

Bismillahi r-rahman ir-rahim

[SEAL]

Republic of the Sudan

Republic of The Sudan
National Assembly
Speaker

Date: 22nd Jamadi al-Ula 1438 (Hijri)
m/1/b/4

Number: m w/m r

Corresponding to: 19th February 2018 (Gregorian)

4/463

The esteemed brother *Dr. Awad Al-Hassan Al-Noor*

As-salamu 'alaykum wa-rahmat illahi wa-barakatuh

Concerning: The Rapid Support Forces Act 2017

Pursuant to the provisions of article 54(7) of the Regulation for the Affairs of the National Assembly 2015, I hereby convey to you attached to this letter the aforementioned act passed by the National Assembly. I kindly request that it be disseminated as law in the Official Journal once it has been signed by the President of the Republic.

Wa billahi t-tawfiq

[Signature]

Ibrahim Ahmed Omer
Chairman of the National Assembly

Addressed to:

Dr. Awad Al-Hassan Al-Noor
Minister of Justice

Copied to:

Minister of Home Affairs

[signature]

Prime Minister

[signature]

Minister of Defence

[signature]

Legal Advisor to the Council of Ministers

[signature]

General Advisor for Legislation at the Council of Ministers

[signature]

Fourth Session
Rapid Support Forces Act 2017

Pursuant to the provisions of the Transitional Constitution of the Republic of Sudan 2005, the following act has been approved by the National Assembly and signed by the President of the Republic:-

Chapter 1
Introductory Provisions
Naming and Establishing the Act

1. This act is named “Rapid Support Forces Act 2017” and comes into force on the date when it is signed.

Repealing and Exceptions

2. All decisions, orders and procedures issued regarding the Rapid Support Forces remain in effect until they are repealed or altered in accordance with the provisions of this law.

Interpretation

3. (1) Within this law, unless context requires otherwise:

“Personnel”:	refers to one or more petty officers or troops working in the Rapid Support Forces.
“Commander”:	refers to the commander of the Rapid Support Forces appointed in accordance with the provisions of article 10 of this act.
“Council”:	refers to the Council of the Rapid Support Forces instated in accordance with the provisions of article 9 of this act.
“Enemy”:	refers to anybody who acts outside the law and fights against the state or threatens national safety and security or public peace. This includes individuals outside Sudan, rebels acting outside the law and different designations of armed gangs currently in the act of, or preparing for, armed operations that threaten national safety and security.

- “Competent authority”: refers to the competent command structure within the Rapid Support Forces under which the envisaged procedure is carried out.
- “Supreme Commander”: refers to the President of the Republic.
- “Legal order”: refers to any order issued by the Supreme Commander which does not violate the provisions of this act or any other law currently in effect.
- “Senior officer”: includes personnel of any rank which places them above a somebody subject to the provisions of this act.
- “Military equipment”: refers to any property, apparatus or equipment in the custody or possession of the Rapid Support Forces, as well as any equipment acquired by anybody to be transferred or handed over to any unit within the Rapid Support Forces, including equipment belonging to personnel.
- “Guard”: refers to anybody assigned guard duties over any facility or individuals or military equipment and so on in times of peace or war.
- “Military operation”: refers to any acts of war or fighting while confronting the enemy.
- “Prison sentence”: refers to any punishment by deprivation of liberty served by the convicted person in a military or civilian prison following a ruling issued by a military or other competent court.
- “Military court”: refers to courts instated in accordance with the Armed Forces Act 2007.
- “Competent court”: refers to any court with competence which exercises its authority within Sudan alongside the military courts instated in accordance with the provisions of the Armed Forces Act.

- “Demotion”:
means reducing an individual’s rank to any of the lower rank held by personnel
- “Emergencies and war”:
refer to a defined period during which a state of emergency is declared in an announcement issued by the President of the Republic, or following a declaration of war.
- “Training”:
refers to the period of time over which a member of personnel undergoes scheduled military training.

(2) Any word or expression appearing in this act which has not been glossed above should be interpreted in line with its usage in the laws and regulations of the armed forces.

Those to whom the law applies

4. (1) The provisions of this act apply to the individuals and personnel mentioned below:
- a) Officers serving in the Rapid Support Forces
 - b) Petty officers and troops serving in the Rapid Support Forces
 - j) Any other individual serving in the Rapid Support Forces not mentioned in a) and b).
- (2) Overriding clause (1), the provisions of this act apply to anybody facing accusations after the end of their service if the action or failure to act for which they are being punished was committed during or as a result of their service.

Application of the provisions of the Armed Forces Act

5. (1) Following the declaration of a state of emergency or war, the Rapid Support Forces are subject to and governed by the provisions of the Armed Forces Act 2007 in regions where military operations are taking place.
- (2) The President of the Republic may at any time merge the Rapid Support Forces with the Armed Forces in line with the constitution and the law, whereupon they become subject to the Armed Forces Act 2007.

Chapter 2

The creation, aims, functions, principles and command structure of the Forces

Creating the Rapid Response Forces

6. (1) A set of forces are hereby created and named “The Rapid Support Forces” which serves under a commander-in-chief
- (2) A set of regulations, systems and directives determine the size, growth, openness, comm-[THE END OF THIS SENTENCE APPEARS TO HAVE BEEN DELETED AND THE NEXT SUBTITLE INSERTED HALFWAY THROUGH]

Aims and functions of the Rapid Support Forces

7. The Rapid Support Forces are nationally-composed military forces that strive to uphold the values of loyalty to God and country. They have the following functions:
 - a) Supporting and assisting the Armed Forces and other government forces to perform their functions.
 - b) Responding to legally-determined emergencies.
 - j) Protecting the country by confronting internal and external threats.
 - d) Any other functions assigned to it by the commander-in-chief or council.

General Principles

8. Personnel serving in the Rapid Support Forces must abide by the following general principles:
 - a) The principles of the true religion and respect for all the Abrahamic religions and cherished beliefs.
 - b) Respect for the constitution and laws.
 - c) Unity of the national ranks and unity amongst personnel.
 - d) Cooperation, harmony and affirmation of unity of purpose with the Armed Forces and government forces.
 - e) To be accommodating of established local customs and enjoin respect for them within the bounds of the law.

Formation and competencies of the Council

9. (1) By order of the commander-in-chief a council is formed under his leadership which is named “the Rapid Support Forces Council”.
- (2) The competencies of the council are as follows:
 - a) Developing the necessary policies and plans for the Rapid Support Forces’ work.

- b) Issuing and approving administrative and financial laws and any other laws concerning the Rapid Support Forces and regulations governing the affairs of the Council.
- j) Issuing the necessary ruling on any matter presented by the competent authority.

The Commander

10. The President of the Republic shall appoint a commander for the Rapid Support Forces.

Functions of the Commander

11. (1) The functions of the commander shall be as follows:
- a) To execute the rulings and directions of the Council
 - b) Administrative and technical leadership of the Support Forces.
 - j) Issuing standing orders
 - d) Preparing the budget of the Rapid Support Forces and submitting it to the competent authorities for approval.
 - h) Any other functions assigned by the council.
- (2) The Commander shall be answerable to the Commander-in-Chief for the performance of the Rapid Support Forces.

Chapter 3

Recruitment, Employment, Selection, Qualification and the Oath Recruitment, Employment, Selection and Qualification

12. The articles of Chapter 4 of Section 1 of the Armed Forces Act 2007 apply to personnel of the Rapid Support Forces in matters concerning recruitment, employment, selection and qualification.

The Oath of Loyalty

13. Personnel of the Rapid Response Forces swear an oath of loyalty whose text is as follows:

“I swear by almighty Allah to pledge my life to God and country and the service of the people in honesty and good faith, and to devote my time and energy for the duration of my service to fulfilling the duties placed upon me, in accordance with the constitution, the law of the Armed Forces, the law of

the Rapid Support Forces or any other law or regulations in force, and to follow any legal order issued by a superior officer on land, at sea or in the air, and to do my utmost to execute it, even if this should lead to the sacrifice of my own life.”

Chapter 4
Ranks, promotions, secondment, transferral and salary
Ranks

14.(1) The ranks of the Rapid Support Forces shall be as follows:

- a) Lieutenant General
- b) Major General
- j) Brigadier
- d) Colonel
- h) Lieutenant Colonel
- w) Major
- z) Captain
- H) First Lieutenant
- T) Second Lieutenant

(2) The ranks of petty officers and troops of the Rapid Support Forces shall be as follows:

- a) Master Sergeant
- b) Staff Sergeant
- j) Sergeant
- d) Corporal
- h) Lance Corporal
- w) Private

(3) The regulations and systems of the Armed Forces shall determine military ranks and titles and how they are conferred.

Promotions

15. (1) Promotions at officer level in the Rapid Support Forces are issued by order of the President of the Republic.
- (2) Promotions at other levels are approved by the authority which the regulations determine.
- (3) The regulations determine the terms of service and the procedures of promotion from one rank to another.

Secondment

16. (1) The Commander may second any person to serve in the Rapid Support Forces in line with the regulations and systems and with the agreement of the person seconded and the body to which they belong for a period of two years, which can be extended once for another two years, after which the person seconded chooses to be permanently transferred to the Rapid Support Forces or to return to the body from which they were originally seconded.
- (2) Overriding clause (1), the Commander may end a person's secondment if this is in the interests of all concerned.

Transferral

17. Following a recommendation from the Council, the President of the Republic may transfer any member of the personnel of the Rapid Response Forces to the Armed Forces or any government force or any organ or organs of public service. They may also transfer any member of the personnel of the Armed Forces or any government force to the Rapid Response Forces.

Salary, allocations and privileges

18. (1) Financial matters within the Rapid Support Forces are regulated in line with the principles and guidance stipulated by the Financial Procedures and Accountancy Act 2007.
- (2) The financial regulations determine the wages, allocations and privileges of personnel in the Rapid Support Forces.

Chapter 5

End of service, procedures for dealings with personnel and benefits following service.

Reasons for end of service: Officers

19. The service of an officer of the Rapid Support Forces comes to an end by order of the President of the Republic following a recommendation from the Commander, for any of the following reasons:
- a) Reaching pensionable age in line with the People's Armed Forces Pension Act 1976.
 - b) Acceptance of a request to be exempt from service.
 - j) A final court verdict from a military court or a competent court which finds the officer guilty of any crime that affects honour or integrity.
 - d) A final court verdict from a military court or a competent court sentencing the officer to prison time.
 - h) A final court verdict from a military court resulting in the officer's dismissal.
 - w) The officer being employed in a constitutional post.
 - z) Being pronounced in an unfit state of health by a competent medical committee.
 - H) Loss of Sudanese citizenship and acquisition of citizenship of another country.
 - T) Incompetence as documented in reports written about the officer.
 - y) Unsuitability as determined by the regulations and systems.
 - k) Desertion as defined by the regulations and systems.
 - l) Death or being killed in action, in fact or legally.

Reasons for end of service: Petty Officers and Privates

20. The service of petty officers and privates comes to an end by order of the Commander in line with the law, regulations and systems, for any of the following reasons:
- a) Reaching pensionable age in line with what the law and regulations dictate.
 - b) Acceptance of a request to be dismissed from service.
 - j) Completion of service contract.

- d) A final court verdict from a military court or a competent court which finds them of any crime that affects honour or integrity.
- h) A final court verdict from a military court or a competent court sentencing them to prison time of six months or more.
- w) A final court verdict from a Military Court or summary court resulting in the officer's dismissal.
- z) Employment in a constitutional post.
- H) Being pronounced in an unfit state of health by a competent medical committee.
- T) Loss of Sudanese citizenship and acquisition of citizenship of another country.
- y) Desertion as defined by the regulations and systems.
- k) Expulsion from service for bad behaviour.
- l) Death or being killed in action, in fact or legally.

Privileges following service

21. (1) For the purposes of privileges following service, officers, petty officers and privates in the Rapid Support Forces are subject to the laws concerning pensions for officers, petty officers and privates in the People's Armed Forces.
- (2) Rewards and pensions shall be denied to person found guilty by final court verdict of high treason or criminal insurgency.
- (3) Rewards and pensions shall be denied to any person considered a deserter under the regulations, until such time as they shall appear before a military court which shall come to a decision concerning this.

Procedures for dealings with personnel

22. (1) An action is not considered a crime if performed by an officer, petty officer or private with good intentions, in the line of duty, while undertaking any duty placed upon them, or if performed under authority delegated or endowed to them in accordance with the law on criminal procedures or any other law in force, any regulation or any orders issued in accordance with these,

as long as that action falls within their service or the duties placed upon them in line with the authority delegated to them, and they do not exceed a reasonable degree of force in fulfilling their duties or the law without any other motive for undertaking this action.

(2) If the performance of duty should result in any death or harm worthy of blood money [diyah] or compensation, this is paid by the state on behalf of the officer, petty officer or private acting with good intentions in line with the provisions of this article.

(3) No person subject to the provisions of this law may prosecute a superior or inferior officer before the Court of Ordinary Jurisdiction during their service or following it for any direct or indirect consequences which have befallen them while following legitimate orders issued in the line of their duty.

Judicial Confiscation

23. Judicial confiscation of fixed assets and immovable goods belonging to the Rapid Support Forces is prohibited.

Chapter 6

Military Criminal Procedures

24. (1) The articles of Section 2 of the Armed Forces Act 2007 apply to the personnel of the Rapid Support Forces in connection with the following:
- a) Military trials.
 - b) Military criminal prosecutions.
 - j) Military criminal cases.
 - d) Enquiry and investigation.
 - h) Procurement, impoundage and security.
 - w) Detainment and interrogation.
 - z) Military preventative custody.
 - H) Allegations.

- T) Fabricated allegations.
 - y) Trial procedures.
 - k) Sentences passed by military courts.
 - l) Appeals, endorsements, examination and implementation.
 - m) Petitions.
- (2) The articles of Section 3 of the Armed Forces Act 2007 applies to personnel of the Rapid Support Forces.

Chapter 7

Regulations and Standing Orders

25. The Commander shall prepare the regulations and standing orders and submit them to the Council for approval in the interest of personnel of the Rapid Support Forces in the following matters:
- a) Training and qualifications.
 - b) Organising the general affairs of personnel.
 - j) Uniform, functions and equipment.
 - d) Good management and wellbeing of personnel.
 - h) Offices, accommodation, training centres and any other places used by the Rapid Support Forces.

w) Any other matters deemed essential to be organised and taken care of.

Testimony

I hereby bear witness that the National Assembly has approved the “Rapid Support Forces Act 2017” in its 43rd sitting of the fourth session on the 18th of Rabia al-Thani 1438 (Hijri) corresponding to the 16th of January 2017 (Gregorian) as the Joint Standing Committee for the National Assembly and the Council of Ministers decided at their meeting number 13 on the 4th of Jamadi al-Awal 1438 (Hijri) corresponding to the 1st of February 2017 (Gregorian) that it does not affect the interests of the states.

Ibrahim Ahmed Omer
Chairman of the National Assembly
Chairman of the Joint Standing Committee for the National Assembly and
the Council of Ministers

I approve this:
Field Marshal:
Omar Hassan Ahmad al-Bashir
President of the Republic
Dated: 18/05/1438 Hijri
Corresponding to: 15/02/2017