



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Fifty-fifth session

13 September-1 October 2010

### Implementation of the Convention on the Rights of the Child

#### List of issues concerning additional and updated information related to the consideration of the third and fourth periodic report of Sudan (CRC/C/SDN/Q/3-4)

*The Committee may take up all aspects of children's rights contained in the Convention during the dialogue with the State party.*

#### Part I

**In this section the State party is requested to submit additional, updated information in writing, if possible before 2 August 2010, not exceeding 30 pages.**

1. Please indicate the status of the Convention in Sudan as well as whether *Sharia* law is part of positive law.
2. Following the enactment of Federal Child Rights Act, which was gazetted in 2010, please provide information on the regulatory and procedural framework for its implementation, including any subsidiary legislation.
3. In view of significant challenges with regard to the availability of up-to-date data on, *inter alia*, the prevalence of HIV/AIDS among children, child mortality rates, children with disabilities and trafficking in children, please advise on any measures planned with a view to enhancing the collection of current and comprehensive data on the areas covered by the Convention.
4. Please indicate the measures taken to harmonise the legal definition of the child under the various laws in the State party with the definition of the child in the Convention. In light of paragraph 48 of the State party's report indicating that inconsistencies in Sudanese legislation regarding the definition of the child are resolved by recourse to the 1974 Interpretation of the Law and General Provisions, please provide examples of court cases where this provision has been applied.

5. Please indicate whether any measures, including legislative measures, are being taken to address discrimination against girls and against children born out of wedlock.
6. Please provide information on the application of death penalty on persons under 18 years of age in cases of retribution, *hudud* or *quissas*.
7. Please provide information on concrete measures taken or envisaged to promote the use of alternative forms of discipline in all environments, including schools and in the home, and to enforce the prohibition on the use of corporal punishment.
8. In light of the national strategy to combat female genital mutilation (FGM) and of the extremely high prevalence of FGM, please provide information on the State party's intention, if any, to prohibit this practice by law and to criminalise it.
9. Please provide information on any measures taken, including awareness-raising campaigns and the use of the media, to address the practice of abandoning children born out of wedlock and to combat the stigma associated with bearing children out of wedlock.
10. Please provide information on specific measures and programmes in place, if any, to protect street children from violence as well as sexual and other forms of exploitation and to provide them with access to healthcare and education.
11. Please indicate any monitoring and inspection mechanisms available to ensure that alternative care facilities for children who have been abandoned or otherwise separated from their families are of an adequate standard and to avoid the recurrence of excessive child mortality rates similar to those of Maygoma orphanage.
12. Please advise whether there is a plan of action or other comprehensive national programme to address the low enrolment and completion rates of children at both primary and secondary school levels. If so, does this plan or programme take into account the particularly vulnerable situation of girls, who are often prevented from attending school by factors such as early marriage, the low priority generally given to the education of girls, and poverty?
13. Please indicate whether there are any plans or programmes in place to ensure the protection of refugee or asylum-seeking children from exploitation, including sexual exploitation, physical abuse, trafficking and recruitment into armed groups. Please indicate the steps, if any, taken to ensure that they have access to education and healthcare.
14. Please provide information on the measures taken during the reporting period to combat rape and sexual violence against girls, including the number of investigations and prosecutions undertaken, and particularly in relation to the prevalence of rape and torture in the context of the armed conflicts in Darfur, Eastern Sudan and Southern Sudan.
15. Please provide information on the measures taken to combat early marriage and to prevent marriages through *fatiha* with a view to protecting girls from sexual abuse and violence.
16. Please provide information on the measures taken to implement the juvenile justice system established under the Child Act of 2010. Please include information on the number of juvenile justice courts currently in full operation, the implementation of the restorative justice provisions set out in articles 153 to 157, the availability of judicial guarantees for children in conflict with the law (including access to legal aid) and

measures to resolve the discrepancy between the ages of criminal responsibility applicable under the Child Act (12 years) and the Southern Sudan Criminal Code (10 years), respectively.

17. Please provide additional information on the mandate and functions of the Family and Child Protection Unit attached to the State of Khartoum Police Force, as well as the number of children who have received support and assistance from the unit since its establishment. Please provide information on whether this unit has been extended to other villages and provinces.

## **Part II**

**Under this section, the State party is invited to briefly (3 pages maximum) update the information provided in its report with regard to:**

- New bills or laws, and their respective regulations;
- New institutions (and their mandates) or institutional reforms;
- Recently introduced policies, programmes and action plans and their scope;
- Recent ratifications of human rights instruments.

## **Part III**

**Statistical and other information, if available:**

Please provide, if available, statistical data (disaggregated by nationality, age, sex, ethnic origin, geographic location, and socio-economic status) for the period June 2008-May 2010 on:

- (a) the budgetary allocations for programmes aimed at implementing the Convention or otherwise for the benefit of children, including in relation to allocations for other programmes and activities in the State and local government budgets;
- (b) the number of children who have been deprived of a family environment and the budgetary allocations for residential care institutions, foster homes and other forms of alternative care for children;
- (c) the number of children who have been abused, neglected or sexually exploited and details of any investigations and prosecutions conducted, as well as their outcomes;
- (d) the prevalence of the practice of child abduction, particularly in the context of inter-tribal conflict; and
- (e) the number of children who have been victims of trafficking both within and outside of the State party's borders, including statistical information on any investigations and prosecutions conducted, as well as their outcomes.

In addition, the State party may list areas, affecting children that it considers to be important with regard to the implementation of the Convention.

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