

### **Workshops on Constitution Content**

A number of papers were presented by international and national experts during the workshop that discussed issues such as state systems, checks and balances, rule of law, federalism, rights of minority groups, human rights with special focus on women's rights, citizenship and identity and management of diversity, state and religion and legislation sources.

### **Khartoum**



We held a three-day workshop on constitution building in Sudan in Khartoum attended by nearly 250 people from different walks of life, including political parties, NGOs, women's groups, youth groups, INGOs, ambassadors and prominent figures as well as participants from Northern, Western, Central and Southern Darfur and River Nile States. Papers on *Federalism, Management of Diversity, Identity and Citizenship, State Systems, Constitutional Principles, Checks and Balances to achieve Constitutionalism and Respect for Fundamental Freedom, Human Rights and Sustained Democracy* were presented by foreign experts from Germany, Malaysia and South Africa and Sudanese experts. These topics were discussed in detail in these workshops and solid recommendations were formulated by the different working groups.

## Medani



We held our second workshop at Medani Ahlia University during July 4<sup>th</sup>-5<sup>th</sup> accompanied by foreign and national experts from Malaysia and South Africa who presented on the same topics as in Khartoum. The workshop was attended by many participants from the executive, legislative and judicial bodies, media, civil society networks, lawyers, and others from Medani, as well as participants from Sennar, Damazin and Rufa'a. The workshop opening speech was by the university vice-chancellor and it received full media coverage, including TV, radio stations and newspapers. Many recommendations were formulated.

## Gadarif



We had our third workshop in Gadarif from July 7<sup>th</sup>-8<sup>th</sup>. This workshop was held at Gadarif University, in the Community Development College within the University, and was also attended by more than 70 people from all sectors targeting policy makers in Gadarif state as well as from Port Sudan and Kassala. We had a heated discussion on all the topics presented by our experts on federalism, types of state, identity, citizenship, state, and religion. This workshop also had media coverage by Gadarif and National TV, Shroug TV, newspapers, and radio stations. The trend of discussions focused on federalism and challenges facing the application of this type of system, especially the allocation of resources whereby the centre always refrains from granting money to states. These issues have to be clearly regulated and spelled out in the upcoming constitution.

## **Kordufan**



We concluded our series of workshops in Kordufan University. This workshop was by the Governor of North Kordufan who urged the 60 participants from various sectors and representatives from South Kordufan and the White Nile to have transparent discussions in order to have wide participation in drafting the upcoming constitution. He hoped that the coming constitution will assimilate all diverse groups in Sudan. At the end of the workshop participants issued the “Kordufan Call/Communiqué” (attached to report). The workshop had full media coverage from national TV and Shroug TV and local radio stations.

The recommendations from these workshops will be of benefit to all Sudanese when they form the committee to draft the coming constitution. The hotly debated issues of federalism, sources of legislation, the types of government, identity, diversity, citizenship, and human rights have been discussed in depth, in the hope that people will spread the information and discuss it amongst those at the grassroots level in order that the new

constitution will be drafted through the input of all Sudanese people from all the states and different social and economic levels. It is hoped that the new constitution will be built from the bottom-up rather than the top-down as previous constitutions have been made in Sudan.

**The international experts were:**

1. Professor Rainer Grote, representative of Max Planck Institute for Comparative Public Law and International Law, Germany. (His paper was presented on his behalf by Prof. Dr. Dr. h.c Rüdiger Wolfrum)
2. Dr. Yonatan Fessha, a senior lecturer in the Faculty of Law at the University of the Western Cape, where he teaches constitutional law, and is a research fellow of the Community Law Centre.
3. Prof. Shad Saleem Farouqi, Head of the Diploma in Law, Senior Professor of Law, University of Technology, MARA, Shah Alan, Malaysia (His paper was presented on his behalf by Dr. Najibah Mohammed Zin).
4. Dr. Najibah Mohamed Zin, Islamic University, Malaysia.

**and the national experts were:**

1. Uz. Eltahir Bedawi, Human Rights and Constitution Expert at Ministry of Justice and UNDP.
2. Uz. Hasan Nasrallah, Lecturer on Federalism at Sudan Academy for Administrative Sciences.
3. Dr. Ehsan Mohamed ElRiah, Expert on Human Rights and Rule of Law.
4. Dr. Nasr El Din Abdel Bari, Lecturer at Faculty of Law, University of Khartoum.

**Papers presented by foreign and national experts:**

1. State Systems, Constitutional Principles, Checks and Balances to achieve Constitutionalism and Respect to Fundamental Freedom, Human Rights and Sustained Democracy: Different International Experiences in Constitutions, by Professor Rainer Grote (Presented by Prof. Wolfrum from Max Planck Institute).
2. State Types/Checks and Balances and Good Governance Practices for the Promotion of Human Rights and Rule of Law, by Eltahir Bedawi.
3. Federal Systems and Rights of Minority Groups and Diversity Management in the constitution and constitutional principles for effective federal functioning and constitutionalism guarantees within Federal Systems. By Prof. Yonatan Fessha.
4. Federal Systems: The Sudanese Experience: How we could promote it comparing it with international experiences, by Uz. Hasan Nasrallah.

5. Presentation on Social, Cultural, and Economic Rights: required guarantees for realizing these rights and their enactment in the upcoming constitution which might be Islamic or secular. How these rights will be guaranteed and protected. How they could be violated: ways of violation and how avoid them. Minority rights, women's rights. By Dr. Ehsan Mohamed ElRiah.
6. Women's Rights in Islam, by Najibah Mohamed Zin.
7. Citizenship and Identity: constitutional principles on how to deal with these issues. By Dr. Nasr El Din Abdel Bari.
8. Management of Diversity, State and Religion and Legislation Sources, by Prof. Shad Saleem Farouqi (Paper presented by Dr. Nasr Eldin Abdel Bari).

***The state workshop sessions were chaired by:***

**Khartoum Workshop:**

1. Dr. Omer Shumeina (first day).
2. Dr. Amin Mekki Medani (second day).
3. Dr. Mohammed Ahmed Salim (second day)
4. Dr. Aisha El-Karib (third day).

**Medani Workshop:**

1. Prof. Isam Al Boushi, Vice Chancellor (first and second day)

**Gadarif Workshop:**

1. Prof. Mohamed Awad Salih, Gadarif University Vice-Chancellor (first and second day)

**Kordufan Workshop:**

1. Prof. Mishaal Abdel Gadir Salih, Kordufan University Vice-Chancellor (first day)
2. Dr. Abdel Aziz Al Amin El Sheikh, Dean of the Development and Peace Centre

**Targeted participants in all states:**

Each of the three days of the workshop was attended by around 150 participants from diverse backgrounds including political figures, academics, students, activists, political parties, NGOs, INGOs, journalists, embassies, lawyers, private

sector, universities, unions, religious groups (Muslims, Christians) and members of other initiatives working on constitution. The participants reflected the diversity of age groups, gender and regions in Sudan.

**States and universities targeted (15 states):**

1. Participants from Khartoum state, as well as from North, Central, West and South Darfur and River Nile and Northern states attended the Ahfad workshop from 1-3 July.
2. Participants from Gazira State, Sennar , Damazin and Rufaa joined the workshop held at Medani Ahlia University from 4-5 July.
3. Participants from Gadarif State, Port Sudan and Kassala joined the workshop held at Gadarif University from 7-8 July.
4. Participants from North Kordufan State Kadogli, Dalang (South Kordufan state) and Kosti and Rabak (White Nile state) participated in the workshop held at Kordufan University, Obied.