THE REPUBLIC OF SUDAN

KEY ISSUES FOR DISCUSSION AT THE
SUMMIT OF THE APR FORUM

JANUARY 2017
COUNTRIES PARTICIPATING IN THE AFRICAN PEER REVIEW MECHANISM (APRM)

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INTRODUCTION

1. Sudan acceded to the African Peer Review Mechanism (APRM) in July 2006, when the President of Sudan, H.E. Omar Hassan Al Bashir committed the country during the African Union (AU) Summit held in Khartoum, Sudan. The Government subsequently established the APRM national secretariat, including the formation of the National Governing Council (NGC), and the four thematic Committees.

2. In 2012, Dr. Ibrahim Dagash was appointed as Focal Point to lead the National APRM Process, while Amb. Dr. Attalah Hamad Bashir was appointed the current Chairman of the National Governing Council (NGC). The Heads of the Sudan Thematic Committees were: (1) Democracy and Political Governance (DPG) – Amb. Khalid Elnur El Tigani; Economic Governance and Management (EGM) – Dr. Mohamed Ali A. Dingil; Corporate Governance (CG) – Mr. Awadelkarim Idriss; and Socio-Economic Development (SED) – Prof. Mirghani Ibnouf.


4. After the signing of the MOU in October 2012, the APRM National Structures embarked on a country-wide sensitization on the APRM process. Different stakeholders, including the National Assembly, the Council of State, government ministries and agencies, women groups, the youth, opposition parties, CSOs, institutions of higher learning, the Bar Association, and the media were sensitized.

5. Subsequent to the sensitization campaigns, the country started drafting the Country Self-Assessment Report (CSAR), which was delayed due to the process that led to the secession of South Sudan from the Republic of Sudan.

6. Following the APRM guidelines, the national stakeholders validated the CSAR and NPoA. A summary of the issues arising in the CSAR for validation was produced and advertised in both the print and electronic media and also sent to the stakeholders to enhance participation. The NGC held five one-day workshops, one at the national level and four in the regions, each with four thematic area breakaway sessions to ensure adequate feedback. In these workshops, a cross section of stakeholders, including CSOs, the Government and the private sector were involved to ensure broad ownership of the CSAR.

7. The Country Review Mission (CRM) led by the Panel member in charge of Sudan, Amb. Ashraf Rashed visited Sudan from 1st November to 19th November 2016 to carry out the widest possible range of consultations with government officials, political parties, parliamentarians, the academia, trade unions, faith-based organizations, businesses, CSOs, professional bodies and others to learn about perspectives of the different stakeholders on governance in the country and to clarify the issues identified in the Issues Paper that were not taken into account in the preliminary National Programme of Action and to build consensus on how to address them.

8. The CRM held meetings with the NGC, the Focal Point, the APRM Secretariat and the Drafting Committees of the CSAR in order to ascertain the validity of the CSAR and the APRM process in the country. The CRM also met with the Deputy Speaker of the National Assembly and Members of Parliament, the Speaker, the Council of State and some committee chairpersons.

9. The CRM further met representatives of government ministries and agencies, including the Ministries of Foreign Affairs, Defense, Interior, Transport, Roads and Bridges, Animal Resources, Industry, Information, Environment, Oil and Gas, Labour, International Cooperation, the Internal Auditor, Civil Service Bureau, and Judicial Service Commission among others, to exchange views on governance and socio-economic development of Sudan as well as its challenges. Meetings were also held with Civil Society Organizations and the private sector.

10. The CRM divided itself into five sub-teams, and accompanied by the Focal Point and the National Committee...
Experts, visited the regions of Sudan from 8 to 11 November 2016, and met state representatives and non-state stakeholders from the following five regions (participants from 15 States attended the meetings):

- Medani for El Gezira Region
- Kassala for Kassala Region
- Kordofan for North and South Kordofan Region
- Damar - Nile River Region
- Nyala for North, South, Central, East Darfur Region.

**SUMMARY OF FINDINGS IN THE THEMATIC AREAS**

**Democracy and Political Governance**

11. Sudan faced challenges in instituting democratic governance since independence, not least because of military interventions and conflicts, which fractured the national elite and frustrated attempts to forge a national consensus on how the country should be governed. In dealing with these governance challenges, the Government of Sudan and its opponents negotiated and adopted the Comprehensive Peace Agreement (CPA) in 2004 and the 2005 Interim National Constitution to restructure governance institutions on the basis of power sharing.

12. The Government of Sudan has also implemented a programme of decentralization to transfer power to the regions and localities, enhanced women's political participation, and subsequently conducted a national dialogue to adopt recommendations, which will form the basis of a Government of National Consensus in early 2017. The Government continues to endeavour to persuade rebel and opposition groups that did not participate in the national dialogue to endorse its outcomes; and, build trust that the recommendations of the national dialogue will be implemented and that the envisaged Government of National Consensus will create a conducive environment for establishing a stable democratic system of government.

13. Sudan has signed or ratified the international and African codes and standards on Democracy and Political Governance, especially the four most important ones relating to democratic governance, namely, the International Covenant on Economic, Social and Cultural Rights; International Covenant on Civil and Political Rights; International Convention on the Elimination of All forms of Racial Discrimination, 1965; Convention on the Rights of the Child, 1989; Optional Protocol on the Rights of the Child, 2002; and the African Charter on Human and Peoples’ Rights, 1981. However, it has not signed the two Optional Protocols to the International Covenant on Civil and Political Rights and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1981 for cultural reasons. Nevertheless, Sudan has signed standards and codes proximate to some of those it has not signed. For example, the Protocol to the African Charter on Human and Peoples’ Rights of Women in Africa (2003), which it signed in 2008 is close to the CEDAW, and policies such as the setting aside of a quota of 30% of seats for women in legislative assemblies bring the Sudan closer to the principles and goals enunciated in the CEDAW.

14. The Interim National Constitution (INC) of 2005 contains very good provisions that enhance Sudan's democratic governance. For example, it contains a Bill of Rights that guarantees civil and political rights that are critical to the realization of democratic governance. Democratic and political governance reform initiatives should therefore focus on aligning the statutory legal order with the progressive INC. Although there are currently fewer incidents of press censorship, there is a need to ensure that existing regulatory initiatives do not unduly constrain media freedom.

15. Sudan should consider establishing institutional mechanisms to facilitate the democratic governance of security. As stipulated in the national dialogue recommendations, there should be constitutional and legal mechanisms that define the supremacy of political leadership over security forces and clarify the responsibilities of the three branches of government and the security forces for governance of security in peacetime and during war and other emergencies. These mechanisms should ensure that there are appropriate checks and balances in security governance. In particular, there is a need to enhance existing
mechanisms that facilitate parliamentary oversight and control over the implementation of security policy by the Executive and armed forces.

16. The INC establishes the following institutions of horizontal accountability: the Human Rights Commission, the Public Grievances Chamber, the Non-Muslims Rights Special Commission, and the National Audit Chamber. These institutions have played an important role in enhancing the accountability of government institutions. The Government of Sudan should now consider further enhancing the powers of the Public Grievances Chamber, so that it can operate as an ombudsman that can provide effective remedies for non-legal grievances that citizens have against state institutions. It should also consider re-establishing the Non-Muslims Rights Special Commission, as it is a critical institution for the protection of the rights of non-Muslims.

17. The INC endeavours to facilitate the realization of a functioning system of separation of powers between the Executive, the Legislature and the Judiciary. It grants executive power to the National Executive (although the National Executive shares this power with decentralization units known as states and local councils), legislative power to the National Assembly and Council of State, and judicial power to the Judiciary. Sudan has also established a system of decentralization that is essential for promoting inclusive governance, even if this system of government has experienced some challenges in practice. Sudan could consider amending the INC with a view to establishing clear mechanisms for resolving disputes over how the national government and state governments exercise their concurrent powers.

18. Sudanese law provides adequate protection for the independence of the Judiciary, which is accountable for the exercise of its powers. However, in order to enhance the independence and accountability of the Judiciary, Sudan could consider implementing the following reforms: (i) amending the INC to further ensure complete autonomy of the Judiciary from the Executive; (ii) ensuring that membership of the JSC is representative of Sudanese society; (iii) enhancing the financial autonomy of the Judiciary; and (iv) reviewing the powers of the Chief Justice to appoint contract judges.

19. The INC guarantees the Legislature considerable autonomy. It also establishes a decision-making procedure that is ideal for Sudan's plural society, as it encourages decision-making by consensus. In order to enhance the independence and effectiveness of the Legislature, it is recommended that its autonomy over its calendar be strengthened.

20. The composition of Sudan is predominantly Arab (70% of the population) and the rest made up of hundreds of small ethnic groups. Such diversity naturally breeds competing claims based on identities and perceptions of marginalization. Sudan has experienced four kinds of conflicts: (i) communal conflicts between or among pastoralists, farmers and ethnic groups competing for pasture, or over local boundaries; (ii) insurgencies against the national government, such as prolonged conflicts in South Sudan before 2005 and in Darfur, Eastern Sudan, South Kordofan and Blue Nile; (iii) clashes between local populations and law enforcement authorities over the location of investments and their impact on communities such as the Merowe and Kajba Dams; and (iv) cross-border insurgencies supported by some neighbouring states. These conflicts have caused socio-political instability, loss of lives and property as well as poverty. They have also resulted in significant numbers of populations in several parts of the country being displaced and settled in temporary camps for displaced persons (IDPs). The continued settlement of large populations in temporary settlements for prolonged periods on land claimed by others is not conducive to achieving permanent inter-communal peace insofar as they suffer restrictions in terms of access to services and land rights.

21. In a bid to manage these conflicts, Sudan has enacted various laws, including the INC, and statutory criminal laws and regulations against violent conduct that are enforceable by the national state and local authorities. Other institutional arrangements for conflict management include the native administration and tribal chiefs, whose historical role in settling conflicts waned over time.

22. The Government has also worked towards establishing peaceful relations with Sudan's neighbours through bilateral agreements, joint-commissions, ad-hoc meetings, exchange of correspondence and visits of dignitaries to reduce cross-border conflicts.
23. The remaining major conflicts concern the status of Abyei and the boundary between Sudan and South Sudan in that area; the conflict in Darfur over access to resources and socio-economic inequalities related to identities; South Kordofan and Blue Nile conflict, where negotiations to determine the status of the two states remained inconclusive. Violent conflicts, although considerably reduced in scale and frequency, are still being waged by rebel movements of the Justice and Equality Movement (JEM), the Sudan People's Liberation Movement-North (SPLM-N) and the Sudan Liberation Movement–al Nur (SLM-A) and their areas of activity are yet to be fully pacified.

24. However, the national dialogue process is a promising initiative, as it could facilitate the institutional reforms that can bring an end to these conflicts. Indeed, the National Dialogue has created optimism and high expectation among Sudanese across tribal, religious and ideological lines that a new beginning is in the offing. It therefore deserves to be encouraged, reinforced and institutionalized. Continental and international communities, especially the African Union, are called upon to support Sudan as it goes through this process of rebuilding the nation.

25. With respect to inter-state conflicts, the absence of an enhanced regional framework for cooperation to settle the root causes of conflicts between neighbours has led in some cases to mutual destabilization, and prolonged conflicts in the region. Regional and Continental organizations, particularly IGAD and the AU should strengthen their efforts to create conditions conducive for promoting peace in the region. National leaders of Sudan and neighbouring states are encouraged to continue to value regional peace-making efforts and support organizations leading the process.

26. On access to justice, the National Dialogue has recommended that the power of the Minister of Justice to stay criminal proceedings should be reviewed so that prosecutors can enjoy more independence. Access to justice could further be enhanced by empowering the lower courts (courts other than the Constitutional Court) to determine constitutional matters, particularly those relating to the protection of human rights.

27. Sudan has established a credible legal environment for the operation of civil society organizations, which grants them the right to contest the regulatory decisions of Government. Civil society groups participated in the important National Dialogue process, and their input is reflected in the outcomes/recommendations of the National Dialogue Conference. In order to improve the regime governing the operation of civil society organizations, the Panel encourages Sudan to increase the period of registration of voluntary organizations, and review the reporting obligations of these organizations.

28. Sudan has established a legal framework for strengthening public service institutions. Thus, the INC envisages a meritocratic and politically neutral civil service, and sees it as a distinct instrument of the national Government and regulates its character. The INC places governance of the civil service in the hands of a National Civil Service Commission composed of workers of proven competence, experience, integrity and impartiality. Thus, there is an unambiguous design to have a civil service whose personnel is recruited to ensure it has the needed competences and yet composed in a manner that is broadly representative of the country's population. The Constitution does not make similar elaborate provisions for state civil services because Sudanese states develop their own constitutions. Hence, each state is expected to make its separate civil service laws.

29. Sudan has enacted a number of laws to combat corruption, including the INC, the Penal Act of 2003, the Procurement Law, and the National Audit Act of 2015. The Government of Sudan is encouraged to establish an independent anti-corruption agency to drive its various policy commitments on combatting corruption.

30. Decentralization in Sudan is not merely an aspect of administrative devolution, but a constitutional measure adopted as part of the negotiated terms of resolving the governance challenges created by internal conflicts. The states are responsible for local government, and are expected to make laws providing for the establishment of localities and election to a council to act as its legislative organ. While the localities exist as governing authorities, they do not as yet have elected councils. This means that commissioners appointed by state governors administer the localities. It is recommended that Governors and Commissioners heading state and local administrations respectively should be elected. Furthermore,
the Government of Sudan is encouraged to deepen the decentralization system by prevailing on the states to facilitate the establishment of local councils as mandated by the Constitution and to conduct elections to constitute them as soon as possible.

31. Sudanese women have been granted numerous political, economic, social and cultural rights since independence. The 2005 Interim National Constitution of 2005 grants women equal rights with men. Besides, the Bill of Rights, enshrined in the Constitution, guarantees equal right of women to the enjoyment of all civil, political, social, cultural and economic rights. The Constitution also incorporates the principle of equal pay for equal work, which is reflected in the Public Service Act, 2007. The Nationality Act of 1994 as amended in 2005 accorded women the right to pass on their nationality to their children. Furthermore, an amendment to the Criminal Code 1991 and the Armed Forces Act of 2007 guarantee women safety during armed conflicts. The Electoral Act, 2008 also stipulates that 25% of seats in Parliament should be reserved exclusively for women as a result of which the representation of women after the 2010 elections stood at 28.3%. Women's rights have also been enhanced with the adoption of strategies for eliminating Female Genital Mutilation (FGM) and the establishment of the Violence against Women and Children Unit in the Ministry of Justice. There have, therefore, been significant improvements in the enjoyment of the rights of women in Sudan in the recent past.

32. Women's participation in political affairs of the State has been enhanced, following the passage of the Elections Act in 2008, which stipulates that the quota of parliamentary seats reserved for women should be 25%. The CRM found that the actual number of women in the National Assembly is 30%, which places Sudan well ahead of many countries in Africa that have signed the CEDAW. The representation of women in the National Assembly exceeds the 25% constitutional benchmark because women are also free to contest the geographical constituency seats. In addition, the National Assembly has two Deputy Speakers, both of whom are women.

33. In order to ensure that the rise in the number of women parliamentarians translates into perceptible changes in gender equality in Sudan, the following are recommended:
   a. The Government could consider signing and ratifying the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) to enhance the framework for national legislation and policies for the promotion and protection of human rights;
   b. Agencies implementing laws and policies for the promotion and protection of women's rights should submit annual reports to the Legislature on their achievements in advancing the rights of women;
   c. Government ministries and agencies to adopt gender-mainstreaming policies and report periodically on the progress made.

34. Sudan has taken concrete measures to promote and protect the rights of children and the youth. In this regard, Article 14 of the INC requires the State to adopt policies and provide facilities for child and youth welfare, and protect children from moral and physical abuse and abandonment. Furthermore, Article 32(5) of the INC requires the State to protect the rights of the child as provided for in international and regional conventions ratified by Sudan. The country enacted the Child Act of 2010 to give effect to these provisions of the INC. For the most part, the Child Act establishes a suitable framework for the promotion and protection of the rights of children and the youth. Sudan is encouraged to reconsider the provisions of the 2010 Child Act that permits children under the age of 14 to work, so that it can align its law with the regulations of the International Labour Organization.

35. Sudan has a population of vulnerable groups, including old people, disabled persons, victims of natural disasters and wars, internally displaced persons and refugees. According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), there were 2.5 million IDPs in Darfur at the end of 2014, while increasing numbers of people were displaced in the South Kordofan and Blue Nile states. The exact numbers are yet to be verified. Further displacements necessitating the influx of refugees into IDP camps in Sudan have occurred since December 2013 because of the violent conflict in South Sudan. OCHA also reported that there was an inflow of refugees from Ethiopia, Eritrea, Central African Republic and Chad. As of June 2016, OCHA claimed the number of displaced persons was 3,374,000. The Internal Displacement Monitoring Centre (IDMC), on the other hand, estimated the number of IDPs as over 4 million.
36. The Government has established different types of policies, programmes and institutions to cater for with these groups and offer them protection and assistance, beside the support provided by a wide range of local and external non-governmental organizations. The main public institutions responsible for the care of vulnerable groups are the National Corporation for Social Security, the Zakat Chamber, the Pensions Fund, the National Corporation for Health Insurance, the Humanitarian Aid Commission and the Commission of Refugees.

37. The following are recommended:
- The Government to consider reviewing the memorandum of understanding signed with international NGOs and local voluntary humanitarian organizations to enable them serve the IDPs and refugees unhindered;
- The logistics and operational capacity of the Humanitarian Affairs Commission should be enhanced to fill any gap vacated by an international NGO or local voluntary humanitarian organization that withdraws or is prohibited from rendering services to IDPs or refugees.

**Economic Governance and Management**

38. Sudan is currently the third largest country in Africa with a total landmass of 1.86 million square kilometers. It is endowed with resources such as gold and oil, with fertile lands for food production and abundant livestock. The total population of Sudan has increased over the last decade, from 32.8 million to 40.2 million between 2006 and 2015. Sudan had a per capital income of USD 2,539 in 2015 and hence classified as a lower middle-income country (AU’s African Statistical Yearbook, 2016).

39. The structural shock caused by the secession of South Sudan and the dramatic fall in oil prices compounded the problem thereby impeding Government's ability to sustain growth. In an effort to bridge the financing gap, the Government adopted a three-year Emergency Economic Recovery Programme (2011-2013) and implemented an austerity budget, including an exchange rate devaluation of about 66%, tax increases, a reduction in fuel subsidies, cuts in non-priority public expenditures, and a strengthening of social safety nets to cushion the impact of these reforms. A medium-term planning approach was adopted, which is expressed in an Interim Poverty Reduction Strategy Paper (I-PRSP).

40. The impact of the reforms is beginning to emerge. Fiscal consolidation and tight monetary policy helped curtail inflation from 36.9% in 2014 to 16.9% in 2015. Driven by the Government's fiscal reforms, tax revenues rose to 68.7% of government revenues in 2014, up from 49.1% in 2011. The fiscal deficit-GDP ratio decreased from -3.5% to -0.9% between 2012 and 2014 but rose again to 1.2% in 2015 and was expected to increase to 1.6% in 2016. External debt burden on Sudan, which was 70.7% of GDP in 2013, remains a cause of concern in respect of its sustainability, even though it dropped to 56.3% of GDP in 2015.

41. The Sudanese authorities have raised optimism for sustainable development through the pursuit of drastic policies to address the economic shocks from the aftermath of both the secession of South Sudan and the dip in oil prices. The source of this concern largely rests on resource distribution, implementation of the policies, and strains of the sanctions imposed by the US Government.

42. Agriculture is a critical sector to Sudan's economy. The agriculture and livestock sector accounts for approximately 30-35% of Sudan's GDP, 80% of non-oil exports, and a source of livelihood for about 65% of the population. Rain-fed agriculture, which constitutes the greater proportion of cultivated land, reduced by 22.6%, and in turn slowed down the growth momentum in 2014.

43. Sudan's total external debt as at 2011 was USD 41.4 billion (representing 59.4% of GDP), rising to USD 48.7 billion in 2015. Debt as proportion of GDP rose to about 61.7% in 2012 before settling at 56% in 2014. The 2014 Annual Report of the Central Bank puts the total debt as ratio of total exports at 100%2% and 48% as ratio of total revenue. These ratios are well above the international standard of 30%, 100%, and 200% in that order, thus suggesting that the current debt profile is unsustainable and debt distressed.

44. A national debt strategy has been developed but is awaiting approval by the Government. However, the
Government has undertaken capacity-building activities with some organisations such as the African Development Bank (AfDB) to improve debt management. Given the uncertain prospects for debt relief, the strategy focuses on domestic debt markets to finance development projects.

45. Decentralization of government finances is at its nascent stage as the central government still retains most of the execution powers. Hence, government finances have remained relatively centralized. In addition, there is outpacing of expenditure decentralization over revenue decentralization. What this implies is that while the central government collects about 97% of total taxes and 86% of total revenues, its corresponding responsibilities in terms of expenditure fall short of its ability to pay. While the state governments accounted for a relatively high proportion of government employees, the central government accounted for only 71% and 74%, respectively. This indicates that the central government has maintained control on revenue collection while assigning more expenditure responsibilities to state governments.


47. The performance of Public Finance Management (PFM) is gauged by financial depth as well as reduction in fiscal deficit, declining from -3.5% in 2012 to -0.9% in 2014, but it widened marginally to -1.5% in 2015, while financial depth (measured by domestic credit to private sector as percentage of GDP) slowed down from 12.04% in 2012 to 8.2% in 2015. These figures reiterate the need to consolidate the implementation of the PFM reforms at the federal level and then extend to the states.

48. The Government has enacted acts such as the Illicit and Suspected Enrichment Act of 1989, the National Audit Chamber Act of 2007, the Procurement Act of 2010 and the new Act on combating money laundering and financial terrorism, which was enacted in 2011 to supplement the 2004 Act to combat corruption. It has also formed the Sudan chapter of Transparency International (2014) and adopted the AU and UN Conventions on Preventing and Combating Corruption (2003). In addition, the Sudan Penal Code 2003 criminalizes corruption-related offences such as attempted corruption, bribery of foreign officers and money laundering.

49. The independence of the Auditor General Chamber is guaranteed by law to report audit of government finances. The unfettered independence of the Auditor General was demonstrated through observance of its constitutional duty of carrying out audit of government expenditure and reporting to Parliament. A report presented by the Auditor-General to Parliament in 2012 revealed cases of corruption at the federal and state levels.

50. Sudan's trade with the economies of North Africa is not adequately integrated, accounting for less than 1% (2014) of its total exports, and 6.5% of its imports. Sudan's exports to the whole of Africa represented less than 10% of the total imports and total exports between 2011 and 2014. Sudan's imports represented not less than 80% of its total imports from Asian and Arab countries, while it exported a larger share (about 65%) to the industrial and Asian countries. This suggests very strong trade relations between other regions and Sudan except with Africa.

51. Sudan's historical attractions, natural parks and sea coast provide potentials for tourism development. FDI inflows before 1998 represented less than USD 100 million per annum. By 2009, FDI inflows had reached USD 1.7 billion. FDI statistics in 2012 and 2013 suggest that FDI inflows remained at pre-secession levels; but there was a surge in 2012, with total inflows reaching USD 2.3 billion, and later declining to USD 1.2 billion in 2014. The figures are beginning to trend upwards at USD 1.7 billion in 2015, thus placing Sudan among the highest FDI-receiving African countries. A substantial share of the FDI inflows originated in Saudi Arabia and Qatar, and was directed towards agriculture and energy.

52. The legal status that drives both domestic and foreign investment is Sudan is the National Investment
Encouragement Law of 2013. The Law provides for a pre-screening of all investment projects by the National Investment Authority. The Authority's regulatory role includes a licensing function, which gives the Authority the possibility to effectively screen, as well as terminate any investment project.

53. There is no doubt that the Government has made palpable efforts in the past five years to address major economic shocks, thereby stabilizing the economy. Some challenges, however, remain. The Government should intensify its efforts at diversifying the economic base, exports market and domestic resource mobilization, while reducing fiscal deficits and establishing a debt policy for the country. It should also improve infrastructure to increase cross-border trade with neighbouring countries.

**Corporate Governance**

54. Sudan has signed and ratified many fundamental international, regional and bilateral conventions, although it is yet to sign technical conventions. Effective application and enforcement of all the ratified international conventions are to an extent constrained by decentralization, which makes coordination and application of the international conventions difficult, weaknesses of some institutions in terms of monitoring capacities and the size of the informal sector.

55. Despite the weak regulatory framework for economic activities, the Central Bank of Sudan plays an essential role in promoting Corporate Governance principles.

56. Sudan has undertaken a number of reforms in order to improve the business ecosystem and promote entrepreneurship (one-stop shop, National Investment Encouragement Act 2013, etc.), but its overall performance in “Doing Business” has declined. This is particularly noted for some dimensions: getting credit, trading across borders, protecting minority investors and resolving insolvency. Two other factors have a negative impact on investment opportunities: land ownership and land conflicts on the one hand, and corruption, often linked to middlemen or brokers that intervene in investment projects, on the other hand.

57. While “strategic projects” receive much institutional attention, SMEs need more help, monitoring and supervision. This is particularly the case for companies run by women. In fact, even if Sudanese women are increasingly making their presence felt at all levels of governance in the country, it seems that apart from the informal sector, they have to strive to win their place in the business world.

58. Statistics on financial inclusion show that financial institutions are particularly weak in covering Sudanese citizens and enterprises. On the other hand, Sudanese can count on the exceptional support of their relatives and on their social capital to solve their financial problems.

59. Beyond these formal and institutional constraints on investment, the CRM found that some socio-cultural attitudes towards entrepreneurship might trigger mimicry and hinder innovation.

60. Sudan has chosen agriculture and agribusiness as its main developmental sectors. But these sectors face challenges and need restructuring. The focus of the participants of the National Dialogue on the importance of these sectors is a real opportunity and should lead to new strategies.

61. The El Gezira Scheme could once again be the engine of growth of the economy, thanks to industrial clusters and accompanying services that would promote and facilitate an agricultural revolution. This needs a better land allocation and management system, higher financial inclusion, better public policy coordination and, above all, a new generation of farmers and investors.

62. The family nature of the majority of companies and their paternalistic and closed management largely explain the opacity that surrounds the business world. The disclosure of information even for large companies remains linked to legal and compliance considerations, rather than for strategic purposes and building trust with all stakeholders.

63. Although Sudan has signed and ratified the “United Nations Convention against Corruption”, more still
needs to be done to fight corruption effectively. Social control and Islamic ethics are not sufficient to limit this phenomenon, which is linked to bureaucracy, poverty and sentiment of injustice. Sudan needs to enhance the national strategy for combating corruption and to further enforce the UN convention through the necessary legal and institutional mechanisms.

64. One of the best practices that the CRM wants to emphasize is the tripartite dialogue between the Unions and the Government. This formal institution should be endorsed by a more inclusive approach to ensure that all the interests are well represented.

65. Regarding Corporate Social Responsibility, while some Sudanese companies display a strong commitment towards Islamic ethics and social betterment, there is a wide divergence and incongruence between the firms’ practices and the codes of ethics, objectives and values they communicate in their mission and vision statements.

66. Notwithstanding the negative impact sanctions had on private sector development, a more coordinated and inclusive economic and entrepreneurial strategy could lead to more entrepreneurship and growth in Sudanese companies.

Socio-Economic Development

67. The Comprehensive Peace Agreement (CPA), which was signed on 9 January 2005 by the Sudan People’s Liberation Movement (SPLM) and the Government of Sudan, is a tangible demonstration of the will of the Sudanese people to promote sustainable peace, security and stability as a precondition for sustainable economic growth and broad-based socio-economic development of the country. Indeed, sustainable broad-based socio-economic development implies a continuous improvement in the well-being and standard of living of the people, which could be summarized in terms of per capita income, health, life expectancy at birth, infant mortality education, adult literacy environment and freedoms, which are the proxies to be measured and compared.

68. Recognizing the fact that sustainable broad-based socio-economic development is possible through good governance, which is about appropriation, participation, responsiveness, accountability and sustainability, the Government of Sudan has signed, ratified and adopted a number of international and regional standards and codes. However, a percentage of the population and relevant bodies (public institutions, private sector, NGOs, Community-based Organizations) are not fully aware of these agreements. In addition, several stakeholders asserted that socio-cultural and religious factors constituted a hindrance to the domestication and implementation of some international instruments, such as the Conventions on the Rights of Women and Children, which are still resisted in some communities.

69. Sudan is endowed with abundant natural resources, including petroleum and significant deposits of chromium ore, copper, iron ore, mica, silver, gold, tungsten and zinc. The White Nile is the dominant geographic feature of Sudan, flowing 3,000 kilometers from Uganda in the south, as well as the Blue Nile from Ethiopia, in addition to agriculture, which remains a vital sector for the economy, employing 70% of the population. While the share of agriculture fluctuates from year to year, it has steadily stayed above 30%.

70. In order to utilize wisely the abundant natural resources for the well-being of its people, the Government of Sudan has formulated a strategic plan and sectoral policies geared towards promoting and accelerating broad-based sustainable socio-economic development. The Economic Strategy is part of the 25-Year Strategy, which is based on the overall vision, national goals, economic directives and the working papers submitted by different economic institutions. To this effect, all economic ministries and institutions shall undertake to meet the basic needs of the citizens by justifiably and equitably realizing social justice, well-being and improving the image of the country.

71. In addition, the Interim Poverty Reduction Strategy Paper (I-PRSP), which was prepared in close collaboration with the World Bank Group, is considered as a first comprehensive policy document that assesses the challenges of and opportunities for poverty reduction and sets priorities, strategies and
policies for a continuous socio-economic development with people at the centre.

72. Unlike previous economic plans and strategies, the 25-Year Strategy and the I-PRSP were developed in consultation with national and the international communities, and provided a welcome entry to a more transparent and participatory approach to policy planning. The two documents paved the way for capacity development, particularly in the field of sector strategy and expenditure planning, and long-term visioning processes. The Government is committed to the I-PRSP and regards it as an important bridge to develop a partnership with the international development community.

73. According to the African Development Bank’s 2016 Economic Outlook, Sudan’s economic growth rose to above 5% in 2015 and is expected to increase further to above 6% in 2016 and 2017, mainly driven by agriculture and extractive industries and supported by improved macro-economic policies as stated above. However, the country is facing challenges, including poverty, and unemployment, which were induced by the sanctions imposed by USA since 1997, the secession of South Sudan followed by the fall in oil prices, the threat of climate change and reduced gold purchases by the Central Bank.

74. In order to meet these challenges, the Government has decided since 1999 to prepare a poverty eradication strategy by establishing a poverty unit in the Ministry of Finance and National Economy, and a high council chaired by the President was formed to supervise the preparation of the strategic paper and implementation of the poverty eradication programme. A strategy was launched despite the acute lack of data, and a workshop was conducted to discuss the concepts, policies and the extent of poverty. In 2004, a draft interim national poverty eradication strategic plan was published. The African Development Bank provided a grant to contribute to the national efforts to eradicate poverty in Sudan.

75. As indicated above, most strategies and programmes were formulated in collaboration with regional and international partners. In addition, these strategies or programmes used a participatory approach through public consultations, participatory assessment and validation, including a cross-section of both primary (communities and households) and secondary (experts, academics, CSOs/NGOs, media, etc.) stakeholders. Indeed, it was generally agreed that the process for drafting and adopting the Comprehensive Peace Agreement (CPA), the National Dialogue Conference (NDC), the National Strategic Plan and key sectoral programmes and strategies was highly participatory, and that the proposed policy framework was appropriated by all stakeholders.

76. There were different views on the adequacy and quality of the consultations. Some stakeholders contended that the consultations did not cover all parts of the country and that parts of the community were marginalized in the decision-making process. They complained that they were often either minimally involved or not consulted at all. Other stakeholders reported that they were invited to participate in their personal capacity and not as the representative of a group. Conversely, others confirmed that they were consulted and were satisfied with the consultation process, citing the numerous occasions when they were directly engaged or involved through other means such as the media.

77. Regarding participation of women in the formal non-agriculture sectors, there is a clear progress in their participation across the national economy. However, gender disparity in the formal sector is quite noticeable. According to the laws on employment, women in Sudan have equal opportunities to employment as men. The law on equal pay applies to both men and women, as long as they perform the same responsibilities. The pattern of employment is consistent with the economic sector where females are dominant, such as the informal and agricultural sectors. Nevertheless, the expansion of education and other social services in Sudan is reflected in some changes in the pattern of female’s labour status, in particular, encouraging them to engage in the formal sector. The presence of women numbers in the low and middle ranks is relatively high, whereas they still occupy very few positions at high levels.

78. Since independence, Sudanese women have been active in public life. In particular, progress in political participation is noticeable since the seventies. Women currently occupy 30% of seats in Parliament, and their number in ministerial positions is important. There are more than 300 women Parliamentarians in all legislative assemblies in Sudan, which is the largest number ever recorded in Sudan’s modern history.
79. The Government has undertaken some institutional reforms to encourage stakeholder participation in development. This is reflected in the 25-Year Strategic Plan, the Interim Poverty Reduction Strategy Paper (I-PRSP) and the Decentralization Programme. The Government has also made considerable effort to promote a bottom-up approach to development by including opinion leaders, NGOs and Community-Based Organizations (CBOs).

80. Poverty in Sudan has thwarted efforts by the Government and stakeholders (private sector, and NGOs) as it cuts across various sectors of the economy. In order to reduce its impact, the Government has defined it as a condition for not having the means to provide basic human needs such as clean water, nutrition, health, education, clothing and shelter. It has indicated that the main causes of poverty include: (i) the effect of economic liberalization on the poor and vulnerable groups; (ii) the long economic sanctions, which handicapped access to international initiatives such as (HIPCS); (iii) the protracted internal conflicts; and (iv) the increased amount of external debt.

81. According to the Household Baseline Survey 2009, the proportion of the population below the national poverty line and poverty gap is estimated at 46.5% and 16.2% respectively. According to the Survey, income/consumption poverty has declined by about 20 percentage points since 2005. But still nearly half of the population is below the poverty line. The poverty gap ratio and poverty severity index for 2009 are 16.2% and 7.8%, respectively, which shows that income/consumption poverty is high.

82. Since 2004, Sudan has witnessed positive developments, which opened new opportunities for real progress for education for all, especially at the basic level. The peace agreement ended longstanding internal conflicts. Investment in petroleum accelerated economic growth, which has encouraged external co-operation. Equally important, the Interim National Constitution-2005 stipulates: “The State promotes education at all levels all over Sudan and shall ensure free and compulsory education at the primary level and in literacy education programmes”.

83. Gender disparities in the area of education have narrowed as the number of girls enrolled has increased in both primary and secondary schools. It is indicated that out of the number of children enrolled in primary school, 58% were boys and 42% were girls. Combining primary and secondary schools, 63% of those enrolled were boys and 37% girls, which results in the increase of the Gender parity index to 101% in primary school and 78% in secondary school. In its commitment to girls and boys equal access to education, the Government has also abolished the school fees that were required in Junior Secondary School in Eastern and Northern Regions in order to encourage school attendance and lower regional disparities.

84. Despite the efforts made by the Government and all other stakeholders to accelerate the socio-economic development of Sudan and, consequently, reduce poverty, the situation is still of concern considering the impact of the climate change, the unemployment level and inequality in access to basic public services such as health, education, water, electricity and transport.

85. Indeed, in Sudan, almost one-third (31.8%) of under-five children suffer from moderate and severe underweight prevalence (weight for age), close to the national estimate of 33%. Similarly, nearly 33% suffer from moderate or severe chronic malnutrition (height for age) as per SHHS 2006, both indicating inadequate food intake coupled with other morbidities.

86. The Government started implementing a policy of free healthcare for pregnant women, breastfeeding mothers, and children under five. However, it was observed that healthcare services for women need to be improved. Indeed, various meetings with stakeholders indicated that health clinics are understaffed and personnel under-trained, and in some instances underpaid. As a result, medical doctors with a solid background often prefer to work for private hospitals, NGOs or in neighbouring countries or migrate overseas.

87. With regards to affordable access to water, sanitation, energy, finance, markets, ICT, shelter and land to all citizens, especially the rural poor, the Government needs increased investment in this area. According to the Ministry of Energy and Water Resources, only about 32% of the rural population has access to reliable
water supply due to inadequate capacity and poor operational and maintenance arrangements. Water supply coverage in urban areas, in particular, Khartoum, is about 50%. Due to the poor state of water services in Khartoum, water supply does not meet the needs of its population, which has been increasing tremendously.

88. Considering the importance of potable water and safe sanitation facilities, the Government has decided to formulate a national policy and guidelines on water and sanitation. The general objective is to manage water resources in an integrated manner to support social and economic development in the fields of health, agriculture, and energy and to maintain the productivity and integrity of the environment on a sustainable basis.

89. A good transport network is critical for growth in key sectors of the economy and in meeting the Sustainable Development Goals (SDG). During various discussions, it was asserted that a network of roads exists, but some roads are inadequate and generally requires improvement. The existence of insufficient and poorly maintained rural and feeder roads connecting villages and farm areas to market centers and the lack of regular transport services pose challenges to economic development in the country. The rehabilitation of roads, in particular feeder roads, is a priority of the Government in the medium term and this would require strong support from international development partners.

90. Despite the progress made by the Government and other stakeholders in promoting and accelerating the sustainable broad-based socio-economic development in Sudan, recent studies indicate that more has to be done to ensure that all stakeholders really participate in the development process. Inequalities between men and women still exist in some areas of education, employment, access to production means (land, credit, etc.), policy formulation and decision-making. In addition, an effective communication, which could build trust and bridge the information and feedback gaps that were revealed by the discussions held with stakeholders on their participation in the development process, is necessary.

91. The implementation of programmes and strategies formulated by the Government in close collaboration with international development partners and full participation of all other stakeholders will require considerable financial resources to be mobilized at the domestic and international levels. The Government should therefore scrutinize ways and means to mobilize these resources for the Poverty Reduction Strategy and particularly the National Programme of Action (NPoA).

**CROSS-CUTTING ISSUES:**

92. The main cross-cutting issues identified in this report feature in the four thematic areas of assessment. By their character, these issues impact developments beyond any particular thematic area and deserve to be highlighted for special attention. At its present level of political, social and economic development, Sudan stands to gain a lot from giving needed attention to and addressing the cross-cutting issues highlighted, namely: Youth Unemployment, Poverty Reduction and Socio-Economic Development, conflicts, IDPs and Refugees, and Economic Sanctions.

**Youth Unemployment**

93. Unemployment rate in Sudan averaged 15.83% from 1993 to 2014, reaching an all-time high of 19.50% in 2014 and a record low of 11.10% in 1993. The unemployment rate in urban areas was higher than in rural areas and it also appeared relatively higher for the highly-skilled individuals. Lastly, the incidence of unemployment among young people (15-24 years of age) was reported twice as high as for the rest of the population.

94. Such unemployment has negative social, economic and political consequences. It accentuates frustration, poverty, crime, migration and exclusion. It also complicates peace construction in some parts of the country and could threaten social stability, and it represents one of the main challenges, which the Government has to tackle with much effort and caution.
Poverty Reduction and Socio-Economic Development

95. Poverty is a multidimensional phenomenon, an indication of deprivation in one or more facets of the well-being of a person. It goes beyond inadequate food or income, and extends to an individual’s access to basic nutrition, health, education and skills, good housing conditions, clean water, social participation and political or religious freedom, which define his welfare. Pronounced shortage or deprivation in each of these areas is a facet of poverty and their sum symbolizes the broad concept of human development. Poverty in Sudan is conceptualized in this broad sense of income poverty and human poverty.

96. In order to alleviate the challenges and reduce poverty, painful, unpopular but necessary fiscal and external balance adjustments will have to be made to sustain the macro-economic stability essential for reviving and sustaining growth.

Conflicts, Internally Displaced Persons and Refugees

97. Conflict in Sudan derives from the heterogeneity of its population and the difficulties of managing the competing claims of the different peoples, who have unequal access to power, privilege and natural resources. A critical examination of the nature and causes of conflict in Sudan shows that they need not be so frequently violent and damaging to the fabric of society, if properly addressed.

98. The geography of conflict in Sudan also shows that competition for scarce natural resources such as water and grazing land has been a major source of conflict. Cohabitation of the same space by farmers and herdsmen predisposes to conflict because cattle graze on farms and destroy crops, thus depriving farmers of potential harvests. Global warming has also contributed to the land crisis and aggravated competition for land for farming and grazing by farmers and herdsmen. Proliferation of small arms and light weapons in conflict areas has also aggravated the problem.

99. IDPs and refugees experience human rights challenges, including their economic, social, political and cultural rights. Some camps lack basic needs like adequate shelter, water, healthcare, sanitation, and education for children.

100. However, the Government has tackled the challenges faced by IDPs and refugees as a result of these conflicts through various ways such as the Doha Document for Peace in Darfur (DDPD), aimed at pacifying the Darfur region.

Economic Sanctions

101. On November 3, 1997, the US President issued an Executive Order that imposed a comprehensive trade embargo on Sudan and blocked the assets of the Government for alleged human rights violations among other issues.

102. These sanctions effectively dictated Sudan’s trade patterns with the rest of the world. For example, while trade with Western countries has been hampered by the avoidance of banks to facilitate transactions with Sudan, more of the country’s export trade was diverted increasingly to Arab States and the greater Asia.

103. The sanctions also severely affected the poorest segment of the population particularly, thereby further widening the inequality in Sudanese society. Poverty incidence increased mostly in areas that needed assistance, which was either delayed or not forthcoming because of the sanctions. Since imposition of sanctions on Sudan has led to a systemic impoverishment of the citizens, thereby increasing hardship on a vast majority of the people, the AU and member-States should prioritize the total removal of the sanctions as a major objective.
BEST PRACTICES

a. National Dialogue in Sudan: In January 2014, H. E. Omar Al Bashir, President of Sudan, made a groundbreaking policy declaration of intent to convene a dialogue to end all conflicts, violence and tensions; reject ethnicity, tribalism and regionalism in favour of national unity; promote reconciliation and peace; and draft a permanent constitution. That National Dialogue Conference started in October 2015 and ended in October 2016. Some key characteristics of the National Dialogue recommend it highly as a mechanism for conflict resolution and peace building. It is the most comprehensive gathering of all Sudanese stakeholders to date in search of peace and national unity. It had the most comprehensive agenda for peace talks in the history of Sudan to date. The National Dialogue also had the most inclusive participation. Remarkably, 98% of its 944 recommendations were unanimously adopted, reflecting the most consensual agreement on peace and national unity by the Sudanese to date.

b. Good conflict resolution with Chad: The hostility between Sudan and Chad ended well and there is the successful experience of the joint Sudanese-Chadian army for border oversight, with exchange of commanders every six months. This not only brought an end to hostility between the two neighbouring countries, but also curtailed arms smuggling and human trafficking, and promoted inter-border trade.

c. Decentralisation: As Sudan endeavoured in recent years to reconstruct governance to achieve peace and stability, it has embarked on a programme of decentralization, through which power is being devolved to states, local governments and traditional institutions. This principle of decentralization also covers the social sectors, including health services, water supply, power, basic education and basic health care for primary health services as expressed in the Federal Ministry of Health (GMoH) 25-Year Strategy. The main objective is to achieve the Millennium Development Goals (MDGs), contribute to poverty reduction, and improve equity across and within states, and among vulnerable groups. This is a programme that is still unfolding operationally, but the institutional framework is in place and the Government is striving to implement it effectively.

d. Women's political participation: Sudan has signed the Protocol to the African Charter on Human and Peoples’ Rights of Women in Africa (2003), and women in Sudan have attained higher levels of political participation than women in many African countries that have signed and ratified CEDAW.

Women’s political participation has risen steadily since the 2008 Electoral Act reserved 25% of elective seats in the National Assembly for women. In 2015, the percentage was increased to 30%, following a constitutional amendment. The actual proportion of women in Parliament after the 2015 general elections stands at 30.5%. Sudan’s National Assembly has two Deputy Speakers, both of them women.

e. Tripartism and Social Dialogue in Sudan: Tripartism covers negotiation, consultation and information exchange between and among the different actors; collective bargaining; dispute prevention and resolution; and other instruments of social dialogue, including corporate social responsibility and international framework agreements. A higher council with a tripartite configuration (government, employers and workers) was formed as a result of negotiations the Trade Unions had with the State and this Council has been working for more than twenty years. Besides, the Trade Unions were represented in legislatures at the national level as follows: labour union is represented on the consultative councils for ministers, and on the committees for drafting and amending labour laws; workers are represented on management boards of government bodies and institutions. Consultations have made it possible to limit social conflicts and to bring about important reforms, including the revision of the 1995 Public Service Act in May 2007 and the 1997 Labour Law.

f. Streamlined procurement procedures: One of the key outputs of the Public Sector Reform, Decentralization, and Capacity Building Programme Support Project was the Standard Bidding Document (SBD) and subsequent procurement manual, which were formally accepted by Sudan’s Finance Ministry. The manual and SBD comprised Sudan’s first ever-uniform procurement procedures and forms. Prior to this, each ministry had its separate procurement policies and documents. The adoption and implementation of SBD and the procurement manual across all government ministries, has a great potential to streamline the
country's procurement procedures.

g. Expanded outreach of local Non-Governmental Organizations (NGOs): Port Sudan Association for Small Enterprise Development (PASED) has extended micro loans to the enterprising poor to enable them to establish small businesses and improve the environment for home-based businesses. One of the distinct features of the interventions of PASED is that it extends house improvement loans, with an emphasis on women. PASED operates through five sub-offices located in the poor residential quarters of Port Sudan and employs 21 permanent staff assisted by four volunteers from the local community.

h. Child-Friendly School Concept: The concept of Child-Friendly School (CFS) was introduced and promoted in order to operationalize child rights principles of equality, non-discrimination, participation, the right to survival and development, and the best interest of the child in education. The Child Friendly School therefore promotes realization of rights and is used in education programming with a view to ensuring that quality education reaches every child, including, in particular, the most vulnerable children.

i. Ahfad Women University: Sudanese are committed to ameliorate the education levels of women. Notable is the existence of the Ahfad Women University, which began as an Elementary School for Girls in 1907, and is now a big private university educating a wide spectrum of women in different specialties in Sudan.

CONCLUSION:

104. The Government of Sudan has made significant progress towards the ratification and subsequent implementation of codes and standards. However, there is a need to raise awareness of some of them particularly that many of the codes and standards are not yet translated into Arabic. The Government is encouraged to sign and ratify codes and standards it has not yet signed and ratified. Similarly, the ratification status of some of the codes needs to be ascertained from implementing institutions and other official sources.

105. Sudan is well on course in its efforts to enhance the quality of governance. Substantial progress has been made in all thematic areas. The country has some best practices, which should be emulated by other African countries.

106. However, challenges still remain and there is a need for the country to continue taking actions in order to move its political, economic and socio-economic agenda forward and fully meet the ultimate objectives of the APRM. There are also issues that are of a recurring or cross-cutting nature that have been identified in more than one thematic area.

NATIONAL PROGRAMME OF ACTION

107. The Government of Sudan has drawn up the National Programme of Action (NPoA), which will require mobilization of considerable financial resources, at the domestic and international levels, to address some of the challenges identified in this Report. The budget for the implementation of the NPoA is estimated as follows:

<table>
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<th>Category</th>
<th>Amount</th>
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<tr>
<td>Democracy and Political Governance</td>
<td>USD 3,900,000</td>
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<tr>
<td>Economic Governance and Management</td>
<td>USD 26,598,000</td>
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<td>Corporate Governance</td>
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<tr>
<td>Socio-Economic Development</td>
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<tr>
<td>Grand Total</td>
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</tbody>
</table>
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