DRAFTING NOTE

MINE ACTION 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

Earlier demining bodies were established through executive and emergency instruments. Eritrea requires a permanent civilian law for mines, unexploded ordnance, victim assistance, land release and international cooperation.

3. What the draft retains

The draft retains survey, marking, clearance, explosive-ordnance disposal, accreditation, safety standards and protection of affected communities.

4. What the draft updates and modernizes

It establishes an accountable civilian authority, national information system, risk education, survivor-centered assistance, transparent prioritization, humanitarian standards, environmental restoration, controlled security cooperation, classified offences and judicial review.

5. Constitutional, code and treaty fit

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

6. Scope and organization

The principal divisions address preliminary and constitutional provisions; weapons prohibitions and national implementation; national institutions and civilian governance; strategy, information and prioritization; survey, land release and handover; clearance operations, disposal and safety; risk education and community liaison; victims, survivors and affected communities; military, police, borders and residual contamination; organizations, personnel, technology and innovation; 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. ___ OF 2026

MINE ACTION ACT 2026

(ASSEMBLY ACT)

AN ACT TO PROHIBIT ANTI-PERSONNEL MINES AND OTHER SPECIFIED INDISCRIMINATE EXPLOSIVE WEAPONS; IMPLEMENT ERITREA'S OBLIGATIONS CONCERNING ANTI-PERSONNEL MINES; ESTABLISH A CIVILIAN, RIGHTS-RESPECTING AND ACCOUNTABLE NATIONAL MINE-ACTION SYSTEM; PROVIDE FOR SURVEY, LAND RELEASE, CLEARANCE, EXPLOSIVE-ORDNANCE DISPOSAL, RISK EDUCATION, VICTIM ASSISTANCE, INFORMATION MANAGEMENT, QUALITY ASSURANCE, SAFE TECHNOLOGY, INTERNATIONAL COOPERATION, OFFENCES, REMEDIES, TRANSITION AND RELATED MATTERS.

PREAMBLE

WHEREAS Articles 14, 15, 16, 21, 22, 23, 26, 32 and 55 of the Constitution of Eritrea require protection of life and dignity, equal citizenship, lawful development, property safeguards, proportionate limitations, legislative supremacy and accountable public administration;
WHEREAS explosive ordnance from successive conflicts continues to endanger people, livestock, land, water, housing, transport, return, agriculture and development in Eritrea;
WHEREAS Eritrea acceded to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction and requires complete national implementation through an Assembly Act;
WHEREAS Proclamation 123/2002 established an Eritrean Demining Authority and recognized survey, clearance, risk education, victim assistance, information management and development integration, but requires constitutional, technical and institutional modernization;
WHEREAS safe and effective mine action requires civilian direction, independent quality assurance, affected-community participation, survivor inclusion, transparent priorities and current national standards informed by the International Mine Action Standards;
NOW, THEREFORE, the National Assembly of Eritrea, acting under Articles 21 and 32 of the Constitution, enacts as follows:

CHAPTER I
PRELIMINARY AND CONSTITUTIONAL PROVISIONS

Article 1 — Short title

1. This Act may be cited as the “Mine Action Act 2026”.
2. It applies throughout Eritrea and to conduct within Eritrean jurisdiction or control.

3. Its prohibitions apply to an Eritrean citizen, public body and Eritrean-registered legal person outside Eritrea to the extent permitted by law.
4. This Act binds the State, including the Defence Forces, Police Service, intelligence institutions, public enterprises and local governments.

Article 2 — Objects

1. to end death, injury, fear, displacement and deprivation caused by explosive ordnance;
2. to implement and enforce the comprehensive prohibition of anti-personnel mines;
3. to release contaminated land safely, efficiently, transparently and for equitable civilian use; and
4. to secure survivor rights, public accountability, reliable information and sustainable national capacity.

Article 3 — Scope of mine action

1. Mine action includes advocacy, risk education, victim assistance, survey, mapping, marking, land release, clearance, explosive-ordnance disposal and stockpile destruction.
2. It includes information management, quality management, environmental protection, research, training, accreditation and post-clearance review.
3. Humanitarian action concerning improvised explosive devices falls within this Act only where active hostilities have ceased and the device is addressed as explosive contamination.
4. Criminal investigation, military operations, weapons licensing and national security remain governed by their respective Acts subject to this Act's prohibitions and safeguards.

Article 4 — Interpretation

1. “anti-personnel mine” means a mine designed to explode by the presence, proximity or contact of a person and to incapacitate, injure or kill one or more persons;
2. “Authority” means the National Mine Action Authority established by this Act;
3. “explosive ordnance” includes mines, cluster-munition remnants, unexploded ordnance, abandoned ordnance, booby traps and another device prescribed consistently with this Act; and
4. “mine-action organization” means a public, humanitarian, commercial, military or non-governmental body accredited to perform a mine-action function.

Article 5 — Further definitions

1. “confirmed hazardous area” means an area where direct evidence confirms explosive-ordnance contamination;
2. “land release” means applying all reasonable effort through non-technical survey, technical survey and clearance to identify, define and remove presence or suspicion of explosive ordnance;
3. “suspected hazardous area” means an area where indirect evidence reasonably indicates possible explosive-ordnance contamination; and

4. “victim” includes a person directly injured and a family or community suffering material social, economic, psychological or environmental consequences from explosive ordnance.

Article 6 — Constitutional supremacy

1. Every power, standard, operation, expenditure and international arrangement under this Act is subject to the Constitution and Assembly Acts.
2. A mine hazard does not create an inherent power to detain, conscript, seize property, censor information, displace a community or exclude a court.
3. A manifestly unlawful order shall be refused and reported through protected channels.
4. No military custom, classified direction, donor condition or technical standard overrides this Act.

Article 7 — Rights limitations

1. A measure limiting a right shall have clear legal authority and satisfy Article 26 of the Constitution.
2. It shall pursue a permitted purpose and be necessary, proportionate, nondiscriminatory, time-limited and the least restrictive reasonably effective measure.
3. The decision-maker shall record evidence, alternatives, geographic scope, duration, affected persons and review arrangements.
4. The essential content of a right shall not be negated in the name of mine action or public safety.

Article 8 — International law

1. This Act gives domestic effect to Eritrea's obligations under the Anti-Personnel Mine Ban Convention within constitutional authority.
2. Applicable international humanitarian law, human-rights law and disability rights shall govern conduct and interpretation according to their lawful status in Eritrea.
3. International Mine Action Standards may inform national technical standards but do not create domestic coercive power without lawful adoption.
4. An international mine-action agreement shall comply with the Treaty-Making Act, public-finance law and this Act.

Article 9 — Guiding principles

1. Mine action shall be humanitarian, civilian-led, evidence-based, impartial, transparent, inclusive and accountable.
2. Priority shall reflect danger and humanitarian, social and economic effect rather than political loyalty, military convenience or donor visibility.
3. Affected people, including women, children, survivors, pastoralists, farmers, returnees and persons with disabilities, shall participate meaningfully.
4. Prevention of harm takes precedence over speed, publicity, target inflation and institutional reputation.

Article 10 — No discrimination

1. Protection, survey, clearance, risk education, assistance and land release shall be provided without prohibited discrimination.
2. Political opinion, national-service history, residence abroad, ethnicity, language, religion, sex, disability, livelihood or migration status shall not reduce priority or entitlement.
3. A person may report explosive ordnance without proof of identity, land title or political loyalty.
4. A discriminatory decision shall be corrected promptly and may attract administrative, civil or criminal responsibility.

Article 11 — Relationship with other laws

1. The Defence Forces Act governs military command, but every unit remains bound by the weapons prohibitions, reporting and civilian mine-action coordination in this Act.
2. The Disaster Risk Management Act governs all-hazard coordination, while this Act governs specialized explosive-ordnance functions.
3. The Land Act, Civil Code and local-government law govern land rights and post-release use subject to the safety certification in this Act.
4. Health, disability, labour, environment, public-finance, procurement, data-protection and administrative-procedure Acts remain applicable according to subject.

Article 12 — Duty of care

1. A public body or mine-action organization shall take all reasonable measures to avoid causing foreseeable explosive-ordnance harm.
2. The duty includes competent planning, safe procedure, trained personnel, suitable equipment, accurate records and prompt incident response.
3. Compliance with a minimum standard does not excuse disregard of a known greater risk reasonably capable of control.
4. A contract or disclaimer shall not exclude liability for gross negligence, deliberate wrongdoing or concealment.

CHAPTER II
WEAPONS PROHIBITIONS AND NATIONAL IMPLEMENTATION

Article 13 — Comprehensive anti-personnel-mine prohibition

1. No person shall use, develop, produce, acquire, stockpile, retain or transfer an anti-personnel mine.
2. No person shall directly or indirectly assist, encourage or induce conduct prohibited by paragraph 1.
3. A public officer shall not authorize, plan, finance, facilitate or conceal prohibited conduct.
4. The prohibition applies in peace, armed conflict, emergency, training and joint operation.

Article 14 — No operational exception

1. Border security, military advantage, deterrence, scarcity of personnel or lack of alternative equipment is not a defence to prohibited use.
2. An order from a superior, foreign partner or de facto authority does not excuse prohibited conduct.
3. A person who receives such an order shall refuse it, preserve evidence and report safely.
4. The State shall provide lawful alternative protective systems and training.

Article 15 — Permitted retention for training

1. The Authority may authorize retention of the minimum number of anti-personnel mines absolutely necessary for detection, clearance or destruction training.
2. Authorization shall specify number, type, custodian, site, security, use, consumption, inspection and expiry.
3. An operational, deterrent, reserve or demonstration stock is prohibited.
4. The retained-mines register and annual aggregate use shall be reported to the National Assembly and treaty depositary.

Article 16 — Permitted transfer for destruction

1. Transfer of an anti-personnel mine is permitted only for destruction or an authorized minimum training purpose.
2. Prior written authorization shall verify recipient, route, quantity, custody, security and final destruction or lawful use.
3. The transfer shall comply with customs, transport, dangerous-goods and international law.
4. A diversion, discrepancy or loss shall be reported immediately and independently investigated.

Article 17 — Cluster munitions

1. No public body or person shall use, produce, acquire, stockpile or transfer a cluster munition except temporary custody solely for destruction, clearance training or criminal evidence.
2. This domestic prohibition is enacted as national policy and does not inaccurately describe Eritrea as a party to a treaty it has not lawfully joined.
3. The Defence Forces shall identify, secure and destroy any cluster-munition stock under civilian verification and published aggregate reporting.
4. Cluster-munition remnants shall receive survey, clearance, risk-education and victim-assistance treatment under this Act.

Article 18 — Booby traps and indiscriminate devices

1. A person shall not use a booby trap or other device in a manner prohibited by international humanitarian law or calculated to target civilians or civilian objects.

2. A device associated with a protected, medical, religious, humanitarian, child-related or ordinarily harmless object is prohibited as provided by law.
3. A command-detonated defensive munition remains subject to distinction, precautions, recording, removal and other applicable law.
4. Nothing in this Article narrows the absolute prohibition of anti-personnel mines.

Article 19 — Improvised explosive devices

1. Manufacture, placement, transfer or use of an improvised explosive device for unlawful violence remains governed by the Penal Code and security laws.
2. After active hostilities, humanitarian survey and disposal may be managed under national mine-action standards.
3. Evidence needed for a criminal investigation shall be preserved without exposing the public or operators to avoidable danger.
4. Mine-action data shall not be used for generalized political surveillance or punishment of affected communities.

Article 20 — Stockpile declaration

1. Every public body shall declare to the Authority any anti-personnel mine, cluster munition or prescribed prohibited stock within sixty days after commencement.
2. The declaration shall state type, quantity, location, condition, origin, custodian and proposed lawful disposition.
3. A private person discovering such an item shall report it and shall not handle or transport it except under emergency instruction.
4. Safe voluntary reporting and surrender without evidence of unlawful use shall not by itself establish criminal possession.

Article 21 — Stockpile destruction plan

1. The Authority and Defence Forces shall publish a costed plan to destroy prohibited stocks within treaty and statutory deadlines.
2. The plan shall address site selection, safety, environment, security, verification, records, retained training items and contingency.
3. Destruction shall use methods preventing recovery or reuse of the weapon.
4. Completion shall be independently verified and reported to the National Assembly and competent international body.

Article 22 — Joint and foreign operations

1. Eritrean personnel shall not request, direct, assist or participate in prohibited mine or cluster-munition conduct during a joint operation.
2. An operational agreement shall state Eritrea's prohibitions, command safeguards, intelligence limits, logistics and incident reporting.
3. Mere participation with a foreign force does not excuse direct or knowing substantial assistance to prohibited conduct.

4. The responsible commander and civilian authority shall prevent ambiguity through training and written rules before deployment.

Article 23 — Foreign forces and bases

1. A foreign force present in Eritrea shall comply with this Act unless a constitutionally valid treaty provides a stronger prohibition.
2. No agreement may authorize stockpiling, transit or use of anti-personnel mines contrary to this Act.
3. Eritrea shall seek disclosure and removal of prohibited weapons before granting access to land, port, airport or storage facility.
4. Inspection and dispute arrangements shall preserve Eritrean constitutional authority and public safety.

Article 24 — Transit and customs

1. Transit, transshipment, warehousing, brokering and financing of prohibited weapons through Eritrean territory, airspace, waters, ports or financial systems is prohibited.
2. Customs, port, aviation, maritime and financial authorities shall maintain risk-based detection and reporting procedures.
3. A suspected shipment shall be secured under judicial or other express legal authority with protection for personnel and evidence.
4. Legitimate explosives, ammunition and dual-use equipment shall not be obstructed beyond proportionate lawful control.

Article 25 — Financing and brokering

1. A person shall not knowingly finance, insure, broker, advertise or arrange a transaction whose purpose is prohibited by this Chapter.
2. A financial institution shall apply proportionate sanctions-screening and suspicious-transaction duties under financial law.
3. A duty shall be risk-based and shall not justify arbitrary denial of ordinary humanitarian, remittance or legitimate commercial service.
4. Good-faith reporting and account action shall receive the protections and review provided by financial law.

Article 26 — Seizure and safe custody

1. A prohibited weapon may be seized only by a competent authority under express law and safe technical advice.
2. Custody shall preserve safety, chain of evidence, ownership information and prompt lawful disposition.
3. A court may authorize destruction before trial where storage creates serious risk and adequate samples, images and records preserve evidence.
4. Forfeiture shall follow due process and shall not extend to unrelated property.

Article 27 — National implementation measures

1. The Advocate General, Authority, Defence Forces, Police Service, Customs and responsible ministries shall maintain coordinated measures to prevent and suppress prohibited activity.
2. Measures shall include law, doctrine, procurement controls, training, inspections, records, border cooperation, investigation and prosecution.
3. The Authority shall assess implementation annually and identify legal or administrative gaps.
4. A gap shall receive a published corrective proposal without delaying application of existing prohibitions.

CHAPTER III
NATIONAL INSTITUTIONS AND CIVILIAN GOVERNANCE

Article 28 — National mine-action system

1. The national mine-action system consists of the Authority, Mine Action Centre, sector institutions, local governments, accredited organizations and affected communities.
2. The system shall separate strategic regulation, operational implementation and independent quality assurance as far as practicable.
3. Participation in coordination does not transfer a statutory power, command or liability without law.
4. The system shall remain civilian-led even where military technical units perform accredited humanitarian tasks.

Article 29 — Continuation and modernization of the Authority

1. The Eritrean Demining Authority established by Proclamation 123/2002 is continued and renamed the National Mine Action Authority.
2. It is a civilian executive public body with legal personality, national jurisdiction and operational independence within law.
3. It shall be responsible to a minister designated by published presidential regulation rather than to personal presidential direction.
4. Its headquarters shall be in Asmara with risk-based provincial and field presence.

Article 30 — Functions of the Authority

1. The Authority shall advise policy, prepare strategy, regulate standards, coordinate institutions and oversee treaty implementation.
2. It shall maintain the national database, prioritize work, accredit organizations, assure quality and certify land release.
3. It shall coordinate risk education, victim-assistance information, resource mobilization, reporting and international cooperation.
4. It shall not exercise ordinary police, intelligence, military-command, health-licensing or land-allocation functions.

Article 31 — Powers and limits

1. The Authority may require information, inspect accredited operations, suspend unsafe work and issue corrective directions within this Act.
2. It may contract, hold property, receive appropriated funds and cooperate internationally for statutory purposes.
3. It has no power to arrest, detain, conscript, tax, appropriate money, acquire land permanently or create an offence.
4. A technical direction shall not be used to control political activity, suppress community objection or conceal public risk.

Article 32 — Governing Board

1. A Governing Board shall provide strategic, fiduciary and institutional oversight of the Authority.
2. Members shall be selected through a transparent merit process and include public administration, law, finance, explosive-ordnance, health, disability, environment and local-government competence.
3. At least two members shall be survivors or representatives of organizations of persons with disabilities and affected communities.
4. Serving military, police or intelligence officers shall not form a majority or chair the Board.

Article 33 — Appointment and tenure of Board

1. The President shall appoint members from a published shortlist after consultation with the Civil Service Administration Commission and responsible National Assembly committee.
2. A member serves one term of six years, with initial terms staggered to preserve continuity.
3. Appointment, qualifications, declared interests and reasons shall be published.
4. Geographic, linguistic and gender breadth shall be considered without displacing competence and integrity.

Article 34 — Board proceedings

1. The Board shall meet at least quarterly and may convene urgently for a serious safety or compliance matter.
2. A majority of appointed members constitutes a quorum, and decisions require a majority of those present and voting.
3. Minutes, attendance, recusals and decisions shall be published subject to narrow operational-security protection.
4. A protected annex shall remain accessible to the Auditor General, court and competent Assembly committee.

Article 35 — Conflicts and removal

1. A Board member shall disclose financial, organizational, family, military and other material interests and recuse where impartiality may reasonably be questioned.
2. Removal requires incapacity, serious misconduct, corruption, disqualifying conflict or persistent failure of duty established through fair independent inquiry.
3. The member shall receive allegations, evidence, hearing and written reasons and may seek judicial review.
4. Temporary suspension may protect safety or inquiry but shall not be used to suppress dissent.

Article 36 — Director-General

1. The President shall appoint a Director-General from a public merit shortlist after consultation with the Board and Civil Service Administration Commission.
2. The Director-General shall possess integrity and substantial competence in mine action, public administration, engineering, law, humanitarian work or a comparable field.
3. The term is six years, renewable once through the same process.
4. Appointment, qualifications, interests and reasons shall be published.

Article 37 — Responsibilities of Director-General

1. The Director-General is chief executive and accounting officer of the Authority.
2. The Director-General shall implement strategy, maintain professional independence, protect safety, manage personnel and ensure lawful expenditure.
3. A material direction from the minister or Board shall be written, retained and available to oversight bodies.
4. The Director-General shall refuse and report a direction inconsistent with this Act.

Article 38 — Removal and acting appointment

1. The Director-General may be removed only for incapacity, serious misconduct, corruption, grave illegality or persistent failure of duty established by fair independent inquiry.
2. The person shall receive notice, evidence, representation and written reasons and may obtain judicial review.
3. An acting appointment shall be merit-based, published and ordinarily last no longer than six months.
4. Neither removal nor acting appointment shall be used to alter operational findings, land-release evidence or treaty reporting.

Article 39 — National Mine Action Centre

1. A National Mine Action Centre shall serve as the professional operational and coordination office of the Authority.
2. It shall plan tasks, manage information, coordinate operators, support risk education and victim-assistance referrals and maintain operations readiness.

3. Its operational division shall be organizationally separated from accreditation and quality assurance.
4. The Centre shall not monopolize implementation where qualified public, humanitarian, community or commercial capacity can act lawfully.

Article 40 — Independent quality-management directorate

1. An independent directorate within the Authority shall manage accreditation, monitoring, inspection, nonconformity and land-release quality assurance.
2. Its head shall report functionally to the Board and shall not be supervised on findings by an operational programme manager.
3. The directorate may stop an operation presenting imminent serious danger.
4. A suspension, clearance failure or disputed certification shall receive documented review and appeal.

Article 41 — Interministerial Mine Action Council

1. An Interministerial Mine Action Council shall coordinate national policy, development integration, treaty implementation and unresolved institutional responsibility.
2. It shall include ministers responsible for defence, justice, finance, local government, land, agriculture, health, social protection, environment, education, transport and foreign affairs.
3. The responsible minister shall chair, and survivor, community, humanitarian and technical representatives shall participate according to matter.
4. The Council advises and coordinates but does not legislate, appropriate money or direct technical findings.

Article 42 — Local mine-action arrangements

1. A province or affected county shall designate a civilian mine-action focal office under local-government law.
2. The office shall coordinate reports, warning, community liaison, priorities, land rights, survivor referrals and post-release monitoring.
3. A village or recognized mobile community shall choose legitimate representatives for consultation and safety communication.
4. Local arrangements shall not compel unpaid clearance, expose untrained persons or create a parallel intelligence structure.

CHAPTER IV
STRATEGY, INFORMATION AND PRIORITIZATION

Article 43 — National mine-action strategy

1. The Government shall publish a costed national mine-action strategy for a period not exceeding five years.
2. It shall set measurable outcomes for contamination, land release, casualties, risk education, survivor inclusion, stockpile destruction, reporting and national capacity.

3. It shall identify responsible institutions, appropriations, external assistance, geographic priorities, deadlines and independent evaluation.
4. The National Assembly shall debate annual progress and unresolved noncompliance.

Article 44 — Annual work plan

1. The Authority shall publish an annual work plan translating strategy into surveyed areas, clearance tasks, education, victim assistance and institutional outputs.
2. The plan shall state criteria, cost, operator, expected land use, affected population, access constraints and completion schedule.
3. Material departure shall be explained and published.
4. Urgent spot tasks may proceed outside the plan but shall be recorded and reconciled.

Article 45 — National contamination baseline

1. The Authority shall establish and periodically update a national baseline of suspected and confirmed hazardous areas and residual contamination.
2. The baseline shall distinguish evidence, uncertainty, contamination type, area, affected people, land use and access.
3. Historical military records, community reports, accident data, survey and remote sensing shall be evaluated according to reliability.
4. Absence of recent accident does not by itself establish absence of hazard.

Article 46 — National mine-action information system

1. The Authority shall maintain an authoritative, secure and interoperable digital information system with tested offline continuity.
2. It shall record hazardous areas, survey, clearance, ordnance, incidents, casualties, operators, quality decisions, land release, assistance and expenditure.
3. Every material change shall have source, author, date, confidence, version history and audit log.
4. No institution may maintain an undisclosed competing official database to evade oversight.

Article 47 — Public information

1. A public portal shall provide safe maps, hazard notices, priorities, task status, released land, standards, accreditation, expenditure and results.
2. Information shall be accessible in appropriate Eritrean languages, disability-accessible formats and low-bandwidth and non-digital forms.
3. Specific technical or personal information may be protected only where disclosure creates a concrete lawful risk.
4. National security shall not be invoked generally to conceal civilian hazard, institutional failure or completed clearance information.

Article 48 — Sensitive information

1. Exact explosive-device detail, military source, personal health data and a vulnerability that would facilitate harm may receive proportionate protection.
2. Protection shall be item-specific, reasoned, time-limited and reviewable rather than applied to an entire programme.
3. Courts, the Auditor General and competent legislative oversight shall retain secure access.
4. Affected people shall receive enough information to protect life, property and legal interests.

Article 49 — Reports from the public

1. The Authority shall maintain free, accessible and continuously available channels for reporting suspected explosive ordnance.
2. A report may be oral, written, electronic, anonymous or made through a trusted community representative.
3. The recipient shall acknowledge, assess, warn, secure and refer according to risk without requiring the reporter to approach the item.
4. A good-faith mistaken report shall not attract punishment or loss of service.

Article 50 — Prioritization criteria

1. Priority shall be determined through published evidence-based criteria and not solely by area cleared or political request.
2. Criteria shall include death and injury risk, population exposure, return, water, food, health, education, livelihood, infrastructure, gender and disability effects.
3. Small or remote communities shall not be excluded because clearance has low publicity or high unit cost.
4. Military convenience may be considered only after urgent humanitarian need and within lawful civilian policy.

Article 51 — Community participation in priorities

1. Affected communities shall receive information and a meaningful opportunity to identify use, danger, seasonal movement and preferred sequence.
2. Consultation shall include women, youth, survivors, persons with disabilities, pastoralists, farmers, tenants, returnees and customary users.
3. Disagreement shall be recorded and answered with reasons.
4. Consultation does not transfer technical safety responsibility to the community.

Article 52 — Development-project screening

1. A public or private project in an affected or historically contested area shall receive proportionate explosive-ordnance screening before ground disturbance.
2. The project proponent shall disclose evidence, finance required survey or clearance according to law and integrate safe land release with design.

3. Approval shall not falsely declare land safe or shift undisclosed risk to workers and communities.
4. Emergency infrastructure repair may proceed through controlled risk management and qualified support.

Article 53 — Research and archives

1. Military, police, foreign-mission, operator, hospital, local-government and humanitarian records relevant to contamination shall be preserved and lawfully shared.
2. Historical maps and testimony shall be digitized with provenance and uncertainty.
3. A person may correct material factual error without erasing the original record and audit trail.
4. Archives shall support safety, accountability, land claims, history and future research.

Article 54 — Artificial intelligence and analytics

1. Artificial intelligence may assist imagery analysis, prioritization, translation, pattern detection, logistics and quality review under accountable human supervision.
2. A high-impact system shall have validated data, documented purpose, performance testing, uncertainty, bias assessment, cybersecurity, audit logs and independent review.
3. Automated output alone shall not certify land safe, deny assistance, assign criminal suspicion or determine land ownership.
4. A proprietary or foreign system shall not prevent independent testing, correction, continuity or protection of Eritrean data.

CHAPTER V
SURVEY, LAND RELEASE AND HANDOVER

Article 55 — Land-release framework

1. Land release shall use all reasonable effort to identify, define and remove explosive-ordnance presence or suspicion.
2. Non-technical survey, technical survey and clearance shall be selected according to evidence rather than institutional incentive to maximize reported area.
3. National standards shall define cancellation, reduction, clearance, confidence, documentation and handover criteria.
4. Safety and public confidence shall govern every release decision.

Article 56 — Non-technical survey

1. Non-technical survey shall collect and analyze information without technical intervention into a suspected hazardous area.
2. It shall consult diverse land users and examine conflict history, accidents, signs, maps, terrain, access and seasonal use.
3. The survey shall distinguish direct, indirect, conflicting and absent evidence and state confidence.

4. A conclusion shall be reviewed by qualified personnel independent of any incentive to release or clear land.

Article 57 — Technical survey

1. Technical survey shall use qualified intervention to confirm, define or disprove contamination and support efficient clearance.
2. A plan shall state target evidence, method, depth, equipment, safety, quality and stopping criteria.
3. Investigation lanes and sampling shall not expose workers or communities to avoidable risk.
4. Results shall update the hazardous-area record promptly and transparently.

Article 58 — Cancellation of suspected land

1. A suspected hazardous area may be cancelled only where reliable non-technical evidence satisfies national cancellation criteria.
2. Cancellation shall record all reasonable effort, sources, consultation, reasoning, residual uncertainty and quality review.
3. Political pressure, project deadline, elapsed time or absence of budget is not evidence of safety.
4. The Authority shall notify affected users and preserve a mechanism for new evidence and reclassification.

Article 59 — Reduction of hazardous area

1. Part of a suspected or confirmed hazardous area may be reduced where technical evidence satisfies national reduction criteria.
2. The reduced boundary shall be mapped accurately, visibly marked during transition and communicated to users.
3. Remaining hazardous land shall not become less protected through ambiguity or informal map change.
4. Quality assurance shall examine method, evidence, data and community understanding before approval.

Article 60 — Clearance

1. Clearance shall identify and remove or destroy specified explosive hazards from a defined area to a defined depth.
2. The task order shall state contamination, intended land use, clearance requirement, boundary, depth, method, quality, environment and handover.
3. An organization shall not alter the requirement without written approval supported by evidence.
4. Completion requires quality control, independent quality assurance and complete records.

Article 61 — Battle-area clearance and spot tasks

1. Battle-area clearance shall address unexploded and abandoned ordnance in a defined area according to national standards.
2. An explosive-ordnance-disposal spot task may address isolated items outside a recorded hazardous area.
3. Repeated spot tasks or pattern evidence shall trigger wider survey rather than indefinite case-by-case treatment.
4. Every item, location, action and outcome shall enter the national information system.

Article 62 — Hazard marking

1. A known or suspected hazard shall be marked promptly where marking reduces risk and does not itself create greater danger.
2. Marking shall be recognizable, durable, culturally understood, disability-accessible where practicable and maintained until release.
3. Communities shall be told what the marking means, what area remains unsafe and how to report damage or removal.
4. Unauthorized removal or falsification of a safety marking shall be investigated, but necessity and lack of understanding shall be considered.

Article 63 — Perimeter and access control

1. Temporary access control may be established around a specific explosive hazard or active worksite under clear legal authority.
2. The boundary, reason, responsible body, duration, safe route and contact shall be communicated.
3. Control shall not become permanent land exclusion, political punishment or disguised acquisition.
4. Owners, users, humanitarian actors and emergency services shall receive safe alternatives and review.

Article 64 — Clearance requirement and intended use

1. The clearance requirement shall reflect the explosive threat and intended foreseeable use of land.
2. Housing, schools, roads, wells, agriculture, grazing, construction and subsurface work may require different defined depths and confidence.
3. A change to more intrusive use shall receive further risk assessment before work.
4. A land user shall receive the completion documentation and understandable residual-risk advice.

Article 65 — Quality control

1. Every operator shall maintain internal quality control covering procedure, personnel, equipment, records, supervision and corrective action.

2. Nonconformity shall be recorded, investigated, corrected and communicated without retaliation against the reporter.
3. Production targets or contract payment shall not override a stop-work safety decision.
4. Repeated failure may trigger retraining, task suspension, accreditation action or liability.

Article 66 — Independent quality assurance

1. The Authority shall conduct risk-based independent monitoring before, during and after operations.
2. Inspectors shall have competence, independence, safe access, records and authority to require correction or stop imminent danger.
3. Sampling does not transfer the operator's primary responsibility for complete compliant work.
4. Findings and closure of nonconformity shall be preserved and summarized publicly.

Article 67 — Completion documentation

1. An operator shall submit a completion report identifying area, coordinates, method, depth, hazards found, disposal, quality results, limitations and residual advice.
2. The report shall include accurate geospatial data, maps, daily records, incident information and community liaison.
3. A material discrepancy shall be resolved before certification.
4. The records shall be preserved permanently in accessible and machine-readable form.

Article 68 — Land-release certificate

1. Only the Authority may issue the official land-release certificate after independent verification of applicable criteria.
2. The certificate shall identify exact land, basis of release, clearance requirement if any, date, limitations, responsible organizations and review route.
3. Certification confirms compliance with stated mine-action criteria and does not determine ownership, tenure, compensation or development permission.
4. Fraudulent, reckless or politically directed certification is prohibited and shall be investigated.

Article 69 — Handover to community and land authority

1. Released land shall be handed over jointly to the competent land or local authority and legitimate affected users.
2. The handover shall explain boundaries, work performed, residual risk, reporting, intended use, documentation and legal limits.
3. Women, mobile users, tenants, customary holders and absent displaced claimants shall not be excluded from notice.
4. A public record shall identify who received documentation without treating attendance as surrender of a land claim.

Article 70 — Post-release monitoring

1. The Authority and local government shall monitor use, confidence, incidents, new evidence, land disputes and development outcomes after release.
2. Monitoring shall be proportionate to risk and include affected users rather than rely only on operator reports.
3. New credible evidence shall trigger warning, reassessment and, where necessary, reclassification or renewed clearance.
4. Reopening a safety question shall not by itself establish negligence but concealment or unreasonable failure may create liability.

CHAPTER VI
CLEARANCE OPERATIONS, DISPOSAL AND SAFETY

Article 71 — National mine-action standards

1. The Authority shall adopt and publish National Mine Action Standards through regulations authorized by this Act.
2. Standards shall be adapted to Eritrean law, geography, climate, languages, livelihoods, institutions and available capacity.
3. Current International Mine Action Standards shall be considered and departures explained where material.
4. A standard shall state version, commencement, transition, compliance level, review and access to incorporated material.

Article 72 — Task authorization

1. No organization shall begin intrusive survey, clearance or disposal without accreditation and a written task authorization except immediate life-saving action by a qualified public team.
2. Authorization shall state location, scope, hazard, method, period, reporting, quality, safety, environment and suspension conditions.
3. The landholder and affected community shall receive timely notice and a contact for concerns.
4. Completion, suspension, cancellation and handover shall be recorded.

Article 73 — Operational planning

1. A mine-action organization shall prepare a task plan based on current hazard, terrain, weather, access, medical, security and community information.
2. The plan shall define command, competence, method, equipment, marking, communications, evacuation, quality and contingency.
3. A material change shall receive documented reassessment and approval.
4. The plan shall be available at the worksite in a language understood by personnel.

Article 74 — Worksite safety

1. A worksite shall have controlled access, visible organization, safe distances, communications, medical support, evacuation and daily safety procedure.
2. Personnel shall receive suitable protective equipment, welfare, rest, water, heat protection and occupational-health monitoring.
3. A worker may stop work and withdraw from imminent serious danger without retaliation.
4. Visitors, community observers and media shall receive proportionate briefing and supervision.

Article 75 — Medical support and evacuation

1. An intrusive operation shall maintain trained medical personnel, appropriate equipment, transport, receiving-facility coordination and tested evacuation routes.
2. Response times and contingency for communications, weather and blocked access shall meet national standards.
3. Medical records shall be confidential and available to the injured person.
4. An avoidable medical-readiness failure shall trigger suspension and independent review.

Article 76 — Explosive-ordnance disposal

1. Only qualified and authorized personnel may render safe, move or destroy explosive ordnance.
2. The safest reasonably practicable method shall be chosen after considering public, worker, property, environmental and evidentiary risk.
3. Demolition shall use secure explosives accounting, exclusion, warning, fire prevention and post-blast inspection.
4. Unnecessary transport of unstable ordnance through populated areas is prohibited.

Article 77 — Demolition sites

1. A demolition site shall be selected through safety, land, environment, community and security assessment.
2. Authorization shall define permitted material, quantities, storage, transport, noise, vibration, pollution, fire, access and closure.
3. Communities shall receive advance notice of routine activity and immediate warning of exceptional risk.
4. Closure shall include clearance, remediation, records and land handover.

Article 78 — Explosives custody

1. Explosives for mine action shall be procured, stored, transported, issued, used and reconciled under explosives, defence and public-finance law.
2. Dual control, inventory, secure storage, authorized personnel and loss reporting shall be maintained.
3. A discrepancy shall trigger immediate safety action and independent investigation.

4. Mine-action explosives shall not be diverted to military, political, criminal or private use.

Article 79 — Mechanical systems and animals

1. A machine or animal detection system may be used only after testing, accreditation, defined role, competent operation and quality controls.
2. Performance shall be assessed under Eritrean soil, climate, vegetation and contamination conditions.
3. A technology shall not be represented as replacing required human judgment or verification beyond evidence.
4. Animal welfare and handler safety shall be protected.

Article 80 — Environmental safeguards

1. Operations shall minimize soil damage, erosion, vegetation loss, water contamination, hazardous residue, smoke, noise and harm to cultural property.
2. Method selection shall compare environmental and safety effects and document unavoidable harm.
3. Protected areas, water sources, farms, grazing routes and culturally significant sites require appropriate specialist and community input.
4. The operator shall restore the worksite and remain responsible for unlawful environmental harm.

Article 81 — Accidents and incidents

1. A mine-action accident, near miss, dangerous occurrence, loss of explosive or material safety failure shall be reported immediately.
2. The site and evidence shall be preserved consistent with rescue and continuing danger.
3. A serious event shall receive independent technical investigation separate from criminal or employment proceedings.
4. Findings shall identify systemic causes and corrective action and shall be shared without exposing protected personal information.

Article 82 — Search for and management of human remains

1. Discovery of human remains shall be managed with dignity, competent forensic procedure, cultural respect and preservation of evidence.
2. Mine-action personnel shall stop or adapt work and notify police, health, judicial and family-tracing institutions as law requires.
3. Identity information and personal effects shall be recorded and protected from theft, display or political use.
4. Families shall receive truthful information and lawful participation without compromising investigation.

Article 83 — Emergency response to newly discovered ordnance

1. Police, local government and the Authority shall maintain a clear system for immediate warning, cordon, referral and qualified disposal.
2. Untrained officials or residents shall not be ordered to move, guard closely or dismantle an item.
3. Urgent action may be taken before ordinary task paperwork but shall be documented promptly afterward.
4. Repeated discovery shall trigger area survey, community education and broader risk review.

CHAPTER VII
RISK EDUCATION AND COMMUNITY LIAISON

Article 84 — National explosive-ordnance risk education

1. The Authority and education, media, local-government and humanitarian institutions shall maintain evidence-based explosive-ordnance risk education.
2. Education shall aim to reduce unsafe behavior and support practical reporting, warning and protective action.
3. Messages shall be accurate, tested, age-appropriate, culturally credible, disability-accessible and free from political propaganda.
4. Fear shall not be exaggerated to justify displacement, land control or institutional publicity.

Article 85 — Risk-education assessment

1. A programme shall assess who is at risk, from what ordnance, through which activity, location, season, knowledge and constraint.
2. Assessment shall distinguish children, returnees, pastoralists, farmers, construction workers, scrap collectors, fishers, travellers and emergency personnel.
3. Unsafe behavior shall not be blamed without examining livelihood necessity, poverty, displacement and lack of alternatives.
4. The programme shall adapt content, channel and timing to evidence.

Article 86 — Schools and children

1. Schools in affected areas shall provide recurring practical education integrated with safeguarding and emergency plans.
2. Children shall be taught not to touch, approach or collect suspicious items and how to report safely.
3. Education shall avoid displaying live ordnance, inducing trauma or using children as messengers into hazardous areas.
4. Out-of-school, displaced, pastoral and disabled children shall receive equivalent accessible outreach.

Article 87 — Public warnings and media

1. Public media and communications providers shall transmit authenticated urgent warnings through available channels as communications law permits.
2. Warnings shall identify location, appearance without dangerous technical detail, prohibited action, safe route and reporting contact.
3. Correction and all-clear information shall use the same or broader channels.
4. Journalists may report hazards and programme performance subject only to specific lawful safety restrictions.

Article 88 — Community liaison

1. Every survey and clearance task shall maintain two-way liaison before, during and after operations.
2. Liaison shall explain purpose, boundaries, schedule, risks, complaints, findings, release and residual advice.
3. It shall collect local evidence, seasonal patterns, land claims, access needs and concerns without coercive interrogation.
4. A liaison worker shall not be required to perform intelligence or partisan functions.

Article 89 — Pastoral, nomadic and remote communities

1. Risk education and liaison shall account for seasonal mobility, grazing, water, markets, customary routes, cross-border movement and limited communications.
2. Mobile teams, radio, satellite information, trusted leaders, visual materials and repeated seasonal contact shall be used where appropriate.
3. Lack of fixed address, title, telephone or digital identity shall not exclude a person from warning or consultation.
4. Mine action shall support safe mobility and shall not be used to compel sedentarization.

Article 90 — Returnees and displaced persons

1. A return or relocation programme shall provide verified current hazard information before movement.
2. Return shall not be promoted to land lacking required survey, access, services or safe route.
3. Risk education shall accompany transport, reception, housing, livelihood and land documentation.
4. A person's acceptance of risk information does not waive State or operator duty.

Article 91 — Monitoring and evaluation

1. Risk education shall be evaluated by knowledge, behavior, exposure, reporting, casualty and access outcomes rather than attendance alone.
2. Methods shall protect children, survivors and personal data and shall avoid creating incentives to conceal incidents.

3. Communities shall help assess credibility, reach and unintended harm.
4. Findings shall revise programming and be published in aggregate form.

Article 92 — Community complaint and correction

1. A person may challenge inaccurate hazard information, exclusion, unsafe marking, offensive message or failure to respond.
2. The responsible body shall acknowledge, investigate, correct and provide reasons promptly.
3. Urgent safety correction shall not await final administrative determination.
4. Retaliation, aid withdrawal or land disadvantage because of complaint is prohibited.

CHAPTER VIII
VICTIMS, SURVIVORS AND AFFECTED COMMUNITIES

Article 93 — Rights-based victim assistance

1. A victim is a rights-holder and participant and shall not be treated merely as a charitable object or programme statistic.
2. Assistance shall respect dignity, autonomy, informed choice, privacy, family life, accessibility and nondiscrimination.
3. Survivors and representative organizations shall participate in design, delivery, monitoring and evaluation.
4. Victim assistance shall be integrated into sustainable health, disability, social-protection, education, employment and development systems.

Article 94 — Emergency medical care

1. A person injured by explosive ordnance shall receive emergency rescue, trauma care, blood, surgery, referral and essential medicine according to clinical need.
2. Care shall not depend on political opinion, ability to pay, identity documents, nationality or suspicion concerning presence in the area.
3. Health facilities in affected areas shall maintain proportionate trauma readiness and referral plans.
4. Emergency records shall support continuity, rights and reliable casualty data while preserving confidentiality.

Article 95 — Rehabilitation and assistive products

1. Survivors shall have timely access to physical rehabilitation, prosthetic and orthotic services, assistive products, maintenance and replacement.
2. Services shall be geographically and financially accessible and linked to transport and community follow-up.
3. Assessment shall reflect the person's goals, environment, livelihood, age and changing condition.
4. A donated product shall meet quality, fitting, training, repair and continuity requirements.

Article 96 — Psychological and psychosocial support

1. Survivors, families, witnesses and affected communities shall have voluntary, confidential and culturally appropriate psychological and psychosocial support.
2. Support shall address trauma, grief, stigma, family stress, substance misuse, isolation and participation without pathologizing ordinary distress.
3. Peer support and survivor organizations may be supported while preserving independence.
4. No person shall be compelled to disclose trauma publicly or for fundraising.

Article 97 — Social and economic inclusion

1. Victim assistance shall support education, skills, reasonable accommodation, employment, enterprise, land access and social participation.
2. Public employment and investment programmes shall use fair criteria and shall not confine survivors to symbolic or segregated roles.
3. Workplaces shall provide accessibility and protection from discrimination under labour law.
4. Livelihood support shall consider rural, pastoral, fishing, household and informal economic realities.

Article 98 — Social protection and compensation

1. An eligible survivor and dependent household shall receive social-protection assessment and benefits under general law without unnecessary duplication.
2. Compensation for public or operator wrongdoing remains distinct from social assistance and may be pursued through court or lawful scheme.
3. Receipt of humanitarian assistance does not waive a legal claim.
4. Benefits shall be transparent, reviewable, portable and protected from political condition.

Article 99 — Children affected by explosive ordnance

1. The best interests, survival, development, participation and family unity of an affected child shall be primary considerations.
2. A child survivor shall receive age-appropriate health, rehabilitation, assistive, education, play, protection and family support.
3. Education plans shall accommodate treatment and disability and prevent exclusion or institutionalization.
4. Child identity, images, medical information and testimony shall receive heightened protection.

Article 100 — Women and girls

1. Assessment shall identify gender differences in exposure, care burden, property access, livelihood, violence, stigma and service barriers.

2. Women and girls shall receive accessible health, rehabilitation, reproductive-health, protection and economic services.
3. Women survivors and caregivers shall participate in leadership and local priority decisions.
4. Sexual exploitation, aid-for-favour demands and discriminatory inheritance or land treatment shall be prevented and remedied.

Article 101 — Families and caregivers

1. Families and caregivers shall receive information, training, respite, psychosocial, livelihood and social-protection support according to need.
2. Care shall not be assumed to be unpaid women's work where public support is reasonably required.
3. A survivor's autonomy and consent shall be respected in family involvement.
4. Death and disappearance shall receive dignified documentation, family information and applicable benefits.

Article 102 — Survivor registry and privacy

1. The competent social and health institutions shall maintain coordinated survivor information for service continuity, planning and treaty reporting.
2. Collection shall be lawful, necessary, accurate, secure, accessible to the person and subject to retention rules.
3. The registry shall not be repurposed for political surveillance, military recruitment, taxation, migration punishment or public exposure.
4. Aggregate data shall be disaggregated safely by age, sex, disability, location and service gap.

Article 103 — Referral and case coordination

1. The Authority shall maintain a referral system connecting emergency care, rehabilitation, social protection, education, employment, legal aid and local services.
2. A case coordinator may assist with informed consent and shall not control the person's choices.
3. A referral shall be tracked to outcome without requiring repeated unnecessary disclosure.
4. No institution shall deny service merely because another institution has not completed paperwork.

Article 104 — Participation and representative organizations

1. Organizations of survivors and persons with disabilities shall be consulted on law, strategy, standards, budget and evaluation.
2. Public support shall use transparent criteria and shall not compromise organizational independence or criticism.
3. Participation shall include rural, women, youth and less-visible survivors rather than a single appointed representative.
4. Reasonable accommodation and participation costs shall be provided where necessary.

Article 105 — Victim-assistance plan and report

1. The responsible health and social-protection ministries, with the Authority, shall publish a costed victim-assistance plan integrated with national systems.
2. The plan shall state needs, baselines, services, workforce, finance, geographic access, indicators and responsible institutions.
3. Annual reporting shall address outcomes, unmet needs, complaints and survivor assessment rather than services counted alone.
4. Failure to meet an international reporting deadline shall be corrected transparently and shall not reduce domestic entitlement.

CHAPTER IX
MILITARY, POLICE, BORDERS AND RESIDUAL CONTAMINATION

Article 106 — Defence Forces responsibilities

1. The Defence Forces shall comply with this Act, remove prohibited doctrine, declare stocks and preserve minefield and strike records.
2. They shall provide technical records and qualified support to civilian mine action without controlling humanitarian priorities.
3. A military humanitarian-demining unit shall be accredited and subject to the same national standards, quality assurance and incident review as another operator.
4. Classified detail may be protected narrowly but civilian hazard and compliance shall be disclosed.

Article 107 — Police responsibilities

1. The Police Service shall secure newly reported hazards, protect evidence, manage public safety and investigate offences within the Police Service Act.
2. Police shall not attempt disposal without qualified authorization.
3. Community reporting shall not be converted into generalized intelligence gathering or punishment.
4. Police records relevant to safety and contamination shall be shared promptly with the Authority.

Article 108 — Border areas

1. Border mine action shall protect civilians, pastoral routes, water, trade, return and border personnel while respecting lawful border administration.
2. Unresolved boundary issues shall not prevent warning, humanitarian clearance within jurisdiction or negotiated safety arrangements.
3. A cross-border technical arrangement shall remain within delegated authority or comply with the Treaty-Making Act.
4. No mine shall be laid or retained as a substitute for lawful and professional border security.

Article 109 — Ports, coasts and waters

1. The Authority shall coordinate with maritime and port authorities on sea mines, underwater explosive ordnance, wrecks, beaches, islands and port approaches.
2. Specialized maritime survey and disposal shall meet maritime, environmental, navigation and international safety requirements.
3. A navigational warning shall be issued promptly where a credible hazard affects shipping or fishing.
4. Commercial secrecy or port reputation shall not conceal a material public hazard.

Article 110 — Airports and aviation

1. The Authority shall coordinate with civil aviation and airport bodies on unexploded ordnance affecting runways, approaches, construction and emergency access.
2. Operational control shall distinguish aviation safety, security, evidence and mine-action technical responsibility.
3. A temporary closure or restriction shall be specific, necessary, communicated and reviewed.
4. Clearance records shall be integrated into airport development and maintenance information.

Article 111 — Ammunition depots and explosions

1. The Defence Forces and other custodians shall manage ammunition safety under defence and explosives law and report contamination affecting civilians.
2. After an unplanned explosion, the Authority may coordinate humanitarian survey, risk education and clearance outside active military response.
3. Public warning, evacuation, health and environmental information shall not be withheld merely because the source is military.
4. Responsibility for unsafe storage or unlawful conduct remains independently reviewable.

Article 112 — Residual contamination after completion

1. The State shall maintain a sustainable capacity for reports, spot tasks, residual risk, information, survivor referral and quality review after planned clearance completion.
2. Completion shall not result in destruction of expertise, records or emergency procedures.
3. The responsible institution and budget shall be identified publicly before transition.
4. A new hazard shall receive prompt response without requiring recreation of a temporary authority.

Article 113 — New contamination

1. Any new use or discovery of newly emplaced prohibited mines shall be reported immediately to the Authority, Advocate General and National Assembly.
2. The site shall be protected, evidence preserved, civilians warned and clearance planned.

3. An independent investigation shall determine authorization, command responsibility, source, assistance and institutional failure.
4. No amnesty, secrecy agreement or military process may prevent judicial accountability for serious prohibited conduct.

Article 114 — Peace operations and foreign deployment

1. Eritrean personnel deployed abroad shall receive training on this Act and applicable international humanitarian law.
2. They shall not possess, use, transfer or assist anti-personnel mines and shall report prohibited conduct safely.
3. Participation in clearance or risk education shall follow competent mission authority and professional standards.
4. Deployment records shall support national and international reporting without exposing protected operational detail unnecessarily.

Article 115 — Demobilization and security-sector transition

1. Security-sector reform shall identify and secure mine records, stockpiles, demolition stores, trained personnel and contaminated facilities.
2. Former personnel with relevant competence may enter civilian mine action through vetting, accreditation and ordinary employment terms.
3. Past rank or political affiliation shall neither guarantee appointment nor alone establish wrongdoing.
4. Evidence of prohibited conduct, diversion or abuse shall be preserved and referred lawfully.

CHAPTER X
ORGANIZATIONS, PERSONNEL, TECHNOLOGY AND INNOVATION

Article 116 — Accreditation requirement

1. A mine-action organization shall obtain organizational accreditation for each function requiring it under national standards.
2. Accreditation shall assess governance, competence, safety, quality, finance, insurance, equipment, conduct, data and complaints.
3. Public, military, commercial and non-governmental organizations shall meet equivalent safety and quality requirements for equivalent work.
4. Accreditation does not guarantee contracts or transfer liability to the Authority.

Article 117 — Accreditation procedure

1. Application requirements, criteria, fees if any, assessment, decision time and appeal shall be published.
2. The quality-management directorate shall decide on evidence and provide written reasons.

3. A condition shall be relevant, proportionate and reviewable and shall not discriminate by political opinion or lawful organizational character.
4. An urgent temporary accreditation may be granted narrowly for emergency assistance with enhanced supervision.

Article 118 — Suspension and revocation

1. Accreditation may be suspended or revoked for serious safety failure, fraud, loss of capacity, obstruction, repeated nonconformity or breach of condition.
2. Immediate suspension may prevent imminent danger, followed by prompt notice, evidence and hearing.
3. The decision shall address active tasks, personnel, explosives, data, contracts and safe transition.
4. The organization may obtain independent administrative and judicial review.

Article 119 — Competence and certification of personnel

1. A person performing a safety-critical mine-action role shall possess current competence certified under national standards.
2. Certification shall be role-specific and based on knowledge, practical performance, medical fitness where relevant and continuing competence.
3. Foreign qualification may receive verified recognition with Eritrean-law and context orientation.
4. A title, military rank, service history or training attendance alone does not establish competence.

Article 120 — Employment conditions

1. Mine-action personnel shall be employed under the Labour Code or Civil Service Administration Act according to legal status.
2. They shall receive written terms, fair pay, insurance, safety protection, working-time limits, rest, health care and injury compensation.
3. National service shall not be used as indefinite unpaid mine-action labour.
4. A worker shall not suffer retaliation for safety refusal, incident report, complaint or protected disclosure.

Article 121 — Code of conduct

1. Every organization shall enforce a code prohibiting corruption, exploitation, harassment, discrimination, weapons diversion, land dealing and misuse of information.
2. Personnel shall respect communities, survivors, cultural property, privacy and humanitarian principles.
3. A complaint shall be receivable outside the alleged perpetrator's command and shall protect complainants and witnesses.
4. Serious allegations shall be preserved and referred without substituting internal discipline for criminal process.

Article 122 — Insurance and compensation

1. An operator shall maintain insurance or another approved financial guarantee proportionate to worker, public, property and environmental risk.
2. Coverage shall not exclude ordinary explosive-ordnance activity that the operator is accredited to perform.
3. Public operators shall have transparent budgeted arrangements providing equivalent protection.
4. Insurance does not cap liability where law provides a greater remedy.

Article 123 — Procurement of equipment and services

1. Mine-action procurement shall follow public-procurement law, technical evaluation, lifecycle cost, safety, interoperability and maintainability.
2. Specifications shall avoid unjustified brand lock-in and shall disclose conflicts, trials, donations and beneficial ownership.
3. Urgency may shorten procedure only to the extent necessary and shall preserve records and independent review.
4. No official or donor may compel use of unsafe, unsuitable or unmaintainable equipment.

Article 124 — Testing and evaluation

1. New equipment, method, software or procedure shall be tested under a documented protocol before operational reliance.
2. Testing shall define claim, conditions, comparator, safety, data, independent observation and acceptance criteria.
3. Affected communities or workers shall not bear undisclosed experimental risk.
4. Results, limitations and conflicts shall be published subject to narrow intellectual-property protection.

Article 125 — Drones, robotics and remote sensing

1. Drones, robotics, satellite imagery and sensors may support survey, mapping, inspection, delivery and disposal where lawfully and competently operated.
2. Use shall address aviation, spectrum, safety, privacy, cybersecurity, data retention, community notice and human verification.
3. Persistent surveillance of homes, protests, migration or political activity unrelated to mine action is prohibited.
4. Remote detection shall not by itself certify land safe without evidence satisfying national release standards.

Article 126 — Cybersecurity and digital continuity

1. The Authority and operators shall protect safety-critical systems, geospatial data, communications, identities and explosive records against loss, alteration and unauthorized access.
2. Controls shall include access management, encryption where appropriate, backup, offline continuity, logging, incident response and tested recovery.
3. A cyber incident affecting safety or data integrity shall be reported and independently reviewed.
4. Security shall not be used to deny lawful audit, correction or affected-person access.

Article 127 — Innovation and local capacity

1. The Authority may support universities, vocational institutions, local enterprises, diaspora experts and affected communities in responsible mine-action innovation.
2. Publicly financed research should produce accessible knowledge, local maintenance and transferable capacity subject to safety and intellectual-property law.
3. Innovation priorities shall include low-cost detection support, mapping, translation, rehabilitation, protective equipment and environmental restoration.
4. A grant or partnership shall be transparent, competitive where practicable and evaluated by public benefit.

CHAPTER XI
FINANCE, COOPERATION AND REPORTING

Article 128 — Mine Action Fund

1. A Mine Action Fund is established within the Treasury as a public fund governed by the Public Finance Management Act.
2. It may receive appropriations, lawful grants, donations, recoveries and other authorized receipts.
3. Money shall be used only for functions authorized by this Act and appropriation.
4. The Fund shall not maintain a secret, party, military, personal or extra-budgetary account.

Article 129 — Budget and medium-term finance

1. The annual budget shall present mine-action institutions, programmes, contracts, external assistance and survivor services transparently.
2. A medium-term financing plan shall align contamination, treaty deadlines, national capacity, residual obligations and realistic cost.
3. Unfunded targets and donor-dependent essential functions shall be identified with mitigation.
4. Allocation shall follow published priority and not political patronage.

Article 130 — Donations and external assistance

1. Cash, equipment, services and in-kind assistance shall be accepted, valued, recorded, safeguarded and used through lawful budget and procurement systems.
2. A donor condition shall not control humanitarian priority, require unlawful secrecy, transfer sovereign authority or exclude oversight.
3. Unsuitable, unsafe, excessively costly or dependency-creating assistance may be declined with reasons.
4. Aggregate commitments, receipts, use, overhead, results and balance shall be published.

Article 131 — Contracts

1. A mine-action contract shall state task, standard, price, deliverable, land-release criteria, data, safety, quality, insurance, liability, change and termination.
2. Payment incentives shall not reward unsafe area inflation, concealment of contamination or premature certification.
3. Material amendment, subcontractor, beneficial owner and performance shall be disclosed under procurement law.
4. Independent quality assurance does not substitute contract management or operator responsibility.

Article 132 — International cooperation

1. Eritrea shall seek and provide lawful cooperation concerning clearance, risk education, victim assistance, technology, training, information and treaty implementation.
2. Cooperation shall respect sovereignty, constitutional institutions, humanitarian principles, human rights and local professional leadership.
3. Foreign personnel shall receive appropriate legal status, credentialing, safety, tax, customs, data and liability arrangements.
4. An arrangement creating international obligation shall comply with the Treaty-Making Act.

Article 133 — Regional and cross-border cooperation

1. Eritrea may cooperate with neighboring States, the African Union, United Nations and regional bodies on contamination, warning, borders, displaced people and technical capacity.
2. Cooperation shall not prejudice a boundary claim or authorize foreign security power absent lawful authority.
3. Local reciprocal safety arrangements may operate within delegated authority and national foreign-relations policy.
4. Operational information shall be shared only as necessary with privacy, security and reciprocity safeguards.

Article 134 — Treaty reporting

1. The Authority shall coordinate complete, accurate and timely reports required under the Anti-Personnel Mine Ban Convention.
2. Defence, foreign affairs, justice, health, social protection, customs, finance and local bodies shall provide verified information by published deadlines.
3. The submitted report and underlying domestic summary shall be published except for narrowly protected detail.
4. Past reporting arrears shall be corrected through a verified baseline and explanation rather than unsupported reconstruction.

Article 135 — Extension requests and completion declarations

1. A request to extend a clearance deadline shall be evidence-based, time-bound, costed, consulted upon and submitted early enough for treaty procedure.
2. It shall state progress, remaining challenge, methods, capacity, finance, risks and accountable work plan.
3. A declaration of completion shall follow independent national verification and provision for residual contamination.
4. Political embarrassment or institutional reputation shall not justify inaccurate completion or delay in reporting.

Article 136 — Annual national report

1. The Authority shall submit an annual report to the President and National Assembly and publish it within six months after year end.
2. It shall cover contamination, priorities, work, casualties, victims, education, land use, weapons compliance, finance, contracts, quality, incidents and complaints.
3. Data shall distinguish cancellation, reduction and clearance and explain uncertainty and correction.
4. The report shall identify overdue action, responsible institutions and proposed remedy.

Article 137 — Auditor General

1. The Auditor General shall audit the Authority, Fund, contracts, donations, stock, equipment, land-release records and implementing organizations receiving public resources.
2. Access is complete and does not depend on permission from the Authority, Defence Forces, donor or contractor.
3. Protected technical or personal detail may be handled securely without suppressing findings.
4. Recovery, referral and implementation of findings shall be reported publicly.

Article 138 — National Assembly oversight

1. The competent National Assembly committee shall review treaty compliance, strategy, finance, prohibited weapons, clearance, victim assistance and institutional performance.
2. It may summon officials, require records and hear affected communities, survivors, experts and operators.
3. Classified detail shall use secure procedure and shall not prevent meaningful public conclusions.
4. The committee shall not direct individual technical tasks, land certification or contract award.

CHAPTER XII
COMPLIANCE, ACCOUNTABILITY, OFFENCES AND REMEDIES

Article 139 — Administrative inspections

1. An authorized inspector may enter an accredited worksite or Authority facility at a reasonable time to examine compliance, records, equipment and safety.
2. Entry into a home or unrelated private place requires consent, warrant or another express lawful basis.
3. The inspector shall be identifiable, competent, impartial and bound by safety and confidentiality.
4. Obstruction, finding, sample, image, direction and follow-up shall be recorded.

Article 140 — Corrective directions

1. The Authority may direct correction of a defined nonconformity within its statutory jurisdiction.
2. The direction shall state facts, standard, action, deadline, consequence and review.
3. Immediate action may be required for imminent serious danger, followed by prompt hearing.
4. A direction shall not impose an unlegislated penalty, confiscation or unrelated condition.

Article 141 — Stop-work order

1. A qualified inspector may stop all or part of an operation presenting imminent serious danger or fundamental quality failure.
2. The order shall identify scope, reasons, protective action, evidence, review and conditions for resumption.
3. The operator shall secure the site, personnel, explosives, community warning and records.
4. An urgent independent review shall be available without requiring unsafe work to resume.

Article 142 — Administrative sanctions

1. A statutory administrative contravention may attract warning, corrective plan, accreditation condition, suspension, revocation or contract remedy, and may attract a civil penalty only

where an Assembly Act defines the contravention and liable person and enacts the applicable maximum.
2. Sanction shall reflect danger, harm, fault, gain, history, cooperation, correction and capacity.
3. Notice, evidence, hearing, reasons and independent appeal are required except temporary urgent safety action.
4. No monetary penalty may be imposed until those statutory elements are in force, and administrative action does not determine criminal guilt or exclude compensation and professional discipline.

Article 143 — Core prohibited-weapons offence

1. A person who intentionally uses, develops, produces, acquires, stockpiles or transfers an anti-personnel mine contrary to this Act commits a Class 7 Serious Offence under the Penal Code.
2. A person who knowingly and substantially assists, encourages, finances or induces that conduct commits the same class of offence subject to general participation rules.
3. Where conduct causes death, grave injury, war crime or another more serious offence, the more serious applicable offence and penalty governs.
4. Lawful minimum retention, authorized destruction, safe custody and criminal evidence within this Act are excluded.

Article 144 — Cluster-munition offence

1. A person who intentionally uses, produces, acquires, stockpiles or transfers a cluster munition contrary to this Act commits a Class 7 Serious Offence under the Penal Code.
2. Knowing substantial assistance, financing, brokering or inducement attracts liability under general participation rules.
3. Lawful temporary custody solely for clearance, destruction, authorized training or evidence is excluded.
4. A more serious resulting offence remains prosecutable according to law.

Article 145 — Diversion and falsification offences

1. Intentional diversion of mine-action explosives or prohibited weapons to unlawful use is a Class 7 Serious Offence under the Penal Code.
2. Knowing falsification of land-release, stockpile, casualty, accreditation or quality records creating serious danger is a Class 9 Serious Offence.
3. Knowing destruction or concealment of material evidence to defeat investigation, treaty reporting or a land claim is a Class 9 Serious Offence.
4. A good-faith technical error, disputed judgment or corrected record is not criminal absent the fault required by law.

Article 146 — Obstruction and safety-marking offences

1. Intentional obstruction of a lawful inspection or emergency disposal creating material danger is a Class 9 Serious Offence unless a more serious offence applies.
2. Intentional unauthorized removal, destruction or falsification of hazard marking creating material danger is a Class 9 Serious Offence.
3. Necessity, lack of understanding, age, coercion and absence of adequate warning shall be considered under the Penal Code.
4. Peaceful protest, journalism, complaint, land claim or refusal of unsafe work is not obstruction.

Article 147 — Liability of officials and legal persons

1. An official is liable according to ordinary criminal principles for personal authorization, participation, concealment or culpable failure within a legal duty.
2. Command or superior responsibility shall be determined under applicable criminal and international law with full due process.
3. A legal person may bear civil, administrative and criminal responsibility as the Penal Code and other Acts provide.
4. Dissolution, transfer, resignation or retirement shall not erase evidence, restitution or individual responsibility.

Article 148 — Safe reporting and whistleblower protection

1. A person may report a prohibited weapon, unsafe operation, falsified record, corruption, diversion or retaliation to the Authority, police, Advocate General, Auditor General or other competent body.
2. The person may bypass ordinary command where command is implicated, unsafe or unresponsive.
3. Retaliation in employment, service, licence, land, aid, clearance, contract or public service is prohibited.
4. Interim protection, confidentiality and court relief shall be available under whistleblower, labour and administrative law.

Article 149 — Complaints

1. A person may complain concerning hazard response, priority, discrimination, consultation, land release, assistance, privacy, conduct, contract or environmental harm.
2. A complaint may be oral, written, electronic, anonymous or through a representative and shall be free of charge.
3. The receiving body shall acknowledge, preserve evidence, refer lawfully, decide within a reasonable time and provide reasons.
4. Urgent safety or protection action shall not await final complaint determination.

Article 150 — Judicial review

1. A person or public-interest body directly affected may seek judicial review of an authorization, priority, restriction, certification, sanction, assistance decision or failure to act.
2. The court may review authority, law, evidence, procedure, reasonableness, proportionality, discrimination, delay and legitimate expectation.
3. It may suspend, narrow, set aside, compel reconsideration, order warning or access, preserve evidence and grant another effective remedy.
4. Operational sensitivity shall be managed through narrow protected procedure and shall not extinguish jurisdiction.

Article 151 — Civil remedies

1. A person harmed by unlawful or negligent mine-action conduct may seek declaration, injunction, correction, restitution, compensation and rehabilitation under this Act and the Civil Code.
2. Compensation may address death, injury, trauma, property, livelihood, displacement, discrimination, privacy and environmental loss recognized by law.
3. Good-faith reasonable emergency judgment may be considered, but immunity does not protect bad faith, gross negligence, corruption or knowing illegality.
4. Public liability and recourse against a responsible official shall follow general law and effective constitutional remedy.

CHAPTER XIII
TRANSITIONAL, REPEAL AND FINAL PROVISIONS

Article 152 — Continuity of protection

1. Existing lawful warning, survey, clearance, victim-assistance and emergency-disposal work shall continue during transition.
2. Continuity does not validate an unpublished coercive direction, unsafe practice, prohibited weapon, discriminatory priority or off-budget account.
3. Records, explosives, equipment, funds, contracts and hazardous areas shall be preserved and inventoried.
4. A published transitional direction may prevent a service gap within existing law.

Article 153 — Institutional transition

1. The Board and Director-General shall be appointed through this Act within six months after commencement.
2. The Mine Action Centre and quality-management directorate shall be operationally separated within nine months.
3. Existing personnel shall receive fair assessment, recognition of competence, training and employment treatment under civil-service and labour law.

4. Transition shall not be used for political purge, concealment of records or arbitrary loss of accrued rights.

Article 154 — Initial baseline and plan

1. Within nine months, the Authority shall publish a verified institutional, contamination, stockpile, retained-mine, casualty, victim-assistance and reporting baseline.
2. Within twelve months, Government shall publish the first strategy, national standards review and costed treaty-compliance plan.
3. The baseline shall explain missing, old, disputed and classified information and a method for correction.
4. Limited capacity shall guide sequencing but shall not justify concealment or indefinite noncompliance.

Article 155 — Review of prior instruments

1. The Advocate General and Authority shall review every proclamation, legal notice, directive, order and standard concerning demining and explosive ordnance within twelve months.
2. They shall authenticate the text and identify what is repealed, expired, inconsistent, obsolete or requires express saving.
3. A consequential amendment and saving schedule shall be submitted to the National Assembly with reasons.
4. Historical source texts shall be preserved and shall not be silently rewritten.

Article 156 — Repeal of Proclamation 123/2002

1. The Eritrean Demining Authority Establishment Proclamation 123/2002 is repealed and replaced by this Act.
2. The Authority's lawful legal personality, property, records, contracts, claims and liabilities continue under this Act.
3. A lawful standard or accreditation not inconsistent with this Act continues temporarily until reviewed or replaced within eighteen months.
4. Repeal does not extinguish an offence, civil liability, accrued right, survivor claim, audit or proceeding.

Article 157 — Existing tasks and certifications

1. An active task shall be reviewed within ninety days for compliance, authority, safety, data and quality under this Act.
2. A prior land-release decision remains evidence of its stated work but may be reassessed upon credible new information or material procedural defect.
3. No land shall be presumed unsafe merely because standards have changed, and no land shall be presumed safe merely because records are missing.
4. The Authority shall prioritize review where present use exposes people to serious risk.

Article 158 — Regulations

1. The President may issue regulations on recommendation of the responsible minister after consultation with the Authority for administrative implementation expressly delegated by this Act.
2. Regulations may prescribe accreditation, standards, survey, land release, clearance, disposal, marking, data, risk education, assistance coordination, reporting and transition.
3. They shall not create a new weapon exception, offence, imprisonment, tax, appropriation, compulsory acquisition, military power or restriction of constitutional rights absent an Assembly Act.
4. Draft regulations shall identify authority and impact and ordinarily allow at least sixty days for public comment.

Article 159 — Technical standards and guidance

1. The Authority may issue technical standards only within delegation and after consultation with operators, workers, survivors, communities and relevant specialists.
2. A mandatory standard shall state authority, evidence, version, applicability, transition, accessibility and review and shall be published.
3. Nonbinding guidance shall be clearly identified and shall not be enforced as law.
4. External standards may be adopted by reference only where identifiable, accessible, preserved and suitable to Eritrea.

Article 160 — Commencement

1. The weapons prohibitions, safe reporting, preservation, urgent safety, survivor-rights, oversight, repeal and regulation provisions commence thirty days after publication.
2. Institutional and technical provisions commence according to this Chapter and any published commencement regulation within eighteen months.
3. A commencement regulation may sequence administration but may not postpone the prohibition of anti-personnel mines, protection of life, court review, records preservation or public-finance control.
4. Any provision not commenced within eighteen months commences automatically on the following day.

Made at Asmara, this ___ day of __________ 2026.

THE NATIONAL ASSEMBLY OF ERITREA