DRAFTING NOTE

ANTI-CORRUPTION AND PUBLIC INTEGRITY 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

No single, credible and constitutionally controlled integrity statute in the supplied corpus adequately covers prevention, disclosure, conflicts, illicit enrichment inquiries, whistleblowing, public procurement and recovery of public loss.

3. What the draft retains

The draft retains ordinary criminal, civil, disciplinary, audit and procurement accountability and does not create an exceptional justice system outside the Penal Code and procedural codes.

4. What the draft updates and modernizes

It adds preventive integrity duties, declarations of interests and assets, transparent gifts and conflicts rules, protected reporting, independent investigation, due process, judicial supervision, beneficial-ownership information and recovery remedies without presuming guilt.

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 and constitutional provisions; public integrity commission; prevention and integrity systems; conflicts, gifts and influence; asset, interest and gift declarations; high-risk public transactions and sectors; protected disclosures, witnesses and public reporting; investigations and fair process; asset preservation, recovery and compensation; national and international cooperation; oversight, review and remedies; transitional, repeal 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. ___ OF 2026

ANTI-CORRUPTION AND PUBLIC INTEGRITY ACT 2026

(ASSEMBLY ACT)

AN ACT TO PREVENT CORRUPTION; ESTABLISH AN INDEPENDENT PUBLIC INTEGRITY COMMISSION; REGULATE CONFLICTS OF INTEREST, GIFTS, ASSET DECLARATIONS, PROTECTED DISCLOSURES AND INTEGRITY IN PUBLIC ADMINISTRATION; PROVIDE FAIR INVESTIGATIVE, RECOVERY, OVERSIGHT AND REMEDIAL PROCEDURES; COORDINATE ENFORCEMENT WITH THE PENAL CODE AND OTHER LAWS; AND PROVIDE FOR RELATED MATTERS.

PREAMBLE

WHEREAS Articles 10 and 11 of the Constitution of Eritrea require courts and administrative institutions to be free from corruption and require efficient, effective, accountable and equitable public service;
WHEREAS corruption diverts public resources, obstructs equal access to services, weakens markets and democratic institutions, and is most effectively addressed through prevention, transparency, independent investigation, ordinary courts and respect for human dignity;
WHEREAS the Penal Code of Eritrea 2015 criminalizes public and private corruption, trafficking in unlawful influence, obstruction, false financial disclosure and unexplained assets, and this Act must implement those provisions without duplicating offences or creating an exceptional criminal jurisdiction;
WHEREAS Eritrea should draw upon African and international anti-corruption standards while giving them lawful domestic effect through the constitutional legislative order;
NOW, THEREFORE, the National Assembly of Eritrea, acting under Articles 11, 21 and 32 of the Constitution, enacts as follows:

CHAPTER I
PRELIMINARY AND CONSTITUTIONAL PROVISIONS

Article 1 — Short title and application

1. This Act may be cited as the “Anti-Corruption and Public Integrity Act 2026” and applies throughout Eritrea.
2. It binds every public body, public official, public employee, contractor and person dealing with public administration according to its terms.
3. It applies to conduct within Eritrea and to relevant conduct abroad by an Eritrean public official or concerning Eritrean public resources, subject to jurisdictional law.
4. A right, safeguard or duty under this Act is enforceable according to its terms and the Constitution.

Article 2 — Objects

1. to prevent corruption and strengthen integrity, openness, merit and equal service;
2. to establish independent, coordinated and rights-respecting prevention and investigation;
3. to protect reporting persons, witnesses, affected communities and public resources; and
4. to provide proportionate administrative, civil and criminal referral, recovery, oversight and remedies.

Article 3 — Interpretation

1. "Commission" means the Public Integrity Commission established by this Act;
2. "conflict of interest" means a conflict between a public duty and a private interest capable of improperly influencing performance of that duty;
3. "public body" includes an organ of State, ministry, agency, local government, court administration, public enterprise and entity exercising a statutory public function; and
4. "public official" has the meaning given by the Penal Code and includes an elected, appointed, judicial, military, security, civil-service and public-enterprise officeholder.

Article 4 — Further definitions

1. "beneficial owner" means the natural person who ultimately owns, controls or benefits from an asset, entity, transaction or arrangement;
2. "gift" includes money, property, hospitality, travel, service, discount, loan, employment opportunity or another advantage not received on ordinary arm's-length terms;
3. "reporting person" means a person who reports or assists disclosure of suspected wrongdoing on reasonable grounds; and
4. "serious corruption matter" means alleged corruption materially involving senior office, substantial public loss, systemic conduct, justice, elections, security, natural resources or grave rights harm.

Article 5 — Constitutional supremacy

1. This Act shall be interpreted consistently with the Constitution, separation of powers and equal protection of the law.
2. Anti-corruption authority shall not displace judicial independence, legislative privilege, lawful executive authority or the Advocate General's prosecution function.
3. No official status, political position, military rank, security classification or public purpose places a person beyond lawful investigation.
4. No anti-corruption purpose authorizes arbitrary detention, torture, secret punishment, confiscation without law or denial of a fair hearing.

Article 6 — Relationship with Penal and Procedure Codes

1. Criminal offences, liability, defences and penalties remain governed by the Penal Code of Eritrea 2015 and another applicable Assembly Act.

2. Criminal investigation, warrants, arrest, charge, trial, appeal and sentence remain governed by the Criminal Procedure Code and Courts Act.
3. This Act creates preventive, declaratory, administrative, civil, referral and coordination powers and shall not be used to enlarge criminal liability retroactively.
4. A Commission finding is not a criminal conviction and does not bind a court determining guilt.

Article 7 — Relationship with other laws

1. Public finance, procurement, audit, civil service, elections, access to information, data protection, companies, taxation and sector laws continue according to subject.
2. The Auditor General retains independent audit authority, and the Advocate General retains constitutional and statutory legal and prosecution authority.
3. The Police Service retains criminal-investigation powers, subject to lawful coordination and Commission independence.
4. Where safeguards differ, the interpretation most consistent with legality, due process, privacy, transparency and effective prevention shall be preferred.

Article 8 — International and regional standards

1. Implementation shall be informed by applicable African and international standards on prevention, public integrity, participation, asset recovery and fair enforcement.
2. No treaty standard shall be treated as domestic criminal law unless given effect through a constitutionally valid Assembly Act.
3. International cooperation shall comply with the Treaty-Making Act, Criminal Procedure Code, data-protection law and judicial safeguards.
4. The responsible institutions shall advise whether Eritrea should constitutionally ratify and implement relevant anti-corruption instruments.

CHAPTER II
PUBLIC INTEGRITY COMMISSION

Article 9 — Establishment

1. The Public Integrity Commission is established as an independent constitutional-supporting statutory body with legal personality.
2. It shall perform its functions impartially and shall not receive direction on an individual matter from the President, Cabinet, National Assembly, party, military or another person.
3. It shall maintain headquarters in Asmara and accessible provincial, mobile, telephone and electronic channels.
4. Its independence shall be matched by public reasons, audit, judicial review and legislative oversight that does not direct case outcomes.

Article 10 — Functions

1. The Commission shall prevent and detect corruption, administer integrity systems and educate public bodies and the public.
2. It shall receive disclosures, conduct lawful preliminary and administrative investigations, and refer criminal matters with evidence to the Advocate General and Police Service.
3. It shall administer asset declarations, conflicts, gifts, protected disclosures, integrity reviews and systemic recommendations under this Act.
4. It shall trace and seek lawful preservation or recovery of public assets through competent courts and institutions.

Article 11 — Powers and limits

1. The Commission may require information, interview willing persons, inspect public systems, preserve records and apply to a court for authorized coercive measures.
2. It may issue administrative compliance directions where expressly authorized and seek enforcement from a competent court.
3. It may not prosecute, convict, imprison, establish a criminal court, control a judge, levy a tax or confiscate property without court order.
4. It shall use the least intrusive reasonably effective measure and record authority, purpose, scope and disposition.

Article 12 — Composition

1. The Commission consists of a Commissioner and six Deputy Commissioners collectively possessing competence in law, investigation, audit, public administration, finance, technology, human rights and community participation.
2. Membership shall reflect Eritrea's diversity and gender equality without compromising merit and integrity.
3. A serving political-party executive, minister, legislator, judge, military, police or intelligence officer is ineligible.
4. A person with a material recent political, contractor or regulated-sector interest shall observe an appropriate cooling-off period.

Article 13 — Selection panel

1. An independent selection panel shall invite nominations, publish criteria and conduct open merit assessment for Commission appointments.
2. The panel shall include representatives nominated by the Judicial Service Commission, Auditor General, Civil Service Administration Commission, legal profession and accredited civil society through transparent processes.
3. A member shall disclose interests, recuse from conflict and may not seek or accept direction from a nominating body.
4. The panel shall publish a shortlist, assessment method and reasons, subject only to narrow lawful protection of personal information.

Article 14 — Appointment

1. The President shall appoint the Commissioner and Deputy Commissioners from the selection panel's shortlist with approval of the National Assembly under Article 42(7) of the Constitution.
2. The President may return a shortlist once with written public reasons based on stated legal criteria.
3. The National Assembly shall approve or reject a nominee after a fair public process and shall not substitute an unassessed person.
4. Appointment, qualifications, interests and reasons shall be published promptly.

Article 15 — Tenure

1. The Commissioner serves one non-renewable term of seven years, and a Deputy Commissioner serves one non-renewable term of six years.
2. Initial deputy terms shall be staggered by lawful transitional selection to preserve continuity.
3. Remuneration and conditions shall be established by law and shall not be reduced selectively during tenure.
4. A member may not seek elective office or prohibited employment during service and for a prescribed cooling-off period thereafter.

Article 16 — Removal and suspension

1. A member may be removed only for incapacity, serious misconduct, corruption, disqualifying conflict or persistent failure of duty.
2. Removal requires independent inquiry, notice, disclosure of evidence, opportunity to answer and a reasoned recommendation.
3. The President may remove with approval of the National Assembly after considering the recommendation and shall publish reasons.
4. Interim suspension may protect an inquiry but shall be time-limited, reviewable and not used to control a case.

Article 17 — Meetings and delegation

1. The Commission shall adopt published governance rules, meet regularly and record attendance, recusals, decisions and dissent.
2. A majority of appointed members constitutes a quorum, and decisions require a majority of those present and voting.
3. Routine authority may be delegated in writing, but final systemic findings, enforcement policy and senior-staff appointment shall not be delegated to one investigator.
4. Delegation does not remove institutional responsibility or judicial review.

Article 18 — Commissioner

1. The Commissioner is the chief executive and accounting officer and shall protect lawful operational independence.
2. The Commissioner shall allocate matters through recorded risk and conflict controls rather than political preference.
3. A material external communication seeking to influence a matter shall be recorded and reported to the Commission.
4. The Commissioner shall refuse and disclose an unlawful direction consistently with protected-disclosure safeguards.

Article 19 — Directorates

1. The Commission shall maintain distinct directorates for prevention and education, declarations and conflicts, protected disclosures, investigations, asset recovery, data and corporate services.
2. Functional separation shall prevent a single officer from receiving, investigating, determining and reviewing the same contested matter.
3. Criminal evidence shall be handled by trained officers according to the Criminal Procedure Code and chain-of-custody standards.
4. Regional offices shall possess meaningful access and language competence rather than serve as referral counters only.

Article 20 — Staff

1. Staff shall be recruited competitively on merit under the Civil Service Administration Act with enhanced integrity screening proportionate to role.
2. Screening shall be individualized, evidence-based, appealable and shall not presume guilt from family, ethnicity, former institution or political opinion.
3. Staff shall receive fair remuneration, continuing training, security and professional protection from improper pressure.
4. A staff member shall disclose interests and may not investigate a person or entity with whom the member has a material relationship.

Article 21 — Budget and financial independence

1. The Commission shall submit a reasoned budget directly for inclusion in the national budget and may explain material alteration to the National Assembly.
2. All money shall be appropriated, held in the Treasury and administered under the Public Finance Management Act.
3. Funding shall not depend on fines, forfeitures, recoveries or investigation outcomes.
4. The Auditor General shall audit the Commission without obtaining access to confidential material beyond what is necessary for lawful audit.

Article 22 — Security and continuity

1. The State shall protect Commission personnel, premises, systems, witnesses and evidence through impartial arrangements.
2. Security support shall not place Commission operations under intelligence, police, military or political control.
3. Critical records shall have encrypted, geographically separated and independently auditable continuity arrangements.
4. Threat, sabotage or emergency shall be reported and managed without secret transfer of authority.

Article 23 — Cooperation duties

1. A public body shall designate an integrity liaison and cooperate promptly with lawful Commission requirements.
2. A memorandum may coordinate responsibilities but may not transfer constitutional or statutory power.
3. A jurisdictional dispute shall be resolved by written reasons, senior consultation and, if necessary, a competent court.
4. Urgent evidence preservation and protection shall not be suspended merely because institutional responsibility is disputed.

Article 24 — Public accessibility

1. The Commission shall publish its mandate, procedures, service times, complaint channels, decisions and non-sensitive statistics in accessible form.
2. Services shall be free, multilingual where practicable and available digitally and through reliable non-digital alternatives.
3. A person shall not be sent repeatedly among institutions where the Commission can make a tracked lawful referral.
4. No fee, political endorsement, association membership or personal intermediary may be required for access.

CHAPTER III
PREVENTION AND INTEGRITY SYSTEMS

Article 25 — National integrity strategy

1. The Commission shall prepare a five-year National Integrity Strategy after public consultation and submit it to the President and National Assembly.
2. The Strategy shall identify sector risks, measurable prevention actions, responsible institutions, resources, data and review dates.
3. It shall prioritize public services, procurement, revenue, land, natural resources, justice, security, public enterprises, local government and digital systems according to evidence.
4. The Strategy does not amend law or authorize expenditure without appropriation.

Article 26 — Institutional integrity plans

1. Every public body shall adopt and publish a proportionate integrity plan aligned with its actual functions and risks.
2. The plan shall cover leadership accountability, conflicts, gifts, procurement, recruitment, records, reporting, data and service access.
3. A body shall report implementation and explain failure to complete a material action.
4. A generic copied plan without operational responsibility or evidence does not satisfy this Article.

Article 27 — Risk assessment

1. A public body shall assess corruption risk before a major programme, concession, privatization, digital system, emergency procedure or organizational change.
2. Assessment shall consider discretion, monopoly, urgency, information imbalance, beneficial ownership, cash handling, rights impact and oversight capacity.
3. Material findings and mitigation shall be published subject to narrow lawful protection.
4. Risk classification shall not be manipulated to conceal a transaction or discredit a lawful competitor.

Article 28 — Codes of conduct

1. Each category of public office shall be governed by a published code consistent with this Act and any specific constitutional law.
2. A code shall address impartiality, conflicts, gifts, confidentiality, political activity, use of resources, reporting and post-service conduct.
3. A code may guide discipline but may not create a criminal offence or remove statutory due process.
4. Training, advice and consistent enforcement shall accompany every code.

Article 29 — Integrity officers

1. A large or high-risk public body shall maintain an appropriately independent integrity officer or unit.
2. The unit shall advise, maintain registers, monitor controls, receive internal concerns and report material risk to leadership and the Commission.
3. It shall not suppress external reporting or investigate senior leadership where independence is reasonably doubtful.
4. Appointment, reporting line, resources and aggregate activity shall be disclosed.

Article 30 — Leadership duties

1. A head of public body is responsible for establishing lawful controls and responding to known material integrity risk.
2. Leadership shall not demand favorable statistics, conceal findings, punish reporting or direct a contract or appointment for private advantage.

3. A material override of a control recommendation shall be written, reasoned and available to audit.
4. Failure of supervision is assessed individually and does not impose automatic criminal liability without Penal Code requirements.

Article 31 — Merit and personnel systems

1. Recruitment, promotion, transfer, remuneration and discipline shall use objective published criteria under applicable employment law.
2. Family, military, political, regional, religious or personal connection shall not substitute for merit or lawful corrective measures.
3. A high-risk post shall use rotation, leave, dual control and audit where proportionate without destabilizing professional independence.
4. A personnel decision shall be recorded and reviewable and shall not disguise retaliation.

Article 32 — Service transparency

1. A public body shall publish each service, legal authority, required document, lawful fee, responsible office, processing time and review route.
2. Payment shall use official traceable channels with receipt, and an officer shall not collect an unauthorized cash or in-kind charge.
3. Queue, allocation and inspection systems shall use published criteria and auditable exceptions.
4. Digitalization shall reduce discretion and delay without excluding persons lacking connectivity, literacy, identity documents or disability access.

Article 33 — Records and audit trails

1. Every material public decision, transaction, override, approval and access to sensitive data shall leave a reliable record.
2. A system shall preserve author, time, version, authority and later correction without enabling silent alteration.
3. Records shall be retained under lawful schedules and protected against premature destruction, private removal and political concealment.
4. Loss, suspected manipulation or unauthorized access shall be reported promptly and remedied.

Article 34 — Open contracting and beneficial ownership

1. Public contracting shall disclose planning, competition, award, price, beneficial ownership, variation, performance and completion as required by the Public Procurement Act.
2. A bidder, contractor and material subcontractor shall provide accurate beneficial-ownership and conflict information.
3. A secret owner, nominee or intermediary may not be used to evade eligibility, sanctions, tax or conflict rules.

4. Protected information may be withheld only to the extent necessary and subject to independent review.

Article 35 — Revenue and cash controls

1. Tax, customs, licence, fee and public-revenue functions shall separate assessment, receipt, reconciliation, refund and write-off authority appropriately.
2. Official rates, exemptions, waivers, arrears and appeal routes shall be published and applied consistently.
3. Manual or emergency collection shall be receipted, reconciled and reviewed promptly.
4. No revenue target authorizes coercion, selective enforcement or concealment of improper payment.

Article 36 — Public education and participation

1. The Commission and public bodies shall provide practical education on integrity duties, reporting routes, public services and remedies.
2. Education shall be politically neutral, evidence-based and available through schools, workplaces, media, communities and digital channels.
3. Civil society, journalists, professional bodies, businesses and communities may monitor, research, report and propose reform lawfully.
4. Public funding shall not purchase praise, silence criticism or require a single official narrative.

CHAPTER IV
CONFLICTS, GIFTS AND INFLUENCE

Article 37 — Duty to avoid and disclose conflict

1. A public official shall avoid a material conflict of interest and disclose an actual, potential or reasonably perceived conflict promptly.
2. Disclosure shall identify the interest, affected duty and proposed management without unnecessary personal exposure.
3. The responsible authority shall record and determine recusal, divestment, supervision, reassignment or another proportionate measure.
4. Failure to disclose is addressed under applicable disciplinary, administrative, civil or Penal Code law according to intent and harm.

Article 38 — Recusal

1. An official shall not participate in a decision materially affecting the official, close family, business associate or entity in which the official has a material interest.
2. Recusal shall occur before access, advocacy, deliberation or decision where practicable and shall be recorded.
3. A body shall appoint an impartial substitute and protect continuity of service.

4. A recusal record shall be public unless lawful privacy, security or adjudicative confidentiality requires a narrow restriction.

Article 39 — Family and associates

1. Family relationship does not by itself establish wrongdoing but may create an interest requiring disclosure and management.
2. A public official shall not direct employment, contract, benefit, licence, land or enforcement advantage to a related person outside lawful criteria.
3. An associate shall not serve as a nominee or conduit for an official's undisclosed benefit.
4. Investigation shall distinguish genuine independent activity from concealed control using evidence and due process.

Article 40 — Gifts

1. A public official shall not solicit or accept a gift connected with an official act or reasonably capable of influencing duty.
2. A modest customary token may be accepted only within published thresholds and circumstances that do not create obligation or unequal access.
3. A reportable gift shall be declared promptly and surrendered, returned, paid for at fair value or otherwise disposed of under published rules.
4. Cash, disguised payment, recurring hospitality and a gift during procurement, adjudication, inspection or enforcement are prohibited.

Article 41 — Official hospitality and travel

1. Official hospitality or sponsored travel requires a public purpose, prior approval, proportionality, disclosure and absence of material conflict.
2. A regulated person, bidder or interested party shall not fund travel of an official who can materially affect that person's matter.
3. Family travel, luxury extension and personal entertainment shall not be charged to public or sponsor funds without lawful private reimbursement.
4. Emergency deviation shall be documented and reviewed after the event.

Article 42 — Loans, employment and advantages

1. A public official shall not receive a preferential loan, guarantee, investment opportunity, employment promise or service from a person affected by official duty.
2. Ordinary products offered to the public on the same terms are not prohibited if disclosed where material.
3. Negotiation of future employment with an affected entity requires prompt disclosure and recusal.
4. An advantage routed through family, trust, company, association or foreign account is treated according to beneficial reality.

Article 43 — Outside activity

1. Paid or unpaid outside activity must be compatible with public duty, working time, confidentiality, impartiality and applicable employment law.
2. An official shall not sell access, use confidential information, represent a private party before the official's body or misuse public resources.
3. Approval shall use published criteria and remain reviewable.
4. Academic, artistic, agricultural and community activity shall not be restricted unnecessarily.

Article 44 — Post-public employment

1. A former senior or high-risk official shall observe a proportionate cooling-off period before representing or accepting work on a matter substantially handled in office.
2. The period and restrictions shall reflect access, decision power and sector risk and shall not impose an unreasonable livelihood ban.
3. A waiver requires written reasons, safeguards and publication.
4. Confidentiality, property, evidence preservation and prohibition of corrupt reward continue after service.

Article 45 — Lobbying and representation

1. A person may lawfully petition and communicate with public officials, but paid or organized influence concerning material public decisions shall be transparent.
2. A prescribed lobbyist shall register clients, subject, relevant officials and expenditure within proportionate limits.
3. An official shall record material lobbying meetings and written submissions concerning legislation, procurement, concession or regulation.
4. Registration shall not restrict ordinary citizen petition, legal representation, journalism, diplomacy, labour relations or public consultation.

Article 46 — Influence and intermediaries

1. No person may demand value for claimed access or influence over an official in circumstances governed by the Penal Code.
2. A public body shall not require use of a broker, fixer, association or political intermediary to obtain a public service.
3. An authorized agent shall disclose identity, authority, beneficial client and fee where relevant.
4. A good-faith advocate, lawyer, union, community representative or family assistant is not prohibited merely for communicating lawfully.

CHAPTER V
ASSET, INTEREST AND GIFT DECLARATIONS

Article 47 — Declarants

1. The President, ministers, legislators, judges, commissioners, senior civil servants, senior military, police and intelligence officers, public-enterprise leaders and prescribed high-risk officials shall file declarations.
2. A category shall be designated by Assembly Act or Commission regulation based on authority, resources, discretion and corruption risk.
3. Designation shall be public, proportionate and periodically reviewed.
4. A person shall not be designated selectively to punish political opinion or protected activity.

Article 48 — Declaration times

1. A declarant shall file on entry, annually, on material change and on leaving office within prescribed reasonable periods.
2. A post-service declaration may be required for two years where proportionate to risk and law.
3. The Commission shall give accessible notice, assistance and opportunity to correct an innocent omission.
4. Failure or false filing shall be handled under Article 137 of the Penal Code, while a materially unexplained asset disparity may be examined under Article 138, subject in each case to this Act's fair procedures.

Article 49 — Contents

1. A declaration shall identify assets, liabilities, income sources, business interests, beneficial ownership, trusteeships, directorships, gifts and relevant outside activities.
2. It shall include material interests held for or controlled through another person or arrangement.
3. Family information may be required only where necessary to identify a conflict or concealed interest and shall receive heightened protection.
4. The Commission shall prescribe valuation bands, thresholds and forms that permit meaningful verification without pointless burden.

Article 50 — Accuracy and correction

1. A declarant shall make reasonable inquiry and certify that the declaration is complete and accurate to the best of the declarant's knowledge.
2. A discovered error shall be corrected promptly with explanation and preserved audit history.
3. Voluntary timely correction may be considered in administrative response but does not erase deliberate concealment.

4. An immaterial mistake, reasonable valuation difference or uncertainty disclosed in good faith is not fraud.

Article 51 — Verification

1. The Commission shall verify declarations through risk-based selection, random review and mandatory review of prescribed senior offices.
2. It may compare lawful tax, property, company, customs, procurement and financial information subject to purpose and privacy limits.
3. An adverse inference shall not be made without notice, supporting material and opportunity to explain.
4. A discrepancy suggesting an offence shall be referred under lawful criminal procedure rather than determined as guilt by administrative assumption.

Article 52 — Public disclosure

1. A public summary of senior declarations shall disclose offices, categories and material interests sufficient to identify conflicts.
2. Exact home address, personal identification, account number, minor child's details and security-sensitive information shall not be published.
3. A restriction shall be narrow, reasoned and reviewable and shall not conceal a material conflict.
4. Historical summaries shall remain accessible for a lawful period after office.

Article 53 — Register

1. The Commission shall maintain a secure, searchable and auditable declarations register with separate public and protected layers.
2. The register shall record filing, amendment, verification, access, decision and retention without silent alteration.
3. Public search shall be free and usable without disclosing the searcher's political or personal interest.
4. Protected data shall be accessed only by authorized persons for defined lawful purposes.

Article 54 — Unexplained assets referral

1. A material and objectively established disparity between lawful resources and assets may be examined under Article 138 of the Penal Code and applicable procedure.
2. The declarant shall receive the factual basis and a reasonable opportunity to explain legitimate income, gift, inheritance, loan, appreciation or ownership.
3. The Commission bears responsibility to establish the predicate facts and shall not require proof of innocence through impossible records.
4. A criminal, tax, civil or disciplinary referral shall identify its separate legal basis and safeguards.

Article 55 — Gift register

1. Every public body shall maintain a register of reportable gifts, hospitality, travel, disposition and approving authority.
2. The Commission shall maintain or federate a public register for senior officials and high-risk bodies.
3. A returned or surrendered gift shall be documented and public property handled under public-finance law.
4. A register entry does not legalize a prohibited gift or establish criminal guilt.

Article 56 — Compliance measures

1. The Commission may issue notice requiring filing, clarification, correction, conflict management or surrender of a prohibited benefit.
2. A person shall receive reasons, time to comply and access to administrative review.
3. Proportionate administrative consequences may include warning, publication of noncompliance, disciplinary referral and court enforcement.
4. Criminal referral requires reasonable evidentiary grounds and remains subject to the Penal and Criminal Procedure Codes.

CHAPTER VI
HIGH-RISK PUBLIC TRANSACTIONS AND SECTORS

Article 57 — Public procurement integrity

1. The Public Procurement Authority and Commission shall coordinate red flags, exclusions, complaints, beneficial ownership and systemic review.
2. An integrity agreement may require transparency, independent monitoring and reporting in a major procurement without replacing legal remedies.
3. Bid rotation, collusion, tailored criteria, undisclosed conflict, kickback, false delivery and corrupt variation shall be referred under applicable law.
4. A procurement investigation shall protect competition, confidential bids and continuity of essential service while preserving evidence.

Article 58 — Public concessions and natural resources

1. A concession, licence, production agreement or transfer of strategic resource rights shall disclose authority, beneficial ownership, fiscal terms, evaluation, conflicts and performance as required by law.
2. Negotiating confidentiality shall be time-limited and shall not conceal final obligations, corruption, public debt, environmental harm or unconstitutional alienation.
3. A politically exposed intermediary or undisclosed State-linked interest requires enhanced review.
4. Corruption risk shall be addressed without treating lawful foreign or diaspora investment as inherently suspect.

Article 59 — Land and housing decisions

1. Land allocation, expropriation, compensation, lease, registration and housing assistance shall use published authority and criteria under the Land Act and related law.
2. Village, pastoral, community, private and public interests shall not be displaced through secret instruction, political favoritism or fabricated urgency.
3. Decision records shall identify applicants, beneficial interests, valuation, consultation and reasons subject to privacy safeguards.
4. The Commission may examine systemic integrity but shall not substitute itself for lawful land adjudication.

Article 60 — Public enterprises

1. A State-owned enterprise shall apply the State-Owned Enterprises and Privatization Act, disclose ownership, governance, related parties, procurement and public obligations.
2. A director or executive shall not use the enterprise to finance political activity, conceal public expenditure or favor an undisclosed related party.
3. Commercial confidentiality shall be protected only to the extent compatible with audit, beneficial-ownership disclosure and public accountability.
4. Privatization proceeds, valuation, bidders, ownership and post-sale obligations shall be independently reviewed.

Article 61 — Financial sector and beneficial ownership

1. The National Bank and financial-intelligence, tax and law-enforcement bodies shall coordinate lawful detection and reporting of suspicious corruption proceeds.
2. Bank secrecy shall not defeat a court-authorized investigation, but access shall remain targeted, recorded and reviewable.
3. Financial institutions shall identify beneficial owners and politically exposed persons under applicable financial law without denying service solely by status.
4. A report shall remain confidential and shall not be used for political surveillance or unauthorized commercial purpose.

Article 62 — Emergency powers and procurement

1. Emergency status does not suspend integrity, audit, record, beneficial-ownership, conflict or recovery duties except through a necessary lawful adaptation.
2. A direct award or accelerated expenditure shall state emergency authority, necessity, supplier, price, owner, deliverable and review date.
3. Information shall be published as soon as concrete safety needs permit.
4. An emergency shall not be prolonged to preserve patronage or avoid ordinary competition.

Article 63 — Security and classified expenditure

1. Defence, police and intelligence expenditure remains subject to law, appropriation, internal control and independent audit.

2. Classification shall protect concrete security information, not the existence, lawful authority, aggregate cost, corruption or misuse of public resources.
3. A cleared Auditor General and authorized Commission team may inspect necessary protected records under secure procedure.
4. A secret fund, off-book enterprise or unrecorded asset is prohibited.

Article 64 — Political and electoral finance

1. Political and electoral finance shall be governed by the National Assembly Elections Act and other applicable Assembly Acts.
2. Public resources, employment, licences, benefits, security bodies and State media shall not be used to purchase electoral support or punish opposition.
3. A donation or expenditure routed through a public contractor, enterprise or undisclosed beneficial owner shall be transparent and lawfully controlled.
4. The Commission may investigate public-resource and corruption aspects without controlling political belief or lawful campaigning.

Article 65 — Aid, grants and public-private funds

1. Foreign assistance, public grants, special funds and public-private partnerships shall be recorded, budgeted, audited and disclosed according to law.
2. A donor, official or intermediary shall not select a private beneficiary for improper advantage or impose an undisclosed commission.
3. Implementation partners shall disclose beneficial ownership, costs, conflicts, subgrants, results and complaints proportionately.
4. Humanitarian urgency shall protect beneficiaries while preserving traceability and independent review.

CHAPTER VII
PROTECTED DISCLOSURES, WITNESSES AND PUBLIC REPORTING

Article 66 — Right to report

1. A person may report suspected corruption, conflict, concealment, retaliation, gross waste or serious integrity risk on reasonable grounds.
2. A report may be oral, written, electronic, anonymous or through a representative and may be made in a language and accessible form the recipient can process.
3. The person need not prove an offence before reporting and does not lose protection because the concern is ultimately unsubstantiated.
4. Knowingly fabricated accusation remains subject to applicable law, but error, disagreement and good-faith suspicion are protected.

Article 67 — Reporting channels

1. A report may be made internally, to the Commission, Auditor General, Advocate General, Police Service, ombud or another competent body.

2. The person may bypass internal channels where leadership is implicated, evidence may be destroyed, danger exists or prior response was inadequate.
3. Each recipient shall acknowledge, triage, protect, refer and track the matter without requiring repetitive disclosure.
4. A report to a legislator, journalist, civil society body or public may be protected where lawful official channels are unavailable, compromised or unreasonably ineffective and disclosure is proportionate.

Article 68 — Confidentiality and anonymity

1. The identity of a reporting person and identifying information shall be confidential and disclosed only with consent or compelling lawful necessity.
2. Before necessary disclosure, the person shall ordinarily receive notice, risk assessment and protective opportunity.
3. Anonymous information may be assessed and investigated according to reliability and evidence without demanding identity as a condition.
4. A recipient shall separate identity information and maintain access logs.

Article 69 — Prohibition of retaliation

1. Dismissal, transfer, demotion, threat, harassment, blacklisting, prosecution abuse, service denial, licence action or other detriment because of protected reporting is prohibited.
2. Where protected reporting and detriment are shown, the respondent shall provide a credible lawful reason unrelated to the report.
3. Protection extends to assistants, witnesses, family members, entities controlled by the person and persons wrongly believed to have reported.
4. An ordinary lawful performance or criminal process may continue if independently justified and safeguarded against retaliatory misuse.

Article 70 — Interim protection

1. The Commission, competent employment body or court may order interim confidentiality, transfer, leave, security, evidence preservation, suspension of adverse action or another necessary measure.
2. Protection shall be tailored to the person's informed wishes and shall not become punitive isolation or forced relocation.
3. Urgent protection may issue provisionally with prompt review and fair hearing.
4. A public body shall bear reasonable protection costs caused by official wrongdoing or risk.

Article 71 — Witness and affected-person support

1. A witness or affected person shall receive information, safety assessment, trauma-sensitive procedure and necessary accommodation.
2. Protection may include secure communication, privacy, physical security, relocation or financial support under judicial or lawful administrative control.
3. Assistance shall not purchase testimony, script evidence or deny defence rights.

4. Children and vulnerable persons require specialized safeguards and best-interests assessment.

Article 72 — Remedies for retaliation

1. A person subjected to retaliation may seek reinstatement, transfer reversal, compensation, correction, injunction, apology, costs and another effective remedy.
2. Proceedings shall be expedited where livelihood, safety, immigration status, health or evidence is at risk.
3. The Commission may support or bring a proceeding where authorized, without controlling the person's independent claim.
4. A settlement shall not conceal systemic danger or unlawfully waive future reporting.

Article 73 — Media, research and civil society

1. Journalists, researchers, auditors, associations and communities may receive, verify and publish corruption information subject to lawful rights and responsibilities.
2. Protection of reputation, privacy, fair trial and security shall use necessary proportionate measures and shall not become prior political censorship.
3. A person shall not be compelled to reveal a confidential journalistic source except by court under strict legal necessity.
4. Public bodies shall correct false official information and release records under access-to-information law.

Article 74 — Complaints about the Commission

1. A person may complain about Commission delay, abuse, discrimination, privacy breach, conflict, evidence handling or retaliation.
2. An independent Inspector of the Commission shall investigate administrative misconduct and may refer criminal or disciplinary matters.
3. A complaint against senior Commission leadership shall be handled outside that leadership's control.
4. Complaint outcomes and corrective action shall be reported publicly in aggregate and remain judicially reviewable.

Article 75 — Public reporting

1. The Commission shall report quarterly in aggregate and annually in detail on prevention, declarations, reports, investigations, referrals, delay, recovery, retaliation and outcomes.
2. Data shall distinguish sector, region, gender and relevant impact without exposing protected identities.
3. The report shall identify institutional noncooperation and recommendations and include management responses where available.
4. Statistics shall distinguish allegation, administrative finding, referral, charge, conviction, acquittal, recovery and pending matter.

CHAPTER VIII
INVESTIGATIONS AND FAIR PROCESS

Article 76 — Intake and assessment

1. The Commission shall record every report, acknowledge receipt where possible and conduct prompt jurisdiction, risk and protection assessment.
2. It may close, refer, consolidate, monitor or investigate with concise reasons and notice where lawful.
3. Priority shall reflect public harm, evidence risk, seniority, system impact, vulnerability and available alternative mechanisms rather than political interest.
4. A closure may be reconsidered on new evidence or reviewed through the complaint process.

Article 77 — Investigation plan

1. A formal investigation shall have written authority, allegation, legal basis, scope, responsible officers, safeguards and review date.
2. Scope may be amended on evidence with recorded approval and notice where fairness requires.
3. An investigator shall disclose conflict and remain professionally independent.
4. Parallel audit, disciplinary, civil and criminal processes shall be coordinated to avoid prejudice, duplication and evidence loss.

Article 78 — Voluntary information and interviews

1. The Commission may request documents and interview a person voluntarily with clear explanation of role, purpose, confidentiality and legal rights.
2. A person may be assisted by counsel or another appropriate representative.
3. An interview shall not use torture, threat, deception about legal authority, indefinite duration or improper promise.
4. A reliable record shall be made, offered for correction and preserved.

Article 79 — Compulsory production

1. Where voluntary cooperation is inadequate, the Commission may issue a reasoned production notice within express statutory authority.
2. The notice shall identify material, relevance, form, deadline, privilege, confidentiality and review route and shall not be unreasonably broad.
3. A person may challenge the notice before a competent court without committing obstruction by lawful challenge.
4. Noncompliance shall be enforced through court or referred under Article 136 of the Penal Code where its elements are reasonably indicated.

Article 80 — Search, seizure and surveillance

1. Search, seizure, interception, covert surveillance, account access and equivalent intrusive measures require authority and judicial warrant under the Criminal Procedure Code and other applicable law.
2. An application shall disclose necessity, scope, alternatives, duration, minimization and relevant exculpatory information.
3. Execution shall protect privilege, unrelated personal data, safety, inventory and chain of custody.
4. Emergency action shall occur only within express law and receive prompt judicial review.

Article 81 — Financial information

1. A court may authorize targeted access to financial, tax, customs, company and property information relevant to an investigation.
2. The Commission may use lawfully accessible public or administrative information without warrant only within defined statutory purpose.
3. Bulk or speculative access based only on political status, ethnicity, religion, diaspora residence or criticism is prohibited.
4. Information shall be secured, logged, disclosed in proceedings where required and destroyed or retained according to law.

Article 82 — Digital evidence and artificial intelligence

1. Digital evidence shall be acquired, copied, analyzed and preserved through documented forensic and authenticity procedures.
2. Artificial intelligence may assist triage, anomaly detection, translation and linkage but shall not determine guilt, confiscation or adverse action alone.
3. A high-impact model shall have validated purpose, representative data, bias testing, cybersecurity, human review, contestability and audit.
4. Proprietary secrecy shall not prevent court scrutiny, defence challenge or correction of material error.

Article 83 — Legal professional and protected privilege

1. Legal professional privilege, judicial deliberation, journalistic source protection and another lawful privilege shall be respected.
2. Privilege does not protect communication made to further corruption or another crime according to law and court determination.
3. Potentially privileged material shall be sealed and reviewed by an independent person or court.
4. A public body's lawyer shall distinguish lawful institutional privilege from concealment of personal wrongdoing.

Article 84 — Notice and opportunity to respond

1. Before an adverse public or administrative finding, an affected person shall receive the material allegation, supporting substance and reasonable opportunity to respond.
2. Notice may be delayed narrowly to prevent concrete evidence destruction, flight, intimidation or serious harm, with recorded review.
3. Exculpatory and materially inconsistent evidence shall be considered fairly.
4. Silence, lawful privilege or challenge to authority shall not by itself establish corruption.

Article 85 — Investigation outcome

1. The Commission may close without finding, make a preventive or administrative finding, recommend correction, seek civil relief or refer a matter to a competent body.
2. A report shall state authority, evidence, findings, response, limits and recommended action and distinguish fact from allegation and inference.
3. Publication shall be proportionate to public interest, privacy, fair trial, safety and correction of reputational harm.
4. A body receiving a recommendation shall respond within a stated period and explain action or disagreement.

Article 86 — Criminal referral

1. Where evidence reasonably indicates an offence, the Commission shall refer a reasoned evidence file to the Advocate General and, as appropriate, the Police Service.
2. The receiving authority shall independently assess charge, further investigation and prosecution under ordinary law.
3. The Commission shall disclose relevant exculpatory material and preserve chain of custody.
4. A decision not to prosecute shall be reasoned to the extent lawful and may receive independent internal review without political direction.

Article 87 — Time and delay

1. An investigation shall proceed diligently, with periodic scope and necessity review.
2. An affected person and reporting person shall receive lawful status updates without compromising evidence or safety.
3. Prolonged public suspicion without progress shall be avoided through closure, narrower scope or explanation.
4. Limitation, preservation and interim orders shall follow applicable law and shall not be manipulated through deliberate delay.

CHAPTER IX
ASSET PRESERVATION, RECOVERY AND COMPENSATION

Article 88 — Principles of recovery

1. Corruption proceeds and unlawfully diverted public assets shall be traced and recovered through law, evidence, court supervision and due process.
2. Recovery shall distinguish proceeds, instrumentalities, lawful property, innocent interests and compensation claims.
3. The objective is restoration and public accountability, not revenue targets, political punishment or institutional self-financing.
4. Recovery abroad shall respect applicable law, treaties, reciprocity and fair procedure.

Article 89 — Preservation orders

1. The Commission or Advocate General may apply to a competent court for a time-limited order preserving property at real risk of dissipation.
2. The application shall identify legal basis, property, evidence, proportionality, affected persons and necessary living or business allowances.
3. An urgent without-notice order requires prompt notice and inter partes review.
4. Preservation does not transfer ownership or establish guilt.

Article 90 — Confiscation and civil recovery

1. Criminal confiscation follows conviction and the Penal and Criminal Procedure Codes.
2. Any non-conviction-based civil recovery requires express Assembly Act authority, proof before an independent court and full opportunity to contest.
3. Death, flight or incapacity shall not automatically establish unlawful origin, and lawful heirs retain due-process rights.
4. The State shall not use civil form to evade criminal safeguards or confiscate unexplained but lawfully acquired property.

Article 91 — Third parties

1. A spouse, child, creditor, business partner, trustee and other third party may assert a lawful interest in preserved or recoverable property.
2. A bona fide purchaser for value and a person without knowledge or reasonable cause shall receive appropriate protection.
3. A nominee or person receiving a gratuitous transfer to defeat recovery may be subject to proportionate court order.
4. Family relationship alone does not prove complicity, ownership or knowledge.

Article 92 — Management of restrained property

1. A court may appoint a qualified independent manager to preserve value, safety, employment and records.

2. Management expenses, contracts, sales and conflicts shall be authorized, recorded and audited.
3. Perishable or rapidly depreciating property may be sold only by court order with proceeds preserved.
4. An official, investigator or political body shall not use restrained property personally or operationally.

Article 93 — Recovered Assets Fund

1. Recovered money shall be paid into a Recovered Assets Fund within the Treasury under the Public Finance Management Act.
2. The Fund shall not be controlled by the Commission and shall not finance rewards or operations based on recovery volume.
3. Use requires appropriation and shall prioritize identifiable victims, restoration of affected services and general public purposes transparently.
4. Receipts, claims, allocation, expenditure and balances shall be audited and published.

Article 94 — Victims and compensation

1. An identifiable person, community, public body or enterprise directly harmed by corruption may seek restitution or compensation under applicable law.
2. A recovery proceeding shall provide notice and a practical claim route where victims can reasonably be identified.
3. Public restoration shall not extinguish an individual's uncompensated lawful claim without consent or judgment.
4. Collective or community restoration shall use participation, equality and safeguards against renewed capture.

CHAPTER X
NATIONAL AND INTERNATIONAL COOPERATION

Article 95 — Domestic coordination forum

1. The Commission shall convene a coordination forum including the Advocate General, Auditor General, Police Service, National Bank, revenue, procurement, civil-service and relevant oversight bodies.
2. The forum shall address strategy, referrals, data standards, parallel proceedings, capacity and systemic risk.
3. It shall not decide guilt, direct a prosecution, exchange information without authority or become a secret executive committee.
4. Terms, attendance and non-sensitive decisions shall be published.

Article 96 — Information sharing

1. A competent body may share information necessary for a defined lawful integrity function under written authority and safeguards.

2. Sharing shall be minimized, secure, logged, accurate and subject to use, retention and onward-disclosure limits.
3. A person shall have access and correction rights where compatible with an active lawful investigation.
4. A memorandum does not create a power absent from an Assembly Act.

Article 97 — Mutual legal assistance

1. Requests for evidence, service, restraint, confiscation, return and witness assistance shall proceed under the Criminal Procedure Code, Treaty-Making Act and applicable agreements.
2. A request shall identify authority, purpose, facts, legal basis, proportionality, use restriction and fair-process assurances.
3. Assistance may be refused or conditioned where it would support political persecution, torture, death penalty, discrimination or manifest denial of justice.
4. Bank secrecy, corporate form or official status shall not by itself defeat lawful court-supervised cooperation.

Article 98 — Asset return

1. Eritrea shall seek and provide transparent return of corruption proceeds consistently with ownership, victims, costs and applicable law.
2. A return agreement shall state amount, destination, safeguards, monitoring, publication and remedy for diversion.
3. Returned assets shall enter the Treasury or a court-approved victim mechanism and shall not be paid to a private or political account.
4. Civil society and affected communities shall participate proportionately in major return and use arrangements.

Article 99 — Joint and foreign investigations

1. A joint investigation or foreign participation requires written lawful authority defining leadership, powers, evidence, data, costs and accountability.
2. A foreign officer may not exercise arrest, search, interception or coercion in Eritrea without express law and Eritrean judicial control.
3. Evidence obtained abroad shall meet admissibility, authenticity and rights requirements.
4. Cooperation shall not surrender Eritrean constitutional authority or immunize misconduct.

Article 100 — Technical assistance

1. The Commission may receive training, technology and technical assistance through transparent, constitutionally lawful arrangements.
2. Assistance shall protect independence, Eritrean data, procurement integrity, sustainability and local capability.
3. A donor or vendor shall disclose interests and may not obtain operational access unnecessary to the assistance.

4. Material funding, conditions, providers and evaluation shall be reported publicly.

CHAPTER XI
OVERSIGHT, REVIEW AND REMEDIES

Article 101 — Inspector of the Commission

1. An independent Inspector of the Commission is established to audit legality, complaints, covert powers, conflicts, security and data handling.
2. The Inspector shall be selected through public merit process and appointed by the President with National Assembly approval for one six-year term.
3. The Inspector may access Commission records subject to secure handling and may refer wrongdoing to competent bodies.
4. The Inspector shall not direct the merits of an investigation or disclose protected operational detail unnecessarily.

Article 102 — Auditor General

1. The Auditor General shall audit Commission finance, performance, procurement, asset management and information controls.
2. Audit access is complete within constitutional authority and shall not depend on Commission permission.
3. Sensitive material may be reported through a protected annex without concealing unlawful expenditure or systemic failure.
4. Management responses and implementation shall be tracked publicly.

Article 103 — National Assembly oversight

1. The competent National Assembly committee shall examine strategy, budget, independence, performance, safeguards and systemic findings.
2. It may summon officials and require records under Article 37 of the Constitution, subject to fair-trial, witness, privacy and security protections.
3. It shall not direct an individual investigation, demand confidential reporting identities or decide criminal guilt.
4. A protected hearing or annex shall be used only where necessary and shall preserve an adequate public account.

Article 104 — Judicial review

1. A person directly affected may seek judicial review of Commission action, inaction, notice, finding, compliance direction, disclosure or rights limitation.
2. The court may review authority, legality, evidence, fairness, reasonableness, proportionality, delay, discrimination and legitimate expectation.
3. Relief may include declaration, injunction, access, correction, reconsideration, compensation, costs and another effective order.

4. Review shall be expedited where liberty, livelihood, reputation, evidence, election or public assets face serious risk.

Article 105 — Administrative review

1. A person may seek internal review of a declaration, conflict, gift, compliance or publication decision by an officer not involved initially.
2. Review shall provide the record, submission, reasoned outcome and information on judicial review.
3. Urgent interim relief may suspend an adverse administrative effect without obstructing necessary evidence preservation.
4. Internal review is not required where futile, biased, dangerously delayed or inadequate for constitutional justice.

Article 106 — Compensation and public liability

1. A person harmed by unlawful search, disclosure, retaliation, malicious investigation, negligent evidence loss or other wrongful administration may seek civil remedy.
2. Good-faith reasonable performance may be considered, but immunity does not protect bad faith, corruption, gross negligence or knowing illegality.
3. Liability of the State and recourse against an official shall follow the Civil Code, Constitution and applicable law.
4. A remedy shall seek restoration without discouraging lawful good-faith reporting and investigation.

Article 107 — Independent evaluation

1. At least every five years, an independent evaluation shall examine corruption risk, prevention, fairness, independence, outcomes, cost and public confidence.
2. The evaluator shall have lawful access, protect active cases and consult public bodies, affected persons, businesses, communities and experts.
3. The report and Government and Commission responses shall be published and debated by the National Assembly.
4. Evaluation shall recommend amendment, consolidation or termination of ineffective or abusive measures.

Article 108 — No exceptional jurisdiction

1. A corruption allegation shall be tried only by courts established under the Constitution and Courts Act with ordinary independence and appeal.
2. No Special Court, executive tribunal, military body or Commission panel may determine ordinary criminal guilt or impose imprisonment or confiscation.
3. A specialized court division may be created only by Assembly Act within the ordinary judiciary and with transparent case allocation and full procedural safeguards.
4. Efficiency, secrecy, seniority or economic importance does not justify removal from independent courts.

CHAPTER XII
TRANSITIONAL, REPEAL AND FINAL PROVISIONS

Article 109 — Preservation of records

1. On commencement, every public body shall secure corruption, audit, procurement, asset, declaration, disciplinary and Special Court records.
2. No person may destroy, remove, alter or conceal a record outside a lawful retention process.
3. The Commission, Auditor General and Advocate General shall conduct a documented custody and risk review.
4. Preservation shall respect privilege, privacy, fair trial and historical archives.

Article 110 — Legacy investigations and proceedings

1. A lawful pending investigation or proceeding continues under the competent ordinary institution and current procedural safeguards.
2. A matter originating in an unconstitutional or non-independent body shall be reviewed before further adverse action.
3. Evidence shall be assessed for legality, reliability, coercion, custody and disclosure and shall not be validated merely by institutional origin.
4. A final lawful judgment remains subject to ordinary appeal, review and constitutional remedy.

Article 111 — Institutional transition

1. Existing lawful anti-corruption functions, records, assets, contracts and staff shall be inventoried and transferred by published schedule.
2. Staff shall receive fair merit and integrity assessment under the Civil Service Administration Act without collective guilt.
3. A transfer shall not interrupt urgent evidence protection, reporting-person safety or court proceedings.
4. No former body, party or security institution retains parallel secret anti-corruption jurisdiction.

Article 112 — Review of prior instruments

1. The Advocate General, Commission, Judicial Service Commission and Auditor General shall review prior anti-corruption, Special Court, asset, financial-disclosure and public-integrity instruments within twelve months.
2. They shall authenticate texts and identify repeal, inconsistency, pending rights, evidence, liabilities and necessary savings.
3. A verified consequential amendment and repeal schedule shall be submitted to the National Assembly with reasons.
4. Authentic historical texts shall be preserved and shall not be silently rewritten.

Article 113 — Savings

1. Repeal or institutional change does not extinguish an offence, liability, victim claim, lawful investigation, evidence, court order, contract, asset or accrued employment right.
2. Continuity does not preserve secret jurisdiction, political direction, torture, indefinite detention, punishment without trial or confiscation without law.
3. A reference to a predecessor anti-corruption body shall be read as the corresponding competent body until corrected where consistent with the Constitution.
4. A procedural change shall apply fairly and shall not create retroactive criminal liability.

Article 114 — Regulations

1. The President may issue regulations for administrative implementation expressly delegated by this Act on recommendation of the Commission or responsible institution.
2. Regulations may prescribe declaration forms, thresholds, registers, reporting, protection, coordination, service standards, records and transition.
3. They shall not create an offence, imprisonment, confiscation, tax, appropriation, covert power or political qualification absent an Assembly Act.
4. Draft material regulations shall identify authority, rights and fiscal effects and ordinarily allow at least sixty days for public comment.

Article 115 — Commission instruments

1. The Commission may issue published procedural rules, forms and nonbinding guidance within authority expressly granted by this Act.
2. A binding external requirement shall identify statutory authority, consultation, commencement, review and remedy.
3. No unpublished manual, secret profile, database rule or algorithm may create liability or determine an adverse outcome.
4. Every instrument shall be accessible digitally and through practical non-digital means.

Article 116 — Phased commencement

1. The preservation, reporting, retaliation, court, audit and institutional-establishment provisions commence thirty days after publication.
2. The Commission shall be appointed within nine months and shall assume declarations and investigation functions according to a published plan within eighteen months.
3. Existing competent bodies shall preserve lawful continuity until transfer without acquiring new power under this Act before commencement.
4. A commencement regulation may sequence administration but may not postpone constitutional remedies, record preservation or protection from retaliation.

Made at Asmara, this ___ day of __________ 2026.

THE NATIONAL ASSEMBLY OF ERITREA