

DRAFTING NOTE

CABINET REGULATIONS

1. Status and purpose of this note

This drafting note is explanatory and is not part of the proposed executive regulations. 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 Constitution establishes Cabinet and expressly authorizes the President under Article 46(4) to regulate its organization, functions, operations and code of conduct. No comprehensive public Cabinet procedure in the supplied corpus provides the disciplines required for a democratic executive.

3. What the draft retains

The draft retains presidential chairmanship, ministerial assistance, collective Cabinet work, confidentiality for legitimate deliberation and individual ministerial administration.

4. What the draft updates and modernizes

It adds lawful agenda and paper procedures, legal and fiscal review, consultation among ministries, reasoned and recorded decisions, implementation tracking, a professional Secretariat, conflicts and ethics, controlled confidentiality, records, public explanation and strict limits against Cabinet legislating or appropriating.

5. Constitutional, code and treaty fit

The Regulations rely on the President's express constitutional and statutory authority to organize and direct the executive. They do not appropriate money, impose a tax, create an offence, establish a court, expropriate property, alter a right fixed by an Assembly Act or transfer a protected statutory function. Applicable constitutional rights, the 2015 Codes, Assembly Acts, administrative fairness, privacy and judicial review remain controlling.

6. Scope and organization

The principal divisions address preliminary; cabinet membership and responsibility; cabinet meetings and decisions; cabinet business and submissions; cabinet committees and official coordination; implementation and performance; legislation, budget and international agreements; ministerial code of conduct; cabinet secretariat and records; accountability and public communication; compliance 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 ISSUED REGULATIONS

REGULATION NO. [____]/2026

CABINET REGULATIONS

(PRESIDENTIAL REGULATIONS)

TO GOVERN THE ORGANIZATION, FUNCTIONS, OPERATIONS AND CODE OF CONDUCT OF THE CABINET AND THE CABINET SECRETARIAT IN THE OFFICE OF THE PRESIDENT; TO SECURE COLLECTIVE, INFORMED, LAWFUL AND ACCOUNTABLE EXECUTIVE DECISION MAKING; AND TO PROVIDE FOR RELATED MATTERS.

PREAMBLE

WHEREAS Article 46(1) of the Constitution of Eritrea establishes a ministerial Cabinet presided over by the President, and Article 46(3) requires the Cabinet to assist the President in directing, supervising and coordinating government affairs and in studying and preparing the national budget, draft laws, policies and plans;

WHEREAS Article 46(4) of the Constitution expressly authorizes the President to issue rules and regulations governing the organization, functions, operations and code of conduct of Cabinet members and the Secretariat of the Office of the President;

WHEREAS Article 47 makes Ministers individually accountable to the President for their Ministries and collectively accountable to the National Assembly, through the President, for the work of the Cabinet, and permits the Assembly and its committees to summon Ministers through the Office of the President;

WHEREAS effective Cabinet government requires candid deliberation, reliable evidence, prior legal and fiscal review, consultation among affected Ministries, accurate records, clear decisions, disciplined implementation and truthful public explanation;

WHEREAS confidentiality is necessary for candid deliberation and the protection of legitimate public interests, but shall not be used to conceal illegality, corruption, gross waste, abuse of authority or serious danger to the public;

WHEREAS these Regulations regulate Cabinet procedure and ministerial conduct without legislating within the domain of the National Assembly, appropriating public money, displacing statutory functions or diminishing the independence of constitutional institutions;

WHEREAS publication as a consultation draft permits Ministers, civil servants, the National Assembly, constitutional institutions, professional bodies, civil society and the public to improve the Cabinet system before final issuance;

NOW, THEREFORE, in exercise of the powers conferred by Article 46(4) of the Constitution of Eritrea, the President issues these Regulations for public discussion as follows:

CHAPTER I
PRELIMINARY

Regulation 1 — Short title

These Regulations may be cited as the Cabinet Regulations, 2026.

Regulation 2 — Status of consultation draft

1. These Regulations are published for public discussion and have no legal effect before final issuance and publication.
2. Written observations may be submitted to the Cabinet Secretariat in the manner and by the closing date specified in the accompanying notice.
3. The President shall consider the consultation record before issuing the final Regulations.

Regulation 3 — Objects

1. These Regulations establish a clear, disciplined and constitutional system for Cabinet deliberation, decision, implementation and accountability.
2. They also prescribe standards of ministerial conduct and provide for an impartial and professional Cabinet Secretariat.

Regulation 4 — Interpretation

1. In these Regulations, “Cabinet” means the ministerial Cabinet established by Article 46; “Cabinet Committee” means a committee established under Regulation 31; “Cabinet decision” means a determination recorded under Regulation 18; “Cabinet paper” includes a memorandum, minute, brief, annex, presentation or other material submitted for Cabinet business; “Minister” means a Minister appointed under Article 42(7); “President” means the President of the State of Eritrea; and “Secretariat” means the Cabinet Secretariat in the Office of the President.
2. A reference to law includes the Constitution, an Act, a Proclamation and valid subordinate legislation, as applicable.

Regulation 5 — Constitutional character and limits

1. Cabinet assists the President in the functions stated in Article 46(3), and these Regulations do not create an executive authority independent of the President.
2. A Cabinet decision cannot enact a law, appropriate money, impose a tax, transfer a statutory function, create an offence, authorize public borrowing or restrict a constitutional right unless the Constitution or an Act supplies the required authority.
3. These Regulations shall not be applied to direct or interfere with the National Assembly, Judiciary, Judicial Service Commission, Auditor General, National Bank, Civil Service Administration, Electoral Commission, Advocate General or another independent institution in a protected function.
4. If a Cabinet proposal requires legislation or appropriation, Cabinet may approve its submission but may not treat the proposal as law or available public money before completion of the constitutional process.

CHAPTER II

CABINET MEMBERSHIP AND RESPONSIBILITY

Regulation 6 — Composition of Cabinet

1. Cabinet consists of the President and Ministers appointed in accordance with the Constitution.
2. Only the President and Ministers may take part in a Cabinet determination.
3. The Secretary to the Cabinet attends in an official capacity but is not a member and does not participate in a determination.

Regulation 7 — President as Chair

1. The President presides over every Cabinet meeting as required by Article 46(1), settles the agenda, guides deliberation and records the final determination after receiving Cabinet's assistance.
2. A gathering of Ministers not presided over by the President is not a Cabinet meeting and may not purport to make a Cabinet decision.
3. The President may require further analysis, consultation, revision or reconsideration before making or confirming a determination.

Regulation 8 — Individual and collective accountability

1. A Minister is individually accountable to the President for the lawful and effective administration of the Minister's portfolio.
2. Ministers are collectively accountable to the National Assembly, through the President, for the administration of Cabinet work under Article 47.
3. Individual responsibility does not excuse a Minister from implementing a lawful Cabinet decision, and collective responsibility does not excuse unlawful personal conduct or maladministration within a Ministry.

Regulation 9 — Attendance and preparation

1. A Minister shall attend every Cabinet meeting unless excused by the President for good cause and shall review the agenda and papers before the meeting.
2. A Minister unable to attend shall notify the Secretary promptly, state the reason and provide any relevant written view through a secure channel.
3. Foreign travel and other official commitments shall be arranged, as far as practicable, so that Cabinet can meet and essential portfolios remain continuously represented.

Regulation 10 — Invitees and advisers

1. The President may invite a public officer, independent officeholder, technical expert or other person to attend for a specified item when the person's contribution is necessary.

2. An invitee shall receive only the material necessary for that item, shall disclose relevant interests and shall withdraw when requested.
3. An invitee does not participate in a Cabinet determination and is bound by the applicable duties of confidentiality and record protection.

Regulation 11 — Ministerial undertaking

1. Upon appointment, a Minister shall sign an undertaking to comply with the Constitution, applicable law, these Regulations and lawful Cabinet decisions.
2. The undertaking is a condition of Cabinet conduct and is not an oath created in substitution for an oath prescribed by the Constitution or an Act.

CHAPTER III CABINET MEETINGS AND DECISIONS

Regulation 12 — Ordinary meetings

1. Cabinet shall meet on a regular schedule approved by the President and sufficiently often to direct, supervise and coordinate government affairs.
2. The Secretary shall circulate an annual meeting calendar and update it when the President changes the schedule.

Regulation 13 — Special and remote meetings

1. The President may convene a special meeting when urgent or exceptional business cannot await the next ordinary meeting.
2. Cabinet may meet through a secure remote system when physical attendance is impracticable and identity, confidentiality, participation and record integrity can be protected.
3. A remote meeting remains subject to the same quorum, recusal, record and decision requirements as an in-person meeting.

Regulation 14 — Notice and agenda

1. The Secretary shall circulate notice, the proposed agenda and Cabinet papers at least five working days before an ordinary meeting unless the President permits a shorter period for stated reasons.
2. The agenda shall distinguish matters for decision, discussion, noting, information and oral briefing.
3. A Minister may request an item through the Secretary, but the President determines whether and when it is placed on the agenda.

Regulation 15 — Quorum

1. The quorum is the President and more than one-half of the serving Ministers who are not recused from the meeting as a whole.
2. A vacant office is excluded when calculating the number of serving Ministers.
3. Cabinet shall not make a determination without a quorum, but lack of quorum does not suspend a power that the Constitution or an Act confers personally on the President.

Regulation 16 — Order and equality of deliberation

1. The President shall permit relevant Ministers a reasonable opportunity to state their views and shall encourage candid, concise and evidence-based discussion.
2. Seniority, military rank, party office, personal association or control of a security institution gives no Minister a superior vote or right to silence another Minister.
3. Personal attack, intimidation, retaliation and deliberate withholding of material information are inconsistent with Cabinet responsibility.

Regulation 17 — Consensus and disagreement

1. Cabinet shall seek consensus through reasoned deliberation, identification of common ground and resolution of legal, fiscal and implementation concerns.
2. A Minister may request that a material objection or alternative be summarized in the confidential record before the President determines the matter.
3. A formal vote may be taken to inform the President, but it is advisory and does not displace the President's constitutional responsibility.

Regulation 18 — Cabinet determination

1. After deliberation, the President shall state the determination, including any conditions, lead Minister, required consultation, legal or budget dependency, reporting date and public-communication instruction.
2. The Secretary shall read back or otherwise verify the operative terms before the meeting moves to the next item.
3. Only the determination recorded and approved under Regulation 21 constitutes the Cabinet decision; a Cabinet paper or discussion does not.

Regulation 19 — Adjournment and deferral

1. The President may adjourn a meeting or defer an item for further evidence, consultation, drafting, legal review or fiscal analysis.
2. The minutes shall record the reason for deferral and the action, responsible Minister and return date required before reconsideration.

Regulation 20 — Reconsideration

1. A Minister seeking reconsideration shall identify a material change, error, legal concern, fiscal consequence or implementation difficulty that could alter the decision.
2. The President may authorize reconsideration and may suspend implementation to the extent necessary to avoid illegality or serious harm.
3. A request for reconsideration does not otherwise suspend a Cabinet decision.

Regulation 21 — Minutes and confirmation

1. The Secretary shall prepare an impartial record of attendance, recusals, matters considered, material alternatives, decisions, assigned actions and deadlines.
2. Minutes shall not attribute individual views unless the President directs, a Minister requests a material objection to be noted or attribution is necessary to record a conflict, recusal or assigned duty.
3. Draft minutes shall be submitted to the President promptly and confirmed at the next meeting or through another secure procedure approved by the President.
4. A clerical correction shall preserve the original record and an alteration affecting substance requires presidential confirmation and an audit trail.

CHAPTER IV CABINET BUSINESS AND SUBMISSIONS

Regulation 22 — Matters ordinarily requiring Cabinet consideration

1. The following matters shall ordinarily be submitted to Cabinet before presidential action or public commitment—
 - a. the national budget, a medium-term fiscal framework and a material change to approved fiscal policy;
 - b. a draft law proposed for submission to the National Assembly and a major subordinate legislative instrument;
 - c. a national policy, national plan or material change in government priority;
 - d. a treaty or international commitment having significant legal, fiscal, security, territorial, environmental or social consequences;
 - e. a proposal affecting more than one Ministry or an independent constitutional institution;
 - f. a major public investment, concession, guarantee, privatization, public-private partnership or disposition of strategic public property;
 - g. a response to a national emergency or other matter of exceptional public importance.
2. The President may refer another matter to Cabinet and may determine that a routine, delegated or purely administrative matter need not be submitted.

Regulation 23 — Cabinet memorandum

1. A sponsoring Minister shall submit a concise Cabinet memorandum in the form approved by the President on the recommendation of the Secretary.
2. The memorandum shall state the decision requested, material facts, evidence, alternatives, consultation, legal authority, rights effects, fiscal and economic consequences, implementation arrangements, risks, communication plan and monitoring indicators.
3. Material uncertainty, disagreement, adverse advice and an option rejected by the sponsoring Minister shall be disclosed fairly.
4. A paper shall identify confidential annexes separately and shall not classify material merely to avoid criticism or embarrassment.

Regulation 24 — Interministerial consultation

1. The sponsoring Minister shall consult every Ministry whose mandate, resources, legislation, information or implementation responsibility is materially affected.
2. Consultation shall occur early enough to influence the proposal and shall not consist merely of circulating a completed paper immediately before submission.
3. The memorandum shall state the position of each affected Ministry and reproduce or fairly summarize an unresolved material disagreement.
4. The Secretary may return a paper that lacks required consultation.

Regulation 25 — Legal and constitutional review

1. A proposal involving law, rights, public power, institutional independence, a treaty, litigation risk or subordinate legislation shall receive written legal review before submission.
2. The review shall identify constitutional and statutory authority, required procedure, rights limitations, institutional competence, judicial-review risk, transitional provisions and any need for an Act of the National Assembly.
3. The Ministry responsible for justice and the Advocate General shall perform only the respective functions assigned to them by law, and neither may displace the constitutional authority of the courts.
4. A serious unresolved legal objection shall be placed before Cabinet and shall not be omitted from the paper.

Regulation 26 — Fiscal, economic and implementation review

1. Finance and Treasury shall review a proposal having material revenue, expenditure, debt, guarantee, procurement, asset or fiscal-risk consequences.
2. Planning and National Development shall review a major policy or programme for consistency with national plans, measurable outcomes, delivery capacity and evaluation arrangements.
3. The responsible Ministry shall assess effects on competition, small enterprise, employment, prices, regions, vulnerable persons, the environment and administrative burden where material.

4. Cabinet approval does not supply an appropriation, and an unfunded proposal shall state that implementation depends on lawful budget authority.

Regulation 27 — Public consultation and affected interests

1. A major policy, Bill or measure materially affecting rights, livelihoods, property, markets, regions or the environment shall ordinarily undergo proportionate public consultation before final Cabinet approval.
2. The consultation shall provide understandable information, reasonable time, accessible participation and a fair summary of material responses.
3. A decision to omit or shorten consultation shall state the urgency, confidentiality or other public-interest reason and shall be reviewed after the immediate need passes.

Regulation 28 — Submission deadlines and late papers

1. A complete paper shall reach the Secretariat at least seven working days before the meeting at which consideration is requested, unless the Secretary sets a longer period for complex business.
2. A late paper requires the President's permission and a written explanation of urgency, consultation completed and prejudice likely from delay.
3. Administrative delay, avoidable poor planning or a desire to prevent scrutiny does not constitute urgency.

Regulation 29 — Oral and tabled items

1. An item not supported by a circulated paper shall be considered only with the President's permission where genuine urgency or sensitivity makes prior circulation impracticable.
2. The responsible Minister shall state the decision requested, authority, material facts, legal and fiscal implications and consultations completed.
3. Unless immediate determination is indispensable, Cabinet shall direct preparation of a written paper before final decision.
4. The Secretariat shall create a written record and obtain any missing review promptly after an emergency determination.

Regulation 30 — National security and emergency business

1. Sensitive security information shall be limited to what Cabinet needs and handled through secure procedures, but national-security classification shall not remove the requirement of legality, necessity, proportionality, fiscal control and record keeping.
2. An emergency proposal shall identify the legal authority, geographic and temporal scope, responsible command, civilian protection, reporting, review, termination and remedy arrangements.
3. A measure restricting constitutional rights shall be no broader or longer than strictly required and remains subject to the Constitution, legislation and judicial review.
4. Cabinet shall schedule review of every continuing emergency measure at stated intervals.

CHAPTER V

CABINET COMMITTEES AND OFFICIAL COORDINATION

Regulation 31 — Establishment of Cabinet Committees

1. The President may establish a standing or temporary Cabinet Committee by written instrument stating its name, membership, chair, mandate, reporting line and duration.
2. A Committee shall improve detailed consideration, coordination or crisis response and shall not fragment Cabinet accountability.
3. The instrument and non-confidential mandate shall be published unless a lawful and compelling security reason requires limited disclosure.

Regulation 32 — Committee authority

1. A Cabinet Committee may examine, coordinate and recommend matters within its mandate.
2. A Committee determination has the effect specified by the President, but a matter reserved by these Regulations or by presidential direction to full Cabinet shall be referred to Cabinet.
3. A Committee may not exercise a statutory power vested in a Minister or independent institution unless lawfully delegated.

Regulation 33 — Committee procedure

1. Regulations 9, 10, 13 to 21, 23 to 30 and 47 to 55 apply to a Cabinet Committee with necessary modifications.
2. The Committee chair performs the procedural functions assigned to the President, but the President retains authority to settle jurisdiction, require reconsideration or refer a matter to Cabinet.
3. The Secretariat shall service each Cabinet Committee and maintain its records within the Cabinet record system.

Regulation 34 — Interministerial committees of officials

1. The Secretary or affected Permanent Secretaries may establish an officials' committee to prepare advice, coordinate implementation or resolve technical issues.
2. An officials' committee shall have a written mandate, responsible chair, timetable and reporting destination.
3. Officials may advise and coordinate but may not make a Cabinet decision or exercise a Minister's nondelegable statutory discretion.
4. A material disagreement among officials shall be stated, not concealed through an artificial consensus.

CHAPTER VI IMPLEMENTATION AND PERFORMANCE

Regulation 35 — Communication of decisions

1. The Secretariat shall issue an authenticated decision minute promptly to each responsible Minister and authorized implementing official.
2. The minute shall state the decision, conditions, lead and supporting Ministries, legal and budget dependencies, deliverables, deadlines and reporting requirements.
3. No person shall implement a recollection, press report or draft minute that conflicts with the authenticated decision.

Regulation 36 — Implementation responsibility

1. The lead Minister is accountable for implementation and shall convene supporting Ministries, resolve operational issues and report material risk or delay.
2. A supporting Minister shall provide the agreed information, personnel, approval or action within the specified time.
3. A Cabinet decision shall not be implemented through an unlawful direction, unappropriated expenditure or interference with an independent function.

Regulation 37 — Cabinet action register

1. The Secretariat shall maintain a secure action register recording every current decision, responsible institution, milestone, dependency, status and reporting date.
2. The Secretariat shall notify the President and responsible Minister of overdue or materially at-risk action and place persistent failure before Cabinet.
3. A public implementation summary shall be maintained for decisions whose disclosure is not lawfully restricted.

Regulation 38 — Monitoring, evaluation and review

1. A major Cabinet decision shall contain measurable outcomes, baseline information, review dates and responsibility for monitoring and evaluation.
2. Planning and National Development shall provide government-wide performance analysis without altering professional findings for political convenience.
3. Cabinet shall amend, suspend or terminate a policy that evidence shows to be unlawful, ineffective, wasteful or disproportionately harmful.

Regulation 39 — Failure or inability to implement

1. A Minister who cannot implement a decision lawfully, within appropriation or by the required date shall notify the President and Secretary immediately.
2. The notice shall state the reason, consequence, mitigation and decision required and shall not wait until the deadline has expired.

3. Concealing failure, falsifying progress or shifting responsibility without authority constitutes serious ministerial misconduct.

CHAPTER VII LEGISLATION, BUDGET AND INTERNATIONAL AGREEMENTS

Regulation 40 — Draft laws

1. Cabinet shall study a proposed Bill before the President presents it to the National Assembly under Article 42(15).
2. The submission shall include drafting instructions, the draft text, a constitutional and rights analysis, consultation report, fiscal statement, implementation plan and consequential amendments.
3. Cabinet approval authorizes submission through the President and does not enact the Bill or bind the National Assembly.

Regulation 41 — Subordinate legislation

1. Cabinet shall not approve subordinate legislation unless the enabling Act and the authorized maker are identified.
2. A proposed instrument shall remain within delegated authority, follow required consultation and publication, and contain no tax, offence, coercive power or restriction beyond the enabling law.
3. The Cabinet decision shall distinguish policy approval from the later legal act of making and publishing the instrument by the competent authority.

Regulation 42 — National budget

1. Cabinet shall study and prepare the national budget for presentation by the President in accordance with Articles 32(3), 42(15) and 46(3)(b).
2. Finance and Treasury shall present fiscal assumptions, revenue, expenditure, debt, risks, ministry ceilings, major investments and consistency with national priorities.
3. A Minister shall disclose an unfunded commitment, arrear, guarantee, contingent liability or material fiscal risk within the Minister's portfolio.
4. Cabinet agreement to a budget proposal does not authorize expenditure before Assembly approval and lawful budget execution.

Regulation 43 — International agreements

1. A proposal to negotiate or sign an international agreement shall identify the President's authority under Article 42(6), the subject, negotiating mandate, responsible delegation, fiscal exposure and domestic legal consequences.
2. Before signature or ratification, the responsible Minister shall identify whether National Assembly ratification under Article 32(4), implementing legislation, appropriation, reservation, declaration or publication is required.

3. Cabinet shall not treat international deposit or executive signature as a substitute for constitutional authorization or domestic legislation.
4. Foreign Affairs and Diaspora shall maintain the public treaty-status register required by the Government Ministries Organization Regulations.

CHAPTER VIII MINISTERIAL CODE OF CONDUCT

Regulation 44 — Primacy of public duty

1. A Minister shall act lawfully, honestly, diligently, impartially and for the public interest and shall uphold the Constitution and dignity of public office.
2. A Minister shall take responsibility for decisions, correct material error, give truthful information and cooperate with lawful oversight.
3. Public office shall not be used for personal, family, party, military, business or factional advantage.

Regulation 45 — Collective responsibility

1. A Minister may argue freely and candidly within Cabinet and may request reconsideration under Regulation 20.
2. After a lawful Cabinet decision, a Minister shall implement and publicly support it or seek the President's permission to abstain in exceptional circumstances.
3. A Minister who cannot in conscience remain collectively responsible shall tender resignation rather than secretly obstruct implementation or misrepresent the decision.
4. Collective responsibility does not require a Minister to conceal illegality, corruption, falsification or a serious threat to public safety.

Regulation 46 — Confidentiality and lawful disclosure

1. A Minister shall protect Cabinet papers, deliberations and information whose confidentiality is necessary for candid decision making, national security, privacy, commercial fairness, legal privilege or another lawful public interest.
2. Confidentiality shall be limited in subject and duration and shall not be asserted merely to avoid embarrassment, scrutiny or political disagreement.
3. A Minister shall use protected reporting channels for suspected illegality or serious wrongdoing and may make another disclosure when protected or required by law.
4. Unauthorized disclosure and deliberate over-classification are both breaches of these Regulations.

Regulation 47 — Conflicts of interest

1. A Minister shall identify and promptly disclose to the President and Secretary an actual, potential or reasonably perceived conflict between public duty and a personal, family, financial, professional or close-associate interest.

2. The President shall determine appropriate management, including disclosure, recusal, non-receipt of papers, divestment, transfer of responsibility, blind management or another effective measure.
3. The declaration, management decision, absence from papers and withdrawal from deliberation shall be recorded.
4. A recused Minister shall not influence officials, colleagues or an outside person concerning the matter.

Regulation 48 — Interests, assets and liabilities

1. A Minister shall file with the designated ethics authority and the President a complete declaration of interests, significant assets, liabilities, beneficial ownerships, directorships, partnerships, trusts and qualifying interests of dependent family members as required by law or presidential code.
2. A declaration shall be made on appointment, annually, on material change and on leaving office.
3. Public disclosure shall follow governing legislation and shall balance transparency with legitimate privacy and security.
4. These Regulations do not create a criminal offence or substitute for financial-disclosure legislation.

Regulation 49 — Gifts, hospitality and sponsored travel

1. A Minister shall not solicit or accept a gift, hospitality, service, discount, loan, travel or benefit that may influence, appear to influence or reward official action.
2. A permissible official gift shall be declared, recorded and treated as State property when required by law or applicable policy.
3. Sponsored travel requires prior approval, disclosure of the sponsor and purpose, and assurance that no improper obligation arises.
4. Cash and cash equivalents shall not be accepted.

Regulation 50 — Public resources and political activity

1. A Minister shall use public money, staff, vehicles, premises, information and communication systems only for lawful public purposes.
2. Party-political and electoral activity shall be separated from State administration, and a civil servant shall not be compelled to perform partisan work.
3. Official communication may explain and defend government policy but shall not knowingly disseminate false information or target a person for lawful criticism.

Regulation 51 — Appointments, contracts and influence

1. A Minister shall not secure appointment, promotion, licence, contract, concession, benefit or regulatory advantage for a relative, associate, donor, party supporter or business interest except through a fair lawful process in which the Minister has no improper role.

2. A Minister shall not direct or pressure a civil servant, procurement official, regulator, police officer, prosecutor, auditor, judge or independent officeholder to favor or punish a person improperly.
3. An attempted improper influence shall be documented and reported through the appropriate lawful channel.

Regulation 52 — Use of information and post-office restraint

1. A Minister shall not use confidential or non-public information for personal advantage, securities dealing, land acquisition, business opportunity or benefit to another person.
2. Upon leaving office, a former Minister remains bound by lawful confidentiality, record-return and conflict restrictions.
3. A former Minister shall not retain Cabinet papers or exploit confidential knowledge to obtain an unfair private advantage.

Regulation 53 — Duty to report serious wrongdoing

1. A Minister who reasonably believes that a Cabinet member or senior official has engaged in illegality, corruption, gross waste, serious abuse of authority or conduct endangering the public shall report the matter promptly to the President and an institution legally competent to investigate.
2. If the allegation concerns the President, the Minister shall use the constitutionally competent oversight, investigative or judicial institution.
3. No person may retaliate against a good-faith report or interfere with lawful preservation of evidence.

CHAPTER IX
CABINET SECRETARIAT AND RECORDS

Regulation 54 — Secretary to the Cabinet

1. The President shall designate a professionally qualified Secretary to the Cabinet within the Office of the President.
2. The Secretary is responsible directly to the President for the impartial administration of Cabinet procedure and is responsible to Cabinet collectively for accurate records and effective operation of the Cabinet system.
3. The Secretary shall serve without partisan preference and shall not alter advice, minutes or decisions to favor a Minister or faction.

Regulation 55 — Functions of Secretariat

1. The Secretariat shall manage the Cabinet calendar, agenda, papers, meetings, committees, decisions, action register, secure communications and institutional memory.
2. It shall test submissions for completeness, consultation, legal and fiscal review, clarity of decision requested and readiness for consideration without deciding the policy merits.

3. It shall advise the President and Ministers on these Regulations, train officials in Cabinet procedure and maintain standard templates and guidance.
4. It shall coordinate publication of authorized Cabinet decisions and implementation summaries.

Regulation 56 — Cabinet record

1. The Cabinet record includes agendas, papers, annexes, declarations, attendance, minutes, decisions, action reports, committee records and authenticated communications.
2. Cabinet business shall be conducted through approved systems, and a substantive decision or direction given through another channel shall be captured promptly in the official record.
3. No Cabinet record may be destroyed, concealed, altered, removed or privately retained except under lawful records and archives procedures.

Regulation 57 — Security, access and classification

1. The Secretariat shall apply proportionate security controls based on assessed harm, need to know, identity verification, encryption, access logging and secure retention.
2. Classification shall state the responsible authority, reason and review date and shall be reviewed periodically for reduction or release.
3. Access shall be given where required for lawful implementation, audit, investigation, judicial process, legislative accountability or archives, subject to applicable safeguards.
4. A system shall preserve an audit trail of access, amendment, transmission and deletion.

Regulation 58 — Archives and democratic continuity

1. Cabinet records are records of the State and shall be preserved as part of Eritrea's institutional memory.
2. The Secretariat shall transfer records of enduring value to the competent national archives under law while protecting legitimately restricted information.
3. A change of President, Minister or political administration does not authorize destruction, private removal or falsification of the Cabinet record.
4. Regulations governing access by a succeeding administration shall protect both continuity of government and the lawful confidentiality of prior deliberations.

Regulation 59 — Continuity and contingency arrangements

1. The Secretariat shall maintain secure backup, disaster recovery, alternative meeting, succession of authorized custodians and emergency communication arrangements.
2. The arrangements shall be tested periodically and corrected after each exercise or incident.
3. A continuity arrangement shall preserve presidential control, Cabinet identity, quorum, record integrity and protection against impersonation or unauthorized decision.

CHAPTER X

ACCOUNTABILITY AND PUBLIC COMMUNICATION

Regulation 60 — National Assembly appearances

1. A summons from the National Assembly or a committee under Article 47(2) shall be transmitted through the Office of the President promptly and without obstruction.
2. The Office shall coordinate attendance and necessary Cabinet information but shall not prevent the Assembly from questioning the summoned Minister concerning operation of the Ministry.
3. A Minister shall answer truthfully, correct a material error promptly and claim confidentiality only on a lawful and specifically stated ground.

Regulation 61 — Reports to the National Assembly and public

1. Cabinet shall support full and regular reporting on execution of laws, expenditure of public money, implementation of national plans and administration of Ministries.
2. The President shall coordinate collective reporting, and each Minister remains responsible for accurate portfolio reporting.
3. A public report shall distinguish planned, approved, funded, commenced and completed action and shall not describe a proposal as an accomplished result.

Regulation 62 — Cabinet communication

1. After each meeting, the President or authorized spokesperson shall publish a timely and accurate statement of decisions suitable for public release.
2. The statement shall explain the decision, purpose, responsible Ministry, legal or budget dependency and expected implementation where disclosure is lawful.
3. Ministers shall not announce a Cabinet decision before authorized release or contradict the authenticated decision while purporting to speak for government.
4. Correction of material public error shall be prompt and as visible as the original communication.

Regulation 63 — Judicial, audit and investigative processes

1. Cabinet and Ministers shall comply with lawful court orders and shall provide assistance required to protect judicial independence under Article 48(4).
2. No Cabinet decision may obstruct the Auditor General, an independent investigation, lawful evidence preservation or a remedy ordered by a competent authority.
3. Legal privilege and confidentiality may be asserted only by the competent authority and shall not be used to conceal wrongdoing.

CHAPTER XI

COMPLIANCE AND FINAL PROVISIONS

Regulation 64 — Advice, forms and procedural directions

1. The Secretary may issue forms, templates and procedural guidance consistent with these Regulations after approval by the President.
2. The President may issue written directions concerning Cabinet administration, but a direction shall not amend these Regulations, create legislation or excuse illegality.
3. Guidance of general application shall be published unless lawful confidentiality requires otherwise.

Regulation 65 — Urgent departure from procedure

1. The President may authorize a temporary departure from a procedural requirement where strict compliance is impracticable because of genuine urgency, national security, disaster or technological failure.
2. The departure, reason, safeguards and steps for later compliance shall be recorded.
3. No departure may waive constitutional authority, statutory procedure, appropriation, quorum, conflict disclosure, record creation or judicial obligation.
4. Cabinet shall review a continuing departure at the earliest practicable meeting.

Regulation 66 — Alleged breach and response

1. An alleged breach shall be assessed fairly, promptly and confidentially to the extent consistent with accountability and the rights of affected persons.
2. The President may seek independent legal, ethical, audit or investigative advice and shall refer suspected criminal or statutory misconduct to the competent authority.
3. A Minister shall receive notice of a material allegation and a fair opportunity to respond, except to the extent temporary confidentiality is necessary to preserve evidence or protect a person.
4. No internal Cabinet process shall displace the jurisdiction of a court, the National Assembly or an independent institution.

Regulation 67 — Consequences of breach

1. Depending on seriousness, the President may require advice, correction, apology, disclosure, recusal, repayment, training, reassignment, formal reprimand, resignation or removal under Article 42(17).
2. A consequence under these Regulations is administrative and political and does not create a criminal offence or civil penalty.
3. Referral for prosecution, recovery, discipline or other legal action shall occur only under the applicable law and competent procedure.
4. A remedy shall address institutional weakness and public harm as well as individual responsibility.

Regulation 68 — Annual review

1. The Secretary shall review operation of these Regulations annually and report to the President on timeliness, paper quality, consultation, legal compliance, fiscal review, implementation, record security and recurring failures.
2. The President shall invite periodic views from Ministers, Permanent Secretaries, the Civil Service Administration, oversight institutions and the National Assembly on improvements affecting their constitutional relations.
3. A material proposed amendment shall ordinarily be published for consultation before issuance.

Regulation 69 — Publication and commencement

1. The final Regulations shall be published in the Official Gazette and on the authoritative public legislation website in accessible and searchable form.
2. They come into force on the date stated in the final instrument.
3. The Office of the President shall publish with the final Regulations a consultation report, implementation circular and standard Cabinet memorandum template.

Made at Asmara this [____] day of [_____], 2026.

PRESIDENT OF THE STATE OF ERITREA
Office of the President