

DRAFTING NOTE

SCIENCE, TECHNOLOGY AND INNOVATION ACT 2026

1. Status and purpose of this note

This drafting note is explanatory and is not part of the proposed Assembly Act. It identifies the legislative need, the relationship with earlier Eritrean law, the principal matters retained, the modernization choices made and the place of the draft within the emerging constitutional statute book. The instrument remains a consultation draft and should be finalized only after legal, institutional, fiscal and public review.

2. Legislative need and prior law

The earlier Science and Technology Agency established by Proclamation 122/2002 did not provide a complete law for research freedom, ethics, innovation finance, data and modern technology.

3. What the draft retains

The draft retains national coordination, research institutions, standards, grants and promotion of useful science and technology.

4. What the draft updates and modernizes

It protects academic and scientific freedom, transparent competitive funding, research ethics and participant protection, open science and public-interest data, intellectual-property coordination, artificial-intelligence governance, diaspora collaboration and accountable innovation partnerships.

5. Constitutional, code and treaty fit

The draft is framed under the Constitution of Eritrea 1997 and must be read with the Civil Code, Penal Code, Civil Procedure Code and Criminal Procedure Code of Eritrea 2015 where those Codes govern. It is also coordinated with the other institutional, financial, commercial, land, labour, administrative and sectoral drafts in this collection. References to international or regional standards guide compatibility and implementation; they do not bypass the Treaty-Making Act or convert an unincorporated instrument into domestic law.

6. Scope and organization

The principal divisions address preliminary provisions; national governance and coordination; eritrean science and technology development agency; national science and technology advisory board; national strategy, priorities and evidence; research and innovation funding; research institutions and infrastructure; research freedom, integrity and ethics;

knowledge, data and intellectual contribution; innovation and responsible technology adoption; and the concluding enforcement, transitional and final provisions.

7. Transition, implementation and consultation

The draft preserves lawful accrued rights, completed transactions, pending proceedings and institutional continuity where appropriate, while preventing temporary savings from preserving unconstitutional coercion or indefinite executive discretion. Before enactment or issuance, authentic predecessor instruments and amendments should be verified, cross-references and fiscal capacity confirmed, implementing regulations and digital systems prepared, and affected institutions, professions, communities and the public given a practical opportunity to comment.

CONSULTATION DRAFT — NOT ENACTED LAW

ACT NO. ____/2026

SCIENCE, TECHNOLOGY AND INNOVATION ACT 2026

(ACT)

AN ACT TO CONTINUE AND MODERNIZE THE ERITREAN SCIENCE AND TECHNOLOGY DEVELOPMENT AGENCY; ESTABLISH DEMOCRATIC AND ACCOUNTABLE INSTITUTIONS FOR SCIENCE, TECHNOLOGY AND INNOVATION; PROTECT SCIENTIFIC FREEDOM AND INTEGRITY; PROVIDE FOR NATIONAL STRATEGY, COMPETITIVE RESEARCH FUNDING, RESEARCH INFRASTRUCTURE, ETHICS, OPEN SCIENCE, TECHNOLOGY TRANSFER, INNOVATION, RESPONSIBLE ARTIFICIAL INTELLIGENCE AND INTERNATIONAL COOPERATION; AND PROVIDE FOR RELATED MATTERS.

PREAMBLE

WHEREAS Articles 8, 9(3) and 21(4) of the Constitution of Eritrea require the State to advance balanced and sustainable development, promote science and technology, create an atmosphere of freedom, and encourage creativity and innovation;

WHEREAS Articles 7, 14, 18, 19, 23 and 24 of the Constitution require participation, equality, privacy, expression, property, transparent administration and effective redress in the development and use of science and technology;

WHEREAS Proclamation 122/2002 established the National Science and Technology Council, the Eritrean Science and Technology Development Agency and the National Science and Technology Advisory Board, whose familiar names and useful institutional continuity should be preserved while their governance is modernized under the Constitution;

WHEREAS scientific inquiry, practical technology, research, innovation and the responsible use of artificial intelligence can help Eritrea improve education, health, agriculture, water, energy, industry, transport, communications, environmental protection, public administration and employment;

WHEREAS public confidence requires scientific freedom, merit, peer review, research integrity, ethical safeguards, open and reproducible knowledge, protection of community interests, transparent finance and accountable human judgment;

WHEREAS Eritrea should cooperate with its diaspora, African institutions and the international scientific community while preserving constitutional authority, national interest and the rights of every person;

NOW, THEREFORE, the National Assembly of Eritrea enacts as follows:

CHAPTER I PRELIMINARY PROVISIONS

Article 1 — Short title

This Act may be cited as the Science, Technology and Innovation Act 2026.

Article 2 — Objects

1. promote science, technology and innovation for human development, economic opportunity and public welfare;
2. protect scientific freedom, integrity, inclusion and responsible inquiry;
3. continue and modernize national institutions established under Proclamation 122/2002;
4. provide transparent strategy, coordination, competitive funding and public accountability;
5. build research capability, laboratories, digital infrastructure, skills and international cooperation;
6. support practical technology transfer, local enterprise and solutions suited to Eritrean conditions;
7. govern publicly supported artificial intelligence and emerging technology responsibly; and
8. ensure that science and technology serve constitutional rights, peace, sustainability and future generations.

Article 3 — Application

1. This Act applies to the institutions established or continued by it, public research funding, public research institutions and national science, technology and innovation programs.
2. It applies to ministries, local government and public enterprises when they conduct or commission research, establish a research institution or receive money administered under this Act.
3. A private person is bound only to the extent expressly provided, voluntarily accepted through a grant or contract, or imposed by another applicable Act.

Article 4 — Definitions

1. “Advisory Board” means the National Science and Technology Advisory Board continued by Article 32;
2. “Agency” or “ESTDA” means the Eritrean Science and Technology Development Agency continued by Article 18;
3. “Council” means the National Science and Technology Council continued by Article 9;
4. “innovation” means the development or adoption of a new or substantially improved product, process, service, organization or social practice;
5. “open science” means making scientific processes, publications, data, software and infrastructure accessible as far as rights, ethics, security and legitimate commercialization permit;
6. “publicly funded research” means research financed wholly or materially from an appropriation, public grant, public institution or public resource;

7. “research” means systematic inquiry intended to develop or test knowledge, evidence, technology or method; and
8. “research institution” includes a university, institute, laboratory, observatory, field station, museum research unit or another body conducting research.

Article 5 — Constitutional interpretation

1. The Constitution prevails, and every power under this Act shall respect equality, expression, privacy, property, lawful economic activity, due process and administrative redress.
2. Scientific disagreement, criticism of government, unpopular findings or failure of an honest experiment shall not be treated as disloyalty or misconduct.
3. A limitation of a right shall satisfy Article 26 of the Constitution and shall not be inferred from a general power to coordinate or promote science.

Article 6 — International and African cooperation

1. This Act shall, so far as its text permits, be interpreted consistently with constitutionally valid regional and international obligations binding Eritrea concerning education, science, culture, health, environment, labour, equality and human rights.
2. African and international standards may guide policy and technical practice where they are compatible with the Constitution, enacted law and Eritrean conditions.
3. An international standard, grant condition or cooperation agreement does not amend Eritrean law or enlarge executive power without lawful authority.

Article 7 — Relationship with other legislation

1. The Education Act governs universities, academic autonomy, qualifications and institutional research responsibilities.
2. The Civil and Commercial Codes and intellectual-property legislation govern legal persons, contracts, ownership, patents, copyright, trade secrets and civil remedies except where this Act provides a special rule for public research.
3. Public procurement, public finance, audit, labour, civil service, competition, data-protection, communications, cybersecurity, standards, health, environment and sector legislation apply within their respective fields.
4. The Agency shall coordinate with a sector regulator and shall not issue a license, safety approval or commercial authorization assigned to that regulator.

Article 8 — Guiding principles

1. freedom of inquiry and responsible expression;
2. merit, evidence, reproducibility and honest correction;
3. equal opportunity and inclusion of underserved communities;
4. public benefit, sustainability and intergenerational responsibility;
5. transparent peer review and accountable use of public money;
6. respect for privacy, dignity, community knowledge and intellectual contribution;

7. open competition, technological neutrality and avoidance of vendor dependence; and
8. human responsibility for consequential decisions assisted by technology.

CHAPTER II NATIONAL GOVERNANCE AND COORDINATION

Article 9 — National Science and Technology Council

1. The National Science and Technology Council established by Proclamation 122/2002 is continued as the principal intergovernmental body for national science, technology and innovation policy coordination.
2. The Council is not a legislature, court, regulator of every technology, research-grant assessor or manager of the Agency's daily operations.

Article 10 — Composition of Council

1. The Council consists of fifteen members and shall be chaired by the President or a minister designated by the President.
2. Membership shall include the ministers responsible for education, finance, health, agriculture, environment, industry and communications, the head of the Agency, and one representative selected by local governments under the Local Government Act.
3. Five members shall be independent scientists, engineers, innovators, entrepreneurs or public-interest experts selected through an open process, including women and members familiar with rural and lowland conditions.
4. Ex officio and independent membership, terms, recusals and vacancies shall be published.

Article 11 — Functions of Council

1. recommend national policy and priorities to the Government and National Assembly;
2. coordinate major cross-ministerial programs and public research infrastructure;
3. review the national strategy and annual performance report;
4. identify legal, financial, skills and infrastructure barriers to research and innovation;
5. promote cooperation among government, universities, enterprise, communities and the diaspora; and
6. advise on urgent scientific questions without directing a research conclusion or individual grant.

Article 12 — Council procedure

1. The Council shall meet at least twice each year under published rules consistent with this Act.
2. Eight members constitute a quorum, including at least two independent members.
3. Minutes, decisions, attendance and recorded scientific dissent shall be published, subject only to necessary protection of personal, proprietary or security information.

Article 13 — Conflict of interest

1. A Council member shall disclose a financial, professional, political or personal interest reasonably capable of affecting impartial judgment.
2. The member shall not participate in a matter concerning a specific grant, procurement, employer, enterprise or close associate in which the member has a material interest.
3. Disclosure and recusal shall be recorded, and failure may be reviewed by the competent integrity authority or competent court.

Article 14 — Ministerial responsibilities

1. Each ministry remains responsible for research, evidence and technology within its lawful portfolio.
2. A ministry shall identify research needs, publish material studies, maintain competent technical staff and cooperate on shared infrastructure and data.
3. The Council and Agency shall reduce duplication but shall not centralize every technical decision or displace a ministry's statutory duty.

Article 15 — Local government participation

1. Local governments and villages shall be consulted on research and technology materially affecting local services, land, water, livelihoods, culture or community knowledge.
2. Programs shall enable local identification of problems, field testing, maintenance and evaluation rather than treating communities only as recipients.
3. Local participation shall comply with the Local Government Act and laws governing land and natural resources.

Article 16 — National Assembly oversight

1. The Council shall submit the national strategy, annual performance report and major policy recommendations to the National Assembly.
2. The responsible committee may summon public officers, receive expert evidence and examine results, expenditure, equality and integrity.
3. Oversight shall not dictate a scientific finding, individual peer review or lawful academic opinion.

Article 17 — No monopoly of knowledge

1. No public institution has exclusive authority to conduct research, give scientific advice or innovate merely because it is established by this Act.
2. Universities, professional associations, communities, enterprises and individuals may conduct lawful research and express scientific views.
3. Official policy shall distinguish government judgment from the state of scientific evidence and disclose material uncertainty.

CHAPTER III ERITREAN SCIENCE AND TECHNOLOGY DEVELOPMENT AGENCY

Article 18 — Continuation of ESTDA

1. The Eritrean Science and Technology Development Agency established by Proclamation 122/2002 is continued under its familiar name as an autonomous statutory body with legal personality.
2. The Agency may contract, acquire and dispose of property, employ staff, sue and be sued, and perform functions expressly assigned by this Act.
3. Its autonomy is subject to the Constitution, appropriations, public-finance law, audit, access to information and judicial review.

Article 19 — Functions of Agency

1. administer competitive research and innovation funding;
2. support national research infrastructure, laboratories and shared services;
3. collect and publish science, technology and innovation information;
4. facilitate technology assessment, transfer, adaptation and diffusion;
5. support research integrity, ethics capacity, open science and public engagement;
6. coordinate international and diaspora scientific cooperation;
7. advise public institutions while respecting sector authority; and
8. perform another function expressly assigned by an Assembly Act.

Article 20 — Limits on Agency

1. The Agency shall not direct a research conclusion, censor lawful inquiry, require political conformity or allocate funds by undisclosed instruction.
2. It shall not establish a university, confer a qualification, issue a sector license, regulate a profession or acquire land except under the legislation governing that matter.
3. It shall not conduct commercial business except an incidental activity authorized by this Act and transparently accounted for.

Article 21 — Governing Board

1. A Governing Board shall oversee strategy, grants policy, finance, risk, integrity and institutional performance.
2. The Board shall not replace independent peer review or decide a scientific question for political convenience.
3. Board decisions, delegations and recusals shall be recorded and accessible as law requires.

Article 22 — Board composition

1. The Board shall consist of nine members selected through a public merit process for competence in science, engineering, social science, research management, finance, law, ethics, enterprise, community development and public administration.

2. A majority shall be independent of current executive office, and at least four members shall be women.
3. Membership shall reasonably reflect Eritrea's regions, languages, diaspora capability and varied economic and ecological conditions.
4. Five members constitute a quorum, and a decision requires a majority of members present without an additional casting vote.

Article 23 — Appointment and tenure

1. The President shall appoint Board members from a shortlist prepared by an independent merit panel after public nominations.
2. A member serves a four-year term and may be reappointed once, with initial staggered terms.
3. Appointment shall be published with qualifications and a declaration of interests.

Article 24 — Removal

1. A member may be removed only for incapacity, serious misconduct, material conflict, persistent nonattendance or failure to perform statutory duties.
2. The member shall receive notice, evidence, opportunity to respond and written reasons.
3. Removal is subject to judicial review and shall not be used to punish scientific or policy disagreement.

Article 25 — Director-General

1. The Board shall appoint a Director-General through open competition for a five-year term renewable once.
2. The Director-General is responsible for daily administration, implementation, staff, finance and lawful decisions delegated by the Board.
3. Selection, performance agreement, remuneration and removal grounds shall be published.

Article 26 — Staff

1. Agency staff shall be appointed on merit under the Civil Service Administration Act or another lawful employment framework expressly applicable to statutory bodies.
2. Scientific, technical and grant-management posts shall have published qualifications and competitive selection.
3. Staff shall be protected from retaliation for honest scientific advice, lawful disclosure or refusal to manipulate evidence.

Article 27 — Internal organization

1. The Board may establish offices for research funding, infrastructure, technology and innovation, international cooperation, data and foresight, integrity, and administration.
2. Internal organization shall be proportionate to Eritrea's resources and shall favor shared expertise over unnecessary bureaucracy.

3. A structural change shall be published with functions, reporting lines and fiscal effect.

Article 28 — Delegation

1. The Board or Director-General may delegate an administrative function in writing to a qualified officer or panel.
2. A delegation shall state scope, conditions and accountability and shall not include regulation-making, approval of audited accounts or final decision on the Director-General.
3. The delegating authority remains responsible and may review the exercise of the delegation.

Article 29 — Regional and shared presence

1. The Agency shall provide accessible national services through regional partnerships, mobile or digital support and shared facilities rather than unnecessary permanent offices.
2. Programs shall account for connectivity, language, disability, distance, pastoral mobility and the needs of smaller institutions.
3. Regional access shall be measured and reported.

Article 30 — Public register

1. The Agency shall maintain a searchable public register of grants, research institutions, infrastructure, approved ethics bodies, programs, regulations and final decisions.
2. The register shall support Eritrean languages and open machine-readable formats as resources permit.
3. Personal, confidential research and legitimate trade-secret information shall be protected by reasoned and reviewable redaction.

Article 31 — Service standards

1. The Agency shall publish forms, eligibility, responsible offices, fees, decision periods, review routes and current application status.
2. Applications and reports shall be accepted electronically and through accessible assisted alternatives.
3. Delay, refusal to receive a document or demand for an unpublished requirement is subject to administrative complaint.

CHAPTER IV NATIONAL SCIENCE AND TECHNOLOGY ADVISORY BOARD

Article 32 — Continuation of Advisory Board

1. The National Science and Technology Advisory Board established by Proclamation 122/2002 is continued as an independent scientific advisory body.
2. It advises the Council, National Assembly, Agency and public institutions but does not exercise executive, licensing or grant-making power.

Article 33 — Composition

1. The Advisory Board shall consist of eleven distinguished persons drawn from natural science, engineering, medicine, agriculture, environment, social science, economics, ethics, law and innovation.
2. Members shall be selected through public nominations and independent merit assessment, including resident and diaspora expertise.
3. A public officer may participate for liaison but shall not constitute a majority.

Article 34 — Appointment and terms

1. The President shall appoint members from the merit shortlist for staggered four-year terms renewable once.
2. The members shall elect their chair and deputy chair without executive approval.
3. Six members constitute a quorum, and a decision requires a majority of members present without an additional casting vote.
4. Vacancy, recusal and removal shall follow published rules protecting independence.

Article 35 — Functions

1. provide independent advice on national priorities, emerging risks and major scientific questions;
2. review the quality of strategy, foresight and evaluation;
3. convene temporary expert panels and public scientific hearings;
4. identify uncertainty, alternative interpretations and neglected evidence;
5. promote scientific literacy and responsible public communication; and
6. issue advice on its own initiative or on a lawful request.

Article 36 — Independence of advice

1. Advice shall state evidence, assumptions, uncertainty, conflicts and material disagreement.
2. A public authority may reject advice for stated lawful reasons but shall not alter the scientific text or conceal its existence.
3. A member shall not be removed or disadvantaged for a good-faith expert opinion.

Article 37 — Publication

1. Final advice, evidence summaries and minority views shall be published promptly.
2. Temporary confidentiality may protect personal data, trade secrets, research integrity, security or active procurement only to the necessary extent.
3. A confidential classification shall be reasoned, time-limited and reviewable.

Article 38 — Expert panels

1. The Advisory Board may appoint a time-limited panel with terms of reference, balanced expertise and disclosed interests.
2. Selection shall avoid capture by a ministry, donor, enterprise, profession or political interest.
3. A panel report shall disclose method, evidence, limitations and dissent.

Article 39 — Secretariat

1. The Agency shall provide an administratively separate secretariat and budget sufficient for the Advisory Board's lawful work.
2. Secretariat support shall not permit the Agency to approve, delay or rewrite advice.
3. The Advisory Board may report resource interference to the National Assembly.

CHAPTER V

NATIONAL STRATEGY, PRIORITIES AND EVIDENCE

Article 40 — National strategy

1. The Government shall submit a costed National Science, Technology and Innovation Strategy to the National Assembly at intervals not exceeding five years.
2. The strategy shall identify problems, outcomes, responsible bodies, finance, infrastructure, skills, inclusion, regional balance, safeguards and measurable milestones.
3. Consultation shall include universities, researchers, workers, enterprises, local communities, youth, women, persons with disabilities and the diaspora.

Article 41 — Priority setting

1. Priorities shall be based on public need, scientific opportunity, Eritrean capability, feasibility, sustainability and expected social or economic value.
2. They may address food and water security, health, energy, climate, biodiversity, minerals, marine resources, manufacturing, construction, transport, communications, education and public administration.
3. A priority shall not exclude investigator-led fundamental research or independent inquiry outside current government policy.

Article 42 — Technology foresight

1. The Agency shall conduct transparent foresight on technologies likely to create material opportunity, disruption, dependency, ethical concern or security risk.
2. Foresight shall use alternative scenarios, local knowledge, expert disagreement and public participation.
3. A forecast shall not be represented as certainty or used alone to deprive a person of a right.

Article 43 — Research needs of government

1. Each ministry shall publish priority research questions and may commission work through lawful procurement or competitive grant arrangements.
2. Terms of reference shall protect truthful findings and publication subject to legitimate temporary restrictions.
3. A report shall not be suppressed because it identifies policy failure, waste or unintended harm.

Article 44 — Evidence in public policy

1. A materially science-based policy shall identify principal evidence, assumptions, uncertainty and expected effect.
2. Government shall distinguish evidence, value judgment, fiscal choice and political decision.
3. Emergency reliance on incomplete evidence shall be reviewed as better evidence becomes available.

Article 45 — Statistics and indicators

1. The Agency shall cooperate with the national statistics authority to publish indicators on research expenditure, personnel, publications, innovation, technology adoption, infrastructure and inclusion.
2. Methods, revisions, missing data and limitations shall be disclosed.
3. Indicators shall not reward quantity at the expense of quality, integrity or public value.

Article 46 — Baseline and capability map

1. Within eighteen months the Agency shall publish a national map of research institutions, laboratories, equipment, expertise, networks, maintenance needs and major gaps.
2. The map shall identify opportunities for sharing, repair, regional access and diaspora collaboration.
3. Sensitive security and personal information may be omitted with reasons.

Article 47 — Program design

1. A major program shall state the problem, beneficiaries, evidence, theory of change, safeguards, budget, milestones and independent evaluation.
2. Pilot testing should precede national scale where uncertainty, cost or rights risk is material.
3. Continuation shall depend on evidence and public value rather than institutional prestige.

Article 48 — Evaluation

1. Programs and institutions receiving material public support shall undergo proportionate independent evaluation at published intervals.

2. Evaluation shall consider scientific quality, integrity, use, equity, sustainability, unintended effects and value for money.
3. The evaluated body may respond, but may not select only favorable evidence or suppress the report.

Article 49 — Periodic national review

1. At least once every five years the Advisory Board shall lead an independent review of the national science, technology and innovation system.
2. The review shall compare progress, institutional overlap, funding concentration, research freedom, regional access and emerging need.
3. Government shall respond publicly within six months.

CHAPTER VI RESEARCH AND INNOVATION FUNDING

Article 50 — National Research and Innovation Fund

1. A National Research and Innovation Fund is established within the Agency with accounts and decisions separated from the Agency's administrative operations.
2. Money consists of appropriations, lawful grants, recoveries, donations and other receipts expressly authorized by law.
3. A donor or executive authority shall not select an individual recipient outside the procedures of this Act.

Article 51 — Funding programs

1. The Fund may support investigator-led research, mission-oriented research, infrastructure access, fellowships, innovation, commercialization, replication, open data and urgent public-interest studies.
2. Programs may use grants, prizes, challenge funds, matching support, recoverable grants or another instrument authorized by regulations.
3. Each instrument shall disclose purpose, eligibility, risk allocation, ownership, reporting and recovery terms.

Article 52 — Annual funding plan

1. Before inviting applications, the Board shall publish an annual funding plan aligned with appropriations and strategy.
2. The plan shall state program budgets, expected calls, decision periods, indirect-cost policy and measures for new, regional and smaller applicants.
3. Material deviation requires reasons and publication.

Article 53 — Open competition

1. A grant shall ordinarily be awarded through open, fair and publicly advertised competition.

2. Eligibility and assessment criteria shall be relevant, proportionate and published before applications close.
3. Political membership, personal sponsorship, ethnic origin, religion or criticism of government is not a criterion.

Article 54 — Direct and urgent awards

1. A direct or urgent award is permitted only where a unique capability, emergency, continuation necessity or small-value program makes competition impracticable.
2. The legal ground, recipient, amount, purpose, safeguards and reasons shall be published promptly.
3. Urgency shall not arise from avoidable delay or be used to favor a connected person.

Article 55 — Peer review

1. Scientific merit shall be assessed by qualified independent reviewers using a recorded and proportionate process.
2. Reviewers shall disclose interests, protect applications and assess fairly across disciplines, institutions, languages and methods.
3. Where local expertise is scarce, regional, diaspora or international reviewers may participate under confidentiality and conflict rules.

Article 56 — Assessment criteria

1. Criteria may include question, method, competence, feasibility, ethics, inclusion, capacity building, public value, dissemination and budget reasonableness.
2. High-risk or unconventional research shall not be rejected solely because success is uncertain if potential value and safeguards justify exploration.
3. A program shall not use unpublished geographic, political or institutional preference.

Article 57 — Decision and reasons

1. A funding decision shall identify the responsible decision-maker and provide the applicant with scores, material reasons and review information.
2. Reviewer identities may be protected where necessary for candid assessment, but conflicts and competence shall remain auditable.
3. Final awards, amounts, abstracts and recipient institutions shall be public.

Article 58 — Funding agreement

1. A written agreement shall state work, budget, milestones, ethics, data, publication, intellectual property, equipment, audit, variation, suspension and completion.
2. Terms shall be proportionate and shall not transfer unrelated intellectual property or silence lawful criticism.
3. A recipient shall disclose material subcontracting, related-party transactions and overlapping finance.

Article 59 — Payments and financial control

1. Payments shall follow a risk-based schedule supporting work without unnecessary delay or excessive advance.
2. The recipient shall maintain traceable records and use money only for the approved purpose.
3. Financial control shall protect public money without substituting a bureaucratic approval for scientific judgment.

Article 60 — Variation

1. A project may be varied for justified scientific, operational or public-interest reasons without disguising a different project.
2. A material change to purpose, investigator, budget, ethics or ownership requires written approval and an updated public record.
3. Minor adaptive changes shall be processed promptly.

Article 61 — Suspension and termination

1. Funding may be suspended or terminated for material breach, research misconduct, ethical danger, incapacity, unlawful use or loss of feasibility.
2. Except for urgent protective action, the recipient shall receive notice, evidence and opportunity to remedy or respond.
3. An order shall protect participants, workers, records, specimens, equipment and valid third-party obligations.

Article 62 — Recovery and debarment

1. The Agency may recover misspent money and debar a person from specified programs after fair process.
2. Recovery and debarment shall reflect fault, harm, benefit, cooperation, correction and proportionality.
3. Honest error, unsuccessful research or good-faith scientific disagreement is not fraud or misconduct.

CHAPTER VII RESEARCH INSTITUTIONS AND INFRASTRUCTURE

Article 63 — Public research institutions

1. A public research institution shall be established, merged or dissolved only under an Assembly Act or another authority clearly granted by law.
2. Its mandate, governance, academic or scientific autonomy, finance, assets, records and accountability shall be defined.

3. Reorganization shall preserve valuable programs, staff rights, collections and long-term data.

Article 64 — Institutional autonomy

1. A public research institution shall determine methods, findings and publication through qualified scientific governance within law.
2. Government may set lawful missions, budgets and performance expectations but shall not order a desired conclusion.
3. Institutional policy shall protect dissent, correction and responsible public communication.

Article 65 — Governing bodies

1. A governing body shall combine scientific competence, public responsibility, finance, ethics, user and community understanding appropriate to the institution.
2. Appointment shall be merit-based, transparent and protected from domination by a ministry, party, donor or commercial sponsor.
3. Conflicts, attendance, decisions and remuneration shall be disclosed.

Article 66 — National laboratory network

1. The Agency shall coordinate a voluntary network of public, university and accredited private laboratories for shared capacity, quality, referral and emergency support.
2. Sector regulators retain authority over clinical, food, environmental, forensic, veterinary, metrology and other regulated laboratories.
3. Network participation shall not imply accreditation or regulatory approval.

Article 67 — Shared infrastructure

1. Publicly funded major equipment and facilities shall be shared on fair, transparent and technically appropriate terms where capacity permits.
2. Access rules shall protect safety, maintenance, scheduling, confidential work and legitimate priority of the host institution.
3. Fees shall be published and may include waivers for justified public-interest use.

Article 68 — Acquisition of major equipment

1. A major acquisition shall consider national need, existing capacity, utilization, training, electricity, water, consumables, calibration, cybersecurity, maintenance and full lifecycle cost.
2. Procurement shall avoid equipment that cannot reasonably be operated, repaired, supplied or integrated in Eritrea.
3. Vendor financing or donation does not excuse procurement, conflict and sustainability review.

Article 69 — Maintenance and asset management

1. A recipient of public research equipment shall maintain an asset register, service plan, utilization record and responsible custodian.
2. Idle or abandoned equipment may be transferred to another public institution after notice, assessment and protection of active work.
3. Disposal shall follow public-property and environmental law.

Article 70 — Research libraries and repositories

1. Government shall support accessible scientific libraries, digital repositories, standards access and preservation of Eritrean research.
2. Licensing shall favor broad lawful access, interoperability and preservation rather than unnecessary platform dependence.
3. Offline and regional access shall be provided where connectivity is limited.

Article 71 — Research collections and specimens

1. Institutions holding biological, geological, archaeological, medical or other research collections shall inventory, preserve and govern access according to sector law.
2. Removal from Eritrea requires lawful authorization, documented custody, research purpose, benefit arrangements and return where applicable.
3. Destruction, export or commercial use shall respect community, heritage, genetic-resource, health and environmental protections.

Article 72 — Infrastructure partnerships

1. The Agency may facilitate shared facilities with universities, enterprises, communities, diaspora organizations or foreign partners through transparent agreements.
2. An agreement shall allocate ownership, access, operating cost, intellectual property, data, safety, termination and dispute resolution.
3. Public assets and sovereign authority shall not be transferred through an undisclosed partnership.

CHAPTER VIII RESEARCH FREEDOM, INTEGRITY AND ETHICS

Article 73 — Freedom of scientific inquiry

1. Every person may undertake lawful scientific inquiry, exchange ideas, seek evidence and publish findings.
2. A public employer or funder shall not retaliate for a good-faith finding, criticism, correction or refusal to falsify evidence.
3. Research remains subject to proportionate ethics, safety, privacy, environmental, security and property laws.

Article 74 — Researcher responsibilities

1. A researcher shall act honestly, competently, transparently and with respect for participants, communities, colleagues, animals and the environment.
2. Methods, data, limitations, authorship, funding and conflicts shall be reported sufficiently for responsible evaluation.
3. A researcher shall correct a material error and preserve the record of correction.

Article 75 — Research misconduct

1. Fabrication, falsification, plagiarism, deliberate destruction of material evidence, serious undisclosed conflict and retaliation against a good-faith reporter constitute research misconduct.
2. Honest error, methodological difference, unpopular interpretation and inability to reproduce a result do not alone constitute misconduct.
3. An allegation shall be assessed by competent independent persons under fair procedure.

Article 76 — Institutional integrity system

1. A research institution shall maintain proportionate policies for training, data, authorship, conflicts, allegations, correction and protection from retaliation.
2. An inquiry shall protect the complainant, respondent, evidence and presumption of fairness.
3. Findings and corrective action shall be reported to affected funders and regulators as law requires.

Article 77 — National Research Ethics Council

1. A National Research Ethics Council is established as an independent standard-setting and coordination body supported administratively by the Agency.
2. It shall consist of nine members appointed through a public merit process for expertise in medicine, social science, law, ethics, disability, gender, animal welfare, environment and community perspectives.
3. A majority shall be independent of executive office and the Agency, members shall elect their chair, and terms shall be staggered and protected.
4. Five members constitute a quorum, and a decision requires a majority of members present without an additional casting vote.
5. It shall not replace a sector regulator or conduct every project review.

Article 78 — Functions of Ethics Council

1. issue minimum ethics standards within authority delegated by this Act;
2. recognize and monitor institutional ethics committees;
3. provide guidance on complex, multi-institutional and emerging research;
4. maintain a register and promote training and consistency;
5. hear prescribed ethics appeals independently of the original committee; and

6. publish annual information on review quality and systemic concerns.

Article 79 — Ethics review requirement

1. Research involving people, identifiable personal information, human biological material, animals, genetic resources, dangerous agents or material environmental release requires proportionate prior review where prescribed by law.
2. Review shall consider necessity, consent, risk, benefit, justice, privacy, compensation, community effect, monitoring and post-research duties.
3. Low-risk research shall receive simplified and timely review.

Article 80 — Informed consent

1. A participant shall receive understandable information and decide voluntarily, subject only to narrowly defined lawful exceptions reviewed independently.
2. Consent shall address material purpose, procedure, risk, benefit, data, specimens, payment, withdrawal and contact.
3. Poverty, detention, hierarchy, illness, disability or dependency shall not be exploited.

Article 81 — Children and persons requiring support

1. Research involving a child or person with impaired decision-making capacity shall require necessity, appropriate permission, the person's assent where possible and additional protection.
2. The person's interests and expressed wishes shall receive primary weight.
3. Exclusion from research shall also be avoided where it would unjustly deny knowledge or benefit.

Article 82 — Community engagement

1. Research materially affecting a community shall include early, accessible and culturally appropriate engagement.
2. Community agreement does not replace individual consent where individual consent is required, and individual consent does not extinguish collective land, heritage or knowledge rights.
3. Results and material benefits shall be communicated back in an appropriate form.

Article 83 — Animals in research

1. Use of animals shall be scientifically justified and apply replacement, reduction and refinement.
2. Housing, care, procedure and humane endpoints shall meet prescribed welfare standards.
3. An ethics committee shall include veterinary and independent welfare competence.

Article 84 — Biosafety and biosecurity

1. Research institutions shall assess and control biological hazards, laboratory exposure, environmental release, misuse and dual-use concern.
2. Containment, training, inventory, incident reporting, waste and emergency plans shall reflect risk and sector law.
3. Security controls shall not be used to suppress ordinary public-health or environmental information.

Article 85 — Safety and urgent suspension

1. An institution or competent authority may suspend research immediately where credible evidence shows imminent serious harm.
2. The order shall be narrow, state reasons and receive independent review within fourteen days.
3. Participants, staff, records, specimens and the environment shall be protected during suspension.

CHAPTER IX KNOWLEDGE, DATA AND INTELLECTUAL CONTRIBUTION

Article 86 — Research records

1. A researcher and institution shall maintain accurate, secure and auditable records sufficient to support findings and obligations.
2. Retention shall reflect discipline, ethics, law, reproducibility and long-term public value.
3. Destruction or alteration during an investigation, audit or legal hold is prohibited.

Article 87 — Research data management

1. A publicly funded project shall maintain a data-management plan covering collection, quality, documentation, storage, access, retention, security and disposal.
2. Data shall be as open as possible and as restricted as necessary.
3. Personal, community, security, ecological and commercially sensitive data shall receive lawful protection.

Article 88 — Personal data

1. Research processing of personal data shall comply with the Data Protection and Privacy Act and applicable health or sector law.
2. De-identification, access control, purpose limitation and controlled linkage shall reflect actual re-identification risk.
3. Consent shall not legitimize unnecessary, unsafe or unfair processing.

Article 89 — Open access

1. A peer-reviewed publication arising materially from public funding shall be deposited in an accessible repository within a reasonable period.
2. Publication charges, copyright arrangements and embargoes shall not unnecessarily prevent Eritrean access.
3. Exceptions shall protect privacy, security, community rights, confidential review and time-limited legitimate commercialization.

Article 90 — Reproducibility and correction

1. Funding and institutional policy shall support sound methods, replication, negative results, protocol registration where appropriate and correction of the scientific record.
2. A journal metric, citation count or novelty claim shall not be the sole measure of merit.
3. Retraction and correction shall use due process and remain visible.

Article 91 — Authorship and acknowledgement

1. Authorship shall reflect substantial intellectual contribution and responsibility.
2. Gift, coercive and ghost authorship are prohibited, and technical, community and financial contributions shall be acknowledged appropriately.
3. A dispute shall be resolved under transparent institutional procedure without retaliation.

Article 92 — Intellectual property

1. Ownership of an invention, work, design, data product or other intellectual contribution shall be determined by applicable law and a fair written institutional policy.
2. A policy shall respect creators, public funding, employer contribution, community rights, academic use and public benefit.
3. Assignment shall be informed, documented and no broader than reasonably necessary.

Article 93 — Publicly funded inventions

1. A recipient shall disclose a potentially protectable publicly funded invention to its institution and the Agency without destroying publication freedom.
2. Protection and commercialization shall consider cost, realistic use, access, national benefit and alternatives such as open licensing.
3. Government may reserve a nonexclusive public-purpose license and prescribed safeguards against unreasonable nonuse or public-health need.

Article 94 — Inventor and creator benefit

1. An institutional policy shall provide a fair share of net commercialization revenue or another fair benefit to inventors and creators.
2. Students, technicians, community contributors and junior researchers shall not be coerced to surrender lawful interests.

3. Revenue distribution and deductible costs shall be transparent.

Article 95 — Technology transfer offices

1. A university or research institution may establish or share a professional technology-transfer office.
2. The office shall assess protection, licensing, enterprise formation, conflict, public access and researcher interest.
3. Performance shall be measured by useful adoption and public value, not patents or revenue alone.

Article 96 — Licensing of public research

1. A license shall use transparent and competitive terms where practicable and preserve research, education and public-interest uses.
2. Exclusive licensing shall be justified by the investment reasonably needed to develop the technology and shall include performance and termination terms.
3. A license shall not discriminate on political ground or conceal a transfer of public assets.

Article 97 — Traditional and community knowledge

1. Research and commercialization involving identifiable traditional or community knowledge shall respect custodianship, consent, attribution, confidentiality and fair benefit sharing under applicable law.
2. Recording knowledge does not by itself transfer ownership or authorize unrestricted publication or patenting.
3. Communities shall receive independent information and a fair opportunity to negotiate.

Article 98 — Material transfer

1. Transfer of research material shall use a written agreement stating purpose, custody, permitted use, safety, data, intellectual property, publication, benefit and return or disposal.
2. Export of biological, genetic, geological, cultural or other protected material requires sector authorization.
3. A recipient shall not transfer the material onward or use it commercially outside the agreement.

CHAPTER X

INNOVATION AND RESPONSIBLE TECHNOLOGY ADOPTION

Article 99 — Innovation support

1. The Agency may support incubators, accelerators, prototyping, testing, design, standards readiness, entrepreneurship and links between research and lawful enterprise.
2. Support shall use objective, open and time-limited criteria and shall not crowd out viable private services without justification.

3. Public support, ownership interests and outcomes shall be disclosed.

Article 100 — Research spinouts

1. A public institution may authorize a spinout under company, conflict, public-asset and procurement law.
2. The arrangement shall value institutional contributions, disclose staff interests and protect teaching, research and access responsibilities.
3. A public officer shall not use office to obtain a secret or preferential ownership interest.

Article 101 — Innovation challenges and prizes

1. The Agency may issue an open challenge for a clearly defined public problem with published criteria, prize, evidence and ownership terms.
2. Evaluation shall include user need, safety, maintainability, accessibility and total cost.
3. A challenge shall not evade procurement where Government is principally purchasing a known service or product.

Article 102 — Regulatory experimentation

1. The Agency may coordinate a time-limited technology pilot with the competent regulator but may not waive another Act.
2. A pilot shall state eligibility, duration, users, safeguards, data, liability, oversight, exit and evaluation.
3. The competent regulator remains responsible for any lawful exemption or authorization within its field.

Article 103 — Technology assessment

1. Before major public adoption, a responsible authority shall assess usefulness, safety, rights, environmental effect, local capability, interoperability, cybersecurity, maintenance and lifecycle cost.
2. Assessment shall compare nontechnological and lower-cost alternatives.
3. A vendor claim or donor preference is not a substitute for independent evidence.

Article 104 — Technology transfer and adaptation

1. Public support shall favor the ability to understand, operate, repair, adapt and improve technology in Eritrea.
2. A transfer agreement shall address training, documentation, language, standards, spare parts, source or interface access where appropriate, cybersecurity and exit.
3. Forced disclosure of private technology requires an Assembly Act and constitutional justification.

Article 105 — Appropriate technology

1. Technology for public or community use shall be suited to actual electricity, water, connectivity, climate, skill, language, disability and maintenance conditions.
2. Durability, repairability, local materials and offline function shall receive weight where relevant.
3. A simpler reliable solution shall not be rejected merely because a more complex product appears modern.

Article 106 — Open standards and interoperability

1. Publicly funded systems should use open, documented and interoperable standards where feasible.
2. Data and essential records shall be portable in usable formats at contract end.
3. Procurement shall disclose dependency, migration and exit costs and shall not create avoidable vendor lock-in.

Article 107 — Innovation procurement

1. Public procurement may use outcome-based specifications, pre-commercial research or phased competition where authorized by procurement law.
2. Intellectual property, prototype risk, testing, acceptance and future competition shall be allocated clearly.
3. A pilot supplier shall not receive an undisclosed permanent advantage.

Article 108 — Small enterprises and informal innovators

1. Programs shall provide accessible pathways for small enterprises, artisans, farmers, fishers, technicians, women, youth and informal innovators to test and improve lawful solutions.
2. Evidence and safety requirements shall be proportionate without lowering essential protection.
3. Assistance may include documentation, design, standards, intellectual-property advice and market connection.

CHAPTER XI

DIGITAL SCIENCE, ARTIFICIAL INTELLIGENCE AND EMERGING TECHNOLOGY

Article 109 — Digital research infrastructure

1. Government shall promote secure research connectivity, computing, storage, repositories, identity, collaboration and access to scientific information.
2. Infrastructure shall use interoperable architecture, resilient backup and fair access across institutions and regions.
3. Essential public research records shall not depend on a single inaccessible foreign service.

Article 110 — National computing capacity

1. The Agency may coordinate shared high-performance and cloud computing for research and innovation.
2. Allocation shall use transparent criteria reflecting merit, public value, scarcity, security, energy and water cost.
3. Access logs, user data and confidential research shall be protected.

Article 111 — Artificial intelligence strategy

1. The Government shall include responsible artificial intelligence in the national strategy rather than treating it as an authority outside law.
2. Priorities shall include skills, language resources, public-interest applications, infrastructure, safety, evaluation, competition and regional cooperation.
3. The strategy shall distinguish research support from legal regulation assigned to the National Assembly or a competent regulator.

Article 112 — AI-supported research

1. Artificial intelligence may assist discovery, modelling, translation, coding, analysis and administration under accountable researcher and institutional responsibility.
2. Material use shall be documented sufficiently to evaluate data, method, limitations, reproducibility and intellectual contribution.
3. A researcher shall verify consequential output and shall not fabricate a source, result, participant or observation through automated generation.

Article 113 — Automated grant administration

1. Automated systems may assist completeness checks, matching, translation, duplicate detection and risk triage.
2. No system may finally reject, rank or terminate a grant, determine misconduct or decide an appeal without meaningful qualified human review.
3. An applicant shall receive understandable information about a material automated contribution and may correct data and challenge the result.

Article 114 — Validation and bias

1. A material AI system used under this Act shall be tested for accuracy, reliability, security, explainability and unequal error across relevant languages, regions, genders and groups.
2. Testing shall reflect Eritrean conditions rather than assuming foreign performance transfers unchanged.
3. Known limitation, incident and material model change shall be recorded and addressed.

Article 115 — Research data and AI

1. Training or evaluating an AI system shall respect data-protection, copyright, confidentiality, community knowledge and contractual rights.
2. Public data shall not be treated as free of all legal, ethical or quality constraints merely because it is accessible online.
3. Synthetic, inferred and linked data shall be governed according to the risk they create.

Article 116 — Human responsibility

1. A public body, researcher or enterprise remains responsible for a decision, publication or harm within its control notwithstanding use of an automated system.
2. A material rights-affecting decision requires an identifiable human decision-maker with authority and competence to depart from the system.
3. Contract terms shall not transfer public legal responsibility to a vendor or algorithm.

Article 117 — Emerging technology observatory

1. The Agency shall maintain a small multidisciplinary observatory for proportionate monitoring of emerging technologies.
2. The observatory shall publish accessible horizon reports on opportunity, evidence, risk, law, skills and infrastructure.
3. Monitoring shall not become surveillance of lawful researchers or a licensing system without an Act.

Article 118 — Dual-use research

1. Research with credible potential for serious harmful misuse shall receive proportionate independent risk assessment and management.
2. Measures may include access control, staged disclosure, safety design, monitoring and lawful referral.
3. Restriction shall be specific, reasoned, time-limited and reviewable and shall not conceal official wrongdoing or ordinary public risk.

Article 119 — Cybersecurity

1. Institutions shall protect research systems, instruments, repositories, identities and supply chains through risk-based cybersecurity and recovery.
2. A material incident affecting safety, integrity, personal data or public continuity shall be reported to the competent authority.
3. Good-faith security research and coordinated vulnerability disclosure shall be protected as law provides.

Article 120 — Environmental cost of technology

1. Major computing, laboratory or technology programs shall account for energy, water, minerals, electronic waste and lifecycle emissions.
2. Efficiency, renewable supply, repair, reuse and safe disposal shall be considered in design and procurement.
3. Environmental assessment remains governed by environmental law.

CHAPTER XII PARTICIPATION, INCLUSION AND COOPERATION

Article 121 — Equal participation

1. Programs shall provide equal opportunity without discrimination prohibited by the Constitution.
2. The Agency shall measure and address barriers affecting women, persons with disabilities, rural communities, low-income applicants, smaller institutions and historically underserved regions.
3. A remedial measure shall be transparent, evidence-based and consistent with Article 14(3) of the Constitution.

Article 122 — Women and girls

1. Institutions shall address harassment, unsafe facilities, caregiving barriers, unequal recognition and exclusion from science, engineering and leadership.
2. Funding may support mentorship, re-entry, accessibility, field safety and leadership development.
3. Participation measures shall not lower scientific standards or confine women to selected fields.

Article 123 — Youth and early-career researchers

1. Programs shall include fair entry opportunities, mentorship, mobility, independent project experience and transparent career pathways.
2. Unpaid or underpaid labour shall not be disguised as training or national service.
3. Assessment shall recognize potential and varied career paths rather than institutional connection alone.

Article 124 — Persons with disabilities

1. Research, employment, laboratories, digital systems, communication and public events shall provide reasonable accommodation and accessible design.
2. Persons with disabilities shall participate in setting research priorities and evaluating assistive technology.
3. Disability data and experimentation require dignity, consent and privacy.

Article 125 — Science communication

1. Public institutions shall communicate material scientific knowledge accurately, accessibly and in relevant Eritrean languages.
2. Communication shall distinguish evidence, uncertainty, expert judgment and official policy.
3. Correction shall be prompt and visible, and disagreement shall not be caricatured as ignorance or disloyalty.

Article 126 — Citizen and community science

1. The Agency may support voluntary public participation in observation, data collection, problem definition and local experimentation.
2. Programs shall provide training, quality control, consent, safety, attribution, feedback and lawful data governance.
3. Participation shall not replace professional employment or shift State duties onto unpaid communities unfairly.

Article 127 — Diaspora cooperation

1. The Agency shall maintain simple pathways for diaspora researchers, engineers, entrepreneurs and institutions to mentor, teach, review, invest, share facilities and undertake joint work.
2. Participation shall be voluntary and shall not depend on political endorsement or unlawful tax clearance.
3. Credentials, conflicts, intellectual property, expenses and institutional responsibility shall be clear.

Article 128 — African and international cooperation

1. Eritrea shall cooperate in regional and international research, infrastructure, standards, health, agriculture, climate, marine, space and innovation initiatives consistent with law.
2. Agreements shall promote reciprocal benefit, capability, fair authorship, data access, ethical review and protection from extractive research.
3. Participation shall comply with the Treaty-Making Act and appropriations law.

Article 129 — Foreign grants and partnerships

1. A public institution may accept a lawful foreign grant or partnership under transparent terms consistent with academic freedom, national law and institutional purpose.
2. Material finance, conditions, ownership, publication restriction and conflicts shall be disclosed.
3. A condition requiring secrecy, political control, discriminatory exclusion or unlawful transfer of material or data is unenforceable.

Article 130 — Research mobility

1. Government shall facilitate lawful entry, residence, travel and equipment movement for bona fide scientific cooperation through clear and timely procedures.
2. Security or public-health screening shall be individualized, reasoned and reviewable.
3. No researcher shall be prevented from leaving or returning contrary to constitutional rights and immigration law.

CHAPTER XIII

FINANCE, ACCOUNTABILITY, REMEDIES AND FINAL PROVISIONS

Article 131 — Sources of Agency funds

1. Agency funds consist of appropriations, lawful fees, grants, donations, recoveries and income expressly authorized by law.
2. Borrowing, guarantees, investment and retention of revenue require authority under public-finance and borrowing legislation.
3. A grant or donation shall not purchase regulatory favor, research conclusion or undisclosed commercial advantage.

Article 132 — Budget and accounts

1. The Agency shall prepare an annual program budget showing administration, grants, infrastructure, programs and expected results.
2. Accounts shall be complete, accrual-informed where required, and capable of tracing each material grant and asset.
3. The National Research and Innovation Fund shall be separately identified within audited statements.

Article 133 — Audit

1. The Auditor General shall audit the Agency, Fund, major programs and use of public money under this Act.
2. Audit shall examine legality, financial integrity, systems, value and grant controls without substituting the Auditor's scientific preference for peer review.
3. Material findings and management responses shall be public.

Article 134 — Annual report

1. Within six months after each financial year the Agency shall submit an annual report and audited accounts to the National Assembly.
2. The report shall address grants, outputs, failures, integrity, infrastructure, inclusion, regional access, technology adoption, international cooperation, complaints and performance.
3. Public reporting shall include machine-readable grant and expenditure data where practicable.

Article 135 — Access to information

1. Records are subject to the Media Freedom and Access to Information Act and this Act's specific publication duties.
2. Scientific uncertainty, embarrassment, poor performance or criticism of government is not by itself a ground for withholding.
3. Personal data, trade secrets, confidential peer review and security information may be protected only to the lawful and necessary extent.

Article 136 — Administrative complaints

1. A person may complain to the Agency about delay, access, service, conflict, procedure, discrimination, grant administration or another administrative failure.
2. A complaint shall be acknowledged, investigated by a person not responsible for the matter and decided with reasons within a published period.
3. Complaint does not displace an ethics, misconduct, procurement, employment or judicial remedy.

Article 137 — Independent review

1. An applicant or recipient materially affected by a grant, ethics, debarment, access or administrative decision may seek independent internal review for error of law, procedure, conflict or manifest assessment failure.
2. Review shall not replace a reasonable scientific judgment merely because another conclusion is possible.
3. The reviewer may confirm, vary, set aside or remit the decision and may grant necessary interim protection.

Article 138 — Judicial review

1. A final decision under this Act is subject to review by the competent court for constitutionality, legality, fairness, reasonableness within statutory purpose and procedural error.
2. Scientific complexity does not exclude review, though a court shall give appropriate weight to qualified expert judgment.
3. A regulation, contract or grant term shall not exclude access to court.

Article 139 — Regulation-making authority

1. The Agency may, with approval required by law, make regulations on matters expressly delegated by this Act after public consultation.
2. Regulations may address grants, peer review, conflicts, ethics committees, integrity, infrastructure access, data management, public research intellectual property, reporting and transition.

3. A draft shall identify statutory authority, evidence, effect, alternatives and comments received.

Article 140 — Limits on delegated power

1. A regulation may not create a tax, compulsory acquisition, imprisonment, unlegislated offence or penalty, final automated decision or exclusion of courts.
2. It may not censor lawful research, require political conformity, transfer sovereign authority, establish a sector license, extinguish intellectual property or community rights, or compel transfer of technology without an Act.
3. A technical standard incorporated by reference shall be identifiable and reasonably accessible.

Article 141 — Continuity from Proclamation 122/2002

1. The legal personality, lawful assets, liabilities, contracts, records and employee rights of ESTDA continue without interruption under this Act.
2. The familiar names National Science and Technology Council, Eritrean Science and Technology Development Agency and National Science and Technology Advisory Board are preserved, but their authority and governance are determined exclusively by this Act and the Constitution.
3. A former directive, appointment or internal rule continues only temporarily to the extent lawful, published where required and consistent with this Act.

Article 142 — Transition and institutional audit

1. Within twelve months the Government and Agency shall verify the Agency's assets, obligations, staff, research bodies, patents, copyrights, investments, accounts, grants and institutional records created under Proclamation 122/2002.
2. The audit shall identify any affiliated institution or business requiring separate legal authority, transfer, regularization or dissolution.
3. New Boards shall be appointed within nine months, and transitional officers shall preserve continuity without making an avoidable long-term commitment.

Article 143 — Repeal and savings

1. The Eritrean Science and Technology Development Agency Establishment Proclamation 122/2002 is repealed on commencement of this Act.
2. Repeal does not invalidate a lawful prior act, right, obligation, proceeding, employment interest or contract preserved by Article 141.
3. An inconsistent unpublished directive, political-control power or authority not supportable under this Act is not saved.

Article 144 — Implementation plan

1. Within six months the Agency shall publish a three-year implementation plan covering appointments, baseline mapping, grants, ethics, integrity, infrastructure, data, regional access, diaspora cooperation and digital systems.
2. The plan shall sequence duties according to appropriations and realistic capacity while protecting scientific freedom, fair grants, audit and remedies from the outset.
3. Progress shall be reported every six months during the implementation period.

Article 145 — Commencement

1. Articles 1 to 39 and 131 to 145 commence thirty days after publication in the Gazette of Eritrean Laws.
2. Remaining Articles commence on dates appointed by published regulation within eighteen months, and any Article not appointed by then commences automatically.
3. A commencement regulation may arrange practical transition but may not postpone constitutional protections, audit, access to information, complaints or judicial review.

Made at Asmara, this ____ day of _____ 2026.

THE NATIONAL ASSEMBLY OF ERITREA