

SUDAN COUNTRY LEGAL PROFILE

LEGAL SYSTEM OVERVIEW

Sudan laws are based upon Sharia Law. This has caused conflict with other ethnic minorities. Corruption in the judicial system carries high risks for companies, in the form of petty corruption and from political interference. While the judiciary is separated, it is largely controlled by the executive. Companies must keep in mind that court rulings are likely not to be objective, especially when it comes to politically sensitive cases or to high-level cases. Judgements of foreign courts are not always respected. Sudan is a member to the International Centre for Settlement of Disputes but has not signed the Convention on the Recognition and Enforcement of Foreign Arbitral Awards.¹

Sudan's legislation tackling anti-corruption is not very comprehensive and lacks enforcement. Officials suspected of corruption are usually not investigated and are not punished. Corruption in the form of active and passive bribery of public officials is covered by the Sudanese Criminal Code. Major forms of corruption including extortion, criminal breach of trust, embezzlement and any other wrongdoing for personal enrichment regarding public property are criminalized in the public sector. High ranking officials are legally required to publicly disclose their income and assets, but sanctions for noncompliance are applied arbitrarily.²

BUSINESS OVERVIEW

Sudan is the 110th largest export economy in the world and the 120th most complex economy according to the Economic Complexity Index (ECI). The top exports of Sudan are Gold (\$1.51b), Crude Petroleum (\$720m), Sheep and Goats (\$476m), Other Oily Seeds (\$458m) and Other Animals (\$302m). Its top imports are Wheat (\$977m), Refined Petroleum (\$718m), Raw Sugar (\$425m), Unpackaged Medicaments (\$263m) and Cars (\$251m).

The top export destinations of Sudan are the United Arab Emirates (\$1.71b), China (\$611m), Saudi Arabia(\$600m), India (\$426m) and Egypt (\$394m). The top import origins are China (\$2.34b), the United Arab Emirates (\$972m), India (\$834m), Saudi Arabia(\$638m) and Russia (\$636m).³

Washington lifted 20-year-old trade sanctions on Sudan in October 2017, citing progress on counter-terrorism and humanitarian access however Sudan remained on the list of sponsoring of terrorism.⁴

Businesses face corruption when obtaining public services in Sudan. When it comes to public utilities, businesses are expected to give gifts to obtain an electrical connection and water connection. Obtaining visas, work permits, or similar requests are extremely burdensome, lengthy, and costly to businesses especially for foreign businesses. The widespread of corruption leads to people not reporting corruption as many find that the officials, they would report corruption to are also be involved in corrupt practices.⁵

COUNTRY OVERVIEW

¹ Sudan Corruption report, <https://www.ganintegrity.com/portal/country-profiles/sudan/>

² Sudan Corruption report, <https://www.ganintegrity.com/portal/country-profiles/sudan/>

³ <https://oec.world/en/profile/country/sdn/>

⁴ Residual U.S. sanctions keep Sudan's economy in chokehold, Patrick Werr, <https://af.reuters.com/article/idAFKCN1PX0LG-OZATP>

⁵ Sudan Corruption report, <https://www.ganintegrity.com/portal/country-profiles/sudan/>

Sudan is a country in the Northeast of Africa. It is bordered by Egypt to the north, the Red Sea to the northeast, Eritrea to the east, Ethiopia to the southeast, South Sudan to the south, the Central African Republic to the southwest, Chad to the west, and Libya to the northwest. The capital city is Khartoum, located at the convergence of the Blue and White Nile. Since 2011, Sudan has been a part of ongoing military conflict in its regions South Kordofan and Blue Nile.

The current population of Sudan is 42,570,066⁶, which is equivalent to 0.55% of the total world population.⁷ Sudan ranks number 35th as the most populated country.⁸ The official language in Sudan is English⁹ and the other major languages is Arabic.¹⁰ The main religion in Sudan is Islam.¹¹

Sudan has long been plagued by conflict. There have 2 civil wars between the north and south which has cost the lives of 1.5 million people and the continuing conflict in the western region of Darfur has driven two million people from their homes and killed more than 200,000.¹² On the 9th January 2005, the government signed the Nairobi Comprehensive Peace Agreement with the Sudan People's Liberation Movement (SPLM) with the objective of ending the Second Sudanese Civil War. The United Nations Mission in Sudan (UNMIS) was established under the UN Security Council Resolution 1590 to support its implementation.

On 19th December 2018, massive protests began after the government decided to triple the price of goods at a time when the country was suffering from a shortage of foreign currency and inflation of 70 percent. President al-Bashir, who had been in power for more than 30 years, refused to step down, resulting opposition groups to come together to form a united coalition. The government retaliated by arresting more than 800 opposition figures and protesters, leading to the death of approximately 40 people. The protests have continued since the president was overthrown on the 11th April 2019. A three-month state of emergency was passed. Over 100 people died in early June in clashes between pro-democracy protesters and state security forces, resulting in Sudan's suspension from the African Union.

Corruption is present in all sectors of the government. This is reflected in Sudan's ranking in the Transparency index. Sudan is ranked 172th in the world.¹³ Public servants are known to ask for bribes for services that individuals are entitled to. Government officials hold direct and indirect stakes in many enterprises which distorts the market. It is believed that the government has embezzled up to \$9 billion US dollars from oil revenues.¹⁴ Sudan ranks 175th of the Freedom of Press index. Around 100 journalists have been arrested and the intelligence services have been silencing the most critical newspapers almost every day. This was headed by president Bashir, who has been indicted by the International Criminal Court for crimes against humanity.

Sudan's regime is exceptionally hostile to press freedom, resorting to harassment, censorship, seizures, closures and Internet cuts.¹⁵ Several independent newspapers such as Al-Tayar, Al-Jareeda, Al-Midan and Al-Watan, have been shut down, In response to the censorship, the print media have been turning to social media networks to circulate the stories they want to publish.¹⁶

⁶ Worldometers, <https://www.worldometers.info/world-population/sudan-population/>

⁷ Worldometers, <https://www.worldometers.info/world-population/sudan-population/>

⁸ Worldometers, <https://www.worldometers.info/world-population/sudan-population/>

⁹ Sudan country profile, BBC, <https://www.bbc.co.uk/news/world-africa-14094995>

¹⁰ Sudan country profile, BBC, <https://www.bbc.co.uk/news/world-africa-14094995>

¹¹ Sudan country profile, BBC, <https://www.bbc.co.uk/news/world-africa-14094995>

¹² Sudan country profile, BBC, <https://www.bbc.co.uk/news/world-africa-14094995>

¹³ Sudan, <https://www.transparency.org/country/SDN>

¹⁴ Sudan: overview of corruption and anti-corruption, Roberto Martinez B. Kukutschka, <https://knowledgehub.transparency.org/helpdesk/sudan-overview-of-corruption-and-anti-corruption>

¹⁵ Sudan, <https://rsf.org/en/sudan>

¹⁶ Sudan, <https://rsf.org/en/sudan>

