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<sup>62</sup> See references to National Education Policy 2010 in Ministry of Education, Education Sector Development Plan (2013-2017), January 1, 2013, <https://www.globalpartnership.org/content/eritrea-education-sector-development-plan-2013-2017> (accessed August 5, 2019).

<sup>63</sup> United Nations Committee on the Rights of the Child (CRC), "Consideration of reports submitted by States parties under article 44 of the Convention, fourth periodic reports of States parties due in 2011: Eritrea," CRC/C/ERI/4, January 2, 2014, <https://www.refworld.org/docid/555dc2114.html> (accessed July 15, 2019) para. 299-300; These are the official ages according to the government but as will be described below many students start school late, repeat classes, or drop out temporarily.

<sup>64</sup> See Ministry of Education, Education Sector Development Plan (2013-2017), para.188; Ministry of Education, *Out of School Children Initiative, Eritrea Country Study*, p.62, on file with Human Rights Watch. The study was a joint project with UNICEF as part of the Global Partnership for Education project.

<sup>65</sup> Elementary school is taught in seven of the country's nine indigenous languages. "Eritrea. The impact of language policy and practice on children's learning: Evidence from Eastern and Southern Africa," UNICEF press release, 2016, <https://www.unicef.org/esaro/UNICEF%282016%29LanguageandLearning-Eritrea.pdf> (accessed August 5, 2019).

<sup>66</sup> Ministry of Education, *Out of School Children Initiative*, p.21.

<sup>67</sup> While education is considered largely to be free in Eritrea, the government expects community "contributions," notably "labor" (for example - construction of classrooms) and the provision of school items, school uniforms, and payment for utilities and other operational costs. See Ministry of Education, Education Sector Plan (2018-2022), February 1, 2018, p.6, on file with Human Rights Watch. The UN Committee on the Rights of the Child, in its concluding recommendations on Eritrea, called on Eritrea to "strengthen efforts to ensure that any indirect costs for schooling, such as costs for school material, uniforms and transportation, do not undermine access to primary education," see CRC, "Concluding observations on the fourth periodic report of Eritrea," CRC/C/ERI/CO/4, July 2, 2015, <http://www.refworld.org/docid/5666bf7a4.html> (accessed August 5, 2019), para. 60(b). Some interviewees told Human Rights Watch that they struggled to pay for books and uniforms. Human Rights Watch interviews also pointed to other contributions made by parents and communities to schools, including families being made to pay fines if children miss class, for re-enrollment after dismissal, and for non-attendance in the summer works program. While not formally part of national service, during the school summer holidays, school administrators take students to conduct community works at public sites and on government farms for up to two months, including getting them to carry out physical activities such as terracing, planting trees, and repairing roads. School administrators make families pay fines if their children are caught skipping the work program - the amount of which is often at the school director's whim. If families don't pay, the child cannot enroll in the next academic year. Human Rights Watch interviews.

According to the government, there are currently two secondary level channels: 1) the formal secondary school education system that culminates in the National Secondary Education Certificate Examination (the “matricula”), which students take at the Sawa military training camp; and 2) a technical/vocational secondary schools pathway. The government said that some five percent of secondary level students are in vocational training schools.<sup>68</sup> Human Rights Watch was not able to confirm the functioning of these schools and did not interview any students or teachers who had attended these schools.<sup>69</sup>

There are only a handful of private secondary schools. During the period this report covers, the government closed at least one: the Catholic seminary school in Asmara.<sup>70</sup> The government had previously announced it planned to convert all religious schools into government-administered institutions.<sup>71</sup> It also placed significant pressure on one of the most prominent Islamic Schools, the Al Diaa Islamic School, to comply with a requirement for increased government control (see below: Al Diaa School Protests, Government Efforts to Control Curriculum).<sup>72</sup> There are two international schools with limited admissions.<sup>73</sup>

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<sup>68</sup> According to the government, it runs nine technical and vocational secondary schools' which students can join after Grade 10 if their grades are good enough. Education Sector Plan (2018 – 2022), on file with Human Rights Watch. See also Eritrea: Initial National Report (1999-2016), March 28, 2017, submitted to the African Commission on Human and Peoples' Rights, p.42, on file with Human Rights Watch. Intake has not significantly increased since the government's first Education Sector Development Plan (2013-2017).

<sup>69</sup> Human Rights Watch was not able to obtain much information on the secondary level vocational training schools from students or teachers - as we didn't interview any students or teachers who had attended one - nor from international development partners. Human Rights Watch interviewed only one former student who had hoped to attend one of these schools as he thought it offered him a better chance of being channeled into a non-military national service role. Human Rights Watch interview with former student, male, Italy, July 20, 2018.

<sup>70</sup> The students of the seminary school had not been attending Sawa.

<sup>71</sup> Human Rights Watch, *World Report 2018* (New York: Human Rights Watch 2018), Eritrea chapter.

<sup>72</sup> See Christian Solidarity Worldwide, Eritrea Submission to the 32<sup>nd</sup> UPR, July 17, 2018 para. 22, 27-28, <https://www.csw.org.uk/2018/07/17/report/4047/article.htm> (accessed July 15, 2019); students at Al Diaa largely followed the national curriculum and went to Sawa for Grade 12.

<sup>73</sup> These include a small Italian school, which follows the Italian curriculum. A former student commented that Eritrean students at the school were made to follow history classes in Tigrinya and to undertake the Grade 8 exams. Human Rights Watch message exchange with former student of the Italian school, September 4, 2018. Students are admitted if they have Italian nationality or are able to pay the school fees, which for Eritreans is generally dependent on their link to the government. Students enrolled in this school do not undertake Grade 12 in Sawa; however, they do have to undertake the mandatory military training and then are assigned a national service position, generally in the civil service. An international observer commented that the government has also tried to exert control on the curriculum of the Italian school and monitored lessons. Human Rights Watch interview with international observer, September 3, 2018. Another international school also continues to function largely independently, Asmara International Community School, but admission fees are reportedly very high, making it only accessible to diplomats and the elite. Human Rights Watch text correspondence with observer, August 30, 2018 and email correspondence with parent of children attending the international school, September 4, 2018.

## *Government Response to Protests over Education Policies*

As with government policies more broadly, open dissent or even a mere questioning of the government's education policies is rare. There are no independent student associations, media, or NGOs. On the few occasions when public protest has occurred, the government has responded by conducting mass arrests and firing live ammunition.

### **Al Diaa School Protests, Government Efforts to Control Curriculum**

On October 31, 2017 rare protests broke out in the Aqria area of Eritrea's capital, Asmara. These followed the arrest of 93-year old Hajji Musa Mohammed Nur, chairman of Al Diaa Islamic school, one of the few privately run religious schools, after he made a passionate speech opposing the government's increased interference in the affairs of the school.<sup>74</sup> Other members of the school board were also arrested.<sup>75</sup>

Hajji Musa's comments followed over a year of government pressure on the school's administration to comply with new orders regarding Friday school closures, the wearing of headscarves by students, introduction of co-education, and the discontinuation of religious teachings.<sup>76</sup>

Protests started as residents gathered near the school and later reportedly proceeded toward the Ministry of Education. Students were among the protestors that took to the

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<sup>74</sup> Human Rights Watch, "Mystery Shrouds Rare Protest in Eritrea. Dearth of Credible Reporting on Government Response Obscures Death Toll," Dispatches, November 3, 2017.

<sup>75</sup> OHCHR, "Eritrea: UN expert says more arrests, detentions after elderly school chief dies in detention, March 14, 2018, <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22823&LangID=E> (accessed July 11, 2019)

<sup>76</sup> According to interviewees, the school follows the government curriculum and includes additional religious education classes. Human Rights Watch interview with acquaintances of Hajji Musa, Italy, April 12, 2018 and interview with protest participant, male, Sudan, May 20, 2018; see also OHCHR, "Eritrea: UN Experts says embracing human rights vital to shape successful future," June 26, 2018, <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=23262&LangID=E> (accessed September 13, 2018); VOA, "Gunfire, Protests Reported in Eritrea's Capital," October 31, 2017, <https://www.voanews.com/africa/gunfire-protests-reported-eritreas-capital> (accessed July 15, 2019); BBC, "Eritrea's Asmara City Hit by rare student protest," November 1, 2017, <https://www.bbc.co.uk/news/world-africa-41832105> (accessed August 5, 2019).

streets.<sup>77</sup> Security forces dispersed the protests by firing live ammunition into the air.<sup>78</sup> One witness told Human Rights Watch that some protestors reportedly threw stones at the security forces.<sup>79</sup> While no one was reportedly injured, the security forces arrested people at the scene of the protests, including women.<sup>80</sup>

The school has reportedly since reopened. Members of the school's executive board, who were arrested in October 2017, are still in detention.<sup>81</sup>

Hajji Musa died in government custody after four months in detention without trial. The cause of death is unknown. During Hajji's March 3, 2018, funeral, tensions between the public and security forces flared again. Security forces arrested hundreds, including minors, as they marched through Asmara to attend his funeral.<sup>82</sup> Some of the protestors reportedly remain in detention.<sup>83</sup> According to the UN Special Rapporteur on the situation of human rights in Eritrea, another elderly school board member died in custody in January 2019.<sup>84</sup>

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<sup>77</sup> Abraham Zere, "Fight not Flights: Eritrea's Youth Taking matters into their own hands, November 29, 2017 <http://africanarguments.org/2017/11/29/eritrea-youth-are-taking-matters-into-their-own-hands/> (accessed August 5, 2019).

<sup>78</sup> Human Rights Watch interview with protest participant, male, Sudan, May 20, 2018; Human Rights Committee, "Concluding observations on Eritrea in the absence of its initial report," CCPR/ C/ERI/CO/1, May 3, 2019, para. 23, [https://www.ecoi.net/en/file/local/2005728/INT\\_CCPR\\_COC\\_ERI\\_34490\\_E.pdf](https://www.ecoi.net/en/file/local/2005728/INT_CCPR_COC_ERI_34490_E.pdf) (accessed June 18, 2019).

<sup>79</sup> Human Rights Watch interview with protest participant, male, Sudan, May 20, 2018.

<sup>80</sup> Radio Erena, "Eritrean Government Intensifies Security in Mosques Around the Country," November 5, 2017 <http://erena.org/index.php/web-links/3529-eritrean-government-intensifies-security-in-mosques-around-the-country> (accessed August 2, 2019).

<sup>81</sup> UN Human Rights Council, "Report of the Special Rapporteur on the Human Rights Situation in Eritrea," A/HRC/41/53/, para. 54, <https://reliefweb.int/report/eritrea/report-special-rapporteur-situation-human-rights-eritrea-ahrc4153> (accessed August 5, 2019).

<sup>82</sup> OHCHR, "Eritrea: UN expert says more arrests, detentions after elderly school chief dies in detention, March 14, 2018 <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22823&LangID=E> (accessed July 11, 2019); Human Rights Watch interview with relative of a 12-year-old arrested during the funeral, Sudan, May 20, 2018; see also OHCHR, "Eritrea: UN Experts says embracing human rights vital to shape successful future." <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=23262&LangID=E> (accessed August 5, 2019).

<sup>83</sup> HRC, "Human Rights Situation in Eritrea," para 54; Human Rights Watch interview with relative of a 12-year-old arrested during the funeral, Sudan, May 20, 2018; see also OHCHR, "Eritrea: UN Experts says embracing human rights vital to shape successful future." <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=23262&LangID=E> (accessed August 5, 2019).

<sup>84</sup> HRC, "Human Rights Situation in Eritrea," para. 54



## *Education in Numbers*

Despite the historical importance the ruling party placed on basic education and literacy, the education sector faces a host of challenges. While reliable publicly available data on the sector is hard to come by in Eritrea, the government has released some data that highlights both the lack of government spending in the sector and other significant problems.

International standards recommend that governments spend between 15 and 20 percent of their total national budget and four to six percent of Gross Domestic Product (GDP) on education.<sup>85</sup> Yet, according to government statistics, between 2008 and 2011, the Eritrean government spent eight to 10 percent of the national budget on the education sector (including higher education).<sup>86</sup> In 2015, this stood at 10.5 percent.<sup>87</sup> Education spending as a percentage of its GDP fell from four to two percent between 2008 and 2013, and as low as 1.14 percent in 2015.<sup>88</sup> Around one-fifth of this was spent on secondary education.<sup>89</sup> In 2013, Eritrea ranked 182 out of 187 in the United Nations global education index, a tool which measures the average years of schooling and expected years of schooling.<sup>90</sup>

Low enrollment and high dropout rates are serious problems throughout the school system with a significant difference in enrollment between elementary and middle school. Rates are particularly low among school-aged girls, declining sharply in middle and secondary school.<sup>91</sup> Harmful gender norms—including early marriage and a preference among certain communities to educate boys rather than girls—remain significant problems in Eritrea, undermining girls' access to education.<sup>92</sup>

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<sup>85</sup> UNESCO et al, "Education 2030: Framework for Action," December 2015, [http://uis.unesco.org/sites/default/files/documents/education-2030-incheon-framework-for-action-implementation-of-sdg4-2016-en\\_2.pdf](http://uis.unesco.org/sites/default/files/documents/education-2030-incheon-framework-for-action-implementation-of-sdg4-2016-en_2.pdf), art. 105 (accessed August 2, 2019).

<sup>86</sup> Ministry of Education, *Out of School Children Initiative*, p.64.

<sup>87</sup> Ministry of Education, *Education Sector Plan (2018-2022)*, p.34.

<sup>88</sup> Ministry of Education, *Out of School Children Initiative*, p.64; Ministry of Education, *Education Sector Plan (2018-2022)*, p.35.

<sup>89</sup> *Ibid.*

<sup>90</sup> UNDP, *Education Index, Human Development Reports, 2013*, <http://hdr.undp.org/en/content/education-index> (accessed August 5, 2019).

<sup>91</sup> Ministry of Education, *Out of School Children Initiative*, p. 11.

<sup>92</sup> *Ibid.*; UN Committee on the Rights of the Child (CRC), *Concluding observations on the fourth periodic report of Eritrea*, 2 July 2015, CRC/C/ERI/CO/4, para 59 (d), <http://www.refworld.org/docid/566bf7a4.html> (accessed August 5, 2019).

In 2017 to 2018, only 43.8 percent of children who graduated from middle school reportedly transitioned into secondary school.<sup>93</sup> Similarly, over 50 percent of secondary school-aged students were not in school; more girls than boys did not attend secondary school.

Across Eritrea, particularly in rural areas, it is normal for children and young people to support their families, often by working on the family farm. According to the government, the urban versus rural enrollment divide is enormous; 70 percent of secondary school-aged students in rural areas are not in school versus just over 20 percent in urban areas.<sup>94</sup>

Teacher absenteeism and retention is a significant problem. Government data point to a reduction in secondary school teachers since 2011, with a marked decrease in 2015 to 2016.<sup>95</sup> As will be described below, many teachers are fleeing the country. Female teachers, especially in the middle and secondary education sector, represent only a small fraction of the teaching corps.<sup>96</sup>

School days are short, with most schools running multiple shifts throughout a school day, limiting the number of hours students are taught each day to around three to four.<sup>97</sup>

As discussed below, the Eritrean government has developed numerous education policies and plans. The most detailed plan to date is the Education Sector Development Plan (ESDP), with the first plan covering the period from 2013 to 2017, and the latest Education Sector Plan (ESP) covering 2018 to 2022.<sup>98</sup> These plans acknowledge many chronic problems impacting education, including overcrowding, high repetition, and dropout rates, as well as teacher shortages and absenteeism.<sup>99</sup>

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<sup>93</sup> Improving pre-primary through middle school enrollment, particularly among girls and marginalized communities, is a key priority of the government's education sector plans. See Ministry of Education, *Out of School Children Initiative*, p. 11; see also Ministry of Education, Education Sector Plan (2018-2022), p.87 & p.90.

<sup>94</sup> Ministry of Education, Education Sector Plan (2018-2022), p.42.

<sup>95</sup> Ministry of Education, Education Sector Plan (2018-2022), p. 62, Table 2.17.

<sup>96</sup> Ibid.

<sup>97</sup> Multiple Human Rights Watch interviews. The Education Sector Plan states that the school day consists of five hours of teaching; Ministry of Education, Education Sector Plan (2018-2022), p. 81.

<sup>98</sup> Human Rights Watch Skype interview with international expert, July 13, 2018.

<sup>99</sup> The government states that there are on average 63 students per teacher at the secondary level. See Ministry of Education, Education Sector Plan (2018-2022), p. 50.

Nowhere, however, do these plans or donor support to the education system acknowledge the impact that national service has on the rights of students and teachers themselves, and on how they contribute to the chronic education challenges limiting access to quality secondary education.

### *Militarization of Education in Eritrea*

Following the border conflict with Ethiopia, the Eritrean government developed an education reform agenda that it depicted as seeking to expand access to education throughout the country.<sup>100</sup> As part of the reform, the government introduced a final year of high school, Grade 12, and required that all students country-wide must complete Grade 12 at the Warsai Yekalo Secondary School inside the Sawa military camp.

One of the most lasting impacts of the reforms was the militarization of education and transformation of high school into the government's main channel through which to conscript its citizens into military training and national service.<sup>101</sup>

#### **“Sawa” Secondary School or Military Training Center?**

Since 2003, the government has forced all students to complete Grade 12 education at the Warsai Yekalo Secondary School and Vocational Training Center inside Sawa military training camp. Sawa is in an isolated location in the west of Eritrea, near the

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<sup>100</sup> For a thorough investigation into the education system in Eritrea and more information on the education reforms, see Jennifer Riggan, *The Struggling State: Nationalism, Mass Militarization and the Education of Eritrea*, Temple University Press, February 1, 2016, Chapter 3.

<sup>101</sup> Tertiary education was also targeted by the reforms. In 2004, Asmara University - until then the only higher education institution - was shut down and replaced by a network of colleges around the country. The government said it was seeking to improve access to higher education outside of Asmara. The closure came in the wake of the July 2001 arrest of the student union president, Semere Kesete, who had criticized the management of the university's mandatory summer work program, which was followed by arrests of around 2,000 university students protesting Semere's arrest. For more background on the protests that led to the closure of Asmara University, see Human Rights Watch, *Service for Life*, p.18. See also Amnesty International, *Eritrea: Arbitrary Detention of government critics and journalists*, September 18, 2002, p.7-8, <https://www.amnesty.org/download/Documents/112000/afr640082002en.pdf> (accessed August 5, 2019). The UN commission of inquiry pointed to the reforms as being the result of draft evasion by youth: “This change was introduced to reduce increasing number of draft evaders and facilitate the mobilization of the youth. Before 2003, many secondary school students, particularly girls, deliberately repeated classes and dropped out of school to avoid going to the training center in Sawa.” See *COI report 2015*, para.1185.

border with Sudan, in the Gash-Barka region. The climate is harsh, with temperatures reaching up to 40 degrees Celsius.

Sawa is the largest of a network of military training centers in the country, where Eritreans are forced to undertake mandatory military training.<sup>102</sup> The camp is like a large prison, surrounded by barbed wire fencing and guarded by soldiers. It includes several prisons, where a mix of conscripts, army deserters, evaders, religious believers, conscientious objectors, and other political prisoners are held.<sup>103</sup>

Many of the people running Sawa are conscripts themselves, posted to Sawa in the military, but also as teachers and manual laborers. The UN Commission of Inquiry, Human Rights Watch, and Amnesty International, among others, have repeatedly documented abuses during military training at Sawa against students, conscripts and those in the camp's detention facilities. Abuses include torture, sexual violence and sexual harassment, and restrictions on freedom of religion.<sup>104</sup>

Grade 12 students are not protected from these abuses. Every July or August, students are bused from home towns across the country to Sawa.<sup>105</sup> Each new annual military training intake into Sawa is referred to as a "round." Each round incorporates between 11,000 to 15,000 students. The first round was in 1994. At time of writing, the most recent round, the 32<sup>nd</sup>, graduated in August 2019.<sup>106</sup>

Warsai Yekalo Secondary School is in the camp's center and is under military authority and control. Students sleep in hangars surrounded by fencing and under military guard. The camp also accommodates a vocational training center.

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<sup>102</sup> For a description of other military training camps see *COI report 2015*, paras. 1267-1309.

<sup>103</sup> Human Rights Watch, *Service for Life*; see also *COI report 2015*, para. 856.

<sup>104</sup> Human Rights Watch found that Sawa camp included several underground detention facilities, see *Service for Life*, p. 35; *COI report 2015*, para. 895; *COI report 2015*, para. 1312 -1318.

<sup>105</sup> Grade 11 students' files, some under 18, are shared by secondary schools with the local Ministry of Education department and the local military training department.

<sup>106</sup> Most interviewees for this report who had been to Sawa took part in rounds 26 to 30.

While at Sawa, students must take academic courses, the curricula of which is defined by the Ministry of Education, and the mandatory military service. About half of the year in Sawa is spent in military training.

### *National Service Teachers*

Given a countrywide teacher shortage, as will be described below, many college graduates, irrespective of their field of study, are forced to conduct their national service as secondary school teachers.<sup>107</sup>

There are, in theory, different categories of Eritrean teachers currently in the secondary school system: professional teachers who were in the profession before the border conflict with Ethiopia in 1998; national service teachers; and teachers who started off as national service teachers but were later “discharged.” In practice, very few teachers are “discharged” and these categories are blurred in terms of remuneration and the teachers’ freedom to leave the sector.<sup>108</sup>

By and large, secondary school teachers are forcibly recruited via the national service system.

The government says that approximately 500 new graduates are assigned from different colleges into secondary schools each year. Most have not attended the College of Education of the Eritrean Institute of Technology (EIT) (hereafter called College of Education) at Mai Nefhi college, outside of Asmara, which, until it was recently disbanded and merged with the primary school teacher training college, was the only college that provides both diploma and degree courses for secondary school and college level teachers.<sup>109</sup>

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<sup>107</sup> *COI report 2015.*

<sup>108</sup> In its Education Sector Plan (2018-2022), the government predicted that it would need 1,684 teachers during the 2017 to 2018 academic school year in secondary education, requiring an additional 253 new teachers. Human Rights Watch was not able to clarify how many of these teachers are national service teachers.

<sup>109</sup> Ministry of Education, Education Sector Development Plan (2013-2017), p.24 para. 144; Human Rights Watch interview with former national service teacher, male, Sudan, May 17, 2018; In its initial assessment of the government’s Education Sector Development Plan (2013-2017), Global Partnership for Education (GPE) raised concerns about the lack of plans for the tertiary level education development and in particular for the College of Education. p.4.

## I. Abuses Against Secondary Students

The Eritrean government's ongoing practice of forcing students to spend Grade 12 at Sawa, where they are required to devote at least half their year to undergoing mandatory military training, not only violates international standards on forced child conscription and places students at risk of serious abuse, but also undermines students' access to quality secondary education and limits their opportunities in life.

### Abuses During Grade 12 at Sawa

The military personnel running Sawa subject students to a harsh living environment, regular physical punishment, military-style discipline, and forced labor.<sup>110</sup>

In a November 2018 report to the UN Human Rights Council as part of Eritrea's Universal Periodic Review, the Eritrean government justified the holding of Grade 12 at Sawa as a means to:

- “Maximize opportunity to university entrance.
- Aggregate all students in one high school for their last secondary school year and create a level playing field that ensures higher meritorious competition.
- Consolidate harmony and social cohesion of the new generation.”<sup>111</sup>

While several of the former Sawa students interviewed by Human Rights Watch commended Sawa for giving them the opportunity to meet youth from other communities and regions, they were adamant that life in Sawa was abusive and restricted their ability to study. A young man from Asmara said: “At Sawa, you are expected to be both student and military but there is no way to balance the two.”<sup>112</sup>

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<sup>110</sup> Military training rounds started to be counted after independence. In August 2019, round 32 graduated.

<sup>111</sup> Government of Eritrea, National Report, Working Group on the Universal Periodic Review, November 12, 2018, A/HRC/WG.6/32/ERI/1, [https://www.upr-info.org/sites/default/files/document/eritrea/session\\_32\\_-\\_january\\_2019/e.pdf](https://www.upr-info.org/sites/default/files/document/eritrea/session_32_-_january_2019/e.pdf) (accessed August 2, 2019).

<sup>112</sup> Human Rights Watch interview with former graduate student, male, Switzerland, April 30, 2018.

### *Underage Recruitment and Forced Conscription*

Eritrea has ratified the Optional Protocol of the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (the “Optional Protocol”), which prohibits any forced conscription of children under 18 by government forces, and states that any recruitment of children aged 15 to 18 should be genuinely voluntary and carried out with the informed consent of the child’s parents or guardians.<sup>113</sup>

Grade 12 students in Eritrea are in their late teens to early twenties, as many students start school late, repeat classes, or drop out temporarily. While most students are over 18 when they enroll in Grade 12, some students are under 18.<sup>114</sup>

Three former Sawa graduates interviewed by Human Rights Watch said they were 17 when they were sent to Sawa.<sup>115</sup> One of them, a student from a town in the Debub region who enrolled in Sawa in July 2015, said: “Of the 40 from my class, two were 16, five, maybe six, were 17 and the rest were over 18.”<sup>116</sup>

In its 2015 report, the UN Commission of Inquiry documented some children being sent to Sawa to attend Grade 12, while other children were detained in a *giffa* and sent to Sawa solely for military training.<sup>117</sup>

Human Rights Watch did not identify any mechanism or concrete measures taken by authorities to enforce provisions in the National Service Proclamation, which sets the minimum age for compulsory military training as 18, and to ensure that children are not sent to Sawa while underage.<sup>118</sup>

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<sup>113</sup> Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted May 25, 2000, G.A. Res. 54/263, Annex I, 54 U.N. GAOR Supp. (No. 49) at 7, U.N. Doc. A/54/49, Vol. III (2000), entered into force February 12, 2002, art. 1, <https://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCR.C.aspx> (accessed August 5, 2019); Eritrea acceded to the Optional Protocol to the Convention on the Rights of the Child on February 16, 2005, with a declaration that the minimum age for recruitment into the armed forces is 18.

<sup>114</sup> Under the National Service Proclamation, compulsory military service (article 9) and national service (article 8) starts once individuals turns 18.

<sup>115</sup> Human Rights Watch interviews with former student, male, Italy, April 6, 2018; with former student, male, Italy, April 6, 2018; and former student, boy, Italy, April 16, 2018; *COI report 2015*, para 1271.

<sup>116</sup> Human Rights Watch interview with former student, male, Italy, April 6, 2018.

<sup>117</sup> *COI report 2015*, para. 1271.

<sup>118</sup> National Service Proclamation, art. 6.

In addition, for students to finish their formal secondary studies, go on to further studies, or stand a chance of avoiding indefinite military deployment, most have no choice but to attend Grade 12 at the Warsai Yekalo Secondary School and undergo military service during that year.<sup>119</sup> “I didn’t choose to go; I was forced to. It’s the only option if you want to continue studying. The government has imposed this,” said a student who attended the 29th round of recruitment at Sawa, from 2015 to 2016.<sup>120</sup>

### *Harsh and Militarized Environment*

The environment in Sawa is heavily militarized and far from conducive to studying. During Grade 12, students are under the authority and jurisdiction of the Ministry of Defense and follow military discipline. Upon arrival, students are divided into units and each unit has its own military trainer who stays with them throughout the year. Students spend only half of the year at Sawa taking academic classes.

#### **The year at Sawa includes:**

- Between one and two months of physical fitness training and military discipline;
- Six months of academic teaching, which primarily includes revisions of previous years’ work in preparation for the final secondary school exams (matricula) in March;
- Approximately four months of military training, including weapons handling and a three-week war-like simulation exercise.<sup>121</sup>

The daily routine throughout the year is intense, including during the period of academic classes. Military service effectively starts as soon as students arrive in Sawa. Interviewees told Human Rights Watch that the physical training run by the military in the extreme heat

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<sup>119</sup> There are a few limited exceptions described in the Background section above.

<sup>120</sup> Human Rights Watch interview with former graduate student, male, Switzerland, April 30, 2018;

<sup>121</sup> Interviewees said the schedule varied somewhat from one year to the next, but the majority of recent recruits described this schedule.



was grueling. A 19-year-old who attended Sawa in round 28, from 2014 to 2015, described his first month:

Sawa is hell; they do everything to make you want to leave. From the first month, the alarm rings at 5 a.m., they make you run to the toilet, you had five minutes to wash—if we had water, which wasn't always the case—five minutes to put your uniform on. You get punished if you don't manage. We would have military training until 8 a.m. For breakfast [you] had tea and one bread and only 15 minutes to eat it. If you arrive late, you aren't allowed breakfast. For the first month, I missed breakfast every day. I take my time, so it was hell for me. Then we would return to military training until lunch.

The military trainer is always with you; he stays in the dorm. The [physical] punishments were so hard; I was desperate to escape them and so I would try to stick to the rules.<sup>122</sup>

Even during the six months of academic teaching, military trainers and guards subject students to military rules and discipline. Military guards march students from their dorms to class each morning and back again at the end of the school day. A former student who was 17 when he was sent to Sawa said:

We are brought into class, marching, in a queue, by the military. You cannot greet or talk to anyone at that point. The military are always around, just inside the compound.<sup>123</sup>

During the four-month long military training, military officials send the recruits on a three-week war-like simulation exercise. All students who attended Sawa described this as harsh. A former student who attended round 26, now aged 21, said:

The hardest was when we were sent for 21 days into the forest, without tents, in the mountains. They gave us military training on how to use a gun. We were not allowed to drink the water from our flasks. It was 40 degrees.

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<sup>122</sup> Human Rights Watch interview with former student, male, Italy, April 18, 2018.

<sup>123</sup> Human Rights Watch interview with former student, male, Italy, April 6, 2018.

We just had bread and tea in the morning to get us through the day. I am a farmer, so I managed to resist. But they ask so much from us, as if we were trained military. Some students were bitten by snakes and scorpions. Some people fainted because of the lack of water.<sup>124</sup>

### *Treatment and Harsh Punishments*

Military officials, including trainers and guards, violently punish students for even the most minor infractions, such as oversleeping.<sup>125</sup> Interviewees said that the punishments were so common that they came to expect them.<sup>126</sup> A 23-year-old man from Asmara who attended round 27 said:

You don't understand if it's a school, or a military camp. If you are a few minutes late, the military come and beat you. When the whistle is blown and you are late for class, they beat you. <sup>127</sup>

The Committee on the Rights of the Child, the body of independent experts that monitors implementation of the Convention on the Rights of the Child by state parties, has defined corporal or physical punishment as “any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light.”<sup>128</sup> A UN special rapporteur has warned states that corporal punishment is inconsistent with governments’ obligations to protect individuals from cruel, inhuman, or degrading punishment or even torture.<sup>129</sup>

Students described being beaten with sticks; made to roll in soil while being beaten; left in the sun for prolonged periods of time with their hands tied; and made to carry heavy water

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<sup>124</sup> Human Rights Watch interview with former student, male, Italy, April 17, 2018.

<sup>125</sup> Human Rights Watch interview with former student, female, Sudan, May 20, 2018.

<sup>126</sup> Multiple Human Rights Watch interviews.

<sup>127</sup> Human Rights Watch interview with former student, male, Italy, April 6, 2018.

<sup>128</sup> UN Committee on the Rights of the Child, General Comment No. 8, The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment, CRC/C/GC/8 (2007), arts.19; 28, para. 2 and 37, [https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f8&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f8&Lang=en) (accessed August 5, 2019).

<sup>129</sup> UN Commission on Human Rights, Report of the Special Rapporteur, Mr. Nigel S. Rodley, submitted pursuant to Commission on Human Rights resolution 1995/37 B, E/CN.4/1997/7, January 10, 1997, para. 6, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G97/101/13/PDF/G9710113.pdf?OpenElement> (accessed August 5, 2019).

containers and do repeated physical exercises for minor infractions.<sup>130</sup> A young woman from the Debub region who attended round 29, age 22, from 2015 to 2016, said:

When we make a mistake in that training, you are automatically punished. During the first month of training, the unit leader hit me with a stick on my upper back. During the full-time military training, I again made a mistake during marching, and the unit leader kicked me, and I fell over.<sup>131</sup>

Students are not spared punishment during the academic phase either. A young man from the Anseba region, who attended Sawa round 27 from 2013 to 2014, said:

The military are always putting us under pressure. My unit commander was not a normal person: he would make students roll on the ground, he forced me to do this several times. Sometimes the military would beat us all. If we were not queueing up properly, [we] would be hit on the back with a stick. If you want to adjust your shoes, they hit you on the back. When you hear the bell, you have to be in class within seconds. You have to follow the guidelines, coming and going, no space to complain. All this creates a lot of stress on students.<sup>132</sup>

A 23-year-old man from Asmara, who also attended round 27, was beaten for being late for class:

The military official made me lie on the ground and roll on the ground very fast while he beat me. After this punishment, I had a terrible headache and fell over and vomited. I couldn't study well that day.<sup>133</sup>

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<sup>130</sup> Human Rights Watch interviews with former student, male, Italy, April 6, 2018; former student, male, Italy, April 27, 2018; former student, male, Italy, April 18, 2018; former student, male, Italy, April 17, 2018; former student, male, Sudan, May 17, 2018; former graduate student, male, Sudan, May 20, 2018; former student, female, Sudan, May 20, 2018; former student, male, Sudan, May 21, 2018; and former student, male, Sudan, May 22, 2018.

<sup>131</sup> Human Rights Watch interview with former student, female, Sudan, May 20, 2018.

<sup>132</sup> Human Rights Watch interview with former student, male, Italy, April 27, 2018.

<sup>133</sup> Human Rights Watch interview with former student, male, Italy, April 6, 2018.

While most students said that they rarely spoke out or challenged the rules at Sawa, the few that complained were punished.<sup>134</sup> When a young man who attended Sawa in 2015 spoke out in a meeting in which they were discussing the fact that so many students were escaping from Sawa into Sudan, he was beaten by his unit leader.<sup>135</sup>

Another former student was punished for entering another part of the camp without permission:

When I reached the place, the guards captured me, handed me over to my unit leader, who tied me up for the night. He made me lie on the ground in position of *Otto* [meaning eight in Italian, a position in which the hands are tied together behind the person's back] and he just made me sleep outside in the dark.<sup>136</sup>

The UN Commission of Inquiry found that students who breached school rules risked imprisonment:

Given the militarisation of the education system, students easily end up in secret or even official detention centres, for instance for suspected breaches of the school rules and regulations, for asking questions or for suspicions of wanting to leave the country.<sup>137</sup>

### *Forced Labor*

International law protects children from economic exploitation, and from performing work that is hazardous and interferes with a child's education.<sup>138</sup> It also prohibits forced labor, defined as “works or services that are (i) exacted involuntarily; (ii) exacted under the menace of penalty; and (iii) used as a means of political coercion, education or as a

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<sup>134</sup> Human Rights Watch interviews with former student, male, Italy, July 3, 2018; and former student, male, Italy, April 18, 2018.

<sup>135</sup> Human Rights Watch interview with former student, male, Italy, July 3, 2018.

<sup>136</sup> Human Rights Watch interview with former student, male, Sudan, May 22, 2018; In a 2009 report, Human Rights Watch found that “*Otto*”, meaning eight in Italian, was the most common torture method noted by former conscripts and detainees, practiced in all the prisons and in Wi'a and Sawa military camps. Human Rights Watch, *Service for Life*, p.30.

<sup>137</sup> *COI report 2015*, para. 857.

<sup>138</sup> Convention on the Rights of the Child (CRC), adopted November 20, 1989, G.A. Res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), entered into force September 2, 1990, Art. 32.

method of mobilizing and using labor for purposes of economic development, as well as a means of labor discipline.”<sup>139</sup>

Throughout Sawa, the military make students conduct arduous military duties, even on school days, that often cut into students’ study and rest time.<sup>140</sup> On weekends, students are forced to conduct agricultural work for free at Molober—a government farm that is approximately seven kilometers from Sawa—where they are forced to pick onions, tomatoes, and lemons. Students complained about the arduous trip to Molober and back.<sup>141</sup> A former student, who attended round 27 at Sawa at age 18, said:

I hated going to Molober. We had to wake up at 4 a.m. You had to walk there and back; sometimes they made us run there. If you made a mistake on the journey, you would be punished when [you] got back to Sawa.<sup>142</sup>

A female student said: “Saturday was the only day where we could have studied, gone over our lectures, and instead we had to go and work on the farm.”<sup>143</sup>

A teacher whose national service involved teaching at Sawa told Human Rights Watch that students often did not have time to study outside teaching hours as they were forced to conduct military assignments:

We taught from 6:30 [a.m.] up to 11:30 or midday. Then the students go back to their accommodation for activities. The military decides the activities. We gave them homework, but they sometimes did not have time to do it because the military might decide to give them tasks. We have no say as a teacher.<sup>144</sup>

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<sup>139</sup> ILO Convention No. 105 concerning Abolition of Forced Labour (Abolition of Forced Labour Convention), adopted June 25, 1957, 320 U.N.T.S. 291, entered into force January 17, 1959, art.1. Ratified by Eritrea on February 22, 2000.

<sup>140</sup> Human Rights Watch interview with former student, male, Italy, April 6, 2018.

<sup>141</sup> Human Rights Watch interviews with former student, male, Italy, April 6, 2018; and former national service teacher, female, Sudan, May 21, 2018.

<sup>142</sup> Human Rights Watch interview with former student, male, Italy, April 27, 2018.

<sup>143</sup> Human Rights Watch interview with former graduate student, male, Switzerland, April 30, 2018.

<sup>144</sup> Human Rights Watch interview with former teacher, male, Sudan, May 23, 2018.

A student who attended round 27 at around age 17 described the harsh duties his unit leader assigned:

In our unit, the boss was very nasty. As soon as we finished school, around midday, he would make us carry stones to build homes for the military. He decided how long we worked. So, we didn't have much time for our homework.<sup>145</sup>

### *Sexual Harassment, Exploitation, Forced Domestic Labor of Female Students*

Human Rights Watch previously documented sexual exploitation and harassment by military officials against female students and recruits, including harsh punishments for refusing sexual advances during their time at Sawa.<sup>146</sup> More recently, the UN Commission of Inquiry into the human rights situation in Eritrea found that female students and recruits, including girls, are frequently subjected to sexual abuse and exploitation in Sawa and other military training centers, particularly Wi'a.<sup>147</sup>

Evidence gathered by Human Rights Watch suggests that military officials continue to sexually harass and exploit female students at Sawa.<sup>148</sup>

Two out of the three female students interviewed by Human Rights Watch who attended Sawa said military officials pressured them to do domestic chores.<sup>149</sup>

A former student who attended Sawa in round 29 said: "They would ask us [female students] to make coffee on Sundays. If you don't obey, they [the military officials] will punish you every time you make a slight mistake."<sup>150</sup> A female student who attended round 26 said that, after she refused her unit leader's orders, he forced her to do domestic chores:

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<sup>145</sup> Human Rights Watch interview with former student, male, Italy, April 18, 2018.

<sup>146</sup> Human Rights Watch, *Service for Life*, p.47.

<sup>147</sup> *COI Report 2015*, para 1312 -1318; *COI report 2016*, para.120.

<sup>148</sup> Human Rights Watch interviews with former student, male, Italy, April 18, 2018; former student, female, Italy, April 27, 2018; former student, female, Sudan, May 20, 2018 and former national service teacher, female, Sudan, May 21, 2018.

<sup>149</sup> Human Rights Watch interviews with former student, female, Sudan, May 20, 2018; and former student, female, Italy, April 27, 2018.

<sup>150</sup> Human Rights Watch interview with former student, female, Sudan, May 20, 2018.

Two military officials asked me and another girl to come to their places and cook for them. We refused to go. They punished us, making us clean for two weeks, cleaning, cooking for them, and I got sick because of all the work they got me to do.<sup>151</sup>

The UN Commission of Inquiry found that sometimes military officials promised the women and girls food or an easier treatment during trainings in exchange for sex.<sup>152</sup>

A female student described to Human Rights Watch the stigma girls and women would face when forced to do these chores:

If you accept to go and clean for them, it means you are not a good girl; everyone talks about it afterwards. Mostly it's by force. Mainly because these girls are poor, don't have families sending them food and so don't have a choice.<sup>153</sup>

The UN Commission of Inquiry found that pushing female recruits into “the forced servile status is described to be the first step of military training [with] leaders attempting to co-opt the female conscripts for sexual purposes.”<sup>154</sup> A young woman told the UN commission of Inquiry:

Many women are forced to clean the officer's houses, make food and coffee for them. Usually we were divided into teams of about 18-20 people. There are usually four or five women in each team and this is what they have to do, we have to wash their clothes, make their food, do everything for them. Many of the officers use this opportunity to sexually abuse the women, to rape them.”<sup>155</sup>

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151 Human Rights Watch interview with former teacher, female, Sudan, May 21, 2018.

152 *COI Report 2015*, para. 1313.

153 *Ibid.*

154 *Ibid.*

155 *COI report 2015*, para. 1320.

All military officials and military trainers at Sawa are men. Given traditional gender roles in Eritrea and the hierarchical and militarized context at Sawa in which students are expected to operate, female students are particularly vulnerable. Students have nowhere to seek protection and redress.<sup>156</sup> A former male student who attended round 29 said:

The trainers sometimes take advantage of girls; they sleep with the pupils. We hear and see it. One trainer was in love with one of my friends and he would punish her every day, make her do crunches and jumps. Other students went to his boss to complain, but he justified his actions saying she didn't listen to orders.<sup>157</sup>

### *Other Factors Contributing to an Unconducive Learning Environment*

Students spend their year at Sawa in boarding facilities, away from their families, and are only allowed to return home after they have completed the mandatory military training.<sup>158</sup> In round 29, students who had failed or got low marks were not even allowed to go home at all but sent directly out into their national service posting.<sup>159</sup>

Parents are generally allowed to visit their children once a year in a timeslot allocated based on area of origin. Distance from relatives poses an emotional burden on students and removes them from important support during their “studies.”

Students also regularly commented that the food given to them during their year at Sawa was inadequate, repetitive, and of poor quality, with some falling ill and having depleted energy as a result.<sup>160</sup> The food mostly consists of lentils and bread, every day. A 19-year-old who attended round 28 said:

Lunch was just a scoop of lentils and one and a half pieces of bread. This is what we had all year long. A lot of us got stomach problems. It was both the

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<sup>156</sup> *COI report 2016*, para. 120.

<sup>157</sup> Human Rights Watch interview with former student, male, Italy, April 6, 2018.

<sup>158</sup> Multiple Human Rights Watch interviews with former students and teachers.

<sup>159</sup> Human Rights Watch interviews with former student, female, Sudan, May 20, 2018; and former student, male, Sudan, May 21, 2018.

<sup>160</sup> Human Rights Watch interviews with former student, male, Italy, April 27, 2018; former student, male, Italy, April 6, 2018; former graduate student, male, Switzerland, April 30; and former student, male, Italy, April 18, 2018.



hunger but also the bad ingredients. Then dinner. Again, just scoop of lentils, tea and bread. Round 27 had been allowed meat once during a festival, but not us.<sup>161</sup>

Several students said that medical care was limited and dependent on military officials' permission.<sup>162</sup> One said:

I got malaria during my year in Sawa. They sent me to a clinic, but I didn't really get medical help. In order to reach the clinic, you have to be in a very serious condition, and when they send you back saying you should rest, it's only if it's a favor from your commander; it is completely dependent on them. I wasn't given any rest while I had malaria. I was at school at the time.<sup>163</sup>

Academic results in Sawa largely determine a student's future. (See below: Long-Term Impact of "Sawa.") And yet, in addition to the violence faced during their Grade 12, and the uncondusive learning environment, many students also said that the quality of teaching at Sawa was worse than the already poor education they had received in secondary schools before Sawa, described below.

A national service teacher, who was forced to teach for 12 years before he managed to flee Eritrea in 2018, said that in recent years, teachers in Grade 11 had begun to try to cover the Grade 12 syllabus as they knew that students would not be able to study once in Sawa.<sup>164</sup>

### Long-Term Impact of "Sawa"

The year in Sawa culminates in national service assignments, unless students are continuing into higher education. After six months of academic teaching at Sawa,

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<sup>161</sup> Human Rights Watch interview with former student, male, Italy, April 18, 2018.

<sup>162</sup> Human Rights Watch interviews with former student, female, Sudan, May 21, 2018; and former student, male, Sudan, May 22, 2018; *COI report 2015*, para. 1291; Amnesty International, *Just Deserters*, p.33, finds that access to medical care for mental health illnesses is even more difficult to obtain.

<sup>163</sup> Human Rights Watch interview with former student, male, Sudan, May 22, 2018.

<sup>164</sup> Human Rights Watch telephone interview with former national service teacher, male, April 19, 2019.

students undertake the National Secondary Education Certificate examination (the “matricula”). Results obtained in the matricula determine whether students can go on to further studies and largely determine the type of national service jobs they are assigned to.

While there is no publicly available data on the breakdown of results at Sawa, approximately 60 to 65 percent of students at Sawa—between 6,000 to 9,000 students per year—do not get the results needed for further studies. These students who fail or just barely pass their matricula are either drafted directly into the military or sent to one-year or two-year vocational training programs. A significant number of these trainings, notably in accounting, construction, woodwork and metal work, take place at Sawa’s vocational training center.

Those with higher grades are assigned to a program of study in one of the country’s seven government-run colleges.<sup>165</sup> Students are sent on to follow a two-year diploma program or three to four-year degree programs. Students get limited say in the course for which they are registered.<sup>166</sup> After graduation, college students are assigned into national service, many as secondary school teachers, once again often without a choice regarding the location or subject matter.

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<sup>165</sup> The seven colleges are the Eritrea Institute of Technology (EIT) in Mai Nefhi, near Asmara, which has three “schools” – Education, Science, and Engineering and Technology; the College of Agriculture in Hamelmalo; the College of Marine Science and Technology in Massawa; the College of Arts and Social Sciences in Adi Keyh; the College of Business and Economics in Halhale; the College of Health Sciences in Asmara; and the Orotta School of Medicine and Dental Medicine also in Asmara. Multiple Human Rights Watch interviews; Norwegian Agency for Quality Assurance in Education (NOKUT), Report on recognition of higher education in Eritrea and Ethiopia, January 2013, [https://www.nokut.no/contentassets/a7779b54401f4e5a8557c55c2a9c7fcc/gulliksen\\_anne-kari\\_audensen\\_erik\\_report\\_on\\_recognition\\_of\\_higher\\_education\\_in\\_eritrea\\_and\\_ethiopia\\_2013-1.pdf](https://www.nokut.no/contentassets/a7779b54401f4e5a8557c55c2a9c7fcc/gulliksen_anne-kari_audensen_erik_report_on_recognition_of_higher_education_in_eritrea_and_ethiopia_2013-1.pdf) (accessed August 5, 2019). Over the last couple of years, students spend their freshmen year either at Mai Nefhi or Adi Keyh completing a general year of study and based on the results in this year, coupled with their matricula results, they are deployed on for further studies - either diploma or degree studies. As of late 2018, the College of Education was merged with the Asmara Community College of Education (ACCE).

<sup>166</sup> College students interviewed by Human Rights Watch said that they were able to list their preferred subject of studies, but ultimately their assignment depended on their matriculation score and so while those with highest marks might be able to choose their specialization, most do not. Human Rights Watch interviews with former graduate student, male, Switzerland, April 30, 2018; former graduate student, male, Sudan, May 20, 2018; and former student, female, Sudan, May 21, 2018. See also UK Visas and Immigration, Report of UK FFM to Eritrea p. 76, para. 9.18.6.

## Reprisals Against Students Perceived as Evading Sawa, National Service, Fleeing

Students who take measures to evade Sawa and conscription, or who are merely suspected of doing so, either while still at school or after having dropped out, risk reprisals and abuse.

Historically, authorities responded to students' efforts to evade Sawa by simply pulling anyone of military age—18 and above—out of school altogether.<sup>167</sup> They were then often taken directly to military training facilities other than Sawa, notably the infamous Wi'a camp near the Red Sea.<sup>168</sup>

While Human Rights Watch did not document any incidents of *giffas*, or roundups, inside schools when conducting this research, it found that school administrators dismiss students considered average and/or who have failed more than twice, apparently in reprisal. A young man from the Gash-Barka region who fled Eritrea while in Grade 11 said:

Many students were dismissed because they failed more than twice. If under 18 they assume they are just not good; if over 18 they assume they are trying to avoid national service.<sup>169</sup>

Authorities often order out-of-school students to report directly for military training, depriving them of the opportunity to return to school, undertake the matricula, and at least get a chance to escape certain deployment into the military. As described above, some of those forcibly conscripted are under 18.<sup>170</sup> A 20-year-old man from Gash-Barka region commented: “If you leave school, they will take you by force to do military service, so [you] need to keep going to school. It happened to some of my relatives and my neighbors.”<sup>171</sup>

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<sup>167</sup> Human Rights Watch, *Service for Life*, p.51.

<sup>168</sup> Wi'a is a military base, sometimes used as a prison, located in a depression near the Red Sea. Daytime temperatures often exceed 40°C. Human Rights Watch, *Service for Life*, p.51; Human Rights Watch interview with former national service teacher, female, Sudan, May 22, 2018; on Wi'a see Human Rights Watch, *Service for Life*; multiple references in COI report; Human Rights Watch World Report 2002, p. 50; <http://wikimapia.org/22468186/Wia>.

<sup>169</sup> Some average or failing students find ways of being reinstated, generally by paying 'fines' to the school administrations. Human Rights Watch interview with former student, male, Sudan, May 17, 2018.

<sup>170</sup> *COI report 2015*, para. 1271.

<sup>171</sup> Human Rights Watch interview with former student, male, Sudan, May 22, 2018.

Human Rights Watch spoke to two young men from the Anseba region who were dismissed from Grade 10 in 2017 because they were considered overage. They were immediately called up for military service.<sup>172</sup> One, a man who fled Eritrea in November 2017 after receiving a conscription letter, aged 20, said:

The school director told me, “You can no longer come to school; you have to go to military camp.” The next day, a letter [from the zonal committee] arrived. The officials gave it to my sister and warned her: “Give it to him. When he reads the paper, he will need to get ready to go to military service.”<sup>173</sup>

Similarly, a 21-year-old man from the Anseba region, who was in Grade 10, was put on a list by the school committee and told to sign up immediately for a local reserve militia:

In early September 2017, they prepared a list of students above 18. There were 250 of us on the list. We complained to the sub-zonal ministry of education, telling them we should be given a chance to finish our education. The students on the list were registered into a local militia. Without any training, the municipality gave them their guns, and sent them back to their homes.<sup>174</sup>

A young man from a town in the Gash-Barka region came under the government radar shortly after he dropped out of school in November 2015, aged 18. He said:

The military came to my house. My grandmother was there; they told her that I had to go to military service. She went to the regional administration to try to convince them to let me continue my education. That’s when they

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<sup>172</sup> Human Rights Watch interviews with former student, male, Sudan, May 22, 2018; and former student, male, Sudan, May 23, 2018.

<sup>173</sup> Human Rights Watch interview with former student, male, Sudan, May 22, 2018.

<sup>174</sup> Human Rights Watch interviews with former student, male, Sudan, May 23, 2018; and former national service teacher, male, Sudan, May 17, 2018. Human Rights Watch was not able to confirm the role or make-up of this militia. In recent years, local civilian militias have been set up into which individuals, primarily men 50 years and above, have been re-conscripted and made to guard civilian entities and conduct construction work without pay. See Amnesty International, *Just Deserters*, p. 8.

arrested her. They took her to Shambuco prison. They only released her when they found out that I had fled to Ethiopia.<sup>175</sup>

According to the UN Commission of Inquiry, secondary school students who do not respond voluntarily to the conscription calls, and are rounded up, are then sent to Sawa for military training, but they are prevented from attending Grade 12 academic classes while there.<sup>176</sup>

Several interviewees told Human Rights Watch that in recent years, youth rounded up are initially imprisoned until a new military training round begins, and then they are sent to training camps other than Sawa as a form of punishment, for their perceived attempt to evade conscription.<sup>177</sup>

A national service teacher who served for 12 years said he would use the risk of students who dropped out being rounded up and sent to other military training to try to motivate his students to study: “We would tell them, ‘if you don’t do well, you won’t even go to Sawa.’”<sup>178</sup>

While most youth interviewed by Human Rights Watch who had dropped out of school said they managed to avoid the *giffas* temporarily—getting information through word of mouth, staying away from their homes, and moving out of urban areas during *giffas*—they lived in fear of being caught. In addition, the measures they needed to take were disruptive, making it difficult to secure employment, and keeping them away from their families.<sup>179</sup>

A student who dropped out of school at age 16 to support his family was later prevented by the school director from returning to school:

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<sup>175</sup> Human Rights Watch interview with former student, male, Italy, April 17, 2018.

<sup>176</sup> *COI report 2015*, para 1281.

<sup>177</sup> Human Rights Watch interviews with former student, male, Sudan, May 17, 2018; former student, male, Sudan, May 17, 2018; former student, male, Italy, April 6, 2018; former student, male, Sudan, May 17, 2018; and former national service teacher, male, Sudan, May 22, 2018. *COI report 2015*, para 856, states that some conscripts awaiting the start of a new military training round are held at the Sixth Brigade prison at Sawa. On reprisals against students who drop-out of school to evade conscription see also Amnesty International, *Just Deserters*, p. 39-40.

<sup>178</sup> Human Rights Watch telephone interview with former national service teacher, male, Italy, April 19, 2019.

<sup>179</sup> Human Rights Watch interviews with former student, male, Sudan, May 17, 2018; former student, female, Sudan, May 20, 2018; and former student, male, Sudan, May 17, 2018. See also *COI report 2015*, para. 1242.

For eight months, I was living in hiding. I heard that the military in my home town [Gash-Barka region] once came looking for me at my home. I stopped going home to sleep. That's when I decided to flee. My life was already very vulnerable but living in hiding meant that if I fell ill, I couldn't go to hospital. I was very exposed.<sup>180</sup>

The significant impact this has on their lives forced many to eventually flee the country.

And yet, students risk imprisonment in harsh conditions and even mistreatment if caught fleeing.<sup>181</sup> A former student who was 14 years old when he tried to escape into Ethiopia in 2014 recounted his incarceration in the notorious Gergera prison in the southern Dehub region:

A lot of us were injured during the arrest. The military broke my arm beating me with a stick [he still has a scar].

I spent six months in Gergera. The cell was about four square meters and there were 180 people in it. We would put up our sheets and sleep on them. No windows, no light. Never allowed out. Only to go to the toilet and to eat. I was held with detainees of all ages. Some detainees were there for escaping, some for trying to evade national service. [Because] I was young and injured, they just held me for six months and then released me. But most are held for six months and then sent to military service. <sup>182</sup>

A student who attended round 29 at Sawa said that students who had been captured trying to flee from Sawa were marched in front of them and the military officials threatened

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<sup>180</sup> Human Rights Watch interview with former student, male, Italy, April 17, 2018.

<sup>181</sup> Human Rights Watch interviews with former student, girl, Italy, April 16, 2018; former student, male, Italy, April 18, 2018; and former student, boy, Italy, April 6, 2018, in addition to multiple interviews with former students who knew of friends or relatives who had been arrested while fleeing. Human Rights Watch spoke to a girl who was detained aged 13 while trying to cross the border and taken to a "school" in Nakfa where she was held for 11 months, taught by teachers in military uniform, and denied access to her parents. Two other interviewees spoke of this "school" in Nakfa for children who had been detained. Human Rights Watch interviews with former student, girl, Italy, April 16, 2018; former national service teacher, male, April 19, 2019; and former student, male, Italy, April 19, 2018.

<sup>182</sup> Human Rights Watch interview with former student, male, Italy, April 18, 2018. For conditions in Gergera, see also references in *COI report 2015*, para. 908, para 940 and Amnesty International, *Just Deserters*, p.40.

the remaining students. He said none were allowed back into the school, and he believed they were imprisoned and taken directly into military training.<sup>183</sup>

## Impact of “Sawa” on Access to Secondary Education

### *Early School Dropout*

Students are taking drastic measures to evade being forced to go to Sawa and being channeled into national service, including failing school years and dropping out of school altogether. Many decide that fleeing Eritrea is their only option.

The lack of value that is put on completing secondary education has a significant impact on student retention and early school dropout. The Committee on the Rights of the Child in its concluding observations on Eritrea in 2015 spelled this out clearly:

Secondary school students have to undergo obligatory military training and are at risk of being subjected to violence, and this is one of the major reasons for school dropouts.<sup>184</sup>

Some students deliberately fail classes to stay in lower grades and escape the conveyor belt that takes them into national service.<sup>185</sup> A 20-year-old man from the Anseba region said:

I repeated Grade 10 because I didn’t want to go to military training. There were many others who did the same. I talked to one of my teachers and told him, “I want to repeat this year. I need to work and support my mother, so can you fail me?” The teacher lowered all my marks. I don’t know how, but the teacher found a way to get most of the other teachers to lower my marks.<sup>186</sup>

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<sup>183</sup> Human Rights Watch interview with former student, male, Italy, April 6, 2018.

<sup>184</sup> UN Committee on the Rights of the Child (CRC), *Concluding observations on the fourth periodic report of Eritrea*, para. 59. (d).

<sup>185</sup> Human Rights Watch interviews with former student, male, Sudan, May 17, 2018; and former student, male, Sudan, May 17, 2018.

<sup>186</sup> Human Rights Watch interview with former student, male, Sudan, May 22, 2018.

Several teachers and secondary school students said that dropout rates in Grade 11—the last year before being sent off to Sawa—were particularly high.<sup>187</sup> According to government statistics available up to 2017, Grade 11 is the secondary school year with the highest number of dropouts.<sup>188</sup> A student from the Northern Red Sea region, who fled in 2016, said: “We were 60 at the beginning of the year. By the end of Grade 11, there were only about 40 of us. The others had all left. This would happen a lot, not just in my class.”<sup>189</sup>

### *Low Morale*

Youth told Human Rights Watch that they see education, not as something that will improve their lives, but as a direct path to the military. The historically disproportionate percentage of students sent directly into military service after failing matriculation has a significant impact on secondary school students’ morale, approach to secondary education, and life decisions.<sup>190</sup>

Students’ commitment to education and hopes for the future are also undermined by seeing their relatives, especially fathers and older male siblings, struggle in indefinite national service, often away from the family home for months and even years at a time, and the knowledge that their fate is likely to be similar. A 17-year-old who attended Sawa during round 27 said: “As a student, it’s difficult to live in Eritrea. You don’t see a future.”

The absence of fathers and siblings from the family home also adds to younger siblings’ economic and work responsibilities, which has an impact on their interest and ability to study. Children and young adults told Human Rights Watch that they had “replaced their fathers” from a very young age by helping out at home or on the family land, missing classes, and sometimes dropping out of school for up to a year at a time.

Time and again, students told Human Rights Watch that the lack of life choices—including even for those who are channeled into further education—significantly influenced their

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<sup>187</sup> Human Rights Watch interviews with former national service teacher, male, Sudan, May 17, 2018; former student, male, Italy, April 6, 2018; former student, boy, Italy, April 16, 2018; and former student, male, Italy, April 18, 2018.

<sup>188</sup> Ministry of Education, Education Sector Plan (2018-2022), p.143-144.

<sup>189</sup> Human Rights Watch interview with former student, male, Italy, April 18, 2018.

<sup>190</sup> Human Rights Watch interviews with former national service teacher, male, Sudan, May 17, 2018 and former national service teacher, male, Sudan, May 22, 2018; EU Emergency Trust Fund, Action Document for the Implementation of the Horn of Africa Trust Window; Support for the Creation of Employment Opportunities and Skills Development in Eritrea, December 22, 2016, p.4, [https://ec.europa.eu/europeaid/sites/devco/files/eritrea-job-creation\\_en\\_o.pdf](https://ec.europa.eu/europeaid/sites/devco/files/eritrea-job-creation_en_o.pdf), (accessed August 5, 2019).



interest in studying. A 20-year-old who had attended secondary school in Asmara said: “Students are not interested. They don’t believe that getting an education will improve their lives because they see people who have gone through school, and they are hopeless.”<sup>191</sup>

A secondary school teacher from the Gash-Barka region said: “Grade 11 students have no vision. They feel discouraged and you are discouraged as a teacher. The good students will become teachers, the bad, soldiers. They would ask us, ‘Whether we learn or not, what difference does it make?’”<sup>192</sup>

### *Impact on Girls and Women*

Dropout rates of girls are high throughout the education system in Eritrea.<sup>193</sup> Human Rights Watch interviews with students and teachers suggest that the use of education as a channel into national service, given the realities of Sawa and national service, accentuates this problem.<sup>194</sup> Two female students said that their families had exerted pressure on them to drop out of school and get married given the realities of Sawa and national service.<sup>195</sup> A young woman called up for Sawa in 2015 said:

I was a good student and so wanted to go to Sawa to finish my schooling. But my brother had been there in the 25th round and told me the studying wasn’t serious. He was also worried that some military were forcing girls to have sex, so he was particularly worried about me. My cousin, she went for the 27th round. She didn’t listen to her family but regretted that a lot.<sup>196</sup>

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<sup>191</sup> Human Rights Watch interview with former student, male, Sudan, May 17, 2018.

<sup>192</sup> Human Rights Watch interview with former national service teacher, male, Sudan, May 22, 2018.

<sup>193</sup> Ministry of Education, *Out of School Initiative* report states: “According to the EPHS (2010), 38.4% of females and 2.2% of males between the ages of 14 and 29 were not attending school because of marriage. NSO (2010). Eritrea Population and Health Survey, p. 21. There is a shortage of female teachers throughout the education system, particularly in the middle and secondary school level. The Eritrean government has identified the lack of female teachers as a significant challenge to improving girls and women’s retention throughout the schooling system. See also Education Sector Plan (2018-2022), p. 87.

<sup>194</sup> While not a formal exemption in the National Service Proclamation, married women and mothers are often exempted. See *COI report 2015*, p. 331.

<sup>195</sup> Human Rights Watch interviews with former student, female, Italy, June 28, 2016; and former student, female, Italy, April 19, 2018.

<sup>196</sup> Human Rights Watch interview with former student, female, Italy, April 19, 2018.

For women and girls, dropping out of school before Sawa can be an effective strategy to avoid national service because women who are married, pregnant, or mothers can be exempted. Several young women and men told Human Rights Watch that they, or their friends or classmates, had opted for motherhood and marriage to escape Sawa.<sup>197</sup>

A 22-year-old woman from the Debub region said that, in Grade 11, two of her 20 female classmates got married because they did not want to go to Sawa.<sup>198</sup> A teacher who fled in September 2017 also commented: “Thirty Grade 10 and 11 students in my last year in Eritrea dropped out. Most of the dropouts were women because they didn’t want to go Sawa. So, they got married.”<sup>199</sup>

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<sup>197</sup> Human Rights Watch interviews with former national service teacher, male, Sudan, May 22, 2018; former national service teacher, female, Sudan, May 21, 2018; former student, female, Italy, July 2, 2016; and former student, female, Italy, April 18, 2018.

<sup>198</sup> Human Rights Watch interview with former student, female, Sudan, May 20, 2018.

<sup>199</sup> Human Rights Watch interview with former national service teacher, male, Sudan, May 23, 2018.

## II. Forced Labor of Teachers

### National Service as Forced Compulsory Labor

National service is practiced in many countries and generally is a permitted exception to the ban under international law on forced and compulsory labor.<sup>200</sup>

However, the indefinite extension of national service for all adults, lack of adequate remuneration, and the threat of severe penalty for evasion which Human Rights Watch and other organizations have documented over the years in Eritrea mean that the way national service is currently practiced by the Eritrean government is a violation of international law amounting to forced labor on a large scale.

### Involuntary Conscription

The government largely relies on the national service system and the involuntary recruitment of national service teachers to run the secondary education system. The forced recruitment of teachers not only directly violates the rights of the teachers themselves but also contributes to chronic problems within the secondary education system.

An international observer commented: “The recruitment of teachers is entirely through the national service system. There is no quality control.”<sup>201</sup>

College graduates assigned to be teachers have no choice in their assignment and are forced to accept the post.<sup>202</sup> Teachers told Human Rights Watch that the process is random, lacks transparency, and that they are rarely able to challenge their assignment.<sup>203</sup>

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<sup>200</sup> International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, art 8(3.C). Ratified by Eritrea January 22, 2002.

<sup>201</sup> Human Rights Watch Skype interview with international expert, July 13, 2018.

<sup>202</sup> With one exception, none of the teachers interviewed by Human Rights Watch had requested to attend the College of Education and pursue teaching. Human Rights Watch interviews with multiple former national service teachers; including, former national service teacher, female, Sudan, May 22, 2018.

<sup>203</sup> Human Rights Watch interviews with former national service teacher, male, Sudan, May 17, 2018; former national service teacher, female, Sudan, May 21, 2018; former national service teacher, male, Sudan, May 22, 2018; and former national service teacher, male, Sudan, May 22, 2018.

A science graduate who was assigned as a national service teacher in Sawa spelled out the multiple problems with the assignment process:

I wasn't happy to be assigned as a teacher; I felt very bad. I complained to the office of distributions. But they didn't want to listen to my concerns. I spoke to the military commander who is now head of the distribution office. He replied, "If you are Eritrean, you have to do as we say, go where we have a gap. If you don't go, you will be arrested."<sup>204</sup>

Authorities often assign graduates against their will to teach subjects for which they have no training. Secondary school teachers interviewed by Human Rights Watch were graduates in civil, agricultural and electrical engineering, business, and economics, and were assigned to teach mathematics, science, and English.<sup>205</sup>

Authorities impose the assignments on teachers and often deploy them far from their families.<sup>206</sup> This impacts their ability to maintain a family life and to enjoy a good standard of living. It also affects the quality of secondary education (see below).

Many conscripts are sent back to Sawa—this time to teach—where hundreds of secondary school teachers are reportedly needed each year.<sup>207</sup> Teachers in Sawa face similar fates to that of their students. A former teacher deployed to Sawa up until 2018 said: "It's very hard to be a teacher in Sawa. It's difficult to leave from there as there is limited access to transport, it's very hot, and they treat us like soldiers, not teachers."<sup>208</sup>

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<sup>204</sup> Human Rights Watch interview with former national service teacher, male, June 2, 2018.

<sup>205</sup> Human Rights Watch interview with former teacher, female, Sudan, May 22, 2018.

<sup>206</sup> Teachers who had managed to get posted to their home region told Human Rights Watch that this was not because of a government policy, but because they had exchanged their assignment with other teachers, had managed to convince their government connections, or just perceived it as a question of luck.

<sup>207</sup> *COI report 2015*, para. 1423; Multiple Human Rights Watch interviews with former national service teachers.

<sup>208</sup> Human Rights Watch telephone interview with former national service teacher, male, June 2, 2018.

### *Indefinite, Open-Ended Conscription*

The government not only forces people to serve as teachers, but also prevents them from resigning and leaving their national service post for years, often indefinitely.

The teachers interviewed by Human Rights Watch had spent between 15 months and 12 years as national service teachers, with those having served lesser terms fleeing shortly after realizing that they would not be discharged. None of the service teachers interviewed by Human Rights Watch who had been conscripted since 2014 were demobilized after 18 months of service, contrary to claims made in 2014 by the Eritrean government that the 18-month limit would be applied to new conscripts.

A national service teacher who spent a year and a half teaching at a vocational training college in Sawa before fleeing Eritrea said:

I had in theory finished my national service assignment, but they didn't release me from my teaching job. Of the 54 teachers at the center, 14 had been there for more than five years. I guess they stayed there without complaining, without living.<sup>209</sup>

A graduate assigned as a secondary school teacher in the Gash-Barka region said: "The Ministry of Education told me I would be a teacher for one year, and that after one year I would become an economist... but if you are defined as a teacher, you will be a teacher for your whole life." He fled Eritrea after 15 months of service.<sup>210</sup> Similarly, a national service teacher forced to teach at the Sawa vocational training center, said:

When we were sent to the Sawa vocational training center, they said it would be for two years, but in fact it's indefinite. There are some teachers who've been there for five, even ten years.<sup>211</sup>

A 2016 report by the United Kingdom government found that, given the teacher shortages, the Ministry of Education is particularly unlikely to release teachers from national service.

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<sup>209</sup> Human Rights Watch telephone interview with former national service teacher, male, June 2, 2018.

<sup>210</sup> Human Rights Watch interview with former national service teacher, male, Sudan, May 17, 2018.

<sup>211</sup> Human Rights Watch interview with former national service teacher, male, Sudan, May 22, 2018.

In a February 2016 interview with an assessment team from the UK Home Office, the then-UK ambassador to Eritrea, said:

The Ministry of Education, for example, which has a high number of National Service participants working as teachers and is therefore more dependent on them for the provision of essential public services, has had a reputation of being more reluctant to release National Service staff than some other ministries, including the Ministry of Defense itself.<sup>212</sup>

### *Poor Remuneration, Working Conditions*

Teachers face difficult working conditions, including poor pay and long hours.

Since late 2015, new graduates deployed as secondary school teachers started to receive actual salaries instead of “stipends.” Human Rights Watch was told that teachers are paid according to the length of their graduate studies, as opposed to years of teaching experience or number of years in national service. Teachers who had spent three or four years in college were to receive 2,700 Nakfa (approximately US\$180) and 3,500 Nakfa (approximately US\$230) gross per month, and those who had studied five years were to receive 4,000 Nakfa (approximately US\$265) gross per month.<sup>213</sup>

Presidential advisor, Yemane Gebreab, justified this salary hike as evidence of the end of indefinite national service in an interview with a UK government fact finding mission:

Less than a year later [circa July 2015] this changed: from then onwards anyone who had done military training people doing NS [national service] would get official salaries increased.

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<sup>212</sup> Report of UK FFM to Eritrea, p.73, para. 9.18.2.

<sup>213</sup> Multiple Human Rights Watch interviews with former national service teachers. National service teachers told Human Rights Watch that they earned approximately 700 Nakfa (approximately US\$47) after tax before these increases occurred. This was the salary they earned after the official national service phase ended, before that they earned even less. Some of these teachers were still within the official 18-month national service period, others not. Not all national service teachers interviewed by Human Rights Watch benefited from this hike.

Those who had completed secondary school or vocational training would get 2,000 Nakfa per month; college graduates 3,500 Nakfa; and engineering and medical graduates would get 4,000 Nakfa.

This means, essentially, that there is no national service. This is the change that has taken place. In national service, there was [only] a “stipend.”<sup>214</sup>

And yet, when the government began to increase teachers’ salaries, it also introduced currency controls that limited the amount of cash people could withdraw from banks, and so their purchasing power.<sup>215</sup> Despite the salary increase, the government also continues to make significant deductions on national service wages, including for housing and food.

The teachers whom Human Rights Watch interviewed who had benefited from the salary increase said that, while an improvement, the new salary still did not cover living costs, especially to support a family.<sup>216</sup> A secondary school teacher who fled Eritrea in late 2017 explained:

I first earned 700 Nakfa (US\$47) per month. It went up to 2,700 Nakfa (US\$180), but prices had gone up as well and so it was the same purchasing power. I am married. I have a child. And my wife is now pregnant. And still my father is assisting us because the national service wages are not enough to survive.<sup>217</sup>

### *Other Restrictions on National Service Teachers’ Lives*

The Ministry of Education uses additional measures to control secondary school teachers’ lives.

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<sup>214</sup> Report of UK FFM to Eritrea, p.202.

<sup>215</sup> In late 2015, the government ordered all paper currency held by citizens be turned in to government banks within six weeks. In February 2016, the government decreed that payments exceeding 3,000 Nakfa (US\$200) could only be made by check. Although the new restrictions limit black market conversions they also create new tools to closely monitor citizens’ individual expenditures and income. Human Rights Watch, *World Report 2017*, Eritrea chapter; See also Edmund Blair, “Eritrea won’t shorten national service despite migration fears,” Reuters, February 25, 2016, <https://www.reuters.com/article/us-eritrea-politics-insight/eritrea-wont-shorten-national-service-despite-migration-fears-idUSKCN0VY0M5> (accessed August 5, 2019).

<sup>216</sup> Human Rights Watch interviews with former national service teacher, female, Sudan, May 22, 2018; former national service teacher, male, Sudan, May 21, 2018; and former national service teacher, male, April 19, 2019.

<sup>217</sup> Human Rights Watch interview with former national service teacher, male, Sudan, May 22, 2018.

While several young teachers said they complied with their national service assignment in the hopes of getting their degree certificates—which the government is supposed to award upon completing active national service—none of the graduates interviewed received their degrees. This limits their chances of pursuing further education.<sup>218</sup> A civil engineering graduate who spent two years teaching before fleeing said the Ministry of Education refused to give him a certificate. “They announced they would, but they didn't. I wasn't even allowed to get a temporary certificate. I asked so many times.”<sup>219</sup>

A female teacher who had studied at a teacher's college said: “I went through the whole year of national service to graduate. Meeting teachers at my school who stayed for 10 years and still hadn't received their certificates made me realize I didn't stand a chance of being discharged.”<sup>220</sup> She fled Eritrea shortly thereafter.

Teachers—as all Eritreans—are required to have travel permits to move around the country. These permits generally only authorize them to travel to a specific place and for a specific period. Teachers need to get the permission from the authorities overseeing their service, often the school director, to take leave or visit relatives. There is no official entitlement.

While most teachers interviewed said they were granted annual leave and were able to get travel permits, only those deployed near their home towns could see their families regularly.

Despite heavy workloads, some teachers said that, as long as they continued with their service teaching, they were able to find ways of doing private work in the evenings, during the holidays, or sometimes during work hours, notably tutoring, to supplement their

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<sup>218</sup> National Service Proclamation, art. 14 (4), states that graduates will only be awarded their college certificates upon completion of their active national service, in other words once released from national service. Human Rights Watch interviews with former national service teacher, female, Sudan, May 22, 2018; and former national service teacher, male, Sudan, May 22, 2018. This is not a new phenomenon. In 2007, graduates of Mai Nefhi Institute organized a petition calling on the Ministry of Education to issue graduates their degree certificates and for the college to be internationally recognized as the University of Asmara had been. One of the teachers who presented the petition to the head of Mai Nefhi was later arrested and spent five months in military detention. Human Rights Watch, *Service for Life*, p. 59.

<sup>219</sup> Human Rights Watch interview with former national service teacher, male, Sudan, May 22, 2018. The temporary certificates reportedly state that the certificate would be obtained once national service is completed. Norwegian Agency for Quality Assurance in Education (NOKUT), Report on recognition of higher education in Eritrea and Ethiopia, January 2013, p.19.

<sup>220</sup> Human Rights Watch interview with former national service teacher, female, Sudan, May 22, 2018.



income.<sup>221</sup> Others said that, given teacher absenteeism and a shortage of staff, they often had to take on an additional workload, without extra pay, preventing them from complementing their income.

### *Reprisals Against Teachers Perceived as Evading National Service, Fleeing*

Authorities occasionally punish teachers for circumventing rules—whether around home visits, absenteeism, or part-time work—including by docking their already meager pay.<sup>222</sup> A national service teacher assigned to Sawa said: “The administration decides what you teach. Otherwise your payment will be cut. Mine was cut for three months, as they asked me to teach overtime, without extra payment, and I said, ‘Only if you pay me.’ So, they cut my regular payment.”<sup>223</sup>

Authorities also occasionally punish those seeking to evade national service occupations. A teacher who had been given a discharge card after three years in service in 2007 said that, despite the card, the Ministry of Education still forced him to work as a teacher until he fled the country in 2017:

I tried to leave teaching, to do private work. I had two children and couldn't support them. But Ministry of Education staff were monitoring me.... In 2016, I managed to do work on the side for over a year, but then at some point, the local administration in Massawa [home town] started asking about me to my mother. They contacted her about four or five times. Then a security official in Asmara went to my employer. He told the owner to get rid of me. This is when I decided to flee.<sup>224</sup>

According to the UN Commission of Inquiry, given the country's teacher shortage, some teachers caught evading Ministry of Education service occupations escape the usual

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<sup>221</sup> Human Rights Watch interviews with former national service teacher, male, Sudan, May 17, 2018; former national service teacher, male, May 23, 2018; and former national service teacher, female, Sudan, May 22, 2018.

<sup>222</sup> Human Rights Watch interviews with former national service teacher, male, June 2, 2018; and former national service teacher, female, Sudan, May 21, 2018.

<sup>223</sup> Human Rights Watch interview with former national service teacher, male, June 2, 2018.

<sup>224</sup> Human Rights Watch interview with former national service teacher, male, Sudan, May 17, 2018; *Report of UK FFM to Eritrea*, p. 75.

punishments of incarceration and deployment into military service or other harsh labor as long as they go back to their teaching assignments.<sup>225</sup>

Human Rights Watch however spoke to three teachers who were arrested and incarcerated while trying to flee the country.<sup>226</sup> One, who fled in late 2017, and another who fled in 2014, recounted similar experiences. They were both held for around six months, first in dire conditions in an underground detention facility in Tessenei (Gash-Barka region), then briefly held at Hashferay (Gash-Barka region), then at Adi Beito (near Asmara), where they described the detention conditions again as dire, and finally they were taken to Mai Serwa (outside Asmara).<sup>227</sup>

The national service teacher who was detained in late 2017 recounted:

I was taken to an underground prison in Tessenei. We were sitting one on top of the other; it was very hot and crowded. If a single person talks, there is a lack of oxygen. This prison is small but notorious. It also lacked water, food.

In Adi Abeito, you had to sleep with your legs hanging over the other prisoners; I shared my cell with three other prisoners, the space was around 50-70 centimeters by 1.5 meters. We had to take turn sleeping in four-hour shifts, with two of us sleeping with our legs crossed while the two others slept standing up.<sup>228</sup>

The other who fled in 2014 said:

Soldiers took us to an underground prison in Tessenei. It was a hard experience, they beat us with metal sticks, left us outside in the sun. The military controlled this center. Then we were taken to Hashferay for two

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<sup>225</sup> *COI report 2015*, para. 1243.

<sup>226</sup> Human Rights Watch interviews with former national service teacher, male, April 19, 2019; former national service teacher, male, Italy, July 1, 2016; and former national service teacher, male, Sudan, May 22, 2018.

<sup>227</sup> For a detailed list of detention facilities in Eritrea see *COI report 2015*, Annex V; Human Rights Watch, *Service for Life*, p. 94-95.

<sup>228</sup> Human Rights Watch telephone interview with former national service teacher, male, April 19, 2019.

days, but I wasn't mistreated there. Then onto Adi Abeito (near Asmara) where there are so many prisoners.<sup>229</sup>

Their punishments didn't end upon release: one was dispatched to teach far from his family for six months without pay, the second was deployed as a soldier.<sup>230</sup>

## Impact on Access to Education

All these factors contribute to creating a teaching corps that is not qualified or motivated and is quite often largely absent, which in turn negatively impacts students.

International law calls on states to provide quality education, including secondary education. According to the UN Committee on the Rights of the Child, an education of good quality “requires a focus on the quality of the learning environment, of teaching and learning processes and materials, and of learning outputs.”<sup>231</sup>

### *Absenteeism and Teacher Dropouts*

Teachers who are forced to teach, sent far from their homes, and with a limited income, are often absent. A student who went to secondary school in the Debub region and fled in late 2016 said:

The Eritrean teachers came late or were often absent. Young graduates clearly don't feel any sense of responsibility. My agriculture teacher, he never showed up in class; he would just invent the grades. There is a visible scarcity of teachers, sometimes they would be busy with another class. If a teacher teaches four consecutive classes, they are often too tired in their last class.<sup>232</sup>

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<sup>229</sup> Human Rights Watch interview with former national service teacher, male, Italy, July 1, 2016.

<sup>230</sup> Human Rights Watch interviews with former national service teacher, male, April 19, 2019; and former national service teacher, male, Italy, July 1, 2016.

<sup>231</sup> UN Committee on the Rights of the Child, “The Aims of Education (article 29),” General Comment No. 1, CRC/GC/2001/1 (2001), para. 22, [http://www2.ohchr.org/english/bodies/crc/docs/GC1\\_en.doc](http://www2.ohchr.org/english/bodies/crc/docs/GC1_en.doc) (accessed August 5, 2019).

<sup>232</sup> Human Rights Watch interview with former student, male, Italy, April 6, 2018.

Students, particularly in more peripheral regions, regularly complained about teachers coming in late or being absent.<sup>233</sup> A student from the Debub region, commented:

Most of the Eritrean teachers, especially on a Friday and Monday, would go and help their families. The administration forced us to come to class anyway. We would just sit in the classroom with no supervision.<sup>234</sup>

A secondary school teacher in Asmara described the impact of absenteeism on the school:

Sometimes when teachers would miss class, their students would go out of the classroom and disturb others, and we could hear them shouting from other classrooms. At one point, there were at least 15 classes without teachers.<sup>235</sup>

Given the lack of choice in being a teacher, lack of freedom to leave the national service occupations, and the hardships that conscription creates, many teachers flee the country, especially those posted outside Asmara and near border regions. Students and teachers interviewed by Human Rights Watch all said that turnover and dropouts were frequent.<sup>236</sup>

An 18-year-old who fled from the Gash-Barka region said that, in 2016: “Seven out of 20 teachers from Grade 9 crossed the border. Three of them were my teachers. For two weeks, we had no teachers in those subjects.”<sup>237</sup> A student told Human Rights Watch he had spent up to three weeks without a replacement teacher.<sup>238</sup> As a result, lessons and lectures are skipped and classes are merged or taught by teachers from other disciplines, adding to

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<sup>233</sup> Human Rights Watch interviews with former student, male, Italy, April 6, 2018; and former student, male, Italy, April 6, 2018.

<sup>234</sup> Human Rights Watch interview with former student, male, Italy, April 6, 2018. J. Riggan describes teachers’ absenteeism, including at the beginning of the school year, and evasion as a form of solidarity among teachers aimed at challenging the authorities and evading the state; see Riggan, *The Struggling State: Nationalism, Mass Militarization and the Education of Eritrea*, p. 80.

<sup>235</sup> Human Rights Watch interview with former national service teacher, female, Sudan, May 22, 2018.

<sup>236</sup> Human Rights Watch interviews with former student, male, Italy, April 6, 2018; former student, female, Sudan, May 20, 2018; former student, male, Sudan, May 20, 2018; former student, male, Italy, April 6, 2018; former student, male, Italy, April 27, 2018; former student, male, Italy, April 6, 2018; and former student, male, Italy, April 17, 2018.

<sup>237</sup> Human Rights Watch interview with former student, male, Sudan, May 20, 2018.

<sup>238</sup> Human Rights Watch interview with former student, male, Sudan, May 17, 2018.

already large classroom sizes. A national service teacher who had been posted to a secondary school in the Anseba region and who fled in 2017 said:

I left in September and someone told me there was no replacement until February. They just sat and didn't learn. I was the only physics teacher. After February, they replaced [me] with another teacher from that school who was from social sciences but couldn't really teach physics.<sup>239</sup>

Dropout rates and the flight of teachers are particularly bad in border areas, including from Sawa.<sup>240</sup> A female student who attended round 26 said:

There were 50 teachers from Asmara in my round, and by the end of the year, 30 had left. Maybe more than 30. The problem was for the teachers who remained, they had to teach four or five classes per day to replace the others, and they were so tired, so they would just give us a subject and tell us to look into it ourselves.<sup>241</sup>

Missing and skipping lessons is particularly problematic for students in the last two years of secondary school, whose matriculation grades—and the possibility this offers them to continue their studies and be assigned civilian as opposed to military roles—will determine much of their future. (Ssee Text Box: Long-Term Impact of “Sawa.”)

### *Low Teacher Morale, Poor Quality of Teaching*

Even when teachers are present, their morale is often low and they often lack commitment to teaching, which contributes to creating an uncondusive learning environment. An 18-year-old student from the Dehub region said:

Teachers were not professional teachers, they were national service teachers. They were not satisfied with being there. They didn't describe

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<sup>239</sup> Human Rights Watch interview with former national service teacher, male, Sudan, May 22, 2018.

<sup>240</sup> Human Rights Watch interview with former national service teacher, male, Italy, April 19, 2019.

<sup>241</sup> Human Rights Watch interview with former student, female, Sudan, May 21, 2018.

things well. If you asked questions, they wouldn't really answer. "We will answer the next day," they would say, and the next day, they say nothing.<sup>242</sup>

Several students said the quality of education in Sawa is even worse than they experienced in their secondary schools, particularly given the horrible conditions.<sup>243</sup>

Relying on national service conscripts also means relying on individuals who lack basic teacher training. National service teachers who have not been through the College of Education—which is the case for most of them—receive only one week of basic pedagogy from College of Education staff before deploying.<sup>244</sup> No secondary school teachers interviewed by Human Rights Watch who were deployed to the secondary school level since 2015 had received any additional training.

A national service teacher from Asmara said:

Some of the students I had couldn't write their names in English. The exams we prepare are in a simple English, but even that they can't answer.<sup>245</sup>

The poor quality of education undermines students' chances of getting good grades.<sup>246</sup> One former Grade 11 student described:

In my last year, my mathematics teacher fled. The administration didn't really care, but we suffered the consequences of his absence. The director would regroup the units and lessons, so we would have to miss certain lessons. I think my results went down as a result.<sup>247</sup>

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<sup>242</sup> Human Rights Watch interview with former student, male, Sudan, May 20, 2018.

<sup>243</sup> Human Rights Watch interview with former student, female, Sudan, May 20, 2018.

<sup>244</sup> Multiple Human Rights Watch interviews, including Skype interview with international expert, August 21, 2018.

<sup>245</sup> Human Rights Watch interview with former national service teacher, female, Sudan, May 22, 2018.

<sup>246</sup> Human Rights Watch interviews with former student, male, Italy, April 6, 2018; and former student, male, Italy, April 6, 2018. According to government statistics, average secondary school class sizes in 2010 to 2011 were around 65 students per teacher. See Ministry of Education, Education Sector Development Plan (2013-2017), p.X.

<sup>247</sup> Human Rights Watch interview with former student, male, Italy, April 18, 2018.

### III. Exodus of Teachers and Students, Abuses in Exile

The government's use of Grade 12 as a recruitment channel, the indefinite forced conscription of national service teachers, and youth's lack of hope for the future are sending scores of secondary school students and national service teachers into exile.

#### Eritrean Exodus in Numbers

One of the few options Eritreans feel they have to escape systemic repression and indefinite national service is to flee the country.<sup>248</sup> Despite the relatively small size of the Eritrean population, Eritreans are one of the main nationalities fleeing into neighboring countries and towards Europe.

According to the United Nations High Commissioner for Refugees (UNHCR), by late 2018, there were 507,300 Eritrean refugees globally out of an estimated population in Eritrea of five million.<sup>249</sup> Approximately half of them are in Sudan and Ethiopia.<sup>250</sup>

By mid-2018, Eritreans were the third main nationality registered as asylum seekers in Libya, despite the extreme violence and inhumane conditions they encounter there.<sup>251</sup> In 2018, Eritreans were the second largest group among those arriving in Italy, despite significant reductions in arrivals, particularly since 2017; 3,300 Eritreans arrived between January and December 2018.<sup>252</sup>

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<sup>248</sup> Human Rights Watch, *Service for Life*; Amnesty International, *Just Deserters*; Human Rights Watch, *Ten Long Years*.

<sup>249</sup> For statistics on registered Eritrean refugees see UNHCR, "Global Trends: Forced Displacement in 2018," June 20, 2019, <https://www.unhcr.org/5do8d7ee7.pdf> (accessed July 12, 2019).

<sup>250</sup> For statistics on registered Eritrean refugees see UNHCR, "Global Trends: Forced Displacement in 2017," June 25, 2018, <http://www.unhcr.org/5b27be547.pdf#zoom=95> (accessed August 5, 2019).

<sup>251</sup> UNHCR, "Operational Portal. Registered Refugees and Asylum Seekers by Country of Origin," <https://data2.unhcr.org/en/country/lby> (accessed August 2, 2019). UNHCR is currently only allowed to register 9 nationalities in Libya under a severely restricted mandate; this includes Eritreans.

<sup>252</sup> UNHCR, "Desperate Journeys: Refugees and Migrants Arriving in Europe and at Europe's Borders," January-December 2018, <http://www.unhcr.org/desperatejourneys/> (accessed August 5, 2019). Arrivals in Italy via the sea have dropped significantly since 2018 due to increased measures by the Libyan authorities to restrict movement, increased EU support to the Libyan coast guards, restrictions on NGOs involved in search and rescue operations, and the new Italian government's restrictions on disembarkations.

According to the International Organization for Migration (IOM), most of the forty thousand plus Eritreans who arrived in Ethiopia between 2016 and late 2017 were youth, with around half of those assisted by the IOM aged 18 to 24.<sup>253</sup>

A significant proportion of Eritreans seeking protection are unaccompanied children.<sup>254</sup> After the Eritrea-Ethiopia border opened, the number of fleeing Eritreans, especially unaccompanied children and women, increased, according to UNHCR.<sup>255</sup> In 2018, Eritrean unaccompanied children were the second biggest group arriving by sea in Italy,<sup>256</sup> and applying for asylum in the European Union.<sup>257</sup>

Many flee from Sawa, given its proximity with the border, despite the highly militarized and guarded environment.<sup>258</sup>

To officially travel out of Eritrea, Eritreans require an exit permit. Anyone of draft age leaving the country without this permission risks imprisonment in often inhumane conditions, as well as forced labor and torture.<sup>259</sup>

Human Rights Watch previously documented an official “shoot-to-kill” policy in operation against all those trying to cross the border without authorization.<sup>260</sup> In a December 2015 report, Amnesty International found that the policy remained in place, although conscripts posted to the border as soldiers tried to find ways to circumvent it, notably by shooting in

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<sup>253</sup> “15 000 Eritrean Refugees Relocated in Ethiopia by UN Migration Agency,” International Organization for Migration press release, October 20, 2017, <https://www.iom.int/news/15000-eritrean-refugees-relocated-ethiopia-un-migration-agency> (accessed August 5, 2019).

<sup>254</sup> UNHCR, “Global Trends: Forced Displacement in 2017,” p. 48-49. According to UNHCR, in 2017, Eritrean unaccompanied children represented a significant proportion of unaccompanied child asylum requests in Italy, Germany and Egypt in 2017.

<sup>255</sup> UNHCR, “The Refugee Brief,” October 11, 2018, <https://www.unhcr.org/refugeebrief/the-refugee-brief-11-october-2018/> (accessed July 12, 2019).

<sup>256</sup> UNHCR, “Desperate Journeys. Refugees and migrants arriving in Europe and at Europe’s borders,” September 2018, <https://www.unhcr.org/5b8935964> (accessed July 12, 2019).

<sup>257</sup> Eurostat, “Almost 20 000 unaccompanied minors among asylum seekers registered in the EU in 2018,” News release, April 26, 2019, <https://ec.europa.eu/eurostat/documents/2995521/9751525/3-26042019-BP-EN.pdf/291c8e87-45b5-4108-920d-7d702c1d6990> (accessed July 12, 2019); UNHCR, “Desperate Journeys. Refugees and migrants arriving in Europe and at Europe’s borders,” p.25.

<sup>258</sup> Multiple Human Rights Watch interviews citing dozens of students and conscripts fleeing during their year in Sawa.

<sup>259</sup> Amnesty International, *Just Deserters*, p.43; Human Rights Committee, “Concluding observations on Eritrea in the absence of its initial report,” May 3, 2019, para. 25 & 33.

<sup>260</sup> Human Rights Watch, *Service for Life*, p.39



the air or trying to detain those fleeing.<sup>261</sup> In its 2016 report, the UN Commission of Inquiry similarly found that: “a shoot-to-kill policy at Eritrean borders targeting Eritreans attempting to flee the country still exists, but that it is not implemented as rigorously as it was in the past.”<sup>262</sup>

The abuses and violence do not end if Eritreans manage to cross the border. Many Eritreans interviewed by Human Rights Watch were aware of this and yet still felt that the reality back home left them with no choice but to flee.

Along the migration routes, notably through Ethiopia and Sudan to Libya and Egypt, from where many then try to reach the European Union by boat, or previously through the Sinai desert on their way to Israel, Eritrean refugees have faced death, torture, and sexual abuse.<sup>263</sup>

In neighboring countries, authorities often subject Eritreans to arbitrary detentions and serious restrictions on their basic access to services and rights, including unlawful forced return to Eritrea (refoulement).

While 114,500 Eritreans were registered as living in Sudan by late 2018, the Sudanese authorities restrict their freedom of movement and work and conduct arbitrary arrests and extortion.<sup>264</sup> The Sudanese authorities have on several occasions unlawfully deported Eritreans without giving them the opportunity to seek asylum. In May 2016, for example, Sudanese authorities deported at least 442 Eritreans, including six registered refugees, to Eritrea.<sup>265</sup>

According to UNHCR, as of late 2018, there were 174,000 Eritreans registered in Ethiopia.<sup>266</sup> Ethiopia recently passed a law to enable more freedom of movement of Eritrean refugees.

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<sup>261</sup> Amnesty International, *Just Deserters*, p.52.

<sup>262</sup> *COI report 2016*, para. 133.

<sup>263</sup> Human Rights Watch, *“I Wanted to Lie Down and Die,” Trafficking and Torture of Eritreans in Sudan and Egypt*, February 2014.

<sup>264</sup> UNHCR, *Global Trends: Forced Displacement in 2018*, p. 17.

<sup>265</sup> On deportations, see for example: “Sudan: Hundreds Deported to Likely Abuse,” Human Rights Watch news release, May 30, 2016. In 2018 there was a thaw in relations between Sudan and Eritrea which led to the closure of the border between the two countries. “Sudan Closes Border with Eritrea,” *Reuters*, January 6, 2018, <https://www.reuters.com/article/us-sudan-security/sudan-closes-border-with-eritrea-idUSKBN1EVoEo> (accessed August 5, 2019).

<sup>266</sup> UNHCR, *Global Trends: Forced Displacement in 2018*, p. 17.

Eritreans fleeing towards Yemen and Saudi Arabia have also found themselves caught up in the horrors of the Yemen conflict. In 2018, Yemen authorities killed, tortured, and raped dozens of Eritreans among other people from the Horn of Africa, in a detention facility in the southern port city of Aden.<sup>267</sup>

Israel, a once popular destination for Eritreans seeking exile, is now closed to Eritrean and other asylum seekers since Israel sealed its border with Egypt's Sinai Peninsula. Eritreans and others who enter Israel informally are categorized by the Israeli government as "infiltrators."<sup>268</sup>

In November 2017, UNHCR condemned Israel's failure to properly process Eritrean and Sudanese asylum claims.<sup>269</sup> In January 2018, Israeli authorities said they would indefinitely detain thousands of Eritrean and Sudanese men if they refused to leave for Rwanda and Uganda because they were refusing to cooperate with deportation procedures.<sup>270</sup> In March 2018, Israel's High Court confirmed the policy would be illegal as neither of those two countries had agreed to receive deportees, making deportation procedures impossible.<sup>271</sup> In response, Israel released all detainees held on the basis that they had refused to agree to be deported.<sup>272</sup>

Thousands of Eritreans travel through Libya, where many face death, long detention, and horrific abuses during their journey or in the country's numerous formal and informal migrant detention facilities run by officials, criminal groups, and sometimes both. Eritreans are among thousands of asylum seekers and migrants subjected to abuse and severe overcrowding, unsanitary conditions, malnutrition, and lack of adequate health

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<sup>267</sup> "Yemen: Detained African Migrants, Tortured, Raped: Grant Access to Asylum Procedures, Hold Abusers Accountable," Human Rights Watch news release, April 17, 2018.

<sup>268</sup> "Israel: Don't Lock Up Asylum Seekers; Thousands of Eritreans, Sudanese Face Prison if they Refuse to Leave," Human Rights Watch news release, January 22, 2018.

<sup>269</sup> UNHCR, "UNHCR's position on the status of Eritrean and Sudanese nationals defined as 'infiltrators' by Israel," November 2017, <https://www.refworld.org/docid/5a5889584.html> (accessed August 5, 2019); Hotline for Refugees and Migrants: "FALLING ON DEAF EARS: Asylum Proceedings in Israel," October 27, 2018, <https://hotline.org.il/wp-content/uploads/2018/10/Eng-Web-RSD-Report-HRM-17Oct2018.pdf> (accessed August 5, 2019).

<sup>270</sup> "Israel: Don't Lock Up Asylum Seekers; Thousands of Eritreans, Sudanese Face Prison if they Refuse to Leave," Human Rights Watch news release, January 22, 2018.

<sup>271</sup> Amnesty International, "Forced and Unlawful: Israel's Deportation of Eritrean and Sudanese Asylum-Seekers to Uganda, June 2018," <https://www.amnestyusa.org/wp-content/uploads/2018/06/Israel-deportation.pdf> (accessed August 5, 2019).

<sup>272</sup> *Ibid.*

care in detention facilities run by the Government of National Accord, one of the two competing authorities in Libya, that has nominal control over coastal towns in western Libya.<sup>273</sup>

In addition, many Eritreans end up in warehouses run by smuggling networks in the town of Bani Walid in central Libya. Guards at the warehouses—some Libyans, others from Eritrea and other African countries—subject them to torture, sexual violence and inhumane conditions for months, sometimes years, upon end.<sup>274</sup> Release from these facilities is generally only possible if the migrants pay their captors thousands of dollars.<sup>275</sup> According to a UN panel of experts, Eritreans have been arrested by state authorities in Libya and handed over to smugglers.<sup>276</sup>

Hundreds of Eritreans have died since 2014 while attempting to cross the Mediterranean.<sup>277</sup>

While the proportion of Eritreans who are granted asylum in the EU remains high, some countries have sought to reverse these trends, notably questioning the notion that national service was indefinite in nature.<sup>278</sup> In July 2018, the Swiss Federal Administrative Court ruled that conditions in Eritrean national service were not so severe as to make deportation unlawful.<sup>279</sup> The ruling came despite a 2017 report by the European Asylum

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<sup>273</sup> For more information on the abuses and dire conditions facing asylum seekers and migrants in areas under control of interim authorities in Libya, see Human Rights Watch, “No Escape from Hell”: EU Policies Contribute to Abuse of Migrants in Libya,” January 21, 2019.

<sup>274</sup> Multiple Human Rights Watch interviews in Italy, Sudan, Libya in 2018.

<sup>275</sup> Ibid.

<sup>276</sup> “Human smugglers in Libya have links to security forces: U.N. report,” Reuters, February 8, 2018, <https://www.reuters.com/article/us-europe-migrants-libya-un/human-smugglers-in-libya-have-links-to-security-services-un-report-idUSKBN1FR3BQ> (accessed August 2, 2019) quoted in Human Rights Watch, “No Escape from Hell,” p.13.

<sup>277</sup> The International Organization for Migration (IOM), estimates that 340 people from the Horn of Africa have died since 2014, with an additional 9 deaths of people presumed to be from the Horn of Africa; see IOM, Missing Migrants Project, <https://missingmigrants.iom.int/region/mediterranean> (accessed June 18, 2019). Most of the 366 people who died in an October 3, 2013 shipwreck off the Italian island of Lampedusa were Eritreans; see for example DW, “Dozens of Survivors Protest Lampedusa Ship Disaster Funeral,” October 21, 2013, <https://www.dw.com/en/dozens-of-survivors-protest-lampedusa-ship-disaster-funeral/a-17174143> (accessed June 18, 2019).

<sup>278</sup> In 2018, the EU-wide average recognition rate for Eritreans was 82%. Variation among EU countries showed a range of 56% and 97% recognition rates. See also EASO, “EU+ asylum trends. 2018 overview,” <https://www.easo.europa.eu/asylum-trends-overview-2018> (accessed June 18, 2019); Gerry Simpson, “Denmark’s Deterrence Tactics on Refugees,” commentary, Human Rights Watch Dispatch, March 3, 2016.

<sup>279</sup> “Swiss Court Rules that Eritreans that face National Service can be Deported,” *The Local*, July 12, 2018 <https://www.thelocal.ch/20180712/swiss-court-rules-eritreans-who-face-national-service-can-be-deported> (accessed August 5, 2019).

Support Office that Eritreans returning involuntarily risked punishment, including imprisonment in inhumane conditions, forced labor, and torture.<sup>280</sup>

In addition, the UN Commission of Inquiry found that Eritreans forced to return to Eritrea in 2015 “have been arrested, detained and subjected to ill-treatment and torture.”<sup>281</sup>

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<sup>280</sup> Human Rights Watch, *World Report 2018*, Eritrea chapter.

<sup>281</sup> Human Rights Watch, “Eritrea: Scathing UN Report,” June 10, 2015.

## IV. Government and International Actors

### Government Response to Education Challenges

The Eritrean government has not ignored all the challenges facing the education sector and has in fact been willing to accept some international support and involvement, which is rare in the country. However, the government has ignored how forcing the entire final year of students into military training and relying on national service teachers have contributed to chronic problems in the education sector.

Eritrea's government has developed numerous education policies and plans.<sup>282</sup> In these plans, the government acknowledges many of the problems directly affecting students and limiting their access to quality education, including overcrowding and high repetition and dropout rates.<sup>283</sup>

Nowhere in the plans does the government acknowledge, discuss or much less seek to tackle the direct impact that national service has on students' retention and commitment to education, family life and environment. It also fails to even mention that Grade 12 takes place at Sawa under military command, or how attending Grade 12 at Sawa—during which students are subjected to military discipline and extensive compulsory military training—impacts student dropout rates.

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<sup>282</sup> The development of an Education Sector Development Plan was one of the criteria for the grant from the Global Partnership for Education. Eritrea received the grant, discussed in section on International Actors, despite spending very little in the education sector (another requirement) and having no education data system in place. Human Rights Watch Skype interview with donor, July 13, 2018.

<sup>283</sup> The government states that at a secondary level, there are on average 65 students per teacher; see Education Sector Development Plan (2013-2017), p.X. The Education Sector Plan (2018-2022) said there were on average 63 students per teacher; Education Sector Plan (2018-2022), p.50. In the early 2000s, the World Bank, which was investing in the education system at the time, put pressure on the government to improve "efficiency" in the schooling system, including around class repetition. The Eritrean government has over the last decade taken measures to deal with high repetition rates and high numbers of over-age students. While tackling high repetition rates is on paper a positive effort, in a context in which the government is particularly interested in channeling children and students into national service, the motivations for these efforts raise concerns. See for example Independent Evaluation Group, Eritrea Education Sector Investment Project, January 29, 2013, <http://documents.worldbank.org/curated/en/783751474943692333/pdf/000020051-20140625155406.pdf> (accessed August 5, 2019).

### *Teacher Training Facilities*

The Eritrean government's plans also do not acknowledge the lack of secondary school teachers, limited intake at the College of Education, and its reliance on graduate students who do not have teaching qualifications and are assigned to teach subjects outside their field of studies.<sup>284</sup> Nor do they acknowledge absenteeism of teachers and negative perceptions of the teaching profession as significant problems, and the impact this has on the number of hours students are taught and on the lessons and topics covered.<sup>285</sup> The government plans do not even mention that it continues to rely heavily on national service recruits to fill these gaps and that the teachers that the plans are referring to are mainly conscripts.<sup>286</sup>

Notwithstanding improved remuneration for teachers, and some international efforts to strengthen secondary teacher training (described below), the government itself has taken very few measures in recent years to improve its capacity to deploy properly trained, motivated teachers, who voluntarily choose to teach, into the secondary education sector.<sup>287</sup>

An international expert commented: "I ask myself if the poor recruitment and quality of teaching is done on purpose. Do they really aim to change, or does the government want to keep education levels low to control the population?"<sup>288</sup>

Up until the summer of 2018, there were two teacher training colleges, with a reported annual intake of around 2,000 students.<sup>289</sup>

The Asmara Community College of Education (ACCE) focused on training elementary school teachers. Positively, between 2015 and 2018, the ACCE leadership reportedly recruited

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<sup>284</sup> Ministry of Education, Education Sector Plan (2018-2022).

<sup>285</sup> Ministry of Education, Education Sector Plan (2018-2022), p.82; Education Sector Development Plan (2013-2017).

<sup>286</sup> A mid-term assessment of the government's 2013-2017 Education Sector Development Plan by the Global Partnership for Education raised concerns about the lack of government plans to improve the College of Education's capacity. See section 2.10.1, <https://www.globalpartnership.org/sites/default/files/2013-17-Eritrea-%20Education-Sector-Plan-draft-appraisal-report.pdf> (accessed August 6, 2019).

<sup>287</sup> In the government's planning documents, it states that it will introduce a "salary system corresponding to qualification and experience," and provide incentives to teachers sent to more remote postings, Ministry of Education, Education Sector Plan (2018-2022), p. 65.

<sup>288</sup> Human Rights Watch Skype interview with international expert, July 19, 2018.

<sup>289</sup> Human Rights Watch Skype interviews with international expert, May 8, 2019; and international expert, June 20, 2019.

between 500 and 700 students into a new teacher training course, supported by the nongovernmental organization, Finn Church Aid, from Grade 11. The students undertook Grade 12 and matriculation at the ACCE, and only attended Sawa for the final mandatory military training component.<sup>290</sup> As part of the project, the government committed to limiting the national service period of these new graduates to 18 months.<sup>291</sup> This project could have been seen as positive first step and an indirect acknowledgment of the negative impact that Grade 12 at Sawa can have on students, and the need to move away from a reliance on national service teachers and train professional career teachers, who voluntarily choose to teach.

The second was the College of Education of the Eritrean Institute of Technology (EIT) at Mai Nefhi college, outside of Asmara, which provided both diploma and degree courses for secondary school and college level teachers.<sup>292</sup>

Yet at time of writing, both the ACCE program and the courses at the College of Education have been discontinued following a sudden merger of the two institutions, and the establishment of a new Asmara College of Education (ACE) on the former ACCE campus.

In early 2019, the government initiated a much more limited post-graduate teacher training course at ACE, reportedly recruiting only 150 students to train as secondary school teachers.<sup>293</sup> Human Rights Watch was not able to confirm how students were recruited.

One of the few, costly, measures the government has been taking to fill the vacuum of teachers has been to employ foreign, primarily Indian, teachers at both the secondary school and college level for several years. Indian teachers are not assigned to Sawa.<sup>294</sup> Foreign teachers are paid in US dollars, unlike their Eritrean counterparts who are paid in

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<sup>290</sup> Ministry of Education, Education Sector Plan (2018-2022); Human Rights Watch Skype interview with expert, May 30, 2018.

<sup>291</sup> Ministry of Education, Education Sector Plan (2018-2022), p.82.

<sup>292</sup> Human Rights Watch interview with former teacher, female, Sudan, May 22, 2018.

<sup>293</sup> Human Rights Watch Skype interviews with international expert, May 8, 2019 and international expert, May 14, 2019.

<sup>294</sup> Ministry of Education, Education Sector Development Plan (2013-2017). According to the government, it planned to hire 750 foreign teachers between 2012 and 2017 and deploy them into secondary schools. It also planned to reduce expatriate teachers; Human Rights Watch was not able to clarify whether there have been significant changes in this regard during the first Education Sector Development Plan (2013-2017). Ministry of Education, Education Sector Development Plan (2013-2017), p.7 and p.24.

Eritrean Nakfa and are reportedly paid at least US\$900 a month.<sup>295</sup> This contributes to dissatisfaction among the Eritrean national service teachers.<sup>296</sup>

## International Support for Education

Eritrea has largely maintained an isolationist approach to diplomatic relationships. While the situation has shifted somewhat since 2017, and especially since the July 9, 2018, signing of a declaration announcing “a new era of peace and friendship” with Ethiopia, diplomatic engagement along with development assistance in and with Eritrea remain limited.<sup>297</sup>

The government has, however, shown interest in receiving support in the education sector. International assistance currently channeled into the education sector focuses primarily on the pre-school and elementary education sectors and on vocational training. Donors have not focused as much on improving teacher recruitment and training in the secondary sector.<sup>298</sup>

In the secondary school sector between 2015 and 2018, the Finnish government funded a Higher Education Institutions Institutional Cooperation Instrument (HEI ICI) program for Eritrea, a €2.6 million (approximately US\$2.9 million) project aimed at providing capacity building to the country’s higher education institutions.<sup>299</sup> One of the projects, run by the University of Jyväskylä, was working with the College of Education, focusing on developing better teaching and procedures for college staff, including supporting research projects into pedagogy. The project is ongoing with the new teacher training college.<sup>300</sup>

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<sup>295</sup> Human Rights Watch was not able to confirm the exact salary given to foreign teachers, but interviewees said payments were between US\$900 and US\$3,000 a month. Human Rights Watch Skype interviews with international expert, May 30, 2018 and former government official, May 30, 2019; Amnesty International, *Just Deserters*, p.21. See also Education Sector Development Plan (2013-2017), p. 83, for recurrent costs of payment of expatriate teacher salaries.

<sup>296</sup> Multiple Human Rights Watch interviews.

<sup>297</sup> For more background information, see Human Rights Watch, *Service for Life*, p.8.

<sup>298</sup> Most of the activities the government lays out in the Education Sector Plan and Education Sector Development Plan are geared towards training teachers in the elementary and middle school sectors, not in the secondary school sector.

<sup>299</sup> Finnish National Agency for Education, *The Eritrea Specific HEI ICI Programme*, <https://www.oph.fi/en/programmes/hei-ici-programme> (accessed August 5, 2019); Human Rights Watch interviews with Finnish diplomat, Brussels, July 18, 2018; Skype interviews with experts, August 21, 2018; and August 22, 2018.

<sup>300</sup> See University of Jyväskylä, “Eritrea Learning for All: Developing Post-Graduate Programs,” <https://www.jyu.fi/edupsy/en/collaboration/international-co-operation/elfa> (accessed June 20, 2019); Human Rights Watch Skype interview with expert, August 21, 2018.



Other programs provide support to vocational training, higher education, and elementary schooling. For example, as mentioned above, Finn Church Aid has been working to improve teacher training of elementary and middle school teachers.<sup>301</sup> Its work had also indirectly contributed to improving recruitment practices at the Asmara Community College for Education (ACCE), mentioned above.

The African Development Bank (AfDB) provided support to Eritrea's Higher Education institutions starting in 2010, with a focus on infrastructure development, including upgrading facilities and capacity building for teachers.<sup>302</sup> AfDB funding has reportedly also paid for scholarships for Eritrean graduate students, including from the College of Education, to undertake masters and PhD programs abroad.<sup>303</sup> More recently, AfDB funding has focused on infrastructure and capacity building at vocational training centers.<sup>304</sup>

The Global Partnership for Education, a funding platform supported by multiple donors, has been implementing a US\$25.3 million grant in Eritrea via UNICEF since 2013 to support the government's Education Sector Development Plan.<sup>305</sup> The Global Partnership's efforts focus on improving access for out of school children in peripheral and marginalized communities, and quality pre-school and primary education, notably through infrastructure development, provision of school materials, curriculum development, and training of pre-school and elementary school teachers.<sup>306</sup>

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<sup>301</sup> Human Rights Watch Skype interviews with expert, July 31, 2018 and expert, May 30, 2018.

<sup>302</sup> African Development Bank Group, Eritrea: Interim Country Strategy Paper (I-CSP) 2014 – 2016, [https://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/Eritrea\\_\\_\\_Interim\\_Country\\_Strategy\\_Paper\\_\\_\\_I-CSP\\_\\_2014-2016\\_-\\_11\\_2014.pdf](https://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/Eritrea___Interim_Country_Strategy_Paper___I-CSP__2014-2016_-_11_2014.pdf) (accessed August 5, 2019) ; African Development Fund, Support to Higher Education Development, Eritrea, February 2010, [https://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/Eritrea\\_-\\_Support\\_to\\_Higher\\_Education\\_Development\\_-\\_Appraisal\\_Report.pdf](https://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/Eritrea_-_Support_to_Higher_Education_Development_-_Appraisal_Report.pdf) (accessed April 24, 2019). Eritrea defaulted on World Bank credits in October 2008 and has not benefited from World Bank financial support since then although the World Bank and IMF are currently re-assessing their engagement in Eritrea. Human Rights Watch interview with international expert, May 29, 2019; International Monetary Fund, IMF Staff Completes 2019 Article IV Mission to Eritrea, May 22, 2019, <https://www.imf.org/en/News/Articles/2019/05/22/pr19179-eritrea-imf-staff-completes-2019-article-iv-mission> (accessed July 15, 2019).

<sup>303</sup> Human Rights Watch Skype interview with donor, August 21, 2018.

<sup>304</sup> African Development Bank, *Eritrea: Support to Skills Development for Employability and Entrepreneurship*, November 19, 2014, <https://www.afdb.org/en/documents/document/eritrea-support-to-skills-development-for-employability-and-entrepreneurship-esmp-11-2014-50511/> (accessed August 5, 2019).

<sup>305</sup> Global Partnership for Education, Eritrea, <https://www.globalpartnership.org/country/eritrea> (accessed August 5, 2019).

<sup>306</sup> Human Rights Watch Skype interviews with expert, July 13, 2018 and expert, July 31, 2018; Finn Church Aid, *Eritrea*, <https://www.kirkonulkomaanapu.fi/en/work/africa/eritrea/> (accessed August 5, 2019).

Given the significant numbers of Eritreans arriving in the EU, primarily via Italy, since 2015, the EU has also sought to increase its engagement with Eritrea to reduce “illegal” migration. In December 2017, the EU approved a €13 million (approximately US\$14.6 million) project to support youth employment and vocational training activities in Eritrea. The project stated that the target group was youth who “have graduated from Grade 12 of secondary school and notably those who have been released from national service or can opt freely for self or wage employment outside the national service.”<sup>307</sup> The planning document stated that a monitoring mechanism would be established to ensure the target group was reached, but officials at the European Commission were not able to spell out to Human Rights Watch what these systems would look like or how they could ensure that this target group even existed and would be reached. The project had, however, at time of writing been canceled.<sup>308</sup>

In interviews with Human Rights Watch, international development actors in Eritrea and outside admitted that there were issues they were not raising with the government, including the impact of national service, the practice of sending Grade 12 students to Sawa, ongoing reliance on national service labor in the education sector, and dropout rates of teachers.<sup>309</sup> International development partners repeatedly told Human Rights Watch that recruitment of secondary school teachers and even retention were “off-limits” with the government.<sup>310</sup>

Publicly available project documents linked to the programs above, reviewed by Human Rights Watch, do not acknowledge national service and Grade 12 at Sawa as one of the root causes of the chronic problems facing the sector, nor as education challenges.

Human Rights Watch did not identify any concrete measures being taken by donors to ensure that specific measures are in place to ensure that teachers or students supported or trained through these programs are not in forced labor, such as being subject to national service indefinitely.<sup>311</sup> One education actor, asked whether they had red lines around participation of national service conscripts in their programming, responded: “No,

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<sup>307</sup> Human Rights Watch interviews with EEAS official, Brussels, July 17, 2018 and DEVCO official, Brussels, July 18, 2018.

<sup>308</sup> Human Rights Watch interviews with EEAS official, Brussels, July 17, 2018 and DEVCO official, Brussels, July 18, 2018.

<sup>309</sup> Human Rights Watch interview with expert, Skype, July 13, 2018.

<sup>310</sup> Multiple Human Rights Watch interviews with experts and donors, May 2018 and May 2019.

<sup>311</sup> Ibid.

that would be impossible. There are national service people everywhere; it would be so hard to exclude them.”<sup>312</sup>

As described above, these systemic issues are not being tackled in current assistance projects, raising questions about the long-term impact of the education programming, given the clear impact of national service on many of the other structural problems.

Furthermore, appropriate monitoring of donor programs is significantly limited in Eritrea, given both restrictions on movement for Eritrean and international staff and government hostility to independent oversight.<sup>313</sup> Education partners told Human Rights Watch that they largely rely on government counterparts to assess their programs and are unable to interview people confidentially.<sup>314</sup>

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<sup>312</sup> Human Rights Watch Skype interview with expert, August 21, 2018.

<sup>313</sup> Multiple Human Rights Watch interviews.

<sup>314</sup> In its 2015 to 2016 progress report to the Global Partnership for Education, UNICEF highlighted that the ongoing need for its staff to get travel permits was hampering monitoring of projects. See UNICEF, “Progress report for Eritrea covering the period February 2015 - January 2016,” June 18, 2016, <https://www.globalpartnership.org/content/progress-report-eritrea> (accessed August 5, 2019); Human Rights Watch Skype interview with former government official, May 30, 2019.

## V. Applicable Legal Standards

### Eritrean Law

Under the National Service Proclamation, the minimum age for compulsory military training is 18.<sup>315</sup> The Eritrean government repeatedly falls back on these provisions to reject evidence that children undergo military training or serve in the military, claiming that only those over the age of 18 are conscripted.<sup>316</sup> The government has banned corporal punishment, and says that it has been working to sensitize both teachers and communities against the practice.<sup>317</sup>

### International Standards

#### *Conscription of Children*

Eritrea has ratified the Optional Protocol of the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (the “Optional Protocol”), which prohibits any forced recruitment or conscription of children under 18 by government forces, and the participation of children under 18 in active hostilities.<sup>318</sup> Under the Optional Protocol, while the recruitment of children aged 15 to 18 is permitted, recruitment should be genuinely voluntary and carried with the informed consent of the child’s parents or guardians.<sup>319</sup>

The African Charter on the Rights and Welfare of the Child, which Eritrea ratified in 1999, also provides that states “shall take all necessary measures to ensure that no child shall

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<sup>315</sup> National Service Proclamation, art. 6.

<sup>316</sup> Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 44 of the Convention – Eritrea, March 28, 2012, Annex A. 5, [https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/ERI/4&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/ERI/4&Lang=en) (accessed August 5, 2019).

<sup>317</sup> Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 44 of the Convention – Eritrea, para. 145 and 146.

<sup>318</sup> Optional Protocol to the Convention on the Rights of the Child, art. 1, <https://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx> (accessed August 5, 2019); Eritrea acceded to the Optional Protocol to the Convention on the Rights of the Child on February 16, 2005, with a declaration that the minimum age for recruitment into the armed forces is 18.

<sup>319</sup> [https://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=57&Lang=EN](https://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=57&Lang=EN) (accessed August 2, 2019)

<sup>319</sup> Ibid, articles 2 and 3.3(a)(b).

take a direct part in hostilities and refrain in particular from recruiting any child.”<sup>320</sup> As described above, some children are enrolling in Sawa and starting military service before turning 18. Enrollment in Sawa is also mandatory, and students have no option to pursue their secondary studies outside of Sawa.

### *Protection from Violence, including Sexual Violence, Corporal Punishment, and Cruel and Degrading Forms of Punishment*

Under international law, governments should take all appropriate legislative, administrative, social, and educational measures to protect children from all forms of physical and mental violence, injury or abuse, neglect or negligent treatment and mistreatment.<sup>321</sup> The Committee on the Rights of the Child has defined corporal or physical punishment as “any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light.”<sup>322</sup>

A previous UN special rapporteur on torture, and other cruel, inhuman or degrading treatment or punishment has warned states that corporal punishment is inconsistent with governments’ obligations to protect individuals from cruel, inhuman, or degrading punishment or even torture.<sup>323</sup> The international prohibition of torture and other cruel, inhuman or degrading treatment or punishment, relates not only to acts that cause physical pain but also to acts that cause mental suffering to the victim.<sup>324</sup> Children and pupils in teaching institutions should be protected from corporal punishment, “including excessive chastisement ordered as ... an educative or disciplinary measure.”<sup>325</sup>

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<sup>320</sup> The African Charter on the Rights and Welfare of the Child provides that states parties “shall take all necessary measures to ensure that no child shall take a direct part in hostilities and refrain in particular, from recruiting any child.” African Charter on the Rights and Welfare of the Child, arts. 2 and 22(2). Eritrea ratified the Charter in 1991.

<sup>321</sup> Convention on the Rights of the Child (CRC), art. 19(1).

<sup>322</sup> UN Committee on the Rights of the Child, General Comment No. 8(2006): The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, CRC/C/GC/8 (2007), arts.19; 28, para. 2; and 37, [https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f8&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f8&Lang=en) (accessed August 2, 2019).

<sup>323</sup> UN Commission on Human Rights, “Report of the Special Rapporteur, Mr. Nigel S. Rodley, submitted pursuant to Commission on Human Rights resolution 1995/37 B,” E/CN.4/1997/7, January 10, 1997, para. 6, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G97/101/13/PDF/G9710113.pdf?OpenElement> (accessed August 5, 2019).

<sup>324</sup> UN Human Rights Committee, “General Comment No. 20: Article 7 (Prohibition of torture or other cruel, inhuman or degrading treatment or punishment),” A/44/40, (1992), para. 5 [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fGEC%2f6621&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fGEC%2f6621&Lang=en) (accessed June 19, 2019).

<sup>325</sup> Ibid.

## *Forced Labor*

Eritrea has ratified key international treaties banning forced labor.

Forced and compulsory labor are prohibited under the International Convention on Civil and Political Rights (ICCPR), the International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29), and the ILO Abolition of Forced Labour Convention, 1957 (No. 105).<sup>326</sup>

The key points when considering the definition of forced labor are the extent to which: (i) the works or services are exacted involuntarily; (ii) the exaction of labor or services takes place under the menace of penalty; and (iii) these are used as a means of political coercion, education or as a method of mobilizing and using labor for purposes of economic development, as well as means of labor discipline.<sup>327</sup>

While exemptions from the prohibition on “forced or compulsory labor” exist, they are limited in scope and only apply to service of “a purely military character”, or alternative national service required of conscientious objectors, “normal civil obligations” or “minor communal services.”<sup>328</sup> ILO Convention 105 states that the exception for military service is based on the necessity for national defense and exceptional circumstances, and it is not intended for public works projects and economic development.<sup>329</sup>

The ILO Committee of Experts on the Application of Conventions and Recommendations (Committee of Experts) has further elaborated that the nature and duration of the compulsory labor must have a direct correlation to the nature of the event and be limited to what is strictly required by the situation. It also states that minor communal services

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<sup>326</sup> ICCPR article 8; International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour (Forced Labour Convention), adopted June 28, 1930, 39 U.N.T.S. 55 entered into force May 1, 1932, [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C029](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C029) (accessed August 5, 2019). Ratified by Eritrea on February 22, 2000; International Labour Organization Convention No. 105 concerning Abolition of Forced Labour (Abolition of Forced Labour Convention), adopted June 25, 1957, 320 U.N.T.S. 291, entered into force January 17, 1959, [https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100\\_ILO\\_CODE:C105](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:C105) (accessed August 5, 2019). Ratified by Eritrea on February 22, 2000.

<sup>327</sup> International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour (Forced Labour Convention), art. 2.1.

<sup>328</sup> ICCPR article 8(3.C).

<sup>329</sup> International Labour Organization Convention No. 105 concerning Abolition of Forced Labour (Abolition of Forced Labour Convention), art. 1 (B)

must be of direct interest to the community and not relate to the execution of works intended to benefit a specific group.<sup>330</sup>

The Committee of Experts has stated that Eritrea is in contravention of the two ILO conventions on forced labor because of the largescale and systematic process of imposing compulsory labor on the population in Eritrea and because of the prohibition against such methods being applied for the purposes of economic development.<sup>331</sup>

### *Child Labor*

The Convention on the Rights of the Child (CRC) obligates governments to protect children from economic exploitation, and from performing work that is hazardous, interferes with a child's education, or is harmful to the child's health or physical, mental, spiritual, moral, or social development.<sup>332</sup> The ILO Minimum Age Convention and the Worst Forms of Child Labor Convention describe what types of work amount to child labor, depending on the child's age, the type and hours of work performed, the impact on education, and other factors.<sup>333</sup> It sets the basic minimum age for employment at 15, and states that children ages 13 to 15 may participate only in light work that is not likely to be harmful to their health or development or hinder their education.<sup>334</sup>

### *Right to Secondary Education*

International law provides that secondary education shall be generally available and accessible to all. The right to secondary education includes: “the completion of basic

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<sup>330</sup> International Labour Organization, General Survey of 1979 on the abolition of forced labour by the Committee of Experts, Paras. 36 and 37. The ILO has requested information from Eritrea to clarify its compliance with its treaty obligations several times, [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11110:0::NO::P11110\\_COUNTRY\\_ID:103282](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11110:0::NO::P11110_COUNTRY_ID:103282) (accessed August 2, 2019).

<sup>331</sup> International Labour Organization, Committee of Experts on the Application of Conventions and Recommendations (CEACR), Comments on Eritrea adopted in 2010, [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID:2337201](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:2337201) (accessed August 5, 2019).

<sup>332</sup> Convention on the Rights of the Child (CRC), art. 32.

<sup>333</sup> International Labour Organization, “ILO Conventions and Recommendations on child labour,” undated, <http://www.ilo.org/ipec/facts/ILOconventionsonchildlabour/lang--en/index.htm> (accessed August 2, 2019).

<sup>334</sup> ILO Convention No. 138 concerning the Minimum Age for Admission to Employment (Minimum Age Convention), adopted June 26, 1973, 1015 U.N.T.S. 297, entered into force June 19, 1976, ratified by Eritrea on February 22, 2000; [http://blue.lim.ilo.org/cariblex/pdfs/ILO\\_Convention\\_138.pdf](http://blue.lim.ilo.org/cariblex/pdfs/ILO_Convention_138.pdf). (accessed August 2, 2019).

education and consolidation of the foundations for life-long learning and human development.”<sup>335</sup> It also includes the right to vocational and technical training. The right to education entails state obligations of both an immediate and progressive kind. Human Rights Watch believes governments should take immediate measures to ensure that secondary education is available and accessible to all free of charge.

### *Quality of Education*

It is widely understood that any meaningful effort to realize the right to education should make the quality of such education a core priority. The Economic, Social and Cultural Rights Committee, in charge of interpreting the Covenant on Economic, Social and Cultural Rights, which Eritrea ratified in 2001, states that governments, in implementing their obligations on education, should be guided by four essential criteria: availability, accessibility, acceptability, and adaptability.

The committee explained that acceptability hinges on various factors, including the notion that education should be of “good quality.”<sup>336</sup> The aim is to ensure that “no child leaves school without being equipped to face the challenges that he or she can expect to be confronted with in life.”<sup>337</sup> According to the UN Committee on the Rights of the Child, a good quality education “requires a focus on the quality of the learning environment, of teaching and learning processes and materials, and of learning outputs.”<sup>338</sup>

Furthermore, education should be available throughout the country, including by guaranteeing the presence of trained teachers receiving domestically competitive salaries, and accessible to everyone on an equal basis. Moreover, education provided should adapt to the needs of students with diverse social and cultural settings.<sup>339</sup>

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<sup>335</sup> UN Committee on Economic, Social and Cultural Rights, General Comment No. 13, The Right to Education, E/C.12/1999/10 (1999), art 32, [http://www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/dGeneralCommentNo13Therighttoeducation\(article13\)\(1999\).aspx](http://www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/dGeneralCommentNo13Therighttoeducation(article13)(1999).aspx) (accessed August 2, 2019).

<sup>336</sup> UN Committee on Economic, Social and Cultural Rights, “The Right to Education (Art. 13),” General Comment No. 13, E/C.12/1999/10. (1999), para. 6 (c), [https://www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/dGeneralCommentNo13Therighttoeducation\(article13\)\(1999\).aspx](https://www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/dGeneralCommentNo13Therighttoeducation(article13)(1999).aspx), (accessed August 5, 2019).

<sup>337</sup> UN Committee on the Rights of the Child, “The Aims of Education (article 29),” General Comment No. 1, CRC/GC/2001/1 (2001), para. 9, [http://www2.ohchr.org/english/bodies/crc/docs/GC1\\_en.doc](http://www2.ohchr.org/english/bodies/crc/docs/GC1_en.doc) (accessed August 5, 2019).

<sup>338</sup> *Ibid*, para. 22.

<sup>339</sup> UN Committee on Economic, Social and Cultural Rights, General Comment No. 13, general remarks on article 13 (2).



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# “They Are Making Us into Slaves, Not Educating Us”

## How Indefinite Conscription Restricts Young People’s Rights, Access to Education in Eritrea

Since the border war with Ethiopia from 1998 to 2000, Eritrea’s government has used indefinite national service as the main system of control over the population. This has had a visible and lasting impact on the rights, freedom, and lives of Eritreans and continues to be one of the main drivers forcing thousands of Eritreans to flee the country each month.

*“They Are Making us into Slaves, Not Educating Us”* is based on 73 interviews with former Eritrean secondary students and teachers who fled the country between 2014 and late 2018 to escape forced conscription and national service, as well as 18 interviews with Eritrean and international experts.

The report finds that by forcing Eritrean students to spend the last year of secondary school at the abusive Sawa military camp, the Eritrean government is not only restricting their access to education, but also subjecting them to abuse and violence. The report documents how instead of developing a pool of well-trained secondary school teachers, the government relies on national service conscripts – who have little to no choice in their assignment and no end to their deployment in sight – to teach the country’s future generation.

Human Rights Watch calls on the Eritrean government to end mandatory military training during the last year of secondary school, ensure that no one underage is conscripted, immediately announce a timetable for demobilization and take concrete measures to ensure that the 18-month statutory service limit is respected, including for teachers.

Eritrea’s few international partners and donors should make clear that ongoing support will require concrete efforts by the government in these areas and push the government to establish independent, credible complaints mechanisms to investigate allegations of abuse of trainees and conscripts.



*Satellite Imagery of the Sawa military camp, including the Warsai Yikealo Secondary School, recorded in January 2015.*

*Imagery © DigitalGlobe - Maxar Technologies 2019;  
Source: Google Earth*