

## **Sudanese Initiative for Constitution-Making Declaration and Mission Statement**

*This DRAFT declaration is a conclusion and summary of the deliberations of three meetings where Civil Society participated in a discussion on role of civil society in maximizing the citizens' participation in the constitution-making process.*

*This document is a draft version that is to be finalized and approved by the General Assembly meeting on April.*

### **Who We Are**

Sudanese Initiative for Constitution-Making is a group of Sudanese organizations, institutions, and individuals committed to a transparent, inclusive, and participatory constitution-making process that reflects the diversity of Sudan and leads to a constitution based on democracy, equality, citizenship, social and economic justice and fundamental human rights. We are committed to fulfilling our mission via contributing to empowering the Sudanese (inside and in diaspora) to participate actively in the constitution-making process.

### **An Extraordinary Moment in Sudanese History**

The end of the Comprehensive Peace Agreement interim period is a momentous opportunity for the Sudanese people to acknowledge the enormous progress and advancements that have been made since 2005, and to begin discussing the next phase in Sudan's proud history. Sudanese Initiative for Constitution-Making supports a dialogue with all actors who are committed to promoting a transparent, inclusive and participatory constitution-making process that will reflect the true aspirations of the Sudanese people.

Sudanese Initiative for Constitution-Making affirms what many around the continent have learned on best practices – that a transparent, inclusive, and participatory constitution-making process can accomplish much more than designing the institutions and rules for government. It can also:

- Provide a framework for negotiation and reconciliation among political forces and other communities of interest;
- Help Sudanese better understand and appreciate their fellow citizens;
- Develop, strengthen and promote Sudanese identity;
- Reach consensus on the core values and fundamental principles of the nation;
- Educate citizens on the principles and practice of democracy through civic education and participation in the constitution-making process;

- Demonstrate a commitment by political leadership or government to democratic principles and processes;
- Address regional or ethnic issues through new institutional arrangements, rights or guarantees;
- Identify national priorities for development and a mechanism through which those can be achieved; and
- Contribute to a constitution that is owned and respected by the people.

Sudanese Initiative for Constitution-Making is committed to this vision of a nationally owned, nationally respected constitution that reflects the needs and aspirations of the people of Sudan.

### **Fundamental Principles**

Sudanese Initiative for Constitution-Making is committed to three fundamental principles of constitution-making:

1. **Participation:** A participatory constitution-making process is one where the people are educated about the process and the choices being decided, and are given a free, fair, and genuine opportunity to directly express their will in a secure forum that is facilitated by those tasked with analyzing and incorporating the people's views into the final constitution. Such a process should:
  - a. Prepare the people to participate through nationwide civic education and public awareness efforts. The people need to know what a constitution is and how it affects their lives, the main issues and options for consideration, and why it is important for the people to participate in the constitution-making process. The people also need to be informed about the constitution-making process itself. Such civic education should be in the native languages of the Sudanese people and should continue throughout the constitution-making process and after adoption of the constitution. Sufficient time should be allotted to ensure that the people are sufficiently prepared to participate, in particular those who have been excluded in the past from the social and political life of the nation.
  - b. Include nationwide opportunities for dialogue and consultations, including organizing in every state conferences, hearings, and open public meetings so that people may freely express their views, needs, concerns, and aspirations to the constitution-maker body.
  - c. Guarantee that the dialogue and consultations are not hijacked by one party or interest.
  - d. Ensure that the views of the people are carefully recorded, analyzed and reported back to the people, so that the people may understand how the constitution-making body considered and reconciled the nation's diverse views and how and why key options were chosen.
  - e. Ensure the public receives drafts of the constitution and has adequate time to reflect and study these drafts.
  - f. Consult the public on their views of the final draft.

2. **Inclusiveness:** While Sudanese Initiative for Constitution-Making affirms the importance of a participatory constitution-making process, we also acknowledge that not everyone can participate in the official body charged with making the constitution. It is therefore critically important that the body making the constitution reflect the diversity of the nation, address the current and future needs so that all voices are heard in the process. An inclusive process, therefore, is one where the constitution-making body includes political parties, civil society organizations, youth groups, ethnic, linguistic and religious minorities, and all geographic areas of Sudan. Given that women make up more than half of the population, the constitution-making body should reflect women population weight. Finally, an inclusive process also incorporates the principle of consensus, in which the decisions of the constitution-making body are reached through discussion, negotiation, and persuasion – and not by simple majority rules.
  
3. **Transparency:** A transparent constitution-making process is one that is conducted in an open and transparent manner. People should have access to information in Arabic and the ethnic languages so they are aware of what is happening at each stage of the process and are confident that their voices are heard. A transparent process should:
  - a. Record and broadcast (radio and television) sessions of the constitution-making body.
  - b. Provide regular updates from the constitution-making body to the public and media through briefings, question and answer sessions, and by posting reports on an official website and in hard copy available at the constitution-making body's headquarters.
  - c. Post the records of the hearings, conferences, and open forums on an official website and in hard copies at the constitution-making body's headquarters.
  - d. Make publicly available the data and analysis accumulated from the public participation.
  - e. Distribute the drafts of the constitution to all states and post them on an official website.
  - f. Make available all financial records of the constitution-making body.

## **Core Objectives**

Sudanese Initiative for Constitution-Making has five core objectives towards which we will devote our attention and activities, in contributing to:

1. Educate people on the constitution and why it is important for people to participate in Sudan's constitution-making process.
2. Produce culturally sensitive and user friendly educational material and guides.
3. Encourage the Government of Sudan to conduct a constitution-making process that is transparent, inclusive, and participatory, and create an environment that ensures people are able to freely participate in the process.
4. Empower the people of Sudan to participate in the constitution-making process.
5. Monitor and evaluate the constitution-making process.

## Current Organizational Status:

Sudanese Initiative for Constitution-Making has a nine person volunteer Interim Coordination Committee will carry out the following tasks and propose recommendations to the plenary at the next meeting (dated to be at the end of April)

1. Additional options for organizational structure
2. Conditions of Membership
3. Code of Conduct
4. Means of funding
5. Media relation protocol
6. Launching of the initiative
7. Finalize the Declaration

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