

DRAFTING NOTE

GOVERNMENT MINISTRIES ORGANIZATION 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

Article 42(13) authorizes the President, after consultation with the Public Service Administration, to establish or dissolve ministries necessary or expedient for good governance. The draft replaces fragmented or unclear executive allocation with one public organization instrument.

3. What the draft retains

It retains the familiar ministerial form, presidential direction, individual ministerial responsibility and continuity of existing lawful services and personnel.

4. What the draft updates and modernizes

It creates coherent and published portfolios, records the required Civil Service Administration consultation, removes overlap, separates policy and regulation where necessary, establishes common legality, service and digital standards, protects independent institutions and preserves the National Assembly's authority over laws and appropriations.

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; establishment and organization of ministries; common organization and administration; transition and implementation; 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

REGULATION NO. [____]/2026

GOVERNMENT MINISTRIES ORGANIZATION REGULATIONS

(PRESIDENTIAL REGULATIONS)

TO ESTABLISH AND ORGANIZE THE GOVERNMENT MINISTRIES NECESSARY OR EXPEDIENT FOR THE GOOD GOVERNANCE OF ERITREA; TO ALLOCATE THE ORDINARY POLICY AND ADMINISTRATIVE BUSINESS OF THE EXECUTIVE; TO DEFINE PORTFOLIO BOUNDARIES AND COMMON STANDARDS OF MINISTERIAL ADMINISTRATION; AND TO PROVIDE FOR AN ORDERLY TRANSITION TO THE ORGANIZATION SO ESTABLISHED.

PREAMBLE

WHEREAS under Article 42(13) of the Constitution of Eritrea, the President has authority to establish and dissolve such government ministries and departments as are necessary or expedient for the good governance of Eritrea, after consultation with the Public Service Administration;

WHEREAS Article 57 of the Constitution establishes the Civil Service Administration, and the expression “Public Service Administration” in Article 42(13) and the expression “Civil Service Administration” in Article 57 are understood in these Regulations to refer to that constitutional institution;

WHEREAS, before preparing and issuing these Regulations for public discussion, the President consulted the Civil Service Administration on the number, mandates, staffing implications, administrative feasibility and transition arrangements of the proposed Ministries and considered its advice, thereby satisfying the consultation required by Article 42(13);

WHEREAS Eritrea requires a compact, capable and accountable Executive whose responsibilities are clear to public servants, the National Assembly and the public, and whose organization responds to national recovery, demobilization, employment, food and water security, education, health, housing, infrastructure, maritime development, investment and digital transformation;

WHEREAS unclear and overlapping mandates waste public money, delay decisions, obscure responsibility and burden citizens, while defined portfolios, published service standards and cooperation across government strengthen lawful and efficient administration;

WHEREAS organizational authority under Article 42(13) does not authorize the Executive to legislate within the constitutional domain of the National Assembly, appropriate public money, transfer a statutory function without lawful authority, or interfere with the independence of a constitutional or statutory institution;

WHEREAS publication of this consultation draft permits citizens, civil servants, regional and local authorities, professional bodies, businesses, workers, civil society and the diaspora to improve the proposed organization before final issuance;

NOW, THEREFORE, in exercise of the powers conferred by Article 42(13) of the Constitution of Eritrea, and after the consultation required by that Article, the President issues these Regulations for public discussion as follows:

CHAPTER I PRELIMINARY

Regulation 1 — Short title

These Regulations may be cited as the Government Ministries Organization Regulations, 2026.

Regulation 2 — Status of consultation draft

1. These Regulations are published as a consultation draft and do not establish or dissolve a Ministry before final issuance and publication.
2. A person may submit written observations to the Office of the President in the manner and by the closing date stated in the accompanying public notice.
3. The President shall consider the consultation record and shall consult the Civil Service Administration on a material structural change before final issuance.

Regulation 3 — Objects

1. The objects of these Regulations are to establish a coherent ministerial structure, allocate ordinary executive business, reduce overlap and make responsibility publicly ascertainable.
2. The Regulations also establish common requirements for legality, service delivery, coordination, transparency, digital administration, fiscal discipline and transition.

Regulation 4 — Interpretation

1. In these Regulations, “Constitution” means the Constitution of Eritrea 1997; “Civil Service Administration” means the institution established by Article 57 and includes the institution described as the Public Service Administration in Article 42(13); “Ministry” means a Ministry established under Regulation 9; and “statutory function” means a power or duty conferred or imposed by an Act, Proclamation, Regulation or other law.
2. A reference to a function assigned by law means that the function may be exercised only by the person, procedure and conditions provided in the governing law.

Regulation 5 — Constitutional limits

1. These Regulations organize the Executive and shall be interpreted consistently with the Constitution and every applicable Act.

2. A portfolio description does not, by itself, confer authority to tax, appropriate, borrow, arrest, search, detain, prosecute, adjudicate, expropriate, license, impose a penalty, compel conduct or restrict a constitutional right.
3. A statutory function remains vested in the person or institution designated by law unless transferred under lawful authority.
4. Nothing in these Regulations permits a Ministry to direct the National Assembly, the Judiciary, the Judicial Service Commission, the Auditor General, the National Bank, the Civil Service Administration, the Electoral Commission, the Advocate General or another independent institution in the exercise of a protected function.

Regulation 6 — Guiding principles of organization

1. Ministries shall be organized around coherent public purposes, clear accountability and services understandable to the public.
2. Duplication shall be removed through a designated lead Ministry, written cooperation arrangements and shared professional and digital services.
3. Policy making, service delivery, commercial operation and independent regulation shall be separated where their combination creates conflict, unfairness or risk.
4. Organization shall be fiscally realistic, merit based, regionally accessible, technologically capable and no larger than necessary for effective government.

CHAPTER II ESTABLISHMENT AND ORGANIZATION OF MINISTRIES

Regulation 7 — Civil Service Administration consultation

1. The President records that the consultation required by Article 42(13) was conducted with the Civil Service Administration before this consultation draft was issued.
2. The consultation addressed organizational necessity, mandates, staffing, merit administration, affordability, implementation sequence, continuity of service and treatment of affected civil servants.
3. The Office of the President shall preserve the consultation record and publish a non-confidential summary with the final Regulations.

Regulation 8 — Executive responsibility and legislative domain

1. The establishment, organization and dissolution of Ministries under these Regulations are acts of executive organization under Article 42(13).
2. These Regulations shall not be construed as an Act of the National Assembly or as a substitute for legislation required by the Constitution.
3. Where implementation requires an appropriation, tax, statutory regulator, coercive power, offence, compulsory acquisition, public borrowing, alteration of a legal right or transfer of a function fixed by an Act, the responsible Minister shall submit an appropriate legislative or budget proposal through the President.

Regulation 9 — Ministries established

1. Upon final issuance and commencement of these Regulations, the Ministries specified in Regulations 10 to 27 are established for the good governance of Eritrea.
2. Each Ministry has the mandate stated in its establishing Regulation, subject to the Constitution, Acts, appropriations and the common requirements of these Regulations.
3. The name of a Ministry describes an administrative portfolio and does not enlarge any statutory power.

Regulation 10 — Ministry of Agriculture and Food Security

1. The Ministry shall lead national policy for sustainable agriculture, food and nutrition security, and productive rural livelihoods.
2. In carrying out its mandate, the Ministry shall—
 - a. formulate and periodically review policy for crops, horticulture, livestock, agroforestry and agricultural mechanization;
 - b. operate agricultural extension, farmer-information and advisory services, including digital and climate services;
 - c. coordinate agricultural research, seed systems, breeding, soil health, post-harvest management and appropriate technology;
 - d. administer plant health, animal health, veterinary public-health and agricultural biosecurity functions assigned by law;
 - e. promote irrigation, water-efficient farming and watershed rehabilitation jointly with the Ministry responsible for water and environment;
 - f. develop storage, cold-chain, processing, market-information and agricultural value-chain programmes;
 - g. monitor food availability, affordability and nutritional risk and maintain drought, pest and food-security early-warning arrangements;
 - h. support cooperatives, commercial farms, family farms, pastoral and agro-pastoral communities, women farmers and young agricultural entrepreneurs.
3. The following institutional boundaries apply—
 - a. Marine fisheries and aquaculture belong to the Ministry responsible for fisheries and marine resources.
 - b. Land title, national water allocation and environmental approval remain with the authorities assigned those functions by law.

Regulation 11 — Ministry of Defence

1. The Ministry shall advise on national defence policy and administer a small, professional and politically neutral defence force under the Constitution and civilian authority.
2. In carrying out its mandate, the Ministry shall—
 - a. develop defence policy, force design, readiness requirements and lawful contingency plans;
 - b. administer military personnel, recruitment, education, training, discipline, welfare, health and retirement in accordance with law;

- c. manage defence logistics, installations, equipment, communications, cybersecurity and procurement within appropriations;
 - d. maintain transparent inventories and auditable control of weapons, ammunition and defence property;
 - e. coordinate lawful international defence cooperation, peace-support training and maritime security support;
 - f. provide systematic instruction in the Constitution, civilian control, human rights and international humanitarian law;
 - g. support veterans and the orderly transition of former service members to civilian life under applicable legislation.
3. The following institutional boundaries apply—
- a. The Ministry has no implied authority over civilian policing, immigration, domestic political activity, elections or independent media.
 - b. War, emergency power, surveillance, arrest, detention, requisition and compulsory service require authority under the Constitution and an Act.

Regulation 12 — Ministry of Education, Science and Skills

- 1. The Ministry shall secure inclusive, equitable and high-quality learning and develop the knowledge and skills required for democratic citizenship and economic renewal.
- 2. In carrying out its mandate, the Ministry shall—
 - a. formulate policy for early-childhood, primary, secondary, adult, technical, vocational and higher education;
 - b. set transparent learning outcomes, curriculum frameworks and national assessment standards consistent with law;
 - c. plan school access, facilities, teaching materials, connectivity, libraries, laboratories and inclusive education;
 - d. lead teacher workforce planning, preparation, professional development and professional standards with competent bodies;
 - e. develop technical and vocational education, apprenticeships, rapid skills programmes and recognition of prior learning;
 - f. coordinate science, research, innovation and links among education, industry, agriculture, health and the diaspora;
 - g. maintain reliable education statistics and publish school, programme and system performance information;
 - h. protect academic freedom, institutional autonomy and freedom from partisan instruction as required by the Constitution and law.
- 3. The following institutional boundaries apply—
 - a. The Ministry shall not require political loyalty as a condition of education, teaching, research or academic advancement.
 - b. Independent universities, examination bodies and professional regulators remain independent to the extent provided by law.

Regulation 13 — Ministry of Energy and Mines

1. The Ministry shall lead policy for reliable and affordable energy and for transparent, safe and environmentally responsible development of mineral resources.
2. In carrying out its mandate, the Ministry shall—
 - a. prepare electricity, renewable-energy, petroleum, clean-cooking, energy-efficiency and universal-access policy;
 - b. coordinate generation, transmission, distribution, storage, regional interconnection and rural energy programmes;
 - c. maintain geological information and promote responsible mineral exploration, mining and quarrying;
 - d. administer mineral, petroleum and energy licences, agreements and inspections only where legislation confers that authority;
 - e. publish licence, production, safety, payment and beneficial-ownership information to the extent required by law;
 - f. coordinate mine safety, worker protection, community development, local content, closure and rehabilitation with competent authorities;
 - g. evaluate new technologies, including solar, wind, geothermal, storage, green fuels and efficient industrial energy.
3. The following institutional boundaries apply—
 - a. Environmental assessment and approval remain with the competent environmental authority, and fiscal terms require consultation with Finance and Treasury.
 - b. An independent regulator established by law shall not be directed by the Ministry in an individual licensing, tariff or enforcement matter.

Regulation 14 — Ministry of Finance and Treasury

1. The Ministry shall protect public money and lead fiscal policy, budgeting, Treasury operations, revenue policy and sustainable public financing.
2. In carrying out its mandate, the Ministry shall—
 - a. prepare the annual and medium-term fiscal framework and the national budget for presidential submission to the National Assembly;
 - b. administer Treasury, cash, public accounting, financial reporting and internal-control systems;
 - c. develop tax, customs and non-tax revenue policy and administer revenue functions assigned by legislation;
 - d. manage public debt, guarantees, lending, fiscal risks, government financial assets and relations with development-finance institutions;
 - e. set government-wide procurement, grants and public-investment appraisal policy where authorized by law;
 - f. publish timely budget, expenditure, debt, procurement and fiscal-risk information in accessible and machine-readable form;
 - g. provide fiscal analysis of proposed laws, regulations, plans, concessions and major projects;
 - h. support transparent intergovernmental finance and lawful transfers to regional and local authorities.

3. The following institutional boundaries apply—
 - a. The Ministry may not tax, borrow, guarantee debt, transfer an appropriation or spend public money except as authorized by law.
 - b. The Ministry shall not direct the National Bank, restrict the Auditor General or alter an independent audit finding.

Regulation 15 — Ministry of Fisheries and Marine Resources

1. The Ministry shall secure sustainable use of Eritrea's marine living resources and develop fisheries, aquaculture and coastal livelihoods as responsible pillars of the blue economy.
2. In carrying out its mandate, the Ministry shall—
 - a. prepare fisheries, aquaculture and marine living-resource policy based on science and precaution;
 - b. conduct or commission stock assessment, ecosystem monitoring, catch documentation and marine research;
 - c. administer fishing rights, quotas, licences and compliance measures where legislation so provides;
 - d. combat illegal, unreported and unregulated fishing through monitoring, inspection, vessel tracking and lawful cooperation;
 - e. develop landing sites, harbours for fishing, cold chains, laboratories, processing, quality assurance and market access;
 - f. support artisanal fisheries, coastal communities, cooperatives, women in fish value chains and responsible private investment;
 - g. promote environmentally sound marine and land-based aquaculture;
 - h. coordinate regional and international management of shared stocks and marine ecosystems.
3. The following institutional boundaries apply—
 - a. Navigation, vessel safety, seafarer regulation and commercial ports belong to the Ministry responsible for transport.
 - b. Marine environmental standards and protected areas require coordination with the Ministry responsible for environment.

Regulation 16 — Ministry of Foreign Affairs and Diaspora

1. The Ministry shall conduct Eritrea's diplomacy and consular relations and build lawful, constructive relations with neighboring states, Africa, international organizations and Eritreans abroad.
2. In carrying out its mandate, the Ministry shall—
 - a. coordinate bilateral, regional, African Union and multilateral foreign policy under the President's direction;
 - b. support negotiation, signature, constitutional authorization, deposit, publication and implementation of international agreements;
 - c. administer diplomatic missions, protocol, privileges and relations with foreign missions;
 - d. provide accessible consular protection, civil-document and emergency-assistance services within powers conferred by law;

- e. maintain transparent communication with the diaspora and facilitate return, skills exchange, investment and cultural connection;
 - f. coordinate international development cooperation and ensure that commitments are recorded and aligned with national priorities;
 - g. maintain a public treaty register showing signature, constitutional approval, ratification, entry into force and domestic implementation status.
3. The following institutional boundaries apply—
- a. The President's authority under Article 42(6) and the National Assembly's authority under Article 32(4) shall be respected throughout treaty making.
 - b. The Ministry may not alter domestic law, commit unappropriated money or impose an obligation on a citizen merely by announcing an international agreement.

Regulation 17 — Ministry of Health

- 1. The Ministry shall lead public-health policy and steward an accessible, safe, equitable and resilient health system.
- 2. In carrying out its mandate, the Ministry shall—
 - a. plan primary care, hospitals, referral networks, laboratories, emergency care and health infrastructure;
 - b. lead prevention, surveillance, vaccination, health promotion and preparedness for epidemics and other health emergencies;
 - c. develop health-workforce policy, education, deployment, professional development and ethical standards with competent bodies;
 - d. administer medicines, medical products, health facilities, professional licensing and food-safety functions assigned by legislation;
 - e. advance maternal, newborn, child, adolescent, reproductive, mental, occupational, disability and older-person health;
 - f. maintain secure and interoperable health-information systems and protect personal health information;
 - g. establish transparent referral, procurement, waiting-time, complaint and patient-safety standards;
 - h. coordinate water, sanitation, nutrition and environmental-health action with other Ministries and local authorities.
- 3. The following institutional boundaries apply—
 - a. Compulsory health measures, professional discipline and restrictions on liberty require clear legislation, necessity, proportionality and review.
 - b. Social cash benefits and general income-support programmes belong principally to the Ministry responsible for social protection.

Regulation 18 — Ministry of Public Information and Civic Communication

- 1. The Ministry shall ensure that official information is accurate, timely, accessible and verifiable and that government communicates as a servant accountable to the public.
- 2. In carrying out its mandate, the Ministry shall—

- a. coordinate official notices, public briefings, emergency information and common publishing standards;
 - b. maintain a single authenticated government portal and a directory of every Ministry, service, responsible office and legal requirement;
 - c. promote publication in Eritrea's languages and in accessible, low-bandwidth and machine-readable formats;
 - d. operate media liaison on equal, transparent and viewpoint-neutral terms;
 - e. support implementation of access-to-information legislation and proactive disclosure duties;
 - f. archive official publications, audiovisual records and verified digital communications;
 - g. build government capacity to explain policy, correct factual error and consult the public without propaganda or partisan compulsion.
3. The following institutional boundaries apply—
- a. The Ministry is not a censorship, broadcasting-control or journalism-licensing authority and shall not direct editorial content.
 - b. Independent public broadcasting, media regulation and access-to-information review shall be governed by legislation protecting institutional independence.

Regulation 19 — Ministry of Justice and Law Reform

- 1. The Ministry shall support lawful executive government, coherent legislation, law reform and public access to justice while safeguarding judicial and prosecutorial independence.
- 2. In carrying out its mandate, the Ministry shall—
 - a. advise the President and Cabinet on legality, constitutional compliance and legislative policy without displacing the Advocate General's statutory functions;
 - b. prepare and review executive legislative proposals, regulations, explanatory materials and legislative compatibility statements;
 - c. conduct evidence-based law reform, codification, revision, consolidation and public consultation;
 - d. maintain an authoritative, free and searchable public database of laws and subordinate instruments;
 - e. develop legal-aid, victim-support, rehabilitation and access-to-justice policy where assigned by legislation;
 - f. coordinate justice-sector planning with courts, the Judicial Service Commission, the Advocate General, police, corrections and the legal profession without directing protected decisions;
 - g. support legal education, legislative drafting capacity and public understanding of rights and procedures.
- 3. The following institutional boundaries apply—
 - a. The Ministry shall not direct a court, assign a case, discipline a judge or interfere with adjudication or judicial administration.
 - b. Prosecution, legal representation of the State, police, prisons, registries and professional discipline belong to the Ministry only to the extent expressly provided by legislation.

Regulation 20 — Ministry of Labour, Employment and Social Protection

1. The Ministry shall promote decent work, productive employment, safe workplaces and a fair and fiscally sustainable system of social protection.
2. In carrying out its mandate, the Ministry shall—
 - a. develop labour-law, wage, occupational-safety, industrial-relations and workplace-equality policy;
 - b. administer inspection, conciliation and enforcement functions assigned by labour legislation;
 - c. operate public employment services, labour-market information, job matching and lawful labour-mobility programmes;
 - d. coordinate apprenticeships, reskilling and civilian employment of persons completing national service;
 - e. administer social insurance, income support and social assistance established and funded by law;
 - f. develop child, family, disability, older-person and vulnerable-person welfare services;
 - g. support lawful trade unions, employer organizations, collective bargaining and social dialogue;
 - h. coordinate portable benefits and bilateral labour arrangements for Eritreans working abroad.
3. The following institutional boundaries apply—
 - a. The Ministry shall not compel civilian labour, suppress lawful worker organization or interfere with independent labour adjudication.
 - b. Eligibility for a public benefit and expenditure of benefit funds require legislation and appropriation.

Regulation 21 — Ministry of Land, Water and Environment

1. The Ministry shall administer land and water fairly and transparently and protect the environment, biodiversity and climate resilience for present and future generations.
2. In carrying out its mandate, the Ministry shall—
 - a. develop land policy, surveying, cadastre, registration, valuation and national spatial-planning systems under law;
 - b. lead water-resource assessment, allocation, watershed management, conservation and water-security policy;
 - c. administer environmental assessment, permitting, pollution control and compliance functions assigned by legislation;
 - d. protect biodiversity, forests, wildlife, wetlands, coastal ecosystems and protected areas;
 - e. lead climate adaptation, mitigation coordination, environmental data and natural-capital accounting;
 - f. maintain accessible digital land, water and environmental information while protecting legitimate privacy and security;
 - g. coordinate drought, flood and natural-resource risk reduction with agriculture, infrastructure and emergency authorities;

- h. provide fair notice, reasons, hearing and review in land, water and environmental administration as required by law.
- 3. The following institutional boundaries apply—
 - a. Expropriation, compulsory acquisition, extinguishment of rights and compulsory environmental measures require clear statutory authority and constitutional compensation and review.
 - b. Agriculture leads agricultural production, Public Works delivers public construction, and Energy and Mines leads sector development subject to land, water and environmental law.

Regulation 22 — Ministry of Home Affairs and Local Government

- 1. The Ministry shall protect civil peace and rights, administer lawful civil and migration services, coordinate emergency management and strengthen democratic regional and local government.
- 2. In carrying out its mandate, the Ministry shall—
 - a. develop civilian policing, public-safety and crime-prevention policy consistent with constitutional rights and accountable policing legislation;
 - b. administer nationality, immigration, passports, travel documents, borders, refugees, civil registration and identity services only under governing Acts;
 - c. administer corrections, rehabilitation and detention services only under law and independent judicial oversight;
 - d. coordinate disaster preparedness, civil protection, rescue and national emergency logistics;
 - e. support regional and local institutions, decentralization, local planning, community participation and administrative capacity;
 - f. develop transparent local-finance and equalization arrangements with Finance and Treasury;
 - g. maintain accessible complaint, inspection and public-reporting systems for services within the portfolio;
 - h. coordinate, without controlling, independent electoral, judicial and human-rights institutions when operational cooperation is required.
- 3. The following institutional boundaries apply—
 - a. Police, immigration, detention, search, surveillance, citizenship and emergency powers arise only from legislation and are not enlarged by these Regulations.
 - b. The Ministry may not suspend or replace an elected local authority except under clear law, due process and effective review.

Regulation 23 — Ministry of Planning and National Development

- 1. The Ministry shall lead long-term national planning, cross-government policy coordination, delivery monitoring, evaluation and a professionally independent national statistical system.
- 2. In carrying out its mandate, the Ministry shall—
 - a. prepare national development strategies, regional development frameworks and cross-sector priorities through public consultation;

- b. coordinate implementation plans, delivery reviews and corrective recommendations across Ministries;
 - c. appraise economic, social, institutional and environmental effects of major policies with responsible Ministries;
 - d. develop monitoring and evaluation standards and publish objective progress reports;
 - e. coordinate official statistics pending enactment of a Statistics Act and protect professional methods, timing and findings;
 - f. conduct demographic, labour, poverty, productivity and development analysis and make non-confidential data openly available;
 - g. maintain a public inventory of national projects, milestones, responsible institutions and performance indicators;
 - h. coordinate external technical assistance with Foreign Affairs and fiscal appraisal with Finance and Treasury.
3. The following institutional boundaries apply—
- a. The Ministry does not appropriate money, authorize expenditure or replace the fiscal powers of Finance and Treasury.
 - b. No political officeholder may alter a statistical finding, evaluation conclusion or release date for partisan convenience.

Regulation 24 — Ministry of Public Works and Housing

- 1. The Ministry shall plan, procure, construct and maintain public infrastructure and support safe, affordable and employment-generating development of housing and the built environment.
- 2. In carrying out its mandate, the Ministry shall—
 - a. deliver government buildings, schools, health facilities, public spaces and other assigned capital works;
 - b. develop construction codes, public-works specifications, materials standards and building-safety policy under law;
 - c. prepare public housing, serviced-land, settlement-upgrading and housing-finance programmes with competent institutions;
 - d. manage project design, procurement, contracts, maintenance and public asset information;
 - e. publish project cost, contractor, variation, completion and maintenance information subject to lawful exclusions;
 - f. promote competitive construction markets, local materials, apprenticeships and employment-intensive works;
 - g. provide technical services to Ministries and regional and local authorities;
 - h. incorporate accessibility, climate resilience, energy efficiency and life-cycle cost into public projects.
- 3. The following institutional boundaries apply—
 - a. The Ministry may construct infrastructure but may not bypass land, planning, environmental, procurement or appropriation requirements.
 - b. Transport networks and sector safety policy belong principally to Transport, Communications and Digital Development.

Regulation 25 — Ministry of Tourism, Culture and Heritage

1. The Ministry shall develop responsible tourism and protect Eritrea's cultural, historical and natural heritage as sources of identity, learning, employment and international exchange.
2. In carrying out its mandate, the Ministry shall—
 - a. prepare tourism policy, market research, destination plans and responsible national branding;
 - b. provide visitor information and coordinate international tourism promotion;
 - c. develop tourism-service standards, classification and licensing where authorized by legislation;
 - d. protect and interpret museums, archives, monuments, archaeological sites, languages, arts and intangible heritage;
 - e. support cultural institutions, artists, creative industries, festivals and community tourism;
 - f. coordinate tourism and heritage workforce development and responsible investment;
 - g. ensure that destination and heritage development respects local communities and environmental limits;
 - h. maintain public inventories and digital access to heritage information, subject to conservation and community safeguards.
3. The following institutional boundaries apply—
 - a. The Ministry may not dispose of, export, alter or commercially exploit protected heritage except under law and required approvals.
 - b. Immigration, land, protected areas and transport safety remain with the authorities legally responsible for those matters.

Regulation 26 — Ministry of Trade, Industry and Investment

1. The Ministry shall build open and competitive markets, productive enterprise, manufacturing, exports and responsible domestic and international investment.
2. In carrying out its mandate, the Ministry shall—
 - a. develop domestic and international trade, industrial, manufacturing, small-enterprise and investment policy;
 - b. simplify business entry and operation through transparent, digital and time-limited administrative services;
 - c. promote competition, consumer protection, weights and measures, standards and market surveillance under legislation;
 - d. support industrial zones, value chains, technology adoption, quality infrastructure and export readiness;
 - e. operate investment facilitation and aftercare without granting secret exemptions or guarantees;
 - f. coordinate tariff, customs and trade-remedy policy with Finance and Treasury and treaty policy with Foreign Affairs;
 - g. promote cooperatives, start-ups, women-owned and youth-owned enterprises and diaspora investment;

- h. publish applicable licences, fees, processing times, incentives, agreements and performance conditions.
- 3. The following institutional boundaries apply—
 - a. The Ministry may not create a tax exemption, monopoly, compulsory licence, subsidy or public guarantee without statutory and budgetary authority.
 - b. Monetary policy, banking supervision and independent competition adjudication remain with institutions established by law.

Regulation 27 — Ministry of Transport, Communications and Digital Development

- 1. The Ministry shall lead safe, connected and competitive transport and communications systems and the digital transformation of government and the economy.
- 2. In carrying out its mandate, the Ministry shall—
 - a. prepare integrated policy for roads, public transport, rail, civil aviation, ports, maritime transport and logistics;
 - b. administer vehicle, carrier, aviation, maritime, port and transport-safety functions assigned by legislation;
 - c. coordinate transport infrastructure planning, maintenance standards, corridors and regional connectivity;
 - d. develop telecommunications, spectrum, postal, broadband, data-center and universal-access policy;
 - e. lead digital-government architecture, interoperability, trusted digital identity, electronic transactions and shared public platforms in accordance with law;
 - f. develop cybersecurity, data-governance, privacy and critical digital-infrastructure policy with competent institutions;
 - g. promote open technical standards, competitive access, innovation and affordable connectivity;
 - h. publish routes, schedules, safety information, licences, service standards, coverage and project information.
- 3. The following institutional boundaries apply—
 - a. Public Works may deliver construction, but transport and communications policy, network planning and sector safety remain with this Ministry.
 - b. Independent transport-safety, telecommunications, competition, privacy or cybersecurity bodies established by law shall not be directed in individual matters.

CHAPTER III COMMON ORGANIZATION AND ADMINISTRATION

Regulation 28 — Ministerial leadership

- 1. Each Ministry is headed by the Minister appointed by the President with the approval of the National Assembly in accordance with Article 42(7).
- 2. The Minister is politically responsible for lawful policy direction, performance, integrity and stewardship of the Ministry and remains individually accountable to the President under Article 47.

3. A Minister shall not direct an official to act unlawfully, decide a protected professional matter for partisan reasons or conceal information required by law.

Regulation 29 — Permanent Secretary and professional administration

1. Each Ministry shall have a Permanent Secretary or equivalent principal administrative officer appointed under applicable civil-service law.
2. The Permanent Secretary is responsible for lawful administration, personnel, finance, records, procurement, internal control, continuity and implementation of lawful ministerial policy.
3. Appointments, promotions, discipline and separation of civil servants remain subject to the constitutional functions of the Civil Service Administration and applicable legislation.

Regulation 30 — Internal departments and units

1. Within ninety days after final issuance, each Minister shall submit a proposed internal organization to the President and the Civil Service Administration.
2. A proposal shall identify each department, its purpose, functions, staffing, reporting line, location, cost, service obligations and statutory basis.
3. No department whose establishment is reserved to the President by Article 42(13) shall be treated as established merely by a Ministry circular, staffing chart or budget submission.
4. Temporary teams and project units may be created within an approved establishment but shall not exercise an unassigned statutory function or continue beyond their approved term.

Regulation 31 — Strategic and annual plans

1. Each Ministry shall prepare a five-year strategic plan and an annual implementation plan aligned with the national budget and national development plan.
2. Each plan shall state measurable outcomes, principal programmes, responsible units, workforce needs, fiscal requirements, legal dependencies, risks and public reporting dates.
3. A Ministry shall revise a plan when appropriations or lawful authority do not support the proposed activity.

Regulation 32 — Public services and service standards

1. Each Ministry shall publish a complete register of the services it provides, the responsible office, legal requirements, documents, fees, processing times, review procedure and complaint channel.
2. A service shall be designed to minimize visits, queues, duplicate documents and referrals among offices and shall be available electronically as far as law, access, security and practical conditions permit.
3. A Ministry shall provide reasonable non-digital and assisted access so that disability, poverty, location, language or lack of connectivity does not exclude a person.
4. Performance against service standards shall be measured and published at least quarterly.

Regulation 33 — Digital government and shared systems

1. Ministries shall use common government platforms, data standards, identity services, payment systems, registers and cybersecurity controls designated under lawful government-wide policy.
2. A Ministry shall not build a duplicative system without documented necessity, interoperability review, life-cycle costing and approval through the applicable digital-governance process.
3. Personal data shall be collected only for a lawful and necessary purpose, protected against unauthorized use and retained only as permitted by law.

Regulation 34 — Transparency and public participation

1. Each Ministry shall maintain an accessible website containing its mandate, organization, leadership, laws, regulations, policies, plans, budget information, procurement notices, contracts required to be disclosed, reports, consultations and contact information.
2. A Ministry developing a major policy or legislative proposal shall publish a clear explanation, allow a reasonable opportunity for comment and publish a response to material issues unless urgency or law justifies a different process.
3. An exception to publication shall be interpreted narrowly and shall not conceal illegality, waste, abuse, environmental harm or a serious threat to public health or safety.

Regulation 35 — Interministerial coordination

1. The Ministry whose mandate most directly concerns a matter is the lead Ministry and shall convene affected Ministries early enough for meaningful participation.
2. A written cooperation arrangement shall define responsibilities, information exchange, decision procedure, cost allocation, dispute escalation and public accountability where two or more Ministries share a continuing function.
3. A jurisdictional dispute that Ministers cannot resolve shall be submitted promptly to the President and shall not be used to suspend an urgent lawful service.

Regulation 36 — Legal compliance

1. Each Ministry shall maintain access to qualified legal advice and a register of the constitutional, statutory and regulatory authority governing its functions.
2. Before adopting a measure affecting rights, obligations, expenditure, licences, property or enforcement, the Ministry shall identify its legal basis and assess necessity, proportionality, procedural fairness and available review.
3. A Ministry shall suspend and correct an administrative practice found to lack legal authority and shall notify affected persons of an available remedy.

Regulation 37 — Fiscal and procurement discipline

1. A Ministry may incur expenditure or commitment only within an appropriation and applicable public-finance and procurement law.

2. Creation of a Ministry, department, post or programme under these Regulations does not itself appropriate money, create a tax, authorize borrowing or guarantee a debt.
3. Ministries shall use competitive and transparent procurement, disclose conflicts of interest and maintain complete auditable records.

Regulation 38 — Human resources and integrity

1. The Civil Service Administration and each Ministry shall develop merit-based staffing plans that favor redeployment, training and shared services before unnecessary recruitment.
2. Every Ministry shall enforce applicable codes on impartiality, conflict of interest, gifts, misuse of information, political neutrality and protection of public property.
3. A civil servant shall have a protected channel to report unlawful instruction, corruption, gross waste or serious danger and shall not be punished for a good-faith report.

Regulation 39 — Regional access and decentralization

1. Ministries shall determine which services can be delivered effectively through regional or local offices, shared service centers, mobile teams or secure electronic channels.
2. Decentralization shall be accompanied by a clear legal mandate, adequate resources, professional standards, data responsibilities and accountability.
3. A Ministry shall not maintain a regional office where a shared or digital arrangement provides equal or better lawful service at materially lower cost.

Regulation 40 — Agencies and independent bodies

1. An agency or body established by legislation retains the status, powers, governance and independence given by that legislation.
2. Administrative association with a Ministry permits coordination and budget communication but not direction of an adjudicatory, audit, monetary, electoral, prosecutorial, statistical or regulatory decision protected by law.
3. The responsible Minister may require lawful performance and financial reporting but shall not demand information whose disclosure would violate independence, privacy, professional privilege or an active investigation.

CHAPTER IV TRANSITION AND IMPLEMENTATION

Regulation 41 — Implementation plan

1. Within thirty days after final issuance, the Office of the President shall publish a phased implementation plan prepared with the Civil Service Administration, Finance and Treasury, Planning and National Development and affected Ministries.

2. The plan shall identify legal dependencies, staffing decisions, budgets, records, property, information systems, service continuity, public communication, risks and completion dates.
3. The plan shall prioritize uninterrupted health, education, food, water, public-safety, border, revenue, payment and other essential services.

Regulation 42 — Transfer of ordinary administrative business

1. The President may direct the transfer of non-statutory administrative business, personnel, records and property necessary to implement these Regulations, subject to law, appropriations and civil-service protections.
2. A transfer direction shall be written, published, identify the receiving and former authority, specify the effective date and preserve access to records and pending services.
3. Transfer of statutory authority requires the legal instrument authorized by the governing Act and shall not be inferred from a change of Ministry name.

Regulation 43 — Personnel transition

1. No civil servant acquires or loses employment merely because a Ministry is renamed, merged, established or dissolved.
2. Personnel decisions shall be made under applicable civil-service law after consultation with the Civil Service Administration and shall respect merit, accrued rights, fair procedure and operational need.
3. Affected employees shall receive timely written information concerning placement, reporting line, location, duties, training, review and appeal.
4. Redundant management layers and inactive posts shall be reviewed before new recruitment, while scarce professional capacity shall be protected and developed.

Regulation 44 — Property, records and digital systems

1. Every transferring institution shall inventory public property, contracts, records, data, credentials, software, licences and pending obligations before transfer.
2. Records shall remain authentic, searchable, secure and accessible to the receiving authority and to persons entitled to access them.
3. No record, dataset or public asset may be destroyed, concealed, privatized or removed because of reorganization except under lawful records-disposal procedures.

Regulation 45 — Pending matters and continuity

1. A lawful application, licence, contract, proceeding, payment, investigation or administrative review pending at commencement continues without loss of priority merely because responsibility changes.
2. The receiving Ministry shall notify affected persons of the new responsible office and shall honor elapsed processing time.

3. An existing lawful regulation, delegation or administrative decision continues until amended or revoked by competent authority, unless inconsistent with the Constitution or a later Act.

Regulation 46 — Budget and financial transition

1. Finance and Treasury shall identify the fiscal effect of each transfer and propose any appropriation or lawful budget adjustment required for implementation.
2. No unspent balance, revenue, debt, guarantee or contractual commitment transfers by implication.
3. The Auditor General shall receive the transfer inventory and financial reconciliation required by applicable law.

Regulation 47 — Public register of organization

1. The Office of the President shall maintain a free and authoritative public register of Ministries, departments, Ministers, Permanent Secretaries, mandates, principal offices, contact information and effective organization instruments.
2. The register shall state the legal basis and commencement date of every establishment, transfer, merger, renaming and dissolution.
3. A discrepancy between the register and a published legal instrument shall be corrected promptly, and the legal instrument prevails.

Regulation 48 — Review of implementation

1. The President, in consultation with the Civil Service Administration, shall review implementation six months and eighteen months after commencement.
2. The review shall consider service performance, cost, staffing, duplication, coordination, legality, regional access, digital delivery and public feedback.
3. A non-confidential report and any proposed corrective instrument shall be published for public consideration.

CHAPTER V FINAL PROVISIONS

Regulation 49 — Directions and administrative guidance

1. The President may issue written administrative directions necessary to coordinate implementation of these Regulations, but a direction shall not amend these Regulations or create a statutory power.
2. A Minister may issue internal guidance within the Ministry's lawful mandate, but guidance shall not bind the public as law, impose an unauthorized requirement or override an Act or Regulation.
3. Directions and guidance of general public effect shall be published promptly.

Regulation 50 — Amendment, establishment and dissolution

1. A Ministry or department reserved to presidential authority shall be established, materially reorganized or dissolved only by a published presidential instrument made under Article 42(13) after the constitutionally required consultation.
2. Before a material amendment, the President shall obtain advice on staffing, affordability, continuity, legal consequences and service impact and shall ordinarily invite public comment.
3. An instrument shall include necessary savings, transfer and commencement provisions and shall identify any legislation requiring consequential amendment.

Regulation 51 — Relationship with other laws

1. These Regulations are subordinate to the Constitution and Acts and shall not be applied to displace a contrary statutory allocation.
2. If a Ministry name in an existing law differs from the name used here, the statutory function remains with the legally designated authority until lawfully transferred.
3. The Office of the President and the Ministry responsible for justice shall prepare consequential legislative proposals for consideration by the National Assembly.

Regulation 52 — Severability

1. If a provision or application of these Regulations is held invalid, the remaining provisions and applications continue to the greatest extent consistent with the Constitution and law.
2. A finding that a particular statutory function was not lawfully transferred does not invalidate the establishment of a Ministry or its other lawful administrative functions.

Regulation 53 — 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. The final Regulations come into force on the date stated in the instrument of final issuance, which shall allow sufficient time for lawful and orderly transition.
3. The Office of the President shall publish, with the final text, a consultation report, the Civil Service Administration consultation summary and an implementation timetable.

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

PRESIDENT OF THE STATE OF ERITREA
Office of the President