

Please cite as: EUAA, '1.2. State structure and governance' in *COI Report - Sudan: Country Focus*, February 2025.

1.2. State structure and governance

Since independence, Sudan has lacked democratic constitution-making processes41 with a documented history of short-lived constitutions (1956, 1965, 1973, 1985, 1998, 2005 and 2019). 42The 2019 Constitutional Declaration, signed in August 2019,43 prioritised the peace process in articles 7 and 8. This laid the foundation for drafting and signing the Juba Peace Agreement (JPA) in 2020 which became integral part of the Constitutional Declaration.44 The JPA was composed of a national agreement and six separate tracks that covered Darfur, Eastern Sudan, the Two Areas, the North, the Centre and the Tamazuj track (relating to groups from the border regions of Darfur and South Kordofan), with separate protocols for each.45

The agreement addressed key issues around power sharing, security, land ownership, and transitional justice, and six bilateral peace agreements signed between the government and different factions and armed groups.46

However, not all armed groups signed the JPA and non-signatories - SPLM-N-al-Hilu and SLM-AW - were not bound by the legal framework established in it.47

The Parliament of Sudan was dissolved following the coup d'état in April 2019.48 In March 2021, a constitutional decree established a regional federal system. Furthermore, a committee was tasked to organise the Conference on the System of Governance to determine, among other things, the number of regions, boundaries, structures, authorities, competencies and the governance and administration levels of these regions.49

Following the 2021 coup, the government was unable to finalise the transitional government institutions, namely the Parliament, Constitutional Court and specialised independent commissions (such as the Constitution conference commission, Peace commission, Election commission and Boundaries commission).50 After the coup, al-Burhan declared a state of emergency51 and in December 2022 another framework Agreement was signed52 by 40 civil society groups as well as armed groups.53 It formally prohibited security institutions from taking part in politics and transferred the administration of all state-owned enterprises to the finance ministry.54 The framework agreement outlined a two-year transitional period, a consultative process intended to engage with all Sudanese citizens55 and five key priorities: ensuring accountability and transitional justice; undertaking security and military sector reforms; implementing the JPA with signatory armed groups, as well as aligning with the political declaration involving non-signatory groups; establish an institutional framework grounded in the principles of the rule of law and fundamental rights; and addressing the ongoing crisis in eastern

Sudan.56 Elections were scheduled to be held in 2022. However, the October 2020 signing of the JPA and the 2022 amendment to the constitutional framework postponed them to early 2024.57

In May 2023, after the outbreak of the conflict, SAF commander-in-chief and President of the TSC Lt Gen Al Burhan dismissed Hemedti from his position as deputy president of the TSC. Malik Agar, leader of the SPLM-N Agar, was appointed in his place.58 All change and service committees in the regions and states were dissolved by ministerial decree, effectively banning all civil society groups, including the Emergency Response Rooms (ERRs) and the Forces for Freedom and Change (FFC). The previous decrees issued in 2021 dissolving trade unions as well as professional organisations and their steering committees, remained in force.59 In November 2024, al-Burhan reshuffled the cabinet replacing three ministers including the foreign minister. 60 According to the UN's Independent International Fact-Finding Mission (UN FFM) for the Sudan 'state administrations [..] are increasingly militarized and have been integrated into the efforts to [..] suppress any opposition to SAF military rule. A number of State Governors are former SAF officers and regularly appear in military uniform.'61

Since the beginning of the conflict the RSF made efforts to build civilian governance structures to stabilise and reinforce its control over newly seized areas.62 While Sudan's government was still temporarily based in Port Sudan,63 at the end of November 2024, the RSF has announced the formation of a civilian parallel government. Abdul Latif Abdullah al-Amin al-Hassan was appointed as prime minister heading a 90-member legislative civilian council based in Khartoum.64

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