Country/entity	South Sudan Sudan
Region	Africa (excl MENA)
Agreement name	The Interim National Constitution of the Republic of Sudan 2005
Date	6 Jul 2005
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Sudan Conflicts (1955 -)

Agreements relate to several distinct dyads, and also the negotiated independence of South Sudan, and subsequent internal conflict in South Sudan. Sudan-South Sudan. The long-standing conflict between the north and the south of the country dates back to colonial times, where the British introduced a so-called 'Southern Policy', severely hampering population movements between these big regions. Immediately after gaining independence in 1956, southern movements started to fight for independence; this fight became professionalised in 1983 with the foundation of the soon internationally supported Sudan People's Liberation Army (SPLA). When the Islamic Front government introduced strict sharia laws in the south after it took over power in 1988 the war intensified. A decade later, the military situation reached a stalemate, enabling internationally facilitated peace negotiations to begin in 1997. After more fighting, a final negotiation push began in 2002, leading to the signing of the Comprehensive Peace Areement (CPA) in January 2005.

Sudan-South Sudan post referendum. South Sudan became independent in July 2011; since then, relations between the two countries are complicated and violent conflict led by the SPLM (North) in the Sudanese Nuba mountains region has since intensified.

Darfur. Other long-standing violent conflicts are in the east and the west of the country. In the east, the Beja Congress, established in 1957, is the spearhead of a currently 'peaceful' opposition movement. In the west, the violent conflict in Darfur intensified in the early 2000s and rapidly gained international attention, even resulting in genocide charges against leading figures of the Sudanese government. The situation on the ground is complex, with over a dozen organisations (most notably the Sudanese Liberation Movement and the Justice and Equality Movement) fighting the Sudanese government and allied groups like the Janjaweed – although all parties have switched sides on numerous occasions. Several mediation attempts have not been successful, due to the shaky commitment of the Sudanese central government and the distrust among the armed opposition.

South Sudan - internal
In December 2013, after president Salva Kiir accused opposition leader Riek Machar of attempting a coup, violent conflict broke out between government forces of the SPLM/A and anti-governmental groups. In addition, several other political militias as well as communal militias have joined the conflict. In 2015 the Agreement on the Resolution of the Conflict in South Sudan (ARCSS) was signed. Due to unsuccessful implementation the agreement was revitalized in 2018. In September 2019, Kiir and Machar agreed to establish a power-sharing government after struggles on forming a unity transitional government.
Close
Sudan Conflicts (1955 -
)

Stage Framework/substantive - comprehensive

Conflict nature Government/territory

Peace process	Sudanese (North-South) peace process
Parties	Ahmed Ibrahim Eltahir, Speaker of the National Assembly; Hon. Gabriel Mathiang Rok, Speaker of the National Liberation Council of the Sudan People's Liberation Movement (SPLM), Rumbek - New Sudan;
Third parties	-
Description	An Interim Constitution covering a comprehensive range of issues. The Constitution is split into 17 parts: The State, the Constitution and Guiding Principles; The Bill of Rights; The National Executive; The National Legislature; The National Judicial Organs; Public Attorneys and Advocacy; The National Civil Service; Independent National Institutions and Commissions; Armed Forces, Law Enforcement Agencies, and National Security; The National Capital; Government of Southern Sudan; The States and Abyei Area; Finance and Economic Matters; State of Emergency and Declaration of War; Census and Elections; Southern Sudan right to self-determination; and Misc Provisions.

Agreement document	SD_050706_Interim_National_Constitution.pdf (opens in new tab) | Download PDF

Groups

Children/youth

Groups→Children/youth→Rhetorical
Page 7-8, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Children, Youth and Sports
14 (1) The State shall adopt policies and provide facilities for child and youth welfare and ensure that they develop morally and physically, and protect them from moral and physical abuse and abandonment.
(2) The State shall promote sports and empower the youth to develop their potentials.
Groups→Children/youth→Substantive
Page 14, PART TWO, BILL OF RIGHTS
Rights of Women and Children
32 … (4) The State shall provide maternity and child care and medical care for pregnant women.
(5) The State shall protect the rights of the child as provided in the international and regional conventions ratified by the Sudan.

Page 15, PART TWO, BILL OF RIGHTS
Restriction on Death Penalty
36. (2) The death penalty shall not be imposed on a person under the age of eighteen or a person who has attained the age of seventy except in cases of retribution or hudud.

Page 102-103, SCHEDULES
Schedule (B)
Powers of the Government of Southern Sudan
The exclusive legislative and executive powers of Government of Southern Sudan shall be as follows:
18. Rehabilitation and benefits to disabled war veterans, orphans, widows and care for the dependents of deceased war fallen heroes;

Page 105-106, SCHEDULES
Schedule (D)
Concurrent Powers
The National Government, the Government of Southern Sudan and state governments, shall have legislative and executive competencies on any of the matters listed below:-
26. Mother, Child protection and care;

Disabled persons

Groups→Disabled persons→Anti-discrimination
Page 6-7, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES, Social Justice
12 ... (2) No qualified person shall be denied access to a profession or employment on the basis of disability; persons with special needs and the elderly shall have the right to participate in social, vocational, creative or recreational activities.

Page 17, PART TWO, BILL OF RIGHTS, Right to Education
44. (1) Education is a right for every citizen and the State shall provide access to education without discrimination as to religion, race, ethnicity, gender or disability.
Groups→Disabled persons→Substantive
Page 17, PART TWO, BILL OF RIGHTS, Rights of Persons with Special Needs and the Elderly
45. (1) The State shall guarantee to persons with special needs the enjoyment of all the rights and freedoms set out in this Constitution; especially respect for their human dignity, access to suitable education, employment and full participation in society.

Page 102-103, SCHEDULES
Schedule (B)
Powers of the Government of Southern Sudan
The exclusive legislative and executive powers of Government of Southern Sudan shall be as follows:
...
18. Rehabilitation and benefits to disabled war veterans, orphans, widows and care for the dependents of deceased war fallen heroes;

Elderly/age

Groups→Elderly/age→Anti-discrimination
Page 6-7, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES, Social Justice
12 ... (2) No qualified person shall be denied access to a profession or employment on the basis of disability; persons with special needs and the elderly shall have the right to participate in social, vocational, creative or recreational activities.
Groups→Elderly/age→Substantive
Page 17, PART TWO, BILL OF RIGHTS, Rights of Persons with Special Needs and the Elderly
45. (2) The elderly shall have the right to the respect of their dignity. The State shall provide them with the necessary care and medical services as shall be regulated by law.

Migrant workers

No specific mention.

Racial/ethnic/ national group

Groups→Racial/ethnic/national group→Rhetorical
Page 2, PREAMBLE
We the people of the Sudan
... Mindful of religious, racial, ethnic and cultural diversity in the Sudan,

Page 2, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Nature of the State
1 (1) The Republic of the Sudan is an independent, sovereign State. It is a democratic, decentralized, multi-cultural, multilingual, multi-racial, multi-ethnic, and multi-religious country where such diversities co-exist.
… (3) The Sudan is an all embracing homeland where religions and cultures are sources of strength, harmony and inspiration.

Page 4, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Fundamental Bases of the Constitution
4. This Constitution is predicated upon and guided by the following principles:-
... (c) the cultural and social diversity of the Sudanese people is the foundation of national cohesion and shall not be used for causing division,

Page 7, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Education, Science, Art and Culture
13 ... (4) The State shall recognize the cultural diversity of the country and shall encourage such diverse cultures to harmoniously flourish and find expression, through the media and education.

Page 11, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER IV, THE DECENTRALIZED SYSTEM OF GOVERNANCE
Devolution of Powers
25. The following principles shall guide the devolution and distribution of powers between all levels of government:-
... (b) affirmation of the need for norms and standards of governance and management at national, Southern Sudan and state levels, that reflect the unity of the country while asserting the diversity of the Sudanese people,...
Groups→Racial/ethnic/national group→Anti-discrimination
Page 14, PART TWO, BILL OF RIGHTS
Equality before the Law
31. All persons are equal before the law and are entitled without discrimination, as to race, colour, sex, language, religious creed, political opinion, or ethnic origin, to the equal protection of the law.

Page 16, PART TWO, BILL OF RIGHTS
Freedom of Assembly and Association
40. (3) No association shall function as a political party at national, Southern Sudan or state level unless it has:-
(a) its membership open to any Sudanese irrespective of religion, ethnic origin or place of birth,...

Page 17, PART TWO, BILL OF RIGHTS
Right to Education
44. (1) Education is a right for every citizen and the State shall provide access to education without discrimination as to religion, race, ethnicity, gender or disability.

Religious groups

Groups→Religious groups→Rhetorical
Page 2, PREAMBLE
We the people of the Sudan
... Mi̱ndful of religious, racial, ethnic and cultural diversity in the Sudan,

Page 2, PREAMBLE
We the people of the Sudan
... Further committed to gearing governance, in the coming phase of our political advancement, towards the enhancement of economic development, promotion of social harmony, deepening of religious tolerance and building trust and confidence in the society generally,...

Page 2, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Nature of the State
1 (1) The Republic of the Sudan is an independent, sovereign State. It is a democratic, decentralized, multi-cultural, multilingual, multi-racial, multi-ethnic, and multi-religious country where such diversities co-exist.

Page 2, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Nature of the State
1 (3) The Sudan is an all embracing homeland where religions and cultures are sources of strength, harmony and inspiration.

Page 4, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Fundamental Bases of the Constitution
4. This Constitution is predicated upon and guided by the following principles:-
... (b) religions, beliefs, traditions and customs are the source of moral strength and inspiration for the Sudanese people,...

Page 10, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER III, DUTIES OF THE CITIZEN
23. (2) In particular every citizen shall:
… (b) abhor violence, promote harmony, fraternity and tolerance among all people of the Sudan in order to transcend religious, regional, linguistic, and sectarian divisions,...
Groups→Religious groups→Anti-discrimination
Page 14, PART TWO, BILL OF RIGHTS
Equality before the Law
31. All persons are equal before the law and are entitled without discrimination, as to race, colour, sex, language, religious creed, political opinion, or ethnic origin, to the equal protection of the law.

Page 16, PART TWO, BILL OF RIGHTS
Freedom of Assembly and Association
40. (3) No association shall function as a political party at national, Southern Sudan or state level unless it has:-
(a) its membership open to any Sudanese irrespective of religion, ethnic origin or place of birth,...

Page 17, PART TWO, BILL OF RIGHTS
Right to Education

44. (1) Education is a right for every citizen and the State shall provide access to education without discrimination as to religion, race, ethnicity, gender or disability

Indigenous people	Groups→Indigenous people→Substantive Page 5, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION Language 8 (1) All indigenous languages of the Sudan are national languages and shall be respected, developed and promoted.
Other groups	No specific mention.
Refugees/displaced persons	Groups→Refugees/displaced persons→Substantive Page 105-106, SCHEDULES Schedule (D) Concurrent Powers The National Government, the Government of Southern Sudan and state governments, shall have legislative and executive competencies on any of the matters listed below:- 18. Relief, Repatriation, Resettlement, Rehabilitation and Reconstruction;
Social class	No specific mention.

Gender

Women, girls and gender

Page 14, PART TWO, BILL OF RIGHTS
Equality before the Law
31. All persons are equal before the law and are entitled without discrimination, as to race, colour, sex, language, religious creed, political opinion, or ethnic origin, to the equal protection of the law.

Page 14, PART TWO, BILL OF RIGHTS
Rights of Women and Children
32 (1) The State shall guarantee equal right of men and women to the enjoyment of all civil, political, social, cultural and economic rights, including the right to equal pay for equal work and other related benefits.
(2) The State shall promote woman rights through affirmative action.
(3) The State shall combat harmful customs and traditions which undermine the dignity and the status of women.
(4) The State shall provide maternity and child care and medical care for pregnant women.

Page 15, PART TWO, BILL OF RIGHTS
Restriction on Death Penalty
36. (3) No death penalty shall be executed upon pregnant or lactating women, save after two years of lactation.

Page 17, PART TWO, BILL OF RIGHTS
Right to Education
44. (1) Education is a right for every citizen and the State shall provide access to education without discrimination as to religion, race, ethnicity, gender or disability.

Page 30-31, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER V, THE GOVERNMENT OF NATIONAL UNITY
Duties of the Government of National Unity
82. The Government of National Unity shall undertake the following duties:-
... (b) establishment of a decentralized democratic system of governance taking into account the cultural, ethnic, racial, religious, and linguistic diversity and gender equality,

Page 52, PART SEVEN, THE NATIONAL CIVIL SERVICE, Principles and Guidelines for the National Civil Service Employees
Guidelines for Inclusiveness in the National Civil Service
136. The National Civil Service, notably at the senior and middlelevels, shall be representative of the people of the Sudan; to ensure this, the following principles and guidelines shall be recognized and observed:-
... (c) no level of government shall discriminate against any qualified Sudanese citizen on the basis of religion, ethnicity, region or gender,

Page 64, PART ELEVEN, GOVERNMENT OF SOUTHERN SUDAN, CHAPTER II, THE EXECUTIVE OF SOUTHERN SUDAN
Southern Sudan Council of Ministers
165. (1) There shall be established a Southern Sudan Council of Ministers to be appointed by the President of Government of Southern Sudan, in consultation with the Vice President and approved by Southern Sudan Assembly. The Government of Southern Sudan shall be established with due regard to the need for inclusiveness in recognition of ethnic, religious diversity and gender.

Page 75, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER I, GUIDING PRINCIPLES FOR EQUITABLE SHARING OF RESOURCES AND COMMON WEALTH
185. (1) Resources and common wealth of the Sudan shall be shared equitably to enable

Men and boys	No specific mention.
LGBTI	No specific mention.
Family	Page 8, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES Family, Women and Marriage 15 (1) The family is the natural and fundamental unit of the society and is entitled to the protection of the law; the right of man and woman to marry and to found a family shall be recognized, according to their respective family laws, and no marriage shall be entered into without the free and full consent of its parties. (2) The State shall protect motherhood and women from injustice, promote gender equality and the role of women in family, and empower them in public life. Page 9, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES Defence of the Country 18. Defence of the Country is an honour and a duty of every citizen; the State shall care for the combatants, the afflicted in war, the families of martyrs and those missing in action.

State definition

Nature of state (general)

Page 2, PREAMBLE
We the people of the Sudan
... Committed to establish a decentralized multi-party democratic system of governance in which power shall be peacefully transferred and to uphold values of justice, equality, human dignity and equal rights and duties of men and women,

Page 2, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Nature of the State
1 (1) The Republic of the Sudan is an independent, sovereign State. It is a democratic, decentralized, multi-cultural, multilingual, multi-racial, multi-ethnic, and multi-religious country where such diversities co-exist.
(2) The State is committed to the respect and promotion of human dignity; and is founded on justice, equality and the advancement of human rights and fundamental freedoms and assures multi-partism.
(3) The Sudan is an all embracing homeland where religions and cultures are sources of strength, harmony and inspiration.

Page 2, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Sovereignty
2. Sovereignty is vested in the people and shall be exercised by the State in accordance with the provisions of this Constitution and the law, without prejudice to the autonomy of Southern Sudan and the states.

Page 5, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Language
8 (1) All indigenous languages of the Sudan are national languages and shall be respected, developed and promoted.
(2) Arabic is a widely spoken national language in the Sudan.
(3) Arabic, as a major language at the national level and English shall be the official working languages of the national government and the languages of instruction for higher education.
(4) In addition to Arabic and English, the legislature of any subnational level of government may adopt any other national language as an additional official working language at its level.
(5) There shall be no discrimination against the use of either Arabic or English at any level of government or stage of education.

Page 6, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Language
9. The law shall specify the national flag, national emblem, national anthem, public seal, medals, national festivals and commemorations of the State.

Page 9, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Saving
22. Unless this Constitution otherwise provides, or a duly enacted law guarantees the rights and liberties described in this Chapter, the provisions contained in this Chapter are not by themselves enforceable in a court of law; however, the principles expressed herein are basic to governance and the State is duty-bound to be guided by them, especially in making policies and laws.

State configuration No specific mention.

Self determination Page 26, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER III, INTERIM PROVISIONS FOR THE PRESIDENCY OF THE REPUBLIC
Interim Provisions for Tenure of Office of the President and the First Vice President
69. (1) Should the outcome of the referendum on self-determination confirm unity, the President of the Republic and the First Vice President shall complete the tenure of their offices.

Page 30-31, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER V, THE GOVERNMENT OF NATIONAL UNITY
Duties of the Government of National Unity
82. The Government of National Unity shall undertake the following duties:-
... (c) implementation of the Comprehensive Peace Agreement in a manner that makes the unity of the Sudan an attractive option especially to the people of Southern Sudan, and pave the way for the exercise of the right of self-determination according to Part Sixteen of this Constitution,

Page 78-79, CHAPTER III, DEVELOPMENT AND MANAGEMENT OF THE PETROLEUM SECTOR
The Framework for Petroleum Management
190. The basis for a definitive framework for the management and development of the petroleum sector shall include:-
... (c) give due attention to enabling policy environment for the flow of foreign direct investment by reducing risks associated with uncertainties regarding the outcome of the referendum on self-determination at the end of the Interim Period,

Page 96, PART SIXTEEN, SOUTHERN SUDAN RIGHT TO SELF-DETERMINATION
Affirmation of the Right to Self-Determination by the People of Southern Sudan
219. The people of Southern Sudan shall have the right to self-determination through a referendum to determine their future status.

Referendum

Page 4, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Fundamental Bases of the Constitution
4. This Constitution is predicated upon and guided by the following principles:-
... (d) the authority and powers of government emanate from the sovereign will of the people exercised by them through referenda and in free, direct and periodic elections conducted through universal adult suffrage, using secret ballot.

Page 26, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER III, INTERIM PROVISIONS FOR THE PRESIDENCY OF THE REPUBLIC
Interim Provisions for Tenure of Office of the President and the First Vice President
69. (1) Should the outcome of the referendum on self-determination confirm unity, the President of the Republic and the First Vice President shall complete the tenure of their offices.
(2) In the event of a vote for secession by the people of Southern Sudan, the President of the Republic shall continue in office if he/her is from the North; however, if the President is from the South he/she shall be deemed to have resigned and the First Vice President shall assume the office of the President of the Republic to complete the tenure to the next elections.

Page 73, PART TWELVE, THE STATES AND ABYEI AREA
Abyei Area
183. (3) Simultaneously with the referendum for southern Sudan, the residents of Abyei Area shall vote in a separate referendum, which shall present the residents of Abyei Area, irrespective of the results of the Southern Sudan Referendum, with the following choices:-
(a) that Abyei Area retain its special administrative status in the north,
(b) that Abyei Area be part of Bahr el Ghazal.
(4) The January 1st, 1956 line between the north and the south shall be inviolable, except as agreed in sub-Article (3) above.

Page 78-79, CHAPTER III, DEVELOPMENT AND MANAGEMENT OF THE PETROLEUM SECTOR
The Framework for Petroleum Management
190. The basis for a definitive framework for the management and development of the petroleum sector shall include:-
... (c) give due attention to enabling policy environment for the flow of foreign direct investment by reducing risks associated with uncertainties regarding the outcome of the referendum on self-determination at the end of the Interim Period,

Page 96, PART SIXTEEN, SOUTHERN SUDAN RIGHT TO SELF-DETERMINATION
Affirmation of the Right to Self-Determination by the People of Southern Sudan
219. The people of Southern Sudan shall have the right to self-determination through a referendum to determine their future status.

Page 96, PART SIXTEEN, SOUTHERN SUDAN RIGHT TO SELF-DETERMINATION
Southern Sudan Referendum Commission
220. (1) A Southern Sudan Referendum Act shall be promulgated by the National Legislature at the beginning of the third year of the interim period.
(2) The Presidency shall, as soon as Southern Sudan Referendum Act is issued, establish Southern Sudan Referendum Commission.

Page 96-97, PART SIXTEEN, SOUTHERN SUDAN RIGHT TO SELF-DETERMINATION
The Referendum on Self-Determination
222. (1) Six months before the end of the six-year interim period, there shall be an

State symbols

Page 6, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
National Symbols
9. The law shall specify the national flag, national emblem, national anthem, public seal, medals, national festivals and commemorations of the State.

Page 5, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Language
8. (1) All indigenous languages of the Sudan are national languages and shall be respected, developed and promoted.
(2) Arabic is a widely spoken national language in the Sudan.
(3) Arabic, as a major language at the national level and English shall be the official working languages of the national government and the languages of instruction for higher education.

Page 90, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER IX, TRANSITIONAL PROVISIONS FOR FINANCE AND BANKING
New Currency
207. (1) The Central Bank of Sudan shall issue a new currency, the design of which shall reflect the cultural diversity of the Sudan.
(2) Until a new currency is issued on the recommendation of the Central Bank of Sudan, the circulating currencies in Southern Sudan shall be recognised.

Page 101, SCHEDULES
Schedule (A)
National Powers
The exclusive legislative and executive powers of the national level of government shall be as follows:
24. National Flag, National Emblem and National Anthem;

Page 102-103, SCHEDULES
Schedule (B)
Powers of the Government of Southern Sudan
The exclusive legislative and executive powers of Government of Southern Sudan shall be as follows:
15. Government of Southern Sudan flag and emblem;

Page 104-105, SCHEDULES
Schedule (C)
Powers of States
The exclusive executive and legislative powers of a state of the Sudan shall be as follows:-
45. Flag and emblem of the state.

Independence/ secession	Page 26, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER III, INTERIM PROVISIONS FOR THE PRESIDENCY OF THE REPUBLIC Interim Provisions for Tenure of Office of the President and the First Vice President 69. (2) In the event of a vote for secession by the people of Southern Sudan, the President of the Republic shall continue in office if he/her is from the North; however, if the President is from the South he/she shall be deemed to have resigned and the First Vice President shall assume the office of the President of the Republic to complete the tenure to the next elections.
Accession/ unification	No specific mention.
Border delimitation	Page 42, PART FOUR, THE NATIONAL LEGISLATURE, CHAPTER I, COMPOSITION AND FUNCTIONING OF THE NATIONAL LEGISLATURE Provisional Orders 109. ... (2) Notwithstanding sub-Article (1) above, the President of the Republic shall not make any provisional order on matters affecting the Comprehensive Peace Agreement, the Bill of Rights, the decentralized system of government, general elections, annual allocation of resources and financial revenues, penal legislations, international conventions or agreements altering the borders of the State.
Cross-border provision	No specific mention.

Governance

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→General references
Note: See Autonomous regions for new institutions in Southern Sudan

Page 19, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER I, THE NATIONAL EXECUTIVE AND ITS POWERS
Composition of the National Executive
49. The National Executive shall consist of the Presidency of the Republic and the National Council of Ministers.

Page 19, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER I, THE NATIONAL EXECUTIVE AND ITS POWERS
Powers of the National Executive
50. The National Executive shall exercise the executive powers in Schedules A and D, read together with Schedules E and F herein and the competences conferred upon it by this Constitution.

Page 19, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Composition of the Presidency
51. (1) The Presidency of the Republic shall consist of the President of the Republic and two Vice Presidents.
(2) There shall be partnership and collegial decision-making within the Presidency in order to safeguard stability in the country and implement the Comprehensive Peace Agreement.

Page 19, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
The President of The Republic
52. There shall be a President for the Republic of the Sudan to be directly elected by the people in national elections according to the law and the regulations set by the National Elections Commission.

Page 21, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Oath of the President
Tenure of Office of the President of the Republic
57. The tenure of office of the President of the Republic shall be five years, commencing from the date of assumption of office, and the same President may be re-elected for one more term only.

Page 21-22, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Functions of the President of the Republic
58. Summary: Article lists powers of the President

Page 22, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Vacancy of the Office of the President of the Republic
59. The Office of the President of the Republic shall fall vacant in any of the following cases:-
(a) expiry of his/her tenure of office,
(b) death,
(c) mental infirmity or physical incapacity as determined by a resolution of the National Legislature adopted by a threequarters majority of all members,
(d) impeachment in accordance with the provisions of this Constitution

Elections

Page 4, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Fundamental Bases of the Constitution
4. This Constitution is predicated upon and guided by the following principles:-
... (d) the authority and powers of government emanate from the sovereign will of the people exercised by them through referenda and in free, direct and periodic elections conducted through universal adult suffrage, using secret ballot.

Page 16, PART TWO, BILL OF RIGHTS
Right to Vote
41 (1) Every citizen shall have the right to take part in the conduct of public affairs, through voting as shall be regulated by law.
(2) Every citizen who has attained the age specified by this Constitution or the law, shall have the right to elect and be elected in periodic elections, through universal adult suffrage in secret ballot, which shall guarantee the free expression of the will of the electorate.

Page 19, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
The President of The Republic
52. There shall be a President for the Republic of the Sudan to be directly elected by the people in national elections according to the law and the regulations set by the National Elections Commission.

Page 20, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Nomination and Election of the President of the Republic
54. (1) Any eligible voter may nominate whoever he/she deems fit for the office of the President of the Republic; however, the Presidential candidate shall be seconded by a number of eligible voters as specified by law.
(2) The Presidential candidate who wins more than fifty percent of the total votes of the polling electorate shall be the President elect.
(3) Where the percentage mentioned in sub-Article (2) above is not attained, there shall be a run-off election between the two presidential candidates who have obtained the highest number of votes.

Page 20, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Postponement of Elections of the President
55. (1) Where election of the President of the Republic is not possible for any reason, as shall be decided by the National Elections Commission according to the election law, the National Elections Commission shall fix a new date for the elections as soon as practicable, but not later than sixty days from the scheduled election date.
(2) Pending the holding of the postponed elections, the incumbent President of the Republic shall continue as a caretaker President; and his tenure shall be extended until the President elect takes the oath of office.

Page 24-25, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER III, INTERIM PROVISIONS FOR THE PRESIDENCY OF THE REPUBLIC
The Incumbent President and the First Vice President
65. Prior to the elections that shall be held during the interim period:-
(a) the incumbent President of the Republic, or his successor, shall be the President and Commander-in-Chief of the Sudan Armed Forces in accordance with this Constitution,
(b) the Chairman of the Sudan People's Liberation Movement, or his successor, shall be the First Vice President and shall at the same time be the President of Government of

Electoral commission

Page 20, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Postponement of Elections of the President
55. (1) Where election of the President of the Republic is not possible for any reason, as shall be decided by the National Elections Commission according to the election law, the National Elections Commission shall fix a new date for the elections as soon as practicable, but not later than sixty days from the scheduled election date.
(2) Pending the holding of the postponed elections, the incumbent President of the Republic shall continue as a caretaker President; and his tenure shall be extended until the President elect takes the oath of office.

Page 54-55, PART EIGHT, INDEPENDENT NATIONAL INSTITUTIONS AND COMMISSIONS
National Elections Commission
141. (1) There shall be established, within one month after the adoption of the National Elections Law, a National Elections Commission composed of nine independent, competent, non-partisan, impartial and representative personalities to be selected and appointed by the President of the Republic in accordance with Article 58 (2) (c) herein.
(2) The National Elections Commission shall be the only body to assume the following functions:-
(a) prepare the general electoral roll and pursue its annual revision,
(b) organize and supervise, in accordance with the law, the elections for the President of the Republic, the President of Government of Southern Sudan, Governors, the National Legislature, Southern Sudan Assembly and state legislatures in accordance with the law,
(c) organize and supervise any referendum in accordance with this Constitution without prejudice to Articles 183 (3) and 220 (2) herein,
(d) perform any other relevant electoral functions as may be prescribed by law.
(3) The National Elections Law shall specify general rules and procedures to govern elections as well as functions and terms and conditions of service of the National Elections Commission.

Page 101-102, SCHEDULES
Schedule (A)
National Powers
The exclusive legislative and executive powers of the national level of government shall be as follows:
37. Laws providing for National elections and their supervision by the National Elections Commission;

Political parties reform

Governance→Political parties reform→Other political parties reform

Page 16

Freedom of Assembly and Association

40 (1)The right to peaceful assembly shall be guaranteed; every person shall have the right to freedom of association with others, including the right to form or join political parties, associations and trade or professional unions for the protection of his/her interests.

(2) Formation and registration of political parties, associations and trade unions shall be regulated by law as is necessary in a democratic society.

(3) No association shall function as a political party at national, Southern Sudan or state level unless it has:-

(a) its membership open to any Sudanese irrespective of religion, ethnic origin or place of birth,

(b) a programme that does not contradict the provisions of this Constitution,

(c) democratically elected leadership and institutions,

(d) disclosed and transparent sources of funding.

Civil society

Page 2, PREAMBLE
We the people of the Sudan
... Cognizant of conferences and the initiative of inclusive popular dialogue and agreements of peace and national reconciliation, particularly the Cairo Agreement signed in June 2005, and prospects of other peace agreements to end conflicts in the country,

Page 16, PART TWO, BILL OF RIGHTS
Freedom of Assembly and Association
40 (1)The right to peaceful assembly shall be guaranteed; every person shall have the right to freedom of association with others, including the right to form or join political parties, associations and trade or professional unions for the protection of his/her interests.
(2) Formation and registration of political parties, associations and trade unions shall be regulated by law as is necessary in a democratic society.
(3) No association shall function as a political party at national, Southern Sudan or state level unless it has:-
(a) its membership open to any Sudanese irrespective of religion, ethnic origin or place of birth,
(b) a programme that does not contradict the provisions of this Constitution,
(c) democratically elected leadership and institutions,
(d) disclosed and transparent sources of funding.

Page 72-73, PART TWELVE, THE STATES AND ABYEI AREA
Southern Kordofan and Blue Nile States
182. (2) Agreement on the Resolution of the Conflict in Southern Kordofan and Blue Nile States shall be subject to popular consultation by the people of the two states through their respective democratically elected legislatures in accordance with the provisions stated therein.

Page 78-79, CHAPTER III, DEVELOPMENT AND MANAGEMENT OF THE PETROLEUM SECTOR
The Framework for Petroleum Management
190. The basis for a definitive framework for the management and development of the petroleum sector shall include:-
... (f) the communities in whose areas development of subterranean natural resources occurs have the right to participate, through their respective states, in the negotiation of contracts for the development of those resources,

Page 79-80, CHAPTER III, DEVELOPMENT AND MANAGEMENT OF THE PETROLEUM SECTOR
National Petroleum Commission
191. (4) In performing the functions referred to in sub-Article (3) above, the National Petroleum Commission shall take into account relevant considerations, including the following:-
(a) the extent to which the contract provides benefits to local communities affected by the development,
(b) the extent to which the views of the state and the affected groups are incorporated in the proposed contracts,

Page 86, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER V, FISCAL AND FINANCIAL MECHANISMS

Southern Sudan Reconstruction and Development Fund
200. (3) The Government of Southern Sudan shall be responsible for expenditure from

Traditional/ religious leaders	Page 4-5, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION Religious Rights 6 The State shall respect the religious rights to:- … (g) train, appoint, elect or designate by succession appropriate religious leaders called for by the requirements and standards of any religion or belief,

Public administration

Page 5, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Language
8.… (3) Arabic, as a major language at the national level and English shall be the official working languages of the national government and the languages of instruction for higher education.
(4) In addition to Arabic and English, the legislature of any subnational level of government may adopt any other national language as an additional official working language at its level.
(5) There shall be no discrimination against the use of either Arabic or English at any level of government or stage of education.

Page 28-29, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER IV, THE NATIONAL COUNCIL OF MINISTERS
Declaration of Wealth and Prohibition of Private Business
75. (1) All executive and legislative constitutional office holders, Justices, and senior civil service officials shall, upon assumption of their offices, make confidential declarations of their assets and liabilities including those of their spouses and children in accordance with the law.
(2) The President of the Republic, the two Vice Presidents, assistants and advisors, the President of Government of Southern Sudan, national ministers, and other constitutional office holders shall, during their tenure of offices, neither practice any private profession, transact commercial business, nor receive compensation or accept employment of any kind from any source other than the National Government, the Government of Southern Sudan or a state government as the case may be.

Page 52, PART SEVEN, THE NATIONAL CIVIL SERVICE, Principles and Guidelines for the National Civil Service Employees
The National Civil Service
135. (1) The National Civil Service shall consist of all employees at the national level of government who shall impartially carry out the functions assigned to them according to law.
(2) The law shall determine terms and conditions of service, duties and rights of employees of the National Civil Service.

Page 52, PART SEVEN, THE NATIONAL CIVIL SERVICE, Principles and Guidelines for the National Civil Service Employees
Guidelines for Inclusiveness in the National Civil Service
136. The National Civil Service, notably at the senior and middlelevels, shall be representative of the people of the Sudan; to ensure this, the following principles and guidelines shall be recognized and observed:-
(a) imbalances and disadvantages in recruitment shall be redressed,
(b) merit is important and training is necessary,
(c) no level of government shall discriminate against any qualified Sudanese citizen on the basis of religion, ethnicity, region or gender,
(d) fair competition for jobs,
(e) application of affirmative action and job training to achieve targets for equitable representation within a specified time frame,
(f) creation of additional training opportunities for conflict-affected people.

Page 52-53, PART SEVEN, THE NATIONAL CIVIL SERVICE, Principles and Guidelines for the National Civil Service Employees
The National Civil Service Commission

137. (1) A National Civil Service Commission shall be established and shall be composed of persons of proven competence, experience, integrity and impartiality.

Constitution

Governance→Constitution→Constitutional reform/making
Summary: Document as a whole is a new Interim Constitution

Page 2, PREAMBLE
We the people of the Sudan
... Do hereby adopt this Constitution as the supreme law by which the Republic of the Sudan shall be governed during the Interim Period; and we undertake to respect and protect it.

Page 2, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Supremacy of the Interim National Constitution
3. The Interim National Constitution shall be the supreme law of the land. The Interim Constitution of Southern Sudan, state constitutions and all laws shall comply with it.

Page 3-4, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Fundamental Bases of the Constitution
4. This Constitution is predicated upon and guided by the following principles:-
(a) the unity of the Sudan is based on the free will of its people, supremacy of the rule of law, decentralized democratic governance, accountability, equality, respect and justice,
(b) religions, beliefs, traditions and customs are the source of moral strength and inspiration for the Sudanese people,
(c) the cultural and social diversity of the Sudanese people is the foundation of national cohesion and shall not be used for causing division,
(d) the authority and powers of government emanate from the sovereign will of the people exercised by them through referenda and in free, direct and periodic elections conducted through universal adult suffrage, using secret ballot.

Page 9, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Saving
22. Unless this Constitution otherwise provides, or a duly enacted law guarantees the rights and liberties described in this Chapter, the provisions contained in this Chapter are not by themselves enforceable in a court of law; however, the principles expressed herein are basic to governance and the State is duty-bound to be guided by them, especially in making policies and laws.

Page 21-22, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Functions of the President of the Republic
58 (1) The President of the Republic is the Head of the State and Government and represents the will of the people and the authority of the State; he/she shall exercise the powers vested in him/her by this Constitution and the Comprehensive Peace Agreement and shall, without prejudice to the generality of the foregoing, perform the following functions:-
... (h) initiate constitutional amendments and legislations and assent to laws,

Page 98, PART SEVENTEEN, MISCELLANEOUS PROVISIONS
Amendment of the Constitution
224. (1) This Constitution shall not be amended unless the amendments are approved by three-quarters of all the members of each Chamber of the National Legislature sitting separately and only after introduction of the draft amendment at least two months prior to deliberations

Power sharing

Political power sharing

Power sharing→Political power sharing→General
State level
Sub-state level
Extensive state level power-sharing is provided, see below.

Extensive sub-state level power-sharing is provided for, see below.
Power sharing→Political power sharing→Executive coalition
State level
Sub-state level
Page 24-25, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER III, INTERIM PROVISIONS FOR THE PRESIDENCY OF THE REPUBLIC
The Incumbent President and the First Vice President
65. Prior to the elections that shall be held during the interim period:-
(a) the incumbent President of the Republic, or his successor, shall be the President and Commander-in-Chief of the Sudan Armed Forces in accordance with this Constitution,
(b) the Chairman of the Sudan People's Liberation Movement, or his successor, shall be the First Vice President and shall at the same time be the President of Government of Southern Sudan and Commander-in-Chief of the Sudan People's Liberation Army in accordance with this constitution.

Page 26, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER III, INTERIM PROVISIONS FOR THE PRESIDENCY OF THE REPUBLIC
Vacancy of the Office of the First Vice President before Elections
68. Should the office of the First Vice President fall vacant prior to elections, it shall be filled by the nominee of the Sudan People's Liberation Movement within two weeks of the occurrence of that vacancy.

Page 29, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER V, THE GOVERNMENT OF NATIONAL UNITY
Objectives of the Government of National Unity
79. Prior to the elections and notwithstanding Article 70 (1) of this Constitution, the President of the Republic, in consultation with the First Vice President, shall form a Government of National Unity, which shall implement the Comprehensive Peace Agreement, reflecting the need for inclusiveness, the promotion of national unity and the protection of national sovereignty.

Page 30, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER V, THE GOVERNMENT OF NATIONAL UNITY
Allocation of Seats of Government of National Unity
80. The seats of the Government of National Unity shall be allocated according to the seventy percent to thirty percent North/South ratio, as follows:-
(a) the National Congress Party shall be represented by fifty two percent (forty-nine percent for Northerners and three percent for Southerners),
(b) the Sudan People's Liberation Movement shall be represented by twenty eight percent (twenty-one percent for Southerners and seven percent for Northerners),
(c) other Northern Political forces shall be represented by fourteen percent,
(d) other Southern Political forces shall be represented by six percent.

Page 30, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER V, THE GOVERNMENT OF NATIONAL UNITY
Sharing of National Ministerial Portfolios
81. Portfolios in the National Council of Ministers, as clustered in Appendix (D) of the Comprehensive Peace Agreement, shall be shared equitably and qualitatively in accordance with the provisions of Article 80 above.

Territorial power sharing

Power sharing→Territorial power sharing→Federal or similar sub-divided government
Summary: The agreement in its entirety provides for robust territorial powersharing, see below.

Page 2, PREAMBLE
We the people of the Sudan
... Committed to establish a decentralized multi-party democratic system of governance in which power shall be peacefully transferred and to uphold values of justice, equality, human dignity and equal rights and duties of men and women,

Page 2, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Sovereignty
2. Sovereignty is vested in the people and shall be exercised by the State in accordance with the provisions of this Constitution and the law, without prejudice to the autonomy of Southern Sudan and the states.

Page 3, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Fundamental Bases of the Constitution
4. This Constitution is predicated upon and guided by the following principles:-
(a) the unity of the Sudan is based on the free will of its people, supremacy of the rule of law, decentralized democratic governance, accountability, equality, respect and justice,

Page 9, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Fiscal Levies
20 (2) Zakat is a duty on Muslims; its collection, expenditure and administration shall be regulated in the Northern states by law.

Page 10-11, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER IV, THE DECENTRALIZED SYSTEM OF GOVERNANCE
Levels of Government
24. The Sudan is a decentralized State, with the following levels of government: -
… (b) Southern Sudan level of government, which shall exercise authority in respect of the people and states in Southern Sudan,
(c) The state level of government, which shall exercise authority at the state level throughout the Sudan and render public services through the level closest to the people,

Page 11, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER IV, THE DECENTRALIZED SYSTEM OF GOVERNANCE
Devolution of Powers
25. The following principles shall guide the devolution and distribution of powers between all levels of government:-
(a) recognition of the autonomy of the Government of Southern Sudan and the states,
(b) affirmation of the need for norms and standards of governance and management at national, Southern Sudan and state levels, that reflect the unity of the country while asserting the diversity of the Sudanese people,
(c) acknowledgement of the role of the State in the promotion of the welfare of the people and protection of their human rights and fundamental freedoms,
(d) recognition of the need for the involvement and participation of all Sudanese people, particularly the people of Southern Sudan, at all levels of government as an expression of the national unity of the country,

Page 11-12, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES,

Economic power sharing

Power sharing→Economic power sharing→Sharing of resources

Page 42, PART FOUR, THE NATIONAL LEGISLATURE, CHAPTER I, COMPOSITION AND FUNCTIONING OF THE NATIONAL LEGISLATURE

Provisional Orders

109. ... (2) Notwithstanding sub-Article (1) above, the President of the Republic shall not make any provisional order on matters affecting the Comprehensive Peace Agreement, the Bill of Rights, the decentralized system of government, general elections, annual allocation of resources and financial revenues, penal legislations, international conventions or agreements altering the borders of the State.

Page 75-76, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER I, GUIDING PRINCIPLES FOR EQUITABLE SHARING OF RESOURCES AND COMMON WEALTH

185. (1) Resources and common wealth of the Sudan shall be shared equitably to enable each level of government to discharge its legal and constitutional responsibilities and duties and to ensure that the quality of life, dignity and living conditions of all citizens are promoted without discrimination on grounds of gender, race, religion, political affiliation, ethnicity, language or region.

(2) The sharing and allocation of the resources and common wealth of the Sudan shall be based on the premise that all parts of the country are entitled to development.

(3) The National Government shall fulfil its obligations to provide financial transfers to the Government of Southern Sudan, and shall, except as otherwise provided herein, apportion revenues equitably among other states;

(4) The State recognizes that Southern Sudan, Southern Kordofan, Blue Nile, Abyei Area and other conflict affected areas face serious needs; they shall be enabled to perform basic government functions, establish civil administration, rehabilitate and reconstruct the social and physical infrastructure in a post-conflict Sudan.

(5) There shall be established a National Reconstruction and Development Fund and a Southern Sudan Reconstruction and Development Fund to bring up Southern Sudan, other conflict affected areas and the least developed areas to the national average level of socio-economic and public services standards.

(6) Revenue sharing shall reflect a commitment to devolution of powers and decentralisation of decision-making in regard to development, service delivery and governance.

(7) The development of infrastructure, human resources, sustainable economic growth and the capacity to meet human needs shall be conducted within a framework of transparent and accountable governance.

(8) The best known practices in the sustainable utilization and management of natural resources shall be adopted by the State.

(9) This Constitution sets out the various types of income, revenue, taxes and other sources of wealth to which the respective levels of government are entitled.

(10) All taxes and duties set out in this Constitution shall be regulated by law to ensure coordination, fairness, equity, transparency and to avoid excessive tax burden on the citizens, private sector and investors.

(11) No level of government shall withhold any allocation or financial transfers due to any other level of government. In case of dispute, any level of government, after attempting amicable solution, may initiate proceedings in the Constitutional Court and before Southern Sudan Supreme Court in the case of governments in Southern Sudan.

Page 81-82, CHAPTER III, DEVELOPMENT AND MANAGEMENT OF THE PETROLEUM SECTOR

Sharing Oil Revenue

192. (1) The framework for sharing wealth from the extraction of natural resources, emanating from Southern Sudan, shall balance the needs for national development and reconstruction of Southern Sudan.

(2) Net revenue from oil shall be the sum of the net revenue:

Military power sharing	Power sharing→Military power sharing→Merger of forces Page 57-58, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER I, THE NATIONAL ARMED FORCES Joint/ Integrated Units 145. (1) There shall be formed Joint/Integrated Units consisting of equal numbers, from the Sudan Armed Forces and the Sudan People's Liberation Army. The Joint/Integrated Units shall constitute a nucleus of the post-referendum army of the Sudan, should the result of the referendum confirm unity; otherwise they would be dissolved and the component parts integrated into their respective forces. (2) Character, functions, size and deployment of the Joint/Integrated Units shall be governed by the Comprehensive Peace Agreement. Power sharing→Military power sharing→Joint command structures Page 58, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER I, THE NATIONAL ARMED FORCES Command and Control of Joint/Integrated Units and Coordination between the Armed Forces 146. (1) The Joint Defence Board, that shall be established in accordance with the Comprehensive Peace Agreement, shall assume command and control of the Joint/ Integrated Units. (2) Coordination between the Sudan Armed Forces and the Sudan People's Liberation Army shall be the function of the Joint Defence Board. Power sharing→Military power sharing→Proportionality Page 57, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER I, THE NATIONAL ARMED FORCES Status of Forces 144. (1) The Sudan Armed Forces and the Sudan People's Liberation Army shall remain separate, regular, professional and non-partisan armed forces and shall be treated equally as the Sudan National Armed Forces. … (4) The military service, military courts and military legal services shall be regulated by law for the Sudan Armed Forces, the Sudan People's Liberation Army and the Joint/ Integrated Units.

Human rights and equality

Human rights/RoL general

Page 2, PREAMBLE
We the people of the Sudan
... Committed to establish a decentralized multi-party democratic system of governance in which power shall be peacefully transferred and to uphold values of justice, equality, human dignity and equal rights and duties of men and women,

Page 2, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Nature of the State
1 (2) The State is committed to the respect and promotion of human dignity; and is founded on justice, equality and the advancement of human rights and fundamental freedoms and assures multi-partism.

Page 3, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Fundamental Bases of the Constitution
4. This Constitution is predicated upon and guided by the following principles:-
(a) the unity of the Sudan is based on the free will of its people, supremacy of the rule of law, decentralized democratic governance, accountability, equality, respect and justice,

Page 8-9, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Foreign Policy
17. Foreign policy of the Sudan shall serve the national interest and shall be conducted independently and transparently with the view to achieving the following:
... (c) enhancement of respect for human rights and fundamental freedoms in regional and international fora,
(d) promotion of dialogue among civilizations and establishment of international order based on justice and common human destiny,

Page 11, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER IV, THE DECENTRALIZED SYSTEM OF GOVERNANCE
Devolution of Powers
25. The following principles shall guide the devolution and distribution of powers between all levels of government:-
… (c) acknowledgement of the role of the State in the promotion of the welfare of the people and protection of their human rights and fundamental freedoms,
… (e) pursuit of good governance through democracy, transparency, accountability and the rule of law at all levels of government to consolidate lasting peace.

Page 13, PART TWO, BILL OF RIGHTS
Nature of the Bill of Rights
27. (1) The Bill of Rights is a covenant among the Sudanese people and between them and their governments at every level and a commitment to respect and promote human rights and fundamental freedoms enshrined in this Constitution; it is the cornerstone of social justice, equality and democracy in the Sudan.

Page 30-31, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER V, THE GOVERNMENT OF NATIONAL UNITY
Duties of the Government of National Unity
82. The Government of National Unity shall undertake the following duties:-
... (f) devising a comprehensive solution that addresses economic and social problems, replacing conflict not just with peace but also with social, political and economic justice and respect the fundamental freedoms and rights of the people of the Sudan,

Bill of rights/similar Page 13, PART TWO, BILL OF RIGHTS
Nature of the Bill of Rights
27. (1) The Bill of Rights is a covenant among the Sudanese people and between them and their governments at every level and a commitment to respect and promote human rights and fundamental freedoms enshrined in this Constitution; it is the cornerstone of social justice, equality and democracy in the Sudan.
(2) The State shall protect, promote, guarantee and implement this Bill.
(3) All rights and freedoms enshrined in international human rights treaties, covenants and instruments ratified by the Republic of the Sudan shall be an integral part of this Bill.
(4) Legislation shall regulate the rights and freedoms enshrined in this Bill and shall not detract from or derogate any of these rights.

Page 18, PART TWO, BILL OF RIGHTS
Sanctity of Rights and Freedoms
48. Subject to Article 211 herein, no derogation from the rights and freedoms enshrined in this Bill shall be made. The Bill of Rights shall be upheld, protected and applied by the Constitutional Court and other competent courts; the Human Rights Commission shall monitor its application in the State pursuant to Article 142 herein.

Page 23, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Contesting Acts of the President or the Presidency
61 Any person aggrieved by an act of the President of the Republic or the Presidency may contest such act:-
(a) before the Constitutional Court, if the alleged act involves a violation of this Constitution, the Bill of Rights, the decentralized system of government, or the Comprehensive Peace Agreement,
(b) before a competent court of law, if the allegation is based on other legal grounds.

Page 42, PART FOUR, THE NATIONAL LEGISLATURE, CHAPTER I, COMPOSITION AND FUNCTIONING OF THE NATIONAL LEGISLATURE
Provisional Orders
109. ... (2) Notwithstanding sub-Article (1) above, the President of the Republic shall not make any provisional order on matters affecting the Comprehensive Peace Agreement, the Bill of Rights, the decentralized system of government, general elections, annual allocation of resources and financial revenues, penal legislations, international conventions or agreements altering the borders of the State.

Page 92, PART FOURTEEN, STATE OF EMERGENCY AND DECLARATION OF WAR
Powers of the President in the State of Emergency
211. The President of the Republic, with the consent of the First Vice President, may during the state of emergency take, by virtue of law or exceptional order, any measures that shall not derogate from the provisions of this Constitution and the Comprehensive Peace Agreement except as may be provided herein:-
(a) to suspend part of the Bill of Rights. However, there shall be no infringement on the right to life, sanctity from slavery, sanctity from torture, the right of non-discrimination on the basis of race, sex, religious creed, the right in litigation or the right to fair trial,

Treaty incorporation

Page 13, PART TWO, BILL OF RIGHTS
Nature of the Bill of Rights
27. (1) The Bill of Rights is a covenant among the Sudanese people and between them and their governments at every level and a commitment to respect and promote human rights and fundamental freedoms enshrined in this Constitution; it is the cornerstone of social justice, equality and democracy in the Sudan.
(3) All rights and freedoms enshrined in international human rights treaties, covenants and instruments ratified by the Republic of the Sudan shall be an integral part of this Bill.

Page 14, PART TWO, BILL OF RIGHTS
Rights of Women and Children
32. … (5) The State shall protect the rights of the child as provided in the international and regional conventions ratified by the Sudan.

Civil and political rights

Human rights and equality→Civil and political rights→Life
Page 13, PART TWO, BILL OF RIGHTS
Life and Human Dignity
28. Every human being has the inherent right to life, dignity and the integrity of his/her person, which shall be protected by law; no one shall arbitrarily be deprived of his/her life.

Page 92, PART FOURTEEN, STATE OF EMERGENCY AND DECLARATION OF WAR
Powers of the President in the State of Emergency
211. The President of the Republic, with the consent of the First Vice President, may during the state of emergency take, by virtue of law or exceptional order, any measures that shall not derogate from the provisions of this Constitution and the Comprehensive Peace Agreement except as may be provided herein:-
(a) to suspend part of the Bill of Rights. However, there shall be no infringement on the right to life, sanctity from slavery, sanctity from torture, the right of non-discrimination on the basis of race, sex, religious creed, the right in litigation or the right to fair trial,
Human rights and equality→Civil and political rights→Torture
Page 14, PART TWO, BILL OF RIGHTS
Sanctity from Torture
33. No person shall be subjected to torture or to cruel, inhuman or degrading treatment.

Page 92, PART FOURTEEN, STATE OF EMERGENCY AND DECLARATION OF WAR
Powers of the President in the State of Emergency
211. The President of the Republic, with the consent of the First Vice President, may during the state of emergency take, by virtue of law or exceptional order, any measures that shall not derogate from the provisions of this Constitution and the Comprehensive Peace Agreement except as may be provided herein:-
(a) to suspend part of the Bill of Rights. However, there shall be no infringement on the right to life, sanctity from slavery, sanctity from torture, the right of non-discrimination on the basis of race, sex, religious creed, the right in litigation or the right to fair trial,
Human rights and equality→Civil and political rights→Equality
Page 2, PREAMBLE
We the people of the Sudan
... Committed to establish a decentralized multi-party democratic system of governance in which power shall be peacefully transferred and to uphold values of justice, equality, human dignity and equal rights and duties of men and women,

Page 2, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Nature of the State
1 (2) The State is committed to the respect and promotion of human dignity; and is founded on justice, equality and the advancement of human rights and fundamental freedoms and assures multi-partism.

Page 3, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Fundamental Bases of the Constitution
4. This Constitution is predicated upon and guided by the following principles:-
(a) the unity of the Sudan is based on the free will of its people, supremacy of the rule of law, decentralized democratic governance, accountability, equality, respect and justice,

Page 6, CHAPTER II GUIDING PRINCIPLES AND DIRECTIVES, Social Justice
12 (1) The State shall develop policies and strategies to ensure social justice among all people of the Sudan, through ensuring means of livelihood and opportunities of employment. The State shall also encourage mutual assistance, self-help, co-operation

Socio-economic rights

Human rights and equality→Socio-economic rights→Property
Page 4-5, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Religious Rights
6 The State shall respect the religious rights to:-
… (c) acquire and possess movable and immovable property and make, acquire and use the necessary articles and materials related to the rites or customs of a religion or belief,

Page 17, PART TWO, BILL OF RIGHTS
Right to Own Property
43. (1) Every citizen shall have the right to acquire or own property as regulated by law.
(2) No private property may be expropriated save by law in the public interest and in consideration for prompt and fair compensation. No private property shall be confiscated save by an order of a court of law.
Human rights and equality→Socio-economic rights→Work
Page 14, PART TWO, BILL OF RIGHTS
Rights of Women and Children
32 (1) The State shall guarantee equal right of men and women to the enjoyment of all civil, political, social, cultural and economic rights, including the right to equal pay for equal work and other related benefits.
Human rights and equality→Socio-economic rights→Health
Page 17, PART TWO, BILL OF RIGHTS
Rights of Persons with Special Needs and the Elderly
45. (2) The elderly shall have the right to the respect of their dignity. The State shall provide them with the necessary care and medical services as shall be regulated by law.

Page 17, PART TWO, BILL OF RIGHTS
Public Health Care
46. The State shall promote public health, establish, rehabilitate, develop basic medical and diagnostic institutions, provide free primary health care and emergency services for all citizens.
Human rights and equality→Socio-economic rights→Education
Page 17, PART TWO, BILL OF RIGHTS
Right to Education
44. (1) Education is a right for every citizen and the State shall provide access to education without discrimination as to religion, race, ethnicity, gender or disability.
(2) Primary education is compulsory and the State shall provide it free.
Human rights and equality→Socio-economic rights→Cultural life
Page 18, PART TWO, BILL OF RIGHTS
Ethnic and Cultural Communities
47. Ethnic and cultural communities shall have the right to freely enjoy and develop their particular cultures; members of such communities shall have the right to practice their beliefs, use their languages, observe their religions and raise their children within the framework of their respective cultures and customs.

Rights related issues

Citizenship

Rights related issues→Citizenship→Citizen, general
Page 6, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
National Economy
10 (1) The overarching aims of economic development shall be eradication of poverty, attainment of the Millennium Development Goals, guaranteeing the equitable distribution of wealth, redressing imbalances of income and achieving a decent standard of life for all citizens.

Page 9, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Defence of the Country
18. Defence of the Country is an honour and a duty of every citizen; the State shall care for the combatants, the afflicted in war, the families of martyrs and those missing in action.

Page 9, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Public Health
19 The State shall promote public health and guarantee equal access and free primary health care to all citizens.

Page 10, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER III, DUTIES OF THE CITIZEN
23. (1) It shall be the duty of every Sudanese citizen to pledge allegiance to the Republic of the Sudan, abide by this Constitution, respect the institutions created hereunder and safeguard the territorial integrity of the country.
(2) In particular every citizen shall:
(a) defend the country and respond to the call for national service within the terms of this Constitution and the law,
(b) abhor violence, promote harmony, fraternity and tolerance among all people of the Sudan in order to transcend religious, regional, linguistic, and sectarian divisions,
(c) preserve public funds and assets and respect legal and financial obligations towards the State,
(d) avert and thwart corruption and sabotage,
(e) participate fully in the development of the country,
(f) take part in the general elections and referenda as stipulated in this Constitution and the law,
(g) abide by law and co-operate with the appropriate agencies in the maintenance of law and order,
(h) preserve the natural environment,
(i) generally, be guided and informed in his/her actions by the interests of the nation and the principles enshrined in this Constitution.
Rights related issues→Citizenship→Citizens, specific rights
Page 6, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Environment and Natural Resources
11 (1) The people of the Sudan shall have the right to a clean and diverse environment; the State and the citizens have the duty to preserve and promote the country's biodiversity.

Page 16, PART TWO, BILL OF RIGHTS

Democracy	Page 2, PREAMBLE We the people of the Sudan ... Committed to establish a decentralized multi-party democratic system of governance in which power shall be peacefully transferred and to uphold values of justice, equality, human dignity and equal rights and duties of men and women, Page 2, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION Nature of the State 1 (1) The Republic of the Sudan is an independent, sovereign State. It is a democratic, decentralized, multi-cultural, multilingual, multi-racial, multi-ethnic, and multi-religious country where such diversities co-exist. Page 11, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER IV, THE DECENTRALIZED SYSTEM OF GOVERNANCE Devolution of Powers 25. The following principles shall guide the devolution and distribution of powers between all levels of government:- … (e) pursuit of good governance through democracy, transparency, accountability and the rule of law at all levels of government to consolidate lasting peace. Page 16, PART TWO, BILL OF RIGHTS Freedom of Expression and Media 39. (2) The State shall guarantee the freedom of the press and other media as shall be regulated by law in a democratic society. Page 16, PART TWO, BILL OF RIGHTS Freedom of Assembly and Association 40. (2) Formation and registration of political parties, associations and trade unions shall be regulated by law as is necessary in a democratic society. Page 30-31, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER V, THE GOVERNMENT OF NATIONAL UNITY Duties of the Government of National Unity 82. The Government of National Unity shall undertake the following duties:- ... (b) establishment of a decentralized democratic system of governance taking into account the cultural, ethnic, racial, religious, and linguistic diversity and gender equality, Page 57, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER I, THE NATIONAL ARMED FORCES Status of Forces 144. (3) The Sudan National Armed Forces and the Joint/Integrated Units shall defend the constitutional order, respect the rule of law, the civilian government, democracy, basic human rights and the will of the people; they shall undertake the responsibility of the defence of the country against external and internal threats in their respective areas of deployment and shall be involved in addressing constitutionally specified emergencies.
Detention procedures	No specific mention.

Media and communication

Rights related issues→Media and communication→Governance of media
Page 30-31, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER V, THE GOVERNMENT OF NATIONAL UNITY
Duties of the Government of National Unity
82. The Government of National Unity shall undertake the following duties:-
... (d) implementation of an information campaign throughout the Sudan in all national languages to popularize the Comprehensive Peace Agreement, foster national unity, reconciliation and mutual understanding,

Page 101-102, SCHEDULES
Schedule (A)
National Powers
The exclusive legislative and executive powers of the national level of government shall be as follows:
34. National information, publications, telecommunications regulations;

Page 102-103, SCHEDULES
Schedule (B)
Powers of the Government of Southern Sudan
The exclusive legislative and executive powers of Government of Southern Sudan shall be as follows:
17. Government of Southern Sudan information, publications, media and telecommunications utilities;

Page 104-105, SCHEDULES
Schedule (C)
Powers of States
The exclusive executive and legislative powers of a state of the Sudan shall be as follows:-
4. State information, state publications and state media;
Rights related issues→Media and communication→Media roles
Page 4-5, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Religious Rights
6 The State shall respect the religious rights to:-
… (i) communicate with individuals and communities in matters of religion and belief at national and international levels.

Page 7, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Education, Science, Art and Culture
13 ... (4) The State shall recognize the cultural diversity of the country and shall encourage such diverse cultures to harmoniously flourish and find expression, through the media and education.

Page 16, PART TWO, BILL OF RIGHTS
Freedom of Expression and Media
39 (1) Every citizen shall have an unrestricted right to the freedom of expression, reception and dissemination of information, publication, and access to the press without prejudice to order, safety or public morals as determined by law.
(2) The State shall guarantee the freedom of the press and other media as shall be regulated by law in a democratic society.
(3) All media shall abide by professional ethics, shall refrain from inciting religious, ethnic, racial or cultural hatred and shall not agitate for violence or war.

Mobility/access

Page 90, PART THIRTEEN, CHAPTER VIII, INTERSTATE COMMERCE
206. (1) Free interstate commerce is guaranteed by this Constitution. No legislation shall impede interstate commerce, the flow of goods and services, capital or labour between the states.

Page 105-106, SCHEDULES
Schedule (D)
Concurrent Powers
The National Government, the Government of Southern Sudan and state governments, shall have legislative and executive competencies on any of the matters listed below:-
16. Information, Publications, Media, Broadcasting and Telecommunications;

Protection measures

Rights related issues→Protection measures→Protection of groups
Page 8, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Family, Women and Marriage
15 (1) The family is the natural and fundamental unit of the society and is entitled to the protection of the law; the right of man and woman to marry and to found a family shall be recognized, according to their respective family laws, and no marriage shall be entered into without the free and full consent of its parties.
(2) The State shall protect motherhood and women from injustice, promote gender equality and the role of women in family, and empower them in public life.

Page 105-106, SCHEDULES
Schedule (D)
Concurrent Powers
The National Government, the Government of Southern Sudan and state governments, shall have legislative and executive competencies on any of the matters listed below:-
26. Mother, Child protection and care;
27. Water Resources other than interstate
Rights related issues→Protection measures→Other
Page 10, CHAPTER IV
THE DECENTRALIZED SYSTEM OF GOVERNANCE
Levels of Government
24 The Sudan is a decentralized State, with the following levels of government: -
(a) The national level of government, which shall exercise authority with a view to protecting the national sovereignty and
territorial integrity of the Sudan and promoting the welfare of its people,

Page 16, PART TWO, BILL OF RIGHTS
Freedom of Assembly and Association
40 (1)The right to peaceful assembly shall be guaranteed; every person shall have the right to freedom of association with others, including the right to form or join political parties, associations and trade or professional unions for the protection of his/her interests.

Page 29, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER V, THE GOVERNMENT OF NATIONAL UNITY
Objectives of the Government of National Unity
79. Prior to the elections and notwithstanding Article 70 (1) of this Constitution, the President of the Republic, in consultation with the First Vice President, shall form a Government of National Unity, which shall implement the Comprehensive Peace Agreement, reflecting the need for inclusiveness, the promotion of national unity and the protection of national sovereignty.

Page 59, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER II, THE LAW ENFORCEMENT AGENCIES
Prisons and Wildlife Services
149. (2) Pursuant to Article11(2) of this Constitution, there shall be established at the National, Southern Sudan and state levels, wildlife protection service whose functions and terms and conditions of services shall be prescribed by law.

Page 78, CHAPTER III, DEVELOPMENT AND MANAGEMENT OF THE PETROLEUM SECTOR
The Framework for Petroleum Management
190. The basis for a definitive framework for the management and development of the petroleum sector shall include:-
(a) sustainable utilization of oil as a non-renewable natural resource consistent with:

Other	No specific mention.

Rights institutions

NHRI	Rights institutions→NHRI→New or fundamentally revised NHRI Page 55, PART EIGHT, INDEPENDENT NATIONAL INSTITUTIONS AND COMMISSIONS Human Rights Commission 142. (1) The President of the Republic shall, after consultation within the Presidency, establish an independent Human Rights Commission consisting of fifteen independent, competent non-partisan and impartial members. Their appointment shall be representative. It shall be independent in decision making. (2) Representative of relevant government organs shall take part in the deliberations of the Commission in advisory capacity. (3) The Human Rights Commission shall monitor the application of the rights and freedoms provided for in the Bill of Rights and shall receive complaints on violations thereof. (4)The Human Rights Commission may express opinion or present advice to State organs on any issue related to human rights. (5) The law shall specify the functions, powers, procedures, terms and conditions of service of the Commission.
Regional or international human rights institutions	Rights institutions→Regional or international human rights institutions→Monitoring calls Page 8-9, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES Foreign Policy 17. Foreign policy of the Sudan shall serve the national interest and shall be conducted independently and transparently with the view to achieving the following: (a) promotion of international cooperation, specially within the United Nations family and other international and regional organizations, for the purposes of consolidating universal peace, respect for international law, treaty obligations and fostering a just world economic order,

Justice sector reform

Criminal justice and emergency law

Justice sector reform→Criminal justice and emergency law→Reform to specific laws

Page 93, PART FOURTEEN, STATE OF EMERGENCY AND DECLARATION OF WAR
Duration of the State of Emergency
212. The duration of the measures relating to the state of emergency shall expire in the following cases:-
(a) lapse of thirty days as from the date of issuance of the declaration if the National Legislature does not approve by a resolution the extension of its duration,
(b) lapse of the duration approved by the National Legislature,
(c) Issuance of a declaration by the President of the Republic with the consent of the First Vice President lifting the state of emergency.

Page 99, PART SEVENTEEN, MISCELLANEOUS PROVISIONS
Transitional and Miscellaneous Provisions
226. (5) All current laws shall remain in force and all judicial and civil servants shall continue to perform their functions, unless new actions are taken in accordance with the provisions of this Constitution.

Justice sector reform→Criminal justice and emergency law→Criminal Justice System reform

Page 51, PART SIX, PUBLIC ATTORNEYS AND ADVOCACY
Public Attorneys
133. (1) The public attorneys and the State legal advisors shall be under the National Minister of Justice to advise the State, represent it in public prosecution, litigation and adjudication, and conduct pre-trial proceedings. They shall recommend law reform, strive to protect public and private rights, advise on legal matters and render legal aid.

Justice sector reform→Criminal justice and emergency law→Delimitation of powers in Criminal Justice System

Page 21-22, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Functions of the President of the Republic
58 (1) The President of the Republic is the Head of the State and Government and represents the will of the people and the authority of the State; he/she shall exercise the powers vested in him/her by this Constitution and the Comprehensive Peace Agreement and shall, without prejudice to the generality of the foregoing, perform the following functions:-
... (g) declare and terminate the state of emergency in accordance with the provisions of this Constitution and the law,
(2) Notwithstanding sub-Article (1) above, the President of the Republic shall, in respect of the following matters, take decisions with the consent of the First Vice President:-
(a) declaration and termination of a state of emergency,

Page 92, PART FOURTEEN, STATE OF EMERGENCY AND DECLARATION OF WAR
Declaration of State of Emergency
210. (1) The President of the Republic, with the consent of the First Vice President, may upon the occurrence of an imminent danger, whether it is war, invasion, blockade, natural disaster or epidemics, as may threaten the country, or any part thereof or the safety or economy of the same, declare a state of emergency in the country, or in any part thereof, in accordance with this Constitution and the law.
(2) The declaration of a state of emergency shall be submitted to the National Legislature within fifteen days of the issuance of the declaration. When the National Legislature is not in session, an emergency session shall be convoked.
(3) When the National Legislature approves the declaration of a state of emergency, all laws, exceptional orders or measures issued or taken by the President of the Republic pursuant to the state of emergency shall continue to remain in force.

State of emergency provisions

Page 21, Functions of the President of the Republic
58 (1) The President of the Republic is the Head of the State and Government and represents the will of the people and the authority of the State; he/she shall exercise the powers vested in him/her by this Constitution and the Comprehensive Peace Agreement and shall, without prejudice to the generality of the foregoing, perform the following functions:-
… (g) declare and terminate the state of emergency in accordance with the provisions of this Constitution and the law,
… (2) Notwithstanding sub-Article (1) above, the President of the Republic shall, in respect of the following matters, take decisions with the consent of the First Vice President:-
(a) declaration and termination of a state of emergency,

Page 35, Functions of the National Legislature
91 (1) The National Legislature represents the will of the people and shall foster national unity, exercise national legislative functions, oversee the National Executive, and promote the decentralized system of government.

(2) Without prejudice to the generality of sub-Article (1) above, the National Legislature shall convene for the following purposes to:-
… (g) confirm declaration of state of emergency or termination thereof,

Page 92-93, PART FOURTEEN, STATE OF EMERGENCY AND DECLARATION OF WAR,
Declaration of State of emergency
210 (1) The President of the Republic, with the consent of the First Vice President, may upon the occurrence of an imminent danger, whether it is war, invasion, blockade, natural disaster or epidemics, as may threaten the country, or any part thereof or the safety or economy of the same, declare a state of emergency in the country, or in any part thereof, in accordance with this Constitution and the law.
(2) The declaration of a state of emergency shall be submitted to the National Legislature within fifteen days of the issuance of the declaration. When the National Legislature is not in session, an emergency session shall be convoked.
(3) When the National Legislature approves the declaration of a state of emergency, all laws, exceptional orders or measures issued or taken by the President of the Republic pursuant to the state of emergency shall continue to remain in force.
Powers of the President in the State of emergency
211 The President of the Republic, with the consent of the First Vice President, may during the state of emergency take, by virtue of law or exceptional order, any measures that shall not derogate from the provisions of this Constitution and the Comprehensive Peace Agreement except as may be provided herein:-
(a) to suspend part of the Bill of Rights. However, there shall be no infringement on the right to life, sanctity from slavery, sanctity from torture, the right of non-discrimination on the basis of race, sex, religious creed, the right in litigation or the right to fair trial,
(b) to dissolve or suspend any of the state organs or suspend such powers, as may be conferred upon the states under this Constitution. The President of the Republic with the consent of the First Vice President shall assume the functions of such organs and exercise the powers or prescribe the manner in which the affairs of the state concerned may be managed,
(c) to take any such measures as deemed necessary to the state of emergency, which shall have the force of law.
Duration of the State of emergency
212 The duration of the measures relating to the state of emergency shall expire in the following cases:-

(a) lapse of thirty days as from the date of issuance of the declaration if the National Legislature does not approve by a resolution the extension of its duration

Judiciary and courts

Page 18, PART TWO, BILL OF RIGHTS
Sanctity of Rights and Freedoms
48. Subject to Article 211 herein, no derogation from the rights and freedoms enshrined in this Bill shall be made. The Bill of Rights shall be upheld, protected and applied by the Constitutional Court and other competent courts; the Human Rights Commission shall monitor its application in the State pursuant to Article 142 herein.

Page 21-22, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Functions of the President of the Republic
58 (1) The President of the Republic is the Head of the State and Government and represents the will of the people and the authority of the State; he/she shall exercise the powers vested in him/her by this Constitution and the Comprehensive Peace Agreement and shall, without prejudice to the generality of the foregoing, perform the following functions:-
... (c) appoint holders of constitutional and judicial posts in accordance with the provisions of this Constitution and the law,
... (i) approve death sentences, grant pardon, lift convictions and remit penalties according to this Constitution and the national law,
... (l) seek the opinion of the Constitutional Court on any matter in connection with the Constitution,

Page 22, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Vacancy of the Office of the President of the Republic
59. The Office of the President of the Republic shall fall vacant in any of the following cases:-
... (d) impeachment in accordance with the provisions of this Constitution,

Page 22-23, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Immunity and Impeachment of the President and the First Vice President
See Political institutions (new or reformed) for impeachment process under Article 60.

Page 23, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Contesting Acts of the President or the Presidency
61 Any person aggrieved by an act of the President of the Republic or the Presidency may contest such act:-
(a) before the Constitutional Court, if the alleged act involves a violation of this Constitution, the Bill of Rights, the decentralized system of government, or the Comprehensive Peace Agreement,
(b) before a competent court of law, if the allegation is based on other legal grounds.

Page 27, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER IV, THE NATIONAL COUNCIL OF MINISTERS
Functions of the National Council of Ministers
72 The National Council of Ministers shall have the following functions:-
... (f) receiving reports on matters that are concurrent or residual and decides whether it is competent to exercise such power in accordance with Schedules E and F herein. If it so decides, it shall notify the other levels of government of its intention to exercise such power. In case any other level of government objects thereto, a committee shall be set up by the levels concerned to amicably resolve the matter before resorting to the Constitutional Court,

Prisons and detention

Page 59, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER II, THE LAW ENFORCEMENT AGENCIES
Prisons and Wildlife Services
149. (1) (a) There shall be established at the National, Southern Sudan and state levels, prison services whose functions, terms and conditions of service shall be prescribed by law,
(b) Prisons are correctional and rehabilitative institutions; treatment that is cruel, inhuman, degrading of the prisoners' dignity, or that may expose their health to danger shall be prohibited and punishable by law.

Page 101, SCHEDULES
Schedule (A)
National Powers
The exclusive legislative and executive powers of the national level of government shall be as follows:
20. Establishment and Maintenance of National Prisons;

Page 102-103, SCHEDULES
Schedule (B)
Powers of the Government of Southern Sudan
The exclusive legislative and executive powers of Government of Southern Sudan shall be as follows:
2. Police, Prisons and Wildlife Services;
9. The co-ordination of Southern Sudan services or the establishment of minimum Southern Sudan standards or the establishment of Southern Sudan uniform norms in respect of any matter or service referred to in Schedule C or Schedule D, read together with Schedule E, with the exception of Item 1 of Schedule C, including but not limited to, education, health, welfare, police (without prejudice to the National Standards and Regulations), prisons, state public services, such authority over civil and criminal laws and judicial institutions, lands, reformatories, personal law, intra-state business, commerce and trade, tourism, environment, agriculture, disaster intervention, fire and medical emergency services, commercial regulation, provision of electricity, water and waste management services, local Government, control of animal diseases and veterinary services, consumer protection, and any other matters referred to in the above Schedules;

Traditional Laws

Page 4, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Sources of Legislation
5. (1) Nationally enacted legislation having effect only in respect of the Northern states of the Sudan shall have as its sources of legislation Islamic Sharia and the consensus of the people.
(2) Nationally enacted legislation applicable to Southern Sudan or states of Southern Sudan shall have as its sources of legislation popular consensus, the values and the customs of the people of the Sudan, including their traditions and religious beliefs, having regard to Sudan's diversity.
(3) Where national legislation is currently in operation or is to be enacted and its source is religion or custom, then a state, and subject to Article 26 (1) (a) herein in the case of Southern Sudan, the majority of whose residents do not practice such religion or customs may:-
(a) either introduce legislation so as to allow practices or establish institutions, in that state consistent with their religion or customs, or
(b) refer the law to the Council of States to be approved by a two-thirds majority of all the representatives or initiate national legislation which will provide for such necessary alternative institutions as may be appropriate.

Page 9, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Fiscal Levies
20 (2) Zakat is a duty on Muslims; its collection, expenditure and administration shall be regulated in the Northern states by law.

Page 61-62, PART TEN, THE NATIONAL CAPITAL
Dispensing Justice in the National Capital
156. Without prejudice to the competence of any national institution to promulgate laws, judges and law enforcement agencies shall, in dispensing justice and enforcing law in the National Capital, be guided by the following:-
... (d) the judicial discretion of courts to impose penalties on non-Muslims shall observe the long-established Sharia principle that non-Muslims are not subject to prescribed penalties and therefore remitted penalties shall apply according to law,

Page 62, PART TEN, THE NATIONAL CAPITAL
The Non-Muslims Rights Special Commission
157. (1) The Presidency shall establish in the National Capital a special commission for the rights of Non-Muslims which shall have the following functions:-
… (b) ensure that Non-Muslims are not adversely affected by the application of the Sharia law in the National Capital.

Page 76, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER II, LAND RESOURCES
Land Regulation
186. (3) All levels of government shall institute a process to progressively develop and amend the relevant laws to incorporate customary laws, practices, local heritage and international trends and practices.

Page 76-77, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER II, LAND RESOURCES, National Land Commission
187 (1) Without prejudice to the jurisdiction of the courts, there shall be established a National Land Commission that shall have the following functions:-
... (d) accept references on request from the relevant government or in the process of resolving claims, make recommendations to the appropriate level of government

Socio-economic reconstruction

Development or socio-economic reconstruction

Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 2, PREAMBLE
We the people of the Sudan
... Further committed to gearing governance, in the coming phase of our political advancement, towards the enhancement of economic development, promotion of social harmony, deepening of religious tolerance and building trust and confidence in the society generally,

Page 6, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
National Economy
10 (1) The overarching aims of economic development shall be eradication of poverty, attainment of the Millennium Development Goals, guaranteeing the equitable distribution of wealth, redressing imbalances of income and achieving a decent standard of life for all citizens.
(2) The State shall develop and manage the national economy in order to achieve prosperity through policies aimed at increasing production, creating an efficient and self-reliant economy and encouraging free market and prohibition of monopoly.
(3) The State shall enhance regional economic integration.

Page 6-7, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Social Justice
12 (1) The State shall develop policies and strategies to ensure social justice among all people of the Sudan, through ensuring means of livelihood and opportunities of employment. The State shall also encourage mutual assistance, self-help, co-operation and charity.
(2) No qualified person shall be denied access to a profession or employment on the basis of disability; persons with special needs and the elderly shall have the right to participate in social, vocational, creative or recreational activities.

Page 7, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Education, Science, Art and Culture
13 (1) (a) The State shall promote education at all levels all over the Sudan and shall ensure free and compulsory education at the primary level and in illiteracy eradication programmes.
(b) Every person or group of persons shall have the right to establish and maintain private schools and other educational institutions at all levels in accordance with the conditions and standards provided by law.
(2) The State shall mobilize public, private and popular resources and capabilities for education and development of scientific research, especially Research and Development.
(3) The State shall encourage and promote craft and arts and foster their patronization by government institutions and citizens.
(4) The State shall recognize the cultural diversity of the country and shall encourage such diverse cultures to harmoniously flourish and find expression, through the media and education.
(5) The State shall protect Sudan's cultural heritage, monuments and places of national historic or religious importance, from destruction, desecration, unlawful removal or illegal export.
(6) The State shall guarantee academic freedom in institutions of higher education and shall protect the freedom of scientific research within the ethical parameters of research.

National economic plan	No specific mention.

Natural resources

Page 6, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Environment and Natural Resources
11. (3) The State shall promote, through legislation, sustainable utilization of natural resources and best practices with respect to their management.

Page 75-76, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER I, GUIDING PRINCIPLES FOR EQUITABLE SHARING OF RESOURCES AND COMMON WEALTH
185. (8) The best known practices in the sustainable utilization and management of natural resources shall be adopted by the State.

Page 78-79,
CHAPTER III, DEVELOPMENT AND MANAGEMENT OF THE PETROLEUM SECTOR
The Framework for Petroleum Management
190. The basis for a definitive framework for the management and development of the petroleum sector shall include:-
(a) sustainable utilization of oil as a non-renewable natural resource consistent with:-
(i) the national interest and the public good,
(ii) the interest of the affected states,
(iii) the interest of the local population in affected areas,
(iv) national environmental policies, biodiversity conservation guidelines and cultural heritage protection principles,
(b) empowerment of the appropriate levels of government to develop and manage, in consultation with the relevant communities, the various stages of oil production within the overall framework for the management of petroleum development,
(c) give due attention to enabling policy environment for the flow of foreign direct investment by reducing risks associated with uncertainties regarding the outcome of the referendum on self-determination at the end of the Interim Period,
(d) persons enjoying rights in land, shall be consulted and their views shall duly be taken into account in respect of decisions to develop subterranean natural resources from the area in which they have rights. They shall share in the benefits of that development,
(e) persons enjoying rights in land are entitled to equitable compensation on just terms arising from acquisition or development of land for the extraction of subterranean natural resources from the area in respect of which they have rights,
(f) the communities in whose areas development of subterranean natural resources occurs have the right to participate, through their respective states, in the negotiation of contracts for the development of those resources,
(g) regardless of the contention over the ownership of land and associated natural resources, there shall be a framework for the regulation and management of petroleum development in the Sudan during the Interim Period.

Page 79-81, CHAPTER III, DEVELOPMENT AND MANAGEMENT OF THE PETROLEUM SECTOR
National Petroleum Commission
191. (1) An independent National Petroleum Commission shall be established and its decision shall be by consensus.
(2) The National Petroleum Commission shall be constituted as follows:-
(a) the President of the Republic and President of Government of Southern Sudan as co-chairs,
(b) four permanent members representing the National Government,
(c) four permanent members representing the Government of Southern Sudan,
(d) not more than three non-permanent members representing oil producing state or states in which petroleum development is being considered.
(3) The National Petroleum Commission shall have the following functions:-
(a) formulate public policies and guidelines in relation to the development and

International funds

Page 78-79, CHAPTER III, DEVELOPMENT AND MANAGEMENT OF THE PETROLEUM SECTOR
The Framework for Petroleum Management
190. The basis for a definitive framework for the management and development of the petroleum sector shall include:-
... (c) give due attention to enabling policy environment for the flow of foreign direct investment by reducing risks associated with uncertainties regarding the outcome of the referendum on self-determination at the end of the Interim Period,

Page 82, CHAPTER IV, SOURCES OF REVENUE
Sources of National Revenue
193. The National Government may legislate for raising revenue or collecting taxes from the following sources:-
… (h) grants and foreign financial assistance,

Page 83, CHAPTER IV, SOURCES OF REVENUE
Sources of Southern Sudan Revenue
194. The Government of Southern Sudan may legislate for raising revenue or collecting taxes from the following sources:-
… (g) grants-in-aid and foreign financial assistance,

Page 83-84, CHAPTER IV, SOURCES OF REVENUE
Sources of States Revenue
195. The states may legislate for raising revenue or collecting taxes from the following sources:-
… (j) grants-in-aid and foreign aid,

Page 86, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER V, FISCAL AND FINANCIAL MECHANISMS
Southern Sudan Reconstruction and Development Fund
200. (1) There shall be established a Southern Sudan Reconstruction and Development Fund to solicit, raise and collect funds from domestic and international donors and disburse such funds for the reconstruction, rehabilitation and construction of the infrastructure of Southern Sudan, for the resettlement and reintegration of internally and externally displaced persons, and to address past imbalances in regional development and infrastructure.
(2) A monitoring and evaluation system shall be established to ensure accountability, transparency, efficiency, equity and fairness in the utilization of resources.
(3) The Government of Southern Sudan shall be responsible for expenditure from the fund and shall be entitled to raise additional funds by way of donation from foreign States, multilateral organizations or other bodies for the purposes of the reconstruction and development of Southern Sudan states. The Fund shall be transparently administered and professionally managed subject to an oversight by Southern Sudan Assembly and a committee appointed by the Government of Southern Sudan but having on it a representative of the National Ministry of Finance and of the National Audit Chamber.

Page 105-106, SCHEDULES
Schedule (D)
Concurrent Powers
The National Government, the Government of Southern Sudan and state governments, shall have legislative and executive competencies on any of the matters listed below:-
19. Without prejudice to the National Regulation, and in the case of Southern states, the regulation of Government of Southern Sudan, the initiation, negotiation and conclusion of International and Regional Agreements on culture, sports, trade, investment, credit,

Business

Page 7, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Education, Science, Art and Culture
13 (1) ... (b) Every person or group of persons shall have the right to establish and maintain private schools and other educational institutions at all levels in accordance with the conditions and standards provided by law.

Page 28-29, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER IV, THE NATIONAL COUNCIL OF MINISTERS
Declaration of Wealth and Prohibition of Private Business
75. (2) The President of the Republic, the two Vice Presidents, assistants and advisors, the President of Government of Southern Sudan, national ministers, and other constitutional office holders shall, during their tenure of offices, neither practice any private profession, transact commercial business, nor receive compensation or accept employment of any kind from any source other than the National Government, the Government of Southern Sudan or a state government as the case may be.

Page 75-76, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER I, GUIDING PRINCIPLES FOR EQUITABLE SHARING OF RESOURCES AND COMMON WEALTH
185. (10) All taxes and duties set out in this Constitution shall be regulated by law to ensure coordination, fairness, equity, transparency and to avoid excessive tax burden on the citizens, private sector and investors.

Page 82, CHAPTER IV, SOURCES OF REVENUE
Sources of National Revenue
193. The National Government may legislate for raising revenue or collecting taxes from the following sources:-
… (b) corporate or business profit tax,

Page 83, CHAPTER IV, SOURCES OF REVENUE
Sources of Southern Sudan Revenue
194. The Government of Southern Sudan may legislate for raising revenue or collecting taxes from the following sources:-
… (h) taxes and levies on small and medium businesses,

Page 83-84, CHAPTER IV, SOURCES OF REVENUE
Sources of States Revenue
195. The states may legislate for raising revenue or collecting taxes from the following sources:-
… (e) levies on tourism,
… (i) agricultural taxes,

Page 90, PART THIRTEEN, CHAPTER VIII, INTERSTATE COMMERCE
206. (1) Free interstate commerce is guaranteed by this Constitution. No legislation shall impede interstate commerce, the flow of goods and services, capital or labour between the states.

Page 91, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER IX, TRANSITIONAL PROVISIONS FOR FINANCE AND BANKING
Existing Oil Contracts
208. (1) The Sudan People's Liberation Movement representatives appointed to have access to all existing oil contracts, shall finish their functions and duties which are prescribed by the Comprehensive Peace Agreement as soon as practicable.
(2) The term "existing oil contracts" means contracts signed before the date of signature of the Comprehensive Peace Agreement.

Taxation

Socio-economic reconstruction→Taxation→Power to tax
Page 82, CHAPTER IV, SOURCES OF REVENUE
Sources of National Revenue
193. The National Government may legislate for raising revenue or collecting taxes from the following sources:-
(a) national personal income tax,
(b) corporate or business profit tax,
(c) custom duties and import taxes,
(d) sea-ports and airports revenue,
(e) service charges,
(f) oil revenues,
(g) national government enterprises and projects,
(h) grants and foreign financial assistance,
(i) value added tax or general sales tax or other retail taxes on goods and services,
(j) excise duties,
(k) loans, including borrowing from the Central Bank of Sudan and the public,
(l) any other tax as determined by law.

Page 83, CHAPTER IV, SOURCES OF REVENUE
Sources of Southern Sudan Revenue
194. The Government of Southern Sudan may legislate for raising revenue or collecting taxes from the following sources:-
(a) the national revenue allocation to the Government of Southern Sudan and states from the National Revenue Fund as set out in Article 197 of this Constitution,
(b) revenue from any of the sources listed as state revenue sources referred to in Article 195 of this Constitution,
(c) oil revenues as set out in Article 192 of this Constitution,
(d) taxes of Southern Sudan Government, which do not encroach on the exclusive National Government taxing powers,
(e) service charges of Government of Southern Sudan,
(f) enterprises and projects of Government of Southern Sudan,
(g) grants-in-aid and foreign financial assistance,
(h) taxes and levies on small and medium businesses,
(i) excise duties on goods within Southern Sudan deemed to be luxury consumables,
(j) personal income tax of southern Sudan,
(k) loans and borrowing in accordance with Article 203 of this Constitution,
(l) any other taxes as may be determined by law.

Page 83-84, CHAPTER IV, SOURCES OF REVENUE
Sources of States Revenue
195. The states may legislate for raising revenue or collecting taxes from the following sources:-
(a) state land and property tax and royalties,
(b) service charges for state services,
(c) licences,
(d) state personal income tax,
(e) levies on tourism,
(f) state share of oil revenue as is set out in Article 192(5) of this Constitution,
(g) state government projects and national parks,
(h) stamp duties,
(i) agricultural taxes,
(j) grants-in-aid and foreign aid,
(k) excise duties,
(l) border trade charges or levies in accordance with national legislation,
(m) other state taxes, which do not encroach on National or Southern Sudan

Banks

Socio-economic reconstruction→Banks→Central bank
Page 82, CHAPTER IV, SOURCES OF REVENUE
Sources of National Revenue
193. The National Government may legislate for raising revenue or collecting taxes from the following sources:-
… (k) loans, including borrowing from the Central Bank of Sudan and the public,

Page 83, CHAPTER IV, SOURCES OF REVENUE
Sources of Southern Sudan Revenue
194. The Government of Southern Sudan may legislate for raising revenue or collecting taxes from the following sources:-
… (k) loans and borrowing in accordance with Article 203 of this Constitution,

Page 83-84, CHAPTER IV, SOURCES OF REVENUE
Sources of States Revenue
195. The states may legislate for raising revenue or collecting taxes from the following sources:-
… (n) loans and borrowing in accordance with Article 203 of this Constitution,

Page 87, PART THIRTEEN, CHAPTER VI BANKING
The Dual Banking System
201. (1) The Central Bank of Sudan shall be responsible for the formulation and conduct of monetary policy. All banking institutions shall be subject to rules and regulations set by the Central Bank of Sudan.
(2) A dual banking system shall be established, and shall consist of an Islamic banking system that shall operate in Northern Sudan and a conventional banking system to operate in southern Sudan.
(3) There shall be established the Bank of Southern Sudan as a branch of the Central Bank of Sudan to provide, inter alia, conventional banking services.

Page 87-88, PART THIRTEEN, CHAPTER VI BANKING
Restructuring and Management of the Central Bank of Sudan
202. (1) The Central Bank of Sudan shall be restructured so as to reflect the duality of the banking system in the Sudan. The Central Bank of Sudan shall use and develop two sets of banking instruments, one Islamic and the other Conventional, to regulate and supervise the implementation of a single monetary policy through:-
(a) an Islamic financing window in Northern Sudan under a Deputy Governor of the Central Bank of Sudan using Islamic financing instruments to implement the national monetary policy in Northern Sudan, and
(b) the Bank of Southern Sudan, headed by a Deputy Governor of the Central Bank of Sudan, to manage the conventional window using conventional financing instruments in implementing the same national monetary policy in southern Sudan.
(2) The primary responsibility and mandate of the Central Bank of Sudan shall be ensuring price stability, maintaining stable exchange rate, sound banking system and issuance of currency. The monetary policy shall rely primarily on marketbased instruments instead of administrative allocation of credit.
(3) The Central Bank of Sudan shall be fully independent in its pursuit of monetary policy.
(4) There shall be established an independent Board of Directors for the Central Bank of Sudan, which shall be responsible to the Presidency. It shall consist of nine members as follows:-
(a) Governor of the Central Bank of Sudan, Chairperson,
(b) two Deputies, and
(c) six highly qualified Sudanese to be appointed by the President of the Republic in

Land, property and environment

Land reform/rights Land, property and environment→Land reform/rights→Land reform and management
Page 76, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER II, LAND RESOURCES
Land Regulation
186. (1) The regulation of land tenure, usage and exercise of rights thereon shall be a concurrent competence, exercised at the appropriate level of government.
(2) Rights in land owned by the Government of the Sudan shall be exercised through the appropriate or designated level of Government.
(3) All levels of government shall institute a process to progressively develop and amend the relevant laws to incorporate customary laws, practices, local heritage and international trends and practices.

Page 76-77, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER II, LAND RESOURCES
National Land Commission
187 (1) Without prejudice to the jurisdiction of the courts, there shall be established a National Land Commission that shall have the following functions:-
(a) arbitrate between willing contending parties on claims over land,
(b) entertain claims, at its discretion, in respect of land, be they against the relevant government or other parties interested in the land. The parties to the arbitration shall be bound by the decision of the Commission on the basis of mutual consent and upon registration of the award in a court of law,
(c) enforce the law applicable to the locality where the land is situated or such other law as the parties to the arbitration agree, including principles of equity,
(d) accept references on request from the relevant government or in the process of resolving claims, make recommendations to the appropriate level of government concerning land reform policies and recognition of customary rights or customary land law,
... (f) advise different levels of government on how to coordinate policies on national projects affecting land or land rights,
(g) study and record land use practices in areas where natural resource development occurs,
(h) conduct hearings and formulate its own rules of procedure,
(2) The National Land Commission shall be independent and representative of all levels of government.
(3) Membership, appointment, terms and conditions of service of the National Land Commission shall be regulated by law. The Chairperson of the National Land Commission shall be appointed by the President of the Republic with the consent of the First Vice President.
(4) The National Land Commission shall be accountable to the Presidency which shall approve the budget of the Commission.

Page 78, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER II, LAND RESOURCES
Cooperation between National and Southern Sudan Land Commissions
189. (1) The National Land Commission and Southern Sudan Land Commission shall co-operate and co-ordinate their activities so as to use their resources efficiently.
(2) The National Land Commission and the Southern Sudan Land Commission shall agree:-
(a) to exchange information and decisions of each other,
(b) on how to resolve conflict between their findings or recommendations.
(3) The Southern Sudan Land Commission may carry out certain functions of the National Land Commission, including collection of data and research.
(4) In the case of conflict between the findings or recommendations of the National Land Commission and Southern Sudan Land Commission which cannot be resolved or

Pastoralist/ nomadism rights	No specific mention.

Cultural heritage

Land, property and environment→Cultural heritage→Tangible
Page 7, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Education, Science, Art and Culture
13 ... (5) The State shall protect Sudan's cultural heritage, monuments and places of national historic or religious importance, from destruction, desecration, unlawful removal or illegal export.

Page 101-102, SCHEDULES
Schedule (A)
National Powers
The exclusive legislative and executive powers of the national level of government shall be as follows:
31. National Museums and National Heritage Sites;

Page 104-105, SCHEDULES
Schedule (C)
Powers of States
The exclusive executive and legislative powers of a state of the Sudan shall be as follows:-
33. State cultural and heritage sites, state libraries, state museums, and other historical sites;

Page 105-106, SCHEDULES
Schedule (D)
Concurrent Powers
The National Government, the Government of Southern Sudan and state governments, shall have legislative and executive competencies on any of the matters listed below:-
19. Without prejudice to the National Regulation, and in the case of Southern states, the regulation of Government of Southern Sudan, the initiation, negotiation and conclusion of International and Regional Agreements on culture, sports, trade, investment, credit, loans, grants and technical assistance with foreign governments and foreign non-governmental organizations;
Land, property and environment→Cultural heritage→Intangible
Page 4, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Fundamental Bases of the Constitution
4. This Constitution is predicated upon and guided by the following principles:-
... (b) religions, beliefs, traditions and customs are the source of moral strength and inspiration for the Sudanese people,

Page 4, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Sources of Legislation
5. (1) Nationally enacted legislation having effect only in respect of the Northern states of the Sudan shall have as its sources of legislation Islamic Sharia [Shariah] and the consensus of the people.

Page 4, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER I, THE STATE AND THE CONSTITUTION
Sources of Legislation
... (2) Nationally enacted legislation applicable to Southern Sudan or states of Southern Sudan shall have as its sources of legislation popular consensus, the values and the customs of the people of the Sudan, including their traditions and religious beliefs, having regard to Sudan's diversity

Environment

Page 6, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Environment and Natural Resources
11 (1) The people of the Sudan shall have the right to a clean and diverse environment; the State and the citizens have the duty to preserve and promote the country's biodiversity.
(2) The State shall not pursue any policy, or take or permit any action, which may adversely affect the existence of any species of animal or vegetative life, their natural or adopted habitat.
(3) The State shall promote, through legislation, sustainable utilization of natural resources and best practices with respect to their management.

Page 10, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER III, DUTIES OF THE CITIZEN
23. (2) In particular every citizen shall:
… (h) preserve the natural environment,

Page 59, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER II, THE LAW ENFORCEMENT AGENCIES
Prisons and Wildlife Services
149. (2) Pursuant to Article11(2) of this Constitution, there shall be established at the National, Southern Sudan and state levels, wildlife protection service whose functions and terms and conditions of services shall be prescribed by law.

Page 78, CHAPTER III, DEVELOPMENT AND MANAGEMENT OF THE PETROLEUM SECTOR
The Framework for Petroleum Management
190. The basis for a definitive framework for the management and development of the petroleum sector shall include:-
(a) sustainable utilization of oil as a non-renewable natural resource consistent with:-
... (iv) national environmental policies, biodiversity conservation guidelines and cultural heritage protection principles,

Page 91, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER IX, TRANSITIONAL PROVISIONS FOR FINANCE AND BANKING
Existing Oil Contracts
208. (4) If existing oil contracts are deemed to have caused fundamental social consequences and environmental problems the National Government shall implement necessary remedial measures.

Page 102-103, SCHEDULES
Schedule (B)
Powers of the Government of Southern Sudan
The exclusive legislative and executive powers of Government of Southern Sudan shall be as follows:
... 2. Police, Prisons and Wildlife Services;
... 9. The co-ordination of Southern Sudan services or the establishment of minimum Southern Sudan standards or the establishment of Southern Sudan uniform norms in respect of any matter or service referred to in Schedule C or Schedule D, read together with Schedule E, with the exception of Item 1 of Schedule C, including but not limited to, education, health, welfare, police (without prejudice to the National Standards and Regulations), prisons, state public services, such authority over civil and criminal laws and judicial institutions, lands, reformatories, personal law, intra-state business, commerce and trade, tourism, environment, agriculture, disaster intervention, fire and medical emergency services, commercial regulation, provision of electricity, water and waste management services, local Government, control of animal diseases and

Water or riparian rights or access

Page 82, CHAPTER IV, SOURCES OF REVENUE
Sources of National Revenue
193. The National Government may legislate for raising revenue or collecting taxes from the following sources:-
… (d) sea-ports and airports revenue,

Page 101-102, SCHEDULES
Schedule (A)
National Powers
The exclusive legislative and executive powers of the national level of government shall be as follows:
12. Maritime shipment;
14. Navigation and Shipment;
33. Nile Water Commission, the management of the Nile Waters, transboundary waters and disputes arising from the management of interstate waters between Northern states and any dispute between Northern and Southern states;

Page 102-103, SCHEDULES
Schedule (B)
Powers of the Government of Southern Sudan
The exclusive legislative and executive powers of Government of Southern Sudan shall be as follows:
19. Any matter relating to an item referred to in schedule D that cannot be dealt with effectively by a single state and requires Government of Southern Sudan legislation or intervention including, but not limited to the following:-
… (4) Disputes arising from the management of interstate waters within Southern Sudan;

Page 102-103, SCHEDULES
Schedule (B)
Powers of the Government of Southern Sudan
The exclusive legislative and executive powers of Government of Southern Sudan shall be as follows:
9. The co-ordination of Southern Sudan services or the establishment of minimum Southern Sudan standards or the establishment of Southern Sudan uniform norms in respect of any matter or service referred to in Schedule C or Schedule D, read together with Schedule E, with the exception of Item 1 of Schedule C, including but not limited to, education, health, welfare, police (without prejudice to the National Standards and Regulations), prisons, state public services, such authority over civil and criminal laws and judicial institutions, lands, reformatories, personal law, intra-state business, commerce and trade, tourism, environment, agriculture, disaster intervention, fire and medical emergency services, commercial regulation, provision of electricity, water and waste management services, local Government, control of animal diseases and veterinary services, consumer protection, and any other matters referred to in the above Schedules;

Page 105-106, SCHEDULES
Schedule (D)
Concurrent Powers
The National Government, the Government of Southern Sudan and state governments, shall have legislative and executive competencies on any of the matters listed below:-
27. Water Resources other than interstate waters;

Page 105-106, SCHEDULES
Schedule (D)
Concurrent Powers

Security sector

Security Guarantees

Page 10, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER III, DUTIES OF THE CITIZEN
23. (2) In particular every citizen shall:
(a) defend the country and respond to the call for national service within the terms of this Constitution and the law,
(b) abhor violence, promote harmony, fraternity and tolerance among all people of the Sudan in order to transcend religious, regional, linguistic, and sectarian divisions,

Page 21-22, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC
Functions of the President of the Republic
58 (1) The President of the Republic is the Head of the State and Government and represents the will of the people and the authority of the State; he/she shall exercise the powers vested in him/her by this Constitution and the Comprehensive Peace Agreement and shall, without prejudice to the generality of the foregoing, perform the following functions:-
(a) preserve the security of the country and protect its integrity,
... (f) declare war in accordance with this Constitution and the law,
... (g) declare and terminate the state of emergency in accordance with the provisions of this Constitution and the law,
(2) Notwithstanding sub-Article (1) above, the President of the Republic shall, in respect of the following matters, take decisions with the consent of the First Vice President:-
(a) declaration and termination of a state of emergency,
(b) declaration of war,

Page 59-60, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER III, THE NATIONAL SECURITY
The National Security Council
150. (1) There shall be at the national level a National Security Council, the composition and functions of which shall be determined by a National Security Act.
(2) The National Security Council shall define the national security strategy based on the analysis of all threats to security of the Sudan.
(3) There shall be established security committees at the Government of Southern Sudan and state levels; their composition and functions shall be prescribed by the National Security Act.

Page 92, PART FOURTEEN, STATE OF EMERGENCY AND DECLARATION OF WAR
Declaration of State of Emergency
210. (1) The President of the Republic, with the consent of the First Vice President, may upon the occurrence of an imminent danger, whether it is war, invasion, blockade, natural disaster or epidemics, as may threaten the country, or any part thereof or the safety or economy of the same, declare a state of emergency in the country, or in any part thereof, in accordance with this Constitution and the law.
(2) The declaration of a state of emergency shall be submitted to the National Legislature within fifteen days of the issuance of the declaration. When the National Legislature is not in session, an emergency session shall be convoked.
(3) When the National Legislature approves the declaration of a state of emergency, all laws, exceptional orders or measures issued or taken by the President of the Republic pursuant to the state of emergency shall continue to remain in force.

Page 92, PART FOURTEEN, STATE OF EMERGENCY AND DECLARATION OF WAR
Powers of the President in the State of Emergency
211. The President of the Republic, with the consent of the First Vice President, may during the state of emergency take, by virtue of law or exceptional order, any measures that shall not derogate from the provisions of this Constitution and the Comprehensive

Ceasefire

Security sector→Ceasefire→Ceasefire provision
Page 58, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER I, THE NATIONAL ARMED FORCES
The Permanent Ceasefire
147. (1) The permanent ceasefire, provided for in the Comprehensive Peace Agreement, shall be fully enforced.
(2) The permanent ceasefire shall be internationally monitored and fully respected by all Sudanese.

Police

Page 58-59, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER II, THE LAW ENFORCEMENT AGENCIES
The Police
148. (1) The Police is a regular service force whose mission is to maintain law and order; its service shall be open to all Sudanese to reflect the diversity and multiplicity of the Sudanese society; it shall discharge its duties with impartiality and integrity in compliance with the law and the nationally and internationally accepted standards.
(2) The Police shall be decentralized in accordance with the Comprehensive Peace Agreement as follows:
(a) The national level, the powers and functions of which shall be prescribed by law in accordance with this Constitution,
(b) The southern Sudan level, the powers and functions of which shall be prescribed by the Interim Constitution of Southern Sudan and the law,
(c) The state level, the powers and functions of which shall be prescribed by state constitution and the law,
(3) The police at national, southern Sudan and state levels, shall co-ordinate, co-operate and assist each other in the discharge of their functions, and to that end, shall recommend, through their respective authorities to the Presidency the establishment of these necessary mechanisms.

Page 61, PART TEN, THE NATIONAL CAPITAL
Law Enforcement Agencies in the National Capital
155. Law enforcement agencies of the National Capital shall be representative of the population of the Sudan and shall be adequately trained and made sensitive to the cultural, religious and social diversity in the Sudan.

Page 101, SCHEDULES
Schedule (A)
National Powers
The exclusive legislative and executive powers of the national level of government shall be as follows:
8. National Police (including Criminal Investigation Department – CID, coordination of international, regional and bilateral criminal matters, and standards and regulations including the standards for training the police in the National Capital);

Page 102-103, SCHEDULES
Schedule (B)
Powers of the Government of Southern Sudan
The exclusive legislative and executive powers of Government of Southern Sudan shall be as follows:
2. Police, Prisons and Wildlife Services;
9. The co-ordination of Southern Sudan services or the establishment of minimum Southern Sudan standards or the establishment of Southern Sudan uniform norms in respect of any matter or service referred to in Schedule C or Schedule D, read together with Schedule E, with the exception of Item 1 of Schedule C, including but not limited to, education, health, welfare, police (without prejudice to the National Standards and Regulations), prisons, state public services, such authority over civil and criminal laws and judicial institutions, lands, reformatories, personal law, intra-state business, commerce and trade, tourism, environment, agriculture, disaster intervention, fire and medical emergency services, commercial regulation, provision of electricity, water and waste management services, local Government, control of animal diseases and veterinary services, consumer protection, and any other matters referred to in the above Schedules;

Page 104-105, SCHEDULES

Armed forces

Page 9, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Defence of the Country
18. Defence of the Country is an honour and a duty of every citizen; the State shall care for the combatants, the afflicted in war, the families of martyrs and those missing in action.

Page 25, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER III, INTERIM PROVISIONS FOR THE PRESIDENCY OF THE REPUBLIC
Vacancy of the Office of the President before Elections
66. Should the Office of the President of the Republic fall vacant before the elections:-
... (d) the Vice President shall be Commander-in-Chief of the Sudan Armed Forces,

Page 24-25, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER III, INTERIM PROVISIONS FOR THE PRESIDENCY OF THE REPUBLIC
The Incumbent President and the First Vice President
65. Prior to the elections that shall be held during the interim period:-
(a) the incumbent President of the Republic, or his successor, shall be the President and Commander-in-Chief of the Sudan Armed Forces in accordance with this Constitution,

Page 25, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER III, INTERIM PROVISIONS FOR THE PRESIDENCY OF THE REPUBLIC
Vacancy of the Office of the President after Elections
67. Should the office of the President of the Republic fall vacant after the elections:-
... (d) the First Vice President or the Vice President, whoever of them is from the North, shall be the Commander-in-Chief of the Sudan Armed Forces,

Page 57, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER I, THE NATIONAL ARMED FORCES
Status of Forces
144. (1) The Sudan Armed Forces and the Sudan People's Liberation Army shall remain separate, regular, professional and non-partisan armed forces and shall be treated equally as the Sudan National Armed Forces.
(2) The mission of the Sudan National Armed Forces is to defend the sovereignty and secure the territorial integrity of the country and participate in its reconstruction and assist in addressing national disasters in accordance with this Constitution. The law shall stipulate the conditions in which the civil authority may resort to the engagement of the armed forces in missions of non-military nature.
(3) The Sudan National Armed Forces and the Joint/Integrated Units shall defend the constitutional order, respect the rule of law, the civilian government, democracy, basic human rights and the will of the people; they shall undertake the responsibility of the defence of the country against external and internal threats in their respective areas of deployment and shall be involved in addressing constitutionally specified emergencies.
(4) The military service, military courts and military legal services shall be regulated by law for the Sudan Armed Forces, the Sudan People's Liberation Army and the Joint/ Integrated Units.

Page 102-103, SCHEDULES
Schedule (B)
Powers of the Government of Southern Sudan
The exclusive legislative and executive powers of Government of Southern Sudan shall be as follows:
3. Security and military forces during the Interim Period;

DDR

Security sector→DDR→Demilitarisation provisions
Page 57, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER I, THE NATIONAL ARMED FORCES
Status of Forces
144. (1) The Sudan Armed Forces and the Sudan People's Liberation Army shall remain separate, regular, professional and non-partisan armed forces and shall be treated equally as the Sudan National Armed Forces.

Page 57-58, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER I, THE NATIONAL ARMED FORCES
Joint/ Integrated Units
145. (1) There shall be formed Joint/Integrated Units consisting of equal numbers, from the Sudan Armed Forces and the Sudan People's Liberation Army. The Joint/Integrated Units shall constitute a nucleus of the post-referendum army of the Sudan, should the result of the referendum confirm unity; otherwise they would be dissolved and the component parts integrated into their respective forces.
(2) Character, functions, size and deployment of the Joint/Integrated Units shall be governed by the Comprehensive Peace Agreement.

Page 58, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER I, THE NATIONAL ARMED FORCES
Command and Control of Joint/Integrated Units and Coordination between the Armed Forces
146. (1) The Joint Defence Board, that shall be established in accordance with the Comprehensive Peace Agreement, shall assume command and control of the Joint/ Integrated Units.
(2) Coordination between the Sudan Armed Forces and the Sudan People's Liberation Army shall be the function of the Joint Defence Board.

Intelligence services

Page 60, PART NINE, ARMED FORCES, LAW ENFORCEMENT AGENCIES AND NATIONAL SECURITY, CHAPTER III, THE NATIONAL SECURITY
The National Security Service
151. (1) There shall be established a National Security Service that shall be charged with the external and internal security of the country; its mission, mandate, functions, terms and conditions of service shall be prescribed by the National Security Act.
(2) The National Security Service shall be representative of the people of the Sudan; Southern Sudan shall, in particular, be equitably represented therein.
(3) The National Security Service shall be professional and its mandate shall focus on information gathering, analysis and advice to the appropriate authorities.
(4) There shall be established National Security Service offices throughout the Sudan.
(5) The National Security Service shall be under the supervision of the Presidency.

Parastatal/rebel and opposition group forces	Page 24-25, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER III, INTERIM PROVISIONS FOR THE PRESIDENCY OF THE REPUBLIC The Incumbent President and the First Vice President 65. Prior to the elections that shall be held during the interim period:- … (b) the Chairman of the Sudan People's Liberation Movement, or his successor, shall be the First Vice President and shall at the same time be the President of Government of Southern Sudan and Commander-in-Chief of the Sudan People's Liberation Army in accordance with this constitution. Page 26, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER III, INTERIM PROVISIONS FOR THE PRESIDENCY OF THE REPUBLIC Vacancy of the Office of the First Vice President before Elections 68. Should the office of the First Vice President fall vacant prior to elections, it shall be filled by the nominee of the Sudan People's Liberation Movement within two weeks of the occurrence of that vacancy.
Withdrawal of foreign forces	No specific mention.
Corruption	Page 8, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES Morals and Public Integrity 16 (1) The State shall enact laws to protect the society from corruption delinquency and social evils and steer the society as a whole towards virtuous social values consistent with religions and cultures of the Sudan. (2) The State shall enact laws and establish institutions to eliminate corruption, inhibit abuse of power and ensure integrity in public life. Page 10, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER III, DUTIES OF THE CITIZEN 23. (2) In particular every citizen shall: … (d) avert and thwart corruption and sabotage,
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	Page 8-9, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES Foreign Policy 17. Foreign policy of the Sudan shall serve the national interest and shall be conducted independently and transparently with the view to achieving the following: ... (g) combating international and trans-national organized crime and terrorism.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	Transitional justice→Amnesty/pardon→Relief of other sanctions Page 99, PART SEVENTEEN, MISCELLANEOUS PROVISIONS Transitional and Miscellaneous Provisions 226. (7) The Presidency shall establish an ad-hoc committee to look into grievances of those retired or dismissed for political reasons and present its recommendations to the Presidency. Transitional justice→Amnesty/pardon→Power to amnesty Page 21-22, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER II, THE PRESIDENCY OF THE REPUBLIC Functions of the President of the Republic 58 (1) The President of the Republic is the Head of the State and Government and represents the will of the people and the authority of the State; he/she shall exercise the powers vested in him/her by this Constitution and the Comprehensive Peace Agreement and shall, without prejudice to the generality of the foregoing, perform the following functions:- ... (i) approve death sentences, grant pardon, lift convictions and remit penalties according to this Constitution and the national law,
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	Page 9, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES Defence of the Country 18. Defence of the Country is an honour and a duty of every citizen; the State shall care for the combatants, the afflicted in war, the families of martyrs and those missing in action. Page 102-103, SCHEDULES Schedule (B) Powers of the Government of Southern Sudan The exclusive legislative and executive powers of Government of Southern Sudan shall be as follows: 18. Rehabilitation and benefits to disabled war veterans, orphans, widows and care for the dependents of deceased war fallen heroes;

Missing persons

Page 9, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
Defence of the Country
18. Defence of the Country is an honour and a duty of every citizen; the State shall care for the combatants, the afflicted in war, the families of martyrs and those missing in action.

Reparations

Transitional justice→Reparations→Material reparations
Page 91, PART THIRTEEN, FINANCE AND ECONOMIC MATTERS, CHAPTER IX, TRANSITIONAL PROVISIONS FOR FINANCE AND BANKING
Existing Oil Contracts
208. (5) Persons whose rights have been violated by existing oil contracts shall be entitled to compensation. Upon establishment of these violations through due legal process, the parties to the oil contracts shall be liable to compensate the affected persons to the extent of the damage caused.

Reconciliation

Page 2, PREAMBLE
We the people of the Sudan
... Further committed to gearing governance, in the coming phase of our political advancement, towards the enhancement of economic development, promotion of social harmony, deepening of religious tolerance and building trust and confidence in the society generally,

Page 2, PREAMBLE
We the people of the Sudan
... Cognizant of conferences and the initiative of inclusive popular dialogue and agreements of peace and national reconciliation, particularly the Cairo Agreement signed in June 2005, and prospects of other peace agreements to end conflicts in the country,

Page 9, PART ONE, THE STATE, THE CONSTITUTION AND GUIDING PRINCIPLES, CHAPTER II, GUIDING PRINCIPLES AND DIRECTIVES
National Reconciliation
21. The State shall initiate a comprehensive process of national reconciliation and healing that shall promote national harmony and peaceful co-existence among all Sudanese.

Page 30-31, PART THREE, THE NATIONAL EXECUTIVE, CHAPTER V, THE GOVERNMENT OF NATIONAL UNITY
Duties of the Government of National Unity
82. The Government of National Unity shall undertake the following duties:-
... (d) implementation of an information campaign throughout the Sudan in all national languages to popularize the Comprehensive Peace Agreement, foster national unity, reconciliation and mutual understanding,

Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.
International mission/force/ similar	No specific mention.
Enforcement mechanism	Page 47-48, PART FIVE, THE NATIONAL JUDICIAL ORGANS, CHAPTER I, THE CONSTITUTIONAL COURT Competence and Jurisdiction of the Constitutional Court 122 (1) The Constitutional Court shall be the custodian of this Constitution, the constitutions of southern Sudan and the states; its decisions shall be final and binding, it shall:- (a) interpret constitutional provisions at the instance of the President of the Republic, the National Government, the Government of Southern Sudan, any state government, the National Assembly, or the Council of States, (b) have original jurisdiction to decide disputes that arise under this Constitution and the constitutions of Northern states at the instance of government, juridical entities or individuals, (c) decide on appeals against the decisions of Southern Sudan Supreme Court on the Interim Constitution of Southern Sudan and the constitutions of Southern Sudan states, (d) protect human rights and fundamental freedoms, (e) adjudicate on the constitutionality of laws or provisions in accordance with this Constitution, the Interim Constitution of Southern Sudan or the relevant state constitutions, (f) adjudicate on constitutional disputes between levels and organs of government, in respect of areas of exclusive, concurrent or residual competence. (2) The Constitutional Court shall have criminal jurisdiction over the President of the Republic and the First Vice President in accordance with Article 60 (2) herein, it shall also have criminal jurisdiction over the Vice President, the Speakers of the National Legislature and the Justices of the National Supreme Court and Southern Sudan Supreme Court.