



**CONCLUDING OBSERVATIONS AND RECOMMENDATIONS OF THE AFRICAN
COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD TO
THE GOVERNMENT OF THE STATE OF ERITREA ON ITS SECOND PERIODIC
REPORT ON THE IMPLEMENTATION OF THE AFRICAN CHARTER ON THE
RIGHTS AND WELFARE OF THE CHILD**

April 2026

I. Introduction

1. The African Committee of Experts on the Rights and Welfare of the Child (ACERWC/the Committee) extends its compliments to the Government of the State of Eritrea for submitting its Second Periodic Report on the status of implementation of the African Charter on the Rights and Welfare of the Child (the Charter) covering the period 2020-2024.
2. During the 47th Ordinary Session, which was held from 17 to 25 April 2026 in Maseru, Kingdom of Lesotho, the Committee considered the periodic report of the State of Eritrea submitted in compliance with its obligation under Article 43 of the Charter.
3. The Committee takes note of the written replies to its List of Issues and appreciates the State of Eritrea for its Delegation, headed by Mr. Mehreteab Fessehay, Director General, Department of Social Welfare, and represented by Mr. Biniam Berhe, Chargé d'Affaires, Embassy of the State of Eritrea to the Federal Democratic Republic of Ethiopia and Permanent Mission to the African Union and United Nations Economic Commission for Africa, for a productive discussion with the Members of the ACERWC. The discussion assisted the Committee to better understand the measures that the State Party has undertaken towards the implementation of the Charter and the challenges faced. After careful consideration of the facts in the reports, the replies to the List of Issues, and the information provided during the constructive dialogue, the Committee adopted the following concluding observations and recommendations to provide guidance for enhanced implementation of the Charter in the State Party.

II. PROGRESS IN THE IMPLEMENTATION OF THE CHARTER

4. The Committee would like to recognise and appreciate the Government of the State of Eritrea for undertaking a number of measures to realise the implementation of the provisions of the Charter. In particular, the Committee recognises the following measures as they meaningfully contribute towards the full implementation of the African Children's Charter:
 - i. Accession to the Convention on the Rights of Persons with Disabilities (CRPD) on 20 December 2024;
 - ii. The adoption of the National Social Protection Policy and Strategic Plan (2022–2026);
 - iii. The revision and translation of the National Disability Policy (2021) into Tigrigna;
 - iv. The development of the Education Sector Strategic Plan (2022–2026) and the Partnership Compact (2023–2027);
 - v. The adoption of the National Health Policy (2020) and the Third Health Sectoral Strategic Development Plan (2022–2026), including the Reproductive, Maternal, Newborn, Child and Adolescent Health and Healthy Ageing Strategy;
 - vi. The enactment of Proclamation No. 184/2023 reforming court structures and establishing the 'Access to Justice' Department within the Ministry of Justice;

- vii. The development of the five-year Strategic Civil Registration and Vital Statistics (CRVS) Plan (2024–2028);
- viii. The successful conduct of the 2025 Eritrea Population and Health Survey (EPHS) by the National Statistics Office;
- ix. The introduction of the Quadrivalent HPV vaccine in November 2022 for girls aged 9–14 years with reported high uptake;
- x. Sustained immunisation coverage above 95% and the introduction of new vaccines including Meningitis-A and Hepatitis B birth dose (2025);
- xi. Progress towards the elimination of mother-to-child transmission of HIV with the positivity rate among pregnant women decreasing from 0.18% in 2020 to 0.13% in 2024;
- xii. The adoption of the National Strategic Plan (2020–2024) for the elimination of FGM/C, underage marriage and other Harmful Traditional Practices with the motto 'Towards Elimination';
- xiii. The establishment of 67 sub-zonal and 701 community-based grassroots committees on women's and children's rights;
- xiv. The expansion of pre-primary education with a 16% increase in formal pre-schools and 76% located in rural areas; and
- xv. Continued provision of free education at all levels and free emergency health services at all levels.

III. AREAS OF CONCERN AND RECOMMENDATIONS

A. General measures of implementation

5. The Committee notes the ongoing comprehensive legal reform process led by the Ministry of Justice, including the systematic audit and revision of core normative frameworks such as the Civil and Penal Codes. However, the Committee notes with concern that the 2015 Penal Code has not yet been enacted, that a comprehensive child rights legislation harmonising all provisions of the African Children's Charter into domestic law, a measure the Committee recommended in both its initial (2017) and 2022 Concluding Observations but has still not been adopted, and that specific timelines for these legislative reforms have not been clearly communicated. The Committee further recalls that, in its 2022 Concluding Observations, it recommended ratification of the Maputo Protocol and accession to the Hague Convention on Intercountry Adoption, and it notes with concern that these steps have not yet been taken. The Committee recommends that the State Party:
 - a) Expedite and provide clear timelines for the enactment of the 2015 Penal Code and other pending legislation;
 - b) Reiterating its previous recommendations, expedite the development and adoption of a comprehensive children's rights legislation that fully harmonises domestic law with the Charter, including its application to customary and religious laws;
 - c) Ensure the formal adoption and effective implementation of the Comprehensive Child Policy (2016) across all governmental institutions, including through implementing regulations and monitoring mechanisms;

- d) Reiterating its 2022 recommendation, deposit the instrument of ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol), which the State Party signed in 2012, and take steps to domesticate it;
 - e) Accede to the Hague Convention, 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption, as recommended in the Committee's 2022 Concluding Observations;
 - f) Sign and ratify the Agreement Establishing the African Continental Free Trade Area (AfCFTA).
6. The Committee notes that the Ministry of Labour and Social Welfare serves as the focal Ministry for coordinating matters related to the rights and welfare of the child. However, the Committee notes that there is no independent national children's ombudsperson or commissioner mandated to monitor the implementation of children's rights and receive complaints from children whose rights have been violated. The Committee recommends the State Party to establish an independent children's ombudsperson or commissioner with the mandate, resources and accessibility to receive, investigate and address complaints from children, in accordance with the Paris Principles.
7. The Committee notes from the State Party's response and the constructive dialogue that there is no specific budget allocation for children, with budgeting made in line with general social needs such as education, health, and protection. The Committee further notes that actual expenditure data, disaggregated budget data by specific child-focused programmes, comparison of per capita spending on children versus adults, and budgets specifically allocated to marginalised children were not provided. The Committee emphasises that child-sensitive budgeting is essential to demonstrate the State Party's commitment to the progressive realisation of children's rights. The Committee recommends the State Party to:
- g) Adopt child-sensitive budgeting that clearly identifies, tracks and reports on allocations and actual expenditures for children;
 - h) Establish mechanisms to track whether allocated funds reach intended beneficiaries, particularly marginalised children including children with disabilities, nomadic children, and children in remote areas;
 - i) Conduct child rights impact assessments for all budget proposals and major policy decisions;
 - j) Include comprehensive disaggregated budgetary information in its next periodic report.
8. The Committee observes from the State Party report and during the constructive dialogue that there are significant gaps in the centralised and disaggregated data collection systems concerning children. The Committee notes the State Party's acknowledgement that data on child labour, violence against children, child marriage, and children in conflict with the law is not systematically collected, and that the most recent Eritrea Population and Health Survey (EPHS) of 2025 is still in the writing and finalization stage. The Committee emphasizes that the absence of accurate and disaggregated data on key child rights indicators significantly impedes the State Party's ability to assess the situation of children and determine

progress in the implementation of the Charter. The Committee recommends that the State Party:

- a) Establish a centralised national data collection system on children covering all areas of the Charter, with data disaggregated by age, sex, disability, geographic location, ethnicity, and socio-economic status;
 - b) Strengthen the capacity of the National Statistics Office and line ministries to systematically collect, analyse and disseminate data on violence against children, harmful practices, children without parental care, child labour, and children in conflict with the law;
 - c) Expedite the finalisation, publication and dissemination of the 2025 EPHS results and ensure that data is used to inform policy and programming on children's rights;
 - d) Provide a clear timeline for the integration of disaggregated data on harmful practices, violence against children, and children without parental care into the national data repository.
9. The Committee notes the State Party's explanations regarding Proclamation No. 145/2005 governing the operation of civil society organisations. The Committee remains concerned that the regulatory framework, including the requirement for local NGOs to demonstrate USD 1 million in resources and international NGOs USD 2 million, combined with the prohibition on earmarked UN or bilateral funding, may significantly restrict the operation of independent child rights organisations and limit civil society contribution to the promotion and protection of children's rights. The Committee recommends the State Party to:
- a) Review Proclamation No. 145/2005 to facilitate broader civil society participation in the promotion and protection of children's rights;
 - b) Ensure that the regulatory framework allows for the independent operation, monitoring, and advocacy of child rights organisations;
 - c) Establish formal mechanisms for meaningful and sustained engagement with civil society in the development, implementation and monitoring of child-related policies and programmes.
10. The Committee notes the dissemination measures undertaken by the State Party for its policies which were translated into local languages, to conduct community sensitisation. The Committee recommends that the State Party may further consider translating the Charter into local Eritrean languages and produce child-friendly versions. Additionally, to intensify training of professionals working with and for children.

B. Definition of the Child

11. The Committee welcomes the clarification provided during the constructive dialogue that the age of criminal responsibility in Eritrea is 18 years, and that the minimum age of marriage is set at 18 years with penalties of up to ten years' imprisonment for those who participate in or assist child marriage ceremonies. The Committee also notes the State Party's commitment to raising the minimum working age from 14 to 15 years.
12. However, the Committee notes with concern that the State Party did not provide a complete inventory of minimum ages set across all relevant legislation, including

ages for consent to medical treatment, military service, and customary and religious law. The Committee recommends that the State Party:

- a) Provide a comprehensive inventory of all legislation defining minimum ages, ensuring consistency with the African Children's Charter;
- b) Ensure that the minimum age of marriage at 18 is uniformly applied across civil, customary, and religious laws without exception, and that this is reflected in registration of all marriages; and
- c) Strengthen enforcement mechanisms to ensure prohibition and that penalties for child marriage are systematically applied and provide data on prosecutions in the next periodic report.

C. General Principles

Non-discrimination (Article 3)

13. The Committee notes the legal framework prohibiting discrimination under the Transitional Civil Code of Eritrea and Proclamation No. 73/1995. The Committee, however, notes the absence of comprehensive disaggregated data demonstrating equality of access and outcomes for children from different geographic locations, socio-economic status, disability status, and birth status. The Committee recommends the State Party to:

- a) Report disaggregated data demonstrating the actual situation of children from marginalised groups, including nomadic children, children with disabilities, children of religious minorities, and children born out of wedlock;
- b) Strengthen targeted measures to eliminate de facto discrimination, particularly in access to education, health services, and birth registration;
- c) Ensure that all children, regardless of the registration status of their religious community, can access education and other essential services without discrimination.

Best interests of the child (Article 4)

14. The Committee notes the references to the best interest principle in the Transitional Civil Code of Eritrea. However, the Committee notes the absence of concrete examples of how the principle has been applied in administrative, judicial, and legislative decision-making during the reporting period. The Committee recommends the State Party to:

- a) Develop specific guidelines on the assessment and determination of the best interests of the child in all administrative, judicial, and legislative decisions affecting children;
- b) Provide systematic training to judges, social workers, administrative decision-makers, and law enforcement officials on the application of the best interests' principle; and
- c) Include in the next periodic report concrete examples of court decisions and administrative actions where the principle was determinative.

Right to life, survival and development (Article 5)

15. The Committee notes with appreciation the State Party's significant progress in reducing child mortality, with the under-five mortality rate reduced from 40 per 1,000 live births in 2020 to 35 in 2024, the infant mortality rate from 32 to 26, and the neonatal mortality rate from 16 to 14 in the same period. The Committee also notes the high immunisation coverage and progress in maternal health, with skilled birth attendance increasing from 74.2% to 84%. The Committee further appreciates the scale-up of the Integrated Management of Newborn and Childhood Illness reaching over 251,000 children in 2024 alone.
16. The Committee, however, notes that comprehensive disaggregated data on causes of death among children aged 0–18 by age group and sex, suicide rates among adolescents, and deaths from violence has not been provided. The Committee recommends the State Party to:
 - a) Strengthen data collection on all causes of child death, disaggregated by age, sex, region and underlying cause;
 - b) Continue investments in maternal, newborn, child and adolescent health, with particular focus on remote and nomadic communities;
 - c) Address the underlying social determinants of child mortality, including poverty, malnutrition, and access to safe water and sanitation.
17. The Committee recalls that, in its initial (2017) Concluding Observations, it examined the situation of children at the Sawa Military Training Centre. The Committee notes the clarification during the constructive dialogue that the Sawa Education and Training Centre has a holding capacity of 20,000 students, that selection criteria limit attendance to those who have completed Grade 12, that underage and medically unfit individuals are exempted, and that children are not forced into mandatory service. The Committee remains concerned, however, about the absence of an independent monitoring mechanism for age verification at the facility and the framework for protecting female recruits against sexual harassment and abuse. The Committee recommends the State Party to establish and implement an independent monitoring mechanism for age verification at the Sawa Education and Training Centre; adopt clear policies and standard operating procedures, including independent complaints mechanisms, to protect female recruits and students at the Centre from all forms of sexual harassment, abuse and exploitation; and provide data in its next periodic report on cases of sexual harassment reported, investigated and prosecuted at the Centre.

Participation of the child (Article 7)

18. The Committee notes the existence of structures for child participation, including the inclusion of two children aged 14–17 as permanent members of each of the 67 sub-zonal committees for women's and children's rights. The Committee, however, is concerned that child participation appears concentrated in state-affiliated structures, particularly under the National Union of Eritrean Youth and Students (NUEYS), with limited evidence of independent child-led initiatives or platforms where children can express dissenting views. The Committee recommends the State Party to:

- a) Establish and support diverse and independent platforms for child participation that allow children to freely express their views on issues affecting them, including views that may differ from official positions;
- b) Ensure meaningful participation of children from marginalised groups, including children with disabilities, nomadic children, refugee children, and younger children;
- c) Recognise the legal right of children to be heard in all judicial and administrative proceedings affecting them, including in family law and care proceedings, and not only in adoption matters;
- d) Conduct regular assessments of the effectiveness of child participation mechanisms and provide examples in the next periodic report of policies and programmes modified based on children's input.

D. Civil Rights and Freedoms

Birth registration, name and nationality (Article 6)

19. The Committee welcomes the development of the five-year Strategic CRVS Plan (2024–2028) and notes the targets of 90% registration coverage for births by 2028. The Committee, however, notes with concern that the current national birth registration rate is not available, as the 2025 EPHS is the first survey expected to provide such estimates. The Committee notes with concern that the non-registration of births remains criminalised, and recalls that in its previous Concluding Observations it recommended the urgent repeal of the provisions criminalising the failure to register a birth. The Committee considers that, notwithstanding the State Party's position that such sanctions are applied only as a measure of last resort, the continued criminalisation of non-registration is a disproportionate measure that may deter registration. The Committee recommends the State Party to:

- a) Expedite the implementation of the CRVS Strategic Plan (2024–2028) and provide progress updates on achievement of the 90% target;
- b) Ensure that birth registration is free, including for late registration, and repeal the criminalisation of non-registration, adopting non-penal measures to encourage timely registration in line with the Committee's 2022 recommendation;
- c) Strengthen mobile and outreach registration services targeting nomadic populations, remote areas, and children born outside health facilities;
- d) Formalise linkages with health facilities and religious institutions for birth notification, including making birth certificates available immediately upon registration;
- e) Adopt measures to identify, document, and provide nationality to stateless children, including abandoned children and children born to non-national parents.

Freedom of expression, association and peaceful assembly (Articles 7, 8)

20. The Committee notes the platforms provided for children's expression through programmes such as 'Fiyorina' TV, 'Hello Children' newspaper, school clubs, and

the National Union of Eritrean Youth and Students (NUEYS). The Committee, however, notes the State Party's position that "Eritrean policy toward children's rights is viewed as comprehensive and without gaps that warrant blame", suggesting limited space for critique or independent advocacy by youth organisations. The Committee recommends the State Party to:

- a) Ensure that children and young people can form and join independent organisations, including those operating outside the umbrella of NUEYS or other state-affiliated structures, without restriction;
- b) Provide concrete examples in its next periodic report of independent child-led initiatives, child-led protests or advocacy on children's rights, and instances where children's views have led to policy changes;
- c) Guarantee in law and practice the rights of children to peaceful assembly and protest on issues affecting them.

Freedom of thought, conscience and religion (Article 9)

21. The Committee notes that the Transitional Civil Code and the Constitution guarantee freedom of thought, conscience and religion. The Committee is nevertheless concerned that the State Party officially recognises only four religious denominations, that children belonging to non-recognised faiths, including Jehovah's Witnesses, continue to face discrimination, and that the concern and recommendation it raised in its previous Concluding Observations regarding this policy have not been adequately addressed in the report. Informed by the additional insights arising from the communication concerning the treatment of Jehovah's Witnesses, the Committee reiterates and expands its previous recommendation and urges the State Party to revise the policy recognising only four religions so as to bring it into conformity with Article 9 of the Charter, to ensure that children of all faiths, and children of parents of any faith, are able to exercise their religion or belief without discrimination or disadvantage, and to refrain from detaining, penalising or otherwise disadvantaging children or their parents on the basis of religious affiliation.

Protection of privacy (Article 10)

22. The Committee notes the provisions in the Transitional Civil Code of Eritrea protecting privacy and the directive regulating internet cafes. However, the Committee notes the absence of a comprehensive data protection framework specifically addressing children's personal information. The Committee recommends the State Party to:

- a) Adopt comprehensive data protection legislation that specifically addresses how children's personal information is collected, processed, stored, and discarded across educational, health, and online settings;
- b) Establish frameworks creating clear obligations on mobile and internet service providers and online platforms to safeguard children as users of their services; and
- c) Consider ratifying the African Union Convention on Cybersecurity and Personal Data Protection (Malabo Convention).

E. Protection against abuse and torture (Article 16)

23. The Committee welcomes the clarification provided during the constructive dialogue that corporal punishment is strictly prohibited in all settings, including residential environments, educational institutions, and alternative care facilities. The Committee, however, remains concerned about the absence of comprehensive data on reported cases of violence against children, investigations, prosecutions, and services for child victims. The Committee further notes the absence of mandatory reporting obligations for professionals working with children and the lack of a national child helpline. The Committee recommends the State Party to:

- a) Codify the explicit prohibition of corporal punishment in all settings, including in the home, in clear and unambiguous legislation, particularly with reference of Article 32 of the 2015 Penal Code which has not yet been enacted;
- b) Establish a national child helpline accessible to all children including in rural and remote areas;
- c) Systematically collect and publish data on cases of violence against children, including investigations, prosecutions, convictions, and services provided to victims;
- d) Strengthen child-friendly investigation and judicial procedures, particularly for cases of sexual violence, including measures to protect child victims and witnesses.

F. Education, Leisure, Recreational and Cultural Activities

1. The Committee acknowledges the steps taken by the State Party to expand access to education at all levels, including the construction of new schools in rural and remote areas, the provision of boarding and para-boarding schools for disadvantaged children, and the recent training of nearly 5000 pre-primary teachers in the summer of 2024/25. The Committee further appreciates the provision of free education from primary through tertiary levels.
2. The Committee, however, notes with concern that despite the assertion of free education at all levels, parents bear the costs of uniforms, books and transportation, with poor families relying on government support and waivers through local administrative offices. The Committee further notes the persistent gender disparity at all levels except pre-primary, increasing grade repetition rates at secondary level, and the limited reach of nomadic education with only 35 new schools opened during the reporting period. The Committee further reiterates its 2022 concern that the location of Warsay-Yikealo Secondary School within the Sawa military complex results in children being educated and accommodated in the same facility as military trainees, and notes that the report does not indicate measures taken to address this. The Committee recommends the State Party to:
 - a) Ensure that no child is excluded from education due to inability to pay any associated costs, by expanding fee waiver mechanisms and ensuring their consistent application;

- b) Intensify efforts to address drivers of school dropout, particularly for girls, including home-school distance, socio-economic constraints, cultural barriers, and early marriage;
 - c) Expand and improve the quality of nomadic education, including through mobile schools, flexible calendars, and use of mother tongue, while ensuring accreditation equivalent to traditional schools;
 - d) Implement General Comment No. 9 on Children with Disabilities, expand inclusive education in mainstream schools, and provide data on enrolment, retention and completion rates of children with disabilities at pre-primary, primary and secondary levels;
 - e) Provide comprehensive data in the next periodic report on completion rates, learning outcomes, and disparities by sex, location, disability and socio-economic background.
 - f) Set aside the resources necessary to ensure that children are not educated in a militarised environment, including by providing secondary education outside the Sawa military complex, in line with the Committee's previous recommendation.
3. With reference to rest, leisure and cultural activities, the Committee notes the limited information provided on the availability of safe play spaces and recreational facilities for children, particularly in rural and urban poor areas. The Committee recommends the State Party to invest in the development and maintenance of safe play spaces, parks, and recreational facilities accessible to all children, including children with disabilities, and ensure that children engaged in work or caregiving responsibilities have adequate time for rest and play.

G. Health and Welfare

Health and health services (Article 14)

4. The Committee commends the State Party for the strong primary health care orientation of its health system, with approximately 80% of the population living within 10 km of a health facility, the deployment of approximately 450 outreach sites by 2024, and the expansion of community-based services. The Committee, however, notes that the health worker-to-population ratio of 1.83 per 1000 remains significantly below the WHO benchmark of 4.45 per 1000 required to achieve Universal Health Coverage. The Committee recommends the State Party to:
- a) Accelerate efforts to increase the health worker density and ensure equitable distribution between urban, rural and remote areas;
 - b) Strengthen the deployment of specialists in paediatric care to underserved regions;
 - c) Clarify and standardise the scope of free health services, including registration fees, investigations, and medicines, to ensure that nominal fees do not constitute a barrier to access; and
 - d) Provide comprehensive disaggregated data in the next periodic report on child mortality causes, immunisation coverage, and malnutrition rates (stunting, wasting, underweight).

Adolescent health (Article 14)

5. The Committee notes the adoption of the adolescent and youth-friendly sexual and reproductive health services strategy in 2017, which allows adolescents to access contraception without parental consent, and the integrated package including comprehensive sexuality education, menstrual health, and HPV vaccination. The Committee, however, notes the absence of disaggregated data on adolescent pregnancy rates, maternal mortality among adolescents, contraceptive use, and access to mental health services. The Committee further welcomes the State Party's reported progress of 75% towards the WHO 95-95-95 HIV targets. The Committee notes the State Party's clarification that the termination of pregnancy is permitted where the pregnancy results from sexual violence, but remains concerned that the absence of clear implementing guidelines and of awareness among health-care providers may result in inconsistent access to safe abortion services for adolescent victims of sexual violence. The Committee recommends the State Party to:
 - a) Strengthen the collection and dissemination of disaggregated data on adolescent health indicators, including adolescent pregnancy, maternal mortality among adolescents, suicide, and mental health;
 - b) Ensure that comprehensive sexuality education is provided in all schools and accessible to out-of-school adolescents, with age-appropriate content and qualified facilitators;
 - c) Expand mental health services for children and adolescents, including school-based services and measures to reduce stigma;
 - d) Accelerate progress towards the WHO 95-95-95 HIV targets and ensure adolescents living with HIV have full access to age-appropriate treatment, care and support; and
 - e) Clarify and ensure consistent access to safe abortion services for adolescent victims of sexual violence in accordance with the Maputo Protocol.

Children with disabilities (Article 13)

6. The Committee commends the State Party's accession to the Convention on the Rights of Persons with Disabilities in December 2024, the revision of the National Disability Policy, and the provision of orthopaedic appliances to 900 children with disabilities through the Arierieb Orthopaedic Workshop. The Committee notes the "Donkey for School Project" which benefited 1357 children with disabilities, but notes that this initiative cannot substitute for systematic school accessibility. The Committee recommends the State Party to:
 - a) Strengthen early identification and intervention services, access to rehabilitation, assistive devices, and therapy;
 - b) Provide data on children institutionalised due to disabilities and develop strategies for deinstitutionalisation;
 - c) Make school infrastructure systematically accessible to children with physical disabilities, beyond individual transport solutions; and
 - d) Provide comprehensive support to families of children with disabilities, including respite care and financial assistance.

H. Family Environment and Alternative Care

7. The Committee welcomes the State Party's commitment expressed during the constructive dialogue to minimise the institutionalisation of children and promote family-based care. The Committee notes the placement of orphans in extended families, community-based group homes, and the income-generating support to vulnerable families. The Committee, however, notes that only two community-based group homes exist in the country and that comprehensive data on children without parental care is not available. The Committee recommends the State Party to:
 - a) Develop and implement a comprehensive care reform strategy with clear timelines and benchmarks, prioritising family-based and community-based care alternatives;
 - b) Adopt regulatory standards for all alternative care settings, including procedures for placement decisions, regular review of placements, complaints mechanisms accessible to children in care, and inclusion of children's views in placement decisions in line with General Comment No 10 on Article 25 of the ACRWC;
 - c) Strengthen the income-generating support programme for families caring for orphans, with clear eligibility criteria, adequate benefits, and continued support until the child reaches adulthood;
 - d) Provide comprehensive data on children without parental care, disaggregated by type of care, reasons for separation, length of placement, and outcomes; and
 - e) Establish regular monitoring and inspection mechanisms for institutional care settings.
8. The Committee notes that only 36 adoptions occurred during the entire reporting period 2020–2024, all involving infants under one year old. The Committee recommends the State Party to promote domestic adoption with appropriate safeguards to ensure the best interests of the child, conduct post-adoption follow-up, and clarify the legal framework on intercountry adoption.

I. Special Protection Measures

Children in armed conflict (Article 22)

9. The Committee takes note of the State Party's position that there were no children affected by armed conflict during the reporting period. The Committee, however, recalls its concerns regarding the conflict in northern Ethiopia (2020–2022), as well as the concerns raised in its 2022 Concluding Observations regarding the possible direct involvement of children in the armed forces and the military training of children (addressed above in relation to the Sawa Education and Training Centre). The Committee recommends the State Party to:
 - a) Adopt and align national policies with the ACERWC Model Law on Children Affected by Armed Conflict;
 - b) Implement General Comment No. 22 on Article 22 of the ACRWC and report on progress in its next periodic report;

- c) Ensure that the Eritrean Defence Force Rules of Engagement explicitly incorporate child protection standards in line with international humanitarian law; and
- d) Develop psychosocial support and rehabilitation services for any children potentially affected by armed conflict and family tracing and reunification mechanisms for separated children.

Refugee, asylum-seeking, internally displaced children, and Eritrean children abroad (Article 23)

10. The Committee takes note of the State Party's position that there are no refugee, asylum-seeking, or internally displaced children in Eritrea, and welcomes the Government's expressed intention to promote the rights of children on the move at national and local levels. The Committee, however, notes the significant numbers of Eritrean children living as refugees and asylum seekers in other countries. The Committee recommends the State Party to:
- a) Establish clear refugee status determination procedures and contingency plans for potential displacement, including provisions for unaccompanied and separated children arriving at Eritrean borders;
 - b) Engage constructively with countries hosting Eritrean refugee children to ensure their protection and rights, including through bilateral and multilateral cooperation;
 - c) Identify and address the root causes of child migration from Eritrea, including through measures to prevent child trafficking and smuggling;
 - d) Develop voluntary return and reintegration programmes for Eritrean children who wish to return.

Administration of juvenile justice (Article 17)

11. The Committee welcomes the clarification provided during the constructive dialogue that the age of criminal responsibility in Eritrea is 18 years, that the penal code emphasises reformatory measures with the intention to rehabilitate children, and the State Party's plan to introduce a restorative justice model for children in conflict with the law. The Committee, however, notes the absence of comprehensive data on children in conflict with the law, including data on age, sex, type of offence, outcomes, conditions of detention, and access to legal representation. The Committee recommends the State Party to:
- a) Codify in clear legislation the age of criminal responsibility of 18 years and ensure consistent application across all judicial and administrative proceedings;
 - b) Expedite the introduction of the restorative justice model for children in conflict with the law and ensure its alignment with the African Children's Charter and international juvenile justice standards;
 - c) Establish a specialised juvenile justice system, including specialised courts and trained judges, prosecutors, and law enforcement officers;

- d) Ensure that children have access to legal representation and legal aid from the time of arrest, that parents or guardians are immediately notified, and that safeguards exist during interrogation;
- e) Establish independent monitoring of conditions of detention for children, including access to education, healthcare, family contact, and complaints mechanisms;
- f) Collect comprehensive disaggregated data on children in conflict with the law.

Children of imprisoned parents (Article 30)

12. The Committee notes the measures taken to support mothers in detention with their children, including provision of meals, education, vocational training, and visitation. The Committee recommends the State Party to:
- a) Prioritise non-custodial sentences for primary caregivers of young children, with best interests of the child as a primary consideration in sentencing decisions;
 - b) Ensure that mother-and-baby units in prisons meet appropriate standards for children's development; and
 - c) Provide comprehensive support to children separated from imprisoned parents, including community-based assistance, educational support, and maintenance of family contact.

Economic exploitation including child labour (Article 15)

13. The Committee notes that the current minimum age for employment is 14 years under Article 9 of the Labour Proclamation, with the State Party's plan to raise it to 15 years in line with ILO standards. The Committee further notes the prohibitions on hazardous work for persons under 18. The Committee, however, notes the absence of recent data on child labour, with the most recent information dating from the 2015/2016 Labour Force Survey. The Committee recommends the State Party to:
- a) Expedite the increase of the minimum working age to 15 years in alignment with ILO Convention No. 138;
 - b) Collect comprehensive data on child labour prevalence, sectors, and worst forms of child labour;
 - c) Strengthen labour inspection systems, including in agriculture, domestic work and family enterprises, and informal businesses and further provide data on inspections, violations, prosecutions and penalties;
 - d) Develop systems for providing children removed from hazardous and worst forms of child labour with support services, education, and reintegration;
 - e) Clarify the operation of the "Zero Wastage Policy" to ensure that any associated work assignments for young people do not constitute exploitation and do not interfere with their education.

Sexual exploitation, sale, trafficking and abduction (Articles 27 and 29)

14. The Committee notes the legal framework prohibiting sexual exploitation and trafficking and the awareness-raising activities undertaken. The Committee, however, notes the absence of disaggregated data on cases of sexual exploitation and abuse of children, including online sexual exploitation, and on child trafficking.

The Committee recommends the State Party to:

- a) Adopt comprehensive anti-trafficking legislation and ensure that child sexual abuse, commercial sexual exploitation, and child sexual abuse material are defined as specific criminal offences with appropriate penalties;
- b) Establish specialised identification procedures for child victims of trafficking and sexual exploitation, and provide comprehensive support services including shelters, counselling, medical care, and legal support;
- c) Strengthen the monitoring of internet cafes and online platforms to prevent online child sexual exploitation, while ensuring children's rights to information and privacy;
- d) Engage in regional and international cooperation to combat cross-border child trafficking, including with transit and destination countries;
- e) Systematically collect and report on data on prosecutions, convictions and services provided to victims of sexual exploitation and trafficking.

Harmful social and cultural practices (Article 21)

15. The Committee commends the State Party for the significant progress in combating FGM, with mapping data showing that only a diminutive number of girls between 5 and 15 have undergone FGM in surveyed villages, and that 95.9% of respondents supported abolition. The Committee further commends the joint programme between the Ministry of Health, MoLSW, NUEW, UNICEF and UNFPA and the National Strategic Plan on ending FGM. The Committee, however, notes that comprehensive national prevalence data is not available, as the mapping was conducted in selected sub-zones only. The Committee recommends the State Party to:

- a) Expand the FGM mapping nationwide to obtain comprehensive prevalence data disaggregated by region, age, and urban or rural location;
- b) Strengthen enforcement of legislation prohibiting FGM including investigation and prosecution of cases, and provide data on prosecutions and convictions;
- c) Provide comprehensive medical, psychosocial and other services for FGM survivors;
- d) Strengthen measures to prevent medicalised FGM/C, including training of health workers and engagement with traditional practitioners;
- e) Share best practices on the elimination of FGM in the next periodic report.

16. With regard to child marriage, the Committee welcomes the clarification during the constructive dialogue that penal measures are enforced against perpetrators and those who participate in or assist child marriage ceremonies, with imprisonment

terms reaching up to ten years. The Committee, however, notes the absence of data on the prevalence of child marriage, trends over time, regional variations, and prosecutions. The Committee recommends the State Party to:

- a) Provide comprehensive data on child marriage prevalence (percentage of women married before 18 and before 15), trends, and regional variations;
- b) Ensure that the minimum age of marriage at 18 applies uniformly across civil, customary and religious laws without exception;
- c) Strengthen the registration of all marriages and the enforcement of penalties against perpetrators;
- d) Develop comprehensive support services for girls exiting child marriages, including return to education and economic support;
- e) Address other harmful practices including forced betrothals, virginity testing, and any other practices that may negatively affect children.

Children in street situations and substance abuse (Article 25)

17. The Committee notes the absence of comprehensive data on children living and/or working on the streets, and on related prevention and rehabilitation services. The Committee recommends the State Party to:

- a) Conduct a comprehensive assessment of children in street situations, disaggregated by age, sex, location, and root causes;
- b) Develop targeted programmes to prevent street-connected situations and provide services including temporary shelter, education, health, and family reunification;
- c) Ensure that street-connected children are not criminalised or subject to forced removal;
- d) Expand prevention programmes in schools and communities and ensure accessible treatment and rehabilitation services for affected children.

J. Additional Concerns

Climate change and environment

18. The Committee acknowledges Eritrea's recognition of the significance of climate issues and its enactment of Environmental Protection legislation guaranteeing every individual's right to a clean and healthy environment. The Committee, however, notes the absence of disaggregated data on the number of children affected by drought and climate change impacts. The Committee recommends the State Party to:

- a) Develop comprehensive climate change adaptation strategies that integrate the rights and welfare of children, including nutrition and food security, maternal and child health, and water and sanitation;
- b) Strengthen national capacity for shock-responsive social protection and emergency feeding programmes to support children and families affected by climate-related crises;

- c) Collect and report data on children affected by drought and climate change;
- d) Integrate climate change considerations and their impacts on children's rights into the next periodic report.

Impact of sanctions and follow-up to previous recommendations

19. The Committee notes the State Party's reference to the challenges posed by sanctions and its engagement with the Office of the High Commissioner for Human Rights and the Special Rapporteur on the impact of Unilateral Coercive Measures. The Committee encourages the State Party to continue this engagement and to systematically document and report on the specific impacts of sanctions on the realisation of children's rights. In particular, the Committee recommends that the State Party undertake a child rights impact assessment of the effects of sanctions, disaggregated by sector, including their impact on children's access to health care, education, adequate nutrition and essential medicines, and use its findings to inform mitigation measures and its engagement with the relevant international mechanisms.
20. The Committee notes the State Party's position that the implementation of recommendations is a process of progressive realisation. The Committee, however, emphasises that systematic follow-up on previous recommendations is essential to demonstrate progress and identify gaps. The Committee strongly recommends the State Party to:
 - a) Develop a clear implementation matrix for the present Concluding Observations, with specific actions, responsible institutions, timelines, and indicators;
 - b) Establish a systematic follow-up mechanism to monitor and report on the implementation of recommendations from treaty bodies, including the ACERWC; and
 - c) Include in the next periodic report a comprehensive table on the status of implementation of each recommendation, indicating whether it has been fully, partially, or not implemented, the specific measures taken, and the timeline for full implementation of pending recommendations.

IV. Conclusion

21. The African Committee of Experts on the Rights and Welfare of the Child commends the Government of the State of Eritrea for its efforts to implement the Charter and aspires for the implementation of these recommendations. The Committee would like to indicate that it will undertake a follow up Mission to assess the implementation of these recommendations in the foreseeable future. The Committee would also like to invite the State Party to submit its next periodic report in July 2029 in accordance with the Committee's Guidelines on Consideration of State Party Periodic Reports.
22. The African Committee of Experts on the Rights and Welfare of the Child takes this opportunity to renew to the Government of the State of Eritrea the assurance of its highest consideration.