

DRAFTING NOTE

FORESTRY, WILDLIFE AND PROTECTED AREAS ACT 2026

1. Status and purpose of this note

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

2. Legislative need and prior law

The supplied corpus does not disclose one complete modern law for forests, wildlife and protected areas, despite severe land degradation, biodiversity pressure and community dependence.

3. What the draft retains

The draft retains protected areas, species protection, permits, anti-poaching powers, restoration and public stewardship.

4. What the draft updates and modernizes

It adds ecosystem and landscape planning, community and customary use, climate and watershed functions, scientific monitoring, digital permits, benefit sharing, humane enforcement, habitat corridors and coordination with land and environmental legislation.

5. Constitutional, code and treaty fit

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

6. Scope and organization

The principal divisions address preliminary provisions; institutions and governance; information, planning and participation; forests, woodlands and trees; forest products, enterprises and certification; wildlife protection and sustainable use; protected and conserved areas; human-wildlife coexistence; fire, invasive species and restoration; wildlife trade and international cooperation; and the concluding enforcement, transitional and final provisions.

7. Transition, implementation and consultation

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

CONSULTATION DRAFT — NOT ENACTED LAW

ACT NO. ____/2026

FORESTRY, WILDLIFE AND PROTECTED AREAS ACT 2026

(ACT)

AN ACT TO PROVIDE FOR SUSTAINABLE FORESTS AND WOODLANDS, CONSERVATION AND RECOVERY OF WILDLIFE, COMMUNITY AND PASTORAL STEWARDSHIP, PROTECTED AND CONSERVED AREAS, LAWFUL USE AND TRADE, PREVENTION OF WILDLIFE CRIME, RESTORATION, TECHNOLOGY AND RELATED MATTERS.

PREAMBLE

WHEREAS Article 8(3) of the Constitution of Eritrea requires sustainable management of land, water, air and natural resources in the interests of present and future generations;

WHEREAS forests, woodlands, mangroves, rangelands and wildlife support water, soil, climate resilience, food, energy, culture, pastoral and rural livelihood, tourism and national heritage;

WHEREAS conservation must recognize Community Land Rights, village and pastoral authority, customary sustainable use and the burdens borne by people living with wildlife;

WHEREAS Proclamation 155/2006 and Legal Notices 111/2006 and 112/2006 should be verified, modernized and integrated with the Constitution, the Land Act and the Environmental Protection and Climate Resilience Act;

WHEREAS modern monitoring, genetics, remote sensing and artificial intelligence can assist conservation but shall not displace accountable human judgment, privacy, due process or community rights;

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

CHAPTER I
PRELIMINARY PROVISIONS

Article 1 — Short title

This Act may be cited as the Forestry, Wildlife and Protected Areas Act 2026.

Article 2 — Objects

1. conserve and restore forests, woodlands, wildlife, habitats and ecological processes;
2. secure community and pastoral participation, stewardship and fair benefits;
3. provide sustainable and lawful access to forest and wildlife resources;
4. prevent deforestation, habitat fragmentation, cruelty, illegal taking and unlawful trade;
5. reduce human-wildlife conflict and compensate eligible serious losses fairly;
6. support climate resilience, watershed protection and responsible nature-based enterprise;

7. implement constitutionally valid regional and international conservation obligations; and
8. provide transparent licensing, monitoring, enforcement and review.

Article 3 — Application

1. This Act applies to forests, woodlands, mangroves, wildlife, protected and conserved areas, wildlife products and related activities throughout Eritrea.
2. It binds the State, local governments, public enterprises, security institutions, communities and private persons.
3. Marine living resources are governed additionally by fisheries and maritime legislation, and domesticated animals by agriculture and animal-health legislation.

Article 4 — Definitions

1. “community” means a Village Land Community or Pastoral Land Community recognized by the Land Act;
2. “forest” includes naturally regenerated or planted trees and associated ecosystems but does not include an ordinary farm orchard unless prescribed for a protective purpose;
3. “habitat” means a place or area on which a species depends for survival, reproduction, migration or recovery;
4. “protected area” means an area designated under Chapter VII;
5. “sustainable use” means use that does not cause long-term decline and maintains ecological function and future options;
6. “wildlife” means a wild animal, plant or other organism prescribed under this Act, whether alive or dead and including a recognizable part or derivative; and
7. “wildlife product” means a specimen, trophy, meat, skin, horn, bone, egg, seed, timber or other thing derived from wildlife.

Article 5 — Constitutional interpretation

1. The Constitution prevails, and powers shall be exercised consistently with equality, property, livelihood, culture, due process, information and judicial review.
2. Conservation shall not be used as a pretext for arbitrary displacement, confiscation, collective punishment or exclusion of lawful customary use.
3. This Act shall, so far as its text permits, be interpreted consistently with constitutionally valid conservation obligations binding Eritrea.

Article 6 — Relationship with other legislation

1. The Land Act governs title, Community Land Rights and acquisition; this Act governs forest and wildlife conservation and use.
2. The Environmental Protection and Climate Resilience Act governs environmental assessment, pollution, biodiversity framework, genetic resources and environmental remedies.
3. Agriculture, water, mining, petroleum, tourism, customs, animal-health and local-government laws continue within their lawful scope.

4. A permit under this Act does not grant land, water, environmental, business or building approval.

Article 7 — Principles

1. ecological integrity and prevention of irreversible loss;
2. intergenerational equity and climate resilience;
3. subsidiarity, community stewardship and benefit-sharing;
4. recognition of pastoral mobility and landscape connectivity;
5. science, precaution and adaptive management;
6. humane treatment and respect for sentient wildlife;
7. polluter and responsible-user payment;
8. open information, participation and access to justice; and
9. proportionality and least-restrictive effective regulation.

CHAPTER II INSTITUTIONS AND GOVERNANCE

Article 8 — Forestry and Wildlife Authority

1. The Forestry and Wildlife Authority is established as an independent statutory body with legal personality.
2. It shall regulate and conserve resources under this Act and shall not operate a commercial logging, hunting or wildlife-trading enterprise.

Article 9 — Functions

1. prepare forest, wildlife and protected-area plans;
2. maintain inventories, species lists and public registers;
3. administer permits and monitor lawful use and trade;
4. coordinate restoration, fire, conflict and wildlife-crime response;
5. support community institutions, research and education; and
6. publish decisions, data and annual reports.

Article 10 — Governing Board

1. A Board shall oversee strategy, independence, finance and institutional performance.
2. Members shall be selected through a public merit process for expertise in ecology, forestry, wildlife, law, animal welfare, economics, tourism, communities, pastoralism and local government.
3. A majority shall not be serving executive officials, and appointment, tenure, recusal and removal shall be transparent.

Article 11 — Director-General and technical officers

1. The Board shall appoint a Director-General, Chief Forestry Officer and Chief Wildlife Officer through open competition.
2. Technical officers shall possess appropriate qualifications and protected professional independence.
3. A material departure from published scientific advice shall be reasoned and disclosed.

Article 12 — Local and community institutions

1. The Authority may accredit qualified local-government units and community institutions for defined stewardship functions.
2. Delegation shall be written, published, resourced and supervised and shall not transfer coercive powers beyond law.
3. Community scouts may monitor and assist but shall receive training, fair conditions and safeguards against retaliation.

Article 13 — Scientific and Community Advisory Council

1. An independent Council shall advise on species status, sustainable use, welfare, restoration, conflict and climate.
2. It shall include scientists, universities, communities, pastoralists, women, youth, tourism, animal-welfare and professional bodies.
3. Advice, uncertainty, minority views and interests shall be published, subject to protection of sensitive locations and knowledge.

Article 14 — Coordination

1. The Authority shall coordinate with land, environment, agriculture, water, customs, police, tourism, ports and local governments.
2. Joint inspections and interoperable records shall avoid duplicate permits and contradictory orders.
3. A memorandum may organize cooperation but cannot alter statutory power.

Article 15 — Annual report

1. The Authority shall submit an annual report to the National Assembly and publish it within six months after year end.
2. The report shall address forest cover, species, habitats, permits, fires, conflict, restoration, crime, trade, finance and community benefits.
3. The Auditor General shall audit public resources under applicable law.

CHAPTER III

INFORMATION, PLANNING AND PARTICIPATION

Article 16 — National inventory

1. The Authority shall maintain a periodically updated inventory of forest types, woodland, mangroves, habitat, species, corridors, pressures and restoration potential.
2. Methods, dates, uncertainty and sources shall accompany mapped results.
3. Inventory shall recognize seasonal pastoral use and community boundaries rather than treating inhabited landscapes as empty.

Article 17 — Species assessment and lists

1. Species shall be assessed by extinction risk, population trend, distribution, ecological role, use and threats.
2. Regulations may list protected, controlled, invasive and harvestable species on scientific advice and public consultation.
3. An emergency interim listing expires after twelve months unless confirmed through ordinary procedure.

Article 18 — Forest and wildlife strategy

1. Government shall publish a costed strategy at least every five years covering conservation, sustainable use, restoration, climate, livelihood, trade, enforcement and capacity.
2. The strategy shall state measurable outcomes, responsible bodies, finance and uncertainty.
3. It does not itself extinguish an interest or grant a permit.

Article 19 — Landscape plans

1. The Authority shall prepare participatory plans for priority forest, wildlife, coastal and rangeland landscapes.
2. A plan shall identify Community Land Rights, corridors, water, seasonal use, threats, restoration, sustainable use and conflict measures.
3. Plans shall coordinate across village, county, provincial and national boundaries according to ecological need.

Article 20 — Public participation

1. A designation, management plan or major permit shall receive early notice, accessible information, reasonable time and meaningful participation.
2. Participation shall account for language, disability, remoteness, mobility, season and unequal power.
3. The final decision shall respond to material submissions and explain significant departures.

Article 21 — Community and traditional knowledge

1. Reliable village, pastoral, farming, fishing and traditional ecological knowledge shall inform decisions alongside science.
2. Sensitive knowledge shall not be published, patented or commercially used without lawful community authorization.
3. Knowledge holders shall receive attribution and fair benefit where appropriate.

Article 22 — Access to information

1. Permits, management plans, monitoring, enforcement and public finance shall be available in a searchable register.
2. Exact locations may be withheld where disclosure would create a concrete poaching or collection risk.
3. Commercial confidentiality shall not conceal unlawful harvest, environmental harm or a serious public risk.

CHAPTER IV FORESTS, WOODLANDS AND TREES

Article 23 — Forest categories

1. Forests may be recognized as community, private, local-government, national public, protected or plantation forests according to land rights and conservation function.
2. Classification shall not transfer title or extinguish Community Land Rights.
3. Every category remains subject to minimum fire, soil, water, biodiversity and restoration duties.

Article 24 — Community forests

1. A community may designate and govern a forest, woodland or mangrove within its Community Land Rights through an adopted management plan.
2. The community may regulate member access, harvest, restoration and benefit distribution consistently with this Act.
3. Higher authorities shall provide technical support and may intervene only for serious unlawful harm through a reasoned reviewable process.

Article 25 — Private and farm forestry

1. A lawful landholder may plant, manage and harvest trees subject to applicable environmental, water and land law.
2. Government shall promote agroforestry, shelterbelts, woodlots and indigenous restoration through information, secure rights and fair incentives.
3. A planted tree shall not become State property merely because public seedlings or advice were provided.

Article 26 — National public forests

1. A nationally significant public forest shall be managed by the Authority or an accountable public body under a published plan.
2. Commercial rights shall be allocated competitively and benefits accounted for under public-finance law.
3. Public forest status shall not validate an unconstitutional historic taking.

Article 27 — Forest management plans

1. A prescribed forest operation requires a plan stating inventory, yield, methods, roads, soil and water protection, workers, community interests, fire and restoration.
2. The plan shall use conservative yield and adaptive monitoring.
3. Small community and household use shall use simplified plans proportionate to risk.

Article 28 — Sustainable harvest

1. Timber and non-timber harvest shall remain within regeneration, habitat and watershed limits.
2. Selective methods, reduced-impact operations and retention of habitat features shall be required where suitable.
3. Clear-felling is prohibited unless justified for a plantation, safety, restoration or another prescribed ecological purpose.

Article 29 — Protected trees and habitats

1. Regulations may protect specified tree species, ancient trees, riparian vegetation, steep-slope forest, mangroves and other critical habitat.
2. Removal may be authorized only for a lawful necessary purpose with avoidance, minimization and restoration.
3. Emergency removal for immediate safety shall be documented and replaced where appropriate.

Article 30 — Non-timber forest products

1. Communities and lawful users may collect gums, resins, honey, fruits, medicines, fibers and other products under sustainable rules.
2. Commercial collection of a prescribed high-risk product requires a permit and traceability.
3. Traditional household use shall not be criminalized absent a serious conservation risk.

Article 31 — Fuelwood and charcoal

1. Fuelwood and charcoal policy shall secure affordable household energy while reducing deforestation and harmful smoke.
2. Commercial charcoal production requires source verification, efficient methods, restoration and transport documentation.

3. Transition shall support alternative energy, efficient stoves, plantations and lawful rural enterprises rather than sudden livelihood prohibition.

Article 32 — Mangroves and coastal forests

1. Mangroves and associated coastal forests shall receive heightened protection for fisheries, coasts, carbon, biodiversity and livelihood.
2. Cutting, filling, conversion or hydrological alteration requires specific authorization and environmental assessment.
3. Community restoration and sustainable traditional use may be recognized in management plans.

Article 33 — Urban and roadside trees

1. Local governments shall plan, plant and maintain trees for shade, air, drainage, safety, biodiversity and public space.
2. Removal of a mature public tree requires reasons and replacement unless emergency conditions make prior process impracticable.
3. Infrastructure design shall avoid unnecessary damage to trees and roots.

CHAPTER V FOREST PRODUCTS, ENTERPRISES AND CERTIFICATION

Article 34 — Commercial forest permit

1. Prescribed commercial harvesting, processing or dealing requires a risk-based permit.
2. Requirements shall address legal source, competence, records, safety, environmental performance and beneficial ownership.
3. A permit shall not create a local monopoly or replace ordinary business registration.

Article 35 — Allocation of commercial rights

1. A significant right in a public forest shall be allocated through open competitive procedure under procurement and concession law.
2. The decision shall disclose value, duration, performance, community benefits and restoration security.
3. A direct award requires exceptional lawful grounds and publication.

Article 36 — Timber legality and traceability

1. A commercial operator shall trace timber and prescribed forest products to a lawful source through harvest, transport, processing and sale.
2. Documents may be electronic or paper and shall use stable identifiers and tamper safeguards.
3. Mixing lawful and unknown material to defeat traceability is prohibited.

Article 37 — Transport and checkpoints

1. Transport of prescribed forest products requires a source and movement document.
2. Checks shall be risk-based, professional and coordinated to prevent repeated road payments and delay.
3. An officer shall not demand an unofficial fee or confiscate a lawful product without record and review rights.

Article 38 — Processing facilities

1. A prescribed sawmill, charcoal plant or other forest-processing facility shall maintain source, volume, recovery, waste and customer records.
2. Facility standards shall address safety, dust, fire, noise, waste and efficiency under applicable laws.
3. Mobile and small-scale facilities shall use proportionate requirements.

Article 39 — Voluntary certification

1. A credible voluntary forest or ecosystem certification may be recognized to facilitate markets and demonstrate performance.
2. Certification does not replace legal compliance or government inspection.
3. A public claim of certification, sustainability or deforestation-free production shall be truthful and verifiable.

Article 40 — Imports and exports

1. Import or export of prescribed forest products shall meet legality, species, pest, customs and valid treaty requirements.
2. The Authority may recognize reliable foreign legality systems and electronic certificates.
3. Eritrea shall not serve as a transit or laundering point for illegally harvested timber.

CHAPTER VI WILDLIFE PROTECTION AND SUSTAINABLE USE

Article 41 — General protection

1. No person shall intentionally kill, capture, injure, possess or disturb protected wildlife except under this Act.
2. A person shall take reasonable measures to avoid incidental harm in an activity under the person's control.
3. Immediate action reasonably necessary to protect human life remains lawful and shall be reported.

Article 42 — Species categories

1. Species may be categorized as strictly protected, protected, controlled-use, common or invasive according to evidence.
2. The category shall determine permissible activities, permits and penalties.
3. A common species remains protected from cruelty, poisoning and unsustainable mass taking.

Article 43 — Strictly protected species

1. Taking or commercial trade in a strictly protected species is prohibited except for conservation, rescue or essential scientific purpose.
2. A permit shall be exceptional, independently reviewed and incapable of undermining survival or recovery.
3. A trophy or commercial preference is not an essential purpose.

Article 44 — Wildlife-use permit

1. A permit may authorize limited capture, hunting, collection, ranching, display, research or another prescribed use where sustainable and humane.
2. The decision shall consider population, sex and age structure, habitat, cumulative use, welfare, community benefit and enforcement capacity.
3. A quota shall be conservative, published and adjusted to monitoring.

Article 45 — Prohibited methods

1. Poison, explosive, fire, indiscriminate trap, military weapon, motorized pursuit and another cruel or non-selective method prescribed by law are prohibited.
2. Night taking, taking from a protected water point and taking dependent young may be restricted or prohibited.
3. A method necessary for humane veterinary, invasive-species or emergency control may be authorized under strict conditions.

Article 46 — Closed seasons and areas

1. The Authority may establish breeding-season, migration, drought or recovery closures on evidence and consultation.
2. A closure shall identify species, place, duration, exceptions and review.
3. Traditional use shall be considered but may be restricted where necessary to prevent serious decline.

Article 47 — Possession of wildlife products

1. Possession of a prescribed wildlife product requires proof of lawful origin.
2. A person inheriting or discovering a historic item may register it without automatic prosecution where no recent unlawful taking is indicated.

3. Registration does not authorize sale where trade is prohibited.

Article 48 — Wildlife farming and ranching

1. Commercial breeding or ranching of prescribed wildlife requires authorization, secure facilities, welfare, genetics, veterinary care and traceability.
2. Authorization shall prevent laundering of wild-caught specimens and ecological escape risk.
3. Captive ownership does not authorize trade contrary to species protection or a valid treaty.

Article 49 — Rescue, rehabilitation and release

1. A rescue or rehabilitation facility requires competent care, records, veterinary support and suitable release criteria.
2. Release shall consider health, genetics, habitat and disease risk.
3. Permanent captivity shall be used only where release is unsuitable and welfare can be maintained.

Article 50 — Research and biological sampling

1. Research involving capture, handling, tagging, tissue or disturbance requires ethical and scientific approval proportionate to risk.
2. Data and specimens shall be deposited or shared under fair terms protecting sensitive locations and community knowledge.
3. Foreign collaboration shall build Eritrean capacity and comply with genetic-resource and export law.

CHAPTER VII PROTECTED AND CONSERVED AREAS

Article 51 — Categories

1. Protected areas may include national parks, nature reserves, wildlife reserves, forest reserves, marine or coastal protected areas, monuments and other evidence-based categories.
2. Community-conserved and privately conserved areas may be recognized without transferring title.
3. Each category shall have clear objectives, permitted uses and governance.

Article 52 — Designation procedure

1. Designation requires ecological and social evidence, mapped boundaries, land-right verification, alternatives, participation, management arrangements and finance.
2. Affected communities and rights holders shall receive early notice, independent advice and a reasoned response.

3. The designation instrument shall be enacted or issued only under express authority and published.

Article 53 — Land and property safeguards

1. Designation does not extinguish Community Land Rights, household interests or lawful pastoral use.
2. Required land shall be obtained by agreement or lawful acquisition with fair compensation under the Land Act and Constitution.
3. A restriction functionally equivalent to acquisition shall be addressed according to constitutional property principles.

Article 54 — Management authority

1. A protected area may be managed by the Authority, local government, community, public-interest trust or an accountable partnership.
2. The management instrument shall state powers, finance, staffing, reporting, benefits and termination.
3. A private manager may not exercise coercive enforcement beyond law.

Article 55 — Management plan

1. Every protected area shall have a participatory plan stating objectives, zones, uses, access, fire, invasive species, tourism, research, conflict, restoration and monitoring.
2. The plan shall protect seasonal routes, water and community livelihood where compatible with objectives.
3. It shall be reviewed at least every five years.

Article 56 — Buffer and connectivity areas

1. A plan may identify voluntary or regulated buffer and connectivity measures outside a protected area according to land and planning law.
2. A buffer does not become public land by designation.
3. Restrictions shall be proportionate and accompanied by incentives or compensation where law requires.

Article 57 — Community-conserved areas

1. A community may propose recognition of an area governed for conservation and sustainable use under Community Land Rights.
2. Recognition shall preserve community governance, access and fair benefits and may provide technical and financial support.
3. Withdrawal or alteration shall follow the community instrument and protect legitimate conservation commitments.

Article 58 — Tourism and concessions

1. Tourism shall be consistent with carrying capacity, conservation, community rights and visitor safety.
2. A significant public concession shall be awarded transparently and state fees, performance, employment, community benefit and restoration.
3. Exclusive access shall be limited and shall not privatize public natural heritage.

Article 59 — Fees and revenue sharing

1. Entrance, concession and use fees shall be published, proportionate and accounted for.
2. A fair prescribed share of net public revenue shall support host communities, conservation and conflict response.
3. Revenue shall not be diverted to unrelated secret expenditure.

CHAPTER VIII HUMAN-WILDLIFE COEXISTENCE

Article 60 — Conflict-prevention plans

1. Priority landscapes shall have plans for early warning, barriers, husbandry, crop choice, safe behavior, rapid response and habitat management.
2. Measures shall be designed with affected farmers, pastoralists, women and local governments.
3. Prevention shall be funded before avoidable losses become routine.

Article 61 — Dangerous wildlife response

1. Trained officers may haze, capture, relocate or, as a last resort, humanely kill wildlife posing a serious current threat.
2. Action shall use the least harmful effective method consistent with human safety.
3. Every lethal response involving protected wildlife shall be documented and reviewed.

Article 62 — Defense of life and property

1. A person may use reasonable force immediately necessary to protect human life or prevent serious injury.
2. Reasonable non-lethal action may protect livestock, crops or property where practicable.
3. The person shall report killing of protected wildlife promptly and surrender the specimen without losing a valid defense.

Article 63 — Compensation for wildlife damage

1. A statutory scheme shall compensate eligible death, serious injury, livestock loss, crop loss or property damage caused by prescribed protected wildlife.

2. Eligibility, valuation, evidence, contribution to prevention and payment periods shall be published and accessible.
3. Fraud is prohibited, but lack of formal land title shall not defeat a genuine community or pastoral claim.

Article 64 — Insurance and community funds

1. Government may support insurance, pooled funds and community risk-sharing under transparent fiscal rules.
2. A scheme shall not replace the State's liability for negligent management or an operator's liability.
3. Premium support shall target genuine risk and vulnerability.

Article 65 — Benefit and burden accounting

1. Protected-area and wildlife policy shall report local benefits and local costs, including access limits and conflict losses.
2. Management shall correct persistent unfair burden through revenue, employment, access, prevention or compensation.
3. National conservation benefits shall not be financed principally by uncompensated poor communities.

CHAPTER IX FIRE, INVASIVE SPECIES AND RESTORATION

Article 66 — Integrated fire management

1. Landscape plans shall address prevention, fuel, prescribed burning, community practice, detection, suppression, safety and recovery.
2. A total-fire-exclusion policy shall not be imposed where evidence supports controlled ecological or livelihood burning.
3. Burning rules shall be locally communicated and seasonally appropriate.

Article 67 — Fire permits and prohibited conduct

1. Prescribed high-risk burning requires notice or permit, adequate control and weather conditions.
2. A person shall not intentionally or recklessly ignite an uncontrolled forest or rangeland fire.
3. Emergency backburning and prescribed ecological fire shall be conducted by competent persons under an operational plan.

Article 68 — Fire response

1. Public bodies, communities and land managers shall coordinate command, warning, access, equipment and mutual aid.

2. A response shall protect life first and consider livestock, homes, critical habitat, cultural sites and smoke exposure.
3. Use of community labor shall be voluntary or lawfully remunerated except for narrowly defined immediate civic emergency duty.

Article 69 — Invasive species

1. The Authority shall coordinate prevention, early detection, rapid response, control and restoration for invasive species affecting forests and wildlife.
2. Import, breeding, release or movement of a listed species may be prohibited or permitted under conditions.
3. Control shall minimize harm to native species, animals, health and livelihood.

Article 70 — Restoration duty

1. A person causing unlawful degradation shall restore ecological function and bear reasonable cost.
2. A lawful major forest or habitat disturbance shall have progressive restoration, completion criteria and financial assurance.
3. Transfer or insolvency does not extinguish accrued restoration liability.

Article 71 — National restoration program

1. Government shall publish priority landscapes, methods, safeguards, budgets and measurable restoration outcomes.
2. Natural regeneration and removal of pressures shall be considered before expensive planting.
3. Restoration shall use suitable native diversity where practicable and shall not justify land dispossession.

Article 72 — Planting integrity

1. A tree-planting claim shall state species, location, survival period, ownership, permanence and monitoring.
2. Counting seedlings distributed is not proof of forest restoration.
3. Invasive monoculture, unsuitable planting and displacement of natural grassland shall not be reported as ecological restoration.

CHAPTER X WILDLIFE TRADE AND INTERNATIONAL COOPERATION

Article 73 — Trade controls

1. Commercial import, export, re-export or domestic trade in a prescribed species or product requires authorization and lawful-origin evidence.

2. Trade shall be refused where detrimental to species survival, cruel, fraudulent or contrary to a constitutionally valid obligation.
3. Personal and household exemptions shall be narrow and published.

Article 74 — Management and scientific authorities

1. The Government shall designate competent management and scientific authorities for valid international wildlife-trade obligations.
2. Scientific findings shall be independent, evidence-based and protected from commercial direction.
3. Permits, quotas and annual trade data shall be published subject to anti-poaching safeguards.

Article 75 — Certificates and specimens

1. A certificate shall identify species, source, purpose, quantity, parties, validity and conditions and use secure verification.
2. Captive-bred, artificially propagated, pre-convention and personal-effect claims require prescribed proof.
3. A false or altered certificate is prohibited.

Article 76 — Live transport

1. Live wildlife transport shall protect health, space, ventilation, temperature, water, feed, duration and humane handling.
2. Unfit animals shall not be transported except for emergency veterinary care.
3. Carrier and sender shall retain records and contingency arrangements.

Article 77 — Seized wildlife

1. Live seized wildlife shall receive prompt expert care and disease assessment.
2. Disposition may include release, repatriation, qualified placement or humane euthanasia according to welfare and conservation.
3. Sale shall not create demand or reward trafficking.

Article 78 — Regional and transboundary cooperation

1. Eritrea may cooperate on migratory species, shared landscapes, wildlife disease, crime, research and conflict through constitutionally valid arrangements.
2. Local and pastoral cross-border realities shall inform lawful cooperation.
3. Operational cooperation shall not transfer legislative or coercive power without authority.

CHAPTER XI WILDLIFE CRIME AND ENFORCEMENT

Article 79 — Wildlife and forest inspectors

1. The Authority may appoint trained inspectors with written identification and defined jurisdiction.
2. Inspectors shall act proportionately, preserve evidence and respect property, privacy, privilege, welfare and safety.
3. Performance shall not be rewarded by seizures, penalties or convictions.

Article 80 — Entry, inspection and warrants

1. An inspector may enter regulated business premises at a reasonable time, inspect, measure, sample and copy relevant records.
2. Entry into a dwelling, forcible entry, tracking of a person or intrusive search requires judicial warrant except for immediate serious danger.
3. Search and sampling shall maintain chain of custody.

Article 81 — Stop, detention and seizure

1. An inspector may stop a vehicle reasonably suspected of carrying unlawful forest or wildlife products and inspect documentation.
2. A specimen, product, weapon, trap or vehicle may be detained where reasonably necessary as evidence or to prevent continuing serious harm.
3. An inventory, custody record and prompt judicial review shall be provided.

Article 82 — Compliance and restoration notices

1. A notice shall state facts, law, corrective or restoration action, deadline and review rights.
2. Urgent cessation may be ordered to prevent imminent serious harm and shall receive prompt independent review.
3. A notice shall be varied or withdrawn where evidence changes.

Article 83 — Administrative penalties

1. A Schedule enacted by the National Assembly may establish proportionate administrative penalties for specified contraventions.
2. Assessment shall consider conservation harm, welfare, fault, benefit, cooperation, recurrence and capacity to restore.
3. Liability requires notice, response, reasons and independent appeal.

Article 84 — Criminal referral

1. Evidence reasonably indicating knowing or reckless taking or trafficking of strictly protected wildlife, major illegal logging, setting of a destructive fire, falsification of a

permit, obstruction of an inspector or breach of a judicial order shall be referred for investigation where the conduct may constitute an offence under the Penal Code or another Assembly Act.

2. Criminal liability arises only under a law that defines and classifies the offence; this Act does not by itself create an unclassified offence or penalty.
3. A minor technical breach without material risk should ordinarily be corrected administratively, and criminal referral does not displace civil, administrative, restorative, conservation or protective remedies under this Act.

Article 85 — Aggravating factors

1. Aggravating factors include organized conduct, corruption, repeat offending, cruelty, commercial scale, protected-area targeting and substantial ecological harm.
2. Poverty alone is not aggravating and shall be distinguished from organized exploitation.
3. Penalty and remedy shall be proportionate and may include restoration and forfeiture linked to the offence.

Article 86 — Organizational liability

1. An organization bears civil and administrative liability for conduct of its directing mind, authorized agent or employee within assigned functions, subject to lawful defences.
2. Criminal liability of an organization or officer arises only as provided by the Penal Code or another Assembly Act expressly defining that liability.
3. A controlling person may be liable where separate personality is abused to evade restoration or forfeiture.

Article 87 — Community enforcement safeguards

1. No community shall bear collective criminal liability for conduct of an individual.
2. Traditional leaders and committees shall not be compelled to impose unauthorized fines or confiscation.
3. Community resolution may address minor internal sustainable-use breaches but does not replace courts for serious crime.

CHAPTER XII LIABILITY, FINANCE AND REMEDIES

Article 88 — Restoration and compensation

1. A person causing unlawful harm is responsible for reasonable containment, restoration and lawful compensation.
2. Where full restoration is impossible, complementary restoration and compensation for interim ecological loss may be ordered.
3. Affected communities shall participate in remedy design and monitoring.

Article 89 — Financial assurance

1. A high-risk concession, facility or wildlife operation shall maintain a bond, insurance, trust or other secure assurance for closure, escape, fire and restoration.
2. Assurance shall be independently held and periodically adjusted.
3. Government ownership is not a substitute for assurance.

Article 90 — Forestry and Wildlife Fund

1. A Forestry and Wildlife Fund is established to finance conservation, community benefits, conflict prevention, compensation, restoration and emergency response.
2. It may receive appropriations, prescribed revenue shares, recovered costs, penalties, grants and lawful donations.
3. Accounts, allocations, recipients and results shall be public and audited.

Article 91 — Civil remedies

1. The Authority, Advocate General, affected person, community or qualifying public-interest organization may seek injunction, declaration, restoration or lawful compensation.
2. A court may order cessation, monitoring, habitat repair, removal of unlawful works, disclosure and publication of correction.
3. Public enforcement does not extinguish a private or community claim.

Article 92 — Whistleblowers and witnesses

1. A person reporting wildlife or forest crime in good faith is protected from retaliation under applicable law.
2. Identity may be protected so far as compatible with a fair trial.
3. Reward schemes, if any, shall be transparent and shall not determine the truth of evidence.

CHAPTER XIII TECHNOLOGY, DATA AND RESEARCH

Article 93 — Digital administration

1. Permits, registers, certificates, monitoring, community benefits and enforcement shall progressively use secure interoperable systems.
2. Assisted in-person and offline channels shall remain available where connectivity, literacy, disability or language requires.
3. System failure shall preserve rights and deadlines.

Article 94 — Remote sensing and field technology

1. The Authority may use satellites, acoustic sensors, camera traps, drones and geographic systems to monitor habitat, fire and wildlife.

2. Use shall comply with privacy, aviation, property and evidence law and avoid unnecessary surveillance of communities.
3. Material evidence shall disclose method, accuracy, uncertainty and chain of custody.

Article 95 — Genetic and forensic information

1. Genetic, isotopic and other forensic methods may establish species, origin, relatedness and disease under validated procedures.
2. Human genetic or identifying data shall not be collected incidentally beyond necessity and shall be protected.
3. Reference collections and methods shall receive scientific quality control.

Article 96 — Artificial intelligence

1. Artificial intelligence may assist species identification, population estimation, fire prediction, acoustic detection and inspection targeting.
2. No automated system may finally designate land, issue or cancel a permit, impose liability, authorize killing, determine an offence or decide an appeal.
3. Material systems shall be validated, explainable, secure, tested for unequal error and subject to accountable human review.
4. A person may correct data and challenge an automated contribution to a decision.

Article 97 — Open and sensitive data

1. Non-sensitive public data should be accessible in reusable form with provenance and correction history.
2. Exact locations of threatened species, anti-poaching operations and confidential community knowledge may be protected narrowly.
3. A technology supplier shall not own public records or prevent lawful audit and migration.

CHAPTER XIV APPEALS AND FINAL PROVISIONS

Article 98 — Internal reconsideration

1. A materially affected person may request prompt reconsideration for error, new evidence or changed circumstances.
2. Reconsideration does not suspend urgent protective action unless the Authority or Tribunal orders.
3. A reasoned decision shall issue within a published period.

Article 99 — Forestry and Wildlife Tribunal

1. An independent Forestry and Wildlife Tribunal is established to hear appeals under this Act.

2. Members shall be appointed through a transparent merit process and include legal, ecological, forestry, animal-welfare and community competence with protected tenure.
3. The Tribunal shall be separate from ministries, the Authority and public enterprises.

Article 100 — Standing and powers

1. An applicant, rights holder, affected person, community, local government or genuine public-interest organization has standing.
2. The Tribunal may confirm, vary, suspend or set aside a decision, remit it with directions and grant interim protection.
3. Procedure shall be accessible, timely and proportionate, and decisions shall be reasoned and public.

Article 101 — Court review

1. A party may appeal to the competent court on law as prescribed by court legislation.
2. Constitutional and supervisory judicial review remains available and shall not be excluded by regulation or contract.
3. A court may grant effective preventive, restorative and compensatory relief within its jurisdiction.

Article 102 — Regulation-making authority

1. The President may, on recommendation of the Authority and responsible Minister, make regulations necessary for matters expressly delegated by this Act.
2. Draft regulations shall identify authority, evidence and impact and allow at least sixty days for public comment except for a temporary emergency measure.
3. Regulations may prescribe species lists, standards, permits, quotas, records, certificates, welfare, traceability and transition consistent with this Act.

Article 103 — Limits on delegated power

1. A regulation may not create a tax, compulsory acquisition, imprisonment, unlegislated offence or penalty, final automated decision, exclusion of courts or reduction of constitutional compensation.
2. It may not extinguish Community Land Rights, authorize trade in a strictly protected species for favoritism, grant a named monopoly or displace a community without land-law process.
3. An incorporated technical standard shall be identifiable and reasonably accessible.

Article 104 — Legacy-law audit

1. Within eighteen months the Authority and Legislative Revision Unit shall compare authentic texts of Proclamation 155/2006 and Legal Notices 111/2006 and 112/2006 against this Act.

2. Useful technical provisions may continue temporarily if published, consistent with this Act and lawfully remade within eighteen months.
3. Obsolete, duplicative and unconstitutional provisions shall be identified in a verified repeal and savings schedule for the National Assembly.

Article 105 — Existing permits and areas

1. A lawful permit or designation existing at commencement continues temporarily subject to registration and alignment with this Act.
2. Continuity does not cure defective acquisition, extinguish Community Land Rights or validate an unconstitutional exclusion.
3. Accrued rights, liabilities, restoration duties and proceedings are preserved.

Article 106 — Implementation plan

1. Within six months the Authority shall publish a three-year plan for staffing, inventories, community institutions, protected areas, fire, conflict, laboratories, digital systems and enforcement.
2. The plan shall identify appropriations, external assistance, milestones and capacity risks.
3. Limited capacity shall determine sequencing but shall not justify secrecy, discrimination or tolerance of imminent serious harm.

Article 107 — Commencement

1. Articles 1 to 22, 41 to 43, 60 to 65, 79 to 87 and 98 to 107 commence thirty days after publication in the Gazette.
2. Remaining Articles commence on dates appointed by published regulation within eighteen months, and any Article not appointed by then commences automatically.
3. A commencement regulation may arrange transition but may not postpone urgent species protection, fire response, information, appeal or court review.

Made at Asmara, this ____ day of _____ 2026.

THE NATIONAL ASSEMBLY OF ERITREA