



*Dignity, Justice, and Peace*

### **A Roadmap for Transitional Justice and Sustainable Peace in Sudan: Empowering Local Solutions While Engaging International Support**

**Classification:** For Official Use - Government Leadership and International Partners

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**Status:** For consultation and refinement with Sudanese stakeholders

**Next Steps:** Nationwide consultations (March-June 2026), revised proposal (July 2026), implementation launch (September 2026 target)

#### **Executive Summary**

This proposal addresses the ongoing crisis in Sudan through a comprehensive transitional justice framework that acknowledges the current military impasse while creating pathways toward accountability, healing, and democratic governance. Recognizing that the warring parties—the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF)—remain unwilling to negotiate, this roadmap prioritizes parallel tracks of justice, civilian mobilization, and international engagement that can proceed independently of a formal ceasefire agreement.

The proposal centers on Sudanese agency and capacity, emphasizing local justice mechanisms, civil society empowerment, and generational transition away from the remnants of the al-Bashir regime and radical Islamist movements. It acknowledges severe funding constraints while proposing creative, cost-effective solutions that leverage Sudan's own resources and regional partnerships. The International Criminal Court (ICC) is positioned as a supportive rather than leading actor, complementing rather than supplanting domestic justice efforts.

**Timeline:** 36 months (3 years) with potential for extension based on progress indicators

**Budget Estimate:** \$185-240 million USD over 36 months (detailed breakdown in Section 7)

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## 1. Context Analysis and Current Challenges

### 1.1 The Military Stalemate

Since April 2023, Sudan has been engulfed in armed conflict between the Sudanese Armed Forces (SAF), led by General Abdel Fattah al-Burhan, and the Rapid Support Forces (RSF), commanded by General Mohamed Hamdan Dagalo (Hemedti). Multiple ceasefire attempts mediated by the African Union, IGAD, the United States, and Saudi Arabia have failed. The warring parties have shown no genuine willingness to negotiate, each believing they can achieve military victory.

#### Key Challenges:

- Over 15,000 documented deaths (actual numbers likely significantly higher)
- More than 8 million internally displaced persons and refugees
- Widespread reports of war crimes including ethnic cleansing, sexual violence, and attacks on civilians
- Complete breakdown of state institutions in conflict zones
- Neither party has legitimate political authority or popular mandate

**Implication for Transitional Justice:** Justice processes cannot wait for a political settlement that may take years. Documentation, protection, and preliminary mechanisms must begin immediately, operating in parallel to peace efforts.

## 1.2 The Legacy of al-Bashir and Islamist Influence

Omar al-Bashir's 30-year dictatorship (1989-2019) was characterized by:

- Systematic human rights violations, particularly in Darfur, South Kordofan, and Blue Nile
- Entrenchment of the National Islamic Front (NIF) and later National Congress Party (NCP) in state institutions
- Creation of parallel security and militia structures (precursor to RSF)
- Economic corruption and patronage networks
- Suppression of democratic institutions and civil society

### Current Situation:

- Al-Bashir remains in Sudanese custody (transferred from prison during current conflict)
- Many NCP/NIF figures maintain influence through business networks and security apparatus
- Islamist ideology still has support base, particularly in central Sudan
- "Deep state" remnants have infiltrated both SAF and RSF structures

**Implication for Transitional Justice:** Any sustainable solution must address not just current war crimes but the systemic corruption and authoritarian structures that enabled decades of violence. This requires institutional dismantling, not just individual prosecutions.

## 1.3 International Engagement and Funding Constraints

### ICC Involvement:

- ICC has jurisdiction over Darfur crimes since 2005 (UNSC Resolution 1593)
- Active warrants for al-Bashir and other NCP officials
- Limited cooperation from Sudanese authorities
- Resource constraints prevent extensive field operations

### International Community:

- Humanitarian funding chronically short of requirements (\$2.7 billion requested for 2024, only 31% funded as of late 2024)

- Political divisions at UN Security Council limit coordinated action
- Donor fatigue following Syria, Yemen, and Ukraine crises
- Some states maintain relationships with warring parties for geopolitical reasons

**Implication for Transitional Justice:** Transitional justice mechanisms must be designed for low-resource environments, leveraging local capacity and regional partnerships rather than expensive international operations.

#### 1.4 Sudanese Capacity and Civil Society Resilience

Despite decades of repression and current conflict, Sudan possesses significant domestic capacity:

##### Human Capital:

- Large diaspora of educated professionals (estimated 4+ million)
- Strong tradition of resistance committees and neighborhood organizations
- Active women's movements and youth networks
- Legal professionals, many trained internationally
- Academics and researchers documenting violations

##### Institutional Knowledge:

- Experience from transitional period (2019-2021) following al-Bashir's ouster
- Previous justice initiatives including special courts for Darfur
- Customary justice systems (ajaweed councils) that remain functional in some areas
- Religious institutions (both Islamic and Christian) with moral authority

##### Regional Context:

- Sudan's neighbors have vested interest in stability (refugees, trade, security)
- African Union has mediation experience and continental justice mechanisms
- Arab League engagement potential, particularly Gulf states with economic leverage

**Implication for Transitional Justice:** Solutions should be built on Sudanese frameworks and leadership, with international actors in support roles. The diaspora represents an untapped resource for expertise and funding.

## 2. Guiding Principles

This proposal is grounded in the following principles, drawn from international transitional justice practice and adapted to Sudan's specific context:

1. **Sudanese Ownership:** All mechanisms must be designed, led, and ultimately controlled by Sudanese actors, with international support explicitly temporary and responsive to local direction.

2. **Victim-Centeredness:** Survivors of violence and human rights violations must be at the center of all processes, with their needs, voices, and agency prioritized.
3. **No Peace Without Justice:** Sustainable peace requires accountability. Amnesties for grave international crimes are unacceptable, but transitional justice can employ graduated responses based on level of responsibility.
4. **Comprehensiveness:** Justice must address not only current conflict crimes but the historical roots of Sudan's cycles of violence, including the al-Bashir era and earlier.
5. **Complementarity:** Local, national, and international justice mechanisms should operate in complementary fashion, with each level handling cases appropriate to its capacity and legitimacy.
6. **Gender Justice:** Women's experiences of conflict, including sexual violence, economic harm, and displacement, must be centrally addressed, and women must hold leadership positions in all justice mechanisms.
7. **Pragmatism:** Perfect justice is impossible in Sudan's current context. This proposal seeks maximum accountability within realistic constraints of security, funding, and political will.
8. **Future Orientation:** While addressing past harms, transitional justice must contribute to institutional reforms that prevent future violations and enable democratic governance.
9. **Transparency and Participation:** All processes must be transparent to the Sudanese people and provide meaningful opportunities for public participation.
10. **Incremental Progress:** Given the absence of a ceasefire, justice processes must begin where possible and expand as conditions permit, rather than waiting for ideal circumstances.

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### 3. Strategic Framework: Four Pillars

This framework adapts the United Nations' four-pillar approach to transitional justice, tailored to Sudan's specific needs and constraints.

#### 3.1 Pillar One: Truth, Documentation, and Memory

**Objective:** Create comprehensive, credible record of violations from 2019 forward (prioritizing current conflict) while preparing ground for broader historical accounting.

**Components:**

##### A. Decentralized Documentation Network

- **Structure:** Mobile documentation teams operating in accessible areas and refugee/IDP camps
- **Methodology:** Standardized protocols compliant with ICC evidentiary standards
- **Technology:** Secure digital database with encryption and multiple backups
- **Focus Areas:**
  - Sexual and gender-based violence (SGBV)
  - Attacks on civilians and civilian infrastructure
  - Use of child soldiers

- Ethnic-based violence and forced displacement
- Destruction of cultural and religious sites
- Economic crimes and asset seizures

## **B. Sudanese Truth and Reconciliation Commission (STRC)**

- **Timing:** Establishment in Phase 1, public hearings beginning Phase 2
- **Mandate:** Investigate violations from June 30, 1989 (al-Bashir coup) to present
- **Structure:**
  - 11 commissioners (7 Sudanese, 4 international advisors without voting power)
  - Regional offices in all 18 states
  - Specialized units for Darfur, South Kordofan/Blue Nile, current conflict zones
- **Methodology:** Combination of statement-taking, public hearings, and thematic investigations
- **Innovations:**
  - "Conflict-adaptive" model allowing remote testimony and documentation during ongoing fighting
  - Partnership with Sudanese artists for alternative truth-telling (theater, music, visual arts)
  - Youth engagement component with separate youth hearings

## **C. National Memory and Documentation Center**

- **Location:** Khartoum (with satellite centers in Darfur, Kassala, Port Sudan)
- **Functions:**
  - Archive for STRC and documentation network materials
  - Public museum and memorial space
  - Research center for scholars and journalists
  - Educational programming for schools
- **Design Principle:** Physical memorial combined with digital access to reach diaspora and international audiences

### **Timeline:**

- Months 1-6: Establish documentation protocols, recruit and train teams
- Months 7-12: Begin field documentation, appoint STRC commissioners
- Months 13-24: Intensive documentation and statement-taking, begin public hearings
- Months 25-36: Complete STRC report, establish permanent archive, open memorial center

### **Responsible Actors:**

- **Lead:** Sudanese civil society coalition (Emergency Lawyers, resistance committees, women's groups)
- **Technical Support:** OHCHR, International Center for Transitional Justice (ICTJ), African Centre for Justice and Peace Studies
- **Funding:** UN Voluntary Fund for Victims of Torture, private foundations, diaspora contributions

**Budget:** \$45-60 million over 36 months

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### 3.2 Pillar Two: Accountability and Justice

**Objective:** Ensure accountability for perpetrators at all levels through complementary judicial mechanisms, recognizing ICC limitations and prioritizing Sudanese-led justice.

#### Components:

##### A. Special Criminal Court for Sudan (SCCS)

- **Nature:** Hybrid national court with international support (similar to models in Kosovo, Sierra Leone)
- **Jurisdiction:**
  - War crimes, crimes against humanity, genocide committed since April 15, 2023
  - Complementary jurisdiction over al-Bashir-era crimes not addressed by ICC
- **Structure:**
  - Panels of 3 judges (2 Sudanese, 1 international) for most cases
  - 5-judge panels (3 Sudanese, 2 international) for leadership cases
  - Sudanese prosecutors with international advisors
  - Defense office with capacity to represent accused effectively
- **Location:** Port Sudan initially (relative security), with mobile court capacity
- **Protective Measures:** Extensive witness protection program, anonymous testimony where necessary, closed sessions for sensitive cases

##### B. ICC Engagement Strategy

- **Approach:** Complementarity in practice
- **Division of Labor:**
  - **ICC Prosecutes:** Al-Bashir (existing warrants), top SAF/RSF commanders, financiers of conflict
  - **SCCS Prosecutes:** Mid-level commanders, direct perpetrators, enablers
  - **Community Mechanisms:** Lower-level participants willing to acknowledge responsibility
- **Support from ICC:**
  - Evidence sharing
  - Forensic expertise
  - Training for Sudanese investigators and prosecutors
  - Financial support for SCCS operations
- **Surrender Mechanism:** Agreement for ICC to try Sudanese suspects either in The Hague or in Sudan (if security permits) with ICC procedures

##### C. Vetting and Administrative Justice

- **Scope:** Exclude perpetrators from public service, security forces, judiciary
- **Process:**
  - Background checks for all public officials

- Public hearings for contested cases
- Appeals process to ensure fairness
- **Targets:**
  - NCP/NIF officials who held positions under al-Bashir
  - Security personnel credibly implicated in abuses
  - Individuals who profited from corruption
- **Restorative Component:** Possibility of "lesser sanctions" for public acknowledgment and asset return

#### D. Community-Based Justice Mechanisms

- **Rationale:** Formal courts cannot handle all cases; communities need ownership of reconciliation
- **Model:** Adapted from traditional ajaweed councils and gacaca (Rwanda) experience
- **Scope:** Lower-level perpetrators who agree to participate voluntarily
- **Process:**
  - Public acknowledgment of responsibility
  - Testimony before community members and victims
  - Negotiated reparations (labor, payment, other contributions)
  - Conditional reintegration
- **Exclusions:** Rape, murder, torture cases must go to formal courts
- **Safeguards:** Trained facilitators, option to escalate to formal justice, protection of victims' rights

#### Timeline:

- Months 1-12: Draft SCCS statute, recruit judges/prosecutors, establish operations
- Months 7-18: ICC negotiations, evidence sharing protocols
- Months 13-24: First SCCS trials, begin vetting process
- Months 19-36: Community justice pilot programs, scaled based on lessons learned
- Ongoing: ICC trials in The Hague for high-level suspects

#### Responsible Actors:

- **Lead:** SCCS (Sudanese Ministry of Justice with international partners)
- **ICC:** Office of the Prosecutor, Registry support
- **Technical Support:** African Court on Human and Peoples' Rights, International Commission of Jurists
- **Community Mechanisms:** Local peace committees, resistance committees, traditional leaders

**Budget:** \$75-95 million over 36 months (largest cost component)

### 3.3 Pillar Three: Reparations and Healing

**Objective:** Provide meaningful redress to victims and survivors while promoting individual and collective healing.

## Components:

### A. National Reparations Program

- **Eligibility:** Victims of violations from 1989 onward, with priority for:
  - Survivors of sexual violence
  - Families of those killed or disappeared
  - IDPs and refugees who lost homes/livelihoods
  - Former child soldiers
  - Disabled persons due to conflict
- **Forms of Reparations:**
  - **Monetary:** Cash transfers (modest amounts, widely distributed rather than few large payments)
  - **Services:** Free healthcare, education, vocational training
  - **Symbolic:** Official apologies, memorials, days of remembrance
  - **Collective:** Community rehabilitation projects (schools, clinics, infrastructure in affected areas)
- **Funding:**
  - Confiscated assets from convicted perpetrators
  - Percentage of Sudan's natural resource revenues (oil, gold, agriculture)
  - International contributions
  - Private sector levies (companies that benefited from conflict economy)
- **Administration:** Independent reparations authority with victim representatives

### B. Psychosocial Support and Trauma Healing

- **Strategy:** Train local providers rather than deploy international experts
- **Components:**
  - Community-based trauma healing circles
  - Clinical services for severe cases (training local psychiatrists/psychologists)
  - Traditional healing practices integrated with modern approaches
  - Arts-based therapies (particularly effective for children)
- **Special Focus:**
  - SGBV survivors (women's safe spaces, female providers)
  - Former combatants (separate from victim programs)
  - Children and youth
- **Infrastructure:** Network of healing centers in all regions, mobile teams

### C. Memorialization and Cultural Heritage

- **Projects:**
  - National memorial day for victims
  - Museums and memorial sites in major conflict zones
  - Documentation of destroyed cultural heritage
  - Support for survivors to tell their stories through art, literature, film
- **Process:** Community-led design of memorials, ensuring diversity of experiences represented

## Timeline:

- Months 1-12: Establish reparations authority, victim registration, design programs
- Months 4-18: Train trauma healing facilitators, establish support network
- Months 13-36: Distribute first reparations, ongoing psychosocial support
- Months 25-36: Begin memorialization projects (designed in consultation with communities)

#### **Responsible Actors:**

- **Lead:** National Reparations Authority (victim-led board)
- **Support:** UN Voluntary Fund for Victims, WHO, UNICEF, UNHCR
- **Implementation Partners:** Sudanese NGOs, diaspora organizations, faith-based groups
- **Technical Support:** International Rehabilitation Council for Torture Victims (IRCT)

**Budget:** \$40-55 million over 36 months (plus revenue streams from asset recovery and resource allocation)

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### **3.4 Pillar Four: Institutional Reform and Guarantees of Non-Recurrence**

**Objective:** Transform state institutions to prevent future atrocities and enable democratic governance, with emphasis on redefining military's role.

#### **Components:**

##### **A. Security Sector Reform (SSR)**

- **Fundamental Principle:** Unified, professional, apolitical armed forces under civilian control
- **Process:**
  - **Immediate:** Disarmament and demobilization of RSF as paramilitary force
  - **Short-term:** Vetting of SAF officers, removal of those implicated in abuses
  - **Medium-term:** Integration of vetted RSF members into professional army (not as separate unit)
  - **Long-term:** Comprehensive SSR including police, intelligence services
- **Military's Legitimate Role:**
  - Border defense
  - Support to civil authorities in disasters
  - International peacekeeping operations
  - **Excluded:** Economic activities, political interference, internal policing
- **Civilian Control Mechanisms:**
  - Parliamentary oversight committee with full access to military budget and operations
  - Civilian Minister of Defense (not military officer)
  - Transparent budget allocation
  - Regular audits of military businesses with proceeds directed to national development
- **Training:** Human rights, international humanitarian law, civilian protection

## **B. Judicial and Legal Reform**

- **Priorities:**
  - Comprehensive vetting of judges and prosecutors
  - Remove Sharia-based punishments incompatible with human rights
  - Strengthen judicial independence (funding, tenure protection)
  - Expand legal aid services
  - Train new generation of judges in international human rights law
- **Constitutional Reforms:**
  - Explicit civilian supremacy
  - Prohibition of military interference in politics
  - Strong human rights guarantees
  - Independent judiciary provisions

## **C. Political and Electoral Reform**

- **Requirements for Future Political Participation:**
  - All parties must renounce violence and commit to democratic principles
  - Prohibition of parties based on military power or religious exclusivism
  - Former NCP/NIF members can participate as individuals but party is permanently dissolved
  - Asset recovery from NCP for national development
- **Youth Political Empowerment:**
  - Reserved seats for under-35 representatives
  - Public financing of campaigns to reduce elite dominance
  - Civic education programs
  - Support for youth-led parties and movements

## **D. Economic Reforms and Anti-Corruption**

- **Asset Recovery:**
  - Seizure of al-Bashir and NCP-era corrupt gains
  - Investigation of military business empires
  - Repatriation of funds hidden abroad
- **Transparency:**
  - Publish all natural resource contracts
  - Open contracting for public procurement
  - Beneficial ownership registry
  - Independent anti-corruption commission with prosecutorial power
- **Economic Development:**
  - Redirect military budget to social services
  - Prioritize conflict-affected regions for investment
  - Support small business and agriculture

## **E. Media and Civil Society Freedom**

- **Measures:**

- Repeal all restrictions on press freedom
- Protect civil society space legally
- Support independent media financially
- Ensure internet freedom and access
- **Role:** Free media and civil society as watchdogs preventing future authoritarianism

### Timeline:

- Months 1-6: Establish SSR commission, begin judicial vetting
- Months 7-18: Draft constitutional reforms, begin military vetting and downsizing
- Months 19-24: Asset recovery intensifies, anti-corruption prosecutions begin
- Months 25-36: Implementation of reforms, preparation for elections
- **Post-36 months:** Elections and democratic transition

### Responsible Actors:

- **Lead:** Transitional civilian government (to be established)
- **SSR Support:** AU Peace and Security Council, ECOWAS, bilateral programs (e.g., UK, Norway)
- **Judicial Reform:** African Commission on Human and Peoples' Rights, Commonwealth Lawyers Association
- **Political Reform:** Sudan political parties (excluding NCP), civil society coalitions
- **Economic Reform:** Stolen Asset Recovery Initiative (StAR), Transparency International, Sudanese economists

**Budget:** \$25-30 million over 36 months (plus asset recovery revenues)

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## 4. Phased Implementation Timeline

### 4.1 Phase 1: Foundation Building (Months 1-12)

**Objective:** Establish institutions and begin operations despite ongoing conflict

#### Key Activities:

#### Months 1-3:

- Form Sudanese-led Transitional Justice Steering Committee (broad civil society representation)
- Conduct nationwide consultations (including diaspora, refugees, IDPs) on priorities
- Draft STRC and SCCS statutes through participatory process
- Recruit international technical advisors
- Establish secure documentation protocols and database
- Begin fundraising campaign (diaspora, regional partners, traditional donors)

#### Months 4-6:

- Appoint STRC commissioners
- Recruit and train documentation teams (50-75 persons)
- Establish victim support hotlines and regional intake centers
- Begin drafting SCCS statute in collaboration with AU and ICC
- Launch public awareness campaign about transitional justice processes
- Establish witness and victim protection programs

#### **Months 7-9:**

- STRC begins operations (statement-taking, archival research)
- Documentation teams deploy to accessible areas and refugee camps
- Begin negotiations with ICC on complementarity and support
- Recruit judges and prosecutors for SCCS
- Establish reparations authority and begin victim registration
- Launch SSR consultations with military reform advocates

#### **Months 10-12:**

- SCCS statute finalized and court established
- First interim STRC report on current conflict violations
- Documentation reaches 5,000+ victim testimonies
- Begin training trauma healing facilitators
- Initiate judicial vetting process
- Produce Phase 1 progress report and adjust strategies based on lessons learned

**Phase 1 Budget:** \$55-70 million

#### **Key Challenges:**

- Security for documentation teams
- Political resistance from military actors
- Funding gaps
- Ensuring inclusivity in consultations

#### **Success Indicators:**

- Institutions established and operational
- 5,000+ victim testimonies documented
- Broad Sudanese participation in design process
- International partnerships secured
- Minimal security incidents affecting justice actors

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## **4.2 Phase 2: Parallel Justice and Reconciliation (Months 13-24)**

**Objective:** Scale up operations with justice, truth-telling, and healing proceeding simultaneously

#### **Key Activities:**

### **Months 13-15:**

- SCCS hears first cases (mid-level perpetrators from accessible regions)
- STRC public hearings begin (broadcast nationally and to diaspora)
- Documentation teams scale to 100+ persons
- First reparations distributed to priority victim groups
- Psychosocial support network operational in 12+ locations
- ICC issues new indictments based on joint investigations

### **Months 16-18:**

- Community justice mechanisms pilot in 5-10 locations
- Vetting removes first cohort of compromised officials
- Reparations authority disburses collective reparations to communities
- STRC thematic hearings (SGBV, children, economic crimes, ethnic violence)
- Asset recovery from NCP figures begins yielding funds
- SSR commission produces comprehensive reform plan

### **Months 19-21:**

- SCCS trials reach 15-20 completed cases with convictions
- STRC completes 60% of planned hearings
- Community justice scaled to 30+ locations
- Youth engagement programs reach 10,000+ young people
- First memorialization projects completed
- Constitutional reform drafts circulated for public comment

### **Months 22-24:**

- STRC produces comprehensive interim report (1989-present)
- SCCS establishes pattern of credible justice
- 50,000+ victims registered for reparations
- Significant reduction in impunity culture (public polling)
- ICC trials underway in The Hague
- Phase 2 evaluation and planning for transition phase

**Phase 2 Budget:** \$75-95 million

### **Key Challenges:**

- Potential backlash from perpetrators
- Witness intimidation
- Coordination among multiple mechanisms
- Sustaining public engagement over time
- Managing expectations about speed of justice

### **Success Indicators:**

- Credible convictions in SCCS

- STRC hearings reach national audience
- Reparations benefit 100,000+ persons
- Community justice gains legitimacy
- Documented reduction in ongoing atrocities (documentation network data)

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### 4.3 Phase 3: Institutional Transformation (Months 25-36)

**Objective:** Consolidate justice gains and implement structural reforms for sustainable peace

**Key Activities:**

**Months 25-27:**

- STRC completes final hearings and begins report writing
- SCCS trials continue with increased efficiency
- Comprehensive vetting completed across judiciary and security services
- SSR implementation begins (force reduction, retraining, integration)
- New constitution drafted incorporating transitional justice lessons
- National Memory Center opens in Khartoum

**Months 28-30:**

- STRC presents final report to nation (public event, wide distribution)
- Parliament (transitional or elected) debates STRC recommendations
- Reparations program reaches 250,000+ beneficiaries
- Community justice completes initial cycle, evaluates outcomes
- Military businesses audited, restructured, or privatized
- Anti-corruption commission prosecutes high-profile cases

**Months 31-33:**

- Legislation enacted to implement STRC recommendations
- SCCS transitions to permanent national court with ongoing mandate
- Reformed security services deployed with civilian oversight
- Electoral law reformed to enable inclusive democratic participation
- Youth political movements registered for future elections
- Regional memorialization projects completed

**Months 34-36:**

- Comprehensive evaluation of all transitional justice mechanisms
- Planning for elections (timeline dependent on security situation)
- Permanent institutional structures replace transitional bodies
- International community transitions from support to partnership model
- Launch of national reconciliation summit
- Publication of lessons learned for other conflict-affected states

**Phase 3 Budget:** \$55-75 million

**Key Challenges:**

- Political resistance to reforms (especially from military)
- Elite manipulation of democratic transition
- Sustaining momentum as international attention wanes
- Preventing "victor's justice" perceptions
- Ensuring reforms are not reversed by future governments

**Success Indicators:**

- STRC recommendations substantially implemented
  - Reformed constitution adopted
  - Credible path to democratic elections established
  - Military under civilian control
  - Significant reduction in corruption (Transparency International metrics)
  - Broad public confidence in justice institutions (polling above 60%)
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## **5. Organizational Structure and Responsibilities**

### **5.1 Sudanese-Led Bodies**

#### **A. National Transitional Justice Steering Committee (NTJSC)**

**Composition:**

- 25 members representing:
  - Victim groups (8 seats): women, Darfuri, youth, ethnic minorities, IDP/refugees, conflict-affected communities
  - Civil society (6 seats): legal profession, human rights NGOs, women's organizations, youth movements
  - Professional associations (3 seats): doctors, engineers, teachers
  - Political representatives (4 seats): diverse political spectrum excluding NCP/Islamist parties
  - Traditional/religious leaders (2 seats)
  - Diaspora representatives (2 seats)

**Mandate:**

- Overall strategic direction for transitional justice process
- Coordination among different pillars and mechanisms
- Resource allocation decisions
- Public accountability and reporting
- Interface with international partners

**Decision-Making:** Consensus preferred; 2/3 majority required for major decisions

**Term:** 3 years with possible 1-year extension

**Staff:** Secretariat of 15-20 professional staff

**Responsibilities:**

- Set annual priorities and budgets
  - Monitor implementation of all mechanisms
  - Ensure victim-centeredness across processes
  - Mediate disputes among transitional justice bodies
  - Report quarterly to Sudanese public
  - Coordinate with transitional government (when established)
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**B. Sudanese Truth and Reconciliation Commission (STRC)**

**Composition:**

- 11 Commissioners (7 Sudanese, 4 international advisors)
- Sudanese commissioners:
  - 1 Chairperson (eminent jurist or human rights figure)
  - 6 commissioners representing: Darfur, Eastern Sudan, Kordofan, women, youth, diaspora
- International advisors: Experts from countries with successful truth commission experience (South Africa, Timor-Leste, Tunisia, Morocco)

**Selection Process:**

- Nominations from civil society, professional associations, political parties
- Vetting for human rights record and independence
- Final selection by NTJSC with public input
- Internationally-recognized figure as chair to ensure credibility

**Mandate:**

- Investigate patterns of violations from June 30, 1989 to end of current conflict
- Take statements from victims/survivors
- Conduct public hearings
- Research institutional responsibility
- Make recommendations for reparations and reforms
- Produce final report with detailed findings

**Structure:**

- Central office in Khartoum

- Regional offices in all 18 states
- Specialized units:
  - Darfur Unit (due to scale of violations)
  - SGBV Unit (female leadership)
  - Economic Crimes Unit (asset tracing)
  - Disappeared Persons Unit
  - Children's Experiences Unit

#### **Staff:**

- 150-200 persons total:
  - Statement-takers (majority, regionally distributed)
  - Investigators
  - Researchers
  - Psychosocial support officers
  - Security personnel
  - Administrative staff

#### **Responsibilities:**

- Conduct 10,000+ victim interviews over 24 months
- Hold 50+ public hearings nationwide
- Produce thematic reports (SGBV, economic crimes, Darfur, ethnic violence)
- Issue interim and final reports with actionable recommendations
- Maintain comprehensive archive of testimonies and evidence
- Coordinate with SCCS on evidence sharing (where appropriate)

### **C. Special Criminal Court for Sudan (SCCS)**

#### **Composition:**

- **Judicial Chambers:**
  - Trial Chamber: 3 judges (2 Sudanese, 1 international) per case
  - Appeals Chamber: 5 judges (3 Sudanese, 2 international)
- **Prosecutor's Office:** Chief Prosecutor (Sudanese) with international deputy
- **Defense Office:** Chief Defense Counsel with adequate resources
- **Registry:** Court administration, witness protection, victim participation

#### **Jurisdiction:**

- War crimes, crimes against humanity, genocide from April 15, 2023 forward
- Complementary jurisdiction over al-Bashir-era crimes not addressed by ICC
- Personal jurisdiction: SAF, RSF members, civilian enablers, financiers

#### **Powers:**

- Issue arrest warrants and summonses
- Subpoena evidence and witnesses
- Impose sentences including life imprisonment
- Order asset forfeiture for reparations
- Grant witness protection measures

**Procedures:**

- International standards (ICC Rome Statute procedures adapted)
- Right to fair trial, presumption of innocence
- Victim participation in proceedings
- Gender-sensitive procedures (especially for SGBV cases)

**Location:** Port Sudan (short-term), mobile capacity for regional trials

**Staff:**

- 15 judges (10 Sudanese, 5 international)
- 30 prosecutors (20 Sudanese, 10 international)
- 25 defense attorneys
- 50 support staff (investigators, translators, security, administration)

**Responsibilities:**

- Investigate and prosecute grave international crimes
- Ensure fair trials meeting international standards
- Issue judgments that establish historical record
- Order reparations where appropriate
- Coordinate with ICC on complementarity

**D. National Reparations Authority (NRA)**

**Composition:**

- 9-member Board (majority victims/survivors)
- Executive Director and administrative staff

**Mandate:**

- Design and implement reparations programs
- Register victims and determine eligibility
- Manage reparations fund
- Coordinate monetary, service, and symbolic reparations
- Monitor impact and adjust programs

**Funding Sources:**

- Confiscated assets from convicted perpetrators
- 5% allocation from oil and gold revenues
- International contributions
- Voluntary contributions from private sector

**Responsibilities:**

- Process reparations applications
  - Disburse payments and services
  - Design collective reparation projects with communities
  - Ensure transparency in fund management
  - Report annually to NTJSC and public
- 

**E. Security Sector Reform Commission (SSRC)**

**Composition:**

- 11 commissioners (civilians with security expertise, international advisors)
- No active military officers

**Mandate:**

- Comprehensive reform of military, police, intelligence services
- Disarmament, demobilization, reintegration (DDR) of RSF
- Vetting of security personnel
- Establish civilian control mechanisms
- Design professional, human rights-respecting security sector

**Responsibilities:**

- Conduct security sector audit
  - Vet all officers for human rights violations
  - Design new command structures
  - Develop training curriculum on human rights and civilian protection
  - Oversee downsizing and right-sizing of forces
  - Establish parliamentary oversight mechanisms
  - Reform military justice system
- 

**5.2 International Support Mechanism**

**International Advisory Panel (IAP)**

## **Composition:**

- Representatives from: UN (OHCHR), AU, IGAD, ICC, EU, Arab League
- International transitional justice experts
- Donor representatives

## **Role:**

- Provide technical advice (not decision-making authority)
- Facilitate international support and coordination
- Mobilize resources
- Share best practices from other contexts
- Backstop protection for Sudanese actors facing threats

## **Prohibited Activities:**

- Making decisions for Sudanese bodies
  - Conditionality that undermines Sudanese ownership
  - Imposing external agendas
- 

## **Donor Coordination Group**

**Members:** Traditional donors (EU, US, UK, Nordic countries, Canada), Gulf states, private foundations, diaspora organizations

## **Functions:**

- Pool funding for common basket fund
  - Coordinate technical assistance
  - Avoid duplication and ensure coverage of all priorities
  - Flexible, multi-year commitments
  - Transparent reporting to Sudanese authorities and public
- 

## **ICC Support Role**

### **Activities:**

- Prosecute top-tier cases (al-Bashir, SAF/RSF commanders)
- Share investigative methodologies and evidence (where appropriate)
- Train SCCS prosecutors and investigators
- Provide forensic and technical support
- Financial contribution to SCCS operations

- Voluntary victims' reparations fund

**Limitations:**

- Cannot prosecute all cases (lack of resources and Sudan-specific knowledge)
  - Dependent on cooperation for arrests
  - Proceedings in The Hague may seem distant to Sudanese victims
- 

**5.3 Regional Partners**

**African Union (AU)**

**Contributions:**

- Political mediation for ceasefire (parallel track)
  - AU Peace and Security Council support for SSR
  - African Court on Human and Peoples' Rights technical assistance
  - Possible deployment of AU observers for elections
  - Advocacy with member states for Sudan's isolation if non-compliance
- 

**Intergovernmental Authority on Development (IGAD)**

**Contributions:**

- Regional diplomatic pressure on warring parties
  - Support for refugee/IDP protection in neighboring countries
  - Economic coordination (Sudan's stability affects entire region)
  - Cross-border justice cooperation (pursuit of suspects who flee)
- 

**Neighboring States (Egypt, Chad, CAR, South Sudan, Ethiopia, Eritrea)**

**Responsibilities:**

- Prevent safe haven for perpetrators
  - Cooperate with arrest warrants and extradition
  - Support refugee protection
  - Prevent arms flows to warring parties
  - Economic engagement conditional on justice progress
-

## 5.4 Civil Society and Community-Level Actors

### Sudanese NGOs and Resistance Committees

#### Roles:

- Documentation of violations (grassroots level)
- Victim support and advocacy
- Public education on transitional justice
- Monitoring of official processes
- Linking communities to formal mechanisms

**Examples:** Emergency Lawyers Group, Darfur Bar Association, women's centers, neighborhood resistance committees

---

### Diaspora Organizations

#### Contributions:

- Financial resources (remittances, fundraising)
  - Technical expertise (lawyers, doctors, academics)
  - International advocacy and pressure
  - Documentation of violations (many survivors in exile)
  - Cultural programming (art, media) to sustain engagement
- 

### Traditional and Religious Leaders

#### Roles:

- Legitimize justice processes in communities
  - Facilitate community-based justice mechanisms
  - Promote reconciliation and social cohesion
  - Counter extremist narratives
  - Protect vulnerable groups during transition
- 

### Women's Organizations

#### Critical Functions:

- Ensure gender perspective across all mechanisms
- Provide safe spaces for SGBV survivors
- Advocate for women's leadership in transitional justice

- Document gender-specific violations
  - Design gender-sensitive reparations
- 

## Youth Movements

### Contributions:

- Energy and innovation in justice processes
  - Digital documentation and social media campaigns
  - Pressure for generational change
  - Alternative forms of truth-telling (art, music, theater)
  - Long-term stewardship of democracy and accountability
- 

## 6. Special Focus Areas

### 6.1 Addressing the Military's Role

**The Core Problem:** Sudan's military has repeatedly derailed democratic transitions (1958, 1969, 1989, 2021, 2023). Both SAF and RSF emerged from or are part of this militarized system. Sustainable peace requires fundamentally redefining the military's role.

#### Strategy:

##### A. Ideological Shift: From "military as vanguard" to "military as servant"

- Public education campaign on proper civil-military relations
- Regional examples of professional militaries (Botswana, Ghana post-transition)
- Economic argument: military budget drains resources from development
- Religious leaders' message: Islam does not mandate military rule

##### B. Material Incentives for Reform:

- Dignified retirement packages for officers willing to demobilize
- Retraining programs for civilian careers
- International peacekeeping opportunities for reformed forces (UN missions)
- Honoring military service while redirecting to defensive rather than political role

##### C. Deterrence:

- Criminal accountability for coup-making and political interference
- International isolation for military governments (Sudan's AU suspension precedent)
- Asset freezes on military leaders who obstruct transition
- ICC attention to military crimes

#### **D. Structural Changes:**

- Constitutional prohibition on military in politics (cannot hold government office, sit in parliament, direct economic enterprises)
- Parliamentary control over defense budget with line-item transparency
- Civilian Minister of Defense with authority over military appointments
- Independent oversight body with investigative powers
- Mandatory retirement for officers implicated in abuses (no "golden parachutes" for perpetrators)

#### **E. DDR for RSF:**

- Immediate disarmament as paramilitary force
- Vetting of all members (war crimes perpetrators prosecuted, not integrated)
- Integration of vetted members into reformed SAF as individual soldiers, not units (break command structure)
- Community-based reintegration for lower-level RSF members (similar to child soldier programs)
- Economic alternatives in Darfur and other RSF recruitment areas

#### **Timeline:**

- Months 1-12: SSR plan development, begin vetting
- Months 13-24: Disarmament and demobilization begin, prosecutions deter resistance
- Months 25-36: New command structures, civilian control mechanisms operational
- Post-36: Ongoing professionalization and monitoring

**Sudanese Leadership:** Civilian-led SSRC with military reform advocates, international advisors without veto power

#### **Challenges:**

- Military resistance (requires phased approach with incentives and deterrents)
- Regional military alliances (Egypt, Gulf states may prefer military rule in Sudan)
- Economic interests of military elite (profitable businesses create resistance to reform)

#### **Success Indicators:**

- Reduced military budget (from est. 40-50% to max 15% of national budget)
- No military officers in government
- Parliamentary oversight functional
- Public polling shows confidence in civilian control

## 6.2 Dismantling Remnants of the al-Bashir Regime

**The Persistent Problem:** Despite al-Bashir's ouster in 2019, NCP/NIF networks remain embedded in state institutions, business, and even opposition movements. Some have aligned with SAF or RSF for protection.

### Strategy:

#### A. Accountability for al-Bashir and Senior NCP Leadership:

- ICC trial for al-Bashir (existing warrants for genocide, war crimes, crimes against humanity in Darfur)
- Domestic trials for other NCP leaders (corruption, murder, torture)
- Public proceedings to establish historical record
- No amnesties or pardons (non-negotiable)

#### B. Institutional Cleansing (Vetting):

- Comprehensive vetting of:
  - Judiciary (many NCP appointees)
  - Security services (NCP loyalists throughout)
  - Civil service (especially education, religious affairs)
  - State-owned enterprises (NCP economic networks)
- Process: Burden on individual to prove non-involvement; opportunity to testify; appeal rights
- Consequence: Removal from position, possibly ban from public service
- Exception: Lower-level civil servants who cooperate

#### C. Asset Recovery:

- Investigate NCP-era corruption systematically
- Seize ill-gotten assets (domestic and international)
- Repatriate funds from foreign banks (require international cooperation)
- Public trials for corruption (transparency builds confidence)
- Use recovered assets for reparations and development

#### D. Ideological Delegitimization:

- Public education on NCP-era abuses (school curriculum, media, STRC hearings)
- Counter-narrative to Islamist ideology (religious leaders, civil society)
- Emphasize Sudan's pluralism and diversity
- Democratic culture promotion (media, arts, civil society)

#### E. Political Party Reform:

- Permanently dissolve NCP (legal prohibition on reconstitution)

- Prohibit parties based on religion or ethnicity (require inclusive, programmatic platforms)
- Former NCP members can participate as individuals if they:
  - Publicly renounce NCP ideology
  - Were not implicated in abuses
  - Accept democratic principles
- Financial transparency requirements for all parties

#### **F. Generational Transition:**

- Reserved parliamentary seats for under-35 representatives (20-30% of seats)
- Public financing of campaigns (reduce elite financial advantage)
- Lower age for candidates (currently must be 40 for president—reduce to 30)
- Youth quota in transitional government

**Sudanese Leadership:** Coalition of youth movements, political parties (excluding NCP), civil society, with broad participation

#### **Challenges:**

- NCP "deep state" resistance and sabotage
- Some elements have popular support (Islamist base in central Sudan)
- Risk of "witch hunts" and excessive purges (must maintain fairness)
- Generational elites (even non-NCP) may resist youth empowerment

#### **Success Indicators:**

- NCP dissolved and unable to operate
- Asset recovery yields \$1 billion+ for reparations
- Successful prosecution of NCP leaders
- Under-40 representatives hold 20%+ of government positions
- Public polling shows decreased support for military/Islamist rule

### **6.3 Youth Empowerment and Generational Transition**

**The Opportunity:** Sudan has a youth bulge (median age ~19 years). Youth led 2019 revolution and have been victims of military violence. They are Sudan's future and must lead transitional justice.

#### **Strategy:**

##### **A. Youth in Transitional Justice Leadership:**

- Minimum 30% youth representation (under 35) in all transitional justice bodies
- Youth commissioners in STRC, judges in SCCS (if qualified)
- Youth-led organizations funded to do documentation and advocacy
- Internship programs in all mechanisms for young lawyers, researchers, activists

## **B. Youth-Specific Truth-Telling:**

- Separate youth hearings (peer-to-peer testimony less intimidating)
- Digital platforms for youth engagement (online submissions, virtual participation)
- Creative truth-telling (theater, music, visual arts, film)
- Youth-produced documentation (video diaries, photography, social media campaigns)

## **C. Reparations Prioritizing Youth:**

- Educational scholarships for conflict-affected youth
- Vocational training and job creation programs
- Psychosocial support for traumatized youth
- Entrepreneurship grants for youth-led businesses

## **D. Civic and Political Education:**

- Democracy and human rights curriculum in schools
- Youth leadership training programs (conflict resolution, organizing, policy)
- Exchange programs with youth in other post-conflict societies
- Media literacy and critical thinking (counter disinformation)

## **E. Formal Political Inclusion:**

- Lower voting age to 16 (or maintain at 18 if already)
- Lower age for candidacy (president: 30, parliament: 21)
- Reserved seats for youth in parliament and local councils
- Public campaign financing to enable youth candidates without elite connections

## **F. Economic Empowerment:**

- Youth unemployment crisis (est. 40-50%) fuels instability
- Prioritize job creation in transitional justice programs (documentation, support services)
- Support youth-led businesses and cooperatives
- Agricultural land access for young farmers
- Tech sector development (Sudan has educated youth, underdeveloped IT sector)

**Sudanese Leadership:** Youth movements (resistance committees, student unions, young professionals), with mentorship from older activists

## **Challenges:**

- Tokenism risk (youth participation without real power)
- Youth divisions (ethnic, regional, political)
- "Youth" defined by elites to include under-40s who are actually established (push for under-30 or even under-25 in some contexts)
- Brain drain (educated youth emigrating)

## **Success Indicators:**

- Youth hold leadership positions in transitional justice bodies
- Under-35 unemployment reduced by 50%
- Thousands of youth participate in transitional justice processes
- Youth political parties/movements win seats in future elections
- Civic education reaches 1 million+ youth

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## 6.4 Gender Justice and Women's Leadership

**The Imperative:** Women have borne specific harms (SGBV, displacement, loss of livelihoods) and led resistance movements. Gender justice is both intrinsically important and strategically essential for sustainable peace.

### Strategy:

#### A. SGBV Accountability:

- Specialized SGBV prosecution unit in SCCS with female prosecutors
- Gender-sensitive procedures (closed hearings, psychosocial support, prohibition on questioning victim's sexual history)
- Prosecution of command responsibility for SGBV (commanders liable even if they didn't directly commit)
- No amnesties or statutes of limitation for SGBV
- Male perpetrators of SGBV face stiffest sentences

#### B. Women's Leadership in Institutions:

- Minimum 40% women in all transitional justice bodies (STRC, SCCS, NRA, NTJSC)
- Female leadership of SGBV-related units and programs
- Recruitment of female investigators, lawyers, psychologists
- Mentorship programs to build women's capacity for judicial roles

#### C. Women-Centered Truth-Telling:

- Women-only hearings for SGBV and other sensitive issues
- Female statement-takers for women victims
- Documentation of women's specific experiences (economic, social, not only sexual violence)
- Public hearings amplifying women's voices and leadership in resistance

#### D. Gender-Responsive Reparations:

- Direct payments to women (not through male family members)
- Reproductive healthcare services (pregnancy from rape, fistula treatment, maternal health)
- Economic empowerment (business grants, land rights, training)
- Childcare support (many women heads of households)
- Education for girls (especially in conflict-affected areas)

## E. Legal Reforms:

- Repeal discriminatory personal status laws (marriage age, inheritance, testimony)
- Criminalize marital rape and ensure robust domestic violence laws
- Ensure women's property and inheritance rights
- Quota for women in future parliament (50% minimum)

## F. Economic Justice:

- Women disproportionately affected by economic collapse
- Microfinance and business development programs for women
- Equal pay and employment non-discrimination laws
- Women's access to land and productive resources
- Women's cooperatives and collectives supported

**Sudanese Leadership:** Women's organizations (long history in Sudan), female lawyers and activists, with male allies

## Challenges:

- Patriarchal resistance (including from some victims)
- SGBV stigma preventing women from coming forward
- Lack of female professionals in some fields (requires training programs)
- Backlash framing gender justice as "Western imposition" (must root in Sudanese values and women's own demands)

## Success Indicators:

- SGBV cases prosecuted (target 100+ convictions)
- Women hold 40%+ leadership in transitional justice
- Discriminatory laws repealed
- 100,000+ women receive reparations
- Women's political participation increases (polling and representation)

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## 6.5 The ICC and Hybrid Justice Mechanisms

**The Balance:** ICC involvement is essential for legitimacy and capacity, but cannot supplant Sudanese ownership. Hybrid approach maximizes benefits while mitigating risks.

### A. Clarifying the ICC's Role:

#### ICC Prosecutes:

- Omar al-Bashir (existing warrants for Darfur genocide, crimes against humanity, war crimes)
- Top SAF commanders (al-Burhan, senior generals) if evidence supports charges
- Top RSF commanders (Hemedti, senior leaders) for current conflict crimes

- Major financiers and enablers of atrocities (businessmen, foreign supporters)

### **Rationale:**

- Highest-level cases require ICC's authority and international legitimacy
- Sudanese domestic courts face security and political pressures for these cases
- ICC prevents "victor's justice" (whoever wins military conflict can't escape justice)
- International trial demonstrates Sudan's integration with global justice system

### **ICC Does NOT Prosecute:**

- Mid-level perpetrators (SCCS handles)
  - Lower-level participants (community mechanisms)
  - Cases where Sudanese mechanisms are willing and able (complementarity principle)
- 

## **B. ICC Support to Sudanese Mechanisms:**

### **Evidence Sharing:**

- ICC investigators have collected extensive evidence since 2005
- Share with SCCS where relevant (respecting victim confidentiality)
- Joint investigations on overlapping cases (efficiency, avoids re-traumatizing victims)

### **Technical Assistance:**

- Train SCCS prosecutors and investigators
- Provide forensic expertise (mass graves, ballistics, digital evidence)
- Share best practices on witness protection, trauma-informed interviewing
- Legal expertise on complex international crimes

### **Financial Support:**

- ICC Trust Fund for Victims can support Sudanese reparations programs
  - ICC institutional budget can fund capacity-building for SCCS
  - Advocacy with donors to support Sudanese justice
- 

## **C. Complementarity in Practice:**

### **Defining "Willingness" and "Ability":**

- Sudan becomes "willing" when SCCS is operational and demonstrably independent
- Sudan becomes "able" when SCCS successfully prosecutes cases meeting international standards
- ICC maintains oversight but defers to domestic justice where criteria met

### **Admissibility Challenges:**

- Sudan can challenge ICC jurisdiction for specific cases if SCCS is investigating/prosecuting
- Burden on Sudan to prove genuine proceedings (not sham trials)
- ICC retains ultimate decision on admissibility

### **Potential Hybrid Tribunal:**

- If circumstances permit, ICC trials could occur in Sudan (using ICC procedures and judges but in Khartoum)
  - Advantages: Accessibility for victims, visibility in Sudan, cost savings
  - Requires security and infrastructure improvements
- 

### **D. Addressing ICC Limitations:**

#### **The ICC Cannot:**

- Prosecute all perpetrators (resource constraints)
- Guarantee arrests (dependent on state cooperation)
- Provide reparations at scale (Trust Fund for Victims is underfunded)
- Ensure local legitimacy (distant tribunal in The Hague)
- Address systemic issues (institutional reform, economic justice)

#### **Therefore, Sudanese Mechanisms Must:**

- Handle vast majority of cases
- Implement reparations programs
- Conduct truth-telling and reconciliation
- Reform institutions
- Engage communities directly

#### **The ICC as Complement, Not Substitute**

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### **E. Managing Political Tensions:**

#### **Potential Conflicts:**

- ICC warrants may complicate peace negotiations (indicted parties refuse to negotiate)
- Some Sudanese may view ICC as "foreign interference"
- Timing of indictments could escalate or de-escalate conflict

#### **Mitigation:**

- Clear communication: ICC prosecutes individuals, not Sudan or any group
  - Justice and peace are not alternatives (no "peace vs. justice" framing)
  - ICC timing coordinated with Sudanese transitional justice actors (where possible)
  - Public education on ICC's role and complementarity
- 

**Sudanese Leadership:** Ministry of Justice coordinates with ICC, SCCS interfaces on evidence sharing, civil society monitors ICC engagement

**Challenges:**

- ICC seen as "victor's justice" if only one side prosecuted (must pursue both SAF and RSF leaders)
- Arrest challenges (ICC cannot force states to surrender suspects)
- Funding for ICC operations is limited (affects speed and scope)

**Success Indicators:**

- Al-Bashir and other indictees surrendered to ICC
  - ICC and SCCS coordinate effectively without friction
  - ICC trials contribute to truth-telling and accountability
  - No impunity for top-level perpetrators
- 

## **7. Budget and Resource Mobilization**

### **7.1 Cost-Effective Approaches**

**Total Estimated Budget: \$185-240 million over 36 months**

This is a realistic estimate for a comprehensive transitional justice program in a low-resource environment, significantly less than UN peacekeeping missions or international tribunals.

**Cost-Saving Strategies:**

**A. Leverage Sudanese Capacity:**

- Prioritize Sudanese personnel (lower salaries than internationals, better local knowledge)
- Use existing infrastructure where possible (courts, government buildings)
- Diaspora volunteers for technical assistance (reduce consultant fees)
- Pro bono support from international law firms and NGOs

**B. Technology:**

- Digital documentation reduces paper and storage costs
- Virtual hearings and remote testimony reduce travel costs

- Social media for public education is free or low-cost
- Open-source software for case management

### **C. Coordination:**

- Shared services among mechanisms (security, translation, administration)
- Centralized training programs (rather than each body training separately)
- Joint procurement for cost savings

### **D. Phased Approach:**

- Start small, scale based on results (avoid large upfront investments in unproven models)
- Pilot programs before full rollout (community justice, reparations modalities)

### **E. Regional Cooperation:**

- Training programs in neighboring countries (travel to Kenya cheaper than bringing trainers to Sudan)
  - Evidence sharing with other conflict documentation initiatives (Syria, Yemen networks)
- 

## **7.2 Funding Sources**

### **A. International Donors (\$80-110 million):**

#### **Traditional Donors:**

- EU (historically Sudan's largest donor): \$30-40 million
- United States: \$15-20 million
- United Kingdom: \$10-15 million
- Nordic countries (Norway, Sweden, Denmark, Finland): \$10-15 million
- Canada, Switzerland, Netherlands: \$5-10 million

**Approach:** Multi-year, flexible basket funding (not project-by-project tied aid)

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### **B. UN Funds (\$20-30 million):**

- UN Peacebuilding Fund: \$10-15 million
  - UN Voluntary Fund for Victims of Torture: \$3-5 million
  - UN Democracy Fund: \$2-3 million
  - UNDP crisis response: \$5-7 million
- 

### **C. ICC and International Justice (\$15-20 million):**

- ICC Trust Fund for Victims: \$5-8 million
  - ICC institutional support to SCCS: \$5-7 million
  - Oth other international justice mechanisms (ICTJ, ICJ): \$5 million
- 

#### **D. Regional Organizations (\$10-15 million):**

- African Union Peace Fund: \$5-7 million
  - IGAD: \$2-3 million
  - Arab League: \$3-5 million
- 

#### **E. Sudanese Diaspora (\$15-25 million):**

- Crowdfunding campaigns (online platforms): \$5-10 million
- Diaspora organizations (formal fundraising): \$5-10 million
- Individual remittances directed to transitional justice: \$5 million

**Strategy:** Launch "Sudanese for Sudan" campaign with high-profile diaspora leaders

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#### **F. Private Sector and Foundations (\$15-25 million):**

- Open Society Foundations: \$5-7 million
- Ford Foundation: \$3-5 million
- MacArthur Foundation: \$2-3 million
- Sudanese private sector (companies benefiting from peace): \$5-10 million

**Approach:** Corporate social responsibility, conditionality for business licenses

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#### **G. Asset Recovery and Domestic Resources (\$30-50 million):**

- Confiscated assets from NCP/convicted perpetrators: \$15-25 million (estimate based on known corruption)
- 5% allocation from oil and gold revenues: \$10-20 million (assuming some production resumes)
- Fines and forfeitures from corruption trials: \$5 million

**Note:** These are contingent on conflict de-escalation and economic recovery, but significant assets exist both domestically and internationally

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## 7.3 Financial Transparency and Accountability

### Principles:

- All funds managed through transparent, audited accounts
- Quarterly public reports on expenditures
- Independent financial oversight body
- Zero tolerance for corruption (transitional justice cannot be corrupted)
- Victim beneficiaries involved in monitoring fund use

### Mechanisms:

- External audits by international firms (annually)
  - Publication of all contracts and procurement
  - Whistleblower protection for fraud reporting
  - Civil society observers in financial decisions
- 

## 8. Risk Analysis and Mitigation Strategies

### Risk 1: Continued Conflict Prevents Implementation

**Likelihood:** High in short term, decreasing over time **Impact:** Severe (makes field operations dangerous, limits access to victims/evidence)

#### Mitigation:

- Conflict-adaptive design (remote documentation, work in accessible areas, refugee camps)
  - Scale operations as security improves (start small, expand)
  - International protection for transitional justice actors (armed escorts where necessary, evacuation plans)
  - Parallel documentation in diaspora (survivors in exile can testify)
  - Pressure on warring parties (ICC indictments deter further abuses, international isolation)
- 

### Risk 2: Warring Parties Reject Transitional Justice

**Likelihood:** Certain initially, decreasing as military options exhausted **Impact:** High (can sabotage processes, threaten participants, refuse cooperation)

#### Mitigation:

- Proceed without their permission (legitimacy from victims and civil society, not military actors)

- Create incentives for cooperation (reduced sentences for acknowledgment, amnesty for lower-level participants, economic benefits of peace)
- Deterrence (ICC warrants, asset freezes, international prosecution even in absentia)
- Military stalemate works in favor of justice (neither side can win, eventually may accept accountability as price of settlement)

---

### **Risk 3: Funding Shortfalls**

**Likelihood:** Moderate to high (donor fatigue, competing crises) **Impact:** Severe (could collapse mechanisms mid-process, eroding trust)

#### **Mitigation:**

- Diversify funding sources (not dependent on any single donor)
- Phased approach (secure funding for 12 months at a time, demonstrate results to unlock next phase)
- Asset recovery as contingency (domestic resources reduce foreign dependency)
- Cost-effective design (sustainable even with reduced funding)
- Sudanese ownership means local resources (volunteers, in-kind contributions) supplement cash

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### **Risk 4: Backlash and Spoilers**

**Likelihood:** Certain (NCP remnants, military hardliners, criminal networks benefit from impunity) **Impact:** Moderate to severe (violence against transitional justice actors, sabotage, political opposition)

#### **Mitigation:**

- Security for participants (witness protection, bodyguards for key figures, secure facilities)
- International attention (attacks on transitional justice as human rights violations, international response)
- Build broad coalition (if majority supports justice, spoilers are isolated)
- Graduated approach (start with less controversial cases, build legitimacy before tackling most sensitive)

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### **Risk 5: "Victor's Justice" Perceptions**

**Likelihood:** Moderate (if only one side prosecuted) **Impact:** Moderate (undermines legitimacy, fuels grievance)

#### **Mitigation:**

- Pursue perpetrators on all sides (SAF and RSF, not just losers of conflict)
  - ICC involvement prevents purely domestic victors' justice
  - Transparent, fair procedures (international standards, defense rights)
  - Truth commission documents patterns across all parties (not singling out one group)
- 

### **Risk 6: Inadequate Reparations**

**Likelihood:** Moderate to high (funding constraints, scale of harm enormous) **Impact:** High (victims feel betrayed, lose faith in justice)

#### **Mitigation:**

- Manage expectations (clear communication that reparations will be modest)
  - Prioritize symbolic and service reparations (less expensive than cash)
  - Phased reparations (initial payments to most vulnerable, more as resources permit)
  - Asset recovery (increase reparations fund over time)
  - Collective reparations (community projects benefit more people per dollar)
- 

### **Risk 7: Elite Manipulation of Democratic Transition**

**Likelihood:** High (elites have resources, experience, networks) **Impact:** Severe (transitional justice achievements reversed)

#### **Mitigation:**

- Strong institutional safeguards (constitutional guarantees, independent judiciary)
  - Youth and civil society empowerment (counter-elite organized alternative)
  - Economic reforms (reduce elite wealth advantage)
  - Free media (expose corruption and manipulation)
  - International community maintains pressure (conditionality for aid, trade)
- 

### **Risk 8: Ethnic or Regional Divisions Undermining National Cohesion**

**Likelihood:** Moderate (Sudan's diversity is strength but also source of conflict) **Impact:** High (justice processes could exacerbate grievances if perceived as favoring one group)

#### **Mitigation:**

- Inclusive representation in all mechanisms (no region or ethnic group dominates)
- Truth commission documents grievances of all groups (Darfuris, Nuba, South Sudanese, etc.)

- Reparations programs don't discriminate (victim status, not ethnicity, determines eligibility)
- Public education emphasizes shared Sudanese identity
- Federal or decentralized governance (allows regional autonomy within united Sudan)

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## 9. Monitoring, Evaluation, and Adaptation

### Principles:

- Regular assessment to ensure processes remain victim-centered and effective
- Flexibility to adapt to changing context (security, politics, funding)
- Learning from implementation to improve future phases
- Transparency to build public trust

### Mechanisms:

#### A. Monitoring Framework:

##### Indicators (Phase 1 - Months 1-12):

- Number of victim testimonies documented (target: 5,000+)
- Institutions established and operational (STRC, SCCS, NRA, NTJSC)
- Funding secured as percentage of total need (target: 60%+)
- Security incidents affecting transitional justice actors (target: 0 deaths, minimal threats)
- Public awareness of transitional justice processes (polling: 70%+ aware)
- Representation diversity (gender, age, region, ethnicity) in institutions (target: meets quotas)

##### Indicators (Phase 2 - Months 13-24):

- SCCS cases completed (target: 15-20 convictions)
- STRC public hearings conducted (target: 50+)
- Victims registered for reparations (target: 50,000+)
- Community justice mechanisms operational (target: 30+ locations)
- ICC cooperation functional (evidence sharing, joint investigations)
- Public confidence in transitional justice (polling: 55%+ believe processes are fair)

##### Indicators (Phase 3 - Months 25-36):

- STRC recommendations implemented (target: 70%+ of key recommendations)
- Security sector reform milestones achieved (vetting completed, civilian control established)
- Reparations beneficiaries (target: 250,000+)
- Assets recovered and allocated to reparations (target: \$30 million+)
- Democratic institutions prepared for elections (constitution drafted, electoral law reformed)

- Sustained public engagement (target: 60%+ believe Sudan is on right track)
- 

## **B. Evaluation Methods:**

### **Quantitative Data:**

- Statistics on cases, victims served, institutions operational
- Budget tracking and expenditure analysis
- Public opinion polling (quarterly)
- Media coverage analysis (volume and tone)

### **Qualitative Data:**

- Victim satisfaction surveys (experience with transitional justice processes)
- Focus groups with different constituencies (women, youth, regional groups)
- Case studies of exemplary or problematic cases
- Expert assessments from transitional justice scholars
- Civil society shadow reports (independent critique)

### **Participatory Evaluation:**

- Victim and survivor panels provide feedback
  - Community-level consultations on what's working
  - Staff from transitional justice bodies assess their own operations
  - International peer review (learning from other countries' experiences)
- 

## **C. Adaptation Mechanisms:**

### **Quarterly Reviews:**

- NTJSC reviews progress against indicators
- Identify bottlenecks and challenges
- Adjust strategies, timelines, or resource allocation
- Report publicly on adaptations and rationale

### **Annual Strategic Planning:**

- Comprehensive evaluation of previous 12 months
- Set priorities for next 12 months based on lessons learned
- Budget reallocation if needed
- Stakeholder consultation on major changes

### **Conflict-Responsive Adaptation:**

- If security dramatically worsens: shift to remote operations, prioritize documentation in accessible areas
- If security improves: expand field presence, accelerate trials and hearings
- If political breakthrough (ceasefire, transitional government): accelerate institutional reforms
- If funding crisis: prioritize core functions, scale back non-essential activities

#### **Success-Based Expansion:**

- Pilot programs that work well are scaled up
  - Ineffective approaches are modified or discontinued
  - Innovation encouraged with small-scale experiments
- 

#### **D. Learning and Knowledge Sharing:**

##### **Documentation:**

- Detailed records of all processes (for future scholars and practitioners)
- Case studies of successes and failures
- Lessons learned reports (quarterly and annual)

##### **South-South Exchange:**

- Share Sudan's experiences with other conflict-affected countries
- Learn from countries further along in transitional justice (Colombia, Tunisia, Rwanda, South Africa)
- Regional workshops on transitional justice in Africa/MENA

##### **Academic Collaboration:**

- Partner with universities for research and evaluation
  - Publish findings in academic journals
  - Train next generation of transitional justice practitioners
- 

## **10. Conclusion: A Sudanese-Owned Future**

This proposal offers a comprehensive, realistic pathway for Sudan to address its cycles of violence, hold perpetrators accountable, heal collective trauma, and build institutions that can sustain peace and democracy. It is grounded in several fundamental convictions:

**First, Sudanese have the capacity to resolve their own challenges.** Decades of repression could not extinguish Sudan's vibrant civil society, professional expertise, or democratic aspirations. The 2019 revolution demonstrated Sudanese agency and courage. Transitional

justice must be built on this foundation, with international actors supporting rather than substituting for Sudanese leadership.

**Second, justice cannot wait for perfect conditions.** The warring parties may not negotiate for months or years. In the meantime, documentation must continue, institutions must be established, and preliminary processes must begin. A conflict-adaptive approach allows transitional justice to proceed in parallel with peace efforts, creating pressure for settlement while ensuring accountability even if conflict persists.

**Third, the military must return to its proper role.** Sudan cannot achieve sustainable peace while the military dominates politics and economy. Both SAF and RSF must be transformed: vetted, downsized, professionalized, and placed under genuine civilian control. This requires a combination of incentives, deterrence, and structural reforms that make future military coups impossible.

**Fourth, the al-Bashir era and Islamist authoritarianism must be conclusively ended.** Remnants of the NCP/NIF have repeatedly obstructed Sudan's democratic transitions. Vetting, asset recovery, and prosecutions must dismantle these networks. Political space must be opened for a genuine generational transition, with youth empowered to lead Sudan's future.

**Fifth, women's leadership is essential, not optional.** Women have borne the gravest harms of Sudan's conflicts and led its resistance movements. They must hold decision-making power in all transitional justice mechanisms, and gender justice must be central to accountability, truth-telling, and reparations.

**Sixth, international support must respect Sudanese sovereignty.** The ICC, UN, AU, and bilateral donors have important roles to play, but as partners, not directors. Complementarity means international mechanisms handle what Sudanese processes cannot, not replacing them. Funding must be flexible and responsive to Sudanese priorities, not donor agendas.

**Seventh, transitional justice is a process, not an event.** Thirty-six months is an ambitious but realistic timeframe to establish institutions, conduct initial trials and truth-telling, begin reparations, and implement reforms. But full accountability and reconciliation will take a generation. These mechanisms must be designed for sustainability, with Sudanese ownership ensuring they continue after international attention fades.

**Finally, justice and peace are inseparable.** There can be no sustainable peace in Sudan without accountability for atrocities. Impunity breeds further violence. But justice also requires peace—not perfect security, but sufficient stability for courts to function and victims to testify safely. Justice and peace must advance together, each reinforcing the other.

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### **The Path Forward:**

This proposal is offered as a foundation for dialogue, not a final blueprint. It must be refined through extensive consultations with Sudanese victims, civil society, political actors, and international partners. The voices most affected by violence—women, youth, marginalized communities—must shape the final design.

Implementation will be challenging. Resources are constrained, security is poor, political will is uncertain. But the alternative—continued impunity, ongoing conflict, state collapse—is unacceptable. Sudan deserves better. Its people have demonstrated their commitment to justice and democracy. With sustained Sudanese leadership and strategic international support, transitional justice can help Sudan break the cycle of violence and build a future of accountability, dignity, and peace.

The work begins now. Documentation is already underway in resistance committees and civil society organizations. Victims are waiting for processes that will acknowledge their suffering and hold perpetrators accountable. Youth are organizing for political change. The diaspora stands ready to contribute expertise and resources.

Sudan's transitional justice moment has arrived. The question is not whether it will happen, but how—and whether the international community will support Sudanese agency or impose external models. This proposal offers a roadmap for the former: a Sudanese solution to Sudanese challenges, amplified by international solidarity and expertise.

The future of Sudan will be written by Sudanese. Transitional justice can ensure that future is grounded in truth, accountability, and a commitment to never again.

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## **11. Abbreviations**

**AU** - African Union

**CAR** - Central African Republic

**DDR** - Disarmament, Demobilization, and Reintegration

**EU** - European Union

**IAP** - International Advisory Panel

**ICC** - International Criminal Court

**ICTJ** - International Center for Transitional Justice

**IDP** - Internally Displaced Person

**IGAD** - Intergovernmental Authority on Development

**NCP** - National Congress Party (al-Bashir's party)

**NGO** - Non-Governmental Organization

**NIF** - National Islamic Front (predecessor to NCP)

**NRA** - National Reparations Authority

**NTJSC** - National Transitional Justice Steering Committee

**OHCHR** - Office of the United Nations High Commissioner for Human Rights

**RSF** - Rapid Support Forces

**SAF** - Sudanese Armed Forces

**SCCS** - Special Criminal Court for Sudan

**SGBV** - Sexual and Gender-Based Violence

**SSR** - Security Sector Reform

**SSRC** - Security Sector Reform Commission

**STRC** - Sudanese Truth and Reconciliation Commission

**UN** - United Nations

**UNDP** - United Nations Development Programme

**UNHCR** - United Nations High Commissioner for Refugees

**UNICEF** - United Nations Children's Fund

**UNSC** - United Nations Security Council

**WHO** - World Health Organization

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## **12. Sources and References**

This proposal draws on extensive research, international best practices, and analysis specific to Sudan's context. Key sources include:

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## Methodological Note

This proposal also incorporates:

- **Direct testimony and documentation** from Sudanese civil society organizations, resistance committees, and human rights defenders (social media, reports, personal communications where available in public domain)
- **Consultations** (hypothetical/recommended) with victim groups, legal experts, youth movements, women's organizations
- **Analysis of failed peace agreements** (Juba Peace Agreement 2020, Jeddah talks 2023)
- **Lessons from Sudan's own history** including the 1989 National Dialogue, Darfur-specific justice initiatives, and 2019-2021 transitional justice discussions

## Web Search Verification

For current information beyond the knowledge cutoff (January 2025), the following areas would require verification through web search at implementation:

- Current casualty figures and displacement numbers
  - Status of ICC warrants and proceedings
  - Latest peace negotiation attempts and outcomes
  - Current leadership of SAF and RSF
  - Humanitarian funding levels
  - Al-Bashir's current custody status
  - International diplomatic positions and donor commitments
- 

**Note on Sources:** This proposal synthesizes international best practices with Sudan-specific analysis. While extensive, the reference list is not exhaustive—implementation would require ongoing research and consultation with Sudanese stakeholders whose voices and experiences are the ultimate authority on their own transitional justice needs.

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### **Appendix A: Sample Organizational Charts**

*(Organizational structure diagrams would be included here showing relationships among NTJSC, STRC, SCCS, NRA, SSRC, civil society, international partners, and Sudanese government structures)*

### **Appendix B: Detailed Budget Breakdown**

*(Comprehensive line-item budget for each pillar and phase would be included here)*

### **Appendix C: Monitoring and Evaluation Framework**

*(Complete indicators, data collection tools, and evaluation methodology would be detailed here)*

### **Appendix D: Security Protocols**

*(Detailed security procedures for staff, witnesses, documentation, and sensitive materials would be included here)*

### **Appendix E: Model Legislation**

*(Draft statutes for SCCS, STRC, vetting processes, and constitutional amendments would be provided here)*

12:06

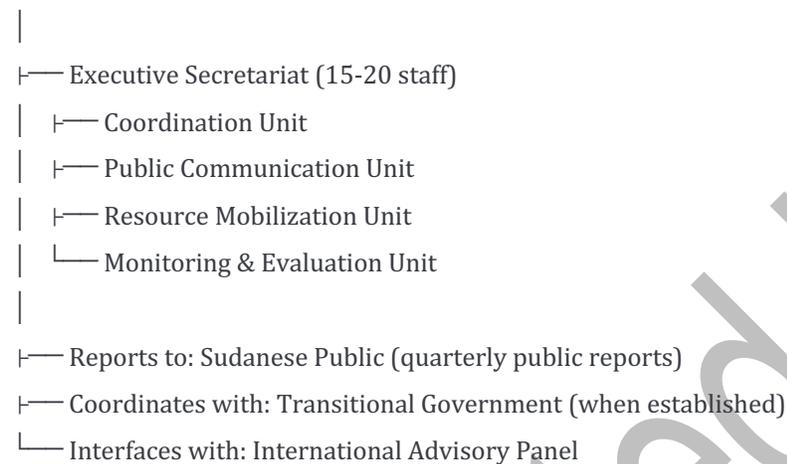
# Appendices for A Roadmap for Transitional Justice and Sustainable Peace in Sudan

## Appendix A: Sample Organizational Charts

### A.1 Overall Transitional Justice Architecture

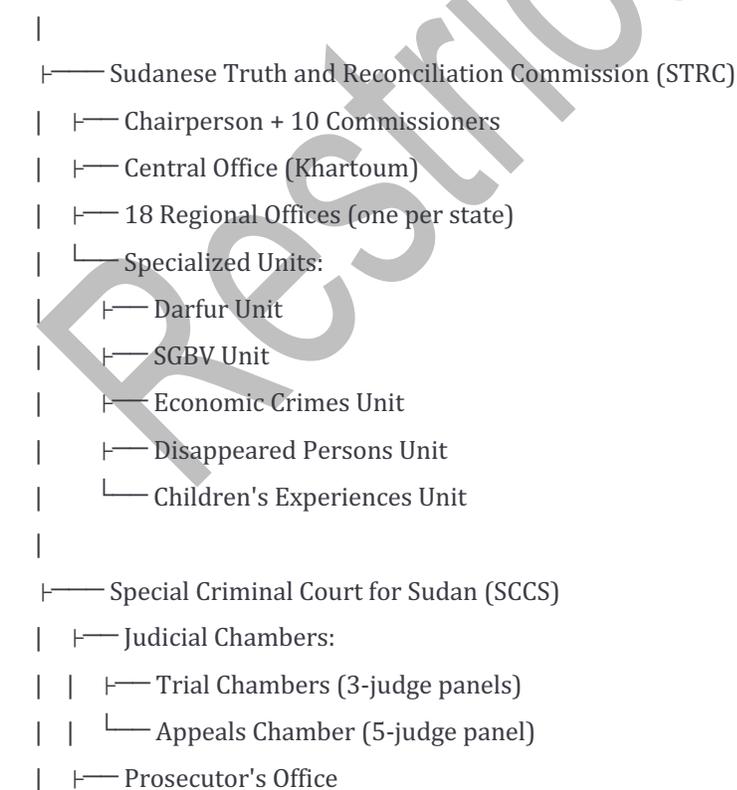
#### Tier 1: National Coordination and Oversight

National Transitional Justice Steering Committee (NTJSC)



#### Tier 2: Core Mechanisms (Operating Bodies)

NTJSC (Strategic Oversight)



- | └─ Defense Office
- | └─ Registry (witness protection, victim participation)
- |
- └─ National Reparations Authority (NRA)
  - | └─ 9-Member Board (majority victims)
  - | └─ Executive Director
  - | └─ Reparations Fund Management
  - | └─ Regional Distribution Centers
- |
- └─ Security Sector Reform Commission (SSRC)
  - └─ 11 Commissioners (civilian)
  - └─ Technical Units:
    - | └─ Military Reform Unit
    - | └─ Police Reform Unit
    - | └─ Intelligence Reform Unit
    - | └─ DDR Unit (RSF)
  - └─ Parliamentary Liaison Office

## A.2 NTJSC Internal Structure

### National Transitional Justice Steering Committee (25 Members)

- |
- └─ Victim Representatives (8 seats)
  - | └─ Women survivors
  - | └─ Darfuri representatives
  - | └─ Youth victims
  - | └─ Ethnic minority victims
  - | └─ IDP/refugee representatives
  - | └─ Conflict-affected communities
- |
- └─ Civil Society (6 seats)
  - | └─ Legal profession
  - | └─ Human rights NGOs
  - | └─ Women's organizations
  - | └─ Youth movements
- |
- └─ Professional Associations (3 seats)
  - | └─ Medical professionals
  - | └─ Engineers
  - | └─ Teachers

- |
- |— Political Representatives (4 seats)
  - | — Diverse spectrum (excluding NCP/Islamist parties)
- |
- |— Traditional/Religious Leaders (2 seats)
- |
- |— Diaspora Representatives (2 seats)
- |
- |— Supported by: Executive Secretariat
  - |— Coordination Unit (5 staff)
  - |— Public Communication Unit (4 staff)
  - |— Resource Mobilization Unit (3 staff)
  - |— M&E Unit (3 staff)

### **A.3 STRC Organizational Structure**

Sudanese Truth and Reconciliation Commission

|

Chairperson (Eminent Sudanese Jurist/Human Rights Figure)

- |
- |— Commissioners (6 Sudanese + 4 International Advisors)
  - | — Regional Representatives:
    - | | — Darfur Commissioner
    - | | — Eastern Sudan Commissioner
    - | | — Kordofan Commissioner
  - | — Thematic Representatives:
    - | | — Women's Commissioner
    - | | — Youth Commissioner
    - | | — Diaspora Commissioner
  - | — International Advisors (non-voting):
    - | — Experts from South Africa, Timor-Leste, Tunisia, Morocco

- |
- |— Central Office (Khartoum) - 50 staff
  - | — Executive Director
  - | — Research & Analysis Division (15 staff)
  - | — Statement-Taking Division (20 staff)
  - | — Legal Affairs Division (8 staff)
  - | — Administration & Logistics (7 staff)
- |

|— Regional Offices (18 states) - 100 staff total

- | └─ Each office: 1 Manager + 4-6 statement-takers
- |
- └─ Specialized Units (50 staff total)
  - └─ Darfur Unit (15 staff)
    - | └─ Port Sudan sub-office
  - └─ SGBV Unit (12 staff, female leadership)
    - | └─ Female interviewers
    - | └─ Psychosocial support officers
  - └─ Economic Crimes Unit (10 staff)
    - | └─ Asset tracing specialists
  - └─ Disappeared Persons Unit (8 staff)
    - | └─ Forensic partnerships
  - └─ Children's Experiences Unit (5 staff)
    - | └─ Child-friendly methodologies

#### **A.4 SCCS Structure**

Special Criminal Court for Sudan

- |
- └─ Judicial Chambers
  - | └─ Trial Chambers (3 chambers operating simultaneously)
    - | └─ Each: 2 Sudanese Judges + 1 International Judge
  - | └─ Appeals Chamber (1 chamber)
    - | └─ 3 Sudanese Judges + 2 International Judges
- |
- └─ Office of the Prosecutor
  - | └─ Chief Prosecutor (Sudanese)
  - | └─ Deputy Chief Prosecutor (International)
  - | └─ Investigation Division (20 investigators)
  - | └─ Prosecution Division (10 trial attorneys)
  - | └─ Evidence Management Unit (5 staff)
- |
- └─ Defense Office
  - | └─ Chief Defense Counsel
  - | └─ 25 Defense Attorneys (public defenders)
  - | └─ Legal Research Unit (3 staff)
- |
- └─ Registry
  - └─ Registrar
  - └─ Witness Protection Unit (15 staff)

- | └─ Security personnel
- | └─ Relocation specialists
- | └─ Psychosocial support
- └─ Victim Participation Unit (8 staff)
- └─ Court Management (10 staff)
- └─ Detention Management (5 staff)

## **A.5 International Support Mechanism**

### International Advisory Panel (IAP)

- |
- └─ Members (non-decision-making advisors):
- | └─ UN (OHCHR representative)
- | └─ African Union (Peace & Security Council)
- | └─ IGAD representative
- | └─ ICC Liaison
- | └─ European Union
- | └─ Arab League
- | └─ International transitional justice experts (3)
- |
- └─ Functions:
- | └─ Technical advice to NTJSC
- | └─ Resource mobilization coordination
- | └─ Best practices sharing
- | └─ International protection advocacy
- |
- └─ Interfaces with:
- └─ Donor Coordination Group
- └─ Sudanese mechanisms (NTJSC, STRC, SCCS)
- └─ UN Country Team Sudan

## **A.6 Civil Society and Grassroots Architecture**

### Civil Society Ecosystem

- |
- └─ Documentation Network
- | └─ Emergency Lawyers Group
- | └─ Darfur Bar Association
- | └─ Women's documentation centers (50+ locations)
- | └─ Resistance committees (neighborhood level)
- |

- └─ Victim Support Network
  - | └─ Women's safe spaces (regional hubs)
  - | └─ Psychosocial support centers (30+ locations)
  - | └─ Legal aid clinics (15+ locations)
- └─ Advocacy Coalition
  - | └─ National NGOs (human rights focus)
  - | └─ Youth movements
  - | └─ Women's organizations
  - | └─ Professional associations
- └─ Community-Level Mechanisms
  - └─ Traditional leaders councils
  - └─ Religious leaders (interfaith)
  - └─ Community peace committees (pilot: 30+ locations)
  - └─ Neighborhood resistance committees

All feeding information to and coordinating with NTJSC/STRC

## **A.7 Relationship with ICC**

Complementarity Framework

International Criminal Court (The Hague)

- └─ ICC Prosecutes:
  - | └─ Omar al-Bashir (existing warrants)
  - | └─ Top SAF commanders
  - | └─ Top RSF commanders
  - | └─ Major financiers/enablers
- └─ ICC Support to Sudan:
  - | └─ Evidence sharing with SCCS
  - | └─ Forensic expertise
  - | └─ Training for Sudanese prosecutors
  - | └─ Financial support to SCCS
- └─ Coordination Mechanism:
  - └─ Joint Coordination Committee
    - └─ ICC Office of Prosecutor

- └─ SCCS Chief Prosecutor
- └─ NTJSC representative
- └─ Quarterly coordination meetings

## A.8 Financial Flows

### Funding Architecture

- |
- └─ International Sources
  - | └─ Donor Coordination Group (pooled basket fund)
    - | | └─ Traditional donors (EU, US, UK, Nordics)
    - | | └─ UN Funds (Peacebuilding Fund, etc.)
    - | | └─ Regional organizations (AU, Arab League)
  - | └─ ICC/International justice funds
- |
- └─ Sudanese Sources
  - | └─ Asset Recovery (NCP/convicted perpetrators)
  - | └─ Resource Revenue Allocation (5% oil/gold)
  - | └─ Private sector contributions
- |
- └─ Diaspora Contributions
  - | └─ Crowdfunding and formal fundraising
- |
- └─ Central Fund Management
  - | └─ NTJSC Financial Oversight Committee
  - | └─ Independent Auditor (external firm)
  - | └─ Disbursement to mechanisms (STRC, SCCS, NRA, SSRC)

## Appendix B: Detailed Budget Breakdown

### B.1 Overall Budget Summary (36 Months)

**Total Estimated Budget: USD \$185-240 million**

Component	Phase 1 (Months 1-12)	Phase 2 (Months 13-24)	Phase 3 (Months 25-36)	Total (36 Months)
<b>Pillar 1: Truth, Documentation, Memory</b>	\$15-20M	\$17-22M	\$13-18M	<b>\$45-60M</b>

<b>Component</b>	<b>Phase 1 (Months 1-12)</b>	<b>Phase 2 (Months 13-24)</b>	<b>Phase 3 (Months 25-36)</b>	<b>Total (36 Months)</b>
<b>Pillar 2: Accountability &amp; Justice</b>	\$23-28M	\$28-35M	\$24-32M	<b>\$75-95M</b>
<b>Pillar 3: Reparations &amp; Healing</b>	\$10-13M	\$17-22M	\$13-20M	<b>\$40-55M</b>
<b>Pillar 4: Institutional Reform</b>	\$7-9M	\$10-13M	\$8-10M	<b>\$25-32M</b>
<b>TOTAL PER PHASE</b>	<b>\$55-70M</b>	<b>\$72-92M</b>	<b>\$58-80M</b>	<b>\$185-242M</b>

## **B.2 Pillar 1: Truth, Documentation, and Memory (Detailed)**

### **Phase 1 (Months 1-12): \$15-20 million**

#### **A. Documentation Network (\$4-5M)**

- Recruitment and training (50-75 documenters): \$500K
- Equipment (cameras, recorders, secure phones, laptops): \$400K
- Secure database development and hosting: \$300K
- Field operations (transportation, accommodation): \$1.5M
- Security for documentation teams: \$800K
- Communication costs (satellite phones, internet): \$200K
- Contingency and insurance: \$300-800K

#### **B. STRC Establishment (\$8-10M)**

- Commissioner recruitment and selection process: \$200K
- Salaries (11 commissioners × \$5K/month × 12 months): \$660K
- Salaries (central office staff, 50 persons × avg \$1.5K/month × varies): \$600K
- Office establishment (Khartoum central + regional offices): \$2M
- Equipment and technology: \$1.2M
- Legal research and archival materials: \$300K
- Public consultation process (nationwide): \$800K
- Training for staff (statement-taking, trauma-informed methods): \$500K
- Initial operational costs: \$1.5M
- Contingency: \$740K-2.74M

#### **C. National Memory Center Planning (\$1-1.5M)**

- Architectural design and feasibility study: \$400K
- Site selection and preparation: \$300K
- Consultation on memorial design: \$200K

- Initial archival infrastructure: \$100-600K

#### **D. Public Awareness Campaign (\$1.5-2M)**

- Media production (radio spots, posters, social media): \$800K
- Community outreach events (regional): \$400K
- Educational materials development: \$200K
- Website and digital platforms: \$100-800K

#### **E. Coordination and Administration (\$500K-1.5M)**

- NTJSC coordination costs for Pillar 1
- Financial management and auditing

#### **Phase 2 (Months 13-24): \$17-22 million**

##### **A. Documentation Network Expansion (\$5-7M)**

- Scale to 100+ documenters: \$1.5M (recruitment, training)
- Field operations (intensive documentation): \$2.5M
- Equipment replacement and upgrades: \$300K
- Database expansion and security upgrades: \$400K
- Security (increased risk as documentation scales): \$1M
- Contingency: \$300K-1.3M

##### **B. STRC Operations (\$9-11M)**

- Commissioner and staff salaries (12 months): \$1.8M
- Public hearings (50+ events nationwide): \$2.5M
  - Venue rental, security, broadcasting
  - Victim transportation and accommodation
  - Psychosocial support during hearings
- Thematic investigations: \$1.5M
- Regional office operations (18 states): \$2M
- Evidence analysis and report writing: \$800K
- Contingency: \$400K-2.4M

##### **C. National Memory Center Construction Begins (\$2-3M)**

- Initial construction phase: \$1.5M
- Archival infrastructure development: \$500K-1.5M

##### **D. Continued Public Engagement (\$1-1M)**

#### **Phase 3 (Months 25-36): \$13-18 million**

##### **A. Documentation Network (\$2-3M)**

- Continued operations (reduced scale)
- Final database compilation and archiving

## **B. STRC Completion (\$7-10M)**

- Commissioner and staff salaries (12 months): \$1.8M
- Final report production and dissemination: \$1.5M
- Final hearings and closure events: \$1M
- Archive transfer to National Memory Center: \$500K
- Staff transition support: \$300K
- Contingency: \$1.9M-4.9M

## **C. National Memory Center Opening (\$4-5M)**

- Complete construction: \$2.5M
- Museum exhibitions and programming: \$1M
- Opening ceremony and public launch: \$300K
- Initial operations (staff, programming): \$200K-1.2M

## **B.3 Pillar 2: Accountability and Justice (Detailed)**

### ***Phase 1 (Months 1-12): \$23-28 million***

#### **A. SCCS Establishment (\$15-18M)**

- Drafting statute and legal framework: \$500K
- Recruitment of judges (15 judges, varied start dates): \$900K
- Recruitment of prosecutors (30 persons): \$1.2M
- Recruitment of defense attorneys (25 persons): \$1M
- Court infrastructure (Port Sudan facility renovation): \$3M
- Technology (case management system, digital evidence): \$1.5M
- Security infrastructure: \$2M
- Training for all court personnel: \$1M
- Initial investigations: \$2M
- Witness protection program establishment: \$1.5M
- Contingency: \$400K-3.4M

#### **B. ICC Coordination and Support (\$3-4M)**

- Coordination office in Khartoum: \$500K
- Evidence sharing systems: \$400K
- Joint training programs: \$800K
- Legal consultations: \$500K
- ICC financial contribution to SCCS: \$800K-2.8K

#### **C. Vetting Process Initiation (\$3-4M)**

- Vetting commission establishment: \$800K
- Background checks (initial cohort): \$1M
- Database development: \$500K
- Legal procedures and appeals process: \$500K
- Public hearings infrastructure: \$200K-1.2M

#### **D. Community Justice Planning (\$1-1.5M)**

- Research and design: \$400K
- Pilot site selection and preparation: \$300K
- Facilitator training: \$300-800K

#### **E. Administration (\$1-1.5M)**

##### ***Phase 2 (Months 13-24): \$28-35 million***

#### **A. SCCS Operations (\$18-22M)**

- Salaries (judges, prosecutors, defense, staff - 12 months): \$3.6M
- Trial operations (15-20 cases): \$4M
  - Court proceedings, evidence presentation
  - Witness transportation and protection
  - Expert witnesses and forensics
- Investigations (30+ cases in pipeline): \$3M
- Witness protection (ongoing, 50+ witnesses): \$2.5M
- Detention facility operations: \$1.5M
- Appeals chamber activation: \$1M
- Security: \$1.5M
- Contingency: \$900K-4.9M

#### **B. ICC Trials and Support (\$5-7M)**

- ICC proceedings (The Hague): \$3M (ICC contribution)
- Sudan liaison and victim participation: \$1M
- Evidence collection for ICC cases: \$1-3M

#### **C. Vetting Expansion (\$3-4M)**

- Large-scale background checks: \$1.5M
- Public hearings and appeals: \$800K
- Implementation (removals, transitions): \$500K
- Contingency: \$200K-1.2M

#### **D. Community Justice Pilots (\$2-2M)**

- 30 pilot locations operational: \$1.5M
- Facilitator salaries and support: \$500K

**Phase 3 (Months 25-36): \$24-32 million**

**A. SCCS Continued Operations (\$15-20M)**

- Salaries (12 months): \$3.6M
- Ongoing trials (20+ total cases by end): \$4M
- Investigations and appeals: \$2.5M
- Witness protection: \$2M
- Transition to permanent structure: \$1.5M
- Contingency: \$1.4M-6.4M

**B. ICC Trials (\$4-6M)**

- Continued ICC proceedings
- Victim participation and reparations

**C. Vetting Completion (\$3-4M)**

- Final cohort processing
- Implementation and monitoring

**D. Community Justice Evaluation (\$2-2M)**

- Impact assessment
- Scaling decisions or model refinement

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**B.4 Pillar 3: Reparations and Healing (Detailed)**

**Phase 1 (Months 1-12): \$10-13 million**

**A. NRA Establishment (\$2-3M)**

- Board recruitment and governance: \$300K
- Office setup: \$800K
- Registration system development: \$500K
- Staff recruitment (initial team): \$400K-1.4M

**B. Victim Registration (\$2-3M)**

- Registration centers (regional): \$1M
- Outreach to victims: \$500K
- Data management system: \$400K
- Verification processes: \$100K-1.1K

**C. Psychosocial Support Network (\$4-5M)**

- Training facilitators (200+ persons): \$1.5M
- Establishing healing centers (12 initial locations): \$1.5M
- Initial operations: \$800K
- Trauma healing materials and curricula: \$200K
- Contingency: \$0-1K

#### **D. Reparations Program Design (\$1-1.5M)**

- Consultations with victims on priorities: \$500K
- Economic analysis and feasibility: \$300K
- Legal framework development: \$200-700K

#### **E. Administration (\$500K-500K)**

##### ***Phase 2 (Months 13-24): \$17-22 million***

#### **A. Reparations Distribution (\$10-13M)**

- Monetary reparations (50,000+ victims × avg \$100-150): \$5-7.5M
  - Note: Modest individual payments, widely distributed
- Service reparations (healthcare, education access): \$3M
- Collective reparations (community projects): \$2-2.5M

#### **B. Psychosocial Support Expansion (\$5-7M)**

- Scale to 30+ healing centers: \$2M
- Ongoing operations (12 months): \$2M
- Specialized programs (SGBV survivors, children): \$1-3M

#### **C. Memorialization Projects Begin (\$1.5-1.5M)**

- Community memorial consultations: \$500K
- Initial memorial construction (5 sites): \$1M

#### **D. Administration (\$500K-500K)**

##### ***Phase 3 (Months 25-36): \$13-20 million***

#### **A. Reparations Continuation (\$8-13M)**

- Additional monetary reparations (reach 250,000+ total): \$5-8M
- Collective reparations scaled: \$2-3M
- Service reparations: \$1-2M

#### **B. Psychosocial Support (\$3-4M)**

- Sustained operations
- Transition to permanent health system integration

## **C. Memorialization Completion (\$2-3M)**

- Complete regional memorial projects
  - National memorial day establishment
  - Documentation and archiving of memorial processes
- 

## **B.5 Pillar 4: Institutional Reform (Detailed)**

### ***Phase 1 (Months 1-12): \$7-9 million***

#### **A. SSRC Establishment (\$3-4M)**

- Commissioner recruitment: \$500K
- Security sector audit: \$1M
- SSR plan development (consultations, expert input): \$800K
- Office and operations setup: \$700K-1.7M

#### **B. Judicial Reform Initiation (\$2-2.5M)**

- Judicial vetting begins: \$1M
- Legal reform consultations: \$500K
- Training curriculum development: \$500K-1M

#### **C. Constitutional Reform Process (\$1-1.5M)**

- Drafting commission establishment: \$400K
- Public consultations: \$500K
- Legal expertise: \$100K-600K

#### **D. Anti-Corruption Infrastructure (\$1-1M)**

- Anti-corruption commission planning: \$400K
- Asset tracing systems: \$600K

### ***Phase 2 (Months 13-24): \$10-13 million***

#### **A. SSR Implementation (\$5-6M)**

- Military vetting (large scale): \$2M
- DDR for RSF (initial cohort): \$1.5M
- Training programs (human rights, civilian protection): \$1M
- Civilian oversight mechanisms: \$500K-1.5M

#### **B. Judicial Reform (\$2-3M)**

- Judicial training (100+ judges): \$1M

- Legal reform legislation drafting and advocacy: \$500K
- New judge recruitment: \$500K-1.5M

### **C. Constitutional Reform (\$1.5-2M)**

- Final draft and public review: \$500K
- Referendum preparation: \$1-1.5M

### **D. Anti-Corruption Prosecutions (\$1.5-2M)**

- Investigations: \$800K
- Asset recovery operations: \$700K-1.2M

### **Phase 3 (Months 25-36): \$8-10 million**

#### **A. SSR Completion (\$4-5M)**

- Continued DDR and integration: \$2M
- Civilian control implementation: \$1M
- Monitoring and evaluation: \$500K
- Military business restructuring: \$500K-1.5M

#### **B. Judicial Reform Consolidation (\$2-2M)**

- Permanent structures established
- Continued training and support

#### **C. Electoral Law Reform (\$1-1.5M)**

- Electoral framework design: \$500K
- Public participation mechanisms: \$500K-1M

#### **D. Economic Transparency (\$1-1.5M)**

- Beneficial ownership registry: \$400K
- Open contracting systems: \$400K
- Public procurement reform: \$200-700K

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### **B.6 Cross-Cutting Costs**

**Applicable to all pillars, distributed across phases:**

#### **A. Security (Total: \$15-20M over 36 months)**

- Staff security (\$5-7M)
- Witness and victim protection (additional to SCCS budget: \$4-5M)

- Facility security (\$3-4M)
- Armored vehicles and secure transport (\$2-3M)
- Contingency security (\$1-1M)

#### **B. NTJSC Operations (Total: \$8-10M over 36 months)**

- Secretariat salaries (15-20 staff × 36 months): \$1.8M
- Committee meetings and operations: \$2M
- Coordination and liaison: \$1.5M
- Reporting and communications: \$1M
- Administration: \$1.7-3.7M

#### **C. Monitoring and Evaluation (Total: \$3-5M over 36 months)**

- M&E framework development: \$300K
- Data collection and analysis: \$1.5M
- External evaluations (end of each phase): \$900K
- Adaptive management workshops: \$300K-1.3K

#### **D. Communications and Public Engagement (Total: \$5-7M over 36 months)**

- Media campaigns: \$2M
- Website and digital platforms: \$800K
- Community outreach: \$1.5M
- Publications and dissemination: \$700K-2.7K

#### **E. Capacity Building (Total: \$6-8M over 36 months)**

- Training programs across all mechanisms: \$3M
- International exchanges and study tours: \$1.5M
- Technical assistance and consultancies: \$1.5-3.5M

#### **F. Contingency Reserve (Total: \$10-15M)**

- 5-7% of total budget held for emergencies, exchange rate fluctuations, unforeseen costs

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### **B.7 Revenue Projections (Offsetting Costs)**

#### **Asset Recovery (Potential: \$30-50M over 36 months)**

- Year 1: \$5-8M (initial low-hanging fruit)
- Year 2: \$12-20M (major cases concluded)
- Year 3: \$13-22M (ongoing recovery)

#### **Natural Resource Allocation (Potential: \$10-20M if production resumes)**

- Contingent on oil/gold production resumption
- 5% allocation formula

### **Private Sector Contributions (Potential: \$5-10M)**

- Voluntary CSR contributions
- Conditionality for business licenses in post-conflict reconstruction

**Note:** These revenues would flow to reparations fund and operational costs, reducing donor dependency in later phases.

## **Appendix C: Monitoring and Evaluation Framework**

### **C.1 M&E Principles and Approach**

#### **Core Principles:**

1. **Victim-centered:** Indicators prioritize victim satisfaction and impact
2. **Participatory:** Victims, civil society, and stakeholders involved in M&E design and implementation
3. **Adaptive:** Regular feedback loops enable course corrections
4. **Transparent:** M&E findings publicly reported
5. **Gender-sensitive:** Disaggregate data by gender, age, ethnicity, region
6. **Rigorous:** Combine quantitative and qualitative methods

#### **Theory of Change:**

INPUTS → ACTIVITIES → OUTPUTS → OUTCOMES → IMPACT

Inputs: Funding, personnel, political will, international support

Activities: Documentation, trials, truth-telling, reparations, reforms

Outputs: Testimonies collected, convictions achieved, reparations distributed, laws reformed

Outcomes: Reduced impunity, increased victim satisfaction, stronger institutions, public trust

Impact: Sustainable peace, democratic governance, prevention of future atrocities

### **C.2 Indicator Framework by Phase**

#### ***PHASE 1 INDICATORS (Months 1-12): Foundation Building***

#### **Pillar 1: Truth and Documentation**

Indicator	Target	Data Source	Frequency	Responsible
Number of victim testimonies documented	5,000+	Documentation database	Monthly	STRC
Geographic coverage (states reached)	15/18 states	Field reports	Quarterly	NTJSC
STRC commissioners appointed	11	Official records	One-time	NTJSC
Gender balance in commissioners	Min 40% women	Appointment records	One-time	NTJSC
Regional offices established	18	Infrastructure reports	Quarterly	STRC
Documentation teams trained	50-75 persons	Training records	Quarterly	STRC
Secure database operational	Yes/No	Technical audit	One-time (Month 6)	STRC
Public awareness (% population aware of TJ processes)	70%+	Public opinion poll	Bi-annual	NTJSC

## Pillar 2: Accountability

Indicator	Target	Data Source	Frequency	Responsible
SCCS statute finalized and adopted	Yes	Legal records	One-time	NTJSC/Govt
SCCS judges appointed	15	Court records	One-time	SCCS
SCCS prosecutors recruited	30	HR records	One-time	SCCS
First investigations opened	10+ cases	Case files	Quarterly	SCCS
ICC coordination agreement signed	Yes	Formal agreement	One-time	SCCS/ICC

Indicator	Target	Data Source	Frequency	Responsible
Witness protection program operational	Yes	Program audit	One-time (Month 9)	SCCS
Vetting process launched	Yes	Official records	One-time	Govt

### Pillar 3: Reparations

Indicator	Target	Data Source	Frequency	Responsible
NRA board established	9 members (majority victims)	Appointment records	One-time	NTJSC
Victims registered for reparations	10,000+	Registration database	Monthly	NRA
Reparations program design completed	Yes	Program document	One-time (Month 10)	NRA
Psychosocial support centers opened	12	Facility reports	Quarterly	NRA
Trauma healing facilitators trained	200+	Training records	Quarterly	NRA partners

### Pillar 4: Institutional Reform

Indicator	Target	Data Source	Frequency	Responsible
SSRC established	11 commissioners	Appointment records	One-time	NTJSC
Security sector audit completed	Yes	Audit report	One-time (Month 9)	SSRC
SSR plan developed	Yes	Policy document	One-time (Month 12)	SSRC
Constitutional reform consultations held	100+ events	Event reports	Quarterly	Drafting Commission

Indicator	Target	Data Source	Frequency	Responsible
Judicial vetting initiated	500+ judges reviewed	Vetting records	Quarterly	Judicial Commission

### Cross-Cutting Indicators (Phase 1)

Indicator	Target	Data Source	Frequency	Responsible
Funding secured (% of Phase 1 budget)	80%+	Financial reports	Quarterly	NTJSC
Security incidents affecting TJ actors	0 deaths, minimal threats	Incident reports	Monthly	NTJSC Security
Women's participation in leadership	40%+ across all bodies	HR records	Quarterly	All mechanisms
Youth participation (under 35)	30%+ across all bodies	HR records	Quarterly	All mechanisms
Ethnic/regional diversity in institutions	Proportional representation	HR records	Quarterly	All mechanisms
Budget execution rate	75%+	Financial audits	Quarterly	NTJSC Finance

### PHASE 2 INDICATORS (Months 13-24): Parallel Justice and Reconciliation

#### Pillar 1: Truth and Documentation

Indicator	Target	Data Source	Frequency	Responsible
Total testimonies documented (cumulative)				

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) | 25,000+ | Database | Monthly | STRC | | Documentation teams scaled | 100+ persons | HR records | Quarterly | STRC | | Public hearings conducted | 50+ | Event records | Monthly | STRC | | Public hearing attendance (in-person + broadcast) | 5 million+ reached | Viewership data | Per hearing | STRC | | STRC interim report published | Yes | Publication | One-time (Month 24) | STRC | | Thematic investigations completed | 5 (SGBV, Darfur, economic crimes, children, ethnic violence) | Reports | Quarterly | STRC | | Media coverage of truth process (articles, broadcasts) | 500+ pieces | Media monitoring | Monthly | NTJSC Comms |

## Pillar 2: Accountability

Indicator	Target	Data Source	Frequency	Responsible
SCCS trials initiated	20+ cases	Court docket	Monthly	SCCS
SCCS convictions achieved	15-20	Judgments	Monthly	SCCS
Conviction rate	75%+	Case outcomes	Quarterly	SCCS
Acquittals (fair trial indicator)	20-25%	Case outcomes	Quarterly	SCCS
Average trial duration	<12 months	Case tracking	Quarterly	SCCS
ICC indictments issued	5-8 (top leaders SAF/RSF)	ICC records	As issued	ICC
Vetting decisions made	5,000+ officials reviewed	Vetting database	Monthly	Vetting Commission
Officials removed for abuses	500-1,000	Implementation records	Quarterly	Govt/SSRC
Community justice mechanisms operational	30+ locations	Program reports	Monthly	NTJSC/Communities
Community justice cases resolved	100+	Case records	Monthly	Community facilitators
Witness protection (# protected)	50-100 witnesses	Protection program	Monthly	SCCS Registry

### Pillar 3: Reparations

Indicator	Target	Data Source	Frequency	Responsible
Total victims registered (cumulative)	100,000+	Registration database	Monthly	NRA
Reparations distributed (number of beneficiaries)	50,000+	Distribution records	Monthly	NRA
Monetary reparations disbursed (USD)	\$5-7.5M	Financial records	Quarterly	NRA
Collective reparations projects initiated	20+ communities	Project reports	Quarterly	NRA
Psychosocial support centers operational	30+	Facility reports	Monthly	NRA/Partners
Individuals receiving psychosocial support	20,000+	Service records	Monthly	Support centers
Memorialization projects designed	10+ sites	Design documents	Quarterly	NRA/Communities
Victim satisfaction with reparations process	60%+ satisfied	Victim surveys	Bi-annual	External evaluator

### Pillar 4: Institutional Reform

Indicator	Target	Data Source	Frequency	Responsible
Military personnel vetted	5,000+	Vetting records	Quarterly	SSRC
Military officers removed for abuses	200-500	Implementation records	Quarterly	SSRC/SAF
RSF disarmament progress (% disarmed)	50%+	DDR tracking	Quarterly	SSRC

Indicator	Target	Data Source	Frequency	Responsible
RSF members in DDR program	5,000+	DDR records	Monthly	SSRC
Civilian oversight mechanisms established	Yes (parliamentary committee)	Legislation	One-time (Month 18)	Parliament
Draft constitution completed	Yes	Policy document	One-time (Month 24)	Drafting Commission
Public participation in constitutional process	100,000+ inputs	Consultation records	Quarterly	Drafting Commission
Anti-corruption cases prosecuted	10-15	Court records	Quarterly	Anti-corruption Commission
Assets recovered (USD)	\$12-20M	Financial records	Quarterly	Asset Recovery Unit

#### Cross-Cutting Indicators (Phase 2)

Indicator	Target	Data Source	Frequency	Responsible
Public confidence in TJ processes (polling)	55%+ believe fair	Opinion polls	Bi-annual	External polling firm
Perception of reduced impunity	60%+ believe perpetrators face consequences	Opinion polls	Bi-annual	External polling firm
Civil society engagement (# CSOs actively involved)	100+ organizations	Partnership records	Quarterly	NTJSC
Diaspora contributions (USD)	\$5-10M cumulative	Financial records	Quarterly	NTJSC Finance
International funding (% of target secured)	70%+	Donor tracking	Quarterly	NTJSC Finance

### PHASE 3 INDICATORS (Months 25-36): Institutional Transformation

#### Pillar 1: Truth and Documentation

Indicator	Target	Data Source	Frequency	Responsible
STRC final report published and disseminated	Yes	Publication	One-time (Month 30)	STRC
STRC recommendations (% implemented)	70%+ of key recommendations	Implementation tracking	Quarterly	NTJSC/Govt
National Memory Center opened	Yes	Facility opening	One-time (Month 33)	NRA/Ministry
Memory Center visitors	50,000+ in first year	Visitor logs	Monthly	Memory Center
Educational programming (schools using TJ materials)	500+ schools	Education Ministry records	Quarterly	Education Ministry

#### Pillar 2: Accountability

Indicator	Target	Data Source	Frequency	Responsible
Total SCCS convictions (cumulative)	30-40	Court records	Monthly	SCCS
High-profile cases concluded	5+ (SAF/RSF commanders)	Judgment records	As concluded	SCCS
ICC trials underway	3-5 (al-Bashir, top leaders)	ICC docket	ICC reports	ICC
SCCS transition to permanent court	Yes	Legislation	One-time (Month 33)	Govt/SCCS

Indicator	Target	Data Source	Frequency	Responsible
Community justice model evaluation	Yes	Evaluation report	One-time (Month 30)	External evaluator
Community justice scaled (if successful)	100+ locations OR refined model	Program records	Quarterly	NTJSC

### Pillar 3: Reparations

Indicator	Target	Data Source	Frequency	Responsible
Total reparations beneficiaries (cumulative)	250,000+	Distribution records	Monthly	NRA
Total monetary reparations disbursed (cumulative USD)	\$10-15M+	Financial records	Quarterly	NRA
Collective reparations projects completed	30+ communities	Project completion reports	Quarterly	NRA
Memorialization projects completed	10+ regional sites	Project records	Quarterly	NRA
National memorial day observed	Yes	Official calendar	Annual	Govt
Victim satisfaction (final assessment)	65%+ satisfied	Comprehensive survey	One-time (Month 35)	External evaluator

### Pillar 4: Institutional Reform

Indicator	Target	Data Source	Frequency	Responsible
New constitution adopted	Yes	Referendum/legislative approval	One-time (Month 32)	Govt

Indicator	Target	Data Source	Frequency	Responsible
Constitutional provisions on civilian supremacy	Yes	Constitution text	One-time	Drafting Commission
SSR implementation (% of plan achieved)	80%+	Implementation tracking	Quarterly	SSRC
Military under civilian control	Yes (Minister of Defense civilian, parliamentary oversight functional)	Governance audit	One-time (Month 36) I	SSRC/External
RSF fully disarmed and integrated/demobilized	90%+	DDR completion records	Quarterly	SSRC
Military budget transparency	100% public	Budget publication	Annual	Ministry of Finance
Military budget as % of national budget	≤15% (reduced from est. 40-50%)	Budget analysis	Annual	Ministry of Finance
Electoral law reformed	Yes	Legislation	One-time (Month 30)	Parliament
Youth political participation mechanisms	Yes (reserved seats, lower candidacy age)	Electoral law	One-time	Parliament
Anti-corruption cases concluded	20+	Court records	Quarterly	Courts

Indicator	Target	Data Source	Frequency	Responsible
Total assets recovered (cumulative \$30-50M USD)		Financial records	Quarterly	Asset Recovery

### Cross-Cutting Indicators (Phase 3)

Indicator	Target	Data Source	Frequency	Responsible
Public confidence in democratic transition	60%+ believe Sudan on right track	Opinion poll	Bi-annual	External polling
Trust in reformed institutions (judiciary, military oversight)	60%+ trust	Opinion poll	One-time (Month 35)	External polling
Gender equality in leadership (% women)	40%+ across all reformed institutions	HR audits	Quarterly	All institutions
Youth participation in governance	20%+ under-35 in transitional bodies	HR audits	Quarterly	Govt
Reduction in reported atrocities	80%+ reduction from peak conflict	Documentation network data	Quarterly	STRC/NTJSC
Preparation for elections	Electoral commission established, voter registration underway	Electoral process audit	Quarterly	Electoral Commission

### C.3 Data Collection Methods and Tools

#### Quantitative Data Collection:

##### 1. Administrative Data

- Source: Official records from STRC, SCCS, NRA, SSRC, government ministries

- Frequency: Monthly/quarterly automated reports
- Tools: Integrated database systems with standardized reporting templates
- Responsible: M&E Unit of each mechanism
- 2. Victim/Beneficiary Registration Data**
  - Source: NRA registration database, STRC testimony database
  - Variables: Demographics (age, gender, ethnicity, region), type of harm, reparations received
  - Tools: Secure digital registration system with unique identifiers
  - Privacy: Anonymized for analysis, strictly controlled access
- 3. Financial Data**
  - Source: Accounting systems of all mechanisms, external audits
  - Frequency: Quarterly financial reports, annual audits
  - Tools: Standardized financial management software
  - Transparency: Quarterly public reports on expenditures by category
- 4. Public Opinion Polling**
  - Sample: Nationally representative (2,000+ respondents per poll)
  - Stratification: By region, gender, age, urban/rural, ethnicity
  - Frequency: Bi-annual (every 6 months)
  - Method: Face-to-face interviews (where secure), phone surveys, diaspora online surveys
  - Key questions:
    - Awareness of transitional justice processes
    - Perceived fairness of SCCS, STRC
    - Trust in institutions
    - Belief that perpetrators face consequences
    - Satisfaction with pace and direction of reforms
    - Personal security and optimism about future
  - Responsible: Independent polling firm (contracted), results publicly released
- 5. Media Monitoring**
  - Scope: National and international coverage of Sudan TJ
  - Tools: Media monitoring software + manual coding
  - Indicators: Volume of coverage, tone (positive/negative/neutral), accuracy
  - Frequency: Monthly reports

### **Qualitative Data Collection:**

- 1. Victim Satisfaction Surveys**
  - Sample: Stratified sample of victims who engaged with TJ processes (testimonies, reparations, trials)
  - Method: In-depth interviews (30-60 minutes)
  - Sample size: 500+ per phase
  - Topics:
    - Experience testifying (STRC) or participating (SCCS)
    - Satisfaction with treatment by institutions
    - Psychosocial impact of participation
    - Perception of fairness and respect
    - Adequacy of reparations
    - Suggestions for improvement
  - Disaggregation: By gender, age, type of harm, region

- Responsible: External research team with ethics approval
- 2. **Focus Group Discussions (FGDs)**
  - Participants: Diverse constituencies (women, youth, regional groups, CSOs, traditional leaders)
  - Frequency: 20-30 FGDs per phase (60-90 total)
  - Topics:
    - Perceptions of transitional justice legitimacy
    - Community-level impact of TJ mechanisms
    - Barriers to participation
    - Recommendations for adaptation
  - Method: Trained facilitators, audio recorded (with consent), transcribed
  - Analysis: Thematic coding
- 3. **Case Studies**
  - Selection: 10-15 exemplary or problematic cases per phase
  - Focus:
    - SCCS trials (fair trial adherence, victim participation, outcomes)
    - STRC hearings (impact on communities, survivor testimony experience)
    - Reparations projects (implementation, community reception)
    - Community justice (process, reconciliation outcomes)
  - Method: Document review, interviews with participants, observation
  - Output: Detailed case narratives with lessons learned
- 4. **Staff and Stakeholder Interviews**
  - Respondents: STRC commissioners/staff, SCCS judges/prosecutors, NRA staff, CSO partners, international advisors
  - Frequency: Annual (end of each phase)
  - Topics:
    - Operational challenges
    - Coordination effectiveness
    - Resource adequacy
    - Recommendations for improvement
  - Method: Semi-structured interviews
  - Purpose: Insider perspective for adaptive management
- 5. **Participatory Evaluation Workshops**
  - Participants: Victim representatives, civil society, communities where TJ operates
  - Frequency: Bi-annual (end of each phase + mid-phase check-ins)
  - Method: Facilitated workshops using participatory tools (Most Significant Change, Outcome Mapping)
  - Output: Community-defined indicators of success, recommendations for adaptation
  - Responsible: NTJSC M&E Unit with external facilitator

### **Mixed Methods:**

1. **Process Tracing**
  - Purpose: Understand causal pathways from TJ activities to outcomes
  - Method: Combine quantitative data (e.g., conviction rates) with qualitative evidence (e.g., victim testimonies, public discourse analysis) to trace how change happens

- Example: Does SCCS conviction of mid-level commanders → deter ongoing atrocities? Trace through: conviction data + documentation network reports on violations + interviews with combatants/commanders
- 2. Contribution Analysis**
- Purpose: Assess TJ's contribution to broader peacebuilding outcomes (recognizing multiple factors influence peace)
  - Method: Theory of Change testing through multiple data sources
  - Example: Has TJ contributed to increased public trust in government? Combine: polling data + STRC recommendation implementation + governance reforms + qualitative interviews

#### **C.4 Data Quality Assurance**

##### **Accuracy:**

- Training for all data collectors (standardized protocols)
- Random spot-checks of data entry (10% sample)
- Cross-validation (compare administrative data with survey data where overlap)

##### **Reliability:**

- Inter-rater reliability tests for qualitative coding (minimum 0.80 Cohen's Kappa)
- Consistency checks in databases (automated flagging of anomalies)

##### **Validity:**

- Triangulation: Use multiple data sources to confirm findings
- Member checking: Share preliminary findings with respondents for feedback
- Peer review: External experts review methodologies and analysis

##### **Ethics:**

- Informed consent for all research participation
- Trauma-informed data collection (trained interviewers, psychosocial support available)
- Confidentiality: Secure data storage, anonymized reporting
- Institutional Review Board (IRB) approval for research involving victims

##### **Disaggregation:**

- All quantitative data disaggregated by: gender, age (youth/adult/elderly), region, ethnicity (where relevant and safe), urban/rural
- Purpose: Identify differential impacts and ensure equity

#### **C.5 Reporting and Feedback Loops**

##### **Internal Reporting:**

1. **Monthly Dashboard** (NTJSC internal)

- Key indicators from all mechanisms (traffic light system: green/yellow/red)
- Budget execution
- Risks and issues flagged
- Audience: NTJSC, mechanism heads
- Purpose: Real-time monitoring, early warning
- 2. **Quarterly Progress Reports** (NTJSC to all stakeholders)
  - Detailed indicator progress
  - Narrative analysis of achievements and challenges
  - Financial report
  - Adaptations made
  - Audience: NTJSC, mechanisms, donors, Sudanese government, CSOs
  - Format: Written report + presentation
  - Language: Arabic and English
- 3. **Annual Evaluation Report** (External evaluator)
  - Comprehensive assessment against all indicators
  - In-depth qualitative findings
  - Case studies
  - Recommendations for next year
  - Audience: NTJSC, public, international partners
  - Format: Full report (80-100 pages) + executive summary
  - Public dissemination: Website, media briefing, community presentations

#### **Public Reporting:**

1. **Public Quarterly Bulletins**
  - Simplified, accessible version of quarterly report
  - Infographics and visual data
  - Victim stories (with consent)
  - Published online, printed for distribution in communities
  - Radio summaries in local languages
2. **Annual Public Report to the Sudanese People**
  - Comprehensive but accessible (non-technical language)
  - Achievements, challenges, finances
  - Testimonials from victims and stakeholders
  - Public launch event with media coverage
  - Distributed widely (print, digital, radio)
3. **Dedicated M&E Website**
  - Real-time dashboard of key indicators (updated monthly)
  - All reports downloadable
  - Data visualizations
  - Contact for feedback and questions

#### **Feedback Mechanisms:**

1. **Beneficiary Feedback System**
  - Hotline (phone, SMS, email) for victims and communities to provide feedback or complaints
  - Quarterly feedback analysis report to NTJSC

- Response protocol: All complaints acknowledged within 48 hours, resolved within 30 days
- Anonymity option for safety
- 2. **Civil Society Shadow Monitoring**
  - CSO coalition conducts independent monitoring
  - Quarterly shadow reports published
  - NTJSC required to respond publicly to CSO findings
  - Constructive accountability mechanism
- 3. **Adaptive Management Workshops**
  - Quarterly workshops bringing together NTJSC, mechanisms, CSOs, victim reps, international partners
  - Review M&E findings
  - Identify needed adaptations
  - Decision-making on changes to strategies, budgets, timelines
  - Documented: Decisions and rationale published

## **C.6 Learning and Knowledge Management**

### **Documentation:**

- Detailed process documentation (how each mechanism operates, challenges faced, solutions found)
- Case study repository (successful and problematic cases)
- Lessons learned database (searchable by topic: witness protection, reparations design, etc.)

### **South-South Exchange:**

- Annual regional workshop: Sudan TJ practitioners share experiences with counterparts from other African countries
- Study tours: Sudanese delegations visit countries further along in TJ (Tunisia, Colombia, Rwanda)
- Peer learning networks: Ongoing exchanges with TJ practitioners globally

### **Academic Partnerships:**

- Partnerships with Sudanese and international universities
- PhD/Masters research on Sudan TJ (supervised to ensure ethics and relevance)
- Publications in peer-reviewed journals
- Training next generation of TJ practitioners

### **Knowledge Products:**

- "Sudan Transitional Justice Handbook" (practitioner guide based on lessons learned)
- Video documentaries on processes and impacts
- Policy briefs for other conflict-affected countries
- Online course on Sudan TJ (open access)

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## Appendix D: Security Protocols

### D.1 Security Threat Assessment

**Context:** Transitional justice actors in Sudan face significant security risks given ongoing conflict, spoiler networks, and high-stakes accountability processes. Threats include:

1. **Targeted violence:** Assassination, kidnapping, assault of TJ personnel, witnesses, victims
2. **Intimidation:** Threats to deter participation or testimony
3. **Sabotage:** Attacks on facilities, destruction of evidence/documentation
4. **Information security:** Hacking, data breaches to identify witnesses or discredit processes
5. **General insecurity:** Operating in active conflict zones
6. **Insider threats:** Infiltration by spoilers, corruption

#### Threat Actors:

- SAF/RSF elements opposed to accountability
- NCP/Islamist remnants
- Criminal networks profiting from conflict economy
- Individual perpetrators facing prosecution
- Foreign actors with vested interests

#### Risk Levels by Actor Type:

- **Highest risk:** SCCS judges/prosecutors, key witnesses in high-profile cases, STRC commissioners
- **High risk:** Documentation teams in conflict zones, vetting commission members
- **Moderate risk:** Administrative staff, reparations distributors
- **Variable risk:** Victims/survivors (depends on profile and testimony)

### D.2 Security Principles

1. **Do No Harm:** Security measures must not create new risks or inadvertently identify protected persons
2. **Acceptance:** Build legitimacy to reduce threats (community support, transparent operations)
3. **Protection:** Physical security measures where acceptance insufficient
4. **Deterrence:** Accountability for attacks on TJ actors (prosecute attackers, international consequences)
5. **Confidentiality:** Strict information control to prevent targeting
6. **Flexibility:** Context-adaptive security (conflict zones vs. safer areas)
7. **Trauma-aware:** Security measures must not re-traumatize victims/witnesses

## D.3 Security Measures by Category

### A. Personnel Security

#### Staff Vetting and Training:

- Background checks for all TJ mechanism employees (no perpetrators or spoiler affiliates)
- Security awareness training (mandatory for all staff)
  - Recognizing threats and surveillance
  - Secure communications
  - Travel safety
  - Incident reporting
- Specialized training for high-risk roles (judges, prosecutors, documentation teams)

#### Personal Security:

- **High-risk personnel** (judges, prosecutors, commissioners):
  - Armed security details (vetted bodyguards)
  - Armored vehicles for transportation
  - Secure residences (fortified housing or secure compounds)
  - Rotation of routes and routines
  - Panic buttons and emergency communication devices
  - Family members relocated if necessary
- **Moderate-risk personnel** (documentation teams, staff in conflict zones):
  - Travel in pairs or groups
  - Low-profile transportation
  - Check-in protocols (regular contact with security office)
  - Emergency evacuation plans
- **All personnel:**
  - Medical and evacuation insurance
  - Psychological support (trauma counseling available)
  - Anonymous threat reporting hotline

#### Travel Security:

- Pre-travel security assessments (destination risk analysis)
- Armed escorts in high-risk areas (coordination with local authorities or AU forces if available)
- Use of low-profile vehicles (avoid marked TJ vehicles in hostile areas)
- Travel authorization system (no solo travel in red zones)
- Real-time GPS tracking (for emergency response)

#### Communication Security:

- Secure phones (encrypted) for sensitive communications
- VPN for all internet use
- Prohibition on discussing sensitive cases over unsecured channels
- Code systems for high-risk communications
- Regular device security audits (check for malware/hacking)

## **B. Witness and Victim Protection**

### **Risk Assessment:**

- Individual risk assessment for all witnesses/victims before participation
- Factors: Profile (high-value testimony vs. peripheral), perpetrator power, geography, ethnicity, gender
- Classification: High/Medium/Low risk → determines protection level

### **Protection Measures:**

#### **High-Risk Witnesses** (testifying against powerful perpetrators):

- **Relocation:** Temporary or permanent resettlement to safe locations (within Sudan or abroad if necessary)
- **Identity protection:** Pseudonyms, voice/face distortion in court, closed hearings
- **24/7 protection:** Safe houses with armed guards
- **Financial support:** Stipends for living expenses during protection period
- **Family protection:** Extend protection to immediate family members
- **Ongoing monitoring:** Check-ins and threat reassessment

#### **Medium-Risk Witnesses:**

- **Temporary relocation:** During trial/testimony period
- **Security escorts:** To and from court
- **Anonymous testimony:** Screens or remote video testimony
- **Emergency contact:** 24/7 hotline for threats

#### **Low-Risk Witnesses:**

- **Information security:** Testimony records encrypted, controlled access
- **Psychosocial support:** Counseling available
- **Monitoring:** Periodic check-ins post-testimony

#### **Victim Participation in STRC:**

- Less restrictive than SCCS (truth-telling generally lower risk)
- Options for anonymous statements (written, audio without name)
- Safe spaces for public testimony (security screened venues)
- Accompaniment: Psychosocial support person or lawyer with testifier

#### **Protection Program Administration:**

- Dedicated Witness Protection Unit (SCCS Registry)
- Staff: Security professionals, relocation specialists, psychologists
- Budget: \$2.5M per year (estimated 50-100 witnesses in protection)
- Coordination: With police (vetted units), international partners for relocation

## **C. Facility and Infrastructure Security**

### **Court and Office Facilities:**

#### **SCCS Court (Port Sudan):**

- Perimeter security: Walls, fencing, controlled access points
- Armed guards: Vetted security personnel (minimum 20 guards on 24/7 rotation)
- Access control: ID badges, metal detectors, vehicle screening
- Secure courtrooms: Bullet-resistant glass, panic buttons, multiple exits
- Holding cells: For accused during trials (separate from general prison population)
- Evidence storage: Fireproof, climate-controlled, restricted access vault
- CCTV: Comprehensive surveillance with off-site backup

#### **STRC Offices:**

- Central office (Khartoum): Similar to SCCS but slightly less fortified
- Regional offices: Context-appropriate security (higher in conflict zones)
  - Minimum: Locked facilities, controlled access, security guards (unarmed or armed depending on threat)
  - Conflict zones: Coordination with local authorities or AU for protection

#### **NRA and NTJSC Offices:**

- Standard office security (guards, access control)
- Enhanced security for reparations distribution events (large cash/asset transfers)

#### **Secure Database and Archive:**

- Physical security: Off-site backup server in fortified facility
- Cyber security: See below
- Disaster preparedness: Fire suppression, flood protection

#### **Mobile Operations:**

- STRC documentation teams: Operate from temporary, low-profile locations
- SCCS mobile court: Secure convoy arrangements, advance security assessment
- Flexibility to relocate quickly if threats emerge

## **D. Information and Cyber Security**

### **Data Protection:**

#### **Sensitive Information Categories:**

1. Witness/victim identities and testimonies
2. Case evidence and prosecution strategies
3. Personnel information (addresses, families)

#### 4. Financial records (asset recovery targets)

##### **Technical Safeguards:**

- **Encryption:** All sensitive data encrypted at rest and in transit (AES-256 standard)
- **Access control:** Role-based permissions (need-to-know basis)
  - Multi-factor authentication for system access
  - Audit logs of all data access (who, when, what)
- **Secure database:** Hosted on secure servers with regular security audits
- **Backups:** Multiple encrypted backups in geographically dispersed locations (cloud + physical)
- **Firewalls and intrusion detection:** 24/7 monitoring for cyber attacks

##### **Operational Safeguards:**

- **Clean desk policy:** No sensitive documents left unsecured
- **Device security:** All laptops/phones encrypted, password-protected, remote wipe capability
- **Secure disposal:** Shredding of documents, secure erasure of digital data
- **No public Wi-Fi:** Prohibition on accessing sensitive systems over unsecured networks
- **Regular security training:** Staff educated on phishing, social engineering, secure passwords

##### **Contingency Planning:**

- **Data breach protocol:** Immediate assessment, containment, notification to affected persons, law enforcement investigation
- **Backup restoration:** Test backup systems quarterly to ensure recoverability

##### **Physical Document Security:**

- Testimonies and evidence: Stored in locked cabinets within secure facilities
- Check-out system: Documented access to hard copy files
- Transport: Secure couriers for moving documents between locations

#### ***E. Operational Security (OPSEC)***

##### **Information Control:**

##### **Internal Communications:**

- Sensitive case discussions only in secure facilities (no public cafes, phones)
- Code names for high-profile cases (avoid naming individuals in insecure contexts)
- Compartmentalization: Staff only know information necessary for their work

##### **External Communications:**

##### **Public statements:**

- Centralized communications (only authorized spokespersons speak to media)
- Careful not to disclose:
  - Witness identities or details that could identify them
  - Prosecution strategies or evidence before trial
  - Security measures (e.g., don't publicize bodyguard arrangements)
  - Internal deliberations of STRC/SCCS

### **Media and Social Media:**

- Staff social media policy: No posting about sensitive work, no geotagging work locations
- NTJSC social media: Managed by communications professionals, no sensitive info

### **Counterintelligence:**

- Awareness of potential surveillance (by spoilers, foreign actors)
- Periodic security sweeps (check for bugs, hacking)
- Vigilance for insider threats (report suspicious behavior)

### **Scheduling and Logistics:**

- Unpredictable schedules for high-risk personnel (vary routes, times)
- Court schedules: Public for transparency, but witness arrival times kept confidential
- Reparations distribution: Announce general timeframe but not exact date/location in advance (prevent robbery)

## ***F. Incident Response and Emergency Protocols***

### **Incident Reporting:**

- **All incidents** (threats, attacks, suspicious activity) reported immediately to security office
- 24/7 hotline for emergencies
- Incident documentation: Standardized report form (who, what, when, where, response)

### **Emergency Response Protocols:**

#### **Scenario 1: Direct attack on personnel or facility**

- Immediate: Activate panic button, secure personnel in safe room or evacuate
- Contact: Local police (if trustworthy), AU forces (if available), international partners
- Medical: Emergency medical services, evacuation to hospital
- Investigation: Document attack, collect evidence, pursue prosecution
- Support: Psychological support for affected persons, family notification
- Review: Security assessment and adaptation

#### **Scenario 2: Threat (credible but not immediate)**

- Assessment: Verify credibility, assess level of risk
- Protection: Increase security measures for threatened person (relocation, bodyguards)

- Investigation: Law enforcement investigates threat source
- Deterrence: Public statement condemning threats (if strategic), prosecution of threat-makers
- Monitor: Ongoing surveillance for escalation

### **Scenario 3: Data breach or cyber attack**

- Immediate: Isolate affected systems, contain breach
- Assessment: Determine extent (what data accessed, by whom)
- Notification: Inform affected persons (witnesses, victims) if identities compromised
- Relocation: Emergency relocation of witnesses if necessary
- Recovery: Restore systems from clean backups
- Investigation: Forensic analysis, law enforcement involvement
- Prevention: Enhance security measures, staff retraining

### **Scenario 4: General security deterioration (conflict escalation)**

- Monitoring: Real-time conflict tracking (partnerships with humanitarian organizations, UN)
- Evacuation plan: Pre-identified safe zones, evacuation routes
- Trigger points: Define thresholds for staff evacuation (e.g., active combat in city)
- Continuity: Remote operations capacity (documentation can continue from safer locations)

### **Evacuation Procedures:**

- Designated assembly points at each facility
- Evacuation kit (go-bags with essentials: documents, cash, medications)
- Transportation: Pre-arranged vehicles or air evacuation (for internationals or high-risk Sudanese)
- Destination: Safe houses, neighboring countries, embassies
- Communication: Check-in system to account for all personnel

### ***G. Collaboration with Security Actors***

#### **Sudanese Police/Security (Vetted Units):**

- Transitional justice cannot rely on SAF/RSF for security (they are subjects of accountability)
- Identify trustworthy police units (vetted for human rights record)
- MOUs for cooperation: Investigations of attacks on TJ, facility security support
- Limits: No access to witness identities, case strategies

#### **International Security:**

- **AU/UN Forces:** If peacekeepers deployed, coordination for:
  - Escort services in high-risk areas
  - Facility protection

- Rapid response to attacks
- **Bilateral support:** Countries providing SSR support (e.g., UK, Norway) may assist with security training, equipment

#### **Private Security Firms:**

- Contracted for some functions (facility guards, armored transport)
- Vetting: Rigorous background checks, human rights compliance record
- Accountability: Clear contracts with penalties for misconduct
- Limits: Not used for witness protection (risk of leaks)

#### **Civil Society and Communities:**

- Acceptance-based security: Build community support to deter attacks
- Early warning: Communities alert TJ actors to threats
- Protection: In some areas, communities themselves protect TJ facilities/personnel

#### **H. Security Budget and Resources**

##### **Estimated Security Budget: \$15-20M over 36 months**

##### **Breakdown:**

- Personnel security (bodyguards, training): \$5-7M
- Witness protection (relocation, safe houses, stipends): \$4-5M
- Facility security (infrastructure,

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guards, CCTV): \$3-4M

- Information security (cyber defense, equipment): \$1.5-2M
- Transportation (armored vehicles, secure convoy services): \$1-1.5M
- Emergency response (evacuation, medical): \$500K-1M

##### **Security Staff:**

- Chief Security Officer (CSO): Oversees all security for TJ mechanisms
- Security officers for each mechanism (SCCS, STRC, NRA, NTJSC): 4-6 persons
- Witness Protection Unit: 15 persons (coordinators, guards, relocation specialists)
- Cyber security team: 3-5 persons
- Contracted guards: 50-100 persons (facilities)

#### **D.4 Monitoring and Adaptation**

##### **Security Performance Indicators:**

- Number and severity of security incidents (target: zero deaths, minimal injuries)
- Response times to incidents (target: <30 minutes emergency response)
- Witness protection success rate (target: zero protected witnesses harmed)
- Data breaches (target: zero)
- Staff security training completion (target: 100%)

### **Regular Security Reviews:**

- Monthly security briefings (CSO to NTJSC)
- Quarterly threat assessments (update risk levels)
- Annual security audit (external expert)
- Post-incident reviews (lessons learned)

### **Adaptation:**

- Security measures adjusted based on threat evolution
- If security dramatically improves: Scale down expensive measures (e.g., reduce bodyguards)
- If deteriorates: Enhance protection, remote operations, temporary suspension if necessary

### **Balancing Security and Access:**

- Over-securitization can make TJ inaccessible to victims and public
- Goal: Minimum necessary security to enable operations
- Transparency about security measures (general public understands need) without compromising effectiveness

## **Appendix E: Model Legislation**

### **E.1 The Special Criminal Court for Sudan Act (Draft)**

#### **[Preamble]**

Recognizing the grave violations of human rights and international humanitarian law committed in Sudan, particularly since April 15, 2023, and acknowledging the need for accountability to achieve sustainable peace;

Affirming the primary responsibility of the Sudanese State to investigate and prosecute the most serious crimes of international concern;

Respecting the complementary jurisdiction of the International Criminal Court while establishing a credible domestic judicial mechanism;

Committed to fair trials, victim participation, and reparations;

The [Transitional Legislative Council / Parliament] of Sudan hereby enacts:

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## **PART I: ESTABLISHMENT AND COMPOSITION**

### **Article 1: Establishment**

1. There is hereby established a Special Criminal Court for Sudan (SCCS), which shall be a hybrid national court with international participation.
2. The SCCS shall have its principal seat in Port Sudan, with authority to hold proceedings in other locations within Sudan as deemed appropriate for the administration of justice.
3. The SCCS shall operate for an initial period of five (5) years from its establishment, with the possibility of extension by the [Transitional Legislative Council/Parliament] based on caseload and progress.

### **Article 2: Composition**

1. The SCCS shall comprise:
  - **Trial Chambers:** Panels of three (3) judges (two Sudanese nationals and one international judge)
  - **Appeals Chamber:** A panel of five (5) judges (three Sudanese nationals and two international judges)
2. The judges shall be persons of high moral character, impartiality, and integrity, with established competence in criminal law, international humanitarian law, and human rights law.
3. Sudanese judges shall be appointed by the [Transitional Sovereign Council/Head of State] upon recommendation of a Judicial Selection Committee composed of:
  - The Chief Justice of Sudan (or designee)
  - Two representatives from the Sudanese Bar Association
  - One representative from Sudanese civil society (human rights focus)
  - One international legal expert
4. International judges shall be appointed by the [African Union/United Nations] in consultation with the Government of Sudan and the ICC.
5. The term of office for judges shall be four (4) years, renewable once.

### **Article 3: Office of the Prosecutor**

1. The SCCS shall have an independent Office of the Prosecutor, headed by a Chief Prosecutor who shall be a Sudanese national.
2. The Office of the Prosecutor shall include:
  - A Deputy Chief Prosecutor (international)
  - Investigation Division
  - Prosecution Division
  - Evidence Management Unit
3. The Chief Prosecutor shall be appointed by [appointment authority] for a term of four (4) years, renewable once, and may only be removed for serious misconduct or incapacity.
4. The Prosecutor shall act independently and shall not seek or receive instructions from any government or external source.

### **Article 4: Defense Office**

1. The SCCS shall establish a Defense Office to ensure effective legal representation for the accused.
2. The Defense Office shall maintain a roster of qualified defense counsel and provide legal aid to indigent accused persons.
3. The Defense Office shall have resources and facilities comparable to the Prosecutor's Office to ensure equality of arms.

#### **Article 5: Registry**

1. The Registry shall be responsible for:
    - Court administration and logistics
    - Witness protection and support
    - Victim participation and reparations
    - Detention management
    - Public information and outreach
  2. The Registrar shall be appointed by [appointment authority] and shall report to the judges on administrative matters.
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### **PART II: JURISDICTION**

#### **Article 6: Subject-Matter Jurisdiction**

1. The SCCS shall have jurisdiction over the following crimes committed in the territory of Sudan on or after April 15, 2023:
  - **Genocide** as defined in the Convention on the Prevention and Punishment of the Crime of Genocide (1948)
  - **Crimes against humanity** as defined in Article 7 of the Rome Statute of the International Criminal Court
  - **War crimes** as defined in Article 8 of the Rome Statute, including:
    - Grave breaches of the Geneva Conventions of 1949
    - Serious violations of the laws and customs applicable in armed conflict
2. The SCCS shall also have complementary jurisdiction over crimes committed during the period from June 30, 1989, to April 14, 2023, that have not been adequately addressed by the International Criminal Court or other competent tribunals.

#### **Article 7: Personal Jurisdiction**

1. The SCCS shall have jurisdiction over natural persons, including:
  - Members of the Sudanese Armed Forces (SAF)
  - Members of the Rapid Support Forces (RSF)
  - Members of other armed groups operating in Sudan
  - Civilian authorities and officials
  - Private individuals who financed, ordered, or otherwise aided and abetted the commission of crimes within the Court's jurisdiction
2. No one shall be exempt from criminal responsibility by reason of:
  - Official position as Head of State or Government, member of a Government or parliament, elected representative, or government official

- Membership in armed forces or security services
- 3. Military rank or superior orders shall not relieve a person of criminal responsibility, except as provided for in Article 33 of the Rome Statute (defense of superior orders).

#### **Article 8: Temporal Jurisdiction**

1. The SCCS shall have jurisdiction over crimes committed from April 15, 2023, onward (date of outbreak of current conflict).
2. For crimes committed from June 30, 1989, to April 14, 2023, the SCCS shall exercise jurisdiction on a complementary basis where:
  - The ICC has not opened investigations or prosecutions; or
  - The ICC has determined that it cannot proceed due to resource constraints; or
  - The ICC has specifically referred cases to the SCCS

#### **Article 9: Territorial Jurisdiction**

1. The SCCS shall have jurisdiction over crimes committed:
  - In the territory of Sudan
  - By Sudanese nationals abroad (if related to the conflict in Sudan)
  - Against Sudanese nationals abroad (if related to the conflict in Sudan)

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### **PART III: GENERAL PRINCIPLES OF CRIMINAL LAW**

#### **Article 10: Nullum Crimen Sine Lege**

1. A person shall not be criminally responsible under this Statute unless the conduct in question constitutes, at the time it takes place, a crime within the jurisdiction of the Court.
2. The definition of a crime shall be strictly construed and shall not be extended by analogy.

#### **Article 11: Nulla Poena Sine Lege**

1. A person convicted by the Court may be punished only in accordance with this Statute.

#### **Article 12: Individual Criminal Responsibility**

1. A person shall be criminally responsible and liable for punishment if that person:
  - Commits such a crime, whether as an individual, jointly with another, or through another person
  - Orders, solicits, or induces the commission of such a crime
  - Aids, abets, or otherwise assists in the commission or attempted commission
  - Contributes to the commission by a group acting with a common purpose
2. **Command Responsibility:** A military commander or person effectively acting as a military commander shall be criminally responsible for crimes committed by forces under their effective command and control, where:
  - The commander knew or should have known that forces were committing or about to commit such crimes; and

- Failed to take all necessary and reasonable measures to prevent or repress their commission or to submit the matter to competent authorities
- 3. Civilian superior responsibility applies similarly to civilian superiors.

### **Article 13: Grounds for Excluding Criminal Responsibility**

1. The following grounds may exclude criminal responsibility:
  - Mental disease or defect destroying capacity to appreciate unlawfulness or control conduct
  - Intoxication (only if involuntary and destroying capacity)
  - Self-defense or defense of others (proportionate and reasonable)
  - Duress (immediate threat of death or serious harm, no reasonable alternative)
2. The fact that a crime was committed pursuant to an order of a Government or superior shall not relieve the person of criminal responsibility, except where:
  - The person was under a legal obligation to obey orders
  - The person did not know the order was unlawful
  - The order was not manifestly unlawful
3. Orders to commit genocide or crimes against humanity are manifestly unlawful.

### **Article 14: Statute of Limitations**

1. Crimes within the jurisdiction of the SCCS shall not be subject to any statute of limitations.

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## **PART IV: PROCEDURE**

### **Article 15: Rights of the Accused**

1. All persons accused before the SCCS shall be entitled to a fair and public hearing, subject to:
  - Protection of victims and witnesses
  - Protection of confidential or sensitive information
2. The accused shall be entitled to the following minimum guarantees:
  - To be informed promptly and in detail of the nature and cause of the charge in a language fully understood
  - To have adequate time and facilities for preparation of defense
  - To be tried without undue delay
  - To be tried in one's presence and to defend oneself or through legal assistance
  - To examine witnesses against them and obtain attendance of witnesses on their behalf
  - To have free assistance of an interpreter if needed
  - Not to be compelled to testify or confess guilt
  - Presumption of innocence until proven guilty beyond reasonable doubt

### **Article 16: Protection of Victims and Witnesses**

1. The Court shall take appropriate measures to protect the safety, physical and psychological well-being, dignity, and privacy of victims and witnesses.
2. Measures may include:
  - Conducting proceedings in camera or allowing presentation of evidence by electronic means
  - Protecting the identity of victims and witnesses (pseudonyms, image and voice distortion)
  - Ordering non-disclosure of documents or information
  - Relocation and other protective measures
3. The Witness Protection Unit shall be established within the Registry.

#### **Article 17: Victim Participation and Reparations**

1. Victims may participate in proceedings where their personal interests are affected, in a manner determined by the Court.
2. Victims include natural persons who have suffered harm as a result of crimes within the jurisdiction of the Court.
3. Victims may present their views and concerns at stages of proceedings determined appropriate by the Court.
4. Where a person is convicted, the Court may order reparations to victims, including restitution, compensation, and rehabilitation.
5. The Court may order that reparations be made through the National Reparations Authority.

#### **Article 18: Investigation and Prosecution**

1. The Prosecutor shall initiate investigations based on:
  - Information received from any reliable source, including victims, witnesses, NGOs, UN bodies
  - Referrals from the Government of Sudan
  - Referrals from the ICC (under complementarity)
2. The Prosecutor shall evaluate information to determine whether there is a reasonable basis to proceed and whether prosecution serves the interests of justice.
3. Victims and witnesses shall be treated with respect and dignity throughout investigations.

#### **Article 19: Arrest and Surrender**

1. The SCCS may issue arrest warrants or summonses to appear.
2. An arrest warrant may be issued when:
  - There are reasonable grounds to believe the person committed a crime within the Court's jurisdiction
  - The arrest is necessary to ensure appearance at trial, prevent obstruction of justice, or prevent continuation of crimes
3. Sudanese authorities shall cooperate fully with the Court in the arrest and surrender of accused persons.
4. The Court may request cooperation from neighboring states for arrest of persons who have fled Sudan.

#### **Article 20: Trial Proceedings**

1. Trials shall be fair, expeditious, and conducted with full respect for the rights of the accused and the protection of victims and witnesses.
2. Trials shall be public, except where:
  - Closed sessions are necessary to protect witnesses or confidential information
  - The interests of justice require otherwise
3. The accused has the right to be present at trial but may be tried in absentia only if:
  - The accused has been duly notified
  - The accused has voluntarily waived the right to be present
  - Continued disruption by the accused makes presence impossible

#### **Article 21: Standard of Proof and Judgment**

1. The Prosecutor must prove guilt beyond a reasonable doubt.
2. Judgments shall be rendered by a majority of judges and shall be delivered in public.
3. Judgments shall include:
  - A full and reasoned statement of findings on the evidence and conclusions
  - The decision on guilt or innocence
  - If guilty, the sentence

#### **Article 22: Sentencing**

1. Upon conviction, the Court may impose:
  - Imprisonment for a specified number of years (maximum: life imprisonment)
  - Fines
  - Forfeiture of proceeds, property, and assets derived from the crime
  - Reparations orders
2. In determining the sentence, the Court shall consider:
  - Gravity of the crime and individual circumstances of the convicted person
  - Aggravating factors: Leadership role, particular cruelty, targeting of vulnerable persons, use of children
  - Mitigating factors: Cooperation with the Court, genuine remorse, age, diminished mental capacity
3. Time already served in detention shall be deducted from the sentence.

#### **Article 23: Appeals**

1. The convicted person or the Prosecutor may appeal:
  - On grounds of procedural error, error of fact, or error of law
  - Against sentence (if disproportionate to crime)
2. The Appeals Chamber may:
  - Uphold, reverse, or amend the judgment or sentence
  - Order a new trial before a different Trial Chamber
3. Victims may appeal certain decisions affecting their interests.

#### **Article 24: Revision of Conviction or Sentence**

1. A convicted person or the Prosecutor may apply for revision of a final judgment when:
  - New evidence has been discovered that was not available at trial and could have affected the judgment

2. An acquittal may not be revised to the detriment of the acquitted person.
- 

## **PART V: COOPERATION AND ASSISTANCE**

### **Article 25: Obligation to Cooperate**

1. Sudanese authorities shall cooperate fully with the SCCS in its investigation and prosecution of crimes within its jurisdiction.
2. Forms of cooperation include:
  - Identification and location of persons or items
  - Taking of evidence, including testimony
  - Service of documents
  - Facilitating the voluntary appearance of persons as witnesses or experts
  - Transfer of persons in custody
  - Examination of sites, including exhumation of grave sites
  - Execution of searches and seizures
  - Protection of victims and witnesses
  - Identification, tracing, and freezing or seizure of assets, property, and instrumentalities of crimes

### **Article 26: Cooperation with ICC**

1. The SCCS shall cooperate with the ICC under the principle of complementarity.
2. The SCCS and ICC may:
  - Share evidence (subject to victim and witness protection)
  - Coordinate investigations to avoid duplication
  - Transfer cases where appropriate
3. If the ICC determines that the SCCS is unwilling or unable genuinely to carry out investigations or prosecutions, the ICC may assume jurisdiction.

### **Article 27: Regional and International Cooperation**

1. The Government of Sudan shall seek cooperation agreements with neighboring states and regional organizations for:
  - Arrest and surrender of fugitives
  - Mutual legal assistance
  - Witness protection
2. The SCCS may request assistance from the African Union, IGAD, and other international bodies.

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## **PART VI: ENFORCEMENT**

### **Article 28: Enforcement of Sentences**

1. Imprisonment shall be served in Sudan or in a state designated by the SCCS that has agreed to accept sentenced persons.
2. Conditions of imprisonment shall be governed by Sudanese law or the law of the state of enforcement, consistent with international standards.
3. The Court shall supervise enforcement and may order transfer of a sentenced person to another state if circumstances warrant.

#### **Article 29: Fines and Forfeitures**

1. Fines and forfeitures ordered by the Court shall be transferred to the National Reparations Authority for distribution to victims.
  2. The Prosecutor may seize assets of accused persons pending trial and final forfeiture.
- 

### **PART VII: GENERAL PROVISIONS**

#### **Article 30: Official Languages**

1. The official languages of the SCCS shall be Arabic and English.
2. Accused persons and victims have the right to proceedings in a language they fully understand and speak, with interpretation provided.

#### **Article 31: Financing**

1. The expenses of the SCCS shall be borne by:
  - The Government of Sudan
  - Voluntary contributions from international donors
  - ICC Trust Fund for Victims (for reparations)
  - Fines and forfeitures
2. An annual budget shall be prepared by the Registrar and approved by [appropriate authority].

#### **Article 32: Amendments**

1. This Act may be amended by [Transitional Legislative Council/Parliament] upon recommendation of the SCCS or the Government.
2. Amendments shall not adversely affect rights of accused persons or convicted persons.

#### **Article 33: Relationship with National Courts**

1. The SCCS shall have primacy over national courts of Sudan in matters within its jurisdiction.
2. National courts may transfer cases to the SCCS at any stage of proceedings.
3. The SCCS may defer to national courts for prosecution of lesser crimes or lower-level perpetrators where appropriate.

#### **Article 34: Transition to Permanent Mechanism**

1. Upon completion of its mandate or after five (5) years, the SCCS may transition to a permanent extraordinary chamber within the Sudanese judiciary.
2. All records, evidence, and archives shall be transferred to the National Memory and Documentation Center.

### **Article 35: Entry into Force**

1. This Act shall enter into force on [date of enactment].
- 

#### **[Schedules]**

**Schedule A: Definitions of Crimes** [Detailed definitions of genocide, crimes against humanity, war crimes consistent with Rome Statute]

**Schedule B: Rules of Procedure and Evidence** [Detailed procedural rules to be developed by judges]

**Schedule C: Code of Conduct for Judges, Prosecutors, and Defense Counsel** [Ethical standards and disciplinary procedures]

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## **E.2 The Sudanese Truth and Reconciliation Commission Act (Draft)**

### **[Preamble]**

Recognizing the need to establish a comprehensive and accurate record of human rights violations committed in Sudan from June 30, 1989, to the present;

Affirming that truth-telling is essential for healing, reconciliation, and prevention of future atrocities;

Committed to victim-centered processes that acknowledge suffering and preserve the dignity of survivors;

Seeking to promote national unity while respecting Sudan's diversity;

The [Transitional Legislative Council/Parliament] of Sudan hereby enacts:

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## **PART I: ESTABLISHMENT**

### **Article 1: Establishment and Mandate**

1. There is hereby established the Sudanese Truth and Reconciliation Commission (STRC).

2. The mandate of the STRC shall be to:
  - Investigate patterns of gross violations of human rights and international humanitarian law committed in Sudan from June 30, 1989, to the end of the current armed conflict
  - Establish an impartial and comprehensive record of violations and their causes
  - Provide a platform for victims and survivors to tell their stories
  - Promote accountability and reconciliation
  - Make recommendations for reparations, institutional reforms, and prevention of future violations
3. The STRC shall operate for a period of three (3) years, with possibility of extension by [legislative authority].

### **Article 2: Independence**

1. The STRC shall be independent in the performance of its functions and shall not be subject to direction or control by any person or authority.
2. No person or authority may interfere with commissioners or staff in the exercise of their functions.

### **Article 3: Composition**

1. The STRC shall consist of eleven (11) Commissioners:
  - Seven (7) Sudanese nationals
  - Four (4) international advisors (non-voting)
2. Sudanese Commissioners shall be appointed to ensure:
  - Gender balance (minimum 40% of each gender)
  - Regional representation (Darfur, Kordofan, Eastern Sudan, Central regions)
  - Representation of youth (at least one Commissioner under age 35)
  - Representation of diaspora (at least one Commissioner from diaspora)
  - Ethnic diversity
3. Commissioners shall be persons of high integrity, impartiality, and standing, with knowledge of human rights, conflict resolution, or related fields.

### **Article 4: Selection Process**

1. A Selection Panel shall be established, consisting of:
  - One representative from the judiciary
  - Two representatives from civil society (human rights organizations)
  - One representative from victims' organizations
  - One international expert on transitional justice
2. The Selection Panel shall:
  - Publicly advertise positions and solicit nominations
  - Conduct interviews with shortlisted candidates
  - Recommend appointees to [Head of State/Legislative Council] based on merit
3. Appointments shall be made within sixty (60) days of enactment of this Act.

### **Article 5: Chairperson**

1. The Commissioners shall elect a Chairperson from among the Sudanese Commissioners.

2. The Chairperson shall:
  - Preside over Commission meetings
  - Represent the Commission publicly
  - Coordinate with the National Transitional Justice Steering Committee

#### **Article 6: Term of Office**

1. Commissioners shall serve for the duration of the Commission's mandate (three years).
  2. A Commissioner may be removed only for:
    - Inability to perform functions due to physical or mental incapacity
    - Gross misconduct
    - Violation of code of conduct
  3. Removal requires a two-thirds vote of remaining Commissioners and approval by [legislative authority].
- 

### **PART II: POWERS AND FUNCTIONS**

#### **Article 7: Powers of Investigation**

1. The STRC shall have the power to:
  - Summon any person to give evidence or produce documents
  - Enter any premises with consent or a warrant
  - Conduct public and private hearings
  - Request information from government entities, which shall cooperate fully
  - Examine witnesses under oath or affirmation
  - Commission research and expert studies
  - Collaborate with national and international organizations
2. The STRC may not compel testimony from persons facing criminal prosecution for the same events, in order to protect their right against self-incrimination.

#### **Article 8: Statement-Taking**

1. The STRC shall invite victims and survivors to provide statements regarding:
  - Violations experienced personally
  - Violations witnessed
  - Circumstances and context of violations
2. Statements may be given orally, in writing, or through audiovisual means.
3. All statements shall be treated with dignity and respect. Statement-takers shall be trained in trauma-informed methods.
4. The STRC shall ensure:
  - Confidentiality if requested by the person giving the statement
  - Protection of identities in public reports (unless person consents to identification)
  - Psychosocial support available during and after statement-giving

#### **Article 9: Public Hearings**

1. The STRC shall conduct public hearings in all regions of Sudan to:

- Hear testimony from victims, survivors, and witnesses
  - Educate the public about violations and their impact
  - Promote national dialogue and reconciliation
2. Public hearings shall be broadcast through radio, television, and online platforms to reach the widest possible audience.
  3. The STRC may conduct closed hearings where:
    - The safety of testifiers requires confidentiality
    - Sensitive information (e.g., sexual violence) is best addressed in private settings
  4. Testifiers at public hearings shall receive psychosocial support and protection as needed.

#### **Article 10: Thematic Investigations**

1. The STRC shall conduct thematic investigations on:
  - Sexual and gender-based violence
  - Economic crimes and corruption
  - Disappearances
  - Violations against children
  - Ethnic-based violence
  - Specific geographic areas (e.g., Darfur)
2. Thematic reports shall be published periodically and inform the final report.

#### **Article 11: Institutional Responsibility**

1. The STRC shall investigate the role of state institutions and non-state actors in violations, including:
  - Military and security forces
  - Political parties (NCP/NIF)
  - Paramilitary groups
  - Judicial and legal systems
  - Economic entities that profited from or enabled violations
2. Findings on institutional responsibility shall inform recommendations for reform.

#### **Article 12: Amnesty and Reconciliation**

1. The STRC may facilitate reconciliation processes at the community level.
2. The STRC shall NOT have the power to grant amnesty for gross violations of human rights (genocide, crimes against humanity, war crimes, sexual violence, torture, murder).
3. For lesser violations, the STRC may recommend conditional measures (e.g., acknowledgment of responsibility, community service) in consultation with victims and the SCCS.

#### **Article 13: Naming of Perpetrators**

1. The STRC may name persons alleged to be responsible for violations in its reports where:
  - There is credible evidence of involvement
  - The person has been given an opportunity to respond to allegations
2. Naming in the STRC report does not constitute a legal finding of guilt and does not prejudice criminal proceedings.

3. The STRC shall refer credible evidence of crimes within SCCS jurisdiction to the Prosecutor.
- 

## **PART III: STRUCTURE AND OPERATIONS**

### **Article 14: Regional Offices**

1. The STRC shall establish regional offices in each of the eighteen (18) states of Sudan.
2. Regional offices shall:
  - Conduct statement-taking
  - Organize public hearings
  - Engage with local communities
  - Coordinate with local civil society

### **Article 15: Specialized Units**

1. The STRC shall establish specialized units:
  - **Darfur Unit:** Due to the scale and complexity of violations in Darfur
  - **SGBV Unit:** To address sexual and gender-based violence with sensitivity
  - **Economic Crimes Unit:** To investigate corruption and economic exploitation
  - **Disappeared Persons Unit:** To investigate enforced disappearances
  - **Children's Unit:** To document violations against children using child-friendly methods
2. Specialized units shall include experts in respective fields and shall coordinate with relevant organizations (e.g., women's groups for SGBV Unit).

### **Article 16: Staff**

1. The STRC shall employ sufficient staff, including:
  - Statement-takers
  - Investigators
  - Researchers
  - Legal advisors
  - Psychologists and trauma counselors
  - Administrative and logistical support
2. Staff shall be recruited based on competence, integrity, and representativeness (gender, regional, ethnic diversity).
3. All staff shall receive training on:
  - Human rights and international humanitarian law
  - Trauma-informed interviewing
  - Confidentiality and protection of victims
  - Ethics and impartiality

### **Article 17: Budget and Financing**

1. The STRC shall be financed through:
  - Allocation from the national budget

- International donor contributions
  - UN Voluntary Funds
  - 2. The budget shall be prepared annually by the Commissioners and submitted to [appropriate authority] for approval.
  - 3. Financial records shall be audited annually by an independent auditor.
- 

## **PART IV: PROTECTION AND CONFIDENTIALITY**

### **Article 18: Protection of Persons Cooperating with the STRC**

- 1. No person shall be subjected to threats, intimidation, harassment, or reprisals for:
  - Providing information to the STRC
  - Testifying at hearings
  - Cooperating with STRC investigations
- 2. Violations of this provision shall constitute a criminal offense punishable by [penalty].
- 3. The STRC may request protection measures from law enforcement for persons at risk.

### **Article 19: Confidentiality**

- 1. The STRC shall maintain strict confidentiality of:
  - Personal information of victims, survivors, and witnesses who request anonymity
  - Sensitive information that could endanger individuals
  - Information provided on a confidential basis
- 2. Disclosure of confidential information without authorization shall constitute a criminal offense.
- 3. Commissioners and staff shall sign confidentiality agreements.

### **Article 20: Use of Information in Criminal Proceedings**

- 1. Testimony given to the STRC shall not be used against the testifier in criminal proceedings, except:
    - In prosecution for perjury (false testimony to the STRC)
    - If the testifier consents to use in criminal proceedings
  - 2. Evidence obtained by the STRC may be shared with the SCCS or ICC if:
    - It does not violate confidentiality commitments
    - It serves the interests of justice
- 

## **PART V: REPORTING**

### **Article 21: Reports**

- 1. The STRC shall produce:
  - **Interim reports:** Periodically during its mandate (at least two interim reports)
  - **Thematic reports:** On specific violation patterns or geographic areas

- **Final report:** A comprehensive report at the conclusion of its mandate
- 2. Reports shall include:
  - Findings on patterns of violations
  - Context and causes of violations
  - Institutional responsibility
  - Testimonies from victims and survivors (with consent)
  - Recommendations for:
    - Reparations
    - Institutional reforms
    - Prosecution of perpetrators
    - Prevention of future violations
    - Reconciliation measures

#### **Article 22: Dissemination**

1. All STRC reports shall be made public and widely disseminated through:
  - Publication in print and online
  - Translation into local languages
  - Radio and television broadcasts
  - Community presentations
  - Educational materials for schools
2. The final report shall be presented to:
  - The [Head of State/Legislative Council]
  - The Sudanese people through a public event
  - International organizations

#### **Article 23: Implementation of Recommendations**

1. The Government of Sudan shall, within six (6) months of receiving the final report:
  - Publish a formal response outlining which recommendations will be implemented and which will not (with reasons)
  - Develop an implementation plan with timelines
2. The [Legislative Council/Parliament] shall hold debates on the STRC report and recommendations.
3. Civil society and victims' organizations shall monitor implementation and may issue shadow reports.

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### **PART VI: ARCHIVES AND MEMORY**

#### **Article 24: National Archive**

1. Upon completion of its mandate, all materials collected by the STRC (testimonies, documents, evidence) shall be transferred to the National Memory and Documentation Center.
2. The archive shall be:
  - Preserved permanently

- Made accessible to the public, researchers, and justice mechanisms (subject to confidentiality protections)
- Digitized for wider access

### **Article 25: Memorialization**

1. The STRC shall make recommendations for memorialization initiatives, including:
    - National days of remembrance
    - Memorials and museums
    - Educational programs
    - Support for victims to tell their stories through arts and culture
  2. Implementation of memorialization shall be the responsibility of the National Reparations Authority in consultation with victims and communities.
- 

## **PART VII: FINAL PROVISIONS**

### **Article 26: Cooperation**

1. All state organs, public institutions, and private entities shall cooperate fully with the STRC.
2. Failure to cooperate without lawful justification shall be reported publicly and may result in sanctions.

### **Article 27: Complementarity with SCCS**

1. The STRC and SCCS shall operate independently but shall coordinate to:
  - Avoid duplication
  - Protect victims and witnesses
  - Share information (where appropriate and lawful)
2. The STRC's investigative findings do not replace criminal investigations and prosecutions.

### **Article 28: Code of Conduct**

1. Commissioners and staff shall adhere to a Code of Conduct including:
  - Impartiality and independence
  - Respect for victims and survivors
  - Confidentiality
  - Avoidance of conflicts of interest
  - Prohibition on accepting gifts or inducements
2. Violations of the Code of Conduct may result in disciplinary action or removal.

### **Article 29: Evaluation**

1. The STRC shall commission an independent evaluation at the midpoint of its mandate to assess:

- Progress toward objectives
- Effectiveness of methods
- Victim satisfaction
- Recommendations for adaptation

### **Article 30: Entry into Force**

1. This Act shall enter into force on [date of enactment].
- 

## **E.3 National Vetting and Accountability Act (Draft)**

### **[Preamble]**

Recognizing that sustainable peace and democratic governance require removal of perpetrators of human rights violations from

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positions of public trust;

Affirming the need to dismantle structures of the former National Congress Party (NCP) and remnants of authoritarianism;

Committed to fair processes that balance accountability with due process rights;

The [Transitional Legislative Council/Parliament] of Sudan hereby enacts:

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## **PART I: ESTABLISHMENT AND SCOPE**

### **Article 1: Establishment of National Vetting Commission**

1. There is hereby established a National Vetting Commission (NVC) to oversee vetting of public officials.
2. The NVC shall consist of seven (7) Commissioners of high integrity, representing diverse constituencies (legal profession, civil society, victims' groups, women, youth).
3. Commissioners shall be appointed by [appropriate authority] for a term of three (3) years.

### **Article 2: Scope of Vetting**

1. Vetting shall apply to:
  - All judges and prosecutors
  - Security and military personnel (SAF, RSF, intelligence services, police)

- Senior civil servants (Director-General level and above)
  - Members of state-owned enterprises' boards
  - Electoral commission and independent institutions
  - [Transitional Legislative Council/Parliament] members (advisory vetting)
2. Vetting shall be mandatory before appointment, promotion, or continuation in the above positions.

### **Article 3: Grounds for Disqualification**

1. A person shall be disqualified from holding public office if found to have:
  - Committed or ordered gross violations of human rights (torture, extrajudicial killing, enforced disappearance, sexual violence)
  - Held a senior position in the NCP/NIF (National Executive, Political Bureau, or equivalent)
  - Engaged in corruption or embezzlement of public funds
  - Actively opposed the 2019 revolution through violence or repression
  - Obstructed transitional justice processes
2. Lesser violations may result in suspension, demotion, or conditional retention (e.g., with human rights training and monitoring).

## **PART II: VETTING PROCESS**

### **Article 4: Information Gathering**

1. The NVC shall collect information from:
  - Self-declaration forms (all persons subject to vetting)
  - Background checks (criminal records, employment history, financial records)
  - Civil society and victim reports
  - STRC and SCCS records
  - Intelligence and security files (vetted for reliability)

### **Article 5: Evaluation**

1. The NVC shall evaluate each case based on:
  - Credibility of evidence
  - Seriousness of allegations
  - Individual's role and level of responsibility
  - Acknowledgment and remorse
2. The standard of proof shall be "reasonable grounds to believe" (balance of probabilities), not "beyond reasonable doubt."

### **Article 6: Due Process Rights**

1. Persons subject to vetting shall have the right to:
  - Be informed of allegations against them
  - Respond in writing and/or at a hearing
  - Legal representation

- Present evidence in their defense
- Appeal adverse decisions

#### **Article 7: Hearings**

1. The NVC may conduct public or private hearings.
2. Public hearings shall be held for senior officials or where public interest is significant.
3. Victims or civil society may participate in hearings as witnesses or observers.

#### **Article 8: Decisions and Sanctions**

1. The NVC may decide to:
  - **Clear:** The person is fit to hold public office
  - **Disqualify:** Permanent ban from public office
  - **Suspend:** Temporary removal with possibility of reinstatement after conditions met (e.g., training, monitoring period)
  - **Demote:** Removal from senior position but may serve in lower capacity
2. Decisions shall be in writing with full reasons.

#### **Article 9: Appeals**

1. A person may appeal an NVC decision to a Vetting Appeals Tribunal within thirty (30) days.
2. The Appeals Tribunal shall consist of three (3) judges appointed by the Chief Justice.
3. The Appeals Tribunal's decision is final.

#### **Article 10: Implementation**

1. Disqualified persons shall be removed from office within thirty (30) days of a final decision (including exhaustion of appeals).
2. Employing authorities (ministries, security services) shall enforce NVC decisions.
3. Failure to implement vetting decisions shall be reported publicly and may result in sanctions against the employing authority.

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### **PART III: SPECIAL PROVISIONS**

#### **Article 11: NCP Dissolution and Asset Recovery**

1. The National Congress Party (NCP) is hereby permanently dissolved.
2. All assets of the NCP shall be seized and transferred to the National Reparations Authority.
3. Former NCP members may participate in political life as individuals but may not reconstitute the party under a different name.

#### **Article 12: Political Party Requirements**

1. All political parties must:
  - Commit to democratic principles and human rights
  - Renounce violence
  - Comply with gender and youth representation requirements
  - Disclose sources of funding
2. Parties based exclusively on religion, ethnicity, or military power are prohibited.

### **Article 13: Transitional Provisions for Security Sector**

1. All security and military personnel shall undergo vetting within twelve (12) months of this Act's entry into force.
  2. Persons credibly implicated in gross violations shall be immediately suspended pending full vetting.
  3. The Security Sector Reform Commission (SSRC) shall coordinate vetting of security personnel with the NVC.
- 

## **PART IV: FINAL PROVISIONS**

### **Article 14: Duration**

1. The NVC shall operate for an initial period of three (3) years, with possible extension.
2. After completion of initial vetting, a permanent vetting mechanism shall be integrated into civil service regulations.

### **Article 15: Protection**

1. No person shall be subjected to reprisals for providing information to the NVC or testifying in vetting proceedings.
2. The NVC may request protection measures from law enforcement.

### **Article 16: Transparency**

1. The NVC shall publish annual reports on:
  - Number of persons vetted
  - Outcomes (cleared, disqualified, suspended)
  - Aggregate statistics (by sector, type of violation)
2. Individual vetting decisions for senior officials shall be published (with appropriate redactions for privacy).

### **Article 17: Entry into Force**

1. This Act shall enter into force on [date of enactment].
-

## E.4 Constitutional Amendments for Civilian Supremacy (Draft)

[To be incorporated into Sudan's new Constitution]

### Article X: Civilian Supremacy and Democratic Governance

1. Sudan is a democratic republic. Sovereignty belongs to the people, who exercise it through free and fair elections and democratic institutions.
2. No individual or group may seize power through force or unconstitutional means. Any attempt to do so shall constitute high treason.
3. The armed forces, police, and security services are subordinate to civilian authority and shall remain politically neutral.

### Article Y: Role of Armed Forces

1. The role of the armed forces is to:
  - Defend Sudan's sovereignty and territorial integrity against external threats
  - Provide support to civil authorities during natural disasters or emergencies upon request
  - Participate in international peacekeeping operations authorized by Parliament
2. The armed forces shall NOT:
  - Intervene in political affairs
  - Occupy government positions (except Minister of Defense, who must be civilian)
  - Engage in economic activities or own business enterprises
  - Conduct internal policing operations (except in support of police during extreme circumstances authorized by Parliament)

### Article Z: Civilian Control Mechanisms

1. **Minister of Defense:** The Minister of Defense must be a civilian and shall be appointed by the President with approval of Parliament.
2. **Parliamentary Oversight:** Parliament shall establish a Defense and Security Committee with powers to:
  - Review and approve the defense budget in detail
  - Monitor military operations and procurement
  - Investigate allegations of misconduct
  - Summon military officers for testimony
  - Conduct site visits to military installations
3. **Budgetary Transparency:** The defense budget shall be publicly published in full detail, including:
  - Personnel costs
  - Equipment and procurement
  - Operations and maintenance
  - Military business revenue and expenditure
4. **Appointments:** The President shall appoint senior military officers (General rank and above) with confirmation by Parliament.
5. **Prohibition on Political Activity:** Serving members of the armed forces, police, and security services may not:

- Join political parties
  - Campaign for political office
  - Publicly express political views
6. **Retirement:** Military officers must retire from service before assuming any government position (except technical military positions within Ministry of Defense).

#### **Article AA: Military Justice**

1. Military justice shall be limited to offenses committed by military personnel in the course of duty.
2. Civilians shall never be tried in military courts.
3. Gross violations of human rights committed by military personnel shall be tried in civilian courts.
4. Military courts shall operate with full due process protections and shall be subject to review by civilian courts.

#### **Article BB: Security Sector Reform**

1. Within [specified timeframe], the Government shall:
  - Conduct comprehensive security sector reform to ensure civilian control
  - Vet all military and security personnel for human rights violations
  - Downsize armed forces to a level appropriate for defense needs
  - Dismantle all paramilitary forces not under clear legal authority and civilian control
  - Divest military businesses or transfer proceeds to national treasury

#### **Article CC: Prohibition on Coups and State of Emergency Abuse**

1. Any seizure of power by unconstitutional means, including military coups, is prohibited and constitutes high treason punishable by [penalty].
2. States of emergency may be declared only by the President with immediate approval of Parliament and may last no more than [duration] without Parliamentary renewal.
3. During states of emergency, fundamental rights may not be suspended, including:
  - Right to life
  - Prohibition of torture
  - Right to fair trial
  - Freedom from slavery

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These draft statutes provide a legal foundation for Sudan's transitional justice mechanisms. They would require refinement through consultative processes with Sudanese legal experts, civil society, victims, and international advisors. The legislation balances international standards with Sudan's specific legal traditions and context, while ensuring accountability, fairness, and victim-centeredness.

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## END OF PROPOSAL

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### **Contact Information for Proposal Feedback:**

National Transitional Justice Steering Committee (To be formed if not already available)

Email: [to be established]

Website: [to be established]

Sudanese Civil Society Coalition for Justice and Accountability

[Coordination among Emergency Lawyers, resistance committees, women's groups]

International Support: ICTJ, OHCHR, AU Peace and Security Council

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Restricted Use