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Quinta sesión, 3 junio 2026, 10.15 horas**Fifth sitting, 3 June 2026, 10. 15 a.m.****Cinquième séance, 3 juin 2026, 10 h 15**

Presidenta: Sra. López

Chairperson: Ms López

Présidente: M^{me} López**Discusión de los casos individuales****Discussion of individual cases****Discussion des cas individuels****Eritrea (ratification: 2000)**

Convenio sobre el trabajo forzoso, 1930 (núm. 29)

Convention (nº 29) sur le travail forcé, 1930

Forced Labour Convention, 1930 (No. 29)

Presidenta – Antes de comenzar con los trabajos propios de la Comisión, el representante gubernamental de Libia ha solicitado el uso de palabra para compartir información con la

Comisión en relación con los incumplimientos de envío de memoria que se discutieron el día de ayer. De manera excepcional, le concederemos el uso de la palabra al representante gubernamental debido a las dificultades que tuvieron para registrarse en nuestra Comisión.

Government member, Libya (Mr ALSERKEEK) – The State of Libya would like to express its appreciation for the Chairperson for showing flexibility in accommodating our request to speak in front of the Committee. It is not our will to not engage with the Committee. It was actually due to technical problems. Without further ado, I will provide the Committee with our statement.

The Delegation of the State of Libya is pleased to express its deep appreciation to the Committee of Experts for the substantial contributions it provides in supporting Member States to enhance their compliance with international labour standards. The Government reaffirms its full commitment to cooperating with the supervisory mechanisms and its dedication to developing its national legislation.

The Government wishes to clarify that the delay in completing the procedures related to submitting international instruments to the competent authorities does not reflect a lack of political will or insufficient follow-up. Rather, it is linked to a set of exceptional institutional circumstances that the country is experiencing during the transitional phase. These circumstances have led to irregular procedural coordination channels between the executive authorities and the competent legislative authorities responsible for ratification, which have directly affected the administrative process of transmitting international instruments despite the technical efforts undertaken within the Government. In this context, the Government established a tripartite Committee composed of representatives of the Government, employers and workers.

This Committee is mandated to examine the observations of the Committee of Experts, review international Conventions and assess their compatibility with national legislation. The Committee of Experts has completed its work and submitted clear recommendations regarding a number of Conventions it deemed compatible with the national legislative framework and implementable without conflict with existing laws.

The Committee of Experts also recommended referring these Conventions to the legislative authority for consideration of ratification. However, the complex institutional arrangements prevailing during the delicate transitional phase have prevented the completion of the necessary legislative procedures at this time.

Despite these challenges, the Government affirms that it has begun taking practical steps to strengthen compliance including developing a unified administrative pathway for transmitting the international instruments once the appropriate institutional conditions are in place. Hence, activating the role of the tripartite Committee, updating its working mechanisms and enhancing cooperation with the International Labour Office while requesting the technical assistance to support legislative harmonisation efforts.

The Government, while undergoing a delicate transitional phase, emphasizes that the challenges it has faced in fulfilling the procedural obligations under article 19 of the ILO Constitution were institutional circumstances beyond its control. The Government remains fully committed to restoring full compliance with these obligations as soon as the appropriate conditions allow. The Government finally reiterates its appreciation to the Committee of Experts and the Conference Committee and affirms its readiness to provide any additional information and to continue joint efforts to further harmonize national legislation with the international labour standards.

With this, I conclude my speech, Madam Chairperson. Again, we appreciate accommodating our intervention.

Presidenta – Continuando con nuestras labores, quiero informar que a partir de hoy la Comisión comenzará a examinar los 23 casos individuales que figuran en la lista aprobada el día lunes.

Los siguientes casos individuales están en nuestra agenda de hoy: Eritrea, sobre la aplicación del Convenio sobre el trabajo forzoso, 1930 (núm. 29); Malí, sobre la aplicación del Convenio sobre las peores formas de trabajo infantil, 1999 (núm. 182); Sudáfrica, sobre el Convenio sobre la discriminación (empleo y ocupación), 1958 (núm. 111); y la Argentina, sobre la aplicación del Convenio sobre la inspección del trabajo, 1947 (núm. 81), del Convenio sobre la inspección del trabajo (agricultura), 1969 (núm. 129) y del Convenio sobre la administración del trabajo, 1978 (núm. 150).

En lo que respecta a la gestión del tiempo, recuerdo a los delegados la importancia de inscribirse en la lista de oradores con la debida antelación antes del examen de cada caso. Ello permitirá a la Mesa de la Comisión decidir, en caso de ser necesario, la eventual reducción de los tiempos de intervención. Asimismo, se recuerda a los delegados que no podrán inscribirse en la lista de oradores una vez iniciada la discusión de un caso individual.

También quisiera recordarles los tiempos máximos de intervención para la discusión de los casos individuales. Tal como está previsto en la parte IX del documento D.1 sobre los métodos de trabajo de nuestra Comisión.

Estos tiempos máximos son los siguientes: 15 minutos para el Gobierno cuyo caso se examine; 10 minutos para los portavoces de los miembros empleadores y de los miembros trabajadores; 10 minutos para los miembros empleador y trabajador del país concernido respectivamente que se distribuirán entre los diferentes oradores de cada grupo; 7 minutos

para los grupos gubernamentales; 5 minutos para los otros miembros; 15 minutos para las observaciones finales del Gobierno cuyo caso se examine, y 10 minutos para las observaciones finales de los portavoces de los miembros empleadores y de los miembros trabajadores.

La presidencia en consulta con los demás miembros de la Mesa de la Comisión podrá reducir este tiempo a 3 minutos para los miembros que hablan a título individual, en particular, cuando haya más de 17 oradores inscritos en la lista. En tal caso, la Oficina intentará informar a los delegados inscritos en la lista de oradores.

También les recuerdo que el Gobierno cuyo caso se esté examinando podrá decidir cómo distribuir los 30 minutos del tiempo que se le ha asignado, de la forma en que le resulte más conveniente, entre su intervención inicial y sus observaciones finales. Por lo tanto, invito a los representantes gubernamentales de los casos examinados a que indiquen con antelación cómo desean distribuir su tiempo de intervención. Para facilitar la labor de los intérpretes, no olviden enviar sus declaraciones con antelación por correo electrónico a la siguiente dirección: CAN-INTERPRET@ilo.org. Asimismo, les agradeceríamos que pronuncien sus intervenciones a un ritmo razonable.

Antes de comenzar el examen del primer caso individual les informo, asimismo, de que los documentos que contienen información escrita enviada por los Gobiernos de Eritrea, sobre el Convenio sobre los métodos para la fijación de salarios mínimos (agricultura), 1951 (núm. 99); Kirguistán, sobre el Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (núm. 87); Libia, sobre el Convenio sobre la abolición del trabajo forzoso, 1957 (núm. 105); Nigeria, sobre el Convenio sobre el derecho de sindicación y de negociación colectiva, 1949 (núm. 98), y Togo, sobre el Convenio sobre la consulta tripartita (normas internacionales del trabajo), 1976 (núm. 144) están disponibles en la página web de nuestra Comisión.

También le quiero informar a la Comisión que los proyectos de PV sobre la discusión del centenario y sobre la discusión general están disponibles en la página web de nuestra Comisión.

Los miembros de la Comisión pueden presentar enmiendas a sus propias intervenciones hasta el jueves 4 de junio de 2026, a las 13 horas. Les ruego a los delegados que remitan sus enmiendas a la secretaría vía correo electrónico con control de cambios o *track changes* a la siguiente dirección: CAN@ilo.org. Con el fin de hacer enmiendas con control de cambios los delegados están invitados a solicitar la versión Word del proyecto de acta literal (*verbatim*) enviando un correo electrónico a la misma dirección. Les invito a leer el anexo III del documento D.1 sobre el procedimiento de enmienda a los proyectos de actas literales.

Ahora vamos a empezar con el examen del primer caso que se refiere a la aplicación del Convenio sobre el trabajo forzoso, 1930 (núm. 29) para Eritrea.

Para la discusión de este caso tenemos 11 oradores inscritos en la lista de oradores.

Invito entonces al representante gubernamental de Eritrea que va a intervenir en la distancia, vía zoom, a que tome la palabra Sr. Elisa Woldeyesus Gulay, Director del Trabajo.

Government representative (Mr GULAY) (Zoom call) –Distinguished members of the Committee, Distinguished Delegates, I appreciate and thank the Committee Secretariat for arranging this Zoom meeting for us to present our report. I have my delegates here, Mr Kebrab Kidane and Mr Abraham Bereket from the Workers' group, and Mr Berhane Gebrehiwet from the Employers' Federation of Eritrea (EFE). I am going to present the Government's report that addresses the specific inquiries raised by the Committee of Experts.

The Government reiterates its continued commitment to constructive engagement with the ILO and its supervisory mechanisms within the framework of mutual respect, sovereignty, equality, objectivity, and the principles enshrined in the ILO Constitution. The Government

regrets that the Committee of Experts continues to rely extensively on unverified allegations and politicized reports produced by external actors, particularly the reports of the so-called United Nations (UN) Special Rapporteur on the situation of human rights in Eritrea, a mandate Eritrea has consistently rejected as fundamentally flawed and lacking impartiality.

The observation fails to adequately situate Eritrea's National Service policy within the historical geopolitical and security realities confronting the country since independence. The observation indeed fails to recognize three cardinal factors and parameters that are pivotal in the whole discourse.

The National Service was enacted in the immediate aftermath of the independence as the Government embarked on a massive demobilization of the Freedom Fighting army. In the initial demobilization programme, 65,000 freedom fighters, that is almost two thirds of the liberation army, were demobilized with reinsertion packages. Government military doctrine centred on maintaining a small army of 35,000 with the National Service that would essentially act, for reasons of contingency, as a reserve army in the event of war. The National Service was and remains limited to 18 months in statutory terms, although it can naturally be extended in the event of war and the prolonged state of aggression or external belligerency.

The National Service operated in accordance with the statutory provisions until Ethiopia declared war against Eritrea in May 1998. But with the signing of the Algiers agreement, the Government of the State of Eritrea launched, in September 2001, a second and much larger demobilization programme. The Commission for Demobilization was established and earnestly began to implement it with substantial financial support from its developmental partners, but the programme was terminated in 2007 as Ethiopia continued to reject the final and binding Arbitral Award of the Eritrea-Ethiopia Boundary Commission, continued to occupy sovereign Eritrean territories, and doubled down on its belligerent policies.

Third, the current regime of Ethiopia has also reverted to much graver policies of aggression under the rubric of “sovereign access to the sea”, dashing the hopes of enduring peace enunciated in the Joint Declaration of Peace and Friendship signed between the two countries in 2018.

As a committed Member State, the Government is currently forwarding a comprehensive technical report to address the specific inquiries raised by the Committee of Experts. This preliminary response seeks to clarify the legal, security and developmental context of the National Service programme.

With regard to the legal basis of National Service under the Convention, the Government reiterates that the National Service Programme established under Proclamation No. 82/1995 is grounded in the inherent sovereign right and responsibility of every State to safeguard its national defence, territorial integrity, political independence and constitutional order. The Government therefore, maintains that compulsory military service under domestic law falls within the exception recognized under Article 2(2)(a) of the Convention concerning work or service exacted in virtue of compulsory military service laws for work of a purely military character. Under section 5 of Proclamation No. 82/1995, the objectives of the National Service Programme include: safeguarding national independence and sovereignty; ensuring national defence and security; preserving national unity and social coercion; and fostering a disciplined and resilient citizenry capable of responding to national emergencies and existential threats. The Government, therefore, rejects the characterization of Eritrea’s national service as coercive labour, noting that such assessments fail to adequately account for the prolonged security challenges and external existential threats that the country is encountering.

The Government further emphasizes that reserve mobilization measures, extensions of service and periodic emergency call-ups undertaken during periods of heightened insecurity

were directly linked to objectively existing security exigencies, including the recent tragic conflict in northern Ethiopia, that have and continue to pose grave threats to its sovereignty and territorial integrity.

At the same time, the Government underscores that the Committee of Experts should not conflate Eritrea's broader National Service Programme with "compulsory military service" within the narrow meaning of Article 2(2)(a). Compulsory military service under the Convention refers specifically to service of a purely military character, whereas Eritrea's National Service Programme constitutes a broader institutional framework encompassing military preparedness, reserve mobilization, emergency response and national resilience functions that involve the entire nation. The Government, therefore, maintains that Eritrea's National Service system constitutes a lawful exercise of sovereign authority consistent with Article 2(2)(a) of the Convention, particularly in light of the exceptional and prolonged security circumstances confronting the country over the past decades.

With regard to the application of Article 2(2)(b), on "normal civic obligations", the Government respectfully submits that it must be interpreted in light of the realities prevailing within each Member State, particularly countries emerging from conflict and operating under severe resource and security constraints. In Eritrea's case, civic responsibility is deeply rooted in the country's experience of collective struggle, national sacrifice and shared responsibility. Following a prolonged liberation struggle, Eritrea faced devastated infrastructure, limited institutional capacity, environmental degradation and significant developmental challenges.

Under such conditions, citizen participation in reconstruction and the resilience-building efforts became an essential component of national recovery and state-building. The Government emphasizes that Proclamation No. 82/1995 was conceived not solely as a military framework but also as a broader nation-building mechanism intended to strengthen social

cohesion, promote self-reliance and mobilize national capabilities in support of essential public interests. Accordingly, certain forms of service undertaken within the national service framework constitute legitimate civic obligations aimed at supporting national reconstruction, emergency response and environmental rehabilitation, food security, infrastructure development and broader public welfare objectives.

Further, many of the programmes cited by the Committee of Experts, including environmental rehabilitation, food security initiatives, infrastructure reconstruction and emergency response activities, were directly linked to safeguarding the well-being of communities affected by war, drought, climate-related pressures and regional instability. Such initiatives, therefore, cannot be divorced from the broader public interest and national resilience objectives they were designed to serve.

The Government reiterates that national service obligations and the related administrative measures have evolved over time in response to the changing circumstances, security conditions and development priorities. Within the framework of this reform, priority was given to members of the National Service. The Government emphasizes that all National Service members holding the qualifications, as well as those assigned to the army, are remunerated in accordance with the new and significantly improved salary scale.

The Government further notes that this reform constitutes part of the broader and ongoing effort to enhance the attractiveness and sustainability of the public service, strengthen human resource capacity within national institutions and improve the socio-economic welfare of public sector employees, within the constraints of national economic resources and external economic challenges.

The Government therefore respectfully disagrees with the Committee of Experts' characterization that no progress has been achieved in either law or practice. Such conclusions

fail to adequately acknowledge the complex and evolving regional environment, the extraordinary security burdens historically imposed upon Eritrea and the gradual adjustments undertaken within the constraints of prevailing national realities. Accordingly, the Government maintains that the civic and developmental components of its National Service Programme fall within the scope of permissible “normal civic obligations” under Article 2(2)(b) of the Convention, when assessed in light of Eritrea’s specific historical, developmental and security context.

The Government further reiterates its long-standing position regarding the mandate of the so-called Special Rapporteur on the situation of human rights in Eritrea and expresses concern over the Committee of Experts’ constituted reliance on reports produced under this mechanism. The Government maintains that the mandate was established through politicized processes inconsistent with the principles of impartiality, objectivity and constructive cooperation that should guide international human rights engagement. Since its inception, the mandate has operated in a confrontational rather than cooperative manner, relying on political pressure and predetermined conclusions.

The Government therefore rejects the treatment of the Special Rapporteur’s reports as authoritative evidentiary sources within the ILO supervisory system. The reports rely on anonymous interviews, secondary allegations and information provided by politically motivated actors and hostile advocacy groups operating outside Eritrea. Such methodologies lack transparency, verifiability and adequate procedural safeguards necessary to ensure credibility and objectivity. The Government is therefore concerned that the Committee of Experts’ observation reproduce allegations derived from the Special Rapporteur’s report without sufficient independent scrutiny, thereby risking the objectivity and credibility of the ILO supervisory system. The Government respectfully recalls that the legitimacy of the ILO

supervisory system has historically rested on technical expertise, tripartite dialogue and objective assessment grounded in cooperation rather than politicized external mechanisms.

The Government continues to reaffirm its commitment to continued dialogue and constructive cooperation with the ILO within a framework based on technical engagement, mutual respect, sovereignty, equality and the depoliticized application of international labour standards.

Regarding cooperation with the ILO, the Government reiterates its commitment to constructive engagement and dialogue with the Organization and its supervisory mechanisms within the framework of mutual respect, sovereignty, equality, objectivity and non-politicization. The Government recognizes the important role of the ILO in promoting international labour standards and fostering technical cooperation among Member States. The Government has consistently engaged with the Organization through the submission of reports, participation in supervisory processes and interaction with relevant ILO bodies despite the challenging political and regional circumstances confronting the country.

The Government also recalls that the ILO supervisory system was intended to promote dialogue, cooperation and progressive realization of labour standards, while taking into account the differing conditions and circumstances of Member States. The Government remains prepared to continue engaging with the ILO in good faith and welcomes technical cooperation that respects national priorities and independent development path.

In conclusion, the Government firmly rejects the characterization of Eritrea's National Service Programme as a system of forced labour contrary to the Convention. Such portrayals fail to adequately account for Eritrea's historical experience, prolonged and relentless existential threats and challenges against its sovereign and territorial integrity and broader state-building and development realities. In the event, the Government emphasizes that

Eritrea's policies cannot be assessed in isolation from the realities the country has faced since independence. The Government accordingly maintains that Eritrea's National Service Programme must be understood within the framework of exceptions recognized under the Convention , including compulsory military service under Article 2(2)(a) and normal civic obligations under Article 2(2)(b).

The Government requests that the present observations and clarifications of their policy be fully reflected in the records of the supervisory process relating to the 114th Session of the Conference.

Presidenta – Quiero informar a los asistentes de la Comisión que hemos recibido el texto escrito de la intervención del representante gubernamental de Eritrea que se encuentra publicado en el sitio web de nuestra Comisión en nuestros tres idiomas para aquellos que deseen acceder al texto.

Ahora me permito dar la palabra al Sr. Tjalling Postma, portavoz de los miembros trabajadores, para que realice su declaración inicial.

Worker members – Distinguished members of the Committee, this is unfortunately not the first time that this Committee examines the application by Eritrea of the Convention. We had already addressed the situation in Eritrea during the 104th Session of the Conference in 2015 and during the 107th Session in 2018. On both occasions, the case was already accompanied by a double footnote. This is once again the case this year.

As mentioned by the Committee of Experts, the situation has been ongoing for more than 20 years. This fact demonstrates not only the seriousness of the issue, but also the persistence of the use of forced labour previously highlighted, as well as the inability or unwillingness of the Government to provide a satisfactory response to it to this day. According to the United Nations Refugee Agency (UNHCR), Eritrea was the tenth largest country of origin for refugees

and asylum seekers globally, with 18 per cent of its population having fled the country. Eritrea had the third highest rate worldwide of nationals who had fled the country relative to its population size.

This situation should not come as a surprise to us. For many years, increasingly alarming assessments have continued to accumulate regarding the situation in Eritrea. The latest report of the Special Rapporteur on the situation of human rights in Eritrea of 2025 characterizes the situation as critical from a human rights standpoint. The Special Rapporteur observes numerous violations of fundamental human rights, including through the widespread and systematic arbitrary detention and enforced disappearance of dissenting voices. Among the violations of human rights standards, the report underscores the centrality of the national service. This compulsory national service is also central to the Committee of Experts' observations in its review of compliance of Eritrea with the Convention.

Under Proclamation No. 82/1995 on National Service, all citizens of Eritrea between the ages of 18 and 50 have the obligation to perform a duty of national service, which includes active national service, and service in the reserve army. This compulsory national service is, in theory, limited to a duration of 18 months, of which the first six months are devoted to military training. The remaining 12 months are dedicated to active military service. In practice however the duration of the national military service continues to be indefinite, with the duration of individuals' national service remaining arbitrary and most Eritreans serving for periods ranging from several years to sometimes decades. The service has also extended far beyond the statutory limit of 50 years of age.

The Special Rapporteur notes that in recent years, particularly in the context of the Tigray war, children between 15 and 18 years of age as well as persons over 60 years of age were also conscripted. Moreover, the national service encompasses a wide range of activities such as, for

example, construction or agriculture. Others are assigned work in civilian roles such as in schools, in the judiciary, hospitals or companies owned by the military or the People's Front for Democracy and Justice. It quickly becomes apparent that these activities are not purely military in nature and therefore cannot fall within the scope of the exception provided in Article 2(2)(a) of the Convention. The nature and scope of the activities covered under the national service likewise do not allow the Government to invoke the "normal civic obligation" exception.

In the General Survey of 2007 on the forced labour Conventions, the Committee of Experts recalled that only three normal civic obligations are specifically mentioned in the Convention: compulsory military service, work or service in cases of emergency and minor communal services. The exception of "normal civic obligations" must be read in the light of other provisions of the Convention and cannot be invoked to justify recourse to forms of compulsory service which are contrary to such other provisions. The Committee of Experts stresses once again in its observation that the exceptions to the prohibition of forced labour contained in Article 2 of the Convention (military service, normal civic obligations and situations of emergency) are strictly defined and that the work involved must respond to precise requirements. In the case of Eritrea, the national service encompasses activities which are far broader in scope and objectives, which is not consistent with the requirements of the Convention. Eritrean citizens have very limited prospects of evading this forced labour.

Reports indicate that authorities are conducting mass roundups and forced recruitment and are resorting to violence and threat of severe punishments to themselves and their families to compel the population to participate in military action. Deserting or evading national service are criminal offenses. Those who attempt to desert or avoid the draft are punished accordingly by prolonged arbitrary detention, enforced disappearance, torture and inhuman or degrading treatments.

Completion of the national service is a prerequisite for accessing basic services and legal entitlements. Families may obtain ration coupons only upon certifying that all members of draft age are currently performing national service.

Forced or compulsory labour is defined in Article 2(1) of the Convention as any work of service exacted from an individual under the menace of any penalty or for which the said person has not offered himself or herself voluntarily. In light of this these considerations, it is therefore difficult to contend that Eritreans enter national service of their own free will.

We also wish to highlight the particularly critical situation of women who are subjected to compulsory national service. According to the UN Committee on the Elimination of Discrimination against Women, women performing national service continue to be victims of sexual violence, including rape, committed with impunity by male officers and recruits.

All these elements demonstrate a grave and systematic breach of the Convention.

The Government maintains that it is still compelled to requisition its population, within the framework of the national service, for reasons of legitimate national defence and due to unrelenting threats by Ethiopia. As early as 2015, the reasons of national defence and more specifically the strained diplomatic relations with Ethiopia were already invoked by the Eritrean authorities as justification for a situation that is in violation of the Convention. The conclusion of a peace agreement in 2018 between Ethiopia and Eritrea did not improve the situation. This peace agreement was concluded only a few weeks after the deployment of the technical advisory mission of the ILO following the Committee's discussion of 2018. In light of the peace agreement, demobilization was anticipated, and it was expected that the compulsory nature of national service would no longer be justified. Since then, however, the hostilities have resumed and demobilization has not taken place. The national service continues to remain in force.

We consider that the compulsory national service, as it is currently drafted and implemented, constitutes an institution that gravely infringes upon the fundamental rights of Eritrean citizens. The recommendations issued by this Committee in 2015 and 2018, as well as those of the United Nations Human Rights Council's Commission of Inquiry and of the Special Rapporteur on the situation of human rights in Eritrea, ought to be implemented. This should include revoking Proclamation No. 82/1995.

We trust that the discussion we are once again about to hold before this Committee will help persuade the Government to finally take all necessary measures to ensure that its legislation and practice are brought into full conformity with the requirements of the Convention. The Worker members, therefore, urges the Government to take concrete and time-bound measures to ensure full compliance with the Convention, both in law and in practice.

Presidenta – Doy ahora la palabra a la Sra. Annick Hellebuyck, portavoz de los miembros empleadores, para que realice su declaración inicial.

Membres employeurs – Nous constatons que la délégation gouvernementale a été accréditée très tardivement, et en présence des partenaires sociaux nationaux, nous espérons que ceux-ci auront l'occasion de pouvoir s'exprimer conformément au principe de base du tripartisme de l'OIT.

Les membres employeurs rappellent l'importance du respect des dix conventions fondamentales par tous les États Membres de l'OIT. Parmi ces conventions fondamentales figure la convention n° 29 sur le travail forcé.

L'éradication du travail forcé est une obligation de droit international, fondée sur un devoir moral fondamental de tous les membres de l'OIT: employeurs, travailleurs et gouvernements.

Il importe que les autorités nationales restent proactives, non seulement en mettant leur législation en conformité avec la convention, mais aussi en veillant à son application effective en pratique.

L'Érythrée a ratifié la convention le 22 février 2000. Cela fait donc plus de vingt-cinq ans que les autorités érythréennes se sont formellement engagées à supprimer immédiatement, totalement et définitivement de leur territoire toute forme de travail forcé ou obligatoire. Malheureusement, aucun progrès notable n'a été enregistré jusqu'à présent.

Un rapide survol des mécanismes de contrôle révèle que la situation nationale en matière de travail forcé reste, de manière permanente, sur l'agenda de l'OIT depuis 2014: non seulement, dans les rapports des experts en 2014, 2015, 2017, 2018, 2021, 2022 et 2025; mais aussi, au sein de notre commission, qui a déjà examiné ce cas en 2015 et en 2018; et encore dans les tentatives récentes du Bureau d'apporter un soutien à l'Érythrée pour faire face aux défis liés aux relations de travail.

La situation nationale reste tellement préoccupante que ce cas national figure, cette année, dans la liste de cas avec des notes spéciales (communément appelées «notes de bas de page» du fait de la nature des problèmes rencontrés dans l'application des conventions).

Le droit de ne pas être astreint à un travail forcé ou obligatoire est la pierre angulaire du concept de travail décent et l'un des droits de l'homme les plus fondamentaux relevant de la compétence de l'OIT. L'interdiction du recours au travail forcé ou obligatoire sous toutes ses formes est un droit inaliénable, consacré par la convention et la convention (n° 105) sur l'abolition du travail forcé, 1957, et renforcé par le protocole de 2014 relatif à la convention sur le travail forcé, 1930, dont le caractère contraignant est incontestable. Seules quelques dérogations limitatives sont incluses dans la convention. Tous les êtres humains sont

concernés. Ces instruments sont d'application générale et couvrent tous les secteurs d'activité, y compris le secteur informel.

L'article 2 de la convention énumère de manière limitative cinq types d'exceptions, mais celles-ci doivent rester temporaires et sont d'interprétation restrictive. Parmi ces exceptions, figurent notamment le service militaire obligatoire, les obligations civiques normales et les situations de force majeure.

Le gouvernement justifie l'instauration depuis 1995 du «service national» pour des raisons de défense nationale légitime. Son extension à des activités non-militaires serait justifiée par des circonstances urgentes spécifiques, telles que les conflits récurrents dans la Corne de l'Afrique, la sécheresse et même les «sanctions imposées par le Conseil de sécurité des Nations Unies depuis une décennie» je cite. Le gouvernement prétend que l'inclusion d'activités non-militaires dans de telles circonstances est couverte par l'exception des «obligations civiques normales» au sens de l'article 2, paragraphe 2 *b*), de la convention.

Hier, le gouvernement a transmis des observations écrites complémentaires dans lesquelles il maintient que le programme de service national doit être apprécié à la lumière du contexte sécuritaire exceptionnel auquel le pays est confronté depuis de nombreuses années.

Il soutient que certaines composantes du programme relèvent de l'exception relative au service militaire obligatoire, tandis que d'autres activités de nature civile s'inscriraient dans le cadre des «obligations civiques normales». Le gouvernement souligne également que ces activités poursuivent des objectifs de défense nationale, de résilience, de reconstruction et de développement dans l'intérêt public.

Se basant sur les deux derniers rapports de 2023 et de 2024 du Rapporteur spécial des Nations Unies sur la situation des droits de l'homme en Érythrée, la commission d'experts déplore qu'aucun progrès n'ait été accompli depuis plus de vingt ans, en droit et en pratique,

pour limiter strictement le recours au travail obligatoire dans le respect des exceptions prévues par la convention. En l'espèce, la pratique des rafles massives, des recrutements sous la contrainte, d'un service à durée indéterminée pouvant s'étendre sur deux décennies, de travaux forcés dans des conditions difficiles, ainsi que de menaces et de sanctions à l'encontre des conscrits et de leurs familles systématiques et à grande échelle va bien au-delà des dérogations autorisées par la convention.

Les membres employeurs prennent note de ces explications et reconnaissent que les préoccupations légitimes de sécurité nationale peuvent, dans certaines circonstances exceptionnelles, justifier le recours aux exceptions prévues à l'article 2, paragraphe 2, de la convention.

Néanmoins, les membres employeurs rejoignent les commentaires de la commission d'experts concernant les exceptions à l'interdiction du travail forcé. Le gouvernement qui invoque une exception ne peut pas utiliser des critères arbitraires.

Contrairement à la position du gouvernement, les membres employeurs estiment que l'extension du service national en Érythrée, qui impose aux conscrits d'exercer des activités non-militaires pour une durée indéterminée, est incompatible avec la signification des «obligations civiques normales» au sens de l'article 2, paragraphe 2 *b)*, de la convention.

En termes de recommandations finales, ce que nous disons est que l'État doit protéger les individus contre le travail forcé, donc la situation est d'autant plus préoccupante lorsque les individus sont astreints par l'État lui-même à du travail forcé et obligatoire.

Nous demandons au gouvernement de réformer le système du «service national» en vue de garantir que le travail exigé des conscrits se limite à l'instruction militaire, à des travaux à caractère purement militaire ou à des tâches visant à faire face à des situations exceptionnelles. En outre, nous demandons que, dans la pratique, la durée de ces travaux et

les conditions dans lesquelles ils sont effectués répondent expressément à ce que les exigences de la situation requièrent. Enfin, si les activités dépassent ce type de tâches, nous demandons qu'elles ne soient effectuées que par des travailleurs volontaires.

En pratique, les membres employeurs espèrent que le gouvernement adoptera et mettra en œuvre un plan de démobilisation et de transition vers le marché du travail assorti d'un calendrier précis, comprenant des mesures visant à favoriser la création d'emplois durables et la réinsertion des anciens conscrits. Il faudrait renforcer les mécanismes d'application des normes internationales du travail et de responsabilisation. À cet effet, le gouvernement devrait faire appel à l'assistance technique du Bureau.

Presidenta – Invito ahora a tomar la palabra a la Sra. Natalia Andreou Panayiotou, del Gobierno de Chipre, que hablará en representación de la Unión Europea.

Government member, Cyprus, speaking on behalf of the European Union (EU) and its Member States (Ms ANDREOU PANAYIOTOU) – I have the honour to speak on behalf of the European Union and its Member States. The candidate countries, North Macedonia, Montenegro, Albania, Ukraine, and Republic of Moldova, the European Free Trade Association (EFTA) countries, Iceland and Norway, members of the European Economic Area, as well as the United Kingdom align themselves with the statement. The European Union and its Member States are committed to the promotion, protection, respect, and fulfilment of human rights, including labour rights, and the abolition of the abolition of forced and compulsory labour. We promote the universal ratification and effective implementation of fundamental ILO Conventions and support the ILO in developing and promoting international labour standards and supervising their application.

We note with regret the observations of the Committee of Experts concerning the application by Eritrea of the Convention, particularly in relation to compulsory national service.

We recall that for more than 20 years, the Committee of Experts and this Committee in 2015 and 2018 have urged the Government to review the Proclamation on National Service No. 82/1995. We deplore that no progress has been achieved in law or practice as observed by the Committee of Experts. We recall that the Proclamation requires all citizens aged 18 to 50 to perform national service.

We share the Committee of Experts' concern that, in practice, national service has become indeterminate and goes well beyond the exceptions provided for in the Convention. We take note of the Government's explanations that national service was introduced for national defence and prolonged due to security threats and emergency circumstances, including drought, climate-related challenges, COVID-19, and recurrent conflicts in the Horn of Africa. However, we recall that the conditions under which compulsory labour may be exacted under exceptions in the Convention are strictly defined. We remain deeply concerned by reports referred to by the Committee of Experts that forced conscription has continued, including through mass roundups, forced recruitment, and coercive measures to compel participation in military action. We are also concerned by reports that conscripts serve under the threat of severe punishment to themselves and their families, and that reservists over 50 have been called upon to serve.

We note with serious concern the Committee of Experts' observations that the duration of national service remains indefinite, creating a permanent and de facto state of general mobilization. Many Eritreans serve for periods ranging from several years to over two decades, with no clear criteria defining the length of service. We are further concerned that conscripts are reportedly subjected to forced labour and arduous work in very harsh conditions without choice over the nature or conditions of work and for meagre pay, in programmes including construction, reforestation, soil and water preservation, reconstruction and food security. We therefore urge the Government to take the necessary legal and practical measures to reform

the national service system and bring it into full conformity with the Convention. We call on the Government to ensure that work exacted from conscripts is limited to military training, work of a purely military character, or tasks aimed at addressing exceptional situations. That the duration and conditions of such work respond specifically to the exigencies of the situation, and that assignment to civil service functions takes place only on a voluntary basis.

We also note with deep concern the Committee of Experts' observations on the Abolition of Forced Labour Convention, 1957 (No. 105), and the persistence of compulsory labour as punishment for holding or expressing political views or views ideologically opposed to the established political, social, or economic system. We therefore call for the Government to take the necessary measures to review sections 15.3, 4, and 10 of Press Proclamation No. 90/1996 and section 3.3 of Proclamation No. 73/1995 both in law and in practice.

Finally, we call on the Government to take the necessary measures to ensure that no person can be sanctioned with penalties of imprisonment, involving compulsory prison labour, under national legislation, for participating peacefully in a strike, ensuring that such a penalty is strictly limited to cases where participation in a strike has involved violence. The European Union and its Member States strongly encourage the Government to strengthen its cooperation with the ILO and to avail itself of ILO technical assistance.

We will follow the situation closely and remain ready to support efforts aimed at ensuring compliance with international labour standards and the abolition of forced and compulsory labour.

Presidenta – Concedo el uso de la palabra al Sr. Adrian Steiner, representante del Gobierno de Suiza.

Membre gouvernemental, Suisse (M. STEINER) – La Suisse soutient la déclaration faite par l'Union européenne et souhaite faire part des points suivants.

La Suisse est profondément préoccupée par la situation du service national en Érythrée, telle que décrite par la commission d'experts et confirmée par les rapports récents des Nations Unies. Nous déplorons profondément l'absence totale de progrès, tant sur le plan législatif que dans la pratique, malgré des appels répétés à une réforme.

La Suisse est particulièrement préoccupée par la durée indéterminée du service national, qui instaure de facto un état de mobilisation permanente, ainsi que les pratiques de conscription forcée. En outre, nous condamnons le recours systématique à des travaux non militaires dans des secteurs économiques variés, dans des conditions difficiles, sans liberté de choix et pour une rémunération dérisoire. Ces pratiques s'apparentent à du travail forcé au sens de la convention.

La Suisse prend note des raisons avancées par le gouvernement, notamment liées à la sécurité nationale et aux situations d'urgence. Toutefois, nous rappelons que le service militaire obligatoire doit être strictement limité à des tâches de nature militaire ou à des situations exceptionnelles, et que sa durée et ses conditions doivent être clairement définies et proportionnées.

Nous appelons dès lors instamment le gouvernement à réformer le système de service national afin de se conformer pleinement à la convention, notamment en garantissant des limites claires, en mettant fin aux pratiques coercitives et en assurant que toute affectation à des fonctions civiles repose sur une base volontaire.

La Suisse encourage en outre les autorités à coopérer pleinement avec les mécanismes internationaux compétents, et à recourir à l'assistance technique du Bureau disponible afin d'assurer leur conformité avec les obligations découlant de la convention.

Presidenta – Concedo la palabra al Sr. Joseph Chiaka Ajaero, representante de los trabajadores de Nigeria.

Worker member, Nigeria (Mr AJAERO) – I make this intervention on behalf of the workers of Africa. We wish to begin by making an important distinction. National youth service, properly designed and implemented, is not forced labour. National service can be a positive instrument for nation-building, youth development, social cohesion, skills acquisition and public service. Nigeria and Kenya offer useful examples.

National youth service programmes have existed in our countries for decades and have endured through different political eras, economic crises, security challenges, social tensions, and periods of significant national strain. Yet at no point have these circumstances been used as justification to transform youth service into indefinite conscription or forced labour. In both countries, national service remains time-bound, civilian in character, and focused on national integration, learning, community service and practical work experience. Young people are encouraged to contribute to national development, but they do so within a clearly defined legal framework for a limited period, and with certainty that their service will end.

There is a reason why the international community has consistently rejected systems of indefinite compulsory labour since the founding of the United Nations. The horrors of the Second World War demonstrated the dangers of States exercising unlimited control over the labour and lives of their citizens. The post-war international order was built on the principles of human dignity, freedom, and protection of human rights. The Universal Declaration of Human Rights affirmed that no one should be held in servitude and that every person has the right to freely choose their employment.

For Africa, this principle carries even deeper significance. Across our continent, colonial administrations frequently justified compulsory labour in the name of development, public works, security, and nation-building. African workers and trade unions resisted these systems because they understood a simple truth: development cannot be built on coercion. That

historical lesson is reflected in the Convention. The concern before this Committee is not the existence of national service in Eritrea. The concern is what national service has become in practice.

The Committee of Experts has repeatedly observed that national service has evolved into a system of indefinite duration, with some individuals reportedly serving for many years, in some cases, decades. The Committee of Experts has also noted reports of compulsory deployment in construction, agriculture, infrastructure projects, reforestation and other economic activities that go well beyond work of a purely military character.

The Convention is clear. Compulsory military service is permissible only for work of a purely military character. Emergency exceptions must be temporary, proportionate, and linked to genuine exigencies. They cannot justify a permanent state of mobilization or an indefinite obligation to labour.

We, therefore, urge the Government to undertake a meaningful reform, establish a clear enforcement limit of the duration of service, separate military service from civilian development activities, ensure that civilian work is voluntary and fairly remunerated, restrict emergency measures to genuine temporary situations, and engage fully with ILO technical assistance to bring law and practice into conformity with the Convention.

National service should be a bridge to citizens, skills, opportunity and national unity, but when service becomes indefinite, coercive and detached from its original purpose, it ceases to be a national service. It becomes forced labour. We call on the Government to implement the recommendations of the Committee of Experts and restore national service to its legitimate and lawful purpose.

Presidenta – Pasamos ahora al uso de la palabra al Sr. Víctor Novikov que hablará en representación del Gobierno de Belarus.

Interpretation from Russian: **Government member, Belarus (Mr NOVIKOV)** – Our thanks go to the Government of Eritrea for providing information.

The Government of Belarus notes the commitment of the Government of Eritrea to cooperating with the ILO supervisory mechanisms and providing information on the issues raised by the Committee of Experts. It is important that the consideration of this case be based on an objective assessment of the facts, national legislation and specific circumstances of the country. We would like to draw your attention to the fact that the Convention does contain a number of exceptions with regard to compulsory military service and other duties carried out in the interests of the State. In this regard, we believe that issues related to national service require careful analysis, taking into account their legal nature, objectives and conditions of implementation. We also note that in assessing the progress, it is necessary to take into account the measures taken by the Government, as well as national specificities and challenges the country faces.

The ILO supervisory system should facilitate practical solutions focused on the application of international labour standards through constructive dialogue and technical cooperation. We support continued engagement between the Government of Eritrea and the ILO and believe that the most effective way to achieve sustainable results is through ongoing cooperation on the basis of mutual respect, objectivity and acknowledgement of the national context.

Presidenta – Concedo el uso de la palabra al Sr. Godfrey Masale Selematsela quien hablará en representación de los trabajadores de Sudáfrica.

Worker member, South Africa (Mr SELEMATSELA) – I take the floor on behalf of the Federation of Trade Unions of South Africa, FEDUSA. I would like to draw the attention of your Committee to the serious and long-standing issue of forced and compulsory labour in Eritrea and the Government's continued failure to comply with the obligations set out under the

Convention. Eritrea ratified the Convention in 2000, thereby committing itself to suppress the use of forced and compulsory labour in all its forms. Under the Convention, forced labour is defined as all work or service that is exacted from any person under the menace of a penalty and for which the person has not offered themselves voluntarily.

Despite this commitment, numerous reports from international organizations, human rights bodies and United Nations mechanisms have documented practices that raise grave concerns regarding Eritrea's compliance with the Convention. Central among these concerns is the country's system of compulsory national service. While States have the right to require military service for legitimate national defence purposes, the Eritrean National Service Programme has been widely criticized, because it often extends indefinitely beyond the legally prescribed period. Many conscripts reportedly remain in service for years and in some cases decades, without the ability to leave voluntarily.

Individuals may be assigned not only to military duties but also to civilian work including construction projects, agricultural labour, public administration, and work for State-owned enterprises. The ILO's supervisory bodies have repeatedly expressed concern that such practices may constitute forced labour under the Convention. The prolonged and indefinite nature of service, restrictions on freedom of movement and the penalties imposed on those who attempt to evade or leave service have been cited as factors inconsistent with the Convention's requirements.

Furthermore, concerns have been raised regarding the recruitment of young people into the national service system and the limited opportunities available to citizens to challenge assignments or seek redress. These practices have contributed to significant migration from Eritrea, as many individuals seek to escape conditions they perceive as coercive and lacking fundamental labour protections.

The Government has maintained that national service is necessary for national security and development. However, the ILO has consistently emphasized that exceptions allowing compulsory military service cannot be used to justify the indefinite extraction of labour for economic development or civilian projects under coercive conditions. Compliance with the Convention requires concrete action. The Government must ensure that national service is limited in duration and genuinely connected to legitimate military purposes. It must also provide effective legal safeguards, protect workers' rights and cooperate fully with international monitoring mechanisms.

The issue before us is not merely one of legal compliance. It is fundamentally a question of human dignity, freedom and respect for internationally recognized labour standards. Every worker has the right to perform labour freely chosen, under the conditions and without coercion. I therefore call upon the Government to engage constructively with the ILO, implement the recommendations of its supervisory bodies and make meaningful steps towards ending practices that may constitute forced and compulsory labour. Such reforms would strengthen respect for human rights, improve labour protections and demonstrate the Government's commitment to its international obligations.

Presidenta – Concedo el uso de la palabra a la Sra. Linnea Wikstrom, quien hablará en representación de la Internacional de Trabajadores de la Construcción y la Madera.

Observer, Building and Wood Workers' International (BWI) (Ms WIKSTRÖM) – Building and Wood Workers' International (BWI) thanks the Committee for the opportunity to contribute to this discussion concerning the application of the Convention by Eritrea. The BWI represents workers in construction, building materials, wood, forestry and related sectors across the world. Our intervention focuses on the implications of this case for workers engaged in construction and infrastructure activities. We note with serious concern the Committee of

Experts' findings that persons performing national service continue to be assigned to the construction of roads and bridges, reconstruction activities and reforestation. These are economic activities that fall within sectors represented by the BWI.

The Committee of Experts has repeatedly emphasized that compulsory military service must be limited to work of a purely military character or to tasks aimed at addressing exceptional situations. The BWI therefore shares the Committee of Experts' concern that such infrastructure works cannot be justified under the narrow exceptions permitted by the Convention. We are particularly concerned that the national service system continues to operate for indeterminate periods, with reports indicating that individuals may remain within the system for many years. Infrastructure development cannot justify the long-term mobilization of workers under compulsory service. Any exception permitting compulsory labour must remain strictly limited in both scope and duration.

For the BWI, this case is also about the denial of fundamental labour rights. Workers assigned to construction projects through compulsory national service are deprived of protections normally associated with employment. They cannot freely choose their work, negotiate their conditions of employment, or effectively advocate for safe and healthy working conditions. This concern is particularly relevant in the context of infrastructure development, where labour is sometimes mobilized outside normal employment relationships. The BWI has encountered similar concerns in other infrastructure projects involving community labour arrangements.

Workers engaged through such arrangements frequently fall outside labour protections, procurement and lending safeguards and due diligence requirements. As a result, some of the most vulnerable workers contributing to infrastructure development receive the weakest

protection. Such examples reinforce an important principle directly relevant to this case. All workers should enjoy full labour protections.

The BWI is also deeply concerned by the impact on conscription on workers' ability to organize. Construction remains one of the most hazardous industries in the world, with workers routinely exposed to serious risks to their health and safety. In such environments, freedom of association is not only a fundamental right but also an essential mechanism for protecting workers. Trade unions play a critical role in identifying hazards, raising concerns regarding occupational safety and health, preventing accidents and ensuring accountability on construction sites. Workers engaged through compulsory national service are effectively denied these opportunities. The inability to organize collectively leaves workers more vulnerable, weakens their ability to raise concerns and removes one of the most important mechanisms through which safety, wages and working conditions are improved in the construction sector.

The BWI, therefore, supports the Committee of Experts' request that the Government reform the national service system and ensure that compulsory service is strictly limited to the exceptions permitted under the Convention.

In conclusion, the BWI reaffirms that roads, bridges, reconstruction works and other infrastructure projects should be carried out by workers in freely chosen employment, protected by labour law and able to exercise their fundamental rights. Sustainable construction must be built on decent work, safe working conditions and respect for workers' rights, not compulsory labour.

Presidenta – No veo más solicitudes de palabra, por lo cual invito ahora al representante gubernamental de Eritrea, el Sr. Elisa Woldeyesus Gulay, Director General de Trabajo de ese país, a que formule sus conclusiones.

Government representative (Mr GULAY) – I am very grateful for the comments made by the Worker members, Employer members and Government representatives, and I really appreciate the constructive information that you have given for us to improve the national service system in Eritrea.

I would like to just respond to the different questions that were raised without mentioning the countries that raised them . Eritrea was discussed some years back, and it has stayed as it is. This is not because the Government is not working on it. It is working on how to administer the National Service and how to improve it, and it is trying its best to improve the National Service administration.

When we come to the duration of the National Service, under Proclamation No. 82/1995, the 18-months duration was institutionalized. This has been prolonged not by design, but by necessity due to unrelenting external threats and the persistent state of belligerency in the region, in the Horn of Africa. The prolongation of the duration of national service was dictated by the threat level, not by arbitrary timelines. Originally, it was designed for 18 months, but because of the unrelenting external threats, it was prolonged indefinitely. We remain committed to returning to the 18-month standard as soon as regional stability is institutionalized.

This is the main reason why the national service duration is not in the hand of Eritreans, but in the hand of the situation: the external threats and the belligerency in the region. The Government views the duration of service not as an administrative choice, but as a direct functional response to the prevailing security environment caused by external threats and regional stability, under Article 2(2)(a) on military service.

Concerning the development situation, we must distinguish between commercial exploitation and normal civil obligations under Article 2(2)(b) of the Convention. Eritrea's

development tasks, such as building dams or food security or reforestation, are essential public works for national survival. Furthermore, given our climate and vulnerability position, this often falls under Article 2(2)(d) on emergency or force majeure.

These projects do not generate private profit. They secure the fundamental rights to life and development for the Eritrean people. They are the foundation for future private investments or post-conflict reconstruction. In general, no national service members are assigned to mining projects. The 2018 peace agreement was more than a signature, it was a sustainable environment. Unfortunately, the 2018 agreement was followed by renewed regional conflict from 2020 up to 2022, which posed an existential threat to our sovereignty. A state of peace cannot be declared while external actors continue to threaten our borders and use unilateral coercive measures to destabilize our economy. Consequently, national service remains a defensive necessity.

On mass roundups, the term “roundup” is a politically charged mischaracterization of legal enforcement. Like any nation with compulsory national service, Eritrea has administrative and legal procedures to ensure compliance and equitable participation. It is not, as allegedly said, that they are prosecuted, charged and imprisoned. Just like any other national compulsory national service, Eritrea has administrative and legal procedures to ensure compliance and equitable participation. We dispute the secondary reports cited by the Committee of Experts which often rely on biased sources and do not reflect the legal nature of our defence system. The National Service is a constitutional duty of every citizen.

With regard to the different changes that we have made, the National Service is a system of collective contribution to nation-building. While the Government tries to improve the welfare of all citizens, our economy has been constrained by years of unjust presumptions. As regional security is institutionalized, we will move towards economic reconstruction. Improving these

conditions is a priority within our national development plan. And the national services are fading away.

Our National Service is the heartbeat of our resilience. It has preserved our sovereignty and built the schools and clinics that ensure our people survive. We do not view these young men and women as forced labourers but as the architects of self-reliance in Eritrea. The question is that the Committee of Experts must view labour standards through the lens of the developing nation under unique geopolitical pressure.

I am just focusing on the labour administration of the National Service. I am not getting into other issues such as migration or Convention No. 105 because this is out of the scope of this observation.

Presidenta – Quiero hacer dos precisiones. Primero, aclarar al representante gubernamental de Eritrea que no se ha podido escuchar todo lo que dijo, debido a la mala conexión de la comunicación, y en segundo lugar, agradecer el esfuerzo realizado por los intérpretes teniendo en cuenta esta misma situación. Hecha la aclaración vamos a dar el turno de la palabra a los dos portavoces.

Invito entonces a la Sra. Annick Hellebuyck, portavoz de los miembros empleadores, a que tome la palabra.

Membres employeurs – Nous avons écouté avec attention les différents intervenants. Nous regrettons que les partenaires sociaux nationaux n'aient pas été accrédités pour participer à notre discussion tripartite.

Les membres employeurs attachent une importance cruciale au respect des règles sociales fondamentales par toutes les parties prenantes, à commencer par les autorités publiques en raison de leur responsabilité dans la protection des personnes. En tant que

membres de l'OIT, notre responsabilité collective est de garantir qu'au XXI^e siècle les droits sociaux fondamentaux sont respectés dans l'ensemble des États Membres.

Concernant la convention n° 29, renforcée par le protocole de 2014, la volonté de tous les mandants est d'éradiquer, sans attendre et de manière permanente, toute forme de travail forcé.

Les membres employeurs rappellent que, sous aucun prétexte, le travail forcé ne peut être organisé à l'initiative d'un gouvernement, d'une autorité publique ou d'une entreprise quelle qu'elle soit. Il s'agit d'une interdiction absolue, dont les exceptions fixées au paragraphe 2 de l'article 2 doivent être interprétées de manière restrictive. Ainsi, les conditions de l'exception dite des « obligations civiques normales » ne sont pas remplies en l'espèce, contrairement à la position défendue par le gouvernement.

Par conséquent, les membres employeurs demandent instamment au gouvernement de réformer le service national. Il faudra garantir que le travail exigé des conscrits se limite à l'instruction militaire, à des travaux à caractère purement militaire ou à des tâches visant à faire face à des situations exceptionnelles. Il faudra que la durée et les conditions d'exécution de ces travaux temporaires répondent expressément aux exigences de la situation exceptionnelle. Il faudra également s'assurer que les personnes qui seraient affectées à des fonctions de service public dans le cadre de l'obligation du service national le seront sur la base du volontariat.

En outre, le gouvernement doit résolument s'engager pour éradiquer la conscription des citoyens érythréens à durée indéterminée pour la construction de routes et de ponts, le reboisement, la préservation des sols et de l'eau, la reconstruction et les activités visant à améliorer la sécurité alimentaire.

Il faut mettre fin immédiatement aux rafles, aux recrutements forcés et aux mesures coercitives pour contraindre la population à participer à des activités militaires sous la menace de sanctions sévères à leur encontre et à l'encontre de leurs familles.

L'Érythrée reste confrontée à une grande instabilité, en l'absence de paix généralisée sur son territoire, ainsi qu'en raison des incertitudes liées au changement climatique, qui nécessitent des interventions spécifiques notamment pour prévenir les risques de famine. Dans ces conditions, la transition vers l'éradication complète du travail forcé pourra s'avérer difficile à mettre en œuvre. Les membres employeurs recommandent, dès lors, au gouvernement de demander l'assistance technique du Bureau pour l'accompagner dans cette transition. Comme le souligne l'Étude d'ensemble de cette année 2026 sur la paix et la résilience, le dialogue social et la coopération tripartite sont des outils essentiels pour élaborer des réponses crédibles et durables face aux crises. C'est grâce à la coopération et au tripartisme, en respectant les caractéristiques nationales, que les sérieux défis de ce pays pourront être surmontés avec le soutien de l'OIT.

Presidenta – Doy ahora la palabra al portavoz de los miembros Trabajadores, el Sr. Tjalling Postma.

Worker members – The Worker members thank the Government for the information provided, despite the fact that we could not understand everything, and for its engagement in this discussion.

We also thank the other speakers for their contributions. We deplore that none of the social partners from Eritrea was able to assist to this Committee. Unfortunately, the discussions held do not allay our concerns regarding the tragic situation faced by Eritrean citizens, who are compelled to perform forced labour under Proclamation No. 82/1995 on national service. We feel powerless in the face of such severe violations of a fundamental ILO Convention, and of

human rights more broadly, which has persisted for so long despite the accumulation of reports from independent bodies such as the Special Rapporteur on Eritrea, the Commission of Inquiry of Human Rights in Eritrea, or the Committee of Experts. We consider that none of the arguments put forward by the Government can justify the existence or the scale of the use of forced labour as provided for under Proclamation No. 82/1995.

To move out of the situation in which the Government has locked itself for far too many years, the first step must be to finally put an end to the open-ended national service by repealing the Proclamation on National Service No. 82/1995. In accordance with the requirements of the Convention, the Government must put an end to the systematic use of conscripts for work that is not of a purely military nature. The duration and the conditions of such work must also respond to the emergency demands of the situation. Under no circumstances may work be of an indefinite or arbitrary duration.

Women are particularly affected by the current situation in Eritrea. Reports from various non-governmental organizations (NGOs) and international institutions document unbearable sexual violence suffered by women during their compulsory national service. We call on the Government to take immediate measures to protect women engaged in compulsory national service from harassment and sexual violence.

In light of the information gathered and the discussions held during this meeting, it is therefore hardly surprising that many Eritreans feel compelled to flee their country to escape national service and inhumane detention conditions. Yet in Eritrea, the authorities do indeed level accusations against those they label as deserters. And when institutional violence cannot be directed at them, it is directed towards their families, notably through extortion. We urge the Government to put an end to reprisals against the families of those who refuse to forcibly serve in the national service.

If the authorities genuinely wish to demonstrate that they do not condone the intolerable acts reported to us, they should establish an independent complaints mechanism enabling conscripts to lodge complaints in cases of ill-treatment. Such a mechanism should also be able to provide some form of redress to those who have suffered harm in the context of their service obligations. We all sincerely hope that this will be the last time the Committee and the Committee of Experts are required to examine the Proclamation on national service and the disastrous consequences of its implementation for Eritrean citizens. We trust that concrete progress will finally be made so that Eritrean citizens may no longer endure the abuses and violations of their basic human rights.

We remain convinced that genuine cooperation with the ILO and with the international human rights mechanisms is the only path towards restoring the rights and dignity of all those affected. We, therefore, request the Government to avail itself of ILO technical assistance in order to implement all the Committee's recommendations.

Presidenta – Damos por concluida la discusión de este caso. Agradezco la participación del representante gubernamental de Eritrea, de todos los oradores que participaron en la discusión, e informamos que las conclusiones serán adoptadas por la Comisión en la tarde del miércoles 10 de junio.

Antes de pasar al siguiente caso vamos a tener una pequeña pausa de 5 minutos.

Se interrumpe la sesión a las 11.48 horas.

The sitting was suspended at 11.48 a.m.

La séance est suspendue à 11 h 48.