

INITIAL PLAN FOR DEMOCRATIC TRANSITION AND TRANSFORMATIVE CHANGE IN ERITREA

Prepared by Eritrean Research Institute for Policy and Strategy (ERIPS) after referring previous body of work and consulting with Eritrean political activists, members of civic organization, and panels of Eritrean experts

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INTRODUCTION

The Eritrean Research Institute for Policy and Strategy (ERIPS) is proud to present and publish the document titled, "*Initial Plan for Democratic Transition and Transformative Change in Eritrea.*"

Over the years, the pursuit of transformative change and democratic governance has been a recurring effort in the Eritrean people's quest for freedom and justice. This proposal seeks to build upon and enhance prior efforts and documents addressing these critical objectives.

Recognizing the urgent need for a cohesive, thoroughly researched, and widely accepted plan addressing both pre- and post-dictatorship Eritrea, ERIPS established a task force to research, draft, coordinate, and produce this document.

The task force undertook a series of methodical steps to reach this stage, including but not limited to:

- Conducting extensive research on the subject matter.
- Soliciting and incorporating input from influential Eritreans, pro-justice and pro-democracy groups, and legal experts.
- Actively engaging ERIPS members through broad consultations and feedback mechanisms.
- Organizing a consultative conference with Eritrean pro-justice organizations and integrating their recommendations.

This *living document* has been prepared and published in three languages: English, Tigrinya, and Arabic. It is accessible to all interested parties to foster inclusive dialogue and action on this vital subject.

ERIPS assumes full responsibility for the preparation and publication of this document. We invite anyone with questions or feedback to reach out to us at **externalrelations@erips.org**.

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Eritrean Research Institute for Policy and Strategy (ERIPS)

Building Institutions and Framework for
Socio-Economic and Political Change in Eritrea

The Eritrean Research Institute for Policy and Strategy (ERIPS) is a research advocacy initiative aiming to address the limited public information and dialogue around issues that matter for the future well-being and democratic health of Eritrea and its people. By engaging members of the Eritrean Diaspora in comprehensive and in-depth discourse regarding complex and intricate issues, the Institute hopes to develop a strong foundation of informed advocates and establish the groundwork for ongoing essential research to shape cohesive policies and strategies that will inspire peace and stability in Eritrea and the Horn of Africa. <https://erips.org/about-us/>.

BACKGROUND ON ERITREA

Ancient History

Eritrea is a multi-ethnic, multi-religious and multi-cultural country in northeastern Africa. Eritrea is home to the oldest human settlements in the region and an archaeological treasure not yet fully discovered. Dating back to prehistoric times, human remains were found in the country's Danakil Depression¹. Recent archaeological investigations in the Asmara Basin also show that there is an immense potential for understanding the origins of settlements in the highlands and the growth of communities that acted as urban precursors in the Horn of Africa². An analysis of excavations from 1994 firmly places Agordat and the western lowlands within the mix of regional trading systems from ca. 2300 BCE to the "Pre-Axumite period, ca. 400 BCE, where it was a center of the increasing trade between the Nile valley and the Eritrean and Ethiopian highlands³. It is also an early home to different religions and the origin for one of the oldest written scripts in sub-Saharan Africa, the *Geez*.

Modern History

The present-day Eritrea was consolidated into an Italian colony in 1890. After the defeat of the Italian colonial army in 1942, Eritrea was administered by the British Military Administration until September 15, 1952. During the British Administration, Eritrea enjoyed limited political freedoms. Eritrea was a pioneer



in multi-party democracy in Africa in the 1940s, as there were about ten registered political parties in the country. When the British departed, Eritrea was formally federated with Ethiopia, based on a prior resolution of the General Assembly of the United Nations in 1950.

Eritrea was granted to have its own executive, a parliament, and a constitution. However, Ethiopia failed to abide by the U.N. resolution. In complete disregard of

the federal arrangement, it imposed its language on the Eritrean people and schools, brought down the flag, forcefully annexed Eritrea, and made it one of Ethiopia's provinces on November 14, 1962.

Ethiopian encroachment on the rights of Eritreans and its complete disregard of the wishes and aspirations of the Eritrean people did not go unopposed. Eritreans appealed to the U.N. for the Ethiopian Emperor to abide by the federal agreement. Their pleas for a peaceful political resolution to Ethiopia's flagrant abuse of their rights and upholding the agreement were utterly ignored since Ethiopia had had no intention to abide by the U.N. Federal arrangement. All peaceful means were exhausted, and the U.N. did not shoulder its responsibility to intervene and stop Ethiopian infringements. Eritreans had no option but to resort to armed struggle to ascertain their right to self-determination and independence. Thus, a year before Ethiopia formally annexed Eritrea, the Eritrean Liberation Front (ELF) was formed to carry out an armed struggle for independence. In 1970, the Eritrean People's Liberation Front (EPLF) emerged after splitting from ELF. Although Eritreans demonstrated great resolve, phenomenal organizing skills, and unprecedented

¹ Abbate, E., et al., *A one-million-year-old Homo cranium from the Danakil (Afar) Depression of Eritrea*. Nature, 1998. **393**(6684): p. 458-60.

² Schmidt, P. R., M. C. Curtis and Z. Teka (2008). The archaeology of ancient Eritrea. Trenton, NJ, Red Sea Press.

³ Brandt, S. A. M., A.; Perlingieri, C. (2008). Linking the Highlands and Lowlands: Implications of a Test Excavation at Kokan Rockshelter, Agordat, Eritrea. The Archaeology of Ancient Eritrea. P. R. Schmidt, Curtis, Matthew, Zelalem Teka. Trenton (NJ), Red Sea Press. : 33-47.

participation of the people in the fight for their independence, all were not well both within the liberation fronts and their relationship. Undemocratic tendencies and practices dominated both leaderships and dissident members were liquidated. After 30 years of devastating war against the mightiest army in Africa, Eritreans were able to win the war in 1991 with the EPLF having defeated the Ethiopian forces and taking control of Eritrea.

In April 1993 a referendum was held in which 99.83% of Eritreans voted in favor of independence. The UN Observer Mission to Verify the Referendum in Eritrea (UNOVER) which was established pursuant to General Assembly resolution 47/114 of 1992-12-16 verified impartiality, counting, computation, and announcement of the results of the referendum. On May 28, 1993, the United Nations formally admitted Eritrea to its membership.

In 1994, the EPLF changed its name to People's Front for Democracy and Justice (PFDJ) as part of its transition to a political party. Since it gained control of Eritrea in 1991, PFDJ has committed many human rights abuses including assassinations of several political opponents, imprisonment of several Muslim teachers, disappearances of many persons while in its custody, forceful recruitment of Eritreans into the military, persecution of members of minority Christian churches, and forced expulsions of over 100,000 Ethiopians from Eritrea. Cruelty and absolute denial of all freedoms and fundamental human rights define the PFDJ regime. On July 4, 1994, the regime had massacred dozens of disabled liberation war veterans at Mai-Habar. Asking for improvement in their conditions was their only crime. This incident is just an example of the brutality of PFDJ.

Widespread and systematic human rights violations have become routine in Eritrea, including severe restrictions on freedom of expression, freedom of worship, freedom of association, and freedom of movement. Civil society groups, religious communities, independent journalists, and opposition political parties are criminalized, and their members are imprisoned and tortured. The overcrowded prisons in Eritrea contain journalists, religious leaders, elderly citizens, people who took part in the armed struggle, including former top military officers, ministers, and members of the National Assembly (Parliament). The Commission of inquiry on human rights in Eritrea, established by the U.N. Human rights Council found in 2016, states, "there are reasonable grounds to believe that crimes against humanity have been committed in Eritrea since 1991."

There is a recurring conflict between Eritrea and Ethiopia beginning from the 30-year war for Eritrean independence. The second political conflict between the two countries resulted in the outbreak of another military hostilities from May 1998 to June 2000, claiming approximately 70,000 lives from both sides and costing the livelihoods of millions of people. In December 2000, Eritrea and Ethiopia signed a peace treaty ending the war. Soon after, a pair of judicial commissions, the Eritrea-Ethiopia Border Commission (EEBC) and the Eritrean-Ethiopian Claims Commission (EECC), were created to rule on their disputed border and related claims. Disagreements on the Commissions' decision followed, creating an 18 year "no-war, no-peace" stalemate.

On July 9, 2018, the Eritrean and Ethiopian governments signed a joint declaration formally ending the stalemate between them, restoring full diplomatic relations, and agreeing to open their borders to each other for free flow of people, goods, and services. The agreement was supposed to have closed all chapters regarding the Eritrean–Ethiopian war and subsequent sporadic clashes. However, on November 4, 2020, a war erupted between the federal government of Ethiopia and the government of one of the country's northern regions called Tigray which also brought Eritrea to intervene in the war siding with the federal government of Ethiopia. Eritrea's military intervention in Ethiopian affairs and its involvement in the invasion of Tigray region is mainly driven by Isaias's ambition to reassert himself on the regional stage and

to seek revenge on the Tigray People's Liberation Front (TPLF), the ruling party in Tigray. Since the mid-1990s, the government in Asmara has carried out similar military confrontations with all countries neighboring Eritrea primarily in pursuit of regional dominance. These reckless military adventures, indefinite compulsory conscription, political repression and total disregard for human rights has turned Eritrea to the pariah status and forced close to four hundred thousand Eritreans to flee the country.

The corrupt military, extraordinarily high political repression, economic crisis, deepening fault lines along ethnicity, religion and region, mass exodus of the younger generation, the country's involvement in cross-country conflicts and lack of a clear succession plan are some of the main risks Eritrea faces today, endangering its very survival as a nation. Despite these challenges, people's growing opposition to the status quo, attempts for creating organized opposition and consensus building, large and highly educated Eritrean diaspora, Eritrea's significant mineral resources are some opportunities that can turn the situation around and help the country rise from the ashes of conflict, political repression, and economic crises.

HOW TO BRING TRANSFORMATIVE CHANGE IN ERITREA

Eritrean pro-democracy and pro-justice agents are striving to bring social and political change in Eritrea. They intend to achieve justice for all Eritreans through informing, motivating, and empowering their people and building a sustainable and people-centered mass movement. It is understood a mass movement can comprise multiple organizations. The foundation of a transformative change is knowing and accepting most of the problems facing a society and taking first steps to change the current trajectory. Eritrean pro-democracy and pro-justice agents can bring transformative change in Eritrea through collaborative efforts in broadening and deepening the conversation about justice, equality, liberty, and prosperity and staying committed to active participation in activities that matter to Eritreans.

The PFDJ regime uses the divide and conquer approach to control Eritreans, and to lead them to fear and doubt one another. The effects of this approach have been severe and if the current trend continues it is quite possible for irreconcilable divisions to start appearing between Eritrean regions, religions, and nationalities. A divided community cannot guarantee its survival let alone bring a transformative change. Therefore, Eritrean pro-democracy and pro-justice agents should find a common ground through compromise to work together and adopt a harmonized approach to bringing change. They must develop ideas and mechanisms to mobilize our people or at least bring together critical mass capable of catalyzing change. To meet this objective Eritrean pro-democracy and pro-justice agents can leverage the influence they have over their respective circles to bring Eritreans together and organize city by city to form people-centered mass movement. Adopting approaches for harmonizing Eritrean diaspora communities will minimize the fear, doubt, and animosity between our people, and it will serve as a bedrock for bringing transformative change. The following are steps that can be taken to harmonize Eritrean divided communities, engage and mobilize people, and strengthen the social and political movements to bring change in Eritrea.

- Define basic unifying principles aimed at removing the dictatorship in Eritrea
- Form a broad, representative, and people-centered movement organized city by city
- Formulate a common program that focuses on people-centered activities that can be supported by all political and civic actors currently working to bring change in Eritrea
- Develop effective strategies that target the regime's, military, political, diplomatic, financial, and organizational arms

- Identify effective mechanisms to locate and effectively coordinate with possible forces of change within the country
- Effectively engage with the international community to isolate the regime
- Consistently leverage existing media outlets to reach out to the Eritrean people, weaken the regime's support base, and expose human rights abuses committed by the regime
- Find strong and consistent sources of income to fund activities and projects

Possible scenarios

There are multiple scenarios in which social and political changes can take place in Eritrea. In general, change may come through planned and concerted efforts of the Eritrean pro-democracy and pro-justice agents, or it may come abruptly and unexpectedly with a result that is utterly unpredictable. The aim of Eritrean pro-democracy and pro-justice agents should be not only to plan and execute highly organized change and transition but also prepare for other scenarios of change. Some of these scenarios are listed below in no particular order.

- As stated earlier, change may come through coordinated activities of the Eritrean pro-democracy and pro-justice agents within and outside the country
- A successor within the PFDJ regime may take control of power
- Spontaneous popular uprising
- Coup d'état from within the regime
- Foreign intervention

Any of the above scenarios can lead to peaceful transition or general breakdown of the current semblance of order and an outbreak of anarchy. For all the above scenarios to culminate in a peaceful transition to democratic governance, it is critical that Eritrean pro-democracy and pro-justice agents become very well organized by creating a socio-political mass movement, rallying the Eritrean population around their objectives, and putting plans in place to address problems that may arise from any of the above scenarios. Agreeing on the transitional arrangement herein contained in this document will aid Eritreans in creating a common platform, plan for building consensus on what and how to bring political change in Eritrea and prepare them for fundamental issues that may arise from any of the above possible change scenarios.

Requisites of Transformative Change

Throughout the transitional period and afterwards, rather than placing all power in the hands of a single person or party, Eritreans will need to be empowered to elect their own representatives, take full control of their national affairs through their representatives and they must implement strong safeguards to prevent a single person or party from taking power away from the representatives. Transformative change will require transfer of the following state powers to the people.

- Military Power
- Political Power
- Financial/economic Power
- Diplomatic Power
- Power of other public Institutions

EXPECTED CHALLENGES AND POTENTIAL SOLUTIONS

The interim and transitional periods are usually moments of intense political competition between different political actors. They are inherently messy with political infighting, power grabs, and different groups often demanding greater access to power, economic resources, recognition, territory, and justice. Immediately following the fall of the Eritrean dictatorial regime, Eritreans are expected to face similar challenges. Identifying challenges that are unique to Eritrean socio-political, economic, and historical backgrounds early and exploring their potential solutions will make the country's transition to representative democracy smoother. Some of these challenges may need to be addressed by the transitional government, local governments, state institutions, civic organizations, media, courts, communities, and commissions. The following are some challenges that may be encountered during the Interim Period and/or the Transitional Period. During Transitional Period, these challenges should be revised, clearly documented, and workable solutions must be identified.

Challenge 1: Lack of broad participation and inclusion (Actual and Perceived).

***Potential Solution:** Broad public participation is critical for smooth transition to democratic governance. As such, adequate resources and time must be allocated to educate and empower the public about the political process, civil liberties, inclusion, diversity, national harmony and more. Citizens must also be encouraged to follow current events, join meetings, attend seminars, run for office, read state publications, and get involved in civic activities. Media outlets using different languages can also play crucial role in public awareness and encouragement of people to engage in the political processes.*

Challenge 2: Conflict, mistrust, marginalization (real and perceived)

***Potential Solution:** Political transition generally creates uncertainty for people who are coming out of dictatorship. This uncertainty may lead to real or perceived conflict, mistrust, and marginalization. Due to high volatility of transitional periods, the duty of restoring peace and maintaining national harmony is the responsibility of government bodies, civic societies, political parties, independent media, commissions, and independent judiciaries. The government bodies should play a role in facilitating conflict resolution through establishment of common set of values, dialogue and consultations, trust building, peace building, and reconciliation. The military and national security groups must not be politicized, and they should remain politically neutral. Local or district governments and police must focus on administering local issues of their jurisdiction while remaining resilient to political conflicts that may arise at a national level. Whenever reconciliation, trust building, and other peacebuilding mechanisms fail to resolve conflicts and potentially lead to violence, independent judiciaries and other state bodies ought to invoke democratic means to bring normalcy and maintain the rule of law and constitutional order in the country.*

Challenge 3: Social services related challenges affecting groups such as refugees, internally displaced persons, demobilized and disabled veterans, and returnees

***Potential Solution:** One or two commissions must be established during the transitional period to address these challenges.*

Challenge 4: Land, language, districting, and borders

***Potential Solution:** One or two commissions must be established during the transitional period to address these challenges.*

Challenge 5: Former party leaders, military and security apparatus seeking to hijack the power

Potential Solution: *The transitional arrangement herein contained in this document can serve as a unifying voice for all Eritrean pro-democracy and pro-justice agents and to rally the people against any group who seek to control power. Having this agreed upon transitional arrangements will help in knowing what is needed early on and can encourage Eritrean pro-democracy and pro-justice agents in formulating a plan of action and sticking to it rigorously.*

Challenge 6: Unclear mandates, legitimacy issues, decisions, and enforcement of decisions

Potential Solution: *A key determinant of government effectiveness is how well mandates are defined for all government bodies, how the public perceives their legitimacy, how effective are decisions made and how well decisions are enforced. Allegations of fraud, corruption and misuse of power may complicate the transitional process and lead to conflicts. Government personnel must be elected, appointed, or hired with integrity and in a clear and transparent manner. Laws, policy, governing principles, rules, procedures, standards, guidelines, and protocols must be clearly defined and communicated to the public. Law enforcement and compliance monitoring must follow legal and standard procedures.*

Challenge 7: Issues with transitional roadmap, delays, and priorities

Potential Solution: *It is common for a transition roadmap to be complicated by unforeseen events, disagreements, and conflicts resulting in delayed schedules and unmet milestones. In addition, transitional bodies may lack experience and effectiveness to quickly address fundamental national priorities adding delays to the agreed upon transition schedule. The delays may trigger public cynicism, anger and potentially a conflict. Main reasons for such delays and mismanagement of priorities can be due to complexity of issues, lack of planning, false or grandiose promises, unexpected events, lack of public awareness on the progress of transition, lack of resources and delays intentionally perpetuated by government officials to extend their time in power. Circumventing these challenges require effective transition planning with realistic deadlines, frequent engagement of the right groups such as people's representatives, political parties, civic organizations, subject matter experts, academics, the public and other institutions during the planning phase, placement of reliable controls to avoid diversions, and consistent monitoring of performance and progress.*

Challenge 8: Identity-based politics

Potential Solution: *Eritrea is a multi-ethnic, multi-religious and multi-cultural country. For Eritrea to transition from the current state of repression to a representative democracy, it is crucial that identity politics and polarization are effectively managed, and measures are put in place to prevent political actors from using ethnicity, region, or religion to fuel or justify conflict, disrupt national cohesion, or monopolize political power. What constitutes identity politics, hate speech, disinformation campaign, or targeted attacks need to be clearly defined and compliance with the laws, policies, rules, and procedures be strictly enforced. In addition, the rules of engagement for social media and its manifestations in political campaigns must be specified. Campaign financing sources should be available to the public for scrutiny and all political activities must be transparent. Transitional Commission should be established to create political party rules, regularly monitor adherence to the rules and report misconduct to the Eritrean Transition Council.*

Challenge 9: Security issues

Potential Solution: *The prime responsibility of the Eritrean Defense Forces, intelligence and security institutions ought to be providing protection for Eritrea against external threats and maintaining the sovereignty and territorial integrity of the nation-state. For these state institutions to function within the context of democratization process and become custodians of democratic principles, they ought to be restructured and rebuilt under the auspices of a civilian government with their roles and responsibilities clearly defined and delineated. As part of the restructuring process, Eritrean National Service obligations must be redefined according to international norms. Military or security agreements signed by the current Eritrean regime must be nullified if they are deemed to conflict with the interests of the Eritrean people. The Eritrean transitional government must also maintain broad and deep diplomatic policies, partnerships, and alliances with friendly nations.*

Challenge 10: Economic and financial issues and accumulation of national debt

Potential Solution: *The idea of a failed political system followed by a transitional period may become a genuine cause for apprehension among Eritreans as a dire combination of law enforcement challenges, valueless currency and meager resources may trigger a total economic collapse in Eritrea. When transition to democratic governance go hand in hand with addressing the economic and financial challenges of the Eritrean people, the democratization effort is highly likely to succeed. Otherwise, economic hardship may give rise to another political instability impeding the transition process. Prior to the fall of the current Eritrean regime, Eritrean pro-democracy and pro-justice agents must develop emergency preparedness, market stability, inflation control, and goods availability related policies and strategies to address a possible economic collapse in post PFDJ Eritrea. People involved in the emergency preparedness activities must also develop solid relationships with aid agencies to coordinate efforts when needed. The political transition must also include economic transition from centrally planned economy to equitable and democratic market economy by allowing the private sector to freely participate in nation building. Diaspora Eritreans must be encouraged to invest in their country, create jobs and build wealth. The transitional government must also curb the annual operating deficit and rising public debt. The incentives to overspend can be minimized by reframing economic policies and practices around sustainability and growth oriented national development and modernization plan, reserving budget decisions for experts, investing in education and capacity building, and increasing transparency for investment and limiting the type and amount of loans political actors can obtain on behalf of the country from foreign entities. These policies shall be accompanied by progressive taxation to ensure equity and avoid extreme wealth disparity. Social policies such as the right to education, healthcare, housing, transportation and pension should also be introduced. Without such policies and practices the nation may get saddled with economic instability and more debt.*

Challenge 11: Corruption, eroded institutions, and legacy of the authoritarian regime

Potential Solution: *Some of the legacies of authoritarian systems are pervasive corruption, financial coercion, bureaucratic red tape, subverted or eroded state institutions, an over depleted workforce with outdated skillsets, and almost nonfunctioning private sector. All these practices and operating environments are destabilizing forces that infect all areas and levels of the economy, security, and political system. With this awareness, Eritrean pro-democracy and pro-justice agents should be prepared for years of recovery effort and*

undoubtedly rocky economic and political environment. After dictatorial regimes fall, it takes years to overcome the impact of these destabilizing forces. However, government and civic institutions can collaborate to fight these destabilizing forces with legal, educational, technology, and media instruments and through a framework that will allow them to gain public support. The negative legacies of the PFDJ regime will be one of the main roadblocks of transition to democratic governance. Eritrea can avoid this roadblock by mobilizing governmental and nongovernmental resources and partners in restructuring government bodies, conducting public awareness, and ensuring effective changes are put in place on the way government serves its citizens.

Challenge 12: Leaders refusing to leave office or share power

***Potential Solution:** Elections and power-sharing are common approaches for peacemaking and peacebuilding among different sides of the political divide. They provide opportunities for different political actors to hold a position in government and reduce the danger of one party monopolizing power. Sometimes people in power refuse to conduct elections and other times they turn down calls for power-sharing prolonging the transition period. When the transition period is prolonged, it may paralyze the transition activities and significantly increase the level of risk for failure. To remedy these issues, Eritrean pro-democracy and pro-justice agents must agree on the process, schedule, mechanisms, conditions, eligibility, and other policies for participation in the transition process, elections, and power-sharing.*

Challenge 13: Potential pressure and influence from external actors

***Potential Solution:** It is common and acceptable for third-party political and apolitical actors to engage in dialog, mediation, and consultation activities during transitional period. However, foreign interference, pressure or influence on national affairs must be rejected by all parties and persons. What constitutes covert and overt foreign interference or pressure must be clearly stated in a policy document and all competing parties ought to adhere to the policy. People running for public office, high ranking government officials, policy makers, and people with executive power shall take an oath to uphold the Constitution, maintain high degree of autonomy in decision making, and pledge allegiance to Eritrea. The nation-state should also criminalize any engagement of a public official in any activity considered national security risk. Such activities may include involvement in collusion with foreign entities, coercion, foreign dictation, subversion of state power or other activities that may lead to secession or civil war.*

Challenge 14: Failure to meet the expectations of the Eritrean people

***Potential Solution:** Managing people's expectations is a vital element of a transformation process especially when a nation-state commences to make a substantive and major structural change in the political system and culture, laws, values, resources, and freedoms. At this stage of the transition process for transformative change, meeting people's expectations requires establishing connections with the public, building trust, opening bi-directional communication lines to gather feedback, and addressing people's concerns on a timely manner. On the socio-political front, it is necessary to inspire people to take part in the transformation effort and have them lead through different forms of engagements such as civic activities, music and art, educational activities, and private sponsorships of transformative ideas or advancements. Enhancing national harmony among different Eritrean regional, religious, and ethnic groups also goes hand in hand with the expectations of socio-political transformation. In addition to safeguarding the lawful rights, interests,*

and well-being of all Eritreans, having the transitional leadership show emotional awareness and empathy to people's issues is key in building positive relationships and reducing tensions between the public and its administration. On the economic front, people expect higher economic and social opportunities. The nation-state needs to promote equitable policies and programs aimed at reducing poverty and hardship throughout the society and follow a roadmap for Eritrea's prosperity and economic stability. On the regional and international front, meeting people's expectations will require avoiding potential triggers of tension and violence with neighboring countries, maintaining peace and security, having development and economic cooperation, forming alliances and partnerships, and developing a culture of mutual respect and acceptance with all of Eritrea's neighbors and beyond.

Challenge 15: Unanticipated domestic and foreign problems involving risks and adverse events

Potential Solution: *Not everything always goes as planned. Occasionally, unanticipated domestic or foreign challenge of any nature and scale may come to light which demands the envisaging of an agile, responsive, and effective transitional mechanism. Strictly sticking with the initial transitional process and schedule or radically departing from them might ultimately do more harm than good. The transitional government can effectively address these challenges while staying on the course of transformation by strengthening the nascent democratic institutions to become resilient with the ability to withstand adverse events. In addition, the government should conduct public awareness campaigns to gain public support and make sure people still have confidence in the system and ongoing process.*

TRANSITIONAL PROCESS AND ROADMAP

Following the fall of the PFDJ regime and as Eritrea moves away from the era of authoritarianism to a more liberal, free, and open nation-state, on the most part there will be no useful laws, institutions, or system of governance for the transition authority to rely upon. Creating effective laws, institutions, system of governance and political culture that support the transition and transformation efforts will take time. As such, addressing this challenge will require a three-phase democratization approach with each phase adopting more and more democratic practices. The proposed phases are as follows:

- **Phase I** is called the *Interim Period* and it describes an approach for creating the *Eritrean Interim Government (EIG)* and governance system. The *Interim Period* is the time between the current Eritrean regime gets removed and the creation of a transitional government. During the *Interim Period* Eritrea will be governed by *EIG* in accordance with the *Interim Charter*.
- **Phase II** is called the *Transitional Period* and it describes an approach for creating the *Eritrean Transitional Government (ETG)* and governance system. *Transitional Period* is the time between the end of the interim period and the formation of the first democratically elected government based on the *Eritrean Constitution*. During the *Transitional Period* Eritrea will be governed by *ETG* in accordance with the *Transitional Charter*.
- **Phase III** is called the *Constitutional Period* and it describes an approach for creating the *Eritrean Constitutional Government (ECG)* and governance system. The

Constitutional Period is the time after the Transitional Period. During this period Eritrea will be governed by ECG in accordance with the Eritrean Constitution.



Phase I: Interim Period

The Interim Period arrangement is intended to fill the power vacuum that may get created in the aftermath of PFDJ's fall. The responsibilities of EIG should be to:

- *Immediately release all political prisoners and other arbitrarily detained persons.*
- *Restore peace and calm, maintain law and order.*
- *Provide essential services to Eritreans.*
- *Respond to major emergency crises in coordination with friendly governments and non-governmental organizations (NGOs).*
- *Bring to justice high-ranking military and security leaders who are accused of committing crimes.*
- *Establish the required defense, national security, and law enforcement apparatus.*
- *Dissolve anti-democratic institutions.*
- *Restructure government institutions.*
- *Abolish all unjust laws and regulations which fetter public freedom.*
- *Close all prisons that fail to meet or violate international standards.*
- *Terminate all agreements and conventions made by the regime, whenever such dealings violate the interests of Eritreans or undermine the sovereignty of Eritrea.*
- *Terminate or take over all activities of PFDJ and transfer all its assets to the state.*
- *Impose travel ban on high-ranking officials of the PFDJ regime and freeze their assets, until they are cleared of any wrongdoing.*
- *Exclude any political group that resorts to armed violence during the Interim Period from further involvement in the political process.*
- *Defend the nation's sovereignty and protect its wealth against misuse and corruption.*
- *Assist the Transition Commission in laying the foundation for the creation of a more representative transitional government in Eritrea.*
- *Transfer power to the Eritrean Transitional Government.*

The authority of EIG should be limited to six months and maximum of one year. The formation of power-sharing arrangement and the creation of EIG should be performed through consultations, meetings, and representation of different communities in a national conference. Representation and qualification criteria

for participating in the formation of the EIG must account for involvement of various sectors of the Eritrean society including but not limited to Eritrean regions, political organizations, civic organizations, women organizations, youth organizations, subject matter experts, Eritrean elders, diaspora communities, and any group of people who seized power by removing the PFDJ regime. EIG should be governed by an Interim Charter that is drafted and ratified in a meeting or conference of representative Eritrean groups. The number, structure, and nature of the governing body will be shaped by political dynamics and agreement reached between relevant groups. At the minimum, EIG should have political, security, legal, and economic structures. In Addition, the meeting or conference of representative Eritrean groups should create a separate and independent Transition Commission to lay a foundation for the Transitional Period and to facilitate power transfer from EIG to ETG.

Phase II: Transitional Period

The Transitional Period arrangement is intended to serve as the main bridge to constitutional governance. During this temporary set of governance arrangement, a fairly representative government should be created for democratic practices to start taking root. The responsibilities of ETG should be to:

- *Continue unfinished work of the EIG*
- *Continue transitional justice mechanisms through which the root of PFDJ crimes and abuses will be effectively addressed*
- *Define the nature and structure of the political system for the Transitional Period (Parliamentary, Presidential or a combination of the two)*
- *Designate government bodies in accordance with the defined political structure and Transitional Charter*
- *Restore public and private institutions to deliver material benefits to Eritreans and to improve their well-being*
- *Provide enough time for political parties to form and promote their vision*
- *Establish courts*
- *Establish commissions to be led by experts who have relinquished any partisan political activities and resolved any conflict of interest they may have*
- *Legislate and approve laws, including laws on political parties and elections*
- *Supervise the functioning of government branches*
- *Exclude any political group that resorts to armed violence during the Transitional Period from further involvement in the political process.*
- *Levy taxes and regulate commerce*
- *Manage government budget and spending*
- *Based on recommendation of the Constitution Reform and Ratification Commission, draft a new constitution, revise, or implement the 1997 constitution*
- *Assist the Transition Commission in laying the foundation for the creation of the Eritrean Constitutional Government*
- *Implement laws and policies to level the ground for transition to constitutional governance*
- *Transfer power to the elected Eritrean Constitutional Government*

The authority of ETG should be limited to two years and maximum of three years. Power-sharing arrangement and the creation of ETG should be performed through local representations of Eritrean districts

and diaspora communities with some seats reserved for political organizations whose memberships match a pre-defined number. Representation and qualification criteria for participating in the formation of the ETG should be specified by the Transition Commission during the Interim Period. The transition body should at least include a President or Prime Minister, Eritrean Transitional Council, Cabinet of Ministers (Executive) and Transitional Judiciary. The Eritrean Transitional Council will include representatives of districts elected by their own constituencies, representatives of diaspora communities, and representatives of political organizations. Representations at a district and community levels will:

- *Guarantee decentralization of government by avoiding power from getting consolidated at the center*
- *Prevent bad actors from easily seizing control of the government*
- *Improve transparency as decisions about budget and other priorities are going to be made by representatives closer to the people*
- *Encourage regional competition for domestic and foreign investment with enhanced local governance*
- *Provide a level of freedom for districts and regions to make their own decisions on investments for education, healthcare, and infrastructure.*

Power divided between the central government and regional administrations with appropriate checks and balances will reduce the risk of power being abused, monopolized, and hijacked. During the Transitional Period, several commissions should be setup and many legal provisions applicable for the transitional period should be enacted. Transition Commission should employ latest identification technologies and monitoring techniques when elections for representatives take place. ETG should be governed by a Transition Charter that is drafted and ratified by the Eritrean Transitional Council. In Addition, the Eritrean Transitional Council can create, renew, or replace the mandate of the independent Transition Commission and other commissions. The role of the Transition Commission should be updated to effectively lay a foundation for the Constitutional Period and to facilitate power transfer from ETG to ECG.

Phase III: Constitutional Period

A move from the Transitional Period to the Constitutional Period is a critical inflection point that will greatly determine the course of the transformation process. Some of the most difficult challenges of the Transitional Period that will determine the outcome of the transformation process include major setbacks perpetuated by relics of the authoritarian rule, corruption, external influences, complexities of transitional justice, deficient democratic culture and ethical practices, trust building and national harmony related challenges, economic hardship, political conflicts and deadlocks caused by different political actors. Successful transition to constitutional governance will be contingent upon the genuine desire of major power players for Eritrea's renaissance and the level of collaboration between government bodies, civic societies, political organizations, independent media, commissions, private enterprises, and the public in tackling these transition related challenges.

ECG should be governed by the Eritrean Constitution and the system of governance, elections, and authority of ECG should be based on the Eritrean Constitution. Several commissions may continue to exist in the beginning of the Constitutional Period and new ones may get created shortly after the Transitional Period to facilitate the transformation effort. Transition Commission should cease to exist once the Constitutional government takes office unless otherwise the Eritrea Constitution dictates its existence.

POTENTIAL COMMISSIONS

The following commissions can be nominated by the Transitional President or Prime Minister and approved by the Eritrean Transitional Council. The main tasks of these commissions will be to address the various social and political challenges, facilitate a smooth transition to a constitutionally elected government, and assist in building effective government institutions. These commissions should work very closely with the Transitional Executive branch but should be answerable to the Eritrean Transitional Council.

Note: These commissions will have to be mindful of what resources and achievements are on the ground that must be preserved and enhanced. But within a context of institutional weaknesses, void, and likely personnel shortage, they also must be modest in what they aim to accomplish. Following are the suggested commissions and their offices:

1. Constitution Reform and Ratification Commission
2. Transitional Commission
 - a. Political Party Rules
 - b. National Elections
 - c. Regional Elections
 - d. Census Bureau
3. Transitional Justice Commission
 - a. Truth and Reconciliation
 - b. Dispute Resolution and accountability
 - c. Justice System Reform
 - d. Reparations
4. Public Policy Commission
 - a. Economic Recovery and Development
 - b. Banking and Financial Services
 - c. Trade and Investment
 - d. Ports and Tariffs
 - e. Agriculture and Natural Resources
 - f. Education
 - g. Land, Housing and Public Services
 - h. Security Sector Reform
 - i. National Infrastructure
 - j. Science and Technology

- k. Health System Reform
 - l. Family and Youth Services
 - m. Labor Reform
 - n. Ombudsman and Good governance
5. Regional Peace, Security and Stability Commission
- a. Border Issues
 - b. Region and International Economic Cooperation
6. Social Services Commission
- a. Repatriation and Integration of Refugees
 - b. Demobilization and Reintegration Soldiers
 - c. Disabled veterans
 - d. IDPs
 - e. Returnees
 - f. Aid and Disaster Recovery