

DRAFTING NOTE

NATIONAL SERVICE ACT

1. Status and purpose of this note

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

2. Legislative need and prior law

The draft replaces National Service Proclamation 82/1995 and the later practice of indefinite and coercive service. The statutory eighteen-month ceiling is restored as a real maximum.

3. What the draft retains

It retains a limited civic and defence contribution, fair registration, training, lawful exemptions and emergency mobilization authorized by law.

4. What the draft updates and modernizes

It prohibits indefinite service and forced labour, fixes release and documentation, protects pay, health, education, family and remedies, separates civilian employment from conscription, coordinates with the Defence Forces and Civil Service Acts and supports demobilization and civilian transition.

5. Constitutional, code and treaty fit

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

6. Scope and organization

The principal divisions address preliminary provisions; national service commission and democratic oversight; eligibility, registration and call-up; classification, service pathways and placements; duration, calculation, completion and release; rights, welfare and conditions of service; deferral, exemption and conscientious objection; voluntary reserve service and emergency recall; discipline, review and remedies; completion benefits and civilian reintegration; 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

NATIONAL SERVICE ACT

(ASSEMBLY ACT)

AN ACT TO GIVE EFFECT TO THE CONSTITUTIONAL DUTY OF NATIONAL SERVICE; TO ESTABLISH CIVILIAN AND DEMOCRATIC ADMINISTRATION; TO LIMIT ACTIVE NATIONAL SERVICE TO EIGHTEEN MONTHS; TO PROVIDE MILITARY, CIVILIAN AND CONSCIENTIOUS-SERVICE PATHWAYS; TO PROTECT THE RIGHTS, WELFARE AND REINTEGRATION OF PARTICIPANTS; TO REGULATE EMERGENCY RECALL; TO END INDEFINITE SERVICE; TO REPEAL PROCLAMATION 82/1995; AND TO PROVIDE FOR RELATED MATTERS.

PREAMBLE

WHEREAS Articles 12 and 25 of the Constitution of Eritrea require citizens to be ready to defend the country and complete national service while requiring defence and security institutions to obey the Constitution, remain respectful of society and be accountable under law;

WHEREAS the National Assembly alone may enact the law defining that duty, approve the national budget and a state of peace, war or national emergency, and oversee execution of the law under Article 32 of the Constitution;

WHEREAS national service must be reconciled with equality, liberty, dignity, freedom from slavery, servitude and unauthorized forced labour, freedom of conscience and movement, administrative redress and effective judicial remedies;

WHEREAS the indefinite retention and economic exploitation of national-service participants have departed from the statutory eighteen-month limit, wasted human capacity, separated families and impaired education, work and development;

WHEREAS democratic national service must be temporary, useful, fairly compensated, professionally administered, technologically modern, open to civilian and conscientious alternatives and followed by timely release and civilian reintegration;

NOW, THEREFORE, the National Assembly of Eritrea, acting under Article 32 of the Constitution, enacts as follows:

CHAPTER I
PRELIMINARY PROVISIONS

Article 1 — Short title

This Act may be cited as the “National Service Act 2026.”

Article 2 — Purposes

1. to give effect to the constitutional duty of national service through a lawful, temporary and fairly administered system;
2. to limit active national service to eighteen calendar months and prohibit indefinite or economically exploitative service;
3. to provide military, civilian and conscientious-service pathways consistent with equality, dignity and freedom of conscience;
4. to establish transparent registration, assignment, release, review, reintegration and emergency-recall procedures;
5. to protect participants, families, employers and communities affected by national service; and
6. to replace coercive and obsolete national-service practices with a democratic institution accountable to the National Assembly, courts and public.

Article 3 — Interpretation

1. “active national service” means the single compulsory period governed by this Act and does not include a later voluntary appointment or emergency recall;
2. “call notice” means an individualized written notice lawfully requiring an eligible citizen to report for classification or service;
3. “civilian service” means public-interest service performed outside military command under this Act;
4. “Commission” means the National Service Commission established by this Act;
5. “completion certificate” means the official record confirming completion or lawful discharge from active national service;
6. “conscientious-service participant” means a person assigned to non-military civilian service because of a sincerely held conscientious objection to military service;
7. “Defence Forces” means the Eritrean Defence Forces established by the Defence Forces Act;
8. “eligible citizen” means a citizen liable for active national service under this Act;
9. “emergency recall” means temporary service after completion, authorized separately under this Act during a constitutionally approved war or state of emergency;
10. “host institution” means a public or accredited nonprofit body authorized to receive a civilian-service participant;
11. “Minister” means the minister assigned responsibility for national-service administration, except where a provision specifically refers to the minister responsible for defence;
12. “participant” means a citizen enrolled in active national service;
13. “placement” means a written military or civilian assignment during active national service;
14. “Registrar” means the National Service Registrar appointed under this Act;
15. “service allowance” means the cash and in-kind support lawfully payable during active national service; and
16. “Tribunal” means the National Service Review Tribunal established by this Act.

Article 4 — Constitutional basis

1. Article 25 of the Constitution requires every citizen to be ready to defend Eritrea and to complete national service in accordance with law.
2. Articles 12, 14 to 19, 24, 26, 28 and 32 of the Constitution require national service to remain lawful, equal, temporary, reviewable and respectful of society and constitutional rights.
3. The duty of national service authorizes only the service expressly prescribed by this Act and does not confer a general power over a citizen's labour, movement, education, property, family or political life.
4. A rule, direction, assignment or practice inconsistent with the Constitution or this Act has no legal effect.

Article 5 — Governing principles

1. National service is a limited civic duty owed to a constitutional and democratic State and shall not be service to a party, person, former movement, commercial enterprise or ideology.
2. Administration shall be necessary, proportionate, transparent, gender-responsive, disability-inclusive, politically neutral and no more coercive than the lawful purpose requires.
3. Every assignment shall produce an identifiable public benefit, build transferable skills and avoid displacement of ordinary paid employment.
4. The State shall carry the cost of national service and shall not transfer that cost unfairly to participants, families, workers or private persons.

Article 6 — Absolute eighteen-month rule

1. Active national service begins on the recorded enrolment date and ends automatically at the close of eighteen calendar months.
2. No minister, commander, commission, employer, emergency direction, administrative delay or contract may extend active national service beyond that period.
3. War or emergency needs shall be addressed only through a separate emergency recall after completion and under the safeguards in this Act.
4. A participant need not obtain permission, a replacement, final pay or a certificate before the automatic completion takes effect.

Article 7 — Prohibition of forced labour and exploitation

1. National service is authorized only within the exact purposes, duration, conditions and safeguards of this Act.
2. A participant shall not be supplied as cheap or unpaid labour, assigned for private profit, or retained because an institution cannot recruit or pay an employee.
3. Productive service under Article 12 of the Constitution means disciplined public service, readiness, training and useful civic contribution and does not authorize a military or governmental labour business.

4. Compulsory work outside this Act constitutes forced labour and gives rise to release, compensation and any further liability prescribed by law.

Article 8 — Relationship with other laws

1. The Defence Forces Act governs military command, operations, discipline and welfare only while a participant is lawfully attached to the Defence Forces.
2. The Labour Code governs reinstatement, workplace equality, occupational safety and employment protection as expressly applied by this Act, but active national service is not ordinary employment.
3. The Civil Service Administration Act governs any voluntary civil-service appointment accepted after national service and does not authorize compulsory placement.
4. The Penal Code and Criminal Procedure Code govern criminal liability and procedure; no unpublished military, administrative or political rule creates an offence.
5. The Public Finance Management Act, Public Procurement Act, Data Protection and Privacy Act, Social Insurance and Public Service Pensions Act and other generally applicable laws bind national-service institutions.

CHAPTER II

NATIONAL SERVICE COMMISSION AND DEMOCRATIC OVERSIGHT

Article 9 — Establishment of National Service Commission

1. The National Service Commission is established as a civilian statutory body responsible for the fair administration of this Act.
2. The Commission is accountable to the Constitution, National Assembly and courts and is operationally independent in individual registration, classification, deferral, exemption and release decisions.
3. The Commission shall not exercise military command, ordinary police power or power to determine criminal guilt.
4. Its principal office shall be in Asmara, with accessible local and digital services throughout Eritrea.

Article 10 — Composition of Commission

1. The Commission consists of a Chairperson and six other Commissioners appointed by the President after approval by the National Assembly.
2. Collectively, the Commissioners shall have substantial competence in constitutional law, public administration, defence, labour, education, health, disability, gender equality, youth affairs and digital administration.
3. At least three Commissioners shall be women, and the membership shall reasonably reflect Eritrea's regions, languages and communities.
4. At least one Commissioner shall have completed national service or received a lawful exemption within the preceding ten years and shall not be a serving commander or party official.

Article 11 — Public appointment process

1. Vacancies shall be advertised publicly, and nominations may be made by citizens, professional bodies, civil-society organizations and public institutions.
2. A published merit panel shall assess candidates against competence, independence, integrity and commitment to constitutional government.
3. The President shall transmit a reasoned shortlist to the National Assembly, which shall consider nominees in a public process subject to lawful protection of personal information.
4. No appointment may be based on partisan loyalty, former military rank, ethnicity, religion, family relationship or support for a particular government.

Article 12 — Tenure and removal of Commissioners

1. A Commissioner serves one term of six years and may not be reappointed.
2. Terms shall be staggered as prescribed in the first appointments to preserve continuity without permanent control by one administration.
3. A Commissioner may be removed only for incapacity, serious misconduct, corruption, conviction of a serious offence or grave failure of duty after notice, fair hearing and approval by the National Assembly.
4. The budget, salary, access to records or security of tenure of a Commissioner shall not be manipulated to influence a pending matter.

Article 13 — Functions of Commission

1. The Commission shall maintain registration, publish annual cohort plans, issue call notices and determine classifications, deferrals, exemptions, placements and completion.
2. It shall accredit and inspect civilian host institutions, monitor conditions, prevent exploitation and coordinate education, health, labour and reintegration services.
3. It shall operate accessible complaints and correction systems, refer matters to the Tribunal or competent authorities and implement final decisions.
4. It shall publish statistics, annual reports, forms, standards and service information while protecting personal and operationally sensitive information.

Article 14 — Chairperson

1. The Chairperson provides institutional leadership, convenes the Commission and represents it before the National Assembly and public.
2. The Chairperson shall preserve collective decision-making and shall not decide an individual case assigned by law to professional staff or the Tribunal.
3. A delegation by the Chairperson shall be written, limited, published where generally applicable and revocable.
4. Absence of the Chairperson shall be addressed by an acting arrangement elected by the Commissioners and not by external command.

Article 15 — National Service Registrar

1. The Commission shall appoint a Registrar through open merit competition as its chief executive and accounting officer.
2. The Registrar shall administer personnel, finance, records, information systems, local offices and implementation of Commission decisions.
3. The Registrar serves a five-year term renewable once and is subject to published performance review and fair removal for cause.
4. The Registrar shall not hold military command, elective office, party office or a financial interest in a host institution.

Article 16 — Local national-service offices

1. The Commission shall maintain local service offices in cooperation with local government without surrendering its decisional independence.
2. A local office may register citizens, provide information, receive applications, verify records and deliver notices and certificates.
3. A village, county, province or other local authority shall not punish, detain, restrict services or invent eligibility rules.
4. Mobile, remote and multilingual services shall be provided for pastoral, rural, disabled and geographically isolated communities.

Article 17 — Interagency cooperation

1. The ministries responsible for defence, civil service, labour, education, health, finance, local government, foreign affairs and economic development shall cooperate with the Commission within their lawful mandates.
2. Cooperation shall occur through documented requests, interoperable records and designated officers and shall not create a joint power to extend service or restrict rights.
3. The Defence Forces remain responsible for military training and command; civilian host institutions remain responsible for lawful workplace supervision.
4. A disagreement between institutions shall be resolved through written reasons, legal advice and, where necessary, judicial determination rather than retention of a participant.

Article 18 — National Assembly oversight

1. The competent committee of the National Assembly shall examine national-service policy, annual cohorts, expenditure, conditions, release, equality, complaints and compliance with this Act.
2. The committee may summon officials and require records under Article 37 of the Constitution, using narrow secure procedures for genuinely sensitive defence information.
3. The Commission, Minister, Chief of the Defence Forces, Civil Service Administration and Auditor General shall provide separate accountable evidence.
4. Operational sensitivity shall not justify withholding aggregate duration, release, expenditure, injury, death, complaint or placement data.

Article 19 — Annual national-service plan

1. At least six months before each service year, the Commission shall submit a national-service plan to the National Assembly for approval with the national budget.
2. The plan shall state eligible cohort size, training capacity, military and civilian placements, geographic distribution, expected costs, service allowance, accommodation, health capacity and reintegration needs.
3. The plan shall explain how assignments correspond to genuine public need and avoid displacement of paid workers.
4. No call may exceed the approved capacity or appropriation except under a supplementary appropriation enacted by the National Assembly.

Article 20 — Policy review and public consultation

1. A proposed material change to national-service policy, classification, training, allowance or placement standards shall be published for public comment.
2. The Commission shall consult youth, former participants, women, persons with disabilities, employers, workers, communities, educational institutions and conscientious-objector representatives.
3. A final policy shall summarize material comments, explain changes and identify its legal authority.
4. Consultation does not authorize the Commission to amend this Act or postpone a statutory right.

CHAPTER III

ELIGIBILITY, REGISTRATION AND CALL-UP

Article 21 — Scope of duty

1. Every Eritrean citizen ordinarily resident in Eritrea shall complete one period of active national service in accordance with this Act.
2. The ordinary age of eligibility is eighteen through thirty years, and no first call may be issued after a citizen reaches thirty except to remedy a final adjudicated case of deliberate noncompliance under this Act.
3. No person shall be required to repeat active national service already completed or lawfully recognized.
4. The duty applies equally without discrimination and is satisfied by military service, civilian service or conscientious service as lawfully classified.

Article 22 — Absolute minimum age

1. No person below eighteen years may be recruited, called, enrolled, transported to a training centre, attached to an armed unit or used in hostilities.
2. School attendance, boarding education, youth activity or civil registration shall not be converted into military recruitment or training.

3. Age shall be verified by civil records or, where unavailable, an independent protective assessment that resolves reasonable doubt in favour of minority.
4. A child found in a service institution shall be released safely, reunited with family where appropriate and protected from punishment.

Article 23 — Citizens ordinarily resident abroad

1. The active-service duty of a citizen genuinely and ordinarily resident abroad is suspended while that residence continues.
2. A diplomatic or consular office may provide voluntary electronic registration and information but shall not collect a bond, withhold consular service, cancel a passport or impose a special tax because service is incomplete.
3. A citizen who permanently returns before reaching thirty may be called after a reasonable resettlement period prescribed by regulation, not shorter than twelve months.
4. Temporary visits, family emergencies, investment, study or tourism in Eritrea do not by themselves establish ordinary residence or trigger call-up.

Article 24 — Equality in eligibility and call-up

1. Call-up, classification, placement and release shall be free from discrimination prohibited by Article 14 of the Constitution.
2. A rule may reasonably accommodate pregnancy, disability, health, caregiving, education or hardship without treating accommodation as inferiority or disloyalty.
3. No ethnic, regional, religious, linguistic, political, economic or family quota may shift burdens unfairly or create privileged immunity.
4. The Commission shall audit outcomes and correct material disparate treatment.

Article 25 — Registration

1. A citizen shall register with the Commission within ninety days after reaching eighteen or establishing ordinary residence in Eritrea while eligible.
2. Registration shall be available without charge online, in person, through mobile offices and through an accessible assisted process.
3. The register shall contain only information necessary for identity, contact, eligibility, accommodation and service administration.
4. Registration is not enrolment, military status, consent to a particular placement or authority to restrict travel.

Article 26 — Public notice of registration

1. The Commission shall publish continuing registration information in the Gazette, on its website, through local offices and in languages reasonably understood by affected communities.
2. Information shall state eligibility, procedure, documents, assistance, deferral and exemption rights, privacy safeguards, complaint channels and consequences prescribed by law.

3. A citizen shall not be disadvantaged for failing to comply with an unpublished or inaccessible requirement.
4. Special outreach shall be provided without coercion to pastoral, mobile, rural and diaspora communities.

Article 27 — Registration record and correction

1. The Commission shall issue a secure paper and electronic registration record showing identity, registration date and contact channel.
2. The citizen may inspect and correct personal information without charge and shall receive a reasoned response within fifteen days.
3. A discrepancy in spelling, age, address, ethnicity, language, disability or family status shall not be treated as evasion without proof of intentional material deception.
4. The Commission shall preserve a complete audit history of material corrections without retaining unnecessary stigmatizing labels.

Article 28 — Civil identity and documentation

1. National-service registration shall use the civil identity system and shall not become a separate political loyalty register.
2. Birth registration, nationality documents, school records, passports, marriage records, land services, licences and ordinary public services shall not depend on completion of national service.
3. A person lacking a document shall receive reasonable assistance and alternative verification and shall not be detained merely to resolve identity.
4. Identity information may be shared only under the Data Protection and Privacy Act and for a specific lawful purpose.

Article 29 — Cohort scheduling

1. The Commission shall schedule eligible citizens in regular cohorts according to transparent criteria, capacity and the approved annual plan.
2. Scheduling shall consider age, education, health, family circumstances, regional accessibility and expressed pathway preference.
3. Where capacity requires sequencing, the method shall be neutral, auditable and published and shall not favour wealth, influence or political affiliation.
4. A citizen deferred solely because the State lacked capacity shall not be punished, charged or restricted.

Article 30 — Individual call notice

1. A call notice shall be delivered at least ninety days before the reporting date except where the citizen requests an earlier date.
2. It shall state legal authority, reporting place and date, classification process, expected pathway, documents, rights, service duration, allowance, review procedure and contact for assistance.

3. Delivery may be electronic or physical but shall be verifiable, accessible and reasonably likely to reach the citizen.
4. Public announcement, family pressure, village rumor or oral military instruction does not substitute for an individual call notice.

Article 31 — Response to call notice

1. A citizen shall acknowledge the notice, report as directed or apply promptly for correction, accommodation, deferral, exemption or review.
2. The Commission shall provide a simple response channel and assistance for disability, language, distance, poverty or lack of internet access.
3. A pending timely application suspends the reporting obligation until a reasoned decision and any stated review period expire.
4. Failure to acknowledge is not proof of refusal unless delivery and capacity to respond are established.

Article 32 — Prohibition of arbitrary round-ups and coercion

1. No police, military, local or administrative authority may conduct a street round-up, workplace sweep, school seizure or house-to-house detention merely to identify persons for national service.
2. A person may be arrested only for a criminal offence under published law, on individualized lawful grounds and with every constitutional safeguard.
3. Family members, employers, teachers, village leaders or communities shall not be punished or threatened because another person did not register or report.
4. Weapons, degrading treatment, food deprivation, property seizure or disappearance shall never be used to secure compliance.

Article 33 — Travel and freedom of movement

1. Incomplete national service does not by itself authorize denial of a passport, exit requirement, internal travel permit, residence choice or return to Eritrea.
2. A participant in active service is subject only to reasonable attendance and movement requirements stated in the written placement and justified by safety, training or operational necessity.
3. Any travel limitation shall satisfy Article 26 of the Constitution, be written, time-limited and reviewable and shall not survive completion.
4. No security bond, collateral, land interest, licence or family guarantee may be demanded for travel.

Article 34 — Independence of education

1. A school, university, examination, diploma, scholarship or professional qualification shall not be conditioned on military training or national-service completion except for a reasonable deferral rule under this Act.

2. The final year of secondary education shall remain under civilian educational administration and shall not be conducted inside a military camp as compulsory recruitment.
3. Educational records shall be released promptly irrespective of service status.
4. Voluntary civic education may explain constitutional duties but shall not indoctrinate, threaten or collect political information.

Article 35 — Official information and advice

1. The Commission shall publish a plain-language guide to this Act and maintain a free confidential advice service.
2. Information shall be available in principal Eritrean languages, accessible formats and low-bandwidth and offline forms.
3. An official shall identify the legal basis and review route for a material instruction and shall not rely on an unwritten practice.
4. A person who reasonably relied on materially incorrect official information shall receive equitable correction and shall not bear punitive consequences.

CHAPTER IV CLASSIFICATION, SERVICE PATHWAYS AND PLACEMENTS

Article 36 — Individual classification

1. Before enrolment, the Commission shall conduct an individualized, respectful and evidence-based classification process.
2. Classification shall consider age, health, disability, education, occupation, skills, language, caregiving, conscience, safety and reasonable pathway preference.
3. The citizen shall receive the material record, may submit evidence and shall receive a written classification with reasons and review information.
4. A classification shall not contain a political, ethnic, religious or social-worth judgment.

Article 37 — Service pathways

1. Active national service may be completed through military service, ordinary civilian service or conscientious civilian service.
2. Each pathway has equal civic standing, the same maximum duration and substantially equivalent protection, allowance, certification and reintegration rights.
3. No pathway shall be designed or administered as punishment, stigma or lesser citizenship.
4. The Commission shall plan sufficient civilian placements so that health, disability and conscience rights are genuine rather than theoretical.

Article 38 — Participant preference and matching

1. A citizen may state a reasoned preference among pathways, locations and occupational fields.

2. The Commission shall accommodate the preference where consistent with classification, public need, capacity and fair distribution of burdens.
3. Skill matching shall prefer an assignment that develops or uses genuine competence without creating a permanent claim to the participant's labour.
4. A departure from a material preference shall be explained in the placement decision and may be reviewed.

Article 39 — Eligibility for military service

1. Military service requires verified physical and psychological fitness, informed explanation of risks and absence of a sustained conscientious objection.
2. Fitness standards shall relate objectively to the actual function and shall provide reasonable accommodation where operationally possible.
3. A disability, chronic condition, sex, family status or past political opinion does not establish unfitness without an individualized assessment.
4. A person unfit for military functions shall be considered for suitable civilian service before exemption from all service.

Article 40 — Military-training component

1. A military-service placement ordinarily begins with not more than six months of basic military training within the eighteen-month period.
2. Training shall cover constitutional loyalty, lawful orders, international humanitarian law, civilian protection, first aid, physical fitness, safety and professional skills.
3. It shall not include partisan ideology, ritual humiliation, hazing, collective punishment, unlawful interrogation or hostility toward a community or neighbouring people.
4. Failure to reach a training standard shall lead to retraining, accommodation, transfer or early discharge and shall not extend the statutory completion date.

Article 41 — Military-service assignment

1. After basic training, a military participant may be attached to the Defence Forces for readiness, defence, logistics, medical, engineering, communications or another lawful military function.
2. The written attachment shall identify the unit, duty, commander, location, duration, allowance, leave, complaint channel and anticipated release date.
3. A participant shall not be given independent command based merely on national-service status and shall not be used for political or ordinary policing.
4. The Defence Forces Act governs command and conduct without altering the eighteen-month completion date.

Article 42 — Civilian service

1. Civilian service consists of supervised public-interest work, orientation, training and professional development outside military command for eighteen months.

2. It may support health, education, agriculture, fisheries, environment, disaster preparedness, local government, public works, archives, justice access, digital services or another approved civic need.
3. Civilian service shall resemble a decent and educational public placement, not penal labour or an unlimited substitute for a permanent job.
4. A civilian participant shall not wear a military uniform, be housed in a military detention environment or be subjected to military discipline.

Article 43 — Conscientious civilian service

1. A person whose sincere conscience, religion or belief is incompatible with military service, weapons training or participation in armed force is entitled to conscientious civilian service.
2. Conscientious service shall be entirely non-military, under civilian supervision and equal in duration to other active national service.
3. It shall not be more arduous, less remunerated, geographically punitive or publicly marked as inferior.
4. Recognition of conscientious objection is governed by the protective procedure in this Act and does not depend on membership in a recognized religion.

Article 44 — Approved civilian-service programmes

1. The Commission shall approve programmes against published criteria of public benefit, additionality, safety, supervision, skills, cost and non-displacement of paid work.
2. A programme shall state tasks, positions, qualifications, location, working time, training, equipment, risk controls, accessibility and expected public result.
3. Local communities and affected workers shall have a reasonable opportunity to identify unnecessary, harmful or displacing proposals.
4. Approval is time-limited and may be suspended or revoked for exploitation, discrimination, unsafe conditions or failure to deliver public benefit.

Article 45 — Accreditation of host institutions

1. A civilian host institution must be a public body or an independent nonprofit body serving a verified public interest and meeting Commission standards.
2. Accreditation requires lawful status, accountable governance, safe work, qualified supervision, financial transparency, insurance and accessible complaints procedures.
3. A political party, campaign, security front, private household or for-profit enterprise shall not be accredited.
4. Accreditation does not authorize a host to call, transfer, detain, discipline criminally or retain a participant.

Article 46 — Prohibited placements and tasks

1. A participant shall not be placed in a mine, commercial farm, construction company, factory, hotel, private office or other activity operated for private or military-commercial profit.
2. A participant shall not perform domestic servitude, political organizing, surveillance of civilians, coercive tax collection, censorship, religious control or punishment of another person.
3. Hazardous work is prohibited unless indispensable to a lawful public function, appropriate to age and training and supported by strict safety and compensation safeguards.
4. No assignment may require surrender of wages from separate lawful employment, authorship, invention, private property or political neutrality.

Article 47 — Written placement decision

1. Every placement shall be issued before work begins and shall state pathway, host or unit, location, duties, supervisor, starting and completion dates, allowance, accommodation, leave and review rights.
2. The decision shall identify the public need, the participant's classification and any reasonable accommodation.
3. A materially different duty, site or command requires a new written decision and notice.
4. An oral direction may address an immediate safety need but shall not create a lasting assignment or alter completion.

Article 48 — Orientation and legal education

1. Every participant shall receive orientation in the Constitution, this Act, rights, lawful orders, equality, prevention of sexual abuse, occupational safety, complaints and release.
2. Orientation shall be delivered in a language the participant understands and in accessible form.
3. The participant shall receive a paper or offline copy of essential rules and contact information.
4. Signing acknowledgement confirms receipt only and is not a waiver of any right.

Article 49 — Skills and qualifications

1. Each placement shall include a documented plan for transferable skills, literacy, digital competence, professional development or accredited occupational learning.
2. Training shall use qualified instructors, modern technology and remote learning where effective and accessible.
3. Prior learning and experience shall be assessed fairly so that participants are not required to repeat unnecessary instruction.
4. A qualification earned during service belongs to the participant and shall be recognized independently of future government employment.

Article 50 — Transfer between placements

1. The Commission may transfer a participant for health, safety, accommodation, public need, misconduct, skills or serious placement failure after giving reasons and an opportunity to respond.
2. A participant may request transfer because of danger, harassment, conscience, family hardship, discrimination, lack of meaningful work or substantial mismatch.
3. A transfer shall not restart or extend service, reduce accrued allowance or punish a protected complaint.
4. Urgent protective transfer may be ordered immediately, with review following promptly.

Article 51 — Idle, nominal or wasteful assignments

1. A host or unit shall provide regular, identifiable and meaningful duties, necessary equipment and competent supervision.
2. A participant substantially idle for fifteen working days may request transfer, training or early release.
3. The Commission shall inspect allegations of nominal work and shall not permit an institution to invent duties merely to retain labour or allocation.
4. Persistent inability to provide meaningful service requires closure of the placement and may support early completion.

Article 52 — No automatic conversion into employment

1. National service does not create permanent employment, tenure, rank or a right of the State to continue using the participant's services.
2. A host wishing to employ a participant after completion must use the lawful recruitment process and offer voluntary written terms under the Labour Code or Civil Service Administration Act.
3. Acceptance shall occur only after the participant has received the completion certificate or unconditional confirmation of completion.
4. Refusal of employment shall not affect release, final benefits, references, education or public services.

CHAPTER V

DURATION, CALCULATION, COMPLETION AND RELEASE

Article 53 — Commencement of active service

1. Active national service begins only when the citizen reports, is lawfully enrolled and receives a written enrolment record.
2. The record shall state the exact start date and the automatic completion date eighteen calendar months later.
3. Travel, waiting at home, prior registration, school attendance or informal work before enrolment is not active service unless credited under a remedial decision.

4. Backdating is permitted only to correct an error in favour of the participant and shall be auditable.

Article 54 — Calculation of eighteen months

1. The eighteen months run continuously from the enrolment date and include training, placement, ordinary leave, weekends, public holidays and authorized medical or family absence.
2. Transfer, reclassification, lack of work, administrative suspension, host closure, delayed training or unpaid allowance does not stop or restart time.
3. Unlawful absence may be addressed through fair discipline but does not permit involuntary retention after the completion date.
4. The Commission shall provide every participant with continuous access to the recorded start date, completion date and credited service.

Article 55 — No extension by regulation, order or agreement

1. No regulation, service order, placement agreement, waiver, consent form or administrative interpretation may extend active national service.
2. A participant cannot validly consent while in service to a compulsory extension, and continued attendance after completion is not presumed voluntary.
3. A shortage of staff, war preparedness, unfinished project, failed examination, debt, lost record or usefulness of skills is not a ground for extension.
4. An official who directs continued compulsory service after completion acts without lawful authority.

Article 56 — Early release

1. The Commission may grant early release for permanent incapacity, serious family necessity, elimination of a placement, grave rights violation, exceptional public interest or another prescribed equitable ground.
2. Early release may be with full completion, partial credit or later resumption, according to a reasoned decision and the participant's circumstances.
3. A rights violation, unsafe condition or State failure shall not disadvantage the participant in determining credit.
4. The Commission shall publish anonymized criteria and outcomes to promote consistency.

Article 57 — Automatic completion and cessation of authority

1. At the close of the completion date, the participant is deemed to have completed active national service without further act.
2. Military command, host supervision, compulsory residence, attendance, uniform, travel control and labour authority cease immediately.
3. The person is free to go home, rest, study, work, establish an enterprise, travel and pursue private and family life subject only to laws of general application.

4. A person who voluntarily remains at a site temporarily for safe transport or handover does not remain in national service.

Article 58 — Release procedure

1. The Commission and placement authority shall begin separation at least sixty days before the completion date.
2. Separation shall address equipment return, final allowance, medical assessment, records, skills certification, transport, accommodation transition and reintegration referral.
3. An item dispute or unfinished procedure shall be documented and resolved separately and shall not delay physical release.
4. The participant shall receive a confidential exit interview and may report abuse, unpaid amounts, injury or missing records.

Article 59 — Completion certificate

1. The Commission shall issue a secure completion certificate no later than the completion date and make a paper and verifiable electronic copy available without charge.
2. The certificate shall state identity, pathway, dates, principal assignments, qualifications and status without disclosing health, conscience, complaint or political information.
3. A correction shall be decided within ten days and shall preserve the verification history.
4. Failure to issue or correct the certificate does not revive compulsory authority.

Article 60 — Record of exemption, discharge or early completion

1. A person lawfully exempted, discharged early or credited with prior service shall receive an official status record equivalent for ordinary civil purposes to a completion certificate.
2. The record shall not disclose stigmatizing medical, disability, conscience, pregnancy, family or hardship grounds to an employer or public body.
3. No person may be required to carry a visible marker distinguishing a lawful exemption or civilian pathway.
4. Verification shall disclose only authenticity and lawful status unless the person consents or a court orders otherwise.

Article 61 — No retention for documents, debt or property

1. A lost record, disputed allowance, alleged debt, damaged equipment or missing property shall be handled under ordinary administrative, civil or criminal law.
2. No person may be retained, detained, denied a certificate, deprived of wages or required to work to satisfy an unadjudicated claim.
3. A lawful deduction requires written evidence, fair hearing, proportionality and any protection provided by the Labour Code or public-finance law.
4. Identity documents and private property shall be returned promptly.

Article 62 — Voluntary appointment to Defence Forces

1. A person who has completed service may apply voluntarily to the Regular Force or voluntary Reserve Force under the Defence Forces Act.
2. The application shall be open, merit-based and free from command pressure, and service history may be considered without guaranteeing selection or rank.
3. A professional appointment begins a new salaried relationship with a stated term and release rights.
4. Prior compulsory service shall not be disguised as consent or used to demand an immediate decision before release.

Article 63 — Voluntary public or private employment

1. A public host may recruit a former participant only under the Civil Service Administration Act or other applicable public-employment law.
2. A private or nonprofit employer is governed by the Labour Code and shall pay lawful wages and provide ordinary employment rights.
3. National-service discipline, compulsory housing, permission to resign and service allowance shall not continue in employment.
4. An employment contract entered under coercion of delayed release is voidable at the worker's election.

Article 64 — Death, disappearance or incapacity before completion

1. The Commission shall close the service record promptly upon death and provide the family with records, accrued benefits, investigation information and survivor assistance.
2. A missing participant shall be traced urgently, and disappearance shall be investigated independently without presuming desertion.
3. Permanent incapacity attributable to service results in completion status and access to compensation, rehabilitation and disability support.
4. A family shall not be required to sign a waiver, remain silent or accept a political account as a condition of assistance.

Article 65 — Monitoring timely release

1. The Commission shall maintain a daily completion schedule and alert the participant, placement authority and oversight bodies sixty, thirty and seven days before completion.
2. A placement authority shall certify departure promptly and identify any attempted obstruction.
3. The Commission shall publish monthly aggregate data on persons reaching completion, physically released, awaiting certificates and alleging unlawful retention.
4. The Inspector-General, Defence Ombud, Auditor General, Advocate General and courts shall receive immediate access appropriate to their mandates.

CHAPTER VI

RIGHTS, WELFARE AND CONDITIONS OF SERVICE

Article 66 — Constitutional rights retained

1. A participant retains every constitutional and legal right except a limitation expressly authorized by law and justified by the actual requirements of the placement.
2. A limitation shall satisfy Article 26 of the Constitution, be necessary, proportionate, ascertainable, generally applicable and consistent with democracy and justice.
3. Military necessity, tradition, discipline, inconvenience or an oral order does not by itself establish a lawful limitation.
4. The authority imposing a limitation bears the burden of identifying legal authority, purpose and less restrictive alternatives.

Article 67 — Dignity and humane treatment

1. Every participant shall be treated as a citizen performing a temporary public duty and not as property, captive labour, inferior person or political subject.
2. Torture, disappearance, rape, sexual exploitation, cruel or degrading treatment, hazing, humiliation, starvation and collective punishment are prohibited.
3. No superior may demand personal service, gifts, sex, domestic labour, political loyalty or silence about abuse.
4. A protected complaint shall trigger safety measures and independent investigation.

Article 68 — Equality and protection from harassment

1. Assignment, training, allowance, leave, promotion of responsibility, discipline, healthcare and release shall be free from unlawful discrimination.
2. Sexual harassment, bullying, stalking, ethnic abuse, religious coercion, disability harassment and retaliation are prohibited.
3. Accommodation shall not become segregation or denial of meaningful service.
4. The Commission shall maintain confidential reporting, survivor-centred support and published prevention standards.

Article 69 — Bodily integrity and medical ethics

1. A participant retains bodily integrity, informed medical consent and confidentiality subject only to a narrow lawful fitness or emergency exception.
2. A medical professional shall exercise independent clinical judgment and shall not certify fitness, punishment or return to danger under command pressure.
3. Forced pregnancy testing, sterilization, abortion, contraception, medical experimentation and non-therapeutic invasive procedure are prohibited.
4. A search of the body requires lawful authority, necessity, privacy and a respectful procedure.

Article 70 — Service allowance

1. Every participant shall receive a regular service allowance sufficient for dignified personal needs in addition to essential food, accommodation, clothing, healthcare and transport where provided in kind.
2. The National Assembly shall approve and publish the allowance rate annually with the national budget, taking account of living costs and the economic value of service.
3. Payment shall be made electronically or by another traceable accessible method and shall not consist merely of an unrecorded promise or arbitrary pocket money.
4. Delayed allowance is an enforceable debt of the State and does not justify additional service.

Article 71 — Food, accommodation, clothing and transport

1. Where service requires residence away from home, the placement authority shall provide safe food, potable water, sanitary accommodation, suitable clothing and necessary transport without charge.
2. Accommodation shall provide reasonable privacy, lighting, ventilation, sanitation, communication and protection from violence.
3. Women, families, persons with disabilities and persons with medical needs shall receive appropriate facilities without exclusion from opportunity.
4. A shortage shall be reported and corrected and shall not be transferred to families through unofficial fees.

Article 72 — Healthcare and mental health

1. Participants are entitled to preventive, emergency, primary, specialist, reproductive and mental healthcare reasonably required during service.
2. Care shall address injury, trauma, toxic exposure, infectious disease, disability, sexual violence and occupational illness promptly and confidentially.
3. A participant may seek an independent second medical opinion for a material fitness, treatment or discharge decision.
4. Necessary treatment for a service-related condition shall continue after completion under social-insurance and health law.

Article 73 — Occupational and training safety

1. The Defence Forces and every civilian host shall identify hazards, provide equipment and training, record incidents and comply with applicable safety law.
2. A participant may report danger and refuse a task presenting an imminent serious risk where the task is not essential to repel an immediate threat and safer measures are reasonably available.
3. No punishment or adverse placement may follow a good-faith safety report.
4. Serious injury, death, toxic exposure and repeated unsafe practice shall be investigated independently and reported to the competent inspector.

Article 74 — Working time, rest and recovery

1. Civilian-service working time, weekly rest and public holidays shall be no less protective than the Labour Code unless a specific temporary emergency duty is lawfully required.
2. Military training and operations may require irregular hours but shall provide reasonable rest, recovery and fatigue management consistent with readiness and safety.
3. Standby without actual duty shall not be used to occupy a participant's time unnecessarily.
4. A placement shall keep auditable attendance and duty records accessible to the participant.

Article 75 — Leave

1. Participants are entitled to annual, medical, maternity, paternity, adoption, bereavement, family-emergency, religious and educational leave under published standards.
2. Leave standards shall reflect the Labour Code and special military necessities but shall not be illusory or wholly dependent on unreviewable discretion.
3. Urgent medical, death or family-protection leave shall be decided promptly and refusal shall state reasons.
4. Lawful leave counts within the eighteen-month period.

Article 76 — Family life and dependants

1. Placement shall consider marriage, children, elder care, disability care and a family's dependence on the participant.
2. Where service removes a principal provider, the State shall provide means-tested family support, health access and emergency assistance subject to lawful appropriation.
3. Families shall receive accurate contact, emergency and casualty information and may communicate privately subject to narrow operational restrictions.
4. A family shall not be compelled to supply food, transport, accommodation or money to an institution.

Article 77 — Pregnancy, childbirth and parenthood

1. Pregnancy shall result in appropriate accommodation, transfer or deferral according to health and the participant's informed preference and shall never result in punishment or dismissal of status.
2. A pregnant participant shall not be assigned combat, toxic, heavy or medically unsuitable work.
3. Maternity and related medical leave count toward service, and reasonable paternity and newborn-care leave shall be provided.
4. No person shall be pressured to terminate or avoid pregnancy, surrender a child or abandon breastfeeding to continue service.

Article 78 — Disability and reasonable accommodation

1. A person with a disability has an equal right to suitable service, accommodation, accessibility and dignity and shall not be presumed incapable.

2. The Commission and host shall consult the person and provide reasonable changes to task, equipment, schedule, communication, transport or site unless disproportionate after documented assessment.
3. Where no suitable service can be provided, lawful exemption shall be granted without stigma or loss of civil rights.
4. Disability information shall remain confidential and shall not be used for unrelated surveillance or employment discrimination.

Article 79 — Education and professional development

1. Participants shall receive scheduled access to literacy, language, digital, vocational, technical, legal and financial education appropriate to their needs.
2. Distance learning and examinations shall be facilitated where compatible with service, and no institution may confiscate educational records.
3. Selection for advanced training shall be merit-based and free from political loyalty or discriminatory criteria.
4. Service education shall emphasize skills useful in civilian life and respect academic freedom.

Article 80 — Conscience, religion, expression and information

1. Participants retain freedom of thought, conscience, belief, religion and private opinion.
2. Reasonable worship, dress, diet and observance shall be accommodated unless a specific operational necessity makes the particular accommodation impossible.
3. A participant may seek public information, communicate with family, criticize policy as a citizen and report illegality without disclosing lawfully protected operational information.
4. No oath shall require loyalty to the President, party, commander or ideology rather than Eritrea, the Constitution and lawful democratic government.

Article 81 — Privacy, communication and personal property

1. A participant retains reasonable privacy in body, accommodation, medical information, correspondence, devices and personal property.
2. Inspection for weapons, safety or government property shall follow published rules and shall not become political inquiry or punishment.
3. Monitoring of communications requires lawful authority, a specific purpose, proportionality, minimization and an auditable record.
4. Private identity documents, phones, money and correspondence shall not be confiscated except temporarily on individualized lawful grounds with a receipt and review.

Article 82 — Prevention and response to sexual violence

1. Every institution shall maintain a prevention plan, confidential reporting, immediate protection, medical and psychosocial care and referral for independent investigation.
2. A complainant controls, so far as law permits, disclosure of identity and participation in support services.

3. Command, rank, service status, marriage, prior relationship or silence does not establish consent or immunity.
4. Retaliation, forced reconciliation, degrading examination and transfer of the complainant as punishment are prohibited.

Article 83 — Identity, travel and personal documents

1. A participant shall retain a national identity card and reasonable access to a passport, educational records, civil-status documents and personal certificates.
2. An institution may hold a document only for a specific necessary administrative act, shall provide a receipt and shall return it promptly.
3. Completion, exemption or a pending complaint shall not be conditioned on surrendering a passport or signing a travel restriction.
4. A court may order immediate return, replacement and compensation for unlawful withholding.

Article 84 — Legal advice, courts and complaints

1. A participant may communicate confidentially with counsel, the Tribunal, a court, the Advocate General, Defence Ombud, Labour Inspectorate, Auditor General or another competent oversight body.
2. No exhaustion requirement applies where an internal remedy is unavailable, unsafe, biased, unduly delayed or incapable of preventing effective harm.
3. Reasonable legal aid shall be provided where liberty, bodily integrity, completion, serious discipline or livelihood is at stake and justice requires it.
4. Military location, classification or service order does not exclude habeas corpus or constitutional review.

Article 85 — Protected reporting and witnesses

1. A participant, official, family member or witness may report unlawful retention, corruption, exploitation, danger, abuse, falsified records or other wrongdoing through protected channels.
2. No person shall be punished, transferred dangerously, denied release, threatened or disadvantaged for a good-faith report or cooperation.
3. Identity shall be protected so far as compatible with fair process and safety, and interim protection, relocation, restoration and compensation may be ordered.
4. Knowingly fabricated evidence may be addressed under general law without chilling honest reporting.

CHAPTER VII

DEFERRAL, EXEMPTION AND CONSCIENTIOUS OBJECTION

Article 86 — Principles governing deferral

1. Deferral postpones enrolment for a defined period without stigma, punishment or loss of citizenship rights.
2. It shall be granted where immediate service would unreasonably disrupt essential education, health, pregnancy, caregiving, family survival or another substantial interest recognized by this Act.
3. A deferral decision shall identify its duration, review date and any information reasonably required for renewal.
4. Deferral shall not be administered to preserve privilege, political favour or indefinite uncertainty.

Article 87 — Education deferral

1. A student in recognized secondary, technical, vocational, university or professional education may receive deferral to a natural completion point.
2. The Commission shall balance timely service with avoiding waste of substantial completed study and shall not require withdrawal merely because a cohort date was poorly scheduled.
3. Academic failure shall not automatically cancel deferral without notice, consideration of circumstances and a reasonable opportunity to resume or transfer study.
4. A diploma or transcript shall not be withheld pending later service.

Article 88 — Temporary health deferral

1. A temporary physical or mental condition substantially incompatible with safe service requires deferral, treatment or appropriate accommodation.
2. The assessment shall be made by an independent qualified professional and shall state functional limits rather than unnecessary diagnosis.
3. Review shall occur at a medically reasonable interval and shall not demand repeated invasive proof where the condition is evident.
4. The citizen may obtain a second opinion and appeal an adverse decision.

Article 89 — Caregiving and family-hardship deferral

1. Deferral may be granted where the citizen is the indispensable caregiver or provider for a child, disabled person, seriously ill person or dependent household.
2. The Commission shall consider alternative public support and a placement near home before denying deferral.
3. Family status shall be assessed without gender stereotype and shall recognize informal and extended-family care where genuine.
4. Poverty alone shall not be treated as evasion, and evidence requirements shall be realistic.

Article 90 — Pregnancy and postpartum deferral

1. A pregnant citizen is entitled to defer enrolment upon request without intrusive inquiry beyond necessary medical confirmation.
2. Deferral shall extend through childbirth and a reasonable postpartum and infant-care period, not shorter than the protection provided by the Labour Code.
3. The citizen may instead request a safe accommodated civilian placement if medically appropriate.
4. Pregnancy, miscarriage, fertility treatment or parenthood shall remain confidential and shall not create future adverse classification.

Article 91 — Other equitable deferral

1. The Commission may grant a time-limited deferral for exceptional employment, seasonal pastoral movement, migration regularization, public responsibility, humanitarian need or another circumstance where immediate call would be disproportionate.
2. A critical employer or public institution may support but shall not control an application.
3. A wealthy or influential applicant shall not receive a standard unavailable on equal facts to another citizen.
4. An anonymized summary of exceptional grounds shall be published annually.

Article 92 — Principles governing exemption

1. Exemption is granted only where prior service satisfies the duty, no safe and meaningful pathway can reasonably be performed, or another express ground in this Act applies.
2. The Commission shall consider reasonable accommodation and civilian service before determining complete incapacity.
3. An exemption is lawful completion of status for civil purposes and is not a finding of disloyalty, defect or inferior citizenship.
4. No fee, donation, substitute recruit or political endorsement may purchase exemption.

Article 93 — Recognition of prior service

1. A person who completed active national service under prior Eritrean law is exempt from repeating it and shall receive a modern completion record upon request.
2. Documented service in the liberation struggle, former defence force or another compulsory public service may be credited where its character and duration substantially satisfied the national-service duty.
3. Service exceeding eighteen months shall be recorded accurately and may support reparation or transition benefits but does not create further obligation.
4. The Commission shall accept credible testimony and secondary records where official records are incomplete or controlled by the former regime.

Article 94 — Permanent incapacity

1. A citizen unable, even with reasonable accommodation, to perform any safe and meaningful service because of permanent physical or mental condition is entitled to exemption.
2. A diagnosis alone does not determine capacity, and disability-rights expertise shall inform the assessment.
3. The certificate shall not disclose diagnosis or use degrading terminology.
4. Voluntary later civic participation remains open and does not invalidate the exemption.

Article 95 — Claim of conscientious objection

1. A citizen may claim conscientious objection before or during military service orally, in writing or through a representative.
2. The claim need only explain sincerely held conscience, religion or belief sufficiently to distinguish it from a mere placement preference.
3. No theological test, membership requirement, public renunciation, weapon handling or punitive delay may be imposed.
4. A claim made during service suspends weapons training and combat assignment pending prompt determination.

Article 96 — Determination of conscientious objection

1. A civilian panel independent of military command shall determine a contested claim through a respectful and non-adversarial process.
2. Sincerity may be assessed from the person's explanation and relevant conduct, but reasonable development or change of belief shall not count against the claim.
3. The State bears the burden of identifying a substantial reason for refusal, and reasonable doubt shall favour conscience.
4. A refusal shall give detailed reasons and inform the person of immediate review.

Article 97 — Applications and evidence

1. An application for deferral, exemption, accommodation or conscientious service shall be free, simple and available through paper, digital and assisted channels.
2. The applicant may submit any reliable evidence and shall not be denied solely because a prescribed document is unavailable.
3. Officials shall collect no more medical, religious, family or financial information than necessary and shall protect confidentiality.
4. The Commission shall decide an ordinary application within thirty days and an urgent protective application within seventy-two hours.

Article 98 — Status while application or review is pending

1. A timely application suspends call-up, transfer or contested duty until decision and expiry of the review period.

2. Where immediate public safety requires temporary duty, it shall avoid the subject of the claim and be no more restrictive than necessary.
3. No applicant shall be detained, punished, publicly identified or deprived of documents because an application is pending.
4. All pending time after enrolment counts toward the eighteen-month period.

Article 99 — Change of circumstances

1. A person shall notify the Commission of a material change relevant to a continuing deferral within a reasonable period.
2. The Commission may review status on reliable evidence after notice and an opportunity to respond.
3. Revocation operates prospectively and shall provide a reasonable reporting period and review right.
4. Fraud shall be established through evidence and fair process and shall not be inferred from recovery, changing belief or improved family circumstances.

CHAPTER VIII VOLUNTARY RESERVE SERVICE AND EMERGENCY RECALL

Article 100 — No automatic compulsory reserve

1. Completion of active national service does not place a citizen in an indefinite compulsory reserve or continuing military command.
2. The ordinary Reserve Force is voluntary and governed by the Defence Forces Act.
3. A former participant need not obtain permission to move, work, travel, study or change address merely because of prior service.
4. An emergency recall may occur only under the exceptional authority and safeguards in this Chapter.

Article 101 — Voluntary Reserve Force

1. A former participant may apply for a voluntary reserve appointment with written term, training days, compensation, employment protection and release rights.
2. Routine training shall remain within the annual limit in the Defence Forces Act unless the member freely agrees.
3. Reserve status shall not be used to obtain political obedience, unpaid labour or permanent availability.
4. A reserve member may resign according to the written appointment subject only to a current lawful emergency call.

Article 102 — Conditions for emergency recall

1. Emergency recall is permitted only during a state of war or state of emergency approved by the National Assembly under Articles 27 and 32 of the Constitution.

2. The Assembly's authorizing measure shall identify the threat, categories, maximum number, functions, geographic scope, duration, appropriation and reporting requirements.
3. Recall shall be necessary because the Regular and voluntary Reserve Forces and less restrictive measures are insufficient.
4. Economic difficulty, labour shortage, political protest, election, ordinary crime or administrative convenience does not justify recall.

Article 103 — Selection for emergency recall

1. Selection shall be based on current skill, fitness, age, prior training, necessity and fair distribution of burden.
2. No person below eighteen or above fifty shall be recalled, and age limits may be narrowed by the Assembly's authorization.
3. Health, disability, pregnancy, caregiving, conscience and indispensable civilian functions shall receive individualized protection.
4. Political opinion, ethnicity, religion, region, wealth, former faction or criticism shall not influence selection.

Article 104 — Recall notice

1. A recall notice shall be individualized, written and delivered by a verifiable lawful channel and shall state authority, purpose, duty, location, reporting time, expected duration, compensation and review.
2. Notice shall be reasonable in the circumstances and not shorter than seven days unless an actual attack creates immediate necessity.
3. Secret mass calls, rumor, family coercion and public threats have no legal effect.
4. A person may request urgent correction, exemption or accommodation before the Tribunal.

Article 105 — Duration and renewal of emergency recall

1. An individual recall expires after ninety days unless an additional period is expressly approved by the National Assembly on current evidence.
2. No renewal may exceed ninety days, and the cumulative burden on an individual shall be considered before reselection.
3. Recall ends immediately when the authorizing war or emergency expires, the task ends or the person is lawfully released.
4. Continued voluntary military service requires a separate appointment under the Defence Forces Act.

Article 106 — Rights and compensation during recall

1. A recalled person has the rights, protection, pay, healthcare, family support, injury compensation and legal remedies of a temporary Defence Forces member.
2. Compensation shall reflect the person's military duty and economic loss and shall not be a token allowance.

3. An employer shall protect the person's employment, seniority and benefits as prescribed by the Labour Code.
4. A recalled person remains subject to lawful military command only for the authorized duty and period.

Article 107 — Oversight of emergency recall

1. The President shall report to the National Assembly at intervals stated in the authorization and at least every thirty days.
2. Reports shall state numbers called, functions, casualties, expenditure, exemptions, complaints, prosecutions, releases and continuing necessity.
3. The Commission, Defence Ombud, Auditor General and courts retain access and remedial jurisdiction.
4. The National Assembly may modify or terminate recall authority at any time.

Article 108 — Civil protection and disaster volunteering

1. Ordinary disaster preparedness and response shall rely on professional civil authorities, local government, voluntary reserves and community volunteers under the Disaster Risk Management Act.
2. Completion of national service does not create a permanent compulsory disaster labour force.
3. A generally applicable short civic duty during an immediate local emergency may be imposed only by an Assembly Act with safety, compensation and review safeguards.
4. Military emergency recall shall not be used where civilian measures are adequate.

CHAPTER IX DISCIPLINE, REVIEW AND REMEDIES

Article 109 — Applicable discipline

1. A military participant is subject to the Defence Forces Act for lawful military discipline during attachment, and a civilian participant is subject to the published administrative rules of the placement.
2. No participant shall be tried or punished by a political committee, secret body, host manager acting as a court or unpublished customary command.
3. Criminal allegations shall be referred to ordinary competent investigators and courts under the Penal Code and Criminal Procedure Code.
4. Discipline shall never alter the automatic completion date.

Article 110 — Minor civilian-service misconduct

1. Published civilian rules may address punctuality, attendance, safety, respectful conduct, care of property and lawful instructions.
2. Minor misconduct may result in counselling, warning, corrective training, restitution after fair determination or transfer.

3. Serious violence, corruption, sexual abuse, theft, disappearance, forced labour or other suspected crime shall be referred for independent investigation.
4. A host shall not investigate its senior officer where independence is reasonably in doubt.

Article 111 — Fair disciplinary procedure

1. A participant shall receive timely written notice, material evidence, adequate preparation, interpretation, representation and an impartial reasoned decision.
2. The complainant and witnesses shall receive fair treatment and protection from retaliation.
3. A person who made, investigated or is materially involved in an allegation shall not decide it.
4. A material sanction is stayed during a timely appeal unless immediate safety requires a narrowly tailored interim measure.

Article 112 — Prohibited sanctions

1. Corporal punishment, torture, humiliation, food or sleep deprivation, dangerous exercise, solitary confinement, collective punishment and sexual or religious punishment are prohibited.
2. No sanction may extend service, deny completion, confiscate identity documents, restrict a family, suspend voting, cancel education, seize land or deprive ordinary public services.
3. A service allowance deduction shall not exceed a narrow amount authorized by law after hearing and shall not deprive basic needs.
4. Transfer to danger, remote isolation or meaningless work shall not be used as punishment.

Article 113 — Absence and failure to report

1. An absence shall be assessed in light of notice, safety, health, family emergency, conscience, trafficking, fear of abuse and official illegality.
2. A good-faith departure from unlawful retention, torture, sexual violence, manifestly unlawful orders or immediate danger is not desertion or misconduct.
3. A civilian participant who fails to report may be directed through fair process to resume the unexpired placement, but no added compulsory time may be imposed.
4. Criminal responsibility exists only under the Penal Code or Defence Forces Act and shall not include loss of unrelated civil rights.

Article 114 — Establishment of National Service Review Tribunal

1. The National Service Review Tribunal is established as an independent administrative tribunal with jurisdiction under this Act.
2. It is institutionally separate from the Commission, Defence Forces, ministries, hosts and political authorities.
3. The Tribunal may sit throughout Eritrea, remotely where fair, and through mobile proceedings accessible to rural and pastoral communities.
4. Its decisions bind executive institutions subject to judicial appeal or review.

Article 115 — Members of Tribunal

1. The Judicial Service Commission shall appoint a legally qualified Chairperson and a public roster of members with competence in administration, defence, labour, health, disability, conscience and human rights.
2. A panel ordinarily consists of the Chairperson or another legally qualified member and two appropriately qualified members.
3. A serving commander, national-service official, host supervisor, party officer or person with an interest in the case shall not sit.
4. Appointment, tenure, remuneration and removal shall preserve independence and diversity.

Article 116 — Jurisdiction of Tribunal

1. The Tribunal may determine registration, age, ordinary residence, call notice, classification, pathway, accommodation, deferral, exemption, conscientious objection, placement, transfer, service calculation, discipline, completion and benefits.
2. It may review failure to decide, unreasonable delay, retaliation, unlawful retention and refusal to correct a record.
3. It may order correction, suspension, transfer, accommodation, release, certificate, payment, restoration, protection or another lawful administrative remedy.
4. Compensation beyond its prescribed limit and criminal guilt remain for a competent court.

Article 117 — Tribunal procedure

1. Proceedings shall be prompt, accessible, inquisitorial where helpful and no more formal than fairness requires.
2. The applicant may inspect the record, present evidence, question adverse material, use counsel or a representative and receive interpretation and a reasoned decision.
3. The public authority bears the burden of proving legal authority and facts for a contested coercive decision.
4. Hearings are public unless privacy, safety or national security justifies a narrow closure consistent with a democratic society.

Article 118 — Urgent and interim orders

1. The Tribunal may suspend a call, transfer, discipline, weapons duty, unsafe task, detention-related direction or threatened retention to prevent irreparable harm.
2. An urgent application concerning liberty, completion, violence, conscience or serious health risk shall be considered within forty-eight hours where practicable.
3. A temporary without-notice order may issue only on credible urgency and shall be followed promptly by fair hearing.
4. Disobedience of a Tribunal order shall be reported immediately to the Advocate General and competent court.

Article 119 — Appeal and judicial review

1. A party may appeal a final Tribunal decision to a competent court on law, jurisdiction, serious procedural unfairness or unreasonable factual determination.
2. Constitutional petition, habeas corpus and urgent judicial review remain available without waiting for the Tribunal where internal process is inadequate.
3. A court may grant declaration, injunction, release, correction, reinstatement, compensation, costs and any remedy necessary under Article 28 of the Constitution.
4. Classification or national-security assertion does not exclude the court, which may use the least restrictive protective procedure.

Article 120 — Prohibition of retaliation

1. No person shall be threatened, arrested, detained, transferred, denied release, deprived of allowance, exposed publicly or otherwise disadvantaged for using a right or remedy.
2. Protection extends to family, representative, lawyer, health professional, journalist, whistleblower, witness and official who refuses unlawful conduct.
3. The Tribunal or court may order immediate protection, safe transfer, confidentiality, restoration and compensation.
4. Retaliation by an official is serious misconduct and shall be referred for disciplinary and, where applicable, criminal investigation.

Article 121 — Accountability of officials and hosts

1. An official or host that knowingly orders or benefits from compulsory service beyond this Act is personally subject to discipline, restitution and liability under applicable law.
2. Following a superior order is not a defence to torture, disappearance, sexual violence, forced labour, unlawful detention or manifestly unlawful retention.
3. A public institution shall preserve records and cooperate with investigation, audit, Tribunal and court.
4. A private or nonprofit host may lose accreditation, repay benefits and be excluded from public programmes.

Article 122 — State liability and compensation

1. The State is liable under the Civil Code and other law for wrongful conduct of public officials acting in or apparently under national-service authority.
2. Unlawful retention may be compensated by reference to lost liberty, unpaid labour, wages, education, family life, health injury and consequential loss.
3. A participant may pursue an individual or collective claim, and an apology or administrative correction does not extinguish compensation.
4. Limitation periods shall account for fear, secrecy, absence from Eritrea, lack of courts and continuing violation.

CHAPTER X

COMPLETION BENEFITS AND CIVILIAN REINTEGRATION

Article 123 — Duty to support reintegration

1. The State shall prepare every participant for civilian, family, educational and economic life before completion and shall provide accessible transition services afterward.
2. Reintegration shall strengthen individual choice and shall not channel former participants into another compulsory programme.
3. The Commission shall coordinate ministries, local government, employers, educational institutions, financial institutions and diaspora-supported programmes through published criteria.
4. Assistance shall prioritize persons injured, impoverished, displaced or deprived of education by lengthy prior service.

Article 124 — Skills record and references

1. A participant shall receive a verified skills record stating training, duties, competencies, licences and accredited qualifications earned during service.
2. The record shall use interoperable national qualification standards and may include a secure digital credential controlled by the former participant.
3. A supervisor shall provide a fair employment reference and shall not retaliate through coded or secret adverse information.
4. Health, conscience, complaint and disciplinary information shall be excluded unless lawfully necessary and fairly determined.

Article 125 — Reinstatement to previous employment

1. A worker who left lawful employment to perform active national service is entitled to return to the same position or a substantially equivalent position under the Labour Code.
2. Service shall not break continuity for seniority, pension, promotion consideration and accrued employment rights as prescribed by law.
3. An employer shall not dismiss, demote or refuse recruitment because a person received a call notice, performed service or exercised a lawful deferral or exemption.
4. The Labour Inspectorate and competent court may order reinstatement, compensation and penalties under the Labour Code.

Article 126 — Public employment after service

1. Public employment after completion shall be voluntary, merit-based and governed by the Civil Service Administration Act.
2. Completion may be recognized as experience or a published time-limited tie-breaking consideration between substantially equally qualified candidates.
3. A lawful exemption or conscientious pathway shall not disqualify a person from civilian office.

4. Military placement shall be required only where objectively necessary for the particular defence function.

Article 127 — Education and training opportunities

1. Former participants shall receive timely information, counselling and fair access to bridging education, vocational training, university admission, apprenticeships and qualification recognition.
2. A time-limited transition programme may give priority to persons whose education was interrupted or denied by national service, subject to published equitable criteria.
3. Priority shall not exclude persons lawfully exempted or create permanent hereditary privilege.
4. Educational support shall be funded transparently and may use digital and diaspora expertise.

Article 128 — Employment, enterprise and investment support

1. Former participants shall have access to employment exchanges, enterprise training, cooperative support, lawful credit, technical assistance and investment information.
2. Programmes may prioritize labour-intensive housing, construction, agriculture, fisheries, manufacturing, logistics, technology and services during demobilization.
3. A benefit shall not waive public procurement, environmental, land, safety, banking or professional law.
4. Selection shall be transparent, reviewable and free from political, ethnic, regional, gender or former-unit preference.

Article 129 — Continuing health and rehabilitation

1. A person with service-related injury, illness, trauma or disability is entitled to continuing assessment, treatment, rehabilitation, assistive technology and social-insurance determination.
2. A claim shall not be denied because symptoms were reported after completion or records were missing through State failure.
3. Mental-health services shall be confidential, community-based and free from stigma or automatic exclusion from employment.
4. The person may obtain independent medical evidence and appeal under health and social-insurance law.

Article 130 — Death, disability and survivor benefits

1. Service-related death or disability gives rise to compensation and survivor benefits under this Act and the Social Insurance and Public Service Pensions Act.
2. Benefits shall account for dependants, funeral costs, lost support, education of children and long-term care.
3. Payment shall be prompt and shall not depend on political praise, silence, waiver or proof that the person died in combat.

4. The State may recover from a responsible wrongdoer without delaying the claimant.

Article 131 — Temporary transition support

1. Subject to appropriation, a former participant without employment or adequate household support may receive time-limited income, housing, transport or food assistance.
2. The programme shall use a simple means assessment, avoid humiliating conditions and connect recipients to voluntary education and employment services.
3. Support is not payment for continued availability or authority to direct labour.
4. The responsible ministry shall publish eligibility, amount, duration, decisions and aggregate expenditure.

Article 132 — Travel, education and employment abroad

1. The State shall not obstruct lawful travel by a person who has completed or been lawfully exempted from service.
2. The ministries responsible for labour and foreign affairs may facilitate safe voluntary education, employment, skills exchange and circular migration abroad.
3. Programmes shall protect against recruitment fraud, trafficking, confiscation of documents, excessive fees and abusive contracts.
4. Participation or refusal shall not affect citizenship, return, property, family rights or access to consular protection.

Article 133 — Diaspora and international partnership

1. Diaspora Eritreans and trusted international partners may support training, health, enterprise, digital systems and reintegration through transparent voluntary programmes.
2. A contribution shall not purchase exemption, political influence, a public contract or control over a former participant.
3. Foreign funding, technology and expertise shall comply with public-finance, procurement, data-protection and treaty law.
4. The Commission shall publish aggregate sources, purposes, results and safeguards.

Article 134 — Equality among completion statuses

1. Completion through military, civilian or conscientious service and lawful exemption or credited prior service have equal civil effect unless a specific occupational requirement justifies distinction.
2. No public or private person may demand undisclosed medical, conscience or hardship grounds as a condition of work, education, housing, credit, licence or service.
3. A former participant who left Eritrea during unlawful indefinite service shall not be treated as disloyal merely for departure or protection abroad.
4. Courts and regulators may order correction, equal treatment and compensation.

Article 135 — Reintegration reporting and evaluation

1. The Commission shall track aggregate education, employment, enterprise, health, housing and income outcomes for at least three years after completion with consent-based and privacy-protective methods.
2. Evaluation shall distinguish pathways, sex, disability, region and other relevant factors without creating individual surveillance.
3. An independent public evaluation shall identify programmes that work, waste resources or reproduce coercion.
4. Findings shall inform the national budget and periodic review of this Act.

CHAPTER XI

FINANCE, INFORMATION, TECHNOLOGY AND PUBLIC ACCOUNTABILITY

Article 136 — Budget and lawful appropriation

1. No national-service money may be collected, committed or spent except under an appropriation and the Public Finance Management Act.
2. The budget shall separately identify Commission administration, training, allowances, accommodation, healthcare, civilian programmes, compensation and reintegration.
3. Classified military detail may be protected narrowly, but total amounts, responsible programmes and lawful purposes shall be recorded and auditable.
4. A participant, family, host or local community shall not be charged an unofficial fee.

Article 137 — Accounting responsibility

1. The Registrar is accounting officer for the Commission and each placement authority remains accountable for money, property and services under its control.
2. Every payment and in-kind benefit shall have authorization, recipient, purpose, amount or value, date and supporting record.
3. No commander or host may retain revenue, foreign currency, donation, production proceeds or participant allowance outside public accounts.
4. Financial responsibility does not authorize control over military operations or individual rights.

Article 138 — Procurement and property

1. Procurement for national service is governed by the Public Procurement Act and shall prioritize value, safety, suitability, local sustainability and integrity.
2. Food, accommodation, transport, uniforms, medical supplies, digital systems and training contracts shall be inspected and monitored for beneficial ownership and conflicts.
3. Security shall not justify avoidable sole-source procurement, secret commissions, unsafe goods or denial of audit.
4. Property issued to participants shall be inventoried fairly, and ordinary wear shall not become personal debt.

Article 139 — Financial relations with host institutions

1. A host institution shall not receive or retain a participant unless the approved programme states the public contribution, supervision and financial arrangement.
2. A host shall not charge the participant, sell the participant's labour or retain income generated by service except as lawfully budgeted and publicly accounted.
3. A nonprofit host shall disclose related parties, executive benefits and commercial arrangements relevant to accreditation.
4. The Commission may recover misused funds and suspend or revoke placement authority.

Article 140 — Audit and inspection

1. The Auditor General has full constitutional access to national-service finance, payroll, assets, procurement, records, hosts and information systems.
2. The Commission shall maintain an independent inspectorate for conditions, duration, accommodation, safety, discrimination and exploitation.
3. Inspectors may enter a placement, interview participants privately, require records and issue urgent protective directions within law.
4. Obstruction, missing records and unresolved findings shall be reported to the National Assembly and competent enforcement authorities.

Article 141 — National Service Register

1. The Commission shall maintain a secure authoritative register of registration, eligibility, call, classification, placement, allowance, leave, injury, completion and status decisions.
2. The register shall distinguish facts from allegations and shall never contain a secret political loyalty score, ethnic ranking or family-liability notation.
3. A citizen has lawful access to the personal record, correction history and persons or institutions that accessed it.
4. Essential status shall be available through resilient paper and offline systems during connectivity failure.

Article 142 — Data protection and sharing

1. Personal information shall be collected, used, shared, retained and deleted under the Data Protection and Privacy Act.
2. Military, police, intelligence, immigration, tax, education, employer and host access requires a defined lawful purpose, necessity, minimum data and an auditable authorization.
3. Service data shall not be sold, used for commercial advertising, political campaigning, collective punishment or unrelated immigration control.
4. A data breach shall be contained, investigated and notified according to law.

Article 143 — Biometric and identity technologies

1. Biometric processing may be used only where an Assembly Act authorizes a necessary and proportionate identity function and less intrusive means are inadequate.

2. A biometric system shall undergo privacy, equality, security and accuracy assessment and independent audit before use.
3. No person shall be denied a right solely because a biometric system fails or produces an uncertain match.
4. Continuous location tracking, emotion recognition and mass facial surveillance are prohibited.

Article 144 — Artificial intelligence and automated systems

1. Technology and artificial intelligence may assist scheduling, matching, translation, records, training, fraud detection and service delivery subject to accountable human judgment.
2. No system may make an unreviewable final decision concerning call-up, fitness, conscience, deferral, discipline, dangerous placement, completion, detention or benefit denial.
3. Meaningful human control requires notice of material automated use, understandable reasons, authority and capacity to correct or reverse the result.
4. Systems shall be tested continuously for reliability, bias, cybersecurity, exclusion, manipulation and disproportionate impact.

Article 145 — Cybersecurity and continuity

1. The Commission shall maintain secure architecture, access controls, encryption, backup, incident response and continuity appropriate to sensitive civic and defence records.
2. A contractor shall meet the same safeguards, permit audit and return or delete data at the end of the contract.
3. Cybersecurity shall not become authority for nationwide communication shutdown, political monitoring or concealment of public information.
4. Material incidents and corrective action shall be reported to the competent cybersecurity and data-protection authorities.

Article 146 — Publication and service standards

1. The Commission shall maintain a public website and local information points containing this Act, regulations, forms, standards, allowance rates, cohort plans, decisions, contacts and complaint procedures.
2. Citizens shall be able, so far as practicable, to register, apply, track, correct, appeal and obtain certificates electronically without being required to travel repeatedly between offices.
3. An electronic service shall be tested and refined before public launch and shall retain an accessible non-digital alternative.
4. An unpublished instrument shall not impose an obligation or limit a right.

Article 147 — Statistics and annual report

1. The Commission shall publish quarterly statistics and a comprehensive annual report within three months after each service year.
2. Reporting shall cover eligibility, calls, pathways, placements, duration, release, allowance, injuries, deaths, complaints, appeals, discipline, hosts, expenditure and reintegration.
3. Data shall be disaggregated where useful for equality but de-identified and protected against re-identification.
4. The report shall identify legal violations, implementation failures, corrective action and recommendations to the National Assembly.

Article 148 — Preservation and national archives

1. Records relevant to service, disappearance, death, injury, detention, unlawful retention, forced labour, corruption, land use or historic accountability shall not be destroyed while reasonably needed.
2. A destruction schedule shall comply with archives and data-protection law and shall be suspended by complaint, investigation, litigation, audit or preservation notice.
3. Operational sensitivity shall be reviewed periodically and shall not create permanent secrecy.
4. Historically valuable records shall transfer securely to the national archives with lawful access protections.

CHAPTER XII

TRANSITION FROM INDEFINITE NATIONAL SERVICE

Article 149 — Recognition of all past service

1. Every period of military training, military assignment, civilian assignment, development work or other compulsory national-service duty performed before commencement counts toward the eighteen-month requirement.
2. A person who served eighteen months or more is deemed to have completed active national service on commencement.
3. Transfer, unpaid status, leave, detention connected with service, nominal assignment and forced standby do not erase actual or calendar service already borne.
4. Reasonable doubt caused by missing State records shall be resolved in favour of the person using credible testimony and secondary evidence.

Article 150 — Immediate cessation of indefinite service

1. No person who has served eighteen months or more may be compelled after commencement to remain at a military or civilian post, work, report, reside at a site or obtain permission for private life.
2. Every such person shall be placed immediately on unconditional transitional leave pending completion of safe separation and records.

3. Priority physical release shall be given to persons who are substantially idle, in nominal or unnecessary assignments, medically vulnerable, caregivers or exposed to danger or abuse.
4. An institution shall not create work, transfer a person or alter a record to avoid release.

Article 151 — Final transition deadline

1. Every person deemed to have completed service shall be physically released, receive status documentation and recover identity documents no later than 1 January 2027.
2. From that date, no executive institution has authority to enforce a pre-commencement active-service assignment beyond eighteen months.
3. Failure to identify a replacement, transfer funds, reconcile equipment, verify a record or issue a certificate does not postpone the deadline.
4. A court shall treat continued compulsory control after the deadline as presumptively unlawful detention and forced labour.

Article 152 — Verified personnel census

1. Within thirty days after commencement, the Commission, Defence Forces, Civil Service Administration, ministries, local governments and public enterprises shall complete a verified census of every person held or assigned under national-service authority.
2. The census shall record identity, start date, all placements, actual duties, compensation, family and health transition needs, documents held and proposed release date.
3. Each person shall inspect and correct the individual entry and may report an omitted or hidden placement confidentially.
4. Unrecorded personnel, fictitious payroll, secret units and obstruction shall be investigated independently.

Article 153 — Conditions of transitional leave

1. A person on transitional leave is free from ordinary duty, command and attendance and may live, study, work, establish an enterprise and travel.
2. The State shall continue the existing allowance until the earliest of formal separation, properly remunerated voluntary employment or commencement of another lawful transition benefit, subject to appropriation.
3. Temporary help with handover may occur only by free written agreement stating task, hours, compensation and right to withdraw.
4. Transitional leave does not create reserve status or postpone completion.

Article 154 — Conversion of genuinely critical positions

1. An institution may identify a position as critical where immediate vacancy would create a specific substantial danger to life, defence, essential infrastructure or an indispensable public service.
2. Critical classification shall state function, consequence, alternatives, qualifications, recruitment plan, lawful salary and maximum temporary need and shall be independently reviewed.

3. Classification does not authorize retention; the former participant may be offered voluntary employment under the Civil Service Administration Act or Labour Code.
4. Refusal shall result in release without penalty, and the institution shall use ordinary recruitment, redeployment or emergency staffing law.

Article 155 — Voluntary transitional employment and acknowledged arrears

1. A former participant who freely accepts necessary public employment shall receive a written appointment, lawful salary, benefits, working conditions and right to resign.
2. Where a temporary fiscal inability prevents full immediate payment, employment may continue for not more than six months only with informed written consent and approval under public-finance law.
3. The full salary shall accrue, the amount paid and unpaid balance shall be recorded monthly as an enforceable State obligation, and at least the prior allowance shall continue.
4. The employee may withdraw at any time, and no renewal or public debt may be created contrary to an appropriation or Assembly Act.

Article 156 — National Service Completion and Transition Board

1. The executive board established by the National Service Completion, Release and Civilian Transition Executive Regulations shall continue temporarily as an implementation committee of the Commission.
2. It shall coordinate personnel review, release, public-employment conversion, reintegration, finance and monthly reporting without deciding appeals or extending service.
3. Its membership shall include former participants, women and appropriate defence, civil-service, labour, finance, health and economic-development institutions.
4. The Board dissolves twelve months after the final transition deadline unless the National Assembly extends it for a defined administrative purpose.

Article 157 — Monthly transition reporting

1. Beginning thirty days after commencement, the Commission shall publish monthly transition reports by institution and placement category.
2. Reports shall state persons reviewed, persons beyond eighteen months, transitional leave, physical releases, certificates, voluntary appointments, acknowledged arrears, complaints and unresolved obstructions.
3. Personal information and genuine operational detail shall be protected, but confidentiality shall not conceal noncompliance.
4. The competent Assembly committee shall hold regular public oversight hearings until transition is substantially complete.

Article 158 — Transitional relief for prior evasion, absence and departure

1. No person shall be prosecuted or administratively punished solely for national-service registration delay, absence, desertion, refusal, foreign departure or failure to return occurring before commencement in response to indefinite or unlawful service.

2. Licences, passports, visas, land interests, work, education and public services previously restricted on that ground shall be restored.
3. This relief does not bar prosecution for an independently defined serious offence against another person, corruption, theft of substantial public property or an international crime.
4. A returning citizen shall receive safe status verification and may not be detained merely to investigate prior national-service history.

Article 159 — Claims arising from past indefinite service

1. A person may claim correction, service credit, unpaid allowance, lost salary, injury compensation, pension credit, document return and damages under this Act and other law.
2. The Commission shall create a simple claims registration system without requiring immediate proof impossible because of secrecy, displacement or missing records.
3. Registration preserves the claim while the National Assembly develops an affordable and fair reparations framework.
4. Priority shall be given to disability, death, disappearance, sexual violence, torture, exceptionally long service and acute economic need.

Article 160 — Institutional transition plans

1. Every institution using national-service personnel shall submit a costed plan to eliminate compulsory staffing and replace necessary functions through lawful employment, technology, redesign, training or closure.
2. The plan shall identify idle work, obsolete processes, digital opportunities, required employees, salary costs, budget source and implementation dates.
3. A public institution shall not preserve inefficiency merely to absorb released persons or justify a larger budget.
4. The Civil Service Administration and ministry responsible for finance shall review establishment and affordability without delaying release.

Article 161 — Public notice of transition rights

1. The Commission shall immediately publish and repeatedly communicate the eighteen-month rule, release deadline, transitional leave, employment choice, complaint routes and prohibition of retaliation.
2. Every unit, host, ministry, local office, port, airport, border post and diplomatic mission shall display accurate information in accessible languages.
3. A commander or official shall personally brief persons under control and record delivery without demanding a waiver.
4. An unpublished contrary direction is void and shall be reported.

CHAPTER XIII

REGULATIONS, REPEAL AND FINAL PROVISIONS

Article 162 — Regulations

1. The President may, after consultation with the Commission and Cabinet, issue regulations necessary to implement registration, classification, placements, allowances, deferrals, records, technology, reintegration and transition under this Act.
2. Draft regulations of material public effect shall be published for consultation and shall identify the precise delegation and constitutional basis.
3. A regulation shall not extend service, create a criminal offence, impose compulsory reserve status, restrict travel, authorize private labour, reduce judicial review or negate a right in this Act.
4. Regulations shall be published in the Gazette and made freely accessible before enforcement.

Article 163 — Administrative standards and directions

1. The Commission may issue published forms, service standards, technical specifications and case-management directions within this Act and regulations.
2. The Defence Forces may issue service orders for military training and command consistent with the Defence Forces Act and this Act.
3. A host may issue ordinary workplace instructions within the written placement and civilian law.
4. No subordinate instrument may create coercive authority, an offence, an extension or a rights limitation requiring an Assembly Act.

Article 164 — Repeal

1. Proclamation 82/1995, National Service, is repealed on commencement of this Act.
2. Proclamation 11/1991, Proclamation 71/1995 and any amendment or instrument whose sole legal basis was replaced by Proclamation 82/1995 remain repealed and acquire no revived effect.
3. Any prior proclamation, legal notice, directive, circular, order or practice is repealed or ceases to apply to the extent inconsistent with this Act.
4. The statute-law revision schedule shall verify and publish the number, year and title of every consequentially repealed instrument.

Article 165 — Savings and protective continuity

1. Accrued completion status, service credit, allowance, salary, pension, injury, survivor, reinstatement, education and other beneficial rights survive repeal.
2. The National Service Completion, Release and Civilian Transition Executive Regulations continue temporarily only to the extent consistent with this Act and more protective of timely release.

3. A lawful appointment, contract or proceeding continues only if it can operate without compulsory service beyond this Act.
4. No saving preserves indefinite service, collective punishment, travel restriction, secret detention, political control, private labour or an unpublished coercive power.

Article 166 — Severability and superior law

1. If a court holds a provision invalid, the remaining provisions continue so far as they can function lawfully and independently.
2. This Act shall be interpreted consistently with the Constitution and applicable international obligations concerning forced labour, conscience, equality, children, movement, fair process and humane treatment.
3. Where two reasonable interpretations exist, the interpretation that preserves the eighteen-month limit, liberty, voluntary employment and effective remedy shall be preferred.
4. No interpretation may treat a public institution's past unlawful practice as legal authority.

Article 167 — Periodic legislative review

1. The National Assembly shall review this Act two years after commencement and at least every five years thereafter.
2. Review shall examine security need, duration, pathways, rights, equality, conscience, cost, professional-force capacity, technology, reintegration and evidence of coercion or displacement.
3. The Commission shall obtain independent research and public testimony, including from former participants and persons outside Eritrea.
4. Continuation of compulsory service shall require current evidence and shall not be treated as permanent merely because the Constitution recognizes a civic duty.

Article 168 — Commencement

1. This Act enters into force thirty days after publication in the Gazette, except the transitional prohibitions and release protections which apply immediately upon publication.
2. The President shall nominate Commissioners within thirty days, and the National Assembly shall consider the nominations promptly.
3. Until the Commission is operational, the existing transition board shall exercise only necessary administrative functions under this Act subject to the Advocate General, courts and Assembly oversight.
4. No delayed appointment, regulation, budget or information system postpones the eighteen-month rule or final transition deadline.

Made at Asmara, this ____ day of _____ 2026.

THE NATIONAL ASSEMBLY OF ERITREA