



PEACE NEGOTIATIONS  
POST-CONFLICT CONSTITUTIONS  
WAR CRIMES PROSECUTION

# **FEDERALISM IN KEY SUDAN DOCUMENTS**

**Briefing Paper**

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## FEDERALISM IN KEY SUDAN DOCUMENTS

### Executive Summary

The key Sudan documents examined in this Briefing Paper broadly support Sudan as a federalist state, and most documents either endorse an asymmetric federalist structure or do not explicitly address the issue of symmetry. The different documents address federalism in varying degrees of detail. This is expected, as the documents span implemented and draft constitutional law, signed and draft political agreements, declarations, and manifestos. There is inconsistency between and within the documents on issues of governance in Sudan, predominantly on whether there will be three or four levels of governance, whether and to what extent subsequent law will address details of shared and exclusive governance, and whether federalism will be asymmetric. There are also differences on whether a conference on general constitution-making or a conference only on governance issues will address federalism issues.

The Juba Peace Agreement (“JPA”) provides the most extensive detail on Sudan’s envisaged federalist structure, establishing Darfur and Blue Nile/South Kordofan/Nuba mountains as autonomous. The JPA also acknowledges that further details on the governance structure of Sudan will be addressed through subsequent procedures and laws.

Several documents, including the Constitutional Charter, the Interim Constitution, and the Framework Agreement appear to endorse the federalist system the Juba Peace Agreement envisages. The Framework Agreement provides for some degree of JPA re-evaluation, although the Draft Final Political Agreement identifies JPA implementation as a priority. The Revolutionary Charter calls for the abolishment of the JPA.

Any future constitutional arrangement would benefit from clarifying these uncertainties and inconsistencies, thereby ensuring the comprehensive constitutionalization of federalist arrangements for the whole of Sudan.

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## FEDERALISM IN KEY SUDAN DOCUMENTS

### Statement of Purpose

The purpose of this Briefing Paper is to provide an assessment of the extent to which key Sudan documents address Sudan's envisaged post-conflict federalist structure.

### Introduction

This Briefing Paper assesses the extent to which federalism is addressed in key Sudan documents.

The phases of Sudan's recent history can be divided into: (i) the transitional period, which commenced in July 2019 and was grounded in key foundational and constitutional documents, which the military coup of October 25, 2021 halted; and (ii) the 2022-23 political process to end the coup and return Sudan to civilian governance, which ended when conflict erupted between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF) on April 15, 2023.

This briefing paper examines the following documents:

- **Constitutional Charter**: The Transitional Military Council and the Forces for Freedom and Change signed the Constitutional Charter in August 2019. It was intended to guide Sudan through its transitional period.
- **Juba Peace Agreement**: Sudan's Former Civilian Transitional Government and representatives from armed struggle movements and other opposition groups signed the Juba Agreement for Peace in Sudan in October 2020.
- **Draft Interim Constitution**: The Interim Constitution was produced under the auspices of the Sudanese Bar Association in September 2022. It is currently recognized as the likely foundation for a new constitutional framework.
- **Framework Agreement (Phase I)**: The Phase I Framework Agreement was signed in December 2022 between the de facto authorities following the military coup and certain civilian actors – principally the Forces of Freedom and Change (Central Council).

- **[Revolutionary Charter for Establishing People’s Power](#)**: The Resistance Committees agreed upon and signed this manifesto on January 11, 2023.
- **[Draft Final Political Agreement \(Phase II\)](#)**: The Draft Final Political Agreement was drafted in early 2023 by a committee consisting of representatives of the civilian signatories to the 2022 Framework Agreement and representatives of the military establishment, including the SAF and the RSF. It was finalized in March 2023, but its planned signing in April 2023 failed to materialize upon the outbreak of violence in Sudan. If signed, it would have superseded the Phase I Framework Agreement.
- **[Declaration of Principles of Civil Actors for Ending the War and Restoring Democracy in Sudan \(July 2023\)](#)**: On July 13, 2023, representatives from 75 Sudanese civilian organizations, including Resistance Committees, trade unions, diaspora groups, and women and youth-led groups, endorsed this Declaration of Principles.
- **[Foundations and Principles of Ending the War and Establishing the Sudanese State \(October 2023\)](#)**: The Coordination of Democratic Civil Forces approved this paper during their October 2023 meetings in Addis Ababa, Ethiopia.
- **[Draft Roadmap to End the War, Achieve Peace, and Establish a Sustainable Democratic Transition \(December 2023\)](#)**: On December 4, 2023, the Coordination of Democratic Civil Forces published a draft roadmap intended to function as a blueprint for establishing a sustainable civil democratic transition. ([Arabic version](#))
- **[Addis Ababa Declaration \(January 2024\)](#)**: On January 2, 2024, the Coordination of Democratic Civil Forces (“Taqaddum”) and General Mohamed Hamdan Dagalo (“Hemedti”), leader of the Rapid Support Forces, agreed upon and signed this declaration to end the war and advance Sudan towards civilian governance.

## Federalism in the Key Documents

### *Constitutional Charter*

The Constitutional Charter broadly endorses a federal structure, noting that details of such a structure will be worked out subsequently. It also provides for the re-examination of geographical demarcation.

Chapter 1, Article 4(1) of the Constitutional Charter describes Sudan as an “independent, sovereign, democratic, parliamentary, pluralistic, **decentralized** state”; and Chapter 3, Article 9(1) provides that governance is split between federal, “regional or state”, and local levels. Article 9(1)(b) stipulates that the powers of the regional/state level will be decided at a later date. Moreover, Article 9(2) provides that the different levels of government will have both exclusive and shared competencies (to be determined through law), and Article 9(3) acknowledges the need to re-examine Sudan’s **geographical demarcation** and distribution of powers. Although the Constitutional Charter does not explain when or where these discussions will take place, Chapter 2, Article 8(10) stipulates that a constitutional conference (not a specific system of governance conference) will be held before the end of the transitional period. The former civilian transitional government failed to hold this conference prior to the October 25, 2021 military coup.

Chapter 15, Article 69 notes several issues related to federalism to be addressed during peace negotiations; all of which are subsequently addressed – to varying degrees – in the Juba Peace Agreement. These include the system of governance, the fair distribution of power and wealth, and the administrative status of provinces/states affected by the war.

As the Constitutional Charter leaves details of decentralization to subsequent laws, it contains very little detail on how to construct states/regions. Chapter 4, Article 12, provides that the Transitional Sovereignty Council will “confirm governors of states or provinces” after their appointment by the Prime Minister. The Constitutional Charter provides no further information on federalism in Sudan.

### *Juba Peace Agreement*

The Juba Peace Agreement (“JPA”) also endorses a federal structure. As it is such a wide ranging agreement, it contains more details on how this may be achieved. For instance, it establishes Darfur and Blue Nile/South Kordofan/Nuba

Mountains as autonomous, and it details the exclusive and concurrent powers of each region/area. The JPA also envisages the subsequent review of borders and levels of governance.

The JPA provides that Sudan will be constructed as a “**federation.**”

Both the Darfur Agreement and the Blue Nile/South Kordofan/Nuba Mountains Agreement (“Two Areas Agreement”) contain details on how the federation will operate in those territories.

Furthermore, both stipulate that the signed agreements form part of the 2019 Constitutional Charter and, in the event of contradiction, the provisions of the agreements will prevail.

Article 10 of Title 1 (National Issues Agreement) stipulates that a **System of Governance** conference will be held to “review the borders and administrative divisions of the regions, the different levels of governance, and the structures, powers and competencies of the region”, in a manner that does not contravene the commitments made in the agreements, including the Darfur and Two Areas agreements. Although the JPA provides for the delegation of powers to the Darfur region and the Blue Nile/South Kordofan/Nuba Mountains autonomous area, it does not also provide for delegation of powers to other regions. Prior to the October 25, 2021 coup, the former civilian transitional government did not advance the system of governance conference beyond initial workshops.

#### Title 2: Darfur Agreement

Chapter 1, Article 25.2 stipulates that within 60 days of signing the JPA, the parties agree to establish a **regional-federal** system of governance in Sudan. If the System of Governance conference is not held within six months of signing the JPA, Article 25.4 provides that the Region of Darfur will be automatically activated in all its powers and competences within seven months of signing the JPA.

Chapter 1, Article 30 of the Darfur Agreement sets out 28 **exclusive powers** of the Darfur regional government. These include the powers to adopt and amend the constitution of the regional government of Darfur (in a way that does not contradict the national Constitution); to enact legislation related to the structures of the Darfur government; to borrow money on credit; to develop financial revenues for the regional government; to collect taxes and incomes exclusive to the regional government; to plan services in the Darfur region, including services on health, education, and welfare of citizens; to undertake reconstruction and development of

the Darfur region; to define the powers and competencies of local governance according to exclusive powers defined by the region; and to enact laws based on customs and tradition.

Chapter 1, Article 31, sets out 33 **executive and legislative concurrent powers**. These include powers on social and economic development in the Darfur region; health policies; natural resources; financial and economic policies and planning; regulating land possession; setting education policies; and the development and coordination of policies on interacting with the central government.

Article 32 stipulates that **residual powers** of a federal nature shall be exercised by the federal government, residual powers of a regional nature shall be exercised by the Darfur regional government, and residual powers of a concurrent nature shall be exercised jointly by both governments.

Article 33 establishes that **disputes between local, regional, and federal governments** shall be resolved by applying the law that “most effectively deals with the subject matter”, while observing the need to balance state sovereignty with regional autonomy, national standards and norms, the principle of subsidiarity, and the need to promote human rights and the welfare of people.

Chapter 2 provides further detail on how **wealth sharing** will be structured in the Darfur region. For instance, Article 16 elaborates on the right of the Darfur region to generate its own revenue and receive revenue from tax and non-tax sources, and Article 21 lists sources of exclusive revenue for the Darfur government. Articles 22-25 (inclusive) address the management of, and revenue generated from, natural resources.

The entire Darfur Agreement is silent on how the regional authority should be organized, providing no details on the selection or composition of executive or legislative entities.

### Title 3: Two Areas Track Agreement

Chapter 3 Article 8 of the Two Areas Agreement establishes South Kordofan and Blue Nile/Nuba Mountains as an autonomous “area” that will be granted autonomy immediately. This stands in contrast to Darfur, which is defined as a region and thus will gain autonomy under the time-frame set out in the Darfur Agreement. The Two Areas Agreement contains significant detail on how this autonomous area will be structured and the exclusive powers it will be afforded.



Chapter 3, Article 9, sets out 61 **exclusive powers** of the state/regional government. These include the power to draft, adopt, and amend the state/regional constitution; the right to legislate; competence over transitional justice, reparations, investigating crimes, and reconciliation; the power to enact legislation related to the structures of the state/regional government; powers to borrow money, develop revenues, and collect taxes; powers to enforce state/regional laws; socio-economic development; powers to manage resettlement in and reconstruction of the region; and to exercise the right to borrow loans from the Sudan Central Bank.

Chapter 3, Article 10 enumerates 28 **concurrent powers** for the Two Areas. These include police powers, prisons, and civil defense; borrowing for regional development and reconstruction; provision of urgent humanitarian assistance; voluntary return of internally displaced persons and refugees; reconstruction and sustainable development; land ownership, use, and compensation programs; joint transitional justice and reconciliation mechanisms; accountability mechanisms; review over contracting for lands and mining projects; regional census-taking and election laws revision; creation, implementation, and evaluation of the peace agreement commissions; positive discrimination in civil service and other areas; and banking.

Chapter 3, Article 11 sets out 41 **exclusive powers** of the national government. These include national defense and national security; foreign affairs and international representation; nationality and naturalization; passports and visas; migration; the national judiciary and the national police; postal services; civil aviation; maritime issues; central banking and issues relating to currency and the national budget (including the national debt); customs and taxes; intellectual property rights; the national census; national emergencies; international transportation issues; national museums/archaeological sites and cultural heritage; national elections law; national media and telecommunications; pensions; insurance; and value-added tax.

Article 12 stipulates that residual powers and competencies shall be exercised according to their “nature”. The Two Areas Agreement does not provide for any dispute resolution mechanism to mediate disagreements over specific rights.

Chapter 3, Article 26 provides that power in the autonomous area will be divided between executive, legislative, and judicial authorities. Article 27 explains that the executive authority shall comprise a state/regional governor, council of

ministers, and commissions. Articles 28-43 (inclusive) detail the composition and functions of the legislative authority, including details on provincial power sharing between signatories to the JPA. Articles 44-50 (inclusive) address the establishment of a judicial authority and public prosecution entity; Article 54 addresses the authorities of the state/regional governor; and Articles 55-64 (inclusive) addresses the establishment, powers, and competencies of the Council of Ministers.

### *Draft Interim Constitution*

The Draft Interim Constitution of 2022 (“Interim Constitution”) endorses a federal structure, noting that specific details, including structures and boundaries, will be defined by subsequent law.

The preamble of the Draft Interim Constitution of 2022 (“Interim Constitution”) aspires to solidify “the federal governance and the right of regions/provinces to administer their affairs and the local grassroot structures.” The Interim Constitution accordingly lays out preliminary provisions addressing the nature of the state and the supremacy of the constitution; a bill of rights and freedoms; a mandate for the transitional period, as well as descriptions of the transitional government structures and the removal of the consolidation of power (*tamkeen*) and recovery of looted funds; an overview of the federal system; descriptions of justice agencies, the civil service, other independent bodies (e.g., the Central Bank, the General Audit Bureau, and various commissions), and uniformed agencies; and provisions concerning states of emergency and the declaration of war, and the amendment of the Constitution.

Chapter 1, Article 4(2) provides that the JPA shall be “part and parcel” of the Constitution.

Chapter 1, Article 3(1) of the Interim Constitution describes the Republic of Sudan as “a **democratic federal state** whose diverse cultures, ethnicities, languages, schools of thought and religions coexist.” It also describes the state system of governance as parliamentary.

Chapter 4, Section 1, Article 35(1) lays out the division of powers between: (i) the federal level, which protects the sovereignty and territorial integrity of Sudan; (ii) the regional/provincial level, which exercises powers “in accordance with what is decided by the law”; and (iii) the local level, which likewise exercises “powers and resources” as defined and regulated by law. Article 35(2) provides

that these three levels of government shall have “exclusive and shared competencies and powers and resources for each level determined by law,” which will also define structures and boundaries. The Interim Constitution does not provide any guidance on whether federalism in Sudan is envisaged to be symmetric or asymmetric.

Chapter 4, Section 2, Article 36 addresses the **constitutions of the regions/provinces**, which define the structures of these levels. These constitutions “shall be drafted by committees with broad representation within the respective region/state.” To enact these regional/provincial constitutions, the regions/provinces must create, under the supervision of forces signatory to the political declaration, legislative bodies “in which the diversity of representation shall be considered.”

According to Chapter 5, Section 3, Article 49(2), the Prime Minister has the power to appoint and dismiss **regional/provincial governors**, with consideration for diversity, promotion of women’s participation, and the confidence of the parties signatory to the political declaration in their respective regions/provinces.

Chapter 4, Section 3, Article 37 covers **local governance**, which “promotes the broad popular participation and expresses the basic needs of citizens.” It requires a law to be passed with the supervision of forces signatory to the political declaration that “establish[es] local councils that take into consideration grassroots representation.” Article 37 further guarantees that the local level will have the right to regulate all its local affairs within the limits defined by the law, with financial and administrative autonomy subject only to whatever the law defines as “reasonable financial resources” for local services and development.

Finally, Chapter 4, Section 3, Article 4 describes the **delegation of powers** along eight principles: (1) governance and administrative rules and standards at both the federal and region/province levels that “reflect[] unity of the country and diversity of the Sudanese people”; (2) promotion of people’s welfare and protection of fundamental human rights and freedoms by public authority at all levels of government; (3) engagement and participation of citizens at all levels of government; (4) good governance through democracy, transparency, accountability, and rule of law at all levels of government; (5) effective implementation of the principle of solidarity through striving to achieve economic balance throughout Sudan’s different territories, with a focus on rural and underdeveloped areas; (6) regional consultation on licensing national projects; (7) local consultation on

licensing projects to be established on communities' territories; and (8) preservation of historical rights of local communities in lands and resources.

### *Framework Agreement (Phase I)*

The Draft Political Framework Agreement (Phase I) ("Framework Agreement") lays out in brief the transitional issues and tasks that must be addressed by the transitional authority. These include security and military reform, transitional justice, legal reform, and economic reform. It also provides an overview of both the transitional authority structures, and the "regular bodies" that will need to be addressed within the reforms of the transitional period (e.g., the armed forces, the Rapid Support Forces, the police, and the General Intelligence Service). Section 1, Paragraph 15 of the Framework Agreement describes the JPA as "an integral part of the Transitional Constitution."

Section 1, Paragraph 3 of the Framework Agreement describes Sudan as a "civilian, democratic, federal, parliamentary state in which sovereignty is for the people who are the source of powers, and in which the rule of law and the peaceful transfer of power through free and fair elections and the equitable divisions of wealth and resources, prevail." The Framework Agreement also calls for implementation of the JPA at Section 2, Paragraph 6, and within the Final Agreement Issues of Point 3, although it also explicitly acknowledges the possibility of JPA re-evaluation. Section 2, Paragraph 8 of the Framework Agreement requires the participation of all of the regions of Sudan in its comprehensive constitution-making process.

In Section 3, Paragraph 2, the Framework Agreement mandates that the transitional authority forms regional, state, and local legislative councils; defines these councils' tasks and powers in their constitutions; and establishes membership (including both men and women) for these legislative councils according to "comprehensive and fair criteria." According to Section 3, Paragraph 6, the transitional authorities must also appoint regional, state, and local governments in consultation with the revolution forces (non-military) signatories to the Political Declaration. Section 3, Paragraph 4 provides that the revolution forces signatories to the Political Declaration also must undertake a consultation process to choose a Transitional Prime Minister, although the parameters of this consultation process are not explained in the Framework Agreement.

## *Revolutionary Charter for Establishing People's Power*

The Revolutionary Charter for Establishing People's Power ("Revolutionary Charter") strives to initiate a holistic political process that will allow the formulation of "a political vision of national unity that digs deep into the very nature of the national state, governance, economy and transfer of power." It contextualizes the current political situation within a historical and sociological overview of colonialism in Sudan, before providing a detailed overview of the Transitional Revolutionary Legislative Councils and other transitional authority governance structures, including the independent commissions that will be tasked with ensuring the executive authority's ability to address critical issues. The Revolutionary Charter also addresses governance issues and other general provisions for the enactment of the charter. Unlike many other key Sudanese documents, the Revolutionary Charter does not endorse the JPA. Instead, the Revolutionary Charter on page 18 calls for the abolishment of both the JPA and the Constitutional Charter.

The Revolutionary Charter addresses the need to foster greater **local self-governance** within rural communities. On page 30, it provides that "the local government system represents a level of power that is directly related to the citizens and services provided," and that it is "the entry point of the grassroots to exercise power." Specifically, the Revolutionary Charter's proposal, on page 12, for a Native Administration envisions the transitional power authority working with social components in rural communities to reach a mutual understanding that grants rural communities full ownership of their own political/economic decisions, as well as a fair share in locally produced resources.

Page 12 expresses hope that this sort of "localization" and reinforcement of a "local rule culture" will gradually improve **under-representation of rural communities** by "enhancing a direct relation between the citizens and government organs" to decentralize power away from "the hegemonic control of the urban elites." At the same time, page 30 provides that it will "expand the base of popular participation in conceptualizing the governance system" while tamping down on corruption and "strengthening the values of participation, accountability, transparency, participation and all the values of good governance."

The Revolutionary Charter touches on the **federal structures** envisaged for the transitional government. On page 16, it calls for the formation of Transitional Revolutionary Legislative Councils at the national, state, and local levels. Page 16

also provides that the Local Transitional Revolutionary Legislative Council will be composed of three representatives from each administrative unit, and the State-Level Transitional Revolutionary Legislative Council will be composed of three representatives from each local unit. Further, page 16 outlines that the National Transitional Revolutionary Legislative Council will be composed of three representatives from each State, one of whom must represent the internally displaced persons camps in that State, except for Khartoum State, which will be represented by six members (two for each city).

On pages 16 and 17, the Revolutionary Charter also provides that the Revolutionary Council will endorse Legislative Councils formed at all three levels of government. A timeline for establishing these Legislative Councils is also provided: the Legislative Councils must be established within 30 days of issuance and signing of the Revolutionary Charter; the Legislative Councils then have 15 days to name their executive (e.g., prime minister at the national level, governors at the state level, commissioners at the local level) and set internal bylaws to govern the executives' work; the Legislative Councils then have a further 15 days to set up commissions and audit boards and their leadership, while the executives select their cabinets and/or administrative staff; the newly formed Commission for Judiciary Reform then has 15 days to set up the supreme judiciary council and the public prosecution council; and finally, the ministers and governors then have 15 days to present and make public their recovery programs, with detailed timelines included. In short, the above steps should be achieved no later than two months (or about 60 days) after the establishment of the Legislative Councils.

In addition, the Revolutionary Charter specifies that the Legislative Councils that form the Transitional Authority shall include Local Legislative Councils, State-Level Legislative Councils, and the National Legislative Council.

Pages 19 and 20 provide that Local Legislative Councils shall be composed of "domicile representatives" from democratically elected administrative units – selected from delegates chosen by neighborhoods/villages in general meetings – and trade union representatives in the local administration.

Page 20 stipulates that State-Level Legislative Councils are composed of "all the democratically elected representatives of the administrative units and trade unions in the State," with delegates chosen through the same general meeting process as for Local Legislative Councils representation. State-Level Legislative Councils are empowered to select and appoint not only state governors, but also two members to the National Legislative Council, half of whom must be female.

Page 21 stipulates that the National Legislative Council is made up of 240 members democratically elected by localities and trade unions, with allocation for representatives for the localities, Khartoum State, trade unions, internally displaced persons in Darfur and in Southern Kordofan, and people with disabilities.

Page 22 outlines the responsibilities of the The National Legislative Council, which include appointing a prime minister, enacting legislation, endorsing commission-recommended laws and a general budget, ratifying agreements and accords, and overseeing the development of a proposed permanent constitution.

### *Draft Final Political Agreement (Phase II)*

Similar to the Framework Agreement, the Draft Final Political Agreement (“Political Agreement”) endorses a federal structure, referring to Sudan as a “civil, democratic, **federal, parliamentary state**”, adding “during the transitional period” in General Principle 3. It envisages that structures, boundaries, and exclusive and shared competences will be defined by subsequent law.

The Political Agreement contains more details on the proposed levels of governance, mirroring some of the provisions contained in the Constitutional Charter and Interim Constitution. For instance, Chapter 1 Article 1 stipulates that Sudan shall consist of “regions, whose number, capitals, structures, and resources are determined by the law”.

The Political Agreement also provides that the federal level will exercise its powers to protect the sovereignty and territorial integrity of Sudan; that the “regional/state” level shall exercise its powers at the “region or state” level; and that local government is an “authentic” level of government, with powers determined by law and whose “relations are regulated.”

Chapter 1, Article 2 specifies that each level of government will have **exclusive and shared competences**, powers, and resources, as determined by law, with “structures and boundaries” defined.

Chapter 1, Article 3 stipulates that during the System of Governance Conference, the geographical division and distribution of powers and competences will be reviewed. Until this conference is held, the existing system is intended to stay in place.

### Juba Peace Agreement

The Political Agreement endorses the **Juba Peace Agreement**, identifying its implementation as a priority for the next transitional government in Protocol 2: JPA. The Political Agreement also emphasizes “the entitlements of the Juba peace agreement for Sudan, which are related to the war zones in Darfur, the Blue Nile, South Kordofan, the Nuba Mountains and West Kordofan, and working on the comprehensive implementation of all those gains” in Protocol 2, General Principles.

Section 3, Paragraph 10 of Protocol 2 of the Political Agreement prioritizes the acceleration of the convening of the **System of Governance Conference** to “resolve issues related to regions, borders, distribution of states, local governance, and exclusive and shared powers between the different levels of government.”

Section 4, Paragraph 4 of Protocol 2 of the Political Agreement refers to the need to develop a “legislative system for the system of government that enhances the participation of all local components in regional, state and local governance institutions, and prevents the domination of single social components”; and Section 5, Paragraphs 4 and 5 identify **decentralization**, including fiscal decentralization, as forming the basis of the governance system.

### Eastern Sudan

The Political Agreement pays particular attention to **Eastern Sudan** in Protocol No. 3 (The Issue of Eastern Sudan). General Principle 2 places emphasis on:

The real **federal system** of government, based on parallel levels of government that includes localities, states, the region and the federal government, and accordingly the return of the Greater East region is unified in terms of land and population, with its three states of Kassala, Gedaref and the Red Sea, with a review of the current legislation and divisions of local government, provided that the region has positive discrimination to catch up with development.

Section 4 of that same Protocol also stipulates that a regional fund based on the “allocation of an agreed-upon estimated percentage of all revenues from natural and economic resources in the region” will be established to achieve sustainable development in the East.



Section 6 specifically addresses the issue of **native administration** in the region. It proposes that native administrations do not have a political role, but rather that local, regional, and federal legislation clearly defines its powers to “enhance its roles in societal issues” in paragraph 2.

Although the potential of “border disputes” is acknowledged in Section 5 of the Protocol, it calls only for the resolution of those issues through “official diplomacy and regional bodies.” Section 6, Paragraph 4 of the Protocol identifies the National Commission for the Demarcation of Internal Borders as the appropriate entity to handle land disputes between states and administrative units.

*Declaration of Principles of Civil Actors for Ending the War and Restoring Democracy in Sudan*

The Declaration acknowledges there is an urgent need to discuss “issues of **federalism**, the nature of the state, equal citizenship, and the formula of fair regional distribution of resources.” The Declaration then notes that the ideal forum in which to discuss these issues is the “Constitutional Conference,” which would only happen with broad consensus from all relevant stakeholders. The Declaration does not specify the format of the Constitutional Conference.

*Foundations and Principles of Ending the War and Establishing the Sudanese State*

In this document, the Preparatory Committee recommends that stakeholders organize workshops on topics including state and local governance issues, which would cover federalism. The list of principles, similar to the Declaration of Principles (July 2023), holds that the Constitutional Conference will decide on questions of federalism. Specifically, it will consider whether Sudan’s governance structure “should be a decentralized system based on symmetric or asymmetric federal foundations.”

*Draft Roadmap to End the War, Achieve Peace, and Establish a Sustainable Democratic Transition*

The Draft Roadmap does not detail the way in which **federalism** should be established, but rather leaves it to the Constitutional Conference. Principle 5 of the Draft Roadmap provides the following:

Implementing a federal government system that acknowledges the inherent rights of all Sudanese regions to manage their political, economic, and cultural affairs, especially at the local level. This system should be based on principles that guarantee the participation of Sudanese women in all government levels, reflecting the country's pluralism and diversity. The specifics of this decentralized system, whether symmetric or asymmetric federal foundations, will be determined at the Constitutional Conference.

*Addis Ababa/Rapid Support Forces Declaration*

The Addis Ababa Declaration of January 2, 2024 provides only that “[t]he rule in Sudan should be **federal**, civil, and democratic [...]” It provides no further guidance on federalism or principles of federalism.

## **Conclusion**

The key Sudan documents examined in this Briefing Paper broadly support Sudan’s envisaged federalist state structure. Although the documents vary widely in scope and detail, there is a degree of consensus supporting the devolution of power from the central state to sub-national units. Any future constitutional arrangement is likely to address issues such as the number of levels of governance, whether federalism will be symmetrical or asymmetrical, and the level of autonomy afforded to sub-national units.